



GOVERNMENT OF  
WESTERN AUSTRALIA

Department of Justice

# Annual Report 2021/22



## 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.

### About the artwork

#### The Healing Spring

*This is a painting about a water hole near Halls Creek where the Jaru people live, called Palm Springs.*

*It's known as a healing spring.*

*Anyone who swims in it will be healed of any bad spirits or sickness and it is where a rainbow serpent lives.*

*The grey spots on the side of the painting are hills.*

*The red in the middle is the spring where the serpent lives.*

*The dots are the different land around the spring.*

*The lighter dots on the outside of the painting are the desert.*

*The darker ones around the springs are the greenness of the grass.*



To celebrate NAIDOC Week 2021, the Department commissioned this artwork by an Aboriginal prisoner artist from Roebourne Regional Prison, which was reproduced on the façade of the David Malcolm Justice Centre.

## Statement of Compliance



Hon John Quigley MLA  
Attorney General; Minister for Electoral Affairs



Hon Bill Johnston MLA  
Minister for Mines and Petroleum; Energy;  
Corrective Services; Industrial Relations

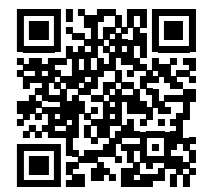
In accordance with Section 61 of the *Financial Management Act 2006*, I hereby submit for your information and presentation to Parliament, the Annual Report of the Department of Justice for the financial year ended 30 June 2022.

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  
14 September 2022

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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, 192 Acts of Parliament.

In the past year as the impacts of the COVID-19 pandemic were felt throughout the community, the Department maintained a clear and sustained commitment to the continued delivery of safe and effective justice services and staff demonstrated their resilience and adaptability in dealing with the impacts of COVID-19. As a result, all services were maintained with limited disruption and the Department celebrated many milestones and achievements, which are documented throughout this Annual Report.

## COVID-19

Throughout 2021/22 the Emergency Response Team and COVID-19 Taskforce coordinated the Department's response to COVID-19 in order to minimise the impacts felt across business areas, courts and the custodial estate. These teams also ensured Departmental compliance with State Government pandemic instructions.

The Emergency Response Team provided support throughout the year to the Department's various business areas (with the exception of Corrective Services which was managed by the Corrections-specific COVID-19 Taskforce) to ensure continued business operations. The Team undertook daily COVID-19 monitoring across the Department, with business areas implementing Business Continuity Plans when required to manage the impact of COVID-19. Many business areas, including the Public Trustee and the Registry of Births, Deaths and Marriages, saw the benefit of improved functionality across their online platforms during COVID-19 in supporting service accessibility for all community members, including Western Australians residing interstate or overseas, those with mobility issues or who were living with other disabilities.

Courts and tribunals continued to operate and deliver core services to the public throughout COVID-19 restrictions. While service levels remained unchanged, there were modifications to how services were delivered, including the use of enhanced audio-visual systems which allowed greater flexibility in providing remote attendance for participants in court hearings. A Rapid Antigen Testing facility was also established at the District Court Building following the opening of the State border in March 2022, with the facility open to court participants including jurors, witnesses and counsel, to be tested as required.

The COVID-19 Taskforce ably managed the response to COVID-19 across the custodial estate and community corrections sites, issuing Directions in response to the changing and dynamic environment, and in particular, managing the WA Correctional Facility Entrant (Restrictions on Access) Directions under the *Public Health Act 2016*; the latter restricted access to correctional facilities by unvaccinated correctional facility entrants. The Taskforce also took the lead in liaising with a range of key stakeholders including health authorities to provide advice to custodial staff, and maintaining the safety and wellbeing of all persons in custody, the staff and visitors to correctional facilities.

As part of a wider prevention strategy, COVID-19 vaccinations were rolled out in all WA prisons from July 2021. Vaccination of people in custody is a priority of the Department to assist in protecting the custodial cohort from the impacts and consequences posed by exposure to COVID-19. Since July 2021, the COVID-19 Taskforce successfully coordinated three mass vaccination programs across the custodial estate. As at 30 June 2022, 89.5 per cent of the total prisoner and youth detainee population had received at least one vaccination dose.

While this year saw the first outbreaks of COVID-19 occur within the custodial estate, the COVID-19 Taskforce was instrumental in assisting the management and containment of these outbreaks, with valuable lessons learnt being applied to control subsequent outbreaks. I was pleased that no prisoner or detainee died or was hospitalised because of COVID-19 whilst in the Department's custody during the year, which is an outstanding achievement.

I offer my thanks to all staff who worked hard to reduce the spread of COVID-19 whilst still maintaining our suite of services for Government and the wider community. I would recognise the great work done by Parliamentary Counsel's Office and Strategic Reform in rapidly drafting policy and legal amendments for the Government to enact in order to combat the pandemic. I would also note that a number of staff were seconded to broader whole of government responses to COVID-19, including a contingent of volunteers who were seconded to the Department of Health to be trained and to work as contact tracers for up to six months, where required. Their service also deserves recognition.

## Closing the Gap

The Department acknowledges the significant overrepresentation of Aboriginal people in the criminal justice system. In September 2021, the Western Australian State Government released its first Closing the Gap Jurisdictional Implementation Plan, a starting point for achieving the priority reforms and socio-economic targets identified in the National Agreement on Closing the Gap. The Department was appointed as the lead agency in Western Australia's response to Outcomes 10 and 11, seeking to ensure that Aboriginal adults and young people are not overrepresented 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.

A key partnership between the Department and Aboriginal people has been established through the recently formed Aboriginal Justice Advisory Committee. It has been a pleasure to chair meetings of Aboriginal Justice Advisory Committee this year, ably supported by Ms Gina Hill, Director of Aboriginal Justice Transformation and her team. The nine men and women on the committee are established and emerging leaders in their communities who hail from regions across the State. They have familiarised themselves with the justice system, visited key sites and met senior officials and judges. Over the year they have developed a number of key areas where they will focus their attention in coming months.

The Department launched its second Reconciliation Action Plan 2022-2024 in February 2022. Through the tireless work of staff committed to Closing the Gap and empowering Aboriginal people to reach their full potential, 94 per cent of the deliverables in the first Reconciliation Action Plan were completed. In our second Reconciliation Action Plan, there is a renewed focus on developing and strengthening relationships with Aboriginal people including fostering respect through the truth-telling process. We have chosen

to pursue outcomes that are brave rather than safe, with initiatives ranging from anti-discriminatory strategies, to improving justice and employment outcomes for Aboriginal people and mandating training for staff with a view to building a culturally safe environment.

In line with our second Reconciliation Action Plan, the Department continued to strengthen its custodial programs and initiatives throughout the year. This included 12 Aboriginal prisoners at Boronia Pre-Release Centre for Women graduating from a 10-week cultural, social and emotional wellbeing program in August 2021, as part of the National Empowerment Program. The National Empowerment Program was developed following community consultation in response to the high rates of psychological distress, self-harm and suicide among Aboriginal people. The program is Aboriginal-led and designed, is holistic in its approach, and focuses on strengthening the cultural, social and emotional wellbeing of individuals, families and the community.

Other initiatives included a partnership between the Department and the Western Australian Aboriginal Leadership Institute to provide a 10-week pilot of the Prevention Early Intervention Leadership Program to Aboriginal women at Melaleuca Women's Prison. The program was designed and delivered by Aboriginal facilitators at Melaleuca and encouraged self-reflection and healing, building resilience and leadership capacity and financial literacy. The program helped women connect with their culture and history and gain skills to build better lives for themselves and their families.

A collaborative initiative between the National Indigenous Australians Agency, the Department of Justice Training Academy and Boronia Pre-Release Centre for Women saw eight residents participate in a Prison to Work program designed specifically for Aboriginal women. The 16-week Yirra Djinda (or 'Rising Stars') program provides recognised qualifications and job ready skills for the hospitality, catering and customer service sectors. Up to 50 women will participate in the program over its first two years.

It was also pleasing to see further expansion of the existing Aboriginal Languages in Custody Program, with delivery of the program now occurring in Banksia Hill Detention Centre, Boronia Pre-Release Centre for Women, Hakea Prison and Casuarina Prison. The Aboriginal Languages in Custody Program complements other Aboriginal language classes and programs run across the custodial estate including at Bandyup Women's Prison, Wandoo Rehabilitation Prison, Karnet Prison Farm, and Eastern Goldfields Regional Prison. Partnerships established during the year will lead to additional language programs delivered at Greenough Regional Prison and Albany Regional Prison.

## Driving justice reforms and legal assistance

The Department continued to progress a wide range of significant social justice and community safety reforms, which resulted in a number of new pieces of legislation or significant legislative amendments becoming law in 2021/22.

For example, it was previously the case that a convicted person who had exhausted all of their appeals had no further right to appeal, even if new evidence later emerged that had the potential to exonerate them, or there was fresh evidence indicating that a substantial miscarriage of justice had occurred. The enactment of the *Criminal Appeals Amendment Act 2022* creates a statutory right for a person to make a second or subsequent appeal against a conviction in circumstances in which there is fresh and compelling, or new and compelling, evidence.

Two significant pieces of legislation that will increase community safety were also enacted in 2021/22. The *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021* introduces a suite of reforms targeting serious and organised crime. In addition, the *Sentencing Legislation Amendment (Persons Linked to Terrorism) Act 2022* implements the State 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. These pieces of legislation join an existing legislative framework designed to keep Western Australians safe.

The development and delivery of strategic policy, projects and other key reforms continued to be a priority area for the Department. The past year saw the introduction of the Family and Domestic Violence Strategic Framework 2022-25, developed in response to findings and recommendations of two Ombudsman WA family and domestic violence fatality reviews. The Framework was designed to complement the Department's forthcoming Aboriginal Family Safety Strategy, Legal Assistance Strategy 2022-2025 and the Victims of Crime and Sexual Violence Strategies, all of which have been developed as a result of extensive consultation with stakeholders.

The Department is also committed to ensuring that disadvantaged Western Australians with legal needs have equal access to justice. The Department continues to support the WA Legal Assistance Sector in the provision of legal assistance services to people experiencing disadvantage and vulnerability through the administration and allocation of State and Commonwealth funding, legal assistance policy development and whole of sector planning.

A number of significant funding arrangements for the WA Legal Assistance Sector were established during 2021/22, including a new four-year funding arrangement for Law Access

worth up to \$1 million to meet increased demand for its pro bono referral service. Law Access matches applications for legal help from vulnerable and financially disadvantaged members of the community to lawyers and legal firms willing to provide their services free of charge.

The service is available for cases with legal merit where all other efforts to obtain funding, including from Legal Aid WA, the Aboriginal Legal Service of WA and community legal centres, have been exhausted. Under the new arrangement, the State Government will provide \$100,000 indexed from 2021-22 until 2024-25.

That comes on top of existing funding of \$150,000 a year over two years from the Pro Bono Model which has now been extended for the following two years, subject to a review in 2023.

During 2021/22, the Legal Assistance Branch allocated more than \$120 million of State and Commonwealth funding to the WA Legal Assistance Sector with more than \$57 million of that provided under the National Legal Assistance Partnership 2020-25. This funding will enhance the delivery of essential frontline services, ensuring that Western Australians experiencing disadvantage or vulnerability can access justice, wherever they live.

Finally, the Southern Aboriginal Corporation and Aboriginal Family Legal Services were awarded a State Government tender to jointly provide family violence prevention legal services for Aboriginal and Torres Strait Islander people in Perth. The partnership's metropolitan service will begin in July 2022 under a three-year contract following a transition from the existing service provider. The tender run by the Department was restricted to partnerships led by Aboriginal community-controlled organisations.

## Supporting victims of crime

The Office of the Commissioner for Victims of Crime continued to provide advice, advocacy and practical support to victims of crime throughout 2021/22, with more than 1,000 direct engagements with victims.

The newly reconvened Victims of Crime Reference Group held its first meeting in September 2021. The group is co-chaired by the Commissioner for Victims of Crime, and victims' advocate Kirsty Pratt. It includes those who have lost loved ones, survived crimes, and victims/survivor members drawn from regional, remote and metropolitan parts of the State.

The journey a victim takes to becoming a survivor is aided by being listened to, supported and treated with compassion by the justice system. The Reference group will generate new ideas, revised processes and problem-solving initiatives that will make the justice system better attuned to the needs of victims of crime over the next two years.

During the year survivors of historic institutional child sexual abuse were given an opportunity to express their views on the relocation of a commemorative artwork dedicated to their experiences. The Unfolding Lives sculpture was created by artist Judith Forrest and originally unveiled in 2010 as a memorial to the tens of thousands of Western Australian children abused in State care. Previously on display in the Western Australian Museum precinct, the artwork was temporarily moved to storage while the new Boola Bardip WA Museum was being constructed. During 2021/22, the Office continued to work with victim-survivors to restore and re-dedicate the memorial art piece.

The Office also played a key role during 2021/22 in developing and consulting on State Government reforms which affect victims. This work will see the Office co-lead the development of the Sexual Violence Prevention and Response Strategy over the next two years together with the Department of Communities. The purpose of the Strategy is to improve outcomes for victim-survivors of sexual violence, focusing on primary prevention, support for victim-survivors' recovery and holding perpetrators to account.

To ensure that the Strategy is informed by the views and experiences of the community, the Department of Justice together with the Department of Communities and the Centre for Women's Safety and Wellbeing held a consultative forum in November 2021 to engage with organisations that work to address sexual violence in Western Australia. Further consultation will be undertaken throughout 2022.

## Offender rehabilitation and education

Corrective Services undertakes the complex and demanding role of managing the State's adult prison and youth detention populations, as well as adults and young people living in the community who have committed crimes and been paroled or sentenced to a community-based order.

The custodial estate marked a number of anniversaries in 2021/22, including significant anniversaries for Casuarina Prison, Bunbury Regional Prison, the first anniversary of the Mallee Rehabilitation Unit, and the opening of the Bindi Bindi mental health unit at the Bandyup Women's Prison. Casuarina Prison's 30th anniversary was a significant milestone not only for the Department but also for the community. Casuarina provides an environment in which rehabilitation is the prime objective, and delivers services and programs that better equip prisoners to reintegrate into the community and become productive citizens. When Casuarina was built 30 years ago, it was a 360-bed prison. It currently has 1,545 beds with plans to expand to 1,915 in the next few years, in line with the expected growth in the State's population.

Bunbury Regional Prison marked 50 years of operation in 2021. The prison was established in 1971 at a time when the

mindset around prisoner management was shifting towards rehabilitation and reintegration. Following a 2019 expansion, the prison now has a capacity of 577 beds for minimum to maximum security prisoners who are offered a wide range of work and education opportunities and are provided programs to address the causes of their offending and help them to reintegrate into the community upon release. In the next year Bunbury will open a new alcohol and drug rehabilitation unit to assist prisoners to maintain a drug-free lifestyle as they prepare for release into and then re-join the community.

The ground-breaking Mallee Rehabilitation Unit celebrated its first anniversary in October 2021. The first residential alcohol and other drug rehabilitation program to be delivered in an adult male prison in WA saw 75 prisoners successfully complete the Solid Steps program in 2021/22.

While significant resources and staff are devoted to the mental health and wellbeing of prisoners across the custodial estate, the opening of the Bindi Bindi mental health unit at the Bandyup Women's Prison in July 2021 was a major step forward. It is the first dedicated mental health unit of its kind in a WA prison. Bindi Bindi is the Noongar word for butterfly, a perfect analogy for the transformation we are enabling by offering support for women prisoners to restore their mental wellbeing and to assist them to develop or regain the resilience they need to equip them for life back in the community. The unit will conduct programs that are sensitive and tailored to address participants' complex needs.

Education in prison is recognised as playing a key role in prisoner rehabilitation with basic numeracy and literacy skills offering a gateway to better social and economic mobility post-release. Participating in education presents prisoners from different backgrounds and experiences with an opportunity to break the cycle of crime and its intergenerational impacts.

The theme of this year's Adult Learner's Week was "Change Your Story", which particularly resonated with prisoners at Casuarina Prison. The men gave powerful presentations at a special event held at the prison's education campus. Both Casuarina and Bandyup Women's Prison were also involved in the Indigenous Tertiary Enabling Course, which offers students the opportunity to complete a bridging course for entry into Curtin University.

## Sustainability initiatives

Since January 2007, the Department has acquired 145 hybrid vehicles through State Fleet leasing arrangements and approximately a quarter of the Department's fleet vehicles are now hybrid. These vehicles are cheaper to run as they use less fuel and release fewer emissions into the atmosphere.

The Department also continues to explore other environmentally-sound vehicles where hybrid or electric options are not viable. Both Hakea Prison and Karnet Prison Farm are using trucks which require the addition of AdBlue to the fuel system, a solution of urea and distilled water which aids in the reduction of exhaust emissions.

## Administration and governance

There have been a number of structural changes to the Department this year, including the State Solicitor's Office becoming an independent sub-department of the Department of Justice on 1 October 2021. This change was a recommendation of the Special Inquiry into Government Programs and Projects: Final Report, known as the Langouant Report, and is one of the Machinery of Government changes made since 2017.

While the Department will continue to support the State Solicitor's Office by providing corporate support, the State Solicitor's Office is now an independent body and will produce its own annual reports. Irrespective of this change, the State Solicitor's Office continues to provide the Department with access to high quality legal advice as required, as it does for all State Government departments.

In another structural change, the Victim-offender Mediation Unit (VMU), including the Victim Notification Register service, moved from Corrective Services into the Office for the Commissioner for Victims of Crime. This move will help address concerns that victims' services should not be managed in the corrections space and enables the Department to offer a more seamless justice system for victims of crime.

The VMU, while still discharging its Corrective Services responsibilities, will work within CVOC to ensure that victims receive the best possible support as the person who offended against them makes their way through the prison, parole or community corrections system. Court and Tribunal Services also continue to provide support and services through the Court Counselling and Support Services directorate.

Lastly, the newly established People, Culture and Standards Division became operational in April 2022, consolidating important functions of the Professional Standards Division, Corporate Services Workplace Relations Branch and Corrective Services Workforce Reform. The Division is responsible for all industrial relations matters, and has a strong focus on

management, engagement, intervention of disciplinary and misconduct matters and the prevention of misconduct and corruption. This will reduce and prevent operational risks associated with managing people and complaints across the Department.

## Key appointments

In 2021/22, there were a number of significant appointments across the Department. Mr Michael Reynolds was appointed Commissioner of Corrective Services for a term of five years, following a 14-month period acting in the role. Ms Kylie Maj was appointed Executive Director, Strategic Reform after a period as Acting Executive Director, and Dr John Byrne was reappointed for a further four years as Commissioner for Equal Opportunity.

The State Solicitor, Mr Nicholas Egan PSM was appointed as a Judge of the District Court. Mr Egan had been the State Solicitor for Western Australia since 2017, and in 2021 was awarded a Public Service Medal and named on the Commonwealth COVID-19 Honour Roll for his outstanding work during the pandemic.

Ms Gina Hill was appointed Director, Aboriginal Justice Transformation. Since joining the Department in 2016, Ms Hill has played an integral role in setting a whole-of-government Aboriginal reform agenda and has helped put in place the Department's Closing the Gap agenda, the Kimberley Juvenile Justice Strategy and the creation of the Aboriginal Justice Advisory Committee.

I would like to thank the Attorney General, the Hon John Quigley MLA and the Minister for Corrective Services, the Hon Bill Johnston MLA, for their ongoing support during the past 12 months and I look forward to another productive year ahead.

I would also like to acknowledge the management and staff in the Department for their continued dedication and hard work in helping to improve and deliver services to both the State Government and the Western Australian community. The Department has ably managed many strategic and operational agendas for the Western Australian Government and the wider community, and has done so while maintaining services through the COVID-19 pandemic.



Dr Adam Tomison  
Director General

## FOCUS

### Don't be silent when you see violence

That was the theme for the 16 Days in WA to Stop Violence Against Women campaign in 2021.

The Department of Justice is a strong supporter of the annual initiative which encourages change in the community to stop violence against women.

Staff participated in the Silent March in Perth city and walked behind banners created by women prisoners from the Boronia, Bandyup, Melaleuca and Wandoo facilities.

Many women in prison are victims of child maltreatment and intimate partner violence. Creating banners can be a rehabilitative experience for some.

Silent Marches were also held at some of the prisons. In others, including in the regions, information sessions, presentations and morning tea were organised to highlight the 2021 theme "Don't be silent when you see violence".

This encourages bystanders to speak up and think about the safe actions they can take if confronted with violence against women, and other contributions they can make towards enhancing the safety and respect of women in our community.



# Our Leaders



**Dr Adam Tomison - Director General** Dr Tomison is internationally recognised as an expert in the prevention of child maltreatment and family violence, and the development of child protection and family support systems and has developed extensive knowledge of crime and justice policy and practice issues. Prior to this position he was the Director and Chief Executive of the Australian Institute of Criminology from 2009 to 2015 and had previously held various senior executive positions within the Northern Territory Department of Health and Families, including time as the Director of the NT's statutory child protection and family support services. He received an inaugural Deakin Alumni of the Year Award in 2011 for outstanding service and achievement in his profession and the community.



**Pauline Bagdonavicius - Public Advocate** Pauline has more than 35 years' experience in the Western Australian public service, including more than 20 years as a senior executive in government. Her extensive experience in working with vulnerable people has included both service delivery and program development for child protection and family support, as well as for adults experiencing homelessness and alcohol and drug dependency. Since her appointment as the Public Advocate in 2008, Pauline has been a strong voice for adults with a decision-making disability through the provision of advocacy, investigation and guardianship services.



**Dr John Byrne - Commissioner for Equal Opportunity** John has been in the role since 2016. In 2020 the Equal Opportunity Commission transitioned to the Department of Justice to improve its access to corporate services. The Commissioner is independent in the performance of statutory functions under the *Equal Opportunity Act 1984*. John has PhD and Masters of Business Administration degrees from the University of Western Australia and in 2020 was awarded a Member of the Order of Australia in the Queen's Birthday Honours.



**Tony Clark - A/Executive Director, People, Culture and Standards** Tony has extensive experience at senior management level within private and public sectors and has provided policy advice at the highest level of government. He specialises in managing industrial relations, HR services, workforce management and discipline within large public sector departments, has a strong focus on organisational change and practical implementation of policy. Tony uses his significant experience to focus on the management of people, improving complaints management, resolving complex and difficult staffing issues. Tony has a Master's Degree in Industrial Relations and Human Resource Management



**Mark Hainsworth - Director, Advisory Services** Mark has worked in the WA Public Service for 35 years and has extensive experience at senior management level within the public sector and has provided policy advice at the highest level of government. Since Mark joined the Department in August 2007, he has specialised in facilitating industrial relations, HR services, workforce management and ICT solutions within a range of public sector agencies. Mark has a strong focus on organisational change and practical implementation of policy. Mark has a Bachelor's Degree in Agriculture Economics and Soil Physics and a Graduate Certificate in Public Sector Management.



**Gina Hill - Director, Aboriginal Justice Transformation** Gina is a proud Noongar woman with family connections across most of WA and is passionate about improving outcomes for Aboriginal people. Gina has an extensive career spanning more than 25 years in senior leadership and executive roles in the public and private sector in WA and QLD. Prior to joining the Department in 2016, Gina held a number of senior roles in the mining sector, working alongside Aboriginal joint venture partners in QLD, SA and WA. Gina has been instrumental in placing a strong emphasis on the Department's Closing the Gap agenda, the Kimberley Juvenile Justice Strategy, the creation of the Department's Aboriginal Justice Advisory Committee and is a strong advocate for the Department's reconciliation journey.



**Dr Shona Hyde, Director, Western Australian Office of Crime Statistics and Research** Dr Shona Hyde has been with the Department for more than 17 years, working in a variety of research, evaluation, and policy development roles. Shona has a PhD from the Australian National University and a First Class Honours from Curtin University. Prior to joining the Department, Shona worked in the Office of Crime Prevention in the Department of Premier and Cabinet. Before returning home to Perth, Shona spent four years as a Research Associate at the United Nations University in Tokyo and undertook consultancy work for the United Nations Development Program.



**Alison Jackson - Registrar, Births, Deaths and Marriages** Prior to this role, Alison held the positions of Registrar of the Fines Enforcement Registry and Deputy Sheriff of WA. With 20 years in the public sector, Alison has extensive experience in policy development and the management of significant projects and contracts. Throughout her career she has worked to promote equal access to services, particularly for those living in regional and remote WA.



**Sandy Kerr - Executive Director, Corporate Services** Sandy is an experienced leader with more than 18 years' experience working in the WA State Government. Sandy has extensive experience in financial management, organisational development and change management and leading related Corporate Services functions up to and including executive level. Sandy is a CPA Australia member and has performed the role of CFO at a range of WA State Government agencies. Prior to commencing his current role, he was Director of Finance with the Department, where he delivered a range of key reforms that improved the effectiveness of the financial controls and budget management.



**Kati Kraszlan - Commissioner for Victims of Crime** Kati has held this position since 2020. Before taking up this post, Kati worked extensively in the private sector, then spent many years in the Department of Justice where she contributed to the introduction of the Drug Court and Joondalup Family Violence Court. Kati also delivered the international award-winning West Kimberley Regional Prison. Kati also helped facilitate the State's new family violence laws, delivered the National Redress Scheme in WA for victims of institutional child sexual abuse, helped develop a fund for the funerals of homicide victims, and helped introduce of the State's landmark intimate images abuse laws.



**Geoff Lawn - Parliamentary Counsel** Geoff has held this position since November 2015. In that capacity he is also the Government Printer for Western Australia. Geoff has vast experience in the drafting of legislation, having drafted a huge number of significant items of legislation in both New Zealand and WA. Geoff is passionate about ensuring that WA legislation is drafted as clearly and simply as possible. He also has a longstanding interest in improving public access to legislation on both sides of the Tasman.



**Kylie Maj - Executive Director, Strategic Reform** Kylie has a strong background in public policy, regulation and administration, with a particular interest in social policy. Following several years at the (now) Telethon Kids Institute, Kylie began her career in the public service with the Department of Justice via its graduate program. Kylie returned to the Department in 2019 after holding senior positions with the Department of the Premier and Cabinet, Ombudsman WA and Office of the Auditor General. Kylie has extensive experience in family and domestic violence policy and reform, most recently overseeing the development of the Department's inaugural FDV Strategic Framework.



**Mike Reynolds - Commissioner, Corrective Services** Mike has dedicated his working life to Corrections for more than 35 years. Mike was appointed as Commissioner for Corrective Services in March 2022 following acting in the role from November 2020. Corrective Services is responsible for more than 4,500 staff, 7,000 prisoners and 5,500 offenders on orders in the community. Mike is passionate about gaining the best outcomes for persons in the care of the Department and is strongly focused on ensuring a diverse and professional workforce. Mike spent most of his career in South Australia, commencing as a prison officer at Adelaide Gaol.



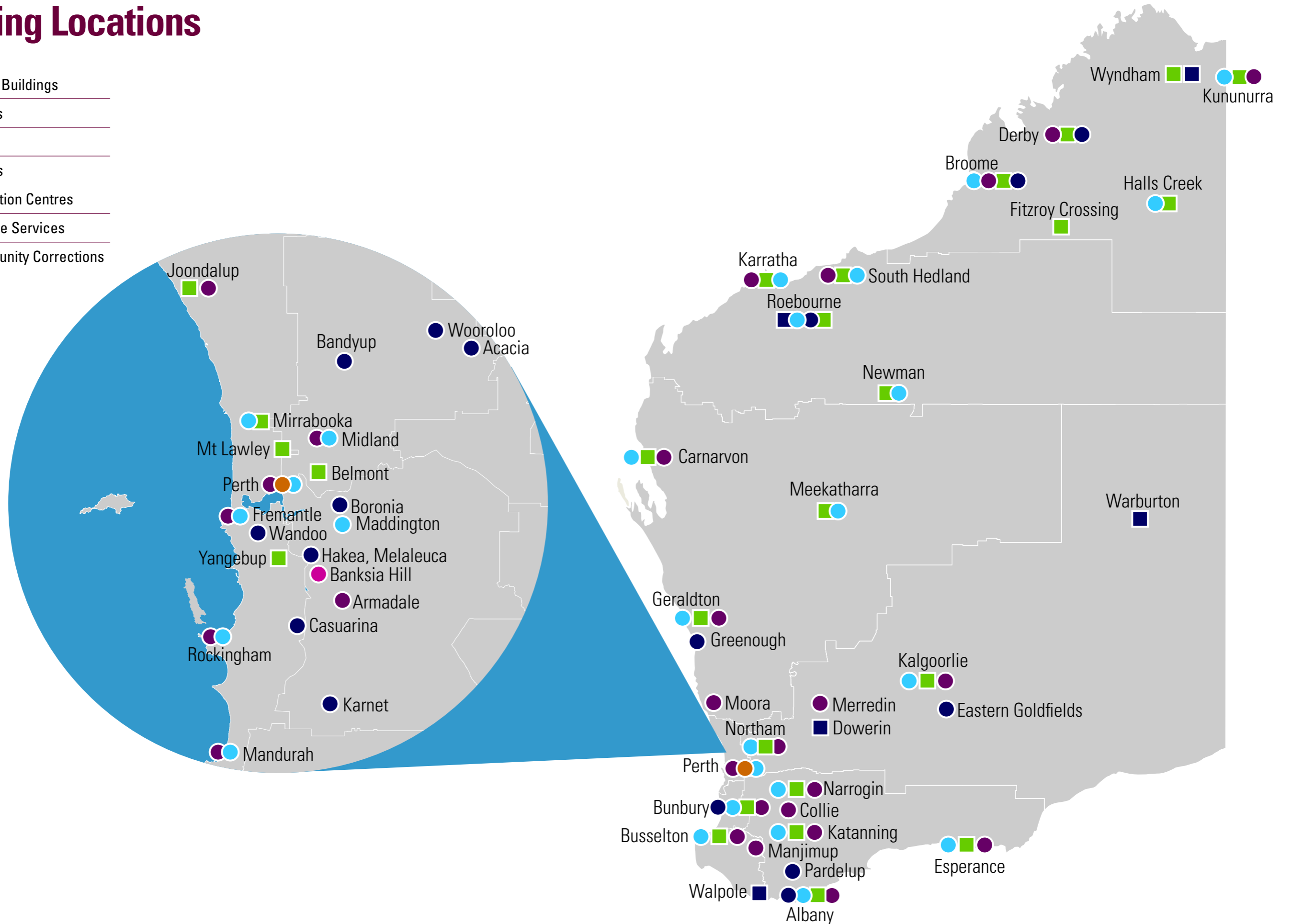
**Brian Roche - Public Trustee** Brian is an independent statutory officer who leads a team of dedicated staff managing the financial and legal affairs of thousands of vulnerable members of the WA community. Brian has extensive senior management experience in the private and public sectors. Prior to his appointment as the Public Trustee he was a senior executive at the Department of Treasury. Brian was a past recipient of a prestigious Churchill Fellowship by the Winston Churchill Memorial Trust. Brian is currently a non-executive director of the Brightwater Care Group, Trustee of the Give2Good Charitable Foundation and was previously a non-executive director of Dementia Australia and Alzheimer's WA.



**Joanne Stampalia - Executive Director, Court and Tribunal Services** Joanne has worked in the WA public service for more than 30 years, commencing her career with the Office of the Auditor General as a graduate before taking up a position with BHP and returning to the public service with the Department of Justice in WA in 1998. Throughout her career Joanne has focused on continuous improvement to service delivery and she continues to champion a strong reform agenda across all areas of service delivery in courts and tribunals in WA and the broader justice sector. Joanne is a Fellow of CPA Australia and holds a Masters of Business Administration. In 2022, Joanne was awarded the Public Service Medal in the Queen's Birthday Honours.

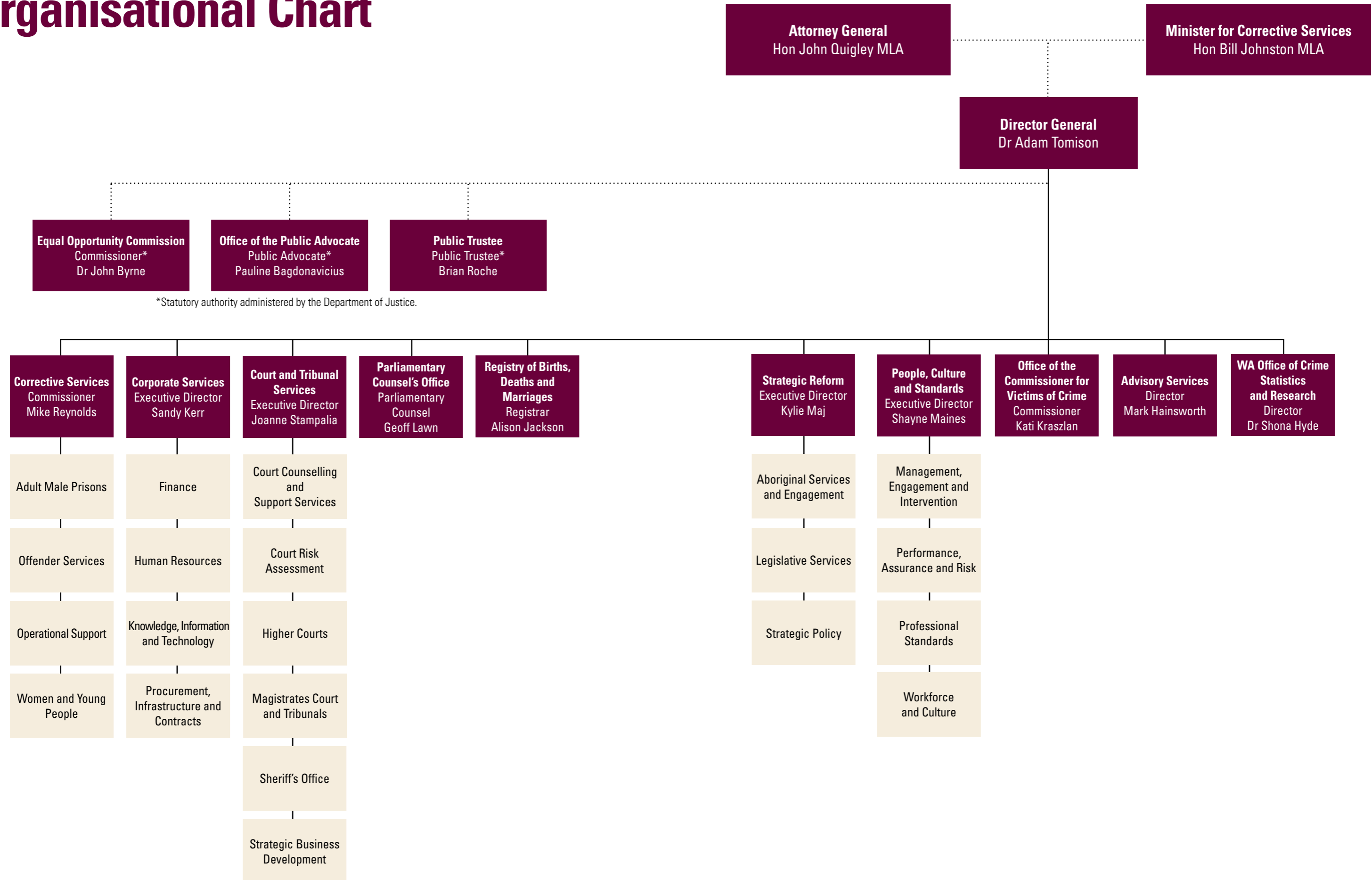
# Operating Locations

- 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, 192 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 Goal	Department of Justice - Desired Outcomes	Services
Safe, Strong and Fair Communities: Developing healthy and resilient communities	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 legislative drafting and publication services	6. Services to Government
	5. The people of Western Australia have efficient and accessible avenues of redress under the relevant legislation	7. Equal Opportunity Commission Services
	6. Equitable access to legal services and information <sup>1</sup>	8. Legal Aid Assistance <sup>1</sup>
	7. A safe, secure and decent corrective services which contributes to community safety and reduces offenders' involvement in the justice system	9. Adult Corrective Services 10. Youth Justice Services

<sup>1</sup> 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. The Legal Aid Commission of Western Australia prepares a separate annual report, including reporting against key performance indicators for this desired outcome and service.

# Financial Summary

Expenses	Original Budget 2021/22 \$000	Revised Budget 2021/22 \$000	Actual Expenditure 2021/22 \$000
1. Court and Tribunal Services	399,410	477,196	483,782
2. Advocacy, Guardianship and Administration Services	12,178	12,555	11,857
3. Trustee Services	26,553	26,970	26,947
4. National Redress Scheme for Institutional Child Sexual Abuse	25,138	45,039	510,981
5. Births, Deaths and Marriages	9,009	9,232	8,487
6. Services to Government	27,030	32,477	40,596
7. Legal Aid Assistance	116,864	125,432	126,556
8. Equal Opportunity Commission	3,266	3,536	3,318
9. Adult Corrective Services	1,006,128	1,004,669	1,012,487
10. Youth Justice Services	102,881	104,358	104,921
<b>Total cost of services</b>	<b>1,728,457</b>	<b>1,841,464</b>	<b>2,329,932</b>

# Financial Targets

	Original target 2021/22 \$000	Revised target 2021/22 \$000	Actual 2021/22 \$000	Variance	Comment
Total cost of services (expense limit)	1,728,457	1,841,464	2,329,932	(488,468)	Total cost of services was 26% higher than the revised target mainly due to the inclusion of a provision for National Redress Scheme offset by a reduction in employee leave provisions.
Net cost of services	1,499,505	1,609,376	2,082,853	(473,477)	Net cost of services was 29% higher than the revised target mainly due to the inclusion of a provision for National Redress Scheme
Total equity	2,454,242	2,431,291	2,110,585	(320,706)	Refer to comment above.
Cash assets	30,235	49,987	49,896	91	Cash assets was 1% less than the revised target which the Department considers broadly to be in line with expected budget.

# Key Performance Indicators Summary

The Department continued to work towards achieving the key performance indicator targets set in the 2021/22 Budget statements.

In the Supreme Court, the ongoing growth in the complexity of civil and criminal matters, coupled with operational constraints, such as a shortage of criminal jury trial facilities have impacted the results this year. The median time to finalise non-trial matters within the civil jurisdiction of the Supreme Court was 16 weeks, three weeks below the 19 weeks target. This is due to an increase in the proportion of applications for admission finalised and a decrease in the proportion of civil writs finalised. Admission matters are typically finalised in a shorter period whereas civil writs generally take longer to finalise.

The median time to trial for criminal matters in the Supreme Court criminal jurisdiction was 54 weeks, 15 weeks above the 39 weeks target, due to the listing of lengthy multi-accused trials and a high number of relisted trials. 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.

In the Family Court of Western Australia, the median time to finalise non-trial matters is used to measure the capacity of the court to resolve applications for final order by methods other than by formal trial. In 2021/22, the time to finalise non-trial matters continued to be higher than expected, at 44 weeks and 17 weeks above the target of 27 weeks, an improvement on the result of 48 weeks in 2020/21. This year's above target result 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.

In the District Court criminal jurisdiction, the median time to trial for criminal matters was 66 weeks, 34 weeks above the 32 weeks target. This is primarily due to an increase in demand for trials and the relisting of jury trials that were vacated as a result of COVID-19 restrictions.

Further impacting the result is an increase in the complexity of cases, including multi-accused trials and other operational constraints such as the shortage of criminal jury trial facilities.

In the State Administrative Tribunal (SAT), the median time to finalise a matter was 19 weeks, four weeks above the target of 15 weeks. This is due to an increase in the complexity and proportion of older cases finalised in the Commercial and Civil and Development and Resources streams. Further impacting the result is an increase in workload associated with Building Commission matters, Development Applications and Vocational Applications.

In the Magistrates Court, the median time to trial for combined criminal and civil matters was 26 weeks, seven weeks above the 19 weeks target. The higher result is due to a continued increase in the seriousness of cases finalised by trial, in addition to an increase in the proportion of criminal trials that were multi-day trials.

The Coroner's Court achieved a median time to inquest result of 130 weeks, two weeks above the target of 128 weeks. This result is an improvement on the 2020/21 actual result of 140 weeks demonstrating the effectiveness of the Court's case management efforts.

The Fines Enforcement Registry result of 30 per cent of fines and costs satisfied within 12 months of referral was below the target of 35 per cent. The 2021/22 result for infringements satisfied within 12 months was 51 per cent, below the target of 57 per cent. An increasing average debt load per case has resulted in a reduction of clients' financial ability to finalise infringements within 12 months. The non-suspension of licences in remote regions following the amendment of the *Fines, Penalties and Infringement Notices Enforcement Amendment Act 2020*, effective from the end of September 2020 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 91 per cent, which was lower than the target of 95 per cent. During 2021/22, the OPA implemented a refined guardian of last resort allocation process, which assisted the OPA in responding to its increasing caseload.

The Public Trustee administered 4.7 per cent of deceased estates in Western Australia during 2021/22, meeting 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 66 per cent in 2021/22, exceeding the target of 60 per cent.

The Office of the Commissioner for Victims of Crime responded to 88 per cent of requests for information from the National Redress Scheme for Institutional Child Sexual Abuse within prescribed timeframes, two per cent below the target of 90 per cent.

At the Registry of Births, Deaths and Marriages (RBDM), an increase in demand for certificates, combined with a high backlog of work resulting from COVID-19 related staff shortages impacted the timely delivery of certified certificates. In 2021/22, 78 per cent of certified certificates were issued within two days, which was lower than the target of 90 per cent. The RBDM achieved 96 per cent accuracy of its source information, which was one per cent less than the target of 97 per cent.

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 WA by meeting 100 per cent of its legislation publication target.

The Equal Opportunity Commission (EOC) finalised 92 per cent of investigations of complaints of allegations of unlawful discrimination within twelve months of registration with the EOC, which was slightly lower than the target of 95 per cent.

Mixed results were achieved in relation to the objective of providing safe, secure and decent corrective services. The target of zero adult escapes was not met, with four escapes occurring during 2021/22. All prisoners were recaptured, and each incident was investigated by the Department. The target of zero escapes by young people in custody of the Department was also not met, with one escape from a courthouse, prior to reception at detention. The young person was recaptured, and the incident investigated to identify factors that contributed to the escape.

The Department met the target of 39 per cent for the rate of return of adult prisoners, with 34.8 per cent returning either to prison or community corrections within two years of their release from custody. The rate of return to youth detention was better than the target of 50 per cent, at 49.2 per cent.


Continued improvements in the rate of successful completion of adult community corrections orders was achieved, at 72.4 per cent, which was higher than the target of 64 per cent. The successful completion rate of youth community-based orders, at 55.9 per cent, was lower than the target of 68 per cent due to an increase in the number of breached orders due to reoffending.


Although higher than the target of <0.48, the rate of serious assault against prisoners and staff of 0.81 per 100 prisoners was an improvement from the previous financial year's result of 1.29 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


 **610** Work and Development Permits completed, reducing **\$1,758,553** in court fines for individuals.


**\$100.356** million awarded to victims of crime through the Criminal Injuries Compensation scheme. 

**314** referrals to the Start Court Mental Health Diversion Program. 


## Corrective Services

**50** women graduated from the Wandoo Alcohol and Other Drug Program, of whom **30** have been released from custody and **none** have reoffended. 


 **75** men graduated from the Mallee Solid Steps Program, of whom **50** have been released from custody, of these **3** have returned to custody for new offences, and **1** has received a new court order.



**151** organisations and **10** individuals were registered as sponsors of the Work and Development Permit Scheme. 

Court Counselling and Support Service provided services to more than **20,000** Western Australians. 


A new 'Family Violence Restraining Order Conferencing' initiative (also known as **Shuttle Conferencing**) commenced at Perth, Joondalup and Fremantle. 

- **\$22,658,175**: the value of food produced 
- **\$63,615,165**: the combined value for essential secondary and support industries in prisons.


**89.5%** of the total prisoner and youth detention populations received at least one COVID-19 vaccine dose as at June 2022 and there have been **no** custodial fatalities or hospitalisations from COVID-19. 


Drug Detection Unit conducted **4,052** search deployments resulting in the seizure of **87** illicit drug and contraband items.   



## Commissioner for Victims of Crime


 Victim-offender Mediation Unit prepared **1,701** reports for sentencing and releasing authorities.


## Service delivery and enhancement


Parliamentary Counsel's Office drafted **41** Bills and **255** items of subsidiary legislation. 


 **\$7.8** million in funding to support the Kimberley Juvenile Justice Strategy.


**Aboriginal Justice Advisory Committee** was created, with the appointment of 9 Aboriginal people. 

Implemented the Department's Reconciliation Action Plan, completing **94%** of deliverables. 


 **94** Open Days delivered across the State, assisting **2,116** community members to access essential identity, registration and licensing documents.

More than **80** integrity and ethics awareness sessions were delivered to more than **2,000** employees across **18** custodial estates and **8** corporate business areas. 


 **\$127,468** paid for the funeral expenses of homicide victims.

More than **\$39** million accepted under the National Redress Scheme. 

**6** priority action areas identified and implemented as part of the Department's **Family and Domestic Violence Strategic Framework 2022-2025**, designed to reduce the incidence and impact of FDV in Western Australia. 

 The Office of the Public Advocate was appointed as guardian for **3,115** people, a **12%** increase from 30 June 2021.

Public Trustee managed trusts for **7,134** clients and achieved self-funding and growth in investment returns. 

 Equal Opportunity Commission responded to more than **1,400** 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 and youth justice offices located from Wyndham in the far north, to Warburton in the east and Albany in the south.

In 2021/22 Western Australian prisons held an average daily population of 6,386 adults in custody, while 5,759 adults were managed in the community. During the year there was an average daily population of 114 young people detained at Banksia Hill Detention Centre and 1,292 young people managed in the community.

## Key achievements were:

- Successfully managed the threat of COVID-19 within the custodial estate using a variety of approaches and resources which saw prisons able to successfully contain the outbreaks. No prisoner has died from COVID-19 while in custody and none were hospitalised during the year.
- Coordination of three rounds of mass vaccination programs for COVID-19 across the custodial estate, with vaccination clinics continuing to run as part of a 'sustainment' phase. As at 30 June 2022, 89.5 per cent of the total prisoner and youth detention populations had received at least one dose of the vaccine.
- Commenced work for the new Alcohol and Other Drug Reintegration Service at Bunbury Regional Prison. The service will offer an individualised, holistic recovery and reintegration service to enable participants to successfully transition back to community. It is available for sentenced male prisoners who volunteer to address their Alcohol and Other Drug needs, including those who have successfully completed the program run at the Mallee Rehabilitation Unit, Casuarina Prison.
- Opened the Bindi Bindi Mental Health Unit at Bandyup Women's Prison, the State's first facility dedicated solely to mental health, and accessible to women across the Western Australian prison estate. This 29-bed unit utilises trauma-informed and recovery focused programs to provide more intense support to women who are at increasing risk of acute mental illness.

- Partnered with the National Indigenous Australians Agency to launch the Yirra Djinda Prison to Work Program to provide job readiness and skills development, ongoing mentoring, support and career development opportunities for up to 50 Aboriginal women.
- Delivery of the new Women's Precinct at Greenough Regional Prison, which opened in October 2021.
- Celebrated the first anniversary of the Mallee Alcohol and Other Drug Rehabilitation Unit with 75 male prisoners successfully completing the program and graduating in 2021/22.
- Graduation of 50 women from the Wandoo Alcohol and Other Drug Program in 2021/22.
- Continued construction work on the 344-bed expansion at Casuarina Prison to build infrastructure designed to enhance and support the management of high need cohort groups, such as those requiring mental health treatment, higher security environments or aged care assistance.
- Progressed the State Government's \$21.5 million capital investments into Banksia Hill Detention Centre including development of a new crisis care unit, other critical infrastructure works and the formation of a new Aboriginal support program.
- Finalised the development of a Youth Justice Services Strategic Framework and began development of a new Banksia Hill Detention Centre operating model as part of a review of practices and procedures to ensure they are contemporary and fit for purpose.
- Implemented improvements to the juvenile detainee complaints and feedback system through internal awareness initiatives, reconfiguration of telephone access times and a review of operational policy.
- Delivered the first graduates of the Western Australian Aboriginal Leadership Institute Program at Melaleuca Women's Prison with 21 women taking part in the initial 10-week program helping Aboriginal women at Melaleuca Women's Prison towards a more positive path.

- Expanded the existing Aboriginal Languages in Custody Program to include Banksia Hill Detention Centre, Bandyup Women's Prison and Wandoo Rehabilitation Prison.
- Development and introduction of the Corrective Services Security Framework continued throughout the year. The framework is designed to organise and standardise security practices and assist in the identification, management and continuous improvement of security risks throughout the custodial estate.
- Enhanced policies and practices for the management of at-risk and vulnerable prisoners. This included the development of new risk categories, clarification of roles and responsibilities and a strengthened governance model to promote the concept of safer custody across our custodial facilities.
- Continued disruption of illicit drug supply across the custodial estate, to improve the safety of both staff and offenders. This was achieved through 4,052 search deployments conducted by the Drug Detection Unit, which resulted in the seizure of 87 illicit drug and contraband items.
- Successfully delivered streamlined operational policies and procedures, resulting in the implementation of 131 new Custodial Operational Policy and Procedures, 427 Standing Orders and 12 Rules and the revocation of more than 2,000 existing instruments.
- Delivered foundation training programs for 138 Prison Officers, 60 Youth Custodial Officers, 61 Vocational Support Officers and 45 Adult Community Corrections Officers.

## Prison population at a glance

Western Australia has 16 public prisons, one private prison and five work camps. In 2021/22, the facilities collectively housed an average of 6,386 adult prisoners per day, including an average of 59 prisoners per day in minimum security work camps. There was a reduction in prisoner numbers for the second consecutive year, consistent with trends seen across other jurisdictions since the COVID-19 pandemic began.

Average daily population	2021/22	2020/21	Change
Overall	6,386	6,662	-4.1%
<b>Prison location</b>			
Metropolitan	4,648	4,844	-4.0%
Regional	1,738	1,818	-4.4%
<b>Gender</b>			
Male	5,792	5,992	-3.3%
Female	593	670	-11.5%
<b>Aboriginality<sup>1</sup></b>			
Aboriginal and Torres Strait Islander	2,563	2,662	-3.7%
Non-Aboriginal	3,823	4,000	-4.4%
<b>Personal security rating<sup>1</sup></b>			
Maximum	1,777	1,788	-0.6%
Medium	3,033	3,209	-5.5%
Minimum	1,576	1,665	-5.3%

<sup>1</sup> Figures may not add to total due to rounding.

## Acknowledging Aboriginal and Torres Strait Islander culture

Aboriginal and Torres Strait Islander<sup>1</sup> people make up three per cent of the Western Australian population, yet account for approximately 40 per cent of the adult prisoner population and 29 per cent of the adult community offender population. Although the number of incarcerated Aboriginal people decreased in 2021/22, Western Australia continues to have the highest rate of Aboriginal imprisonment nationally with 3,598 incarcerations per 100,000 population.

The average daily population of Aboriginal young people held in detention increased from 77 to 85 in 2021/22. However, the proportion of young people in detention who were Aboriginal remained at 75 per cent.

The local Aboriginal Services Committee at each custodial facility are a key cultural initiative aligned to the Department's Reconciliation Action Plan 2022-2024 and play an important role in the implementation, management, and delivery of services to Aboriginal people in our care. The Committees aim to provide support, discuss and implement appropriate cultural services, while driving local leadership in custody. The key focus areas of the Aboriginal Services Committees include: keeping Aboriginal people on Country; enhancing Aboriginal employment and education; the promotion of culture and wellbeing in custody; and improved reporting to identify trends, service delivery gaps and opportunities for local service improvements. The development and delivery of culturally co-designed correctional prevention, diversion, and intervention programs are part of the Department's suite of programs that contribute to meeting the Closing the Gap targets.

During 2021/22, there were more than 160 stakeholders who participated in more than 60 local Aboriginal Services Committee meetings held across the State and there was an increase in the number of Aboriginal prisoners and detainees participating in and contributing to local Aboriginal Services Committee meetings.

The Aboriginal Languages in Custody Program focuses on cultural identity, personal development and empowerment, helping prisoners kickstart their lives and create a better future for themselves and their family. The Department partnered with the Noongar Boodjar Language Cultural Aboriginal Corporation and delivered the Aboriginal Languages in Custody Program on Whadjuk Noongar Country at Hakea Prison, Boronia Pre-Release Centre for Women, Casuarina Prison and Banksia Hill Detention Centre to 118 participants. Noongar Boodjar will commence delivery of the program at Melaleuca Women's Prison in July 2022.

Noongar language classes have also been held at Bandyup Women's Prison, Wandoo Rehabilitation Prison and Karnet Prison Farm. The Department has recently partnered with Bundiyarra-Irra Wangga Language Centre to provide an Aboriginal Language Program at Greenough Regional Prison and with Wirlomin Incorporated for a Noongar Language and Stories program at Albany Regional Prison. The Eastern Goldfields Regional Prison continues to deliver the Men's and Women's Music and Song Writing language program in Ngaanatjarra, Wangkatha and Pitjantjatjarra languages.

Some other examples of culturally secure programs offered to Aboriginal prisoners inside WA correctional facilities include the Yiwarra Kuju-Martu Western Desert Justice Program, a State Government election commitment. The Department has partnered with key Martu Aboriginal Traditional Landowners, Elders, Leaders and the Kanyirninpa Jukurpa Group to deliver educational and aspirational sessions in Martu languages for men and women at Roebourne Regional Prison on a bi-monthly basis. Through the use of language and culture, Martu Elders are creating contemporary alternative pathways to maximise offenders' successful transition back to family and community. Since October 2021, 68 men and six women have attended the sessions at Roebourne Regional Prison.

Developing appropriate Aboriginal cultural leadership skills continues to be a focus for the Department. Partnering with the Western Australian Aboriginal Leadership Institute (WAALI), the Department delivered an Aboriginal cultural leadership program to foster the social, emotional and wellbeing of Aboriginal women in custody. The program was launched in 2021 at Melaleuca Women's Prison, with 21 women participating and 17 completing the program and graduating.

Further, the RISE program is a 10-week Aboriginal cultural leadership program for men, designed by Aboriginal people for Aboriginal people. The new program aims to increase the level of support and access to culturally appropriate, therapeutic, cultural healing and leadership for Aboriginal men. The Department launched the program with RISE at Wooroloo Prison Farm in June 2022.

Finally, a number of initiatives have been undertaken across the State to support Aboriginal youth by promoting cultural identity. In collaboration with a local community service, Goldfields Youth Justice Services take young people on Country for day activities such as bush cooking, yabbing, swimming and bush walks.

This initiative allows young people to engage in culturally responsive activities to address risks associated with peer influence and disengagement from leisure/recreation. Goldfields Youth Justice Services also participates in the Goldfields Summer Response Strategy which is supported by BHP and coordinates a bus service to assist Aboriginal people to return to their homelands. By assisting them to return to family and cultural supports, the service reduces the risk that a young person will become isolated and engage in at-risk or antisocial behaviour in town. In 2021/22 more than 180 people used the bus service to return home including young people and their families.

## Australian Corrections Medal winners



In 2022, five Corrective Services staff received the Australian Corrections Medal for distinguished service.

**Jim Hosie**  
*Director Adult Community Corrections*

Mr Hosie started as a Prison Officer at Fremantle Prison in 1980. He has worked in prisons and community corrections across WA in both regional and metropolitan centres, with dedicated service to Adult Community Corrections. He was the Secretary of the Parole Board for many years and implemented the Mentally Impaired Accused Review Board and the Supervised Release Review Board, as well as the Victim Notification Register. He led the management of the Community Offender Monitoring Unit, responsible for Electronic Monitoring, and managed the introduction of GPS tracking of Dangerous Sex Offenders. He has played a major role in protecting the public of Western Australia through his work with Police and other statutory agencies on the management of dangerous offenders.

**Christine Laird**  
*Director Prison Education, Training and Employment*

Mrs Laird has been responsible for a range of innovative and forward-thinking programs to enhance the education and training opportunities for prisoners and bring their skills in line with community and industry needs to improve their employment prospects. This included negotiating to have 250,000 student curriculum hours allocated annually to deliver vocational training in Western Australian prisons by TAFE. The prison traineeship program was a first for Australia and is still held up as the most diverse and robust in national corrections. Other best practice programs introduced by Mrs Laird include the Carey Bindjareb Project.

**Jim Schilo**  
*Superintendent Casuarina Prison*

After commencing with the Department in 1979, Mr Schilo was promoted to Superintendent in 1990 and since then has been in charge of many Western Australian prisons. Currently he's running our biggest maximum-security facility at Casuarina. Mr Schilo has fostered a number of initiatives that have had a considerable impact on the management and wellbeing of prisoners. At Casuarina he has been

responsible for the introduction and management of custody-based programs and services that support behavioural change and address the National Agreement on Closing the Gap. While at Fremantle Prison, he introduced the first Aboriginal Visitor Scheme and as Superintendent at Bandyup Women's Prison, he initiated the recruitment of more women to the senior management team.

**Tim Sanders**  
*Skills Development Instructor*

Mr Sanders joined Corrective Services in 1982 as a prison officer at Canning Vale Prison (now Hakea Prison). From there he moved to Boronia Pre-Release Centre for Women where he still works. As a Skills Development Instructor, he has been integral to creating the prison industries model at Boronia, delivering positive pathways to employment for women outside of traditional industries, including the creation and ongoing delivery of the Women's Picture Framing Workshop. Mr Sanders is a quiet achiever who maintains high standards in the management and support for women in his care. He goes above and beyond in his duty and is a valuable and integral member of the Boronia team, respected by prisoners, peers and management alike.

**Carrol Johns**  
*Prison Officer*

Ms Johns has worked in corrections for almost 25 years, joining as a group worker at the Rangeview Juvenile Remand Centre in July 1997 and then qualifying as a prison officer in 2001. Most of Ms Johns' career has been spent at the Wooroloo Prison Farm where she is held in high regard by both prisoners and her fellow Officers. She has been a trailblazer for Aboriginal women in the Department and a tremendous asset as an innovator and cultural ambassador, making a significant contribution to bridging the cultural divide between Prison Officers and Aboriginal prisoners. She was the key facilitator for the first Aboriginal Cognitive Behavioural Therapy Program at Wooroloo and initiated the use of an early alert system to identify young offenders who transitioned from youth detention to adult custody. She maintains a high professional standard and balances the cultural differences without conflict.

<sup>1</sup> The Department of Justice 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.

## Adult Male Prisons

Adult Male Prisons is responsible for the operation of four metropolitan male prisons, eight regional prisons, five regional men's work camps and 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 last year, Adult Male Prisons was responsible for the daily management of 5,792 male prisoners each day. Adult males constituted 91 per cent of the State's total prison population, with 40 per cent identifying as of Aboriginal and/or Torres Strait Islander descent.

## Mallee Rehabilitation Centre

As part of the State Government's Methamphetamine Action Plan, the Department continued to strengthen its efforts to break the cycle of alcohol and drug related crime by delivering the State's first facility for men by developing the Mallee Unit at Casuarina Prison in October 2021.

As of 30 June 2022, 75 men had graduated from the Solid Steps Program, of whom 50 have been subsequently released from custody. The WA Office of Crime Statistics and Research will track the graduates' progress and evaluate the program's outcomes over the next two years.

The Department commenced the planning for a 24-bed alcohol and other drug transitional service at Bunbury Regional Prison. This will provide prisoners who are successful in completing the Mallee Alcohol and Drug Rehabilitation Centre program, as well as other male prisoners who have undergone some form of alcohol and drug rehabilitation program whilst in custody, with further support as they make the transition from custody and back into the community. It is designed to assist the men to link with community-based therapeutic supports and continue their rehabilitation journey on the outside.

## Casuarina Prison expansion projects

The Casuarina Prison Expansion Project is being delivered in two stages - increasing the capacity of the metropolitan prison estate and addressing the need for specialist services across the Western Australian male custodial estate. Stage One of the expansion was completed in 2020, delivering an additional 512 beds and supporting the operation of the Mallee Rehabilitation Centre and Solid Steps Program.

Stage Two construction commenced in February 2021 and will provide an additional 344 beds including special purpose beds to meet the needs of high risk and high needs cohorts. Stage Two will also deliver a new Mental Health Unit, a High Needs and Assisted Care Unit, as well as a High Security Unit to enhance the management of the State's most dangerous prisoners. The focus is on flexibility and future-proofing, with the aim for

these services and assets to provide better management for various prisoner cohorts, whilst reducing infrastructure life cycle and maintenance costs. Once complete, Casuarina Prison will become the largest prison in Australia with the bed capacity to accommodate 1,915 prisoners.

## Greenough Regional Prison Recovery Program

Construction of the Unit 4 Women's Precinct has been completed and was awarded practical completion on 22 October 2021. Infrastructure work following the major disturbance in July 2018 also included the installation of a purpose-built perimeter fence around Unit 4. In addition to lessons learnt from the incident, which have been factored into operational activities across all prisons, the security enhancements at Greenough will enable:

- Women to be managed in a safe and decent manner completely secure from the men's section of the prison.
- Accommodation of remand and sentenced prisoners irrespective of security ratings.
- Adoption of a culturally appropriate gender-informed approach.
- The operation of a self-contained women's precinct, with all services provided (excluding dental) so that the women should not need to be escorted past male prisoners to complete constructive day activities.

## Bunbury Regional Prison Alcohol and Other Drug Reintegration Service

As part of the State Government's Methamphetamine Action Plan, the Department continues to strengthen its efforts to break the cycle of alcohol and drug related crime.

Work is underway to introduce a new Alcohol and other Drugs Reintegration Service at Bunbury Regional Prison. The service will offer individuals the opportunity to seek help regarding their Alcohol and Other Drug related needs and will provide a pre-release facility for men returning to Country. It will also operate as a regional annex to the Mallee Rehabilitation Centre at Casuarina Prison providing participants/graduates with an opportunity to complete the reintegration element of their recovery journey in a minimum-security environment.

The service will have 24 dedicated beds and will be delivered through a staged approach to ensure participants receive the right care at the right time in accordance with their needs and stage of recovery. The primary aim of the service is to provide alcohol and other drug care in an individualised and holistic manner that works towards successful reintegration into the community with ongoing supports in place to ensure continuity of care upon release. The Department will deliver the service in partnership with a non-Government organisation. It is anticipated that the new service will open in late 2023.

## New Broome Regional Prison

Planning for a new custodial facility in Broome continued, with the Department working closely with Yawuru native title holders to identify an optimal site on Yawuru land.

An initial site at 12 Mile (outside of Broome) was identified as the preferred site, but after further community consultation and a subsequent broader site selection process the Department identified a site closer to Broome, within a planned industrial zone. This site is now the preferred site but requires work in 2022/23 to undertake further community consultation and to submit a revised planning application to Broome Shire Council.

## 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 to be employed in meaningful work while developing skills and experience to assist with their rehabilitation and reintegration into the community. Prisoners undertake a broad range of employment experiences and training activities including the completion of accredited TAFE courses and apprenticeships in a wide variety of industries including but not restricted to 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 (sheep and beef), 35 per cent self-sufficient in the supply of staple fruit and vegetables and 72 per cent in the required egg supply across the custodial estate.

In 2021/22, Prison Industries produced food to the value of more than \$22.658 million. This included 791,007 kgs of processed meat products valued at \$13.831 million; 1,488,826 litres of milk valued at more than \$2.233 million; 1,121,177 dozen eggs valued at \$453,739 and 545,013 units of fruit and vegetables valued at more than \$1.115 million. Essential secondary and support industries provided more than \$63.615 million of combined value for the custodial estate.

## 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 while undertaking training and gaining new skills to assist with their reintegration.

These activities are undertaken by five work camps located at Walpole, Wheatbelt (Dowerin), Warburton, Roebourne and Wyndham. Several prisons also have Section 95 programs operating directly from sites including Broome, Bunbury, Eastern Goldfields, Greenough, Karnet, Pardelup, Roebourne, West Kimberley and Wooroloo. These activities include work done at custodial facilities and projects undertaken for local communities and Government organisations. In 2021/22, Section 95 activities were restricted or ceased for periods of time as part of Corrective Services' management of the COVID-19 pandemic. Total value of Section 95 work undertaken by sites across the State for 2021/22 was \$1.453 million.

## Section 95 activity hours

Type of Work	2021/22	2020/21	Change
Community Work	39,511	71,719	-45%
Government Work	31,357	45,156	-31%
<b>Total</b>	<b>70,868</b>	<b>116,875</b>	<b>-39%</b>

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

- Building hot boxes for injured bats and birds for the Pilbara Wildlife Carers Association.
- Refurbishment of outdoor furniture for Dowerin Shire.
- Gardening and maintenance at Walpole Police Station.
- Track clearing and maintenance of the Bibbulmun Track, Walpole.
- Construction and installation of nesting boxes for the endangered Gouldian Finch Breeding Program at Wyndham.
- Fire mitigation work at Millbrook Estate for the Jarrahdale Shire.
- Oiling, sanding and refurbishing the Mt Barker lookout.
- Dwellingup Heritage Village refurbishment of the hall and kitchen.
- Restoration of the Historic Kanowna Cemetery (Est. 1894) at Kalgoorlie-Boulder.



COVID-19 restrictions prevented Section 95 work from being undertaken in the community and impacted on the variety and number of projects undertaken. Instead prisoners assisted other impacted essential industries to sustain and support operations and also completed a range of general maintenance, cleaning, painting and gardening projects within the prisons. Some examples of this work are:

- Undertaking care of chickens in the poultry industry at Karnet to ensure animal welfare was maintained to a high standard to ensure the safe production of eggs for consumption.
- Clearing and repair of Pardelup Road after storm damage and general gardens and grounds maintenance onsite.
- Undertaking onsite fire mitigation, signage erection and construction of concrete paths at Wooroloo.

As COVID-19 restrictions are reduced and accessibility increases, there will be an increase in the variety and demand for requests for Section 95 participation, particularly given the current worker shortfall in the employment market. The Department 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.

### Young people managed in the community

Average daily population	2021/22	2020/21	Change
Overall <sup>1</sup>	1,292	1,151	12.3%
<b>Gender<sup>2</sup></b>			
Male	979	887	10.4%
Female	313	262	19.5%
<b>Aboriginality<sup>2</sup></b>			
Aboriginal	765	621	23.2%
Non-Aboriginal	416	416	0.0%
<b>Service category<sup>3</sup></b>			
Court order (including bail)	452	446	1.3%
Supervised release order	34	27	25.9%
Youth justice team	575	436	31.9%
Other youth justice services	386	368	4.9%

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

## Women and Young People

Women and Young People manage the needs of female prisoners in custody, and young people in custody and in the community. In 2021/22, Women and Young People was responsible for the management of an average of 593 female prisoners and 114 youth detainees per day. In addition to those in custody, it managed a daily average of 1,292 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.

Services are provided through 10 primary community-based centres and 16 sub-centres across Western Australia.

### Young people in custody

Average daily population	2021/22	2020/21	Change
Overall	114	102	11.8%
<b>Status</b>			
Sentenced	44	44	0.0%
Unsentenced	69	59	16.9%
<b>Gender<sup>4</sup></b>			
Male	100	93	7.5%
Female	14	10	40.0%
<b>Aboriginality</b>			
Aboriginal	85	77	10.4%
Non-Aboriginal	29	25	16.0%

A focus on diversion continued through these centres and includes:

**Youth Justice Teams:** A total of 2,405 referrals were made to Youth Justice Teams this year, an 18 per cent increase in the number of referrals on the previous year. Run in partnership with the Western Australia Police Force, Youth Justice Teams manage young people who have committed low level offences or may be in the early stages of offending, by diverting the young person from court and working with them, their family and the victim (where appropriate) in a restorative justice process.

**Metropolitan and Regional Youth Bail Services:** Young people were bailed on 753 occasions by these services rather than being placed into custody, a 26 per cent increase over the 599 bail episodes in the previous year.

**Community-based supervision:** The average daily population of young people managed on youth community correction orders was 452, similar to the previous year (average daily population of 446).

### Capacity building

There has been a strong focus on both the ongoing training and professional development of youth justice staff and continuous improvement of services to ensure delivery of the best outcomes for young people and the community. To date, 90 per cent of frontline staff members have participated in

training of the Youth Justice Services' primary assessment tool, the Youth Level Service/Case Management Inventory (YLS/CMI). This tool is used to assess a young person's risk, needs and responsivity. This has resulted in enhanced efficacy of the YLS/CMI and more robust assessment of young people and their needs. In addition, Youth Justice Officers are trained in Trauma-informed Practice and Foetal Alcohol Spectrum Disorder to ensure staff are equipped to better respond to the needs of young people.

To support and strengthen operational practices, a practice and procedures project is underway with a key outcome being the development of a "Foundations for Working with Young People in the Youth Justice System" framework, which underpins case management and is supported by the risk-needs-responsivity model and principles. The Framework is founded on *Young Offenders Act 1994* as the key legislative mechanism to deliver youth justice services, but covers all new and changing youth justice procedures, including reference to new child safe standards and the findings of relevant service and case reviews, including those undertaken by the Ombudsman WA.

A key priority for Youth Justice Services this year was the development of a Strategic Plan to define the Department's goals and objectives for delivering better outcomes for young people and to reduce their contact with the criminal justice system. The Plan promotes clear and consistent



## FOCUS

### My Country, My Family, My Home

East Kimberley Youth Justice Services produced a short film titled *My Country, My Family, My Home* which featured the front-line interventions undertaken by Youth Justice staff in remote regional areas. The film highlighted the positive outcomes that can be achieved through collaboration between local agencies, community and young people. The interventions highlighted in the short film have contributed to a reduction in offending behaviour for the young people who participated.

The film was presented in October 2021 at the 4th Australasian Youth Justice Administrators Conference - Weaving the Voices of Lived Experience with Best Evidence and Connecting Culture - Law to Lore in Auckland, New Zealand.

communication, and consultation and collaboration with stakeholders, Government agencies, community partners and the Aboriginal community. Key stakeholders were engaged as part of the development process, including young people engaged via the Youth Affairs Council of WA. The final draft of the Strategic Plan is being considered for approval.

Recognising the importance of working across agencies and sectors to better address the needs of young people in the justice system, the Department continued to emphasise the maintenance and development of collaborative responses. This is demonstrated by the Goldfields Youth Justice Services, which has had two Youth Justice Officers complete successful secondments as Senior Child Protection Officers on the Target 120 case management program led by the Department of Communities.

## Banksia Hill Detention Centre

Banksia Hill Detention Centre is Western Australia's only youth detention facility for young people who are serving a custodial sentence or who are remanded in custody. It offers a range of programs and services to address a young person's health and emotional wellbeing, with the aim of reducing reoffending rates.

Since mid-2021, Banksia Hill has been managing a very difficult cohort of young people presenting with complex needs. This has produced considerable challenges, particularly with a small number of detainees who have behaved in a highly disruptive manner significantly impacting the rest of the Centre and the delivery of consistent, therapeutic services for all detainees across the site. Despite the wide ranging programmatic and recreational supports available for young people, the increased frequency and severity of incidents resulted in the site being unable to operate the usual daily operational program for an extended period of time.

A number of short and medium initiatives were undertaken to ensure the safety of all young people and staff. These included:

- Work to stabilise the facility and rejuvenate the infrastructure with a view to providing a safer and more secure environment, with the State Government making a \$25.1 million investment to enhance infrastructure and the care and rehabilitation of detainees at the Banksia Hill. This includes the development of a new Crisis Care Unit at the facility.
- Creating a new Aboriginal Services Unit to support the needs of Aboriginal youth in custody through medical, mental health and holistic cultural supports.

- Development of a new operating model for Banksia Hill. Central to this model is ensuring that service delivery meets the complex needs of young people in detention and to increase engagement in education and therapeutic programs.

## Operating philosophy and service model

In August 2021, the Department began the development and design of a new operating philosophy and best practice service model for Banksia Hill. The Service Model is founded on eight principles:

1. Elevate and respect young people's voices.
2. Foster structure and consistency for young people.
3. Ensure cultural safety and strength for Aboriginal young people.
4. Connect young people with family, kin, and community.
5. Foster a throughcare-focused approach to care for young people.
6. Embed developmentally appropriate and needs-informed approaches.
7. Apply positive restorative approaches to discipline.
8. Promote culture of appreciation, care and support for staff.

Consultation has been undertaken with a number of key stakeholders, including: the Commissioner for Children and Young People, the Inspector of Custodial Services, and staff and young people at Banksia Hill, the non-government service sector to ensure the service model brings simplicity and clarity to the future direction of policy and practice at Banksia Hill.

As part of the systematic implementation of the service model, the Department will enhance training for staff in contemporary child-safe therapeutic service delivery and youth management.

## Infrastructure

The Department is continuing to improve security and service delivery at Banksia Hill Detention Centre. The \$25 million investment in infrastructure includes the development of a new \$7.5 million Crisis Care Unit at Banksia Hill to provide a safe and therapeutic environment to support vulnerable, at risk young people; this is expected to be completed in 2026/27. A further \$3.5 million is provided to develop an Aboriginal Services Unit to provide cultural support and services to address the over-representation of Aboriginal young people at Banksia Hill, including those from regional Western Australia. New staff positions will be created, including additional Aboriginal welfare officers and Aboriginal medical and mental health workers, together with contracted service provision.

## Programs

Participation by young people in programs and activities at Banksia Hill provides detainees with an opportunity to improve their social skills, self-efficacy and confidence, self-regulation, relational and physical responses.

While the complexity of the current detainee cohort has at times this year impacted on the Centre's ability to offer the full range of programs to address the underlying causes of offending behaviours, Banksia Hill continued to expand the programs and enrichment activities available for young people in custody taking into account the range of interests across the detainee population and their individual needs.

In 2021/22 programs included the Boorloo Hustle, a program for the girls and young women in Banksia Hill that is designed to connect them to culture through performing arts; engagement with the Gentle Friends therapy dog; participation in Dress For Success; Art Therapy; Hip Hop 101 music production; Trauma-Informed Movement and Yoga and Mindfulness programs. Further, 14 young people participated in the Noongar languages program delivered by Noongar Boodjar Language Cultural Aboriginal Corporation, with workshops and lessons held on Moort (family).

A number of educational and vocational programs were offered to support young people in training for future work opportunities, with 10 young people completing their Responsible Service of Alcohol training and 13 young people taking part in the Plumbing and Painting Try-a-Trade four-day workshop.

Eight young people participated in a program delivered by Carey Training and the Waalitj Foundation which saw them successfully complete the course to achieve their Certificate II in Construction Skill Set and receive their White Card, a mandatory requirement for people wanting to work in the construction industry. Ongoing career counselling is also provided with monthly visits from Jobs and Skills WA who provide young people with advice on career and training pathways across WA.

The creation of a Youth Leadership Program provided a forum for improved open communication between the management team and young people, while the Big Sister-Little Sister program has provided a collaborative mentoring program between the females at Banksia Hill and Boronia Pre-Release Centre for Women.

In August 2021, Education Services at Banksia Hill facilitated the Online Literacy and Numeracy Assessment exam for a young person engaged in education at Banksia Hill and in the community. This young person completed the assessments and graduated from high school with a Western Australian Certificate of Education.

In March 2022, Education Services invited a young person from the Yeeda Unit to participate in Sounds Write, a reading development program, alongside four classroom teachers. The participant completed the four-day course achieving excellent results and has been putting her new skills to practice in the school, supporting peers in class with their reading and writing and working alongside the school's literacy support teacher.

Fourteen young people completed their barista certificate this year, three units of competency from the Certificate II in Hospitality. Young people from Self Care Units who have completed the course have been able to open Banksia Beans Café outside of school hours to gain work experience in our simulated café environment. In addition to essential life skills, they learn opening and closing procedures, customer service, time management and organisational skills required to gain employment in the hospitality industry.

Keys for Life is a comprehensive, national award winning, evidenced-based driver program that assists schools to educate young people about road rules, licensing, safer vehicles and safer driving. At Banksia Hill, 11 young people successfully complete the course.

In order to continue to provide better programs for the young people in its care, Banksia Hill is addressing technological deficits to better support the provision of education to young people, more effective case management, and better support documentation and recordkeeping. Education Services has installed interactive white boards in every classroom. Introducing technology to the teaching and learning program has been a significant achievement enabling more contemporary, quality programs and instructional methods to be used to deliver curriculum to young people.

## Women in Custody

The Women and Young People Directorate oversees the operations of four metropolitan female prisons and provides support to female offenders within five mixed-gender regional prisons. Across all these facilities, staff provide a gender-responsive, culturally appropriate and trauma-informed approach. This supports women to rehabilitate, reconnect with their family and communities and provides the skills they need to break the cycle of offending.

The Better Futures strategic plan further defines the distinct needs of women in custody and the principles underpinning their effective management. The strategy also prescribes how the women's prisons will function as a cohesive service network - from reception into custody to the preparation of women prisoners 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, family and 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 providing them with support and guidance in the form of programs, education, employment opportunities and constructive activities.

Bandyup received \$2.377 million of capital funding as part of the Western Australian Recovery Plan to complete refurbishment works for a Mental Health Unit.

Opened in July 2021, Bindi Bindi - the Bandyup Mental Health Unit - is the State's first prison unit dedicated to mental health and is available to women prisoners across the custodial estate. With support from specialist staff, women who are at increasing risk of acute mental illness are offered more intensive care and support and are given the opportunity to stabilise and address their mental condition.

Since its opening, Bindi Bindi has had 83 admissions with 14 women currently residing in the two units. In its first year of operation, Bindi Bindi won the Director General's Award for Excellence at the 2022 Corrective Service Awards.

Bandyup provides a range of other services for women offenders. It 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.

In 2021/22 Bandyup provided training opportunities for prisoners to gain industry qualifications in hair and beauty through The Beauty Spot, its in-house salon. Traineeships were offered to 12 prisoners.

Bandyup also became the second prison to operate the Dogs Behind Bars Rescue project, placing suitable dogs for around 30 days in a foster care environment inside the prison. The women involved receive instruction on how to care for the dogs following a strict routine of feeding, walking, grooming and learning to train the dogs. Three dogs have found their 'forever home' so far through this project having been successfully adopted in the community after their careful nurturing by the women at Bandyup.

Bandyup is working to meet community needs in the mental health sector with 10 students being the first to complete a Certificate IV in Mental Health. All the students who participated passed the course and recommended it to others, ensuring a second course could run between July and September 2022. This group will consist of peer tutors and potential peer tutors.

In July to September 2021, Bandyup had 10 full-time Aboriginal students who completed a Certificate I in Leadership Workplace Learning through ACTIV. The course consisted of nine units and ran over 10 weeks. Of the 10 students, five completed the full Certificate, while the others completed several units. The course was well received, with students commenting that they had learnt a lot about the workforce.

Finally, the Vocational Training Service attended Bandyup to inspect the Prison's kitchen facilities and meet with Vocational Support Officers to assess their suitability to deliver a range of traineeships and apprenticeships. Prior to this visit, traineeships were only able to be offered at a Certificate II level within the kitchen. Recognising the work undertaken by the Prison, the Vocational Training Service certified Bandyup to now offer a Certificate III Kitchen Operations for prisoners. Two kitchen workers have already signed up to commence a Certificate III apprenticeship.

## Wandoo Rehabilitation Prison

Wandoo was repurposed as Western Australia's first dedicated female Alcohol and Other Drug Rehabilitation Facility in August 2018 as part of the State 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.

Wandoo is now recognised as a therapeutic community by the Australasian Therapeutic Communities Association, the first prison in Australia to receive this accreditation.

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

Since commencement in August 2018, more than 230 women have graduated from the program, with 50 women graduating from the program in 2021/22; 30 have subsequently been released from custody. The Western Australian Office of Crime Statistics and Research (WASCAR) is currently undertaking an outcome evaluation of the Wandoo program.

## Boronia Pre-release Centre for Women

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

Boronia's Gala Day was run for the second year under COVID-19 restrictions, raising \$24,665 for the 2021 beneficiary, Girls Without Limits. This took the total raised since 2005 to \$269,593 for various community and not-for-profit organisations.

Boronia secured a grant for a two-year Prison to Work program to the value of \$1.022 million, based around culinary and hospitality skills development for Aboriginal women. After some kitchen expansion, eight inaugural participants began cooking and serving lunch at the Department's Corrective Services Training Academy kitchen in August 2021, with the program officially launching in November 2021. Since its introduction, 20 women have participated in the program. Six are currently enrolled, with employment or traineeships set up for them upon their release, including some in regional areas. Nine women have been released, with no returns to custody. Of the nine released, three have been able to successfully engage in employment.

As COVID-19 restrictions are reduced, Boronia has been able to re-engage with employers to consider opportunities for the women to have work experience and paid employment. Relationships continue to be strengthened with local employment providers, to create potential employment pathways outside of the hospitality industry (well-established at Boronia), as well as with National Indigenous Australian Agency identified employers and service providers.



## Bindi Bindi Mental Health Unit officially opened

The 29-bed unit, named after the Noongar word for butterfly, officially 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.

## Melaleuca Women's Prison

Melaleuca Women's Prison is the State's primary female reception prison. It offers assistance to women to address offending behaviour, support reintegration, facilitate personal development and reduce recidivism.

There has been a renewed focus at Melaleuca on developing a trauma-informed approach to the care of women in custody through the adoption of a new operating philosophy embedded in staff training and daily interactions. This has a strong focus on supporting women to maintain family and community connections.

Partnering with the Western Australian Aboriginal Leadership Institute (WAALI), the Department delivered an Aboriginal cultural leadership program to foster the social, emotional and wellbeing of Aboriginal women in custody. The program was launched in 2021 at Melaleuca Women's Prison, with 21 women participating. Of the 21 Aboriginal women prisoners who began the 10-week program, 17 graduated. Of those who did not, two were released on bail, one transferred to Wandoo Therapeutic Program and one withdrew.

## 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 rehabilitation, 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 serious 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 Prisoners Review Board.

There are 26 Adult Community Corrections Centres in Western Australia, managing an average of 5,759 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 Perth central business district.

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.

The average number of offenders managed in the community has increased by 13 per cent over the last five years, due to an increase in Parole Orders and Bail Orders. The percentage of offenders who successfully completed Community Corrections Orders increased from 69 per cent in 2020/21 to 72 per cent in 2021/22.

The introduction of Post Sentence Supervision Orders in July 2017 has seen the number of orders incrementally increase from 39 during the first year of operation to 100 as of 30 June 2022.

In 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 (physically) violent offenders. As at 30 June 2022, Corrective Services were managing 15 offenders on High Risk Serious Offender Interim Orders, 48 on High Risk Serious Offender Supervision Orders as well as the 100 offenders on Post Sentence Supervision Orders.

## Adults managed in the community

Average daily population	2021/22	2020/21	Change
<b>Overall</b>	<b>5,759</b>	<b>5,934</b>	<b>-2.9%</b>
<b>Gender<sup>1</sup></b>			
Male	4,508	4,632	-2.7%
Female	1,250	1,293	-3.3%
<b>Aboriginality<sup>2</sup></b>			
Aboriginal	1,698	1,731	-1.9%
Non-Aboriginal	4,028	4,177	-3.6%
<b>Order category<sup>3</sup></b>			
Bail order	597	555	7.6%
Court order	3,743	3,934	-4.9%
Early release order	1,289	1,290	-0.1%
Work development order	76	96	20.8%
Post Sentence Order (including HRO)	178	155	-14.8%

## 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 who 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 2021, there were 108 people subject to radio frequency monitoring and 66 people subject to GPS while as at 30 June 2022 there were 79 people subject to radio frequency monitoring and 128 people subject to GPS.

## Health Services

Health Services provides primary health care services at all custodial facilities. 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 and detainee 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 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 2021/22 there was 7,707 adult initial assessments conducted along with 1,707 juvenile assessments. This is a decrease of seven per cent for adult offenders and an increase of 31 per cent for juvenile detainees from 2020/21. This is a return to pre COVID-19 levels of service for juveniles.

## 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 were rolled out in all Western Australian prisons from July 2021. Prisoner education has been ongoing to ensure prisoners are

able to make an informed decision about the vaccine. The prisoner COVID-19 vaccination program continues with the third dose (booster) now being administered.

## Mental Health, Alcohol and Other Drugs

The Mental Health, Alcohol and Other Drugs Branch provides mental health care and alcohol and other drugs healthcare to some of the most vulnerable and high risk offenders in all custodial facilities. 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.

## Mental Health Alcohol and Other Drug Nursing and Consultant Psychiatry

Mental Health nurses provide assessment, planning, implementation and evaluation of treatment for patients identified as requiring clinical interventions for mental illness and drug and alcohol issues under a case management model.

In June 2022, data indicated that mental health teams worked with a total of 730 prisoners with a major mental illness which decreased from the previous year when 754 prisoners were under the care of mental health teams.

This was attributed to the overall decrease in prisoner numbers in 2021/22 as a consequence of COVID-19 and improved methods of data collection to avoid duplication arising from prisoner transfers.

## Psychological Health Services

Psychological Health Services are available to all prisoners and detainees who require counselling for psychological health issues, or occupational therapy services. The service is comprised of registered psychologists, clinically experienced social workers and occupational therapists located in prisons across the state. Counsellors provide clinical assessments and interventions to prisoners at acute risk of suicide or self-harm, those who may be vulnerable within the prison system, those affected by poor mental health or who are having difficulty coping in prison. Occupational therapists provide assessments and interventions to prisoners located in specialist mental health or alcohol and drug rehabilitation units.

In 2021/22, Psychological Health Services in public prisons (excluding referrals to occupational therapists) received a total of 9,944 referrals; a five per cent decrease on the 10,441 referrals the previous year. This is attributed to the decrease in the prison population over the period.

## Prisoner Support

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. 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 Aboriginal Visitors Scheme is comprised of Aboriginal employees who visit Aboriginal prisoners and detainees to promote resilience, healing and connection to culture and community. The Aboriginal Visitors Scheme had 4,421 contacts with Aboriginal prisoners and detainees this year which decreased from the 7,820 contacts made in 2020/2021. The decrease was due to difficulties recruiting staff to these positions and restrictions imposed during the COVID-19 lockdowns.

## Suicide Prevention Steering Committee

The Suicide Prevention Steering Committee was established to review current practices across all prison service streams to identify opportunities for improvements or changes to the existing suicide prevention practices within Corrective Services.

Former Inspector of Custodial Services Neil Morgan was engaged by the Steering Committee to undertake a review of “At Risk Management in WA Custodial Facilities” and provided key themes and priorities to inform the scope of work required.

A Project Working Group that reports to the Steering Committee was established in June 2021 to progress the key themes identified in the Review. With the support of a dedicated project team, the Working Group developed a project plan with defined objectives, deliverables and timeframes to focus on the following key actions:

- Enhancing the At Risk Management System/Prisoner Risk Assessment Group processes to ensure a more trauma-informed, humane and supportive practice for at-risk prisoners.
- Refining processes relating to the transfer of ‘at-risk information’ between youth and adult custody.
- Development of an Aboriginal Suicide Prevention Strategy to improve cultural responsiveness to Aboriginal prisoners at risk of self harm or suicide, and the response by the Department if there is an Aboriginal suicide death in custody.
- Development of a process to provide sites with tools to assist in learning from suicide deaths.

- Working in partnership with the Training Academy to identify gaps in Suicide Prevention training for all staff and peer support prisoners, and to recommend short, medium and long term options to increase suicide prevention awareness across all adult prisons.
- Review of the ARMS Manual to identify areas for improvement and develop a recommended framework for the re-write of an updated, more user-friendly version of the manual.

Key outcomes have included:

- Development of a suite of practical changes to the At Risk Management System and the Prisoner Risk Assessment Group processes including new risk categories, clarified roles and responsibilities and an enhanced governance model. These changes were trialled at Bunbury Regional Prison and Melaleuca Women’s Prison over a six-week period in February 2022 and have since been refined and finalised. An implementation plan is being developed with the necessary supporting materials for the roll out of the new At Risk Management System and Prisoner Risk Assessment Group processes.
- The project team worked in partnership with the Corrective Services Training Academy to develop a Suicide Prevention Training proposal, which was approved in May 2022. Designed to better meet the needs of different cohorts in custody and based around a number of short, medium and long term actions, Stage one of the enhanced training will be rolled out in July 2022, with the provision of in-person Suicide Prevention Training to prison-based staff and peer support workers. Online sessions will be made available for regional staff.

## 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 maintain employment on release.

There were 6,175 prisoners enrolled in a nationally accredited education or vocational training course. This is a decrease from the 7,658 recorded the previous year, reflecting the decrease in overall prisoner numbers and COVID-19 restrictions, which led to reduced access or suspension of education and vocational training services in the first six months of 2022.

Prisoner training is focused on industry areas that can support sentenced prisoners gaining employment post-release, taking into consideration labour market skills shortages and the prisoners’ work history while in custody. In 2021/22, 580 prisoners were enrolled in traineeships and apprenticeships, nine per cent of the prison population. This is a slight decrease from 2020/21, where 628 prisoners were enrolled in traineeships and apprenticeships (nine per cent of the prison population).

Overall, despite COVID-19 restrictions, the Department has worked to strengthen the provision of literacy and numeracy services and continues to focus the delivery of nationally accredited education and vocational training programs to meet the needs of the diverse prisoner cohort. For example, in partnership with Curtin University the Department is conducting regular and ongoing evaluations of literacy and numeracy skills to better target programs for prisoners; it has also introduced an incentive scheme to reward behaviour, attendance, attitude and progress towards unit completion for low level literacy students.

In terms of higher education, across Western Australian prisons in 2021/22, 28 Aboriginal prisoners were approved by the Tertiary Studies Assessment Committee to commence or continue tertiary study. This is a significant gain on the previous year, where only 10 Aboriginal prisoners were approved by the Committee to commence university study.

## Offender Programs

Offender Programs are responsible for the delivery of criminogenic programs to offenders in custody and in the community. The programs delivered cover identified areas of treatment including cognitive skills, substance use, violent offending, family and domestic violence and sexual offending.

The Department is committed to improving the effectiveness of its rehabilitation and reintegration activities, ensuring programs are innovative, contemporary, evidenced based and meet the needs of the offender population. An independent review of the Department’s criminogenic treatment programs across the adult prison and community corrections environments made 20 recommendations across a range of areas including data, evaluation, governance, staffing, mode of program delivery and identification of programs to address current gaps in service delivery. The Department is developing a program of works to prioritise and update the suite of

programs in accordance with the review outcomes.

In 2021/22, a new intensive Violence Prevention Program was piloted throughout the custodial estate. It replaced the previous intensive violent offending program and offers an enhanced intervention to address the offending behaviour of prisoners with a history of serious violence. The program is now offered at Casuarina Prison, Albany Regional Prison and Acacia Prison.

## Contract management

Contract management works with 24 non-Government organisations engaged by service agreements with a value of \$28.703 million 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.

Community services contracts were extended to 30 June 2022 by the State Government to support COVID-19 recovery.

In 2021/22, WASCAR evaluated current adult rehabilitation and reintegration contracts and made the following recommendations:

- Extend existing contracts.
- Work with stakeholders to redesign and recommission the contracted adult rehabilitation programs and reintegration services.
- Improve coordination between the Department and rehabilitation and reintegration service providers.
- Develop enhanced outcome measurement framework(s) and data collection processes in collaboration with service providers.

The adult rehabilitation and reintegration suite of contracts have been extended to 31 December 2023 to allow sufficient time to implement WASCAR’s recommendations.

## 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 oversees the delivery of intelligence services to identify security and safety risks relating to prisoners, facilities and 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 is also responsible for the management and compliance monitoring of operational policy and strategic projects, and the management of the Corrective Services Academy.

## Stopping drugs in prison

The Department continued its efforts to disrupt the supply of illegal drugs and contraband into prisons. This included using drug detection dogs and other specialist technologies, such as Electronic Drug Trace Detection devices. All facilities now have an Electronic Drug Trace Detection device onsite for the purpose of screening visitors and prisoners. These complement the use of the Drug Detection Unit canine team. During the year a number of unannounced searches were undertaken of vehicles and visitors entering prisons 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 alcohol and other drug treatment facilities at Casuarina's 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 damaging impact illegal drugs have on prisoners and young people in custody. Despite interruptions to the corrections environment as a result of COVID-19, the Drug Detection Unit maintained a high operational presence, with 4,052 deployments occurring throughout the year in the custodial estate. The overt presence of the Drug Detection Unit contributed to the disruption of drug supply and distribution and resulted in the detection and seizure of 87 narcotic substances or narcotic paraphernalia.

## Security of the prison estate

The security and safety of our staff and prisoners are key drivers 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. Key initiatives included:

- Development of the Corrective Services Security Framework continued throughout the year. The framework is designed to organise and standardise security practices and assist in the identification, and continuous improvement in the management of security risks throughout the custodial estate.
- Enhanced governance was also a focus area for improvement this year, with the delivery of new procedures and tools for custodial security teams to maintain best practice standards. This significant body of work will continue during the next financial year.
- Corrective Services continued exploring new technologies to deter and detect the smuggling of contraband (drugs, phones, weapons) into custodial facilities, headlined by the completion of a procurement process to introduce full body, low dose x-ray scanning technology in prisons. Installation is scheduled to commence at a first prison site during the next financial year.
- As part of security operations, the Special Operations Group provides specialised 24/7 armed emergency response and security services across the State, supporting custodial facilities to manage the response to incidents across the custodial estate and assist in the safe resolution of these incidents.

The Special Operations Group on-site presence was increased during COVID-19 restrictions where prisons were operating on restricted regimes. The Special Operations Group also provided support to correctional facilities during a number of incidents. This was exemplified by their response to the significant disturbance at Acacia Prison earlier this year which threatened the good order and security of the facility and the safety of staff and prisoners.

Further, the Special Operations Group conducted numerous security search operations, high security prisoner escorts and regular foot and vehicle perimeter patrols over the year; and continued to deliver specialist training to prison staff, such as basic riot control and the First Responder Negotiators Course.

## Emergency management

Corrective Services has responded to various emergency incidents throughout the 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 Department of Health, the State Health Incident Coordination Centre, Western Australia Police Force and the Department of Fire and Emergency Services.

The new Corrections Emergency Management Framework continues to be developed. The framework embeds comprehensive emergency management across the aspects of prevention, preparedness, response and recovery, and is underpinned by the principles of risk management and continuous improvement. The framework continues to progress in consultation with key stakeholders and will be implemented during the next financial year.

## Intelligence Services

Intelligence Services identify security and safety issues relating to prisoners, offenders being managed in the community, 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 and referral of urgent information to the Western Australia Police Force to assist with ensuring community safety.

## Learning and development

The Corrective Services Academy is a registered training organisation that is responsible for the identification and delivery of learning and professional development for all Corrective Services staff including foundation training, ongoing work skills, corporate governance and compliance and leadership development.

The Academy delivered foundation training programs for frontline operational staff including training for 138 Prison Officers, 60 Youth Custodial Officers, 45 Adult Community Corrections Officers and 61 Vocational Support Officers across the State.

Further, four 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. An additional six staff from across the State commenced the program in March 2022, with completion in 2022. This is the fourth year Corrective Services staff have participated in the program.

Over the year the Academy also provided:

- Ongoing operational governance and compliance training for Corrective Services staff in the areas of suicide prevention, mental health first aid, safety and security, occupational first aid and fire and emergency.
- The delivery of training initiatives in support of key reform projects, including the General Court Intervention Program, that provides early intervention and priority access to community programs and services to people appearing in the Magistrates Court at Perth.
- A new Working with Female Offenders online training course that was implemented after content was updated to take into account current best practice. The online delivery will enhance access for staff across the State.
- In partnership with the Department's People Culture and Standards team, a comprehensive program of works to enhance training, cultural change and leadership within the custodial estate. The body of work started in June 2022 with completion anticipated in 2024.

## Operational Projects, Policy, Compliance and Contracts

The Strategic Corrections Projects Branch leads the corrective services involvement in key infrastructure projects. In 2021/22 these included:

- Undertaking Stage 2 of the Casuarina Prison Expansion Project which will see Casuarina Prison become the largest prison in Australia, with a bed capacity of 1,915 beds. The prison will provide several specialised statewide support facilities across the male custodial estate.
- Commencement of planning for the Bunbury Regional Prison Alcohol and Other Drug Reintegration Service to deliver on the State Government's election commitment to provide alcohol and other drug reintegration services to male prisoners in regional areas.

The Operational Policy Branch provides a single area of responsibility and accountability for developing, reviewing and delivering Custodial Operational Policies and Procedures for prisons and Banksia Hill. The Branch successfully completed and closed the Commissioner's Operational Policies and Procedures Project in January 2022, to consolidate both prison and Banksia Hill operational instruments, implementing 131 policies and procedures, 425 Standing Orders, 12 Rules and two Banksia Hill local procedures and revoking more than 2,000 existing instruments. A scheduled review has begun of the Custodial Operational Policies and Procedures and Standing Orders, which will ensure currency and compliance with legislation, operational requirements and the Department's strategic platforms and policies.

In 2021/22, the Operational Compliance Branch continued its support of the COVID-19 Taskforce as well as delivering compliance services across operational areas of Corrective Services. These included Banksia Hill, metropolitan and regional prisons, and courts and prisoner transport services. In line with the Branch's compliance framework, emphasis was placed on supporting key operational and strategic objectives by using data-derived metrics and cultivating a culture of compliance. This was performed in line with a new governance model to better understand compliance risks, work collaboratively and drive continuous improvement. The Branch digitised its compliance function significantly improving performance capability.

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 3,244 individual matters with a view to supporting continuous improvement in service delivery which was a three per cent decrease from the 3,557 matters received for the same period in 2020/21.

The Operational Contracts Branch continued to be responsible for the contract management and oversight of Acacia Prison and Court Security and Custodial Services Contracts.

- In May 2021, the new Acacia Prison Services Agreement 2020 commenced with Serco Australia Pty Ltd providing the operational and maintenance services at Acacia for an initial five-year term.
- The Contract Management team oversaw the delivery of key contractual improvements including improved services to Aboriginal prisoners, increased criminogenic program hours and additional performance measures. In early 2022, a large prisoner disturbance caused significant damage to prisoner accommodation and support services infrastructure, which is currently being rectified.
- The Court Security and Custodial Services Contract with Ventia Australia Pty Ltd provides transportation services for adults in custody across Western Australia and court security and court custody services for outer metropolitan and major regional court locations. The original contract terms expired in March 2022. The Operational Contracts Branch negotiated a 12-month contract extension including variations to improve service delivery and cater for future court expansions, completed a review of the contract and decided to exercise its option to extend the contract.
- The Branch continued to manage the Electronic Monitoring Services contract which provides GPS and radio frequency equipment necessary for the monitoring of offenders in the community.

## Assurance Planning and Performance

The Assurance Planning and Performance Branch provides guidance across Corrective Services to assist in the delivery of operational planning, performance monitoring and reporting, as well as risk assurance and management services.

In 2021/22, the Branch introduced an enhanced approach to risk management across the custodial estate to provide a consistent structure and enable better correlation and reporting on operational risks that facilitates informed and improved decision making. The Branch supported the establishment of local Risk Management Committees across the custodial estate to ensure local sites are better placed to mitigate and respond to risk.

The Branch also facilitated operational improvements through the coordination of internal and external reviews and monitoring the implementation of recommendations made. A number of external information requests for inspections and reviews by the Office of the Inspector of Custodial Services, the Corruption and Crime Commission, the Office of the Auditor General and Coronial recommendations were actioned.

The Branch continued to assess and refine Key Performance Indicator measures and undertook performance reporting to assist in monitoring high level outcomes being achieved within business areas.

## COVID-19 Taskforce

The safe and continuous delivery of services during the COVID-19 pandemic continued to be a major priority for Corrective Services during the last financial year. The COVID-19 Taskforce managed the response to COVID-19 across the custodial estate and issued Directives in response to the changing and dynamic environment, liaised with a range of key stakeholders including health authorities to provide advice to custodial staff.

The Taskforce's major focus was maintaining the safety and wellbeing of all persons in custody, the staff and visitors to our correctional facilities as COVID-19 was present in the WA community, with the first outbreaks of COVID-19 occurring within the custodial estate. Prisons and detention centres are by nature confined environments and prisoners are more likely to have pre-existing health issues. Mitigation strategies imposed by the Taskforce have been in response to the risk posed by COVID-19 to the custodial estate and the people within.

Vaccination of persons in custody has been a priority of the Department to assist in protecting the custodial cohort from the impacts and consequences posed by exposure to COVID-19. Since July 2021, the Taskforce successfully coordinated three mass vaccination programs across the custodial estate. As at 30 June 2022, 89.5 per cent of the total prisoner and youth detainee population had received at least one dose.

With COVID-19 cases present within the custodial estate and significant numbers of prisoners and staff having to be isolated over the course of the year to prevent and reduce outbreaks, the Taskforce has been instrumental in assisting with the management and containment of these outbreaks. Over the year valuable lessons were learnt with each outbreak, which were then applied effectively to control subsequent outbreaks.

The Taskforce ensured compliance with State Government mandates, adapting and updating processes accordingly. Despite a relaxation in restrictions, the risk of COVID-19 transmission has not diminished. The Taskforce continue to work towards ensuring the welfare of prisoners, staff and visitors is maintained and protected from the threat imposed by COVID-19. To date, no prisoner has died in custody from COVID-19 infection, nor has a prisoner been hospitalised because of COVID-19 infection, a significant achievement.

## FOCUS

### Signage Workshop at Karnet Prison Farm supports COVID-19 messaging



The Signage Workshop at Karnet Prison Farm printed 1,700 COVID-19 social distancing floor stickers to be used within the Department's facilities around Western Australia. Pictured is Karnet Signage Instructor Leigh overseeing the printing of the floor stickers.

# 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 Perth Children's Court, in partnership with stakeholders, continued the 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 pilot Court was renamed the Dandjoo Bidi-Ak Court which means "together on a path" and symbolises the way that the Court aims to support Aboriginal families on a journey to reunification. The Department's annual Reconciliation Awards acknowledge teams and individuals for their hard work towards achieving better justice outcomes for Aboriginal people. This year's Team Award recognised the important contribution of the Dandjoo Bidi-Ak team.
- In July 2021, the Perth Magistrates Court introduced a new Family Violence Restraining Order Conferencing initiative, also known as shuttle conferencing. The Family Violence Legislation Reform Bill 2019 delivered a package of reforms to increase protections for victims of family and domestic violence. The program was expanded during the year to Joondalup and Fremantle Magistrates Courts. The Family Violence Legislation Reform Bill 2019 resulted in amendments to various Acts including the *Restraining Orders Act 1997* which introduced provisions for a Registrar to convene a conference in relation to an application for a Family Violence Restraining Order. The program was expanded during the year to the Joondalup and Fremantle Magistrates Courts.
- The Family Court's case management system, Casetrack, which was supported by the Federal Government, was replaced in August 2021 with the Department-developed Integrated Courts Management System.
- The Department established the Emergency Response Group to manage the Department's (excluding Corrective Services) incident management response to COVID-19. During 2021/22 the Emergency Response Group functioned as a part of the Court Risk Assessment Directorate. All assigned tasks were managed and

- coordinated by staff within Court Risk Assessment Directorate, including those relating to the directions of the Chief Health Officer. Courts and tribunals continued to deliver core services to the public; although there were modifications to service delivery, service levels were essentially unchanged. Despite the challenges presented by COVID-19, jury operations were successfully managed to meet the increased trial demands of the courts.
- COVID-19 significantly increased the demand for access to court and hearing room technology to ensure court and tribunal functions continued to operate effectively. The Audio-Visual Services Team in the Courts Technology Group delivered access to Microsoft Teams for courtrooms and Tribunals. Audio-Visual Services updated existing audio-visual systems to allow greater flexibility in providing remote attendance for participants in court hearings. This improved technology allowed participants to connect to a virtual sitting from a personal computer, laptop, tablet, mobile phone or landline and to connect to all court and hearing room audio-visual functions. Remote access was also extended to enable judicial officers to connect, with audio and video, from a Departmental laptop or from a private personal computer or other device.
- This expanded functionality ensured access to justice continued, reducing adjournments that may have otherwise been caused by the inability of a court participant or judicial officer to physically attend a hearing. Audio-visual systems reduce the need for persons in custody, witnesses and judicial officers to physically attend court facilities, thereby facilitating safer and more cost-effective access to justice across Western Australia. This is in alignment with the State Government's priorities to provide a safe environment for all Western Australians.

## 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 2021/22

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

- Finalised 2,147 civil cases and 66 criminal cases.
- Finalised 7,934 probate applications.
- Finalised 173 criminal appeals and 126 civil appeals.
- Dealt with 57 criminal cases in the Stirling Gardens Magistrates Court.

## Impact due to COVID-19

The Supreme Court complied with Government COVID-19 Directions and implemented recommended health measures and precautions where practicable.

The court made every effort to maintain service delivery during COVID-19 restrictions with criminal and civil trials proceeding. Some delays were experienced due to counsel availability and any hearings impacted by COVID-19 were relisted as soon as possible.

## 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 2021/22

The Family Court continued to experience high demand for its services. The court received 14,187 applications, including:

- 2,533 initiating applications for final orders.
- 2,365 interim order applications.
- 5,717 divorce applications.
- 3,347 consent order applications.

The court implemented a new case management system in August 2021. Interim orders are now treated differently. There is no longer a separate interim application at initial lodgment. Applicants can seek both interim and final orders at initial lodgment. Due to this there is a large variance in the number of interim applications reported in 2020/21 (4,737) when compared to 2021/22 (2,365).

## Impact due to COVID-19

The Court continued to operate during COVID-19 restrictions. Litigants attended Court hearings and conferences by phone and in some instances by audio-visual conferencing.

'In person' attendances continued for trials where appropriate. COVID-19 measures such as social distancing and mask wearing in the Court precincts were adhered to.

## 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.

## Outcomes 2021/22

The median time to finalise a matter in the Tribunal (excluding guardianship and administration and commercial tenancy section 13(7), 13(7b) and 14A(3) matters) was 19 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 7,880 applications, an increase of four per cent on 2020/21.

Key application trends included:

- An 11 per cent increase in guardianship and administration applications with 5,602 applications that accounted for 71 per cent of the applications received by the Tribunal.
- Legislation was introduced to assist lessees during the declared emergency periods of COVID-19. Commercial tenancies COVID-19 response applications decreased 91 per cent to just 15 applications in the past year.
- A 21 per cent decrease in applications under the *Strata Titles Act 1985* down to 155 from 197 in the previous year.
- Building Commission applications increased 56 per cent this year to 312.
- A 26 per cent increase in vocational regulation applications overall particularly in applications under the *Health Practitioner Regulation National Law (WA) Act 2010* (136 per cent increase) and the *Security and Related Activities (Control) Act 1996* (48 per cent increase).
- Applications under the *Firearms Act 1973* increased by 140 per cent from 25 in 2020/21 to 60 this year.



## District Court

The District Court deals with serious criminal offences, including those which carry a maximum penalty of life imprisonment, save for murder and manslaughter. The Court routinely deals with charges of robbery (including armed robbery), serious assaults, criminal damage, sex offences (including crimes against children), serious fraud and commercial theft, burglary and serious drug offences including drug trafficking offences.

In its civil jurisdiction, the court has jurisdiction to deal with matters involving claims up to \$750,000, including claims relating to historical sexual abuse. The court has unlimited jurisdiction for claims for damages for personal injuries arising from motor vehicle accidents.

The District Court also has an appellate jurisdiction for civil matters from the Magistrates Court of Western Australia and criminal injuries compensation matters.

## Outcomes 2021/22

The criminal median time to trial in the District Court was 66 weeks (34 weeks above the budget target of 32 weeks). During 2021/22 the court had:

- 2,514 criminal cases lodged.
- 2,513 criminal cases finalised.
- 5,976 civil cases lodged, 92 of which were appeals from lower courts.
- 5,357 civil cases finalised, 90 of which were appeals from lower courts.
- 469 criminal cases and 60 civil cases finalised by trial.

## Impact due to COVID-19

The court's operations were impacted by the trials vacated in early 2020. These trials 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 and audio-visual systems utilised where possible.

A Rapid Antigen Testing facility was established at the District Court Building following the opening of the State border in March 2022. The facility was in place to enable judicial officers at their discretion to send court participants exhibiting COVID-19 like symptoms for an immediate test. The facility was open to court participants including jurors, witnesses and counsel, to be tested as required.

## Magistrates Court

The Magistrates Court of Western Australia hears criminal and civil matters involving people aged 18 years and older. 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 2021/22

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 community. The impact of COVID-19 on all Magistrates Court outcomes continues to be monitored to ensure resources meet any future demand on services.

The Magistrates Court had 71,555 criminal case lodgments, a 10 per cent (8,204 cases) decrease from 2020/21. This was driven primarily by decreases in lodgments of illicit drug offences, and traffic and regulatory offences. Criminal charge lodgments decreased by 10 per cent; charges per case remained high at two 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 experienced a five per cent increase in civil lodgments. In 2020/21, civil case lodgments were significantly impacted by COVID-19 primarily associated with the introduction of the *Residential Tenancies (COVID-19 Response) Act 2020*. The legislation followed the decision of National Cabinet to place a moratorium on evictions in response to COVID-19. The 2021/22 increase in civil case lodgments has been driven primarily through an increase in the number of residential tenancy cases (23 per cent) and General Procedure Claims (seven per cent) lodged with the court.

Lodgment of restraining order applications and Minor Case Claims remained static, however the number of extraordinary licence applications lodged decreased by 13 per cent.

The median time to trial for criminal and civil trials in the Magistrates Court was 26 weeks, above the target of 19 weeks. Contributing to the time to trial outcome was the increase in the complexity of criminal matters finalised by

trial in the Magistrates Court from 2020/21. This has directly contributed to the increase in the time to trial KPI result as the more serious offences that are being dealt with by the court require more case management, and lead to longer trial preparation times.

In addition, the 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.

## 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 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 addresses the underlying causes of their offending behaviour.

This approach aims to improve participants' health and wellbeing, break the cycle of offending and provide an alternative to imprisonment. 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 psychosocial support to young people who appear before the Perth Children's Court.

## Outcomes 2021/22

There were 314 referrals to the Start Court. There were 134 referrals to the Start Court Clinical Team for assessment (Phase One). There were 90 people placed on Phase Two of the Start Court program.

The Links Clinical Assessment Team provided advice, assessment or assistance in 284 cases, (32 case managed by the Links team), compared with 320 in 2020/21. Of the 32 case managed clients, 97 per cent (31) were substance users (cannabis, alcohol and methamphetamine).

## Perth Drug Court and Diversion Programs

The Perth Drug 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 to continue their rehabilitation in the community.

A series of diversion programs are also delivered within the Magistrates Court and Children's Court that specifically assist people with drug and/or alcohol related problems. These programs are jointly delivered by the Mental Health Commission and the Department. Participants in these programs can 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.

## Perth Intellectual Disability Diversion Program (IDDP) Court

The Intellectual Disability Diversion Program 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 2021/22

There were 138 referrals to the Intellectual Disability Diversion Program Court.

## General Court Intervention Program

The General Court Intervention Program commenced as a pilot in the Perth Magistrates Court in October 2020. General Court Intervention Program 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 General Court Intervention Program 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 Australian 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 to meet the needs of the Geraldton Aboriginal community with the aim of reducing family and domestic violence.

## 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 matters and restraining order applications involving children under the age of 18 years, and 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 and Support 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 provide assessments and reports to the Court, make referrals to appropriate services, offer clinical intervention and alternative sentencing options for those whose offences are the result of mental illness.

The Dandjoo Bidi-Ak Court, a therapeutic protection and care court, commenced in July 2020 as a pilot court at the Perth Children's Court. A total of 81 families have participated in the court since 2020 with 41 families having current active cases open at 30 June 2022. Overall, family violence was identified as an issue in 69 per cent (56) of cases, with seven per cent (six) assessed as involving extreme violence. Around 25 per cent of parents came from a background in care themselves. Reunification has been achieved in 14 per cent of families (11). Of those, three mothers had further newborn babies who remained in their care without Department of Communities intervention.

## Outcomes 2021/22

- Finalisation of criminal cases increased to 6,207 from 4,918 the previous year.
- Civil lodgments increased to 2,025 from 1,994.

## Coroner's Court

The Coroner's Court investigated 2,944 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 third year that the dedicated Computed Tomography (CT) scanner was fully functional at the State Mortuary at Sir Charles Gardner Hospital. There were 3,066 non-invasive scans performed in 2021/22, an increase of 106 (3.9 per cent) on the previous year. The CT scanner continues to ensure that fewer Western Australians need an invasive post-mortem examination, which is often resisted by families and goes against some cultural beliefs.

## Outcomes 2021/22

The Coroner's Court continued its focus on older, backlog coronial cases. As at 30 June 2022, the backlog of coronial cases was 1,315, an increase of 505 backlog cases compared to 30 June 2021.

Of the 1,315 backlog cases:

- 59 were backlog inquest cases.
- 968 were cases where no further finalisations were possible as at 30 June 2022 because the Coroner was awaiting completion of aspects of the coronial investigation by external entities.

- 288 were pending analysis before finalisation.

The court dealt with 2,944 reportable deaths, in addition to 1,614 death certificates, and finalised a total of 2,359 matters. The Coroner's Court sat for 123 days and finalised 59 inquest cases.

## 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 early release from custody, sets or varies conditions of release and considers the suspension and/or cancellation of orders where appropriate. During 2021/22, the PRB held 591 meetings, compared with 602 the previous year.

The PRB also determines whether to impose a Post Sentence Supervision Order upon liable offenders. The PRB considered 657 liable offenders and imposed 116 Post Sentence Supervision Orders during the year. The PRB made 1,627 orders to release offenders on discretionary parole which was comparable to the previous year's figures.

A comprehensive annual report for the PRB is provided 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 30 meetings in 2021/22. 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 to the Attorney General for State Parliament by the Chairperson under section 48 of the *Criminal Law (Mentally Impaired Accused) Act 1996*.

## FOCUS

### Dandjoo Bidi-Ak Court a winner

The winner in the teams category for the Department's Reconciliation Awards 2022 was the Dandjoo Bidi-Ak team. The team manages the therapeutic approach adopted within a court of the Children's Court of Western Australia. This team aims to improve outcomes for Aboriginal families involved in care and protection proceedings. With a strong partnership with the Department of Communities, the team works to ensure their Court provides a culturally safe and respectful environment that fosters equal participation by Aboriginal people and leads to increased understanding for all parties involved in a matter. The team works to empower and support Aboriginal clients and build relationships that will result in improved justice outcomes for Aboriginal people.



Dandjoo Bidi-Ak team: Department of Communities Daniel Taylor, Aboriginal Liaison Officer Sean Wood, Magistrate Wendy Hughes and Senior Aboriginal Liaison Officer Melisa Cox.

## 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 58 times in 2021/22.

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

## Gender Reassignment Board

The Gender Reassignment Board considers applications from people wishing to have their gender reassigned and issues gender recognition certificates, in accordance with the *Gender Reassignment Act 2000*. The Gender Reassignment Board received 55 applications in 2021/22, an increase of three compared with the previous year.

## Office of 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 2021/22

The number of criminal injuries compensation applications accepted this year increased by 34 per cent from 5,612 in 2020/21 to 7,555.

Finalisations also increased by 38 per cent on the previous year from 5,593 finalisations in 2020/21 to 7,708 finalisations in 2021/22.

A total of \$100.356 million was awarded to victims of crime. To assist in compensating the State for this cost, a total of \$2.427 million was recovered from offenders, 16 per cent more than the previous year.

A comprehensive annual report on the operations of the Office of Criminal Injuries Compensation is provided 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 Justices of the Peace.

### Outcomes 2021/22

This year the Department continued to provide training opportunities for the State's 2,567 Justices of the Peace.

A total of 28 training sessions were conducted with six in the metropolitan area, two in regional or country locations and 20 online modules. There were a total of 389 Justices of the Peace registered to participate in approved Departmental training sessions.

As Justices of the Peace no longer perform judicial duties, the number of Justices of the Peace enrolling in training has reduced. The Department continues to coordinate and encourage Justices of the Peace to participate in training on the topics of search warrants, witnessing documents, oaths and affidavits and bail/surety.

## 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 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 by telephone, video link, 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 Victim Support Service also provides prosecution agencies with assessment reports to support applications to the court for vulnerable witnesses to provide their evidence via CCTV.

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

### Outcomes 2021/22

There were 13,512 referrals for victim support, compared to 13,233 the previous year. 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 year assistance was provided to 8,465 people compared with 8,503 in the previous year.

### Child Witness Service

The Child Witness Service 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 Child Witness Service provides advocacy to ensure children receive all their entitlements under the legislation and also assists with victim impact statements.

Child Witness Service 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.

Child Witness Service is based in the Perth metropolitan area. In addition, support services are also available to child witnesses in regional locations by Victim Support and Child Witness Service.

### Outcomes 2021/22

The following includes details about victim support services delivered from both Child Witness Service in the Perth metropolitan area and Victim Support and Child Witness Service in regional locations.

There was a slight decrease in new child witness referrals, with 1,093 new referrals this year compared with 1,186 in the previous financial year. Offer of service letters and follow-up support were provided to all referrals. Figures show 68 per cent of child witness clients were aged between 13 and 17 years.

## Family Violence Service

The Family Violence Service provides services to victims of family violence in the Magistrates Court of Western Australia at Armadale, Fremantle, Joondalup, Midland, Perth and Rockingham.

This includes supporting 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 assists judicial officers in the Family Violence List through the provision of bail risk assessment reports.

### Outcomes 2021/22

There were 4,760 new referrals compared with 4,613 in the previous financial year.

## Family Court Counselling and Consultancy Service

The Family Court Counselling and Consultancy Service 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. This includes making referrals to other agencies, gathering information and reporting back to the presiding magistrate or judge. The Family Court Counselling and Consultancy Service provides assessment through either a case assessment conference, family report, or child review conference.

### Outcomes 2021/22

The Family Court Counselling and Consultancy Service received 1,200 new referrals, compared with 1,221 the previous year.

## Court Security

The remit of the Court Risk Assessment Directorate includes:

- Conducting reviews of court security infrastructure and technologies.
- Judicial residential security.
- Staff security training.
- The identification and treatment of risks and threats to courts and tribunals and the Office of the Public Advocate.

Court Risk Assessment Directorate is also responsible for ensuring court facilities comply with the Department's architecture standard design brief with staff conducting regular security reviews of all metropolitan and regional courthouses to ensure compliance.

The Directorate operates an intelligence led security framework to identify and mitigate threats against facilities and court users. During the past year, the Court Risk Assessment Directorate has planned and coordinated high risk security operations involving multiple accused persons.

### Outcomes 2021/22

- Court Risk Assessment Directorate was involved in managing high risk trials involving multiple accused persons. A number of these trials involved joint planning arrangements with law enforcement agencies. All trials and related proceedings managed and coordinated by Court Risk Assessment Directorate were based on a risk/threat assessment to determine an appropriate level of response.
- In March 2021, the Department and the WA Police Force signed a Memorandum of Understanding for the delivery of Court Security and Custodial Services in regional Western Australia. Since its introduction, the Department and the WA Police Force have worked cooperatively in achieving joint outcomes that included the safe movement of persons in custody, safety and security of all court users and in limiting the potential for disruption to the operation of courts.
- During 2021/22, the Department initiated technology, system and minor works upgrades at Bunbury, Busselton, Fremantle, South Hedland, Karratha, Mandurah, Midland, and the Perth Children's Court. The upgrades, with an investment of \$2.74 million, included CCTV, access control, duress alarms, intruder detection, and integration of whole of site security systems.
- During periods of COVID-19 lockdown, Court Risk Assessment Directorate engaged key stakeholders including WA Police Force, and contract security providers and negotiated the commencement of weekday operations at the Northbridge Magistrates Court. This resulted in all overnight arrests being processed at the Northbridge Magistrates Court rather than persons in

custody being transported to other outer metropolitan courts. This initiative significantly reduced the potential risk of spreading COVID-19 to other courthouses.

- Court Risk Assessment Directorate implemented a new incident management system, Web Emergency Operations Centre, known as WebEOC. The system provides enhanced information capture and incident management and coordination. Integration of the new incident management system provides 'real time' information exchange with partner agencies, improved intelligence capabilities and audit functions.

## 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 2021/22

In this financial year 9,956 documents, orders, warrants and summonses were received for service compared with 9,960 for the previous year.

Of these processes, the number of evictions conducted under Property Seizure and Delivery Orders increased by 42 per cent (729) due to the expiry of the moratorium imposed on residential evictions by the State Government in response to COVID-19 on 28 March 2021.

The number of arrest warrants requiring respondents to be brought before the court also increased significantly, by 36 per cent (483).

## Fines Enforcement Registry

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

### Outcomes 2021/22

The number of court fines lodged with the Fines Enforcement Registry decreased by nine per cent from 67,073 to 60,723. The number of infringements lodged increased by 32 per cent from 271,132 to 358,242. The increase was due to the lodgment of 72,057 failing to vote infringements by the Electoral Commission of Western Australia for the 2021 State Election.

Overall, the number of lodgments increased by 11 per cent in comparison with 2020/21 while completions decreased by three per cent.

The Fines Enforcement Registry collected \$134.4 million, 5.6 per cent more than the previous year.

## Work and Development Permit Scheme

A person experiencing hardship can apply for a Work and Development Permit 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 Work and Development Permit Scheme is being delivered by the Department in partnership with the Aboriginal Legal Service of Western Australia Inc and Legal Aid Western Australia.

As the Work and Development Permit Scheme is a sponsor-driven program, Aboriginal Legal Service of Western Australia 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 Work and Development Permit.

### Outcomes 2021/22

- 151 organisations and ten individuals were registered as sponsors.
- 1,542 Work and Development Permits were issued to 1,217 individual clients of which 610 were completed, satisfying \$1,758,553 of court fines.

## Criminal Enforcement

The Sheriff's Office criminal enforcement work consists of the execution of enforcement warrants issued to the Sheriff by the Registrar of the Fines Enforcement Registry. This occurs when the Fines Enforcement Registry 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 *Fines, Penalties and Infringement Notices Enforcements Act 1994* 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 *Fines, Penalties and Infringement Notices Enforcements Act 1994* 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 was completed in August 2021. The Sheriff issued 72 garnishee orders during the year and recovered \$40,801 through this enforcement method.

### Outcomes 2021/22

There was a total of \$21.2 million in collections for 2021/22 compared with \$25.1 million in 2020/21. These amounts are included in the total collections reported above for the Fines Enforcement Registry.

## 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 2021/22

During this financial year 50,837 people were summoned for possible selection on 806 scheduled trials, of which 22,290 people attended and 515 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 multipurpose 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 2021/22

There were a total of 44,031 court appearances by persons in custody of which 39,903 (91 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 ability for video conference enabled court and hearing rooms in Western Australia to make MS Teams calls.
- Updated digital sound processors to the current standard in all regional courtrooms to match those of Central Business District (CBD) courtrooms.
- Upgraded the Judicial Digital Dictation systems to provide a more stable and reliable dictation platform for Judicial Officers and their secretarial staff.

- Remote witness room standardisation so that regional remote witness rooms match the functional capability of rooms in the District Court Building.
- Regional witness rooms in regional courts were subject to physical works to improve the environment.
- Integrated Services Digital Network (ISDN) migration project resulted in the decommissioning of ISDN services in Court and Tribunal Services and replaced with Voice Over Internet Protocol which is contemporary and offers significant cost savings.
- Refreshed AV systems used by the Prisoner Review Board to provide the necessary technology to efficiently operate.

## eCourts

The Integrated Courts Management System 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 has been the replacement of outdated case management systems, critical to the operation of courts and tribunals in Western Australia. This replacement program has created the opportunity to effectively transfer information across the whole justice system.

Since the establishment of the eCourts Plan, almost all court legacy systems have been replaced with the Integrated Courts Management System. This year the focus has been on the completion of the Family Court's case management system, and the initiation and progressing of the Jury Information Management System replacement. As one of the last remaining legacy systems, the Jury Information Management System project is scheduled for completion during 2022/23.

### Outcomes 2021/22

The functionality delivered included:

- Completion of the Family Court system transition from Casetrack and the Commonwealth Courts Portal (Federal IT systems).
- Additional reporting, including outcomes and listings reporting across a number of jurisdictions.

Enhanced functionality delivered on the eCourts Portal included:

- Ability to lodge an endorsed plea online by an accused or a lawyer.
- Record service of a Prosecution Notice online by a prosecuting agency.
- A prosecuting agency can now lodge a Notice to Attend Court and a Prosecution Notice – Summons online in the Children's Court.
- Amendments to the Extraordinary Licence Wizard to cater for the revised waiting periods table.

## 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 (LexisNexis, Thomson Reuters and CCH) have been extended while negotiations for new contracts continue.

Continuing Professional Development (CPD) and training initiatives continue to be a focus. In March 2022, library staff presented a CPD on free legal materials to more than 200 participants on behalf of The Law Society of Western Australia.



## Executive Director recognised in Queen's Birthday Honours

In 2022, Joanne Stampalia was awarded a Public Service Medal. Ms Stampalia has worked for the Department since 1998 and has held the role of Executive Director, Court and Tribunal Services since 2015.

Ms Stampalia has administrative responsibility for the Supreme, Family, District, Children's, Magistrates and Coroner's Courts; the State Administrative Tribunal, Office of Criminal Injuries Compensation, Prisoners Review Board, Mentally Impaired Accused Review Board, Supervised Release Review Board and the Gender Reassignment Board.

Ms Stampalia also has oversight of court counselling and support services, civil and criminal enforcement of fines and court orders, court security, jury management, court systems application development and support, Justices of the Peace Branch, policy and legislative developments, operational performance reporting in relation to courts and tribunals.

Ms Stampalia has championed a strong reform agenda in the implementation of more holistic approaches to the justice system through amendments to Government legislation and the introduction of therapeutic court processes to reduce the impact of drug and alcohol abuse, and family violence.

The work that Ms Stampalia undertakes for the Department is enormously important for the State's justice system, a role she carries out with great leadership, commitment and professionalism.



# 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 *Victims of Crime Act 1994*, including the Victims of Crime Guidelines, provides a legislative framework to assist victims. Services for victims of crime are fundamentally concerned with assisting and empowering victims to reconstruct their lives after the trauma of a crime by improving their mental and physical health and wellbeing.

## The Office's key priorities are to: Key achievements were:

- Monitor the justice system to encourage systemic change.
  - 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.
  - Enable victims to request information and be informed about the status of an offender for as long as the offender is in custody or under community supervision through the Victim Notification Register.
  - Facilitate reparative mediation agreed to between the offender and the victim via the Victim-offender Mediation Unit.
  - Facilitate a set of protective conditions for a victim of crime if an offender is released from custody or community supervision through the Victim-offender Mediation Unit.
  - Work with victims to prepare submissions to the Supreme Court regarding high risk serious offenders.
  - Provide access to redress for victim-survivors of institutional child sexual abuse by managing Western Australia's participation in the National Redress Scheme.
  - Develop, examine and provide a voice for victims in shaping legislation affecting victims of crime to better identify their issues.
- Continuing to give advice, advocacy and practical support to victims of crime, as well as playing a key role in developing and consulting on State Government reforms which affect victims. The Office had more than 1,000 direct engagements with victims in 2021/22, including in person, by phone and online, and through attending community events.
  - Commissioning Western Australia's first Sexual Violence Prevention and Response Strategy in partnership with the Department of Communities.
  - Driving the State Government's public consultation process and promoting community debate about how to deal with the pattern of destructive family violence known as coercive control.
  - Helping thousands of Western Australian survivors of historical sexual abuse in State Government institutions access payments, counselling and personal responses from institutions through the work of the Office's Redress Coordination Unit.
  - Merging with the Victim-offender Mediation Unit, previously held within Corrective Services, to help keep victims of crime informed of an offender's progress through the justice system, put protective and reparative arrangements in place and to continue to raise the profile of victims in the justice system.
  - Continuing to deliver on State Government election commitments, including a prisoner exit program and commissioning an investigative report to identify options for a family violence clinical forensic service.
  - Reconvening the Victims of Crime Community Reference Group.
  - Continuing to promote the State Government's expungement scheme for historical homosexual convictions.
  - Organising and funding funerals for homicide victims.
  - Organising forensic cleaning where victims are murdered in their own homes.
  - Trialling the State's first Justice Facility Dog program at the Perth Children's Court.

## Advice, advocacy and practical support

In 2021/22, the Office continued to provide services and advice, advocacy and practical support to victims of crime. Delivery of services continued to the State Government and the community despite the impacts of COVID-19. The Office played a key role in developing and consulting on Government reforms, with the Commissioner having a continued role in State and national agendas.

In 2021/22, the Office recorded 1,021 engagements with victims of crime and other members of the public on victims' issues, including responding to complaints. Complaints were generally related to decisions made by courts or directed against other State Government agencies.

New policy and procedures for engaging with victims and consulting to make sure staff can deliver culturally safe and responsive services to all victims were developed.

In September 2021, the State's first Justice Facility Dog, Winston the Labrador, began work. Winston has been trained by Guide Dogs WA and visits the Children's Court to interact with court users, including child witnesses, in a pilot program.

Commissioner Kati Kraszlan carried out several victim-focused engagements, including meeting grants applicants with potential projects for victims of crime, and conducting interviews with the news media. The Commissioner took part in the St Vinnies' CEO sleepout, and attended PrideFest 2021 as well as 16 Days of Action to Stop Violence Against Women.

The Commissioner continued to chair the National Victims of Crime Working Group and co-chair the Victims of Crime Reference Group. The Reference Group represents the Western Australian community, specifically victims of crime, and reports to the Attorney

General. Membership of the Reference Group includes Aboriginal and culturally diverse members, direct and indirect victims of crime, and those from metropolitan and regional areas. The Reference Group met four times in 2021/22, with the inaugural meeting held in September 2021.

The Office continued to work with the 'forgotten Australians' who were abused in State care to restore and rededicate the memorial art piece "Unfolding Lives." The original artist for the project restored the sculpture ready for its return to the Perth Cultural Centre in Northbridge.

## Sexual Violence Prevention and Response Strategy

In September 2021, the State Government announced the commissioning of Western Australia's first Sexual Violence Prevention and Response Strategy. The Office, in partnership with the Department of Communities, will lead the development of the Strategy for the next two years. The purpose of the Strategy is to improve outcomes for victim-survivors of sexual violence, focusing on primary prevention, support for victim-survivors' recovery and holding perpetrators to account. Consultation began in November 2021 with a forum hosted by the Department, the Department of Communities and the Centre for Women's Safety and Wellbeing.

In February 2022 the Attorney General asked the Office to review the 'end to end' criminal justice process for victims of sexual offending, from reporting an offence to the release of the offender. As part of the project, the Law Reform Commission was tasked with examining the State's laws relating to sexual offences and the legal concept of 'consent.'



FOCUS

## WA's first Justice Facility Dog starts at Perth Children's Court

Winston is a five-year-old black Labrador and was trained by Guide Dogs WA to interact gently and calmly with victims, witnesses and other Perth Children's Court users to reduce the stress and anxiety commonly experienced in a courthouse environment. Since September 2021, he and his handler attend the Children's Court two to three days a week as part of a 12-month pilot program to assess the viability of extending the service, including to other WA courts. Facility dogs are used in a range of legal settings internationally and other Australian jurisdictions and have been highly successful in reducing anxiety in people interacting with the justice system.

The pilot program is being managed by the Office of the Commissioner for Victims of Crime.

## Coercive control in a family violence setting

In March 2022, the Attorney General and the Minister for Prevention of Family and Domestic Violence announced that a community consultation process would be held about legislative responses to coercive control. As at 30 June 2022, the Office received 279 submissions. The Office held three forums for the family violence and legal assistance sectors, and a further 13 stakeholder meetings, with the consultation process ongoing. The Office also represented Western Australia on Commonwealth working groups, including the Working Group on Criminal Justice Responses to Sexual Assault, and the Meeting of Attorneys-General Family Violence Working Group.

## Leading the National Redress Scheme in Western Australia

The Redress Coordination Unit within the Office is tasked with coordinating redress payments and direct personal responses for Western Australian victim-survivors of institutional child sexual abuse. In January 2019, Western Australia joined the National Redress Scheme for survivors of institutional child sexual abuse, which was established in response to recommendations of 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 Unit continued to experience a high workload as it 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.

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 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 representing the State on the National Redress committee.

In 2021/22 the Unit received 808 applications, 61 per cent of which were priority cases, compared with 623 applications in 2020/21, of which 59 per cent were priority cases.

There were 510 applicants who accepted their redress offer and were paid a total of \$39,104,445, compared with 615 applicants who were paid \$43,777,268 in 2020/21.

A total of 67 people did not receive redress as they were either not eligible or the State Government was not liable, compared with 76 people deemed not eligible in 2020/21.

A second anniversary review of the Scheme's operations resulted in the following changes:

- An upfront payment of \$10,000 is now available to those deemed a priority applicant (with that amount to be deducted from the final amount awarded).
- Applicants are now able to request payments in instalments.
- An expanded Funder of Last Resort provision allows for governments to accept fiscal responsibility for more institutions which are either defunct or financially unable to participate.

## Keeping victims informed about offenders

This financial year the Victim-offender Mediation Unit, previously part of Corrective Services, became part of the Office. It comprises the Victim-offender Mediation Unit itself and the Victim Notification Register.

The Unit can work with a victim and certain offenders to take part in either reparative mediation, or to agree on protective conditions for the victim if the offender is released. It is free and impartial.

The Unit prepared 1701 reports for sentencing and releasing authorities and provided input into protective conditions for victims registered in relation to community-based offenders.

Joining the Register gives victims the opportunity to access important information about an offender for as long as the offender is under the supervision of the Department of Justice.

As of 30 June 2022, there were 1,993 victims registered in relation to 1,619 offenders. In 2021/22, the Register received 5,144 referrals and 644 new applications to join.

## Family Violence election commitments

The Office is responsible for the implementation of two key election commitments related to family and domestic violence. These are:

### Family Violence Prison Exit Program

This service is aimed at providing safety support and legal services to women prior to leaving prison so that they can leave prison safe from the threat of family and domestic violence.

Women in prison are a particularly vulnerable group who have experienced high rates of previous abuse and are at high risk of ongoing victimisation. Between 75-90 per cent of incarcerated women have experienced family and domestic violence. The impact of family and domestic violence in the lives of women offenders is all encompassing and is seen as one of the drivers behind the increasing rates of female incarceration. This service will involve the engagement of dedicated family violence case workers and legal support services focusing on developing protective behaviours.

### Family Violence Forensic Unit

The establishment of the first specialist family and domestic violence forensic service in Western Australia is designed to provide the quality evidence critical to securing convictions in family and domestic violence prosecutions, improving the State's family and domestic violence data collection and reporting capabilities. This service will develop a process to document and certify injuries relating to family and domestic violence and provide expert opinion in any resulting prosecution. The service is expected to be operational in early 2023.

## Expungement of historical homosexual convictions

The State 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 relating to consensual activity which would not be illegal today. The Office manages the process by which these types of historical homosexual offences can be removed from their records.

The Commissioner presented on the Scheme at meetings with members of the LGBTQIA+ community and at PrideFest 2021.

In 2021/22, a new information brochure specifically about the Scheme was developed and made available at all the Office's public engagements. While the Office did not receive any new expungement applications in 2021/22, one expungement application which was made in 2019/20 and approved in 2020/21 was expunged in the 2021/22 financial year.

The Office remains confident potential applicants are aware of the Scheme but for various reasons may not want to engage in the expungement process. The Office continues to examine ways to raise community awareness of the Scheme. The Office will also continue to accept applications for expungements and make recommendations to the Director General regarding those applications.

## Homicide Funeral Assistance Scheme

The Homicide Funeral Assistance Scheme was established in 2018 to cover the funeral costs of people in Western Australia who die as the result of homicide. The Scheme is funded through the Criminal Property Confiscation Grants program, administered by the Department.

The Scheme provides up to \$8,000 towards the cost of a funeral to eligible applicants where the cause of the death of the deceased person was murder, manslaughter or unlawful assault causing death. During 2021/22, the Office made payments totalling \$127,468 for the funeral expenses of 16 homicide victims.

The Office continues to consider opportunities to raise community awareness of the Scheme so that eligible applicants have easy access to this support. Amounts paid out in funeral costs:

Financial year	Total Amount	Number of (homicide) victims
2021/22	\$127,468	16
2020/21	\$162,379	22
2019/20	\$210,844	28
2018/19	\$132,858	17

## Forensic cleaning crime scenes in the home

In 2020/21, 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 ensures that a property is thoroughly cleaned before being handed back, aiming to reduce further trauma to family and/or loved ones.

The Office conducted 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 provide value for money.

In 2021/22, in partnership with the Western Australia Police Force and housing authorities, the Office coordinated and paid for three properties to be cleaned after homicide, with an average cost of \$3,642.

# Equal Opportunity Commission

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

The *Equal Opportunity Act 1984* provides that the Governor appoints the Commissioner for Equal Opportunity.

Dr John Byrne AM has been in the role since 2016 and was reappointed as Commissioner for Equal Opportunity at the end of 2021 for an additional four-year term. Dr Byrne is independent in performing the functions of the Commissioner as set out in the Act, which includes:

- Investigating and endeavouring 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 relies on the Department for administrative support. The financial statements and Key Performance Indicators for the Equal Opportunity Commission are included in the Department's annual report.

## Key achievements were:

- Responding to more than 1,400 requests for information and advice on rights and responsibilities under the Act.
- Delivering 74 information sessions and complaint clinics to agencies, community members and organisations.
- Delivering 73 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; hosting a Wearing it Purple morning tea for Albert Facey House; launching the Pathways to inclusion report; hosting a Sorry Day viewing of Incarceration Nation; and participating in NAIDOC and Pride celebrations.
- There was a 26 per cent increase in the number of complaints received in 2021/22 relative to 2019/20, when COVID-19 began.
- Commencing a research project to look at the barriers faced by gender diverse people when using gendered public facilities.



Dr John Byrne with Shannon Galvin.

## Launching the Pathways to Inclusion report

To recognise International Day of People with Disability, which falls on 3 December each year, the Equal Opportunity Commission launched *Pathways to inclusion* – a research report into access and inclusion barriers for users of electric mobility devices.

The research report documents the experiences of mobility device users and the barriers they face in the community. Curtin University intern Shannon Galvin conducted the research, which included a community survey.

The research found mobility device users faced both physical and social barriers such as difficulties manoeuvring their devices on public transport and being ignored by service providers in shops and restaurants.

The report is available on the EOC's website at [www.eoc.wa.gov.au](http://www.eoc.wa.gov.au).

# 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 2,505 investigations into the personal or financial welfare of adults with a decision-making disability, representing a 12 per cent increase from the previous year.
- Managing 2,059 new referrals from the State Administrative Tribunal for investigations into the personal or financial welfare of adults with a decision-making disability, a 13 per cent increase from the previous year.
- Acting as guardian for a total of 3,115 people as at 30 June 2022, a 12 per cent increase from 30 June 2021.
- Responding to 797 new appointments by the State Administrative Tribunal as guardian of last resort, compared with 730 in 2020/21.
- Delivering 21 community education seminars regarding the guardianship and administration system, the legislation and the planning documents available to people under the legislation.
- Responding to 5,663 enquiries from 3,729 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 2022, there were 21 volunteers engaged in the program, 15 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 2021/22. Historically, dementia accounted for the largest proportion of appointments of the Public Advocate as guardian, until the introduction of NDIS four years ago. Since then, mental illness and intellectual disability have both accounted for more appointments than dementia, and they continue to do so in 2021/22.



## Profile of all guardianship orders appointing the Public Advocate by type of decision-making disability as at 30 June 2022

Type of decision-making disability	Number	Percentage
Acquired brain injury	463	15
Dementia	779	25
Intellectual disability	884	28
Mental illness	957	31
Other	32*	1
<b>Total</b>	<b>3,115</b>	<b>100</b>

\*30 of the 32 'other' are for represented persons with Autism Spectrum Disorder

## 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. They included targeted education sessions and a World Elder Abuse Awareness Day community event held jointly with the Public Trustee, along with publications and the provision of the advisory service. The Office continues to empower Western Australians by providing them with information about the choices available for future planning, which enables people to protect themselves by making an enduring power of attorney and enduring power of guardianship.

## FOCUS

### Clear communication

One of the Office's key challenges is to communicate complex information to stakeholders, many of whom have decision-making disabilities, in a clear and concise manner.

The Office developed a series of Easy Read factsheets which breakdown the subject matter surrounding guardianship and administration into easy-to-understand documents, combining imagery and simple wording.

These can be used in a variety of ways including when investigator advocates and external service providers meet with represented persons and their support networks, helping to explain unfamiliar processes. This can alleviate anxiety surrounding what can be a very stressful time for all parties involved. The factsheets were drafted in consultation with a disability advocacy group and are available online and in hard copies.

In March 2022, the Office migrated its website to the wa.gov.au platform. This required a full content review and the reorganisation of complex information into a more intuitive, user-friendly format. These changes improved functionality, navigation, and overall user experience.

A QR code and app were also developed to enable stakeholders to scan and access website information. These were successfully used at community events such as World Elder Abuse Awareness Day.



# Public Trustee

The Public Trustee offers will, deceased estate administration and trustee services for all Western Australians. The statutory authority manages net assets of about \$1.5 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 7,134 clients, including 1,082 new trust clients.
- Submitting 479 probate applications.
- Examining 1,406 private administrator accounts.
- Delivering 16 seminars across Western Australia, with 1,202 attendees.
- Deploying improvements to the 'MATE' trust management software system.

During 2021/22, COVID-19 continued to have a significant impact 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 to its key trust management and support systems.

The Public Trustee implemented its Business Continuity Plan, alternating workforce arrangements during COVID-19, to ensure there was no interruption to services to clients and strong measures were in place to protect its clients and staff.

The Public Trustee managed trusts for 7,134 clients, with continued growth in demand for financial administration services being appointed to manage a further 1,082 new trust clients. Most 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 much needed essential services for many trust clients as part of its community service obligations, ensuring clients have access to trustee services.

The Public Trustee plays an important role in protecting vulnerable Western Australians from financial abuse, with 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 1,406 account examinations, where total assets exceeded \$1,698 million. As at 30 June 2022, 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 2,848 to 3,217.

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 78 per cent, with these clients feeling that the Public Trustee met their needs.

The Public Trustee continued to achieve self-funding, despite the continuing difficult fiscal environment, which affected the Public Trustee's overall financial performance including client investments and returns.

The Public Trustee implemented major system changes that will introduce a more efficient process to administer a deceased estate. In the private administrator support area, a review was completed and a transformation project launched to improve information technology systems, gain efficiencies and improve reporting on key performance indicators. This is aligned with the Public Trustee's key strategy to continue its review of key services to be more efficient in both management and service delivery.

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

The Public Trustee, working within COVID-19 restrictions, continued its 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.

Work also continued 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.

# Registry of Births, Deaths and Marriages

The Registry of Births, Deaths and Marriages 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:

- Registering 64,876 life events: 32,966 births (including adoptions and surrogate births); 16,702 deaths; 10,813 marriages; and 4,395 change of names.
- Issuing 36,552 birth, death, marriage and change of name certificates from applications submitted via the Western Australian Registration Online (WARO) portal.
- Extending the Registry's community outreach by providing key identity documents and registration services delivered at interagency Community Service Delivery Days and events held by community organisations that support homeless and vulnerable citizens.
- Relocating historical registers and registry related records from all metropolitan and regional courthouses to a secure storage facility to ensure the preservation of all birth, death and marriage records in the State.

## Accessibility of records

There has been increased demand for the Registry's online certificate application WARO, launched in 2020/21, which has been beneficial particularly through the COVID-19 pandemic where the community's access to the registry was reduced, at times. This functionality also supports the Registry's ongoing 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 27,237 certificates, equating to 22 per cent of the total certificates issued by the Registry.

## 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 32,966 births (including adoptions and surrogate births); 16,702 deaths; 10,813 marriages; and 4,395 change of names totalling 64,876 registrations. This was a one per cent increase from the 63,924 births, deaths, marriages and changes of name registered in Western Australia in 2020/21.

### Provision of certificates

A total of 143,044 certificates were issued during 2021/22 compared to 127,019 certificates issued the previous year:

- 89,607 birth certificates were issued (a 10 per cent increase from 2020/21).
- 23,339 marriage certificates were issued (a 29 per cent increase from 2020/21).
- 25,762 death certificates were issued (a 10 per cent increase from 2020/21).
- 4,336 change of name certificates were issued (a 12 per cent increase from 2020/21).

## Marriage services

The Registry conducted 483 marriage ceremonies in 2021/22, a decrease of seven per cent, due largely to COVID-19 restrictions.

In 2021/22, couples married by the Registry identified 86 countries as their place of birth. The top five countries were:

Place of Birth	Total
Australia	319
China	88
India	64
Vietnam	52
Malaysia	43

## Aboriginal Justice Open Days and community outreach

The Registry continued to participate in the Department's Aboriginal Justice Open Days. 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 access 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 801 birth certificates, registered 112 previously unregistered births and issued seven confirmation of birth letters.

## Baby names

The top five girls' names in 2020/21 were:

Name	Occurrence
Isla	191
Ava	150
Amelia	149
Charlotte	143
Olivia	141

The top five boys' names in 2020/21 were:

Name	Occurrence
Oliver	248
Noah	214
Jack	188
William	167
Leo	165

Western Australia's top regional baby names are available at [www.bdm.justice.wa.gov.au](http://www.bdm.justice.wa.gov.au)

## FOCUS Wedding expo success

The Marriage Services Team successfully exhibited again at the Perth Wedding Expo held at Claremont Showgrounds in May 2022.

The event demonstrated the need for public access to reliable information and advice relating to getting married in Australia and to assist brides and grooms in planning for their perfect day.

More than 1,500 people attended the event with at least half of those stopping at the Registry of Births, Deaths and Marriages exhibit seeking information about getting married in Australia and overseas, changing their name after marriage and how to obtain certificates from the Registry after their marriage.



Registry staff Tracey Findlay and Jody Saxon at the expo.

# Services to Government

Services to Government include policy advice, coordination and oversight of operational activities, criminal statistical reporting, legislative drafting and related services.

## Strategic Reform

The Strategic Reform Division 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 the Attorney General's legislative reform agenda. This included new laws to introduce a statutory right for a second or subsequent appeal against conviction where there is fresh or new and compelling evidence and progressing legislation to ensure that child victims of alleged sexual offences are front of mind for bail decision makers.
- Fulfilling the Government's commitment to create legislation to disrupt organised crime groups and criminalise the display of prohibited insignia.
- Assisting in the State Government's ongoing response to COVID-19 by introducing a range of urgent legislative measures as part of a cross-Government omnibus bill to ensure that the effective administration of justice could continue through the State of Emergency declarations.
- Developing the Family and Domestic Violence (FDV) Strategic Framework as part of the Department's commitments under the National Plan to End Violence Against Women and their Children, and Path to Safety: Western Australia's strategy to reduce family and domestic violence 2020 – 2030. Ongoing engagement with the Ombudsman Western Australia's family and domestic violence fatality review function.

- The Kimberley Juvenile Justice Strategy continued to engage with Aboriginal Community Controlled Organisations and other service providers to deliver culturally appropriate services to young people. These included structured activities outside of school hours, community night patrols, cultural camps, a youth engagement program and a tailored TAFE program.
- Establishing the Aboriginal Justice Advisory Committee in 2021/22 with the appointment of nine Aboriginal people who have connections to Country from across the State.
- Engaging a consultant to develop an Aboriginal Cultural Capability Training Strategy to help build cultural capabilities and ensure employees have the knowledge to deliver services in more culturally appropriate ways and to create work environments that are more culturally responsive to the needs of Aboriginal peoples. The development of the Strategy aligns to other policy frameworks including the National Agreement on Closing the Gap and Western Australia's Aboriginal Empowerment Strategy 2021–2029.
- Finalising implementation of the Department's inaugural Reconciliation Action Plan in December 2021, completing 94 per cent of its deliverables and moving to implementing a new 'Innovate' Reconciliation Action Plan in January 2022. The new Plan requires braver and more impactful deliverables to be completed and has a strong focus on engagement with external stakeholders – with 98 per cent of the new deliverables on track for achievement.
- The Aboriginal Mediation Service continued to support and assist Aboriginal people in conflict. Adjustments to its service model increased the number of mediations held in 2021/22. The suitable enquiry to mediation rate grew from three per cent in 2020/21 to nearly 11 per cent. To support the delivery of its services, the Service established a panel of accredited and experienced mediators throughout the State and is seeking closer alignment with key service providers working in the community and family dispute resolution space to respond to the distinct needs of Aboriginal people, families and communities.
- Delivering 94 Open Days across the State, assisting a total of 2,116 community members with access to essential proof of identify, registration and licensing documents, despite the impact of COVID-19 travel restrictions.

## Legislative Services

The Legislative Services Directorate develops, implements, and reviews 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 2021/22:

#### *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021*

The *Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021* came into operation on 24 December 2021 and introduced a suite of reforms that target serious and organised crime. The Act disrupts and restricts communication and networking between offenders, criminalises the display of insignia of identified organisations, and disrupts the ability of members of identified organisations to gather in public places.

#### *Sentencing Legislation Amendment (Persons Linked to Terrorism) Act 2022*

This Act was assented to by the Governor on 18 May 2022 and will come into force by proclamation. The amendments 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 Act creates a presumption against early release by mandating that exceptional reasons be shown before a prisoner or young offender with links to terrorism is granted an early release order.

#### *COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Act 2021 (No. 2) and COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Act 2022*

The Department worked in partnership with the Department of Fire and Emergency Services in November 2021, and again in May 2022, to extend the operative timeframes of amendments made through the *Emergency Management Amendment (COVID-19 Response) Act 2020* and *Criminal Code Amendment (COVID-19 Response) Act 2020* in response to COVID-19. These amending Acts extended existing sunset clauses twice, thereby ensuring that emergency powers were authorised during the declared State of Emergency. They also gave effect to amendments to ensure that higher penalties will continue to apply to serious assaults and threats against public officers committed in the context of COVID-19.

#### *Criminal Appeals Amendment Act 2022*

This Act was assented to by the Governor on 24 June 2022 and will substantively commence on proclamation. It amends the *Criminal Appeals Act 2004*, introducing a new statutory right for an offender convicted of an offence on indictment to bring a second or subsequent appeal to the WA Court of Appeal against conviction, if there is either fresh and compelling or new and compelling evidence relating to the offence. It provides the Court with the jurisdiction to directly remedy a situation where fresh evidence establishes that a substantial miscarriage of justice has occurred, or new evidence establishes that the offender is innocent.

#### *Courts Legislation Amendment (Magistrates) Act 2022*

This legislation commenced on 1 March 2022 and has clarified 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.

## Bills introduced into State Parliament

Legislative Services developed the following key pieces of legislation:

### *Bail Amendment Bill 2021*

On 15 June 2022, the Bail Amendment Bill 2022 was introduced into State Parliament. The bail reforms proposed under the Bill will ensure child victims of alleged sexual offences are at the centre of decisions around bail and expand the list of serious offences under Schedule 2 of the *Bail Act 1982* to include sexual offences against children and several other offences in the Western Australian and Commonwealth statute books.

### *Civil Procedure (Representative Proceedings) Bill 2021*

On 18 August 2021, this Bill was introduced into State Parliament. The Bill will introduce a legislative representative proceedings regime in the Supreme Court of Western Australia and will abolish the torts of maintenance and champerty.

### *Statutes (Repeals and Minor Amendments) Bill 2021*

On 29 April 2021, the Statutes (Repeals and Minor Amendments) Bill 2021 was introduced into State Parliament. The Bill was referred to the Standing Committee on Uniform Legislation and Statutes Review, which tabled its report on the legislation on 31 August 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.

## Legislation under development

Legislative Services developed the following key pieces of legislation:

### Criminal Law (Mental Impairment) Bill

Reforming the *Criminal Law (Mentally Impaired Accused) Act 1996* continued to be one of our highest priorities in 2021/22. During the year, Strategic Reform 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 Act.

In particular, the new legislation is intended to introduce provisions that have a limiting term on the custody orders which are aligned to the sentence that a mentally impaired person would have been likely to receive, had they been convicted in a court, and to empower the Mentally Impaired Accused Review Board to make decisions as to release, removing that power from the State Governor. The legislation also aims to provide greater support for people with mental impairment during the court process and provide an avenue to test the evidence against people with a mental impairment who have been found unfit to stand trial.

### Guardianship and Administration Amendment Bill

This Bill will introduce a raft of amendments to the *Guardianship and Administration Act 1990* in response to the recommendations made in the statutory review of the Act. In relation to persons with decision making disability, the Bill will strengthen effective guardianship of adults, improve administration of estates, increase the efficiency of the State Administrative Tribunal in respect of guardianship and administration matters, and support the effective operation of enduring powers of attorney, enduring powers of guardianship, advance health directives and the making of treatment decisions.

### Directors' Liability Reform Bill

The Department continued to develop legislation to harmonise and streamline the imposition of personal criminal liability on office holders for corporate fault. The new provisions will standardise the statute book and ensure consistency where an officer of a body corporate is made liable because they have not prevented the body corporate from committing an offence. This legislation will fulfil the State Government's commitment to implement Council of Australian Government principles in respect of deemed criminal liability for office holders.

## Evidence Bill

A Bill that will repeal the *Evidence Act 1906* and replace it with a comprehensive new Evidence Act is in an advanced stage of drafting. Uniform Evidence Law will be adopted, and highly effective *Evidence Act 1906* provisions will be retained. The new Act will also 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 also further protect victims of family and domestic violence.

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

Work continued 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.

## Statutory Reviews

Strategic Reform continued to progress several statutory reviews, including a review of the *Sentencing Act 1995* and a review of provisions that enable incapacitated persons to be enrolled in medical research in urgent situations. The Department completed a statutory review of the *Coroners Act 1996* and the Attorney General tabled the Final Report in Parliament in December 2021.

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

## Strategic Policy

The Strategic Policy Directorate oversees the development and delivery of strategic policy, projects and other key reforms. Strategic Policy continued to work collaboratively across the Department and with other Government agencies to provide policy advice and support on whole-of-Government responses to family and domestic violence, elder abuse, mental health, youth offending, housing and homelessness, the disability justice interface pertaining to the National Disability Insurance Scheme and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

Family and domestic violence initiatives were a key priority for the Strategic Policy Directorate in 2021/22, with the launch of the Department's Family and Domestic Violence Strategic Framework 2022-2025.

Development of the Framework was initiated in response to the findings and recommendations of two Ombudsman WA family and domestic violence fatality reviews. The Framework is also a key action item under the First Action Plan for Path to Safety: Western Australia's Strategy to Reduce Family and Domestic Violence 2020-2030.

The Framework identifies six priority areas for action, each supported by a set of targeted initiatives. It aims to create a shared language and vision within the Department, to promote and instil evidence-based approaches, to establish a platform for monitoring and measuring success, and to support the Department in continually striving to reduce the incidence and impact of family and domestic violence in Western Australia.

It has also been designed to complement the Department's forthcoming Aboriginal Family Safety Strategy, Legal Assistance Strategy 2022-2025, and the Victims of Crime and Sexual Violence Strategies being developed by the Commissioner for Victims of Crime. Development of the Framework was informed through consultation with women in Western Australian prisons and is the result of extensive collaboration across the Department and consultation with key external stakeholders.

As the Department's first overarching strategy relating to family and domestic violence, the Framework captures work that is currently underway and proposed for the immediate future. The Framework will also be supported by annual Action Plans to coordinate the implementation of key initiatives, which will be overseen by a Family and Domestic Violence Steering Committee.

The Framework will be reviewed after three years of operation. Future iterations will be responsive to critical and innovative developments that strengthen the Department's response to family and domestic violence.

## Law Reform Commission of Western Australia

Strategic Reform provides administrative support to the Law Reform Commission of Western Australia. The Commission is an independent statutory authority, currently chaired by the Hon Lindy Jenkins.

The Commission receives terms of reference and reviews laws at the request of the Attorney General. This year the Commission undertook Project 111; Review of the *Equal Opportunity Act 1984*. Pursuant to the Terms of Reference, the Commission considered Australian and international best practices of equality and non-discrimination, relevant legislation in other jurisdictions, previous reviews and relevant Commonwealth reports, including those on religious freedoms. Project 111 received a high level of community engagement throughout the project.

In August 2021, the Commission received a new reference on rules of evidence, specifically the admissibility of propensity and relationship evidence and other evidence of discreditable conduct (Project 112). The Commission released an Issues Paper in December 2021. Under the Terms of Reference for the project, the Commission reviewed whether the law in

relation to these types of evidence should be modified in line with uniform laws in other states of Australia, or otherwise amended. This reference will assist in informing the drafting of the Evidence Bill.

The Commission received a second new reference in 2021/22 to provide advice and make recommendations for consideration by the Government on sexual offences contained within the *Criminal Code Act Compilation Act 1913*: Project 113.

## Aboriginal Justice Transformation

The Aboriginal Justice Transformation Directorate 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 Directorate also provides strategic advice to contribute to the achievement of State Government targets relating to justice outcomes for Aboriginal people, such as those defined in the National Agreement on Closing the Gap and supports the operation of the State Government's Aboriginal Empowerment Strategy.

## Closing the Gap

Aboriginal Justice Transformation reviewed and progressed its initiatives that contribute to Closing the Gap targets, with a strong focus on outcomes 10 and 11. These outcomes ensure Aboriginal and Torres Strait Islander adults and young people are not over-represented in the criminal justice system.

The Department has committed, in its Reconciliation Action Plan, to implement strategies to improve justice outcomes for Aboriginal people. Deliverable 53 of the Reconciliation Action Plan seeks to deliver on the Department's commitment to Closing the Gap as set out in the Jurisdictional Implementation Plan. The Department is actively involved in the work of the Justice Policy Partnership and the broader Closing the Gap work through close collaboration with the Department of the Premier and Cabinet as it strengthens Closing the Gap governance mechanisms across the public sector.

### Outcome 10: Aboriginal and Torres Strait Islander People Are Not Overrepresented in the Criminal Justice System

From the baseline year of 2019 to 30 June 2021, the rate of Aboriginal imprisonment has decreased by four per cent, with Western Australia one of only two jurisdictions to be assessed as improving against Outcome 10.

However, it should be recognised there has been a substantial decrease in the prison population since the start of COVID-19, likely influenced by:

- significant illicit drug and cash seizures by WA Police,

and the reduction in drug availability caused by border restrictions – which has flow-on effects to other criminal offending.

- the WA Government’s policy responses to COVID-19, including snap lockdowns, restrictions on public gatherings, closure of licensed venues, reduced court processing and border closures.

The Department recognises the need for further and ongoing work to reduce over-representation in the criminal justice system and to improve justice outcomes for Aboriginal communities. The Department progressed a number of actions targeted at delivering sustained reductions to the adult prisoner population.

These included efforts to improve the effectiveness of the Department’s rehabilitation and reintegration activities, ensuring programs are innovative, contemporary, evidence-based, and meet the needs of the offender population. An independent review of the Department’s criminogenic treatment programs across the adult prison and community corrections environments made 20 recommendations across a range of areas including data, evaluation, governance, staffing, mode of program delivery and identification of programs to address current gaps in service delivery.

The Department is developing a program of works to prioritise and update the suite of programs in accordance with the review outcomes.

The Western Australian Office of Crime Statistics and Research (WACSAR) is also providing a cross-agency, evidence-based approach to criminal justice decision-making, policy development and evaluation of strategic initiatives. WACSAR evaluates outcomes against four key Government objectives, including reducing Aboriginal over-representation in the justice system. Aboriginal communities and organisations will be engaged to define and measure outcomes that have value to their own communities to be integrated into evaluation frameworks. In all evaluations WACSAR undertakes, Aboriginal and non-Aboriginal outcomes are assessed separately.

WACSAR has also established a non-statutory Advisory Board comprised of representatives from the justice sector and university partners to provide strategic advice and support the administration of a research grant fund. An Aboriginal university representative has recently been appointed as a member of the Advisory Board to help provide an Aboriginal perspective on the work and to ensure that WACSAR considers Aboriginal outcomes in all areas of its work.

Seven university-based research projects were recently awarded WACSAR Criminal Justice Research Fund grants to examine ways to improve the criminal justice system. Two of the successful projects explore issues affecting Aboriginal people: reducing the overrepresentation of Aboriginal and Torres Strait Islander people in the justice system through enhanced social and emotional wellbeing; and an evaluation of Aboriginal cultural training and education in the justice sector. The grant fund is designed to complement the work of WACSAR in understanding and analysing the causes and consequences of crime, in an endeavour to pursue better outcomes.

Further, since 2020, a range of projects have been trialling ways to divert offenders away from custodial sentences. For example, the Department has partnered with the Aboriginal Legal Service WA and Legal Aid WA to establish Bail Support Services and Prison In-reach Legal Services at Perth Magistrates Court and in the Kimberley, servicing the Magistrates Court at Broome and Derby. These services identify opportunities to overcome barriers to bail and reduce avoidable remand.

#### **Outcome 11: Aboriginal and Torres Strait Islander Young People are not Overrepresented in the Criminal Justice System**

The Department is committed to working in partnership with Aboriginal young people, their families and communities, Government and non-Government agencies, to reduce the risk of reoffending and improve outcomes for Aboriginal young people.

The Kimberley Juvenile Justice Strategy remains a priority, with \$7.8 million in funding over forward estimates committed in the 2021/22 State Budget.

The second full year of the Kimberley Juvenile Justice Strategy focused on continuing the delivery of culturally appropriate services to young people including:

- Structured activities after school, evenings, weekends and school holidays.
- Community night patrol services.
- On Country camps and cultural activities.
- Youth Engagement Program.

New initiatives included the establishment of a night patrol service in Fitzroy Crossing and the commencement of a co-design process to develop options for a safe-place facility in Broome.

The Department has continued to work in partnership with Aboriginal Community Controlled Organisations and local government, funding culturally responsive solutions to engage young people.

Olabud Doogethu is an Aboriginal co-designed justice reinvestment initiative in the Shire of Halls Creek, co-led by 11 Aboriginal communities with strong support from the Shire of Halls Creek and Social Reinvestment WA. The Kimberley Juvenile Justice Strategy supports the delivery of Olabud Doogethu’s Youth Engagement Night Officer Program. The Youth Engagement Night Officer team engage with young people and encourage them to return home or to a safe place, patrol the streets and liaise with the police to diffuse difficult situations.

In September 2021, as part of the State budget, a further allocation was committed to Olabud Doogethu to provide diversionary options in pre-sentence orders, culturally appropriate drug and alcohol services and on Country mentoring programs for young people, as a part of the Olabud Doogethu Halls Creek Justice Reinvestment Project.

The Youth Engagement Program in the Kimberley, which also forms part of the Kimberley Juvenile Justice Strategy, commenced operations in early February 2021. The Aboriginal Legal Service WA delivers the Program which provides culturally competent, holistic, individualised and flexible assistance to young people, supporting them to meet the conditions of their bail and court orders. These supports aim to contribute to reducing offending behaviour and recidivism, as well as improving young people’s wellbeing and prospects.

The Program is delivered by Aboriginal diversion officers and currently operates in the West Kimberley region, specifically for Aboriginal young people who appear in the Broome and Derby Children’s Court. Program evaluations will be undertaken in collaboration with a culturally safe partner organisation, with completion due by 2023/24.

In 2022, the Department also engaged with the Commonwealth Government to secure additional funding support to expand the Program, with one new location in the Kimberley and the other in the Pilbara.

The Department continued to improve security and service delivery at Banksia Hill. This includes a \$25 million investment in infrastructure and developing a contemporary model of care to better respond to the complex support needs of young detainees and enhance the care and rehabilitation of young people.

A new \$7.5 million Crisis Care Unit will be built at Banksia Hill to provide a safe and therapeutic environment to support vulnerable, at-risk young people, which is expected to be completed in 2026/27. A further \$3.5 million will staff an Aboriginal Services Unit to provide cultural support and services to address the over-representation of Aboriginal young people at Banksia Hill, including those from regional Western Australia. New staff positions will be created, including additional Aboriginal welfare officers and Aboriginal medical and mental health workers.

The Department is also exploring whether legislative reform is required to address structural barriers to achieving this target.

#### **Aboriginal Engagement Plan**

Aboriginal Justice Transformation has initiated and progressed the development of an Aboriginal Engagement Plan, an action of the Reconciliation Action Plan. The purpose of the Plan is to improve the way the Department engages with Aboriginal people, leaders, organisations, communities, and staff. The Plan is due to be finalised by the end of the 2022.

#### **Aboriginal Cultural Capability Training**

During 2021/22, Aboriginal Justice Transformation developed an Aboriginal Cultural Capability Training Strategy. This Strategy will enable the Department to build cultural responsiveness and ensure employees have the knowledge to deliver services in more culturally appropriate ways. It will also help to create work environments that are culturally responsive to the needs of Aboriginal people.

The development of an Aboriginal Cultural Capability Training Strategy is aligned to other national and state policy frameworks including the National Agreement on Closing the Gap and Western Australia’s Aboriginal Empowerment Strategy 2021–2029.

#### **Aboriginal Family Safety Strategy**

Aboriginal Justice Transformation progressed development of an Aboriginal Family Safety Strategy in 2022, a requirement of its Reconciliation Action Plan and the First Action Plan 2020–2022 of the Path to Safety: Western Australia’s Strategy to Reduce Family and Domestic Violence 2020–2030.

Aboriginal Justice Transformation has engaged an Aboriginal Community Controlled Organisation partner to lead the

## **FOCUS**

### **Rekindling connection to culture and country**

**Arron Little, Olabud Doogethu Aboriginal Corporation’s Alternative Education Coordinator, on Country identifying a Boomerang Tree.**



development of the Strategy, which will focus on making the justice system more responsive to the needs of Aboriginal families experiencing violence. Planning is currently underway for a comprehensive co-design process with family violence experts from the Aboriginal Community Controlled Organisations and legal assistance sectors. The Strategy is due to be finalised by the end of the 2022.

### NAIDOC Week 2021

Aboriginal Justice Transformation coordinates the Department's NAIDOC week events. In 2021, the Department commissioned artwork from an artist resident at Bandyup Women's Prison that adorned the facade of the David Malcolm Justice Centre. The Department also used an image from the 2021 NAIDOC Week art exhibition to decorate the façade of 585 Hay Street, Perth as well as signing an agreement to progress renaming this building in the Whadjuk Noongar language following consultation with the Whadjuk Noongar community. This renaming is scheduled to occur during NAIDOC Week 2023.

The Department once again commemorated its long serving Aboriginal and Torres Strait Islander employees, with a number of the Department's Aboriginal and Torres Strait Islander employees recognised for their extensive years of service to the Western Australian community.

### Reconciliation Awards 2022

In 2022, the Department marked National Reconciliation Week with its second employee Reconciliation Awards event. These awards recognise individual employees and teams that have demonstrated commitment to advancing reconciliation and improving justice outcomes for Aboriginal people and communities. This year, awards were made to individual employees in both the Corrective Services and the Court and Tribunal Services Divisions. The winner of the Team category was Dandjoo Bidi-Ak, which manages a pilot court that has adopted a therapeutic approach to Protection and Care Proceedings within the Children's Court of Western Australia.

### Aboriginal Cultural Symposia Series

The Department continued its commitment to hosting Aboriginal Cultural Symposia that aim to increase understanding of Western Australia's shared history and interaction with its Aboriginal communities through truth telling practices and personal narratives based on lived experience. This included a presentation on the Carrolup Native Mission, the child artists who were resident there and a deeply moving account from an individual who is a member of the Stolen Generations. The Department will continue to progress this worthwhile initiative that supports increased cultural capability and empathy.

### Aboriginal Mediation Service

The Aboriginal Mediation Service offers culturally appropriate dispute resolution services to Aboriginal people. This includes disputes involving families, neighbours and multiparty 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.

Aboriginal Mediation Service continued its program of engagement with Government and non-Government stakeholders to promote the service and establish strong referral pathways. This included establishing a Memorandum of Understanding with a key family dispute resolution provider working in the not-for-profit space to ensure the distinct needs of Aboriginal families are met when mediating in this context. The Aboriginal Mediation Service has also established a panel of accredited and experienced mediators to assist in the delivery of its services and continues to adjust its service model to ensure it remains relevant and accessible to Aboriginal people. This has led to an increase in the number of enquiries that proceed to case creation, multiparty discussions and completed referrals. Importantly, these improvements have also led to an increase in the number of cases proceeding to mediation with an accredited mediator.

A total of 67 enquiries were assessed as suitable for Aboriginal Mediation Service assistance, with 25 of these converted into completed referrals and proceeded through the Aboriginal Mediation Service case management process with an Aboriginal case manager. Seven of these matters proceeded to a mediation conference, resulting in successful outcomes reached between disputing parties. The remaining enquiries either did not proceed on the basis that one or more parties chose not to participate or were referred to a more appropriate dispute resolution option.

#### Achievements for 2021/22 include:

- Resolving a burial dispute that had been causing a significant amount of unrest in a regional Aboriginal community.
- Restoring the partnership between two organisations providing critical family support services to Aboriginal children in care.
- Mediation services provided over two days in a remote community setting assisting to resolve ongoing conflict between family members.
- Providing its first shuttle conferencing mediation in a parenting matter.

### 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 94 Open Days with the following results:

	2021/22	2020/21	2019/20	2018/19	2017/18
Number of Open Days	94	69	51	57	50
People attending Open Days	2116	2,260	1,581	1,936	2,116
Conversion of fines – time to pay arrangements, stay of execution and orders to attend	\$1,217,822	\$800,142	\$860,678	\$951,116	\$843,664
Fines paid – actual amount	\$800,587	\$1,181,448	\$1,083,630	\$1,041,478	\$1,024,377
People entering into time to pay arrangements	130	78	212	228	204
Stay of warrant executions	50	36	107	122	140
Licence suspensions lifted	268	629	976	1,116	1089
Birth certificate applications	696	660	476	588	617
Confirmation of birth letters issued	8	39	57	66	155
Births registered (pre and post-1980)	98	107	123	176	155
Criminal injuries compensation applications received	96	135	N/A	N/A	N/A
Practical driving assessments passed	104	109	86	159	121
Theory driving tests conducted	141	210	159	211	139
Driving logbooks issued/re-issued	44	54	63	65	71
Suspended fines for vehicle driver's licences	12	23	48	66	105
WA Photo Card Application	271	190	95	114	163
Centrelink – applications for Medicare	16	40	86	70	104
Centrelink – concession cards issued	116	47	59	80	123
Curtin Tax Clinic – Tax returns prepared	223	N/A	N/A	N/A	N/A
Curtin Tax Clinic – Tax File Number applications	28	N/A	N/A	N/A	N/A
Curtin Tax Clinic – Superannuation	13	N/A	N/A	N/A	N/A
Curtin Tax Clinic – ATO Notifications (Fines)	17	N/A	N/A	N/A	N/A
Bank accounts opened	22	N/A	N/A	N/A	N/A

## Advisory Services

The Advisory Services Directorate is part of the Office of the Director General and is responsible for high-level coordination and oversight of the Department's operational activities including providing advice to Government and building collaborative work arrangements within the justice portfolio, public sector and broader community.

## 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.

Eight successful applicants received letters of offer totalling more than \$1.16 million in Round 17.

## Successful Round 17 applicants

- Shire of East Pilbara.
- Breakaway Aboriginal Corporation.
- City of Canning.
- Alta 1 Kimberley College.
- Shire of Broome.
- Sudbury Community House Association.
- Parkerville Children and Youth Care.
- Koya Aboriginal Corporation.

## 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 310 individuals were recorded as actively participating in driver training and education at the end of each quarter in 2021/22. The program also recorded a total of 558 clients successfully registering as new enrolments; 202 participants were successful in obtaining their learner's permit; 109 were successful in obtaining their provisional licence; 25 individuals obtained an ordinary licence and nine participants regained their driver's licence.

While there is continued demand for the program, participant numbers have declined when compared to the 2020/21 financial year which can be directly attributed to the impact of COVID-19. It is anticipated that numbers will improve in 2022/23.

Justice-related agencies made 712 referrals into the program with 257 individuals requiring assistance in obtaining identity documents before they were able to commence driver training and education.

Funding has also been allocated for the expansion of the Bunbury End to End Young Driver Training Program into Collie targeting at-risk youth or youth in contact with the justice system. The primary outcome of the Collie program is to prevent offending and re-offending by changing negative behaviour using the driver training program as an engagement strategy. The South West Development Commission will administer and manage the Collie program in partnership with the Department as part of the Bunbury pilot program.

## Legal Assistance Branch

The Legal Assistance Branch has provided a level of oversight of the legal assistance services provided to vulnerable people in Western Australia. The Branch is responsible for the administration and allocation of funding to legal assistance service providers, including Legal Aid Western Australia, Aboriginal Legal Service of Western Australia, and the Community Legal Sector, with funding provided from both State and Commonwealth sources, including the National Legal Assistance Partnership 2020-25.

The provision and management of State and Commonwealth funding to the legal assistance sector has enabled the Department to continue its work in the areas of legal assistance policy development, service delivery and sector planning in partnership with these stakeholders.

In 2021/22, the Branch allocated more than \$120 million of State and Commonwealth funding to the Western Australian legal assistance sector for the provision of legal services, with more than \$57 million of this funding being provided under the Partnership.

More than \$3.9 million of the funding allocated by the Branch in 2021/22 was State Government funding to the legal assistance sector to respond to the continued demand for legal assistance services during COVID-19. This funding will continue to increase access to justice for Western Australians experiencing disadvantage impacted by the pandemic, with a particular focus on support for employment law, family and domestic violence and credit and debt matters.

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. As part of the Branch's wider policy work in 2021/22, extensive work was undertaken to develop the WA Legal Assistance Strategy 2022-25, as per the requirements of the National Legal Assistance Partnership 2020-25.

The Legal Assistance Strategy 2022-25 sets out how Western Australia will support the delivery of mainstream, specialist and Aboriginal and Torres Strait Islander-specific legal assistance services, including the estimated level and nature of legal need, priority areas of law, priority client groups and aggregated planned levels of funding. It was developed for 12 months across the 2021/22 period after comprehensive consultation with a variety of stakeholder groups including the legal assistance sector, courts and tribunals, government agencies and peak bodies. The Strategy was published on 1 July 2022, and forms part of a package of work, with a related Legal Assistance Action Plan that sets out how the Strategy is to be implemented to be published in the first quarter of the 2022/23 financial year.

The legal assistance sector continued to come together throughout 2021/22 for Collaborative Services Planning meetings hosted by the Department. Collaborative services planning is the primary mechanism for the legal assistance sector to coordinate and maximise the reach of services across Western Australia. 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.

## Copyright

The Department managed the Government's statutory obligations under section 183 of the *Copyright Act 1968* (Cth) arising from the use of copyright in works or other materials used for the services of the State. The Department administered centrally funded, whole of government agreements with the following copyright collecting societies:

- Copyright Agency for the photocopying and digital copying of third-party copyright works (literary, dramatic, musical and artistic), and survey plans, and published editions of works, other than works that are included in a sound recording, film or television or sound broadcast.
- OneMusic Australia for the public performance of music through radio and television receivers in public and work areas, background music in lifts and waiting rooms.
- Screenrights for the copying of sound and television broadcasts and works included in audio-visual items.

## Professional Standards Council of Western Australia

The Department 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 have functions and powers to facilitate, approve and supervise professional standards schemes that limit the civil liability of occupational groups, and assist in improving occupational standards and protecting consumers who use the services provided by service providers in these occupational groups.

## Digital communications

### Justice website

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

Through digital transformation and supporting the whole-of-Government Digital Strategy, the Department has now migrated up to 10 websites onto the wa.gov.au platform. This has enabled a unified user experience for our users and members of the public.

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](http://www.justice.wa.gov.au) recorded more than:

- 7 million visits from people in Western Australia.
- 80,000 visits from people in NSW.
- 75,000 visits from people in Victoria.
- 62 per cent of visitors were from direct links, with a further 38 per cent from organic searches.
- 50,000 were directed from social media platforms.

### Top 10 webpages

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

## Social media

Strategic Communications manages the Department's public affairs and internal communications through an increasing variety of channels. These include preparing media statements, responding to media enquiries, creating material for the Department's external website and intranet, and posting stories, photos and videos across social media platforms.

Strategic Communications protects and promotes the Department's reputation in the community, assists the executive in messaging staff and stakeholders, and provides strategic advice.

These efforts raise awareness about Department programs and initiatives that are helping improve justice outcomes for Western Australians and provide better services to the community.

The team also uses its sphere of influence to promote relevant initiatives and events as part of delivering the Department's Reconciliation Action Plan 2022-2024.

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 Department's staff cohorts.

The social media channels also act as community engagement and management tools by answering questions from the community as well as issues management.

With continued steady year over year growth, social media channels are seeing higher than average engagement compared to similar government profiles, showing that Departmental content is resonating with the community while helping to deliver messaging in an easy-to-understand format.

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



## Social media posts with the highest engagements

### Facebook:

- Learning language in custody: 260,938 impressions, 929 shares, 600 comments, 10,850 reactions.
- Indigenous Tertiary Enabling Course graduation: 28,677 reach, 86 shares, 134 comments, 1,290 reactions.
- Prisoners make a record with Midnight Oil's Jim Moginie: 27,767 impressions, 116 shares, 58 comments, 571 reactions.

### LinkedIn:

- Soft toy adoption: 52,010 impressions, 36 shares, 37 comments, 952 likes.
- Prisoners dress for success: 38,565 impressions, 9 shares, 44 comments, 935 likes.
- Learning language in custody: 13,463 impressions, 40 shares, 16 comments, 356 likes.

### Instagram:

- Learning language in custody: 255 reactions, 1,468 reach, five comments.
- Painting workshop at BHDC: 121 reactions, 4,020 reach, no comments.
- Blade and Jess from our Corrective Services' Drug Detection Unit: 95 reactions, 937 reach, two comments.



## FOCUS

### Noongar Boodjar Language in Custody program

The social media post which had the highest engagement with the community in the past year was our video showcasing the Noongar Boodjar Language in Custody program hosted at Casuarina Prison.

On Facebook, where the video was most popular, it was viewed for a total of 49 hours and reached 260,000 people. The post was also viewed by 13,456 people on LinkedIn, and nearly 1,200 times on Instagram.

The video featured WA's 2021 Young Person of the Year, Derek Nannup, teaching the participants Noongar language as well as cultural values and knowledge. The name and profile recognition of Derek Nannup helped to greatly increase the spread of the video.



Derek Nannup with a prisoner participant.



## Western Australian Office of Crime Statistics and Research

The Western Australian Office of Crime Statistics and Research was established in 2020. It undertakes and supports independent research and analysis into crime and criminal justice issues in Western Australia and is responsible for interpreting, understanding and critically evaluating current and emerging issues to inform policy development and Government decision making.

### Evaluation and research

The Western Australian Office of Crime Statistics and Research (WACSAR) undertakes internal evaluation of programs and initiatives across the Department of Justice and oversees the tendering and management of external evaluations. WACSAR is leading several evaluations related to young people; alcohol and other drug rehabilitation prisons and other prison and court-based programs.

WACSAR works in partnership with Western Australian universities, Department of Treasury, non-government organisations and Aboriginal communities to build and foster an effective community of practice around criminal justice evaluations.

WACSAR collaborates with Aboriginal partners to ensure culturally appropriate monitoring and evaluation frameworks are developed to highlight the importance of social and community outcomes alongside Government indicators. The success of programs and initiatives impacting Aboriginal people is thus defined under the lens of two languages and two value systems.

### Evaluation and Review Steering Committee

WACSAR is also responsible for the Department's Evaluation and Review Steering Committee, which provides strategic oversight and governance to all internal evaluation projects and legislative reviews. Membership for this Committee is drawn from across the agency. This is not only aimed at maintaining high levels of methodological rigour, but also at 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 2022, there were 21 evaluation and review projects underway across the Department.

### Research Applications and Advisory Committee

The Research Applications Advisory Committee also falls within the remit of WACSAR. This Committee provides high level governance to all external research projects seeking access to Departmental staff, clients, facilities or data.

This cross-agency Committee oversees all external research from the point of application through to the publication of findings. At any given point in time, there are more than 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.

COVID-19 continued to impact external research throughout 2021/22. A temporary moratorium on applications to undertake prison-based research was put in place for the second half of the financial year as part of the Department's effort to manage the impacts of COVID-19 on the custodial system. Despite this, a total of 20 new research applications were received in 2021/22.

### Drug Use Monitoring in Australia

In January 2022, WACSAR launched a new partnership between the Department and the Western Australia Police Force to take over responsibility from the Australian Institute of Criminology (AIC) for the Western Australian component of the long-standing Drug Use Monitoring in Australia (DUMA) program.

DUMA Western Australia involves surveying detainees at the Perth Watchhouse on a quarterly basis to monitor trends related to the Western Australian drug market. Voluntary urine samples are also collected every six months to augment and validate the survey data.

The quarterly DUMA surveys provide an opportunity to collect additional insights on other topical issues such as family and domestic violence-related offending or the impact of COVID-19 on price elasticity in the Western Australian drug market.

Edith Cowan University and PathWest are contracted partners of DUMA Western Australia and both have played a key role in ensuring the smooth transfer of project responsibility from the AIC to WACSAR.

### WACSAR Criminal Justice Research Grants

The successful applications of the inaugural round of the WACSAR Criminal Justice Research Grants were announced in June 2022. A total of 24 applications for grant funding were considered by the Executive Committee of the WACSAR Advisory Board in March.

The total annual grant amount of \$300,000 was distributed among seven research projects.

Projects were selected based on their calibre and potential to lead to practical improvements in the criminal justice system, with preference given to collaborative research.

Grants were awarded to researchers from The University of Western Australia, Edith Cowan University, Curtin University, and The University of Notre Dame.

### University engagement

WACSAR also partners with universities to work with students and graduates to build the capacity of the criminal justice research and evaluation community in Western Australia.

In March 2022, WACSAR welcomed three university graduates who are using their data analytic and research skills across a range of projects. In addition, Honours students at Edith Cowan University completed three research projects for Corrective Services and the Office of the Commissioner for Victims of Crime.

### Business Intelligence and Reporting

Following a merger with WACSAR in 2021, the Business Intelligence and Reporting (BIR) branch continued to service the strategic reporting needs of the Corrective Services Division while providing increased statistical support for evaluation and research projects.

The Performance Reporting Team is responsible for the Department's Outcome Based Management Framework, Key Performance Indicator reporting, and liaison with the Office of the Auditor General for the annual audit process.

The Business Intelligence Team manages the Corrective Services Reporting Framework, requests for data from internal stakeholders and data requirements for external stakeholders, including the media, Minister and researchers.

This year has seen the reporting framework extended to include support for a separate WACSAR portal. This now supports a small number of reports and dashboards relating to Justice Reform projects.

During 2021/22, the team received over 570 requests, with more than 500 being completed. Approximately half of those were requests for datasets and/or statistics. In the same period, there was an increase in the use of the reporting portal, with almost 1,400 distinct users recording more than 110,000 page hits, 14,000 report executions and 36,000 dashboard views.

### WACSAR Advisory Board

The WACSAR Advisory Board is a non-statutory body of experts established to provide non-binding strategic advice and recommendations to the Director. The Advisory Board is the primary forum for discussing matters relating to the strategic direction, operation, and effectiveness of WACSAR.

The Advisory Board is comprised of four ex-officio members (Executive Committee) and three university representatives appointed for fixed two or three-year terms. The Board meets quarterly.

## Advisory Board members

### Executive Committee

Dr Adam Tomison (Chair) and Director General, Department of Justice<sup>1</sup>

### Dr Rick Brown

Dr Rick Brown is the Deputy Director of the Australian Institute of Criminology. He has been a criminologist for over 30 years and has worked extensively on issues associated with crime prevention, community safety and policing in Australia, the UK and Republic of Ireland. He was previously Managing Director of a research consultancy that focused on crime and justice issues and has also worked as a Research Manager for the Home Office in London. Rick has published more than 70 government reports, book chapters and journal articles on a range of issues including antisocial behaviour, arson, burglary, CCTV, child sexual abuse, community crime prevention, community justice, domestic violence, drink driving, identity crime, illicit drugs, organised crime, policing and vehicle crime. Rick holds a PhD from the London School of Economics and Political Science, a Master of Arts degree from the University of Westminster and a Bachelor of Arts (with Honours) degree from Hatfield Polytechnic in the UK. He is a Visiting Fellow of Policing and Criminal Justice at the University of Derby and sits on the editorial boards of numerous journals.

### Commissioner Chris Dawson APM

Commissioner Chris Dawson APM joined the Western Australia Police Force as a cadet in February 1976. With 38 years of continuous service in regional and metropolitan positions across a range of portfolios he was appointed to the rank of Superintendent in 1999 when he became the inaugural Principal of the WA Police Academy in Joondalup. He was awarded the Australian Police Medal for distinguished services in the 2022 Queen's Birthday Honours List. In August 2017, he was appointed as Commissioner of the Western Australia Police Force.

Mr Dawson played an integral role in WA's management of COVID-19. He co-ordinated the State of Emergency and served as the State's first Vaccine Commander. On 4 April 2022, the Hon Premier Mark McGowan announced that in July 2022, Mr Dawson will be sworn in as the 34th Governor of Western Australia.

### The Hon Chief Justice Peter Quinlan

The Hon Chief Justice Peter Quinlan was appointed to the Supreme Court of Western Australia on 13 August 2018. He was appointed as a Judge of the Court, a Judge of the Court of Appeal and as the Chief Justice of Western Australia.

The Chief Justice was appointed Solicitor General for Western Australia on 1 July 2016 and served in this role until his appointment to the Bench. He served as President, WA Bar Association from 2012 to 2015 and the Board of Governors at the University of Notre Dame from 2008. As Chief Justice, Justice Quinlan holds many positions as Patron, and is also the Lieutenant Governor of Western Australia.

1 Dr Tomison's biography can be viewed in the *Our Leaders* section on page 12.

## Academic members

### Associate Professor Joe Clare

Associate Professor Joe Clare has 18 years' experience as an applied criminologist, a PhD in Psychology, and a Master of Criminology and Criminal Justice. He is the Deputy Head of School, Research, within the Law School at the University of Western Australia.

He is a criminologist and an award-winning lecturer. Recently he won the Australian and New Zealand Society of Criminology Adam Sutton Crime Prevention Award and the American Society of Criminology's Division of Experimental Criminology Award for Outstanding Experimental Field Trial.

Associate Professor Clare has worked in applied research roles for Universities and Governments in Australia and Canada, including the Manager, Statistical Analysis with the Victorian Sentencing Advisory Council. Across these roles, he has used his quantitative research expertise to contribute to policy and practice decisions in a range of criminal justice contexts. His research interests include applied evaluations, crime statistics, policing, crime prevention, and academic misconduct.

### Dr Natalie Gately

Dr Natalie Gately is an award-winning lecturer and published researcher with over 20 years' experience in teaching, research and community engagement. She is a Senior Lecturer and Researcher in Criminology and Psychology at Edith Cowan University. Dr Gately is also the Western Australian representative on the Australian and New Zealand Society of Criminology Management Committee. She is a principal investigator on a number of projects and has supervised Honours, Masters and Doctoral students studying a wide array of topics.

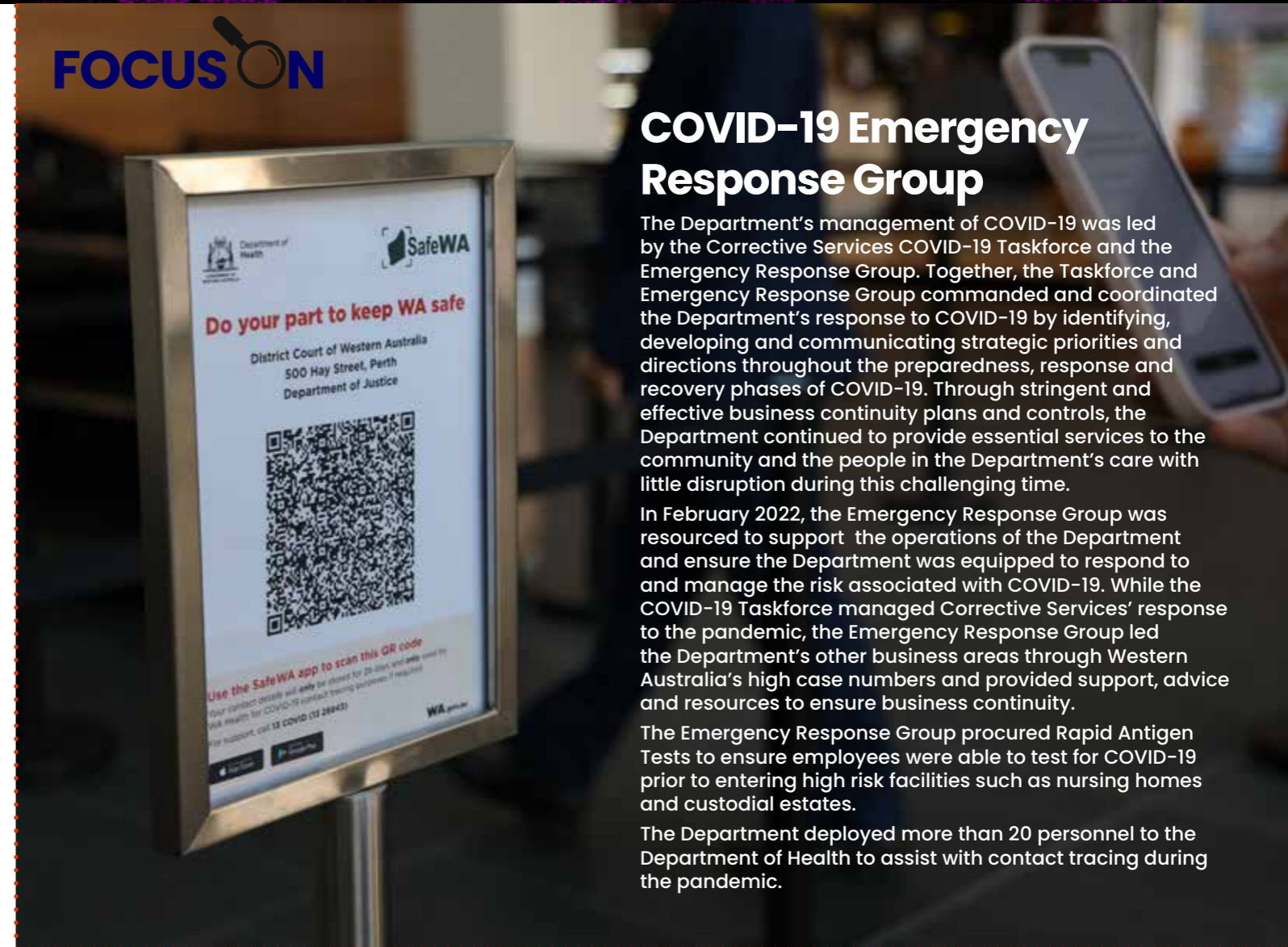
Dr Gately favours research in collaboration with industry partners, and domestic and international researchers for the benefit of the wider community. Some industry partners have included WA Police Force, Department of Justice, Mental Health Commission, Department of Fire and Emergency Services, the Prisoners Review Board of Western Australia, and the Children's Court of WA.

### Dr Jocelyn Jones

Dr Jocelyn Jones is a Noongar woman and an epidemiologist with 20 years' experience in Aboriginal primary health care, Aboriginal health research and research to improve the health and wellbeing of Aboriginal people in the criminal justice system. She is recognised as a leading Australian authority on health and wellbeing issues associated with Aboriginal incarceration.

Dr Jones is a member of the Closing the Gap, Coalition of Peaks: Justice Policy Partnership, the Australian Institute for Health and Welfare's National Prisoner Health Information Committee and the Palliative Care in Prisons: Aboriginal and Torres Strait Islander Community Engagement Strategy. She brings strong partnerships with Aboriginal community-controlled organisations and the government sector. Dr Jones is the research lead of Aboriginal research at the National Drug Research Institute, Curtin University.

## FOCUS ON



## COVID-19 Emergency Response Group

The Department's management of COVID-19 was led by the Corrective Services COVID-19 Taskforce and the Emergency Response Group. Together, the Taskforce and Emergency Response Group commanded and coordinated the Department's response to COVID-19 by identifying, developing and communicating strategic priorities and directions throughout the preparedness, response and recovery phases of COVID-19. Through stringent and effective business continuity plans and controls, the Department continued to provide essential services to the community and the people in the Department's care with little disruption during this challenging time.

In February 2022, the Emergency Response Group was resourced to support the operations of the Department and ensure the Department was equipped to respond to and manage the risk associated with COVID-19. While the COVID-19 Taskforce managed Corrective Services' response to the pandemic, the Emergency Response Group led the Department's other business areas through Western Australia's high case numbers and provided support, advice and resources to ensure business continuity.

The Emergency Response Group procured Rapid Antigen Tests to ensure employees were able to test for COVID-19 prior to entering high risk facilities such as nursing homes and custodial estates.

The Department deployed more than 20 personnel to the Department of Health to assist with contact tracing during the pandemic.

## 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.

In October 2021, the Office became an independent sub-department of the Department of Justice. This change was a recommendation of the Special Inquiry into Government Programs and Projects: Final Report, known as the Langoulant Report, and is one of Machinery of Government changes made since 2017.

The Department continues to provide corporate services to the State Solicitor's Office under a memorandum of understanding.

## Parliamentary Counsel's Office

The Parliamentary Counsel's Office provides comprehensive legislative drafting and related services to the State Government and 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](http://www.legislation.wa.gov.au).
- Publishing the Government Gazette on the WA 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 Member's 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.
- Managing the contract with LitSupport, the commercial printer contracted to provide printed copies of Bills to Parliament and printed copies of Acts and subsidiary legislation for public sale.

The Parliamentary Counsel is the Government Printer of Western Australia.

### Key achievements were:

- Completion of 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.
- Introduction into Parliament of 40 Government Bills drafted by Parliamentary Counsel's Office.
- Drafting and publishing of 255 items of subsidiary legislation.
- Completion of the Work Health and Safety Legislation project saw Parliamentary Counsel's Office undertake the drafting of an immense amount of subsidiary legislation required to enable the *Work Health and Safety Act 2020* to be brought into operation on 31 March 2022. Working with instructors from the Department of Mines, Industry Regulation and Safety, a team of six Parliamentary Counsel's Office drafters produced more than 1,650 pages of subsidiary legislation. The main regulations drafted were the Work Health and Safety (General) Regulations 2022, Work Health and Safety (Mines) Regulations 2022 and Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022, which together total more than 1,500 pages. The drafting work was complex, completed within a very tight timeframe, to a high standard, and demonstrated successful collaboration between public sector agencies.
- Completion of the first full year of the Bill management process formerly undertaken by the State Law Publisher, including successful contract management of 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.
- Preparations continued to enable the *Legislation Act 2021* to be brought into operation. These preparations include the development of regulations and system and process changes within PCO. The Act modernises the processes for publishing Western Australian legislation. It sets out the responsibilities for publishing Western Australian legislation, provides for the official status of both hard copy and electronic versions of Western Australian legislation and gives the PCO a more useful set of editorial powers so that Western Australian legislation can be kept up to date, modernised and simplified, and errors can be corrected, without the need for the changes to be enacted by Parliament. Important restrictions on the exercise of those editorial powers remain in place. The *Reprints Act 1984* will be repealed. In line with conferring official status on electronic versions of WA legislation, the electronic version of the Government Gazette will also be given official status.

### Significant drafting tasks

- Aboriginal Cultural Heritage Bill 2021
- Firearms Amendment Bill 2021
- Industrial Relations Legislation Amendment Bill 2021
- Constitutional and Electoral Legislation Amendment (Electoral Equality) Bill 2021
- Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021
- Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021
- Charitable Trusts Bill 2022
- Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill 2021
- Family Court Amendment Bill 2022
- Mining Amendment Bill 2021
- Health and Disability Services (Complaints) Amendment Bill 2021.

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

- COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill (No. 2) 2021
- COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2022
- Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022.

Significant items of subsidiary legislation:

- Building and Construction Industry (Security of Payment) Regulations 2022
- Commerce Regulations Amendment (Motor Vehicle Dealers and Repairers) Regulations 2021
- Environmental Protection (Cost Recovery) Regulations 2021
- Environmental Protection Regulations Amendment (Prohibited Plastics and Balloons) Regulations 2021
- Fair Trading (Retirement Villages Code) Regulations 2022
- Fair Trading (Retirement Villages Interim Code) Regulations (No. 2) 2021
- Family Court Rules 2021
- Industrial Relations Regulations (Consequential Amendments) Regulations 2022
- Jetties Amendment Regulations (No. 2) 2022
- Legal Profession Uniform Law Application Regulations 2022
- Petroleum and Geothermal Energy Safety Levies Regulations 2022
- Procurement (Debarment of Suppliers) Regulations 2021

- Residential Parks (Long-stay Tenants) Amendment Regulations 2021
- Road Traffic Code Amendment Regulations (No. 4) 2021
- Rules of Wagering Amendment Rules 2021
- Transport Regulations Amendment (Mooring Management) Regulations 2021
- Veterinary Practice Regulations 2022
- Work Health and Safety (General) Regulations 2022
- Work Health and Safety (Mines) Regulations 2022
- Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022.

### Drafting resources

The Government's legislative program continued to challenge Parliamentary Counsel's Office in 2021/22.

The Office completed a staff recruitment process in 2020/21 to build up its internal drafting capability, which sourced one experienced legislative drafter and three highly qualified lawyers who did not have drafting experience.

The demands on Parliamentary Counsel's Office's senior drafters to train these drafters, as well as undertake urgent and complex drafting work, continued. Parliamentary Counsel's Office therefore continued to engage a number of experienced contract drafters from the limited pool of retired legislative drafters in Western Australia and interstate.

# Asset Management

The Department manages court, custodial, and other infrastructure around the State. 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 outlines future requirements 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 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 was progressed on the following projects:

- Casuarina Prison Expansion Stage Two project, which adds 344 more beds and supports infrastructure to the adult male custodial estate.
- Casuarina Prison security system upgrade.
- Greenough Regional Prison female unit upgrade (completed).
- 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 of more than \$62.5 million.

### Armadale Courthouse and Police Complex

The project will see the co-location of the new Armadale Courthouse and Police Station. Labour hire delays and COVID-19 impacts across the building sector in Western Australia has affected construction timelines, and practical completion is now scheduled for 2023.

### Broome Regional Prison Kitchen

The original kitchen and dining room were badly damaged by white ant activity, and after a series of structural reports, the facility was demolished. A temporary leased kitchen facility was installed until a suitable longer-term arrangement could be implemented. The Department subsequently revised the brief for the kitchen/dining facility and sought transportable or modular buildings. The implementation of a new transportable kitchen/dining facility was completed in August 2021.

### Casuarina Prison Expansion Stage 2

The \$182.99 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.

### Greenough Regional Prison

\$12.3 million was provided for a new stand-alone Women's Precinct to accommodate up to 80 women and provide a range of services to female prisoners of all security ratings, both remand and sentenced, specifically enabling:

- Increased security including improved 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 were completed in October 2021.

### New Broome Regional Prison

Planning for a new custodial facility in Broome continued, with the Department working closely with Yawuru native title holders to identify an optimal site on Yawuru land.

An initial site at 12 Mile (outside of Broome) was identified as the preferred site, but after further community consultation and a subsequent broader site selection process the Department identified a site closer to Broome, within a planned industrial zone. This site is now the preferred site but requires work in 2022/23 to undertake further community consultation and to submit a revised planning application to Broome Shire Council.

### 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 the final outstanding work is expected to be complete by July 2022.

- Fire Services upgrade: Estimated completion is July 2022.
- Electrical upgrade: completed.
- Exterior Maintenance: completed.

### Banksia Hill Detention Centre Upgrades

The Department received funding of \$21.6 million and has initiated urgent infrastructure upgrades at Banksia Hill to respond to the immediate safety and security needs of the young people in detention and the staff who manage this complex. The infrastructure upgrades and additions include additional roof access treatments, a dedicated crisis care unit, CCTV upgrade, educational information technology upgrade, media streaming capabilities and funding to review and upgrade the site masterplan.

### Casuarina Security Obsolescence

Funding of \$3.3 million was approved in the 2019/20 budget to replace the current security system and its associated analogue CCTV infrastructure at Casuarina Prison and deliver a complete digital CCTV system to interface with other electronic security systems.

Funding will replace the current CCTV system with digital technology and refit the Gatehouse Master Control Room to modern custodial standards.

The Casuarina Security Obsolescence Program took the Casuarina Stage 1 expansion into consideration, but the Casuarina Stage 2 deliverables have also been considered to ensure all systems in the new build are compliant and can integrate seamlessly into the new technologies.

### Central Pharmacy Expansion Impact

A budget of \$1.6 million has been approved to expand the pharmacy operations into the existing Prison Industries floor space and to relocate Prison Industries staff to an alternative location. The tender period for these works has closed and a preferred contractor has been appointed. On-site works commenced May 2022 with an anticipated completion date of October 2022.

## 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	4
\$50,000 - \$249,999	45
\$250,000 - \$4,999,999	20
\$5 million +	0
<b>Total</b>	<b>69</b>

### Purchase orders issued

14,454 purchase orders against 1,422 suppliers.

Value	Number
\$0 - \$4,999	10,207
\$5,000 - \$49,999	3,530
\$50,000 - \$249,999	472
\$250,000 - \$4,999,999	227
\$5 million +	18
<b>Total</b>	<b>14,454</b>

## Information and Communications Technology

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

In 2021/22, the Department's Information and Communications Technology program focussed on remediation of Information and Communications Technology risks and alignment with Government policy and the WA Digital Strategy.

The program to modernise Information and Communications Technology infrastructure and migrate applications off end-of-life platforms, addressing a significant risk in relation to 120 critical business systems was continued over the year.

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.

To accommodate the need for staff to work remotely during the year, the Department implemented technologies to enable more flexible ways of working, migrating the Department's email system to the cloud-based Microsoft Exchange Online and upgrading to the latest suite of productivity tools.

The options for connecting to the Department's network securely from remote locations were simplified and standardised. Solutions allowed for core business functions to be performed securely and from remote locations as part of the Department's business continuity planning.

At the same time, the Department also strengthened its security controls to reduce the potential exposure to cyber security incidents.

Digital processes were expanded to manage the high volume of Information and Communications Technology service requests and move away from reliance on paper forms.

# People, Culture and Standards Division

In April 2022 the Director General established a new People, Culture and Standards Division through amalgamating the Professional Standards Division with the Corrective Services Workforce Reform and the Corporate Services Workplace Relations Branch. Both Workforce Reform and the Workplace Relations Branch merged to form the new Workforce and Culture Directorate.

## Key achievements were:

- Worked closely with the Department's COVID-19 Emergency Response Group to review, monitor and recommend enhancements to risk management and business continuity measures in response to COVID-19 workforce challenges.
- Successfully completed all 51 recommendations raised in the CCC investigation into misconduct risks in Western Australian prisons.
- Increased staff awareness through Integrity and Ethics Awareness sessions delivered directly to staff and supervisors across the Department.

The new People, Culture and Standards Division consists of four separate directorates: Professional Standards Directorate (formerly Integrity and Accountability); Management Engagement and Intervention Directorate (formerly Corruption Prevention and Education); Performance Assurance and Risk Directorate; and the Workforce and Culture Directorate.

The revised structure will ensure the Department is able to take a consolidated and systematic approach to the resolution of all complaints relating to suspected breaches of the Code of Conduct, including complaints of bullying, grievance and harassment, and reduce the duplication of effort and to streamline the approach in the management of these breaches.

People, Culture and Standards continued to work closely with external integrity agencies to deliver a Department-wide approach to the prevention, education and management of misconduct and to directly manage the investigation of grievances and harassment complaints in the workplace.

In January 2022, the 14 outstanding recommendations (of 51 total) made in the Corruption and Crime Commission (2018) investigation into misconduct risks in prisons were successfully completed.

## Management Engagement and Intervention

In 2022, People, Culture and Standards established the new Management Engagement and Intervention Directorate comprised of Employment Screening; Corruption Prevention and Education; and Staff Drug and Alcohol Testing. The Directorate is responsible for implementing corruption prevention and education strategies across the Department to promote, maintain and uphold professional standards and ethical conduct.

During 2021/22, Management Engagement and Intervention delivered more than 80 Integrity and Ethics awareness sessions to more than 2,000 employees across 18 custodial estates and eight corporate business areas in locations as geographically dispersed as West Kimberley Regional Prison, Great Southern Adult Community Corrections and Eastern Goldfields Regional Prison.

Since the establishment of People, Culture and Standards, Management Engagement and Intervention have introduced an engagement and intervention strategy designed to increase the Department's responsiveness through early intervention when behavioural concerns or conduct issues have been identified and that require early management intervention. This strategy is designed to prevent potential disciplinary action; to assist staff in recognising conduct-related matters and to bring about behaviour change; and to support local management with staff related issues which in turn assists with business continuity and service delivery.

The Directorate strengthened its engagement across all divisions of the Department and with a number of Ethics and Integrity Committees operating in business areas, including the Equal Opportunity Commission, Corporate Services and the Office of the Public Advocate.

The Committees are a forum for Executive and Senior Managers to identify potential at-risk staff, and to work together with Management Engagement and Intervention to detect and prevent corrupt, illegal and/or unprofessional conduct.

During 2021/22, Management Engagement and Intervention completed the rollout of multiple technology-based systems to support the Department's employment screening program, the Department's first line of defence in corruption prevention. The new systems have improved service delivery and the completion time for employment screening assessments. During 2021/22 more than 6,500 employment screens (including over 700 re-screens) were conducted as part of our corruption prevention programs, which form part of the Justice Integrity Framework.

A Staff Drug and Alcohol Testing Strategy was rolled out during the reporting period, seeking to enhance the safety, health and wellbeing of staff, visitors and those in the Department's care. The staff drug and alcohol testing program continued to operate throughout the custodial estate, with some change to operational practice (for example, reduced alcohol breath testing and not attending particular sites at various times), brought about by the increased rate of community transmission of COVID-19 and the need to manage risk in a custodial environment. Notwithstanding the operational changes made, more than 2,200 drug and more than

1,800 alcohol tests were undertaken at correctional facilities in both metropolitan and regional locations. The testing program assists in increasing community confidence in the Department's ethical standards. Ensuring policies and procedures remain contemporary is a key focus of Management Engagement and Intervention, with a number of new and revised policy and strategy documents being issued, dealing with integrity and corruption prevention including the Employment Screening Policy and the Working with Children Check Policy.

## Performance Assurance and Risk

The Performance Assurance and Risk 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*.

Performance Assurance and Risk reports 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 external oversight bodies namely the Office of the Auditor General, Office of the Inspector of Custodial Services and the Corruption and Crime Commission.

Throughout the year, Performance Assurance and Risk has played an active role in developing and maintaining a culture of accountability, integrity and continuous improvement including driving self-assessments against the recommendations of the Public Sector Commission Integrity in Financial Management Checklist, and the Western Australian Public Sector Audit Committee's Better Practice Guide. These self-assessments assisted the Department in identifying its strengths in relevant areas and opportunities for improvement that are now being progressed. These are being monitored by the Director General and the Department's Risk Management and Audit Committee on a quarterly basis.

## Workforce and Culture

Workforce and Culture provides responsive high-level employee and industrial relations advice and consultancy services aligned with organisational objectives and Departmental priorities. Consisting of two teams - Employee Relations and Industrial Relations - Workforce and Culture develops, coordinates, and implements policies, strategies, and procedures in the areas of employee and industrial relations, grievance support, equal opportunity and bullying complaints management, performance and change management. Workforce and Culture provides representation and negotiates on behalf of the Department with employer and employee organisations, industrial relations authorities, relevant industrial tribunals and State and Commonwealth organisations. Inclusion of these services within People Culture and Standards ensures delivery of a more effective, coordinated and integrated issues resolution service to Departmental stakeholders.

## Professional Standards

The Professional Standards Directorate, formally known as Integrity and Accountability, maintains and upholds the Department's professional and ethical standards. It accepts and investigates information concerning suspected staff breaches of discipline across the Department to ensure breaches of the Justice Integrity Framework and the Department's Code of Conduct are dealt with appropriately.

During 2021/22, Professional Standards received 921 reports through the Online Misconduct Reporting system and subsequently commenced 155 disciplinary processes for employees of the Department. A total of 108 disciplinary processes were completed by Professional Standards during this period resulting in actions from termination of employment, reprimands, reclassification, transfer to new work locations and improvement actions in the form of warnings, counselling or further training and development.

The Online Misconduct Reporting portal continues to be a fundamental tool in promoting ethical practice and responding to information and is now used by all directorates within People, Culture and Standards.

# 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.

## Health and wellness programs

### Mental Health Framework

The Department launched the new Mental Health Framework 2021-2024, 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.

### Mental health campaigns

The 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 a mentally healthy workplace. Some of the key initiatives delivered include the development and dissemination of the Department's first mental health awareness package, development of smaller targeted mental health training modules and creation of a potentially traumatic events response procedure.

### Corporate health and wellbeing program

The Department's corporate partnership with providers such as Bupa, Medibank and HBF brings a range of benefits to employees, including discounted health insurance and access to health initiatives including health related seminars and health checks in the workplace.

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

## Staff development and performance

### Employee development system

#### Performance planning and development system

The Department has two employee performance development systems which set out a performance management framework, processes and guidelines for managers and employees. Development of a Department performance planning and development process, including an online system, is due to go live by the end of 2022.

### Training and development

#### Learning and development

The Department has transitioned to a new Learning Management System, iLearn. This new system offers a more contemporary and improved user experience, with enhanced capability, dashboards and reporting for managers.

The Department ensures employees have opportunities to take part in learning and development sessions. A significant number of staff development programs and facilitated learning sessions were offered across the Department:

- Mental Health e-learning.
- Purchasing Card e-learning.
- Public Sector Commissioner's Aboriginal and Torres Strait Islander e-learning.
- Building Positive Mindsets and Behaviours (face to face and online).
- Managing Change.
- Understanding Coaching and Mentoring.
- Job Application Skills.
- Managing Your Career.
- Managing Remote Working.
- How to have productive conversations.
- Inclusive Language Guide: LGBTIQ+.
- Understanding Gender Pronouns.

## Grievance Officer Network

Additional supports were provided to the Department's Grievance Officer Network through development and delivery of a regular newsletter that included professional development content; an updated Grievance Officer intranet page; and a promotional and educational video on the role of Grievance Officers in the Department.

## Multicultural framework

The Department's Multicultural Plan 2021-2025 was developed in consultation with the Office of Multicultural Interests and is aligned with the Western Australian Multicultural Policy Framework. The plan is an integral part of the Department's commitment to ensuring a culturally safe and inclusive workplace and a responsive service that meets the needs of our customers. Implementation of actions and initiatives outlined in the Multicultural Plan is progressing.

## 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.

Aboriginal staff represent approximately six per cent of employees, which exceeds the Public Sector Commission's benchmark target of just below four per cent. The Department's Workforce Diversification and Inclusion Action Plan sets out several initiatives and actions addressing Aboriginal employment and workforce development.

Aboriginal employment remains a key focus of the Department and as a result, a higher aspirational target has been set.

The Department used innovative practices and targeted recruitment approaches to build a pool of candidates 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's Employee Assistance Program provider is PeopleSense. The program provided 2,529 counselling sessions throughout the year, with an annual usage rate of nine per cent and 20 per cent of sessions provided to family members of staff.

	2021/22	2020/21	2019/20	2018/19	2017/18
Clients	874	807	960	786	504

In total, 61 per cent of sessions were delivered face-to-face, 29 per cent of sessions via telephone and 10 per cent through internet video formats.

## Volunteers

Volunteers play an important role in supporting the delivery of justice services across Western Australia. This includes 2,567 Justices of the Peace.

The Office of the Public Advocate's community guardianship program volunteers continue to provide an invaluable service. At 30 June 2022, there were 21 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.

## Recruitment

Ongoing recruitment and selection activities continued to progress across the Department to fill vacancies and ensure continuity of service delivery.

During 2021/22 the Department advertised 880 vacancies (including general, pools and expressions of interests). From the Department's recruitment activities, 200 applicants identified as Aboriginal or Torres Strait Islander. This number includes internal applicants and those who have applied for multiple vacancies.

Bulk recruitment activities resulted in 161 prison officers being permanently appointed to facilities across the State. In addition, 73 Youth Custodial Officers, 45 Community Corrections Officers and 70 Vocational Support Officers were also recruited and appointed permanently or on a fixed term contract. Bulk recruitment continued with a strong focus on attracting and hiring a diverse workforce, with a focus on increasing the number of Aboriginal people and women in our workforce. Social media channels have been used to strengthen the Department's employer brand and ensure high quality recruits.

A particular priority has been to recruit locally from the regional centres where positions need to be filled with people looking for long-term employment options in their home town. The Department identified the need to review Prison Officer recruitment and selection techniques. The methods used to date had delivered the required volume and quality of candidates however it was recognised that there were potential barriers to employment for target diversity groups.

A detailed review occurred resulting in several improvements.

Key improvements include:

- Refreshed advertising and marketing material that provides a realistic job preview with an emphasis on attracting diverse applicants and those based in regional centres.
- New psychometric testing that provides an insight into candidate's potential job performance as well as a skills assessment.
- Refreshed interview approach including training for all panel members.
- A new physical readiness test that aligns directly to the job role and responsibilities.

Outcomes of the new approach will be monitored to measure success.

The Department has also implemented an electronic advertising vacancy approach for all recruitment processes. This improvement has resulted in cost and time savings, and improved recruitment record keeping. Electronic files have also been of great benefit during COVID-19, ensuring recruitment and selection processes continue.

The Department has also undertaken recruitment to fill positions within its Graduate and Traineeship programs:

## Graduate program

The 18-month graduate program is an initiative targeting recent university graduates to launch their career, build core skills and start their journey to becoming the Department's future leaders. Four graduates were employed and placed within Corporate Services and Court and Tribunal Services.

## School-based trainees

This 18-month traineeship program allows school students to work part time, gaining on-the-job work experience with the Department whilst undertaking a Certificate II in Government. Nine school-based trainees were employed in the program and placements included Advisory Services, Corporate Services, the Public Trustee's Office, Court and Tribunal Services and Corrective Services.

## Aboriginal trainees

The Aboriginal Traineeship Program is a 12-month initiative that provides Aboriginal trainees an opportunity to work with the Department. Trainees gain on-the-job experience while completing a Certificate III in Government. Six trainees were employed in the program and placements included Corporate Services, the Registry of Births, Deaths and Marriages, Corrective Services and Court and Tribunal Services. These trainees will graduate in 2022.

# Disclosures and Legal Compliance

## Governance disclosures

### Ministerial directives

Nil.

### 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.

## 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 2021/22, one act of grace payment totalling \$4,000 and two ex-gratia payments of \$216,059 were made.

## Unauthorised use of purchase cards

Purchase cards are an effective way to buy goods and services. They are only issued to staff members who need to use a purchase card as part of their work. Staff are only allowed to use the cards for Departmentally approved business purposes.

The Department recouped a total of \$4,149.61 during 2021/22 after 82 employees used their purchase cards for private purposes. All 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:

2021/22	Amount
Settled within five working days	\$1,508.36
Settled after five working days	\$2,642.25
Outstanding	\$0
Aggregate amount of personal use expenditure	\$4,149.61



## Social media as a tool for attracting the right people

As the Department's social media platforms expanded, posts on Facebook, Instagram, LinkedIn and Twitter emerged as a popular tool for attracting people to positions within Corrective Services.

In a bid to attract new talent and promote current staff, outstanding and talented team members employed by a wide range of business areas from across the State were featured.

Showcasing their stories gave a wider audience insight into the specific vacancies within the Department, in addition to increasing brand recognition and engagement, and showcasing the Department's commitment to serving the WA community.

## Major capital works

Capital expenditure was \$70.88 million, primarily spent on new infrastructure associated with the custodial infrastructure program.

## Capital projects in progress

\$58.3 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
- Casuarina Security Obsolescence project.
- New Broome Regional Prison planning.
- Acacia Prison Infrastructure replacements.
- Ligature minimisation program.
- Banksia Hill Detention Centre Upgrades.
- Broome Aboriginal-led FDV Court.
- Central Pharmacy Upgrade.

## Capital projects completed

Capital projects were completed with an annual expenditure of \$8.165 million, including:

- Supreme Court Upgrade works.
- Greenough Regional Prison Unit 4 works.
- Bandyup Women's Prison Sub-Acute Bindi Bindi Mental Health Unit upgrade.
- Greenough Regional Prison fire ring main upgrade.
- Bunbury Regional Prison gatehouse upgrade.
- Bunbury Regional Prison fire ring main upgrade.
- Broome Regional Prison kitchen replacement.

## 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 operates two customer feedback mechanisms: one for complaints associated with Corrective Services and another system that captures feedback for the other Departmental services. People can provide feedback, make complaints, give compliments or provide suggestions through the appropriate feedback system in person, online, by mail or phone.

## Outcomes 2021/22

The Customer Feedback Management System received and managed 601 matters comprising:

- 496 complaints
- 65 compliments.
- 40 suggestions.

The Corrective Services ACCESS system received and managed 3,244 matters, comprising:

- 2,840 complaints.
- 21 compliments.
- 10 suggestions.
- 281 contact only.
- 92 requests for information.

## Employment and industrial relations

### Breach of human resource management standards

There were 14 breach claims lodged with the Department. Of these, two were upheld with relief offered and four are still in progress.

There were 12 claims lodged against the employment standard, one against the performance standard and one against the grievance standard.

## Summary of employee numbers by occupational group (award) and gender

Award Groups	2021/22					2020/21				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Enrolled Nurses & Nursing Assistants	3.00	0.00	3.00	100.00	0.00	3.00	1.00	4.00	75.00	25.00
Government Services (Miscellaneous)	4.73	0.00	4.73	100.00	0.00	4.52	1.00	5.52	81.90	18.10
Government Officers (Award)	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	0.00	100.00
Jury Officers	4.26	0.74	4.99	85.25	14.75	5.95	0.08	6.03	98.62	1.38
Juvenile Custodial Officers	78.29	161.28	239.57	32.68	67.32	61.00	153.07	214.07	28.4	71.51
Medical Practitioners Agreement	7.61	13.96	21.57	35.30	64.70	7.24	15.66	22.90	31.62	68.38
Nurses Industrial	112.87	28.08	140.95	80.0	19.92	120.11	27.14	147.25	81.57	18.43
Prison Officers Agreement	691.24	2,000.30	2,691.54	25.68	74.32	713.01	2,114.29	2,827.29	25.22	74.78
Public Service Employees	2,447.57	1,095.53	3,543.10	69.08	30.92	2,536.58	1,137.15	3,673.73	69.03	30.97
Salaries and Allowances Tribunal	8.67	12.70	21.37	40.56	59.44	6.60	12.00	18.60	35.48	64.52
Youth Detention Centre Teachers	16.30	3.00	19.30	84.46	15.54	13.80	5.00	18.80	73.40	26.60
<b>Total</b>	<b>3,374.54</b>	<b>3,315.58</b>	<b>6,690.12</b>	<b>50.4</b>	<b>49.5</b>	<b>3,471.80</b>	<b>3,467.40</b>	<b>6,939.21</b>	<b>50.03</b>	<b>49.97</b>
<b>Judicial Services</b>										
Government Officers (Award)	99.19	41.00	140.19	70.75	29.25	102.49	46.30	148.79	68.88	31.1
Parole and Other Board Members	0.04	0.04	0.08	50.00	50.00	0.00	0.00	0.00	0.00	0.00
Public Service Employees	30.46	8.00	38.46	79.20	20.80	21.00	6.00	27.00	77.78	22.22
State Administrative Tribunal	15.38	6.25	21.63	71.11	28.89	11.23	5.00	16.23	69.19	30.81
<b>Judicial Services Total</b>	<b>145.08</b>	<b>55.29</b>	<b>200.37</b>	<b>72.41</b>	<b>27.59</b>	<b>134.72</b>	<b>57.30</b>	<b>192.02</b>	<b>70.16</b>	<b>29.84</b>
<b>Overall Total</b>	<b>3,519.62</b>	<b>3,370.87</b>	<b>6,890.49</b>	<b>51.08</b>	<b>48.92</b>	<b>3,606.53</b>	<b>3,524.70</b>	<b>7,131.23</b>	<b>50.57</b>	<b>49.43</b>

The Department has 6,890.49 full time equivalent employees (FTE) comprising 7,316 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 2021/22 financial year, which is the pay period ending 23 June 2022, and the previous financial year's last pay, the pay period 24 June 2021.



# 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, 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 2021/22, offers of 138 gifts were registered with 114 (83 per cent) accepted. Of the gifts accepted, 69 (61 per cent) had a value of \$50 or less. Of total accepted gifts, 19 (17 per cent) related to hospitality events (including briefings, seminars, and presentations); 37 (32 per cent) related to offers of food or alcohol (including meal vouchers); and 58 (51 per cent) related to other items such as donations of resources for use by those in the Department's care at correctional facilities. These included gifts of musical equipment, stationery and haberdashery.

## 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 the Recordkeeping Plan 2018-2022, approved by the State Records Commission in March 2018. A new Plan is due 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:

- The Records Management Policy was updated to address the requirements for digital records and for managing information risks, strengthening links between the Records Management policy and other policies in the Department's Information Communication and Technology Governance Framework.
- The Department is taking a proactive approach to tackle "information sprawl". A variety of new technologies have been implemented over the past five years, particularly in response to COVID-19. Following a high-level assessment of the volumes of data in uncontrolled storage areas such as shared drives and shared mailboxes, storage limits have been applied to recycle bins to reduce the backup and duplication of ephemeral information. The Department has also commenced a proof of concept to examine integration between Microsoft Teams and Content Manager.
- A Records Health Check is applied when a business area requests a new shared folder, shared mailbox or Microsoft Teams site to assess the types of information systems in use, the volume of records and any information risks or challenges being experienced. The Records Health Check makes recommendations for improvement, including capturing information into Content Manager from uncontrolled storage areas and closing those spaces. Business-specific training and advice on good practices for records and information management are also provided.
- The Ministerial Correspondence System was integrated with the Records Management System enabling the automated management of ministerial correspondence based on subject matter.
- Procedures and risk assessment tools to improve the management of digital and digitised records were developed and implemented.

Hard copy offender records continued to be digitised in line with best practice, including a review of medical forms and initiatives enabling prisoner management and community offender records to be accessed 24/7.

2. The organisation conducts a recordkeeping training program.

The recordkeeping training program was reviewed in 2021/22 and new mandatory online training implemented. Further online training courses are planned for development in 2022/23 to provide standardised training on demand.

In 2021/22, records management education, system training and recordkeeping support was primarily delivered through Microsoft Teams to accommodate the need to work remotely. This training facilitated an increase in records captured within the Departmental Records Management System.

Three types of training were delivered:

- Recordkeeping and Electronic Document Records Management System.
- Registering administrative folders in Content Manager using the Business Classification Scheme.
- Customised records management training.

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 Department implemented a new online Government Records Education Awareness Training course on 8 March 2022.

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 Electronic Document Records Management System.

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.

	2021/22	2020/21	2019/20	2018/19
Documents created in EDRMS	1,560,824	1,977,465 <sup>1</sup>	1,404,700	1,301,618
Folders created in EDRMS <sup>2</sup>	229,839	359,099	641,001	157,993
Boxes created in EDRMS	5,281	5,050	11,097	8,576
Series created in EDRMS <sup>3</sup>	9,954	9,612	203,334	4,677

1 A project to capture emails as part of the Exchange Online in 2020/21 resulted in a significant increase in the creation of documents and folders in the EDRMS.

2 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.

3 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 2021/22.

<b>Advertising agencies</b>	<b>\$204,516</b>
Initiative	\$174,299
Price Consulting	\$20,897
DPS Publishing Pty Ltd	\$9,320
<b>Market research organisations</b>	<b>\$50,545</b>
Catalyse Pty Ltd	\$50,545
<b>Media advertising</b>	<b>\$155,548</b>
Telstra	\$95,636
Optima Press	\$16,658
State Law Publisher	\$12,573
West Australian Newspapers	\$7,078
Penguin Printing	\$5,158
Orange Design	\$5,145
Turning Heads Media	\$4,900
Ben Tessler Pty Ltd	\$4,900
Lemmey Entertain You Pty Ltd	\$2,000
Sarah Haleem Creative Agency	\$1,500
<b>Polling</b>	<b>NIL</b>
<b>Direct mail organisation</b>	<b>NIL</b>
<b>Total</b>	<b>\$410,610</b>

## Freedom of information

### Summary of FOI applications

<b>Applications received</b>	
<b>Total</b>	<b>1,550</b>
<b>Applications processed</b>	
Personal information requests	1,154
Non-personal information requests	58
Amendment of personal information	1
Applications transferred in full	109
<b>Total<sup>1</sup></b>	<b>1,322</b>
<b>Outcomes</b>	
Applications withdrawn	97
Internal reviews completed	25
External reviews completed	3
Applications currently being processed	360

The State Solicitor's Office, Office of the Public Advocate, the Public Trustee, 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, six reviews remain outstanding with the Information Commissioner.

## Disability Access and Inclusion Planning

The Department is committed to ensuring people of all abilities can access its services, facilities and information.

The Department's Disability Access and Inclusion Plan 2018-23 complies with the *Disability Services Act 1993*.

The Plan 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 the achievement of the Plan outcomes, the Disability Access and Inclusion Plan Committee was established to provide high level monitoring of strategies identified in the Disability Access and Inclusion Plan, and to promote and support their implementation. This includes contributing to the identification and development of initiatives, which are monitored and reported on to the Corporate Executive Committee.

The Disability Access and Inclusion Plan Committee includes representation from business areas across the Department and is currently:

- Monitoring the progression of initiatives identified within the State Disability Strategy 2020-2030.
- 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.

The Department is committed to increasing the alignment of policy and practice to the whole of government Substantive Equality Framework. This is being applied through the Disability Access and Inclusion Plan Implementation Plan, evidenced by the following examples:

- The Public Trustee conducts Diversity Impact Assessments for all new and revised policies and procedures, relating to the delivery of services.
- The Public Trustee considers for inclusion in its contracts a requirement that contractor service providers align services to the Department's Disability Access and Inclusion Plan and provide an annual report on the extent to which the contractor has implemented the Disability Access and Inclusion Plan in its services and has included a clause to this effect in the client service contract for the provision of funeral services.
- The Equal Opportunity Commission, with assistance from a Curtin University intern, completed a research project to investigate issues concerning the use of electric mobility devices in Western Australia in the areas of

public life covered by the *Equal Opportunity Act 1984*. The report provided a summary of best practice solutions for users of electric mobility devices and made a series of recommendations.

- 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* are continuing in line with the Government's legislative agenda. A central project team has been established to coordinate the work required across Government to prepare for the implementation of the reforms.

Business areas continue to assess and adapt service delivery during COVID-19, to ensure they remain accessible and inclusive for people with a disability.

### 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 its buildings and other facilities are both safe and accessible.

- During development of the Department's Strategic Asset Plan for 2022/23, a review and revision of asset management objectives was undertaken. Of note was the inclusion of core principles to underpin and guide asset management activity, which included 'Effective, Accessible, Appropriate'. An additional strategic objective was identified as 'Services are to be accessible for peoples of all abilities'.
- The Casuarina Prison expansion project is continuing and includes accommodation for those requiring assisted care and people with a mental illness, as well as delivering more 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.

- On International Day of People with Disability (2021), the Office of the Public Advocate officially released three Plain English publications as communication tools to help represented and proposed represented people understand the complex concepts of adult guardianship and the investigation process undertaken by the Office. The publications are used to provide support to clients using simple language to understand their interactions with the Guardianship and Administration system and the Office of the Public Advocate. The Office then went on to convert the Plain English publications into Easy Read Factsheets, along with two additional Easy Read Factsheets regarding treatment decisions. All five Easy Read publications are available on the Office's website.

<sup>1</sup> Total number of applications processed includes applications received in the previous financial year.

- The Office of the Commissioner for Victims of Crime has converted material related to coercion and control into an Easy Read publication.

**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 promotes an understanding of the diverse needs of individuals who come into contact with the justice system and the merits of diversity in the workplace.
- Training developed by National Disability Services is now available to staff to improve service delivery to people with disability.
- The Public Trustee has acquired an online course entitled 'Human Rights and You' from National Disability Services which provides information about human rights when dealing with people with a disability. Public Trustee staff are required to complete this course once every three years.
- Corrective Services coordinate information sessions and support front line staff in relation to the National Disability Insurance Scheme and more generally regarding the needs of people with disability.

**Outcome 5: People with a disability have the same opportunities as other people to make complaints to the Department of Justice.**

As a matter of priority, the Department ensures feedback and complaints processes and procedures are easily accessible for people of all abilities.

This includes ensuring any feedback and complaints are adequately assessed, addressed, and guide effective and appropriate action to improve services.

Review and modernisation of the 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.

**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 work to ensure that people with disabilities are adequately engaged and can share their views on relevant matters. This occurs through consultation with relevant stakeholders, agencies and organisations.

The Equal Opportunity Commission, with assistance from a Curtin University intern, completed a research project to investigate issues concerning the use of electric mobility devices in Western Australia in areas of public life. Several peak disability groups were approached directly for their input and informed the project.

The Office of the Commissioner for Victims of Crime contacted several peak disability groups to provide feedback into the Coercion and Control consultation.

**Outcome 7: People with a disability have the same opportunities as other people to access employment with the Department of Justice**

The Department has launched its Workforce Diversification and Inclusion Strategy and associated Action Plan 2021-2025 to strengthen sustainable improvement in workforce 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, includes initiatives and actions to improve employment outcomes for people with a disability and other diversity groups.

The Department has joined the Building the Talent Pool project, led by National Disability Services WA in partnership with the WA Public Sector Commission, and funded by the Department of Communities, to develop disability employment confidence and improve outcomes for people with disability.

Human Resources is continuing to investigate the Disability Confident Recruiter Accreditation requirements, as per the State Disability Strategy.

The Department's Disability Access and Inclusion Plan Implementation Plan includes a commitment to increase alignment of employment policy and practice to the whole of Government Substantive Equality Framework. An example of how this is being applied is:

- The HR Policy Governance framework is being embedded to provide an efficient, best practice approach to policy, procedure and delegations development. This has been developed with a view to ensure that that substantive equality principles and needs of people with a disability are considered.



**Congratulations to Bruce!**

In 2021, Justice staff member Bruce Taylor was appointed to the WA National Disability Services Disability Advisory Group.

It's the first time a member of Justice has been appointed to the role and Bruce says he's honoured and grateful to be an official champion for the inclusion of people with a disability.

"My family are very proud of my inclusion in the Disability Advisory Group," Bruce says.

"I hope I can raise awareness about the benefits of including people with a disability in workplaces around the State."

Bruce has lived for more than 40 years with only 25 per cent hearing but after receiving Cochlear implants in both ears, his hearing has improved to 85 per cent.

# 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 State Government's policy framework for substantive equality.

The Department's commitment to the State 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 meet the State Government's standard established for web accessibility, including meeting the World Wide Web Consortium's Web Content Accessibility Guidelines version 2.1 at Level A.

This includes but is 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.

## Work health and safety and injury management

The Department of Justice remains committed to the safety, health and welfare of employees, volunteers, contractors and visitors. The Department has commenced the review of all policy, procedures and guidance tools, to ensure compliance with the new Work Health and Safety 2020 legislation.

In 2021 the Department launched the Work Health and Safety Strategy 2021-2025. The first stage of the four stages of the strategy is near completion. A key strategy achievement is the delivery and implementation of the Solv Safety and Solv Injury online reporting and case management system. The Solv system is fully operational and in use across the Department.

## 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 has invested in the delivery of early intervention, incident response, injury management and strategic claims management. The online reporting and case management system has been implemented and enabled a streamlined and paperless case management service across all divisions of the Department.

The Department continued to improve practices to focus on reducing the frequency, severity and volume of all compensable injuries.

Measures	Results 2021/22	Results 2020/21	Results 2019/20	Targets <sup>1</sup>	Comments about targets
Number of fatalities	0	0	0	0	Target achieved
Lost time injury and disease incidence rate <sup>2</sup>	7	7.2	7.7	0 or 10% reduction in incidence rate	Target achieved
Lost time injury and severity rate <sup>3</sup>	50.5	46.9	47.1	0 or 10% reduction in severity rate	Target not achieved
Percentage and number of injured workers returned to work within 13 weeks	60%	52%	57%	No target	N/A
Percentage and number of injured workers returned to work within 26 weeks*	72%	67%	63%	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	61%	60%	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 are unlikely to be met until the impact of the strategies have matured.

\* is the total combined number of those who have returned to work over 13 and 26 weeks.

<sup>1</sup> As defined by Public Sector Commissioner's Circular 2018-03 Code of Practice: Occupational Safety and Health in the Western Australian public sector.

<sup>2</sup> Number of incidents resulting in lost time per 100 full-time equivalent staff.

<sup>3</sup> 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	1 year	Full time	N/A	\$12,636
Member	Ms Kirsten CHIVERS	N/A#	1 year	Part time	N/A	N/A
Member	Dr Sarah MURRAY	Honorarium	1 year	Part time	N/A	\$43,978
<b>Total</b>						<b>\$56,614</b>

\* Refers to board members' membership during the reporting period not their entire tenure on the Commission.

\*\* Rounded to the nearest dollar amount.

# As Ms Chivers is employed at the State Solicitor's Office under the *Public Sector Management Act 1994*, she is not entitled to remuneration for her membership of the Commission.

### Legal Costs Committee

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	\$15,350	\$15,350
Member	Matthew Curwood	Annual	1 year	3 Year	\$6,140	\$6,140
Member	Janice Dudley	Annual	1 year	3 Year	\$6,140	\$6,140
Member	Craig McKie	Annual	6 months	3 Year	\$3,070	\$3,070
Member	Gregory Rickie	Annual	6 months	3 Year	\$3,070	\$3,070
Member	Annette Morgan	Annual	6 months	3 Year	\$3,070	\$3,070
Member	Brendon Ashdown	Annual	6 months	3 Year	\$3,070	\$3,070
Member	Marcus Cocker	Annual	6 months	3 Year	\$3,070	\$3,070
Member	Angela Gaffney	Annual	6 months	3 Year	\$3,070	\$3,070
<b>Total</b>					<b>\$46,050</b>	<b>\$46,050</b>

\* If applicable, include 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 should correlate with the respective remuneration received.

\*\*\* Refers to term of appointment/tenure (if relevant) or appointment type, for example sessional/full time.

## 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
Chairperson - His Honour Mr Allan Fenbury		Salary*	Up to 29 April 2022	Part time	\$162,059	\$162,059
Chairperson - His Honour Mr Kevin Sleight		Salary*	From 2nd May 2022	Part time	\$42,839	\$42,839
Deputy Chairperson	A	Sessional	Entire Reporting period	Sessional	\$619	\$30,206
Deputy Chairperson	B	Sessional	Up to August 2021	Sessional	\$619	\$4,952
Deputy Chairperson	C	Sessional	Entire Reporting period	Sessional	\$619	\$37,509
Deputy Chairperson	D	Sessional	Entire Reporting period	Sessional	\$619	\$28,432
Deputy Chairperson	E	Sessional	Entire Reporting period	Sessional	\$619	\$26,492
Deputy Chairperson	F	Sessional	Entire Reporting period	Sessional	\$619	\$16,588
Deputy Chairperson	G	Sessional	Entire Reporting period	Sessional	\$619	\$18,198
Deputy Chairperson	H	Sessional	Entire Reporting period	Sessional	\$619	\$24,221
Deputy Chairperson	I	Sessional	Entire Reporting period	Sessional	\$619	\$19,808
Member	A	Sessional	Entire Reporting period	Sessional	\$497	\$2,982
Member	B	Sessional	Up to August 2021	Sessional	\$497	\$1,060
Member	C	Sessional	Entire Reporting period	Sessional	\$497	\$3,445
Member	D	Sessional	Entire Reporting period	Sessional	\$497	\$3,181
Member	E	Sessional	Entire Reporting period	Sessional	\$497	\$1,157
Member	F	Sessional	Entire Reporting period	Sessional	\$497	\$8,151
Member	G	Sessional	Entire Reporting period	Sessional	\$497	\$7,654
Member	H	Sessional	Entire Reporting period	Sessional	\$497	\$994
Member	J	Sessional	Entire Reporting period	Sessional	\$497	\$21,868
Member	K	Sessional	Entire Reporting period	Sessional	\$497	\$10,437
Member	L	Sessional	Entire Reporting period	Sessional	\$497	\$12,127
Member	M	Sessional	Entire Reporting period	Sessional	\$497	\$25,413
Member	N	Sessional	Entire Reporting period	Sessional	\$497	\$22,630
Member	O	Sessional	Entire Reporting period	Sessional	\$497	\$12,425
Member	P	Sessional	Entire Reporting period	Sessional	\$497	\$23,558
Member	Q	Sessional	Entire Reporting period	Sessional	\$497	\$19,085
Member	S	Sessional	Entire Reporting period	Sessional	\$497	\$19,085
Member	T	Sessional	Entire Reporting period	Sessional	\$497	\$6,958
Member	U	Sessional	Entire Reporting period	Sessional	\$497	\$30,085
Member	V	Sessional	Entire Reporting period	Sessional	\$497	\$23,260
Member Corrective Services	AA	Nil	Entire Reporting period	N/A	\$0	\$0
Member Corrective Services	AB	Nil	Entire Reporting period	N/A	\$0	\$0
Member Corrective Services	AC	Nil	Entire Reporting period	N/A	\$0	\$0
Member Corrective Services	AD	Nil	Entire Reporting period	N/A	\$0	\$0
Member Corrective Services	AE	Nil	Up to October 2021	N/A	\$0	\$0
Member WA Police	AF	Nil	Entire Reporting period	N/A	\$0	\$0
Member WA Police	AG	Nil	Entire Reporting period	N/A	\$0	\$0
Member WA Police	AH	Nil	Entire Reporting period	N/A	\$0	\$0
Member WA Police	AI	Nil	Entire Reporting period	N/A	\$0	\$0
Member WA Police	AJ	Nil	Entire Reporting period	N/A	\$0	\$0
Member WA Police	AK	Nil	Entire Reporting period	N/A	\$0	\$0
Member WA Police	AL	Nil	Entire Reporting period	N/A	\$0	\$0
<b>Total</b>						<b>\$666,859</b>

\*Includes rates paid for attendance at training and professional development sessions and payments at an hourly rate applied to unscheduled meetings of the board where a quorum is required at short notice in relation to a single prisoner and where the matter cannot wait until the next sitting of the board.

## 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*	Up to 29 April 2022	Part-Time	\$0	\$0
Chairperson - His Honour Mr Kevin Sleight		Salary*	From 2 May 2022	Part-time	\$0	\$0
Deputy Chairperson	A	Sessional Payment	Entire reporting period	Sessional	\$619	\$3,095
Member	A	Sessional Payment	Entire reporting period	Sessional	\$497	\$10,934
Member	B	Sessional Payment	Entire reporting period	Sessional	\$497	\$497
Member	C	Sessional Payment	Entire reporting period	Sessional	\$497	\$10,437
Member	D	Sessional Payment	Entire reporting period	Sessional	\$497	\$1,491
Member	E	Sessional Payment	Entire reporting period	Sessional	\$497	\$994
Member	F	Sessional Payment	Up to August 2021	Sessional	\$497	\$994
Member	G	Sessional Payment	Entire reporting period	Sessional	\$497	\$11,928
Member	H	Sessional Payment	Entire reporting period	Sessional	\$497	\$497
Member	I	Sessional Payment	Entire reporting period	Sessional	\$497	\$497
Member	J	Sessional Payment	Entire reporting period	Sessional	\$497	\$9,443
Member	K	Sessional Payment	Entire reporting period	Sessional	\$497	\$1,491
Member Department of Communities		Nil	Entire reporting period	N/A	\$0	\$0
Member Department of Communities		Nil	Entire reporting period	N/A	\$0	\$0
<b>Total</b>						<b>\$52,298</b>

\* The Chairperson of the Mentally Impaired Accused Review Board is remunerated as the Chairperson of the Prisoners Review Board appointed under section 103(1)(a) of the *Sentence Administration Act 2003*.

## 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
Chairperson - His Honour Mr Allan Fenbury		Salary*	Up to 29 April 2022	Part-time	\$63,939	\$63,939
Chairperson - His Honour Mr Kevin Sleight		Salary*	From 2 May 2022	Part-time	\$14,280	\$14,280
Deputy Chairperson	A	Sessional Payment	Up to December 2021	Sessional	\$628	\$2188
Deputy Chairperson	B	Sessional Payment	Entire reporting period	Sessional	\$628	\$3603
Member	A	Sessional Payment	Up to December 2021	Sessional	\$504	\$9072
Member	B	Sessional Payment	Entire reporting period	Sessional	\$504	\$16766
Member	C	Sessional Payment	From 22 February 2022	Sessional	\$504	\$2924
Member	D	Sessional Payment	Up to December 2021	Sessional	\$504	\$11088
Member	E	Sessional Payment	Entire reporting period	Sessional	\$504	\$1714
Member	F	Sessional Payment	From 22 February 2022	Sessional	\$504	\$1285
Member	G	Sessional Payment	Entire reporting period	Sessional	\$504	\$7762
Member	H	Sessional Payment	Up to August 2021	Sessional	\$67	\$67
Member Corrective Services	L	Nil	Entire reporting period	N/A	\$0	\$0
Member Corrective Services	M	Nil	From 1 January 2022	N/A	\$0	\$0
Member of WA Police	N	Nil	Entire reporting period	N/A	\$0	\$0
Member of WA Police	O	Nil	Entire reporting period	N/A	\$0	\$0
Member of WA Police	P	Nil	From 1 January 2022	N/A	\$0	\$0
Member of WA Police	Q	Nil	From 1 January 2022	N/A	\$0	\$0
<b>Total</b>						<b>\$134,688</b>

\* Including payments at an hourly rate applied to unscheduled meetings of the board where a quorum is required at short notice in relation to a single young offender and where the matter cannot wait until the next sitting of the board.

## Gender Reassignment Board<sup>#</sup>

Position title	Member name	Type of remuneration	Period of membership	Term of appointment / tenure <sup>+</sup>	Fee for a full day	Fee for a part day
President	Magistrate Patrick HOGAN	Consolidated Account	12/09/2007	31/12/2024	\$450	\$300
Member	Dr Lauren Jane MEGAW	Consolidated Account	20/08/2013	31/12/2024	\$300	\$200
Member	Ms Esther Beate WASCHK <sup>#</sup>	Consolidated Account	06/08/2019	31/12/2024	\$0	\$0
Member	Dr Kymberley Grace WILSON	Consolidated Account	01/01/2002	31/12/2024	\$300	\$200
Member	Mr Grantham Angus KITTO	Consolidated Account	10/02/2009	31/12/2024	\$300	\$200
Member	Ms Fiona Margaret HUGO	Consolidated Account	01/01/2022	31/12/2024	\$300	\$200

<sup>+</sup> 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.

<sup>#</sup> Public Sector worker – full time.

The Board was only administratively supported by the State Administrative Tribunal from 2009.

# 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*  
*Corruption and Crime Commission Amendment and Repeal Act 2003*  
*Corruption, Crime and Misconduct Act 2003 (except Part 4A, which is administered by the Minister for Public Sector Management principally assisted by the Public Sector Commission)*  
*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 Law (Unlawful Consorting and Prohibited Insignia) Act 2021*  
*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*

*Director of Public Prosecutions Act 1991*  
*District Court of Western Australia Act 1969*  
*Domestic Violence Orders (National Recognition) Act 2017*  
*Domicile Act 1981*  
*Electronic Transactions Act 2011*  
*Equal Opportunity Act 1984 (except Part IX, which is administered by the Minister for Public Sector Management principally assisted by the Office of Director of Equal Opportunity in Public Employment)*  
*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*  
*Freedom of Information Act 1992*  
*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 Reform Commission Act 1972*  
*Law Reporting Act 1981*  
*Law Society Public Purposes Trust Act 1985*  
*Legal Aid Commission Act 1976*  
*Legal Profession Act 2008*  
*Legal Representation of Infants Act 1977*  
*Legislation Act 2021*  
*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**

*Court Security and 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)*  
*Inspector of Custodial Services Act 2003*  
*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*



# Independent Auditor's Report



Auditor General

INDEPENDENT AUDITOR'S REPORT  
2022  
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 2022, and the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows for the year then ended
- administered schedules comprising the Administered assets and liabilities at 30 June 2022 and the Administered income and expenses by service for the year then ended
- notes comprising a summary of significant accounting policies and other explanatory information.

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 2022 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 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 it 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](https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf).

## Report on the audit of controls

### Basis for qualified opinion

I identified significant weaknesses in the design and implementation of payroll controls by the Department to prevent invalid and inaccurate payroll payments. Consequently, the weaknesses could result in errors such as overpayments and payments to individuals who are not entitled to receive payment.

### Qualified 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 Director General are those policies and procedures established 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).

In my opinion, in all material respects, except for the possible effect of the matter described in the Basis for qualified opinion paragraph of my report, the controls exercised by the Department of Justice are 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 2022.

## 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 2022. 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 2022.

## The Department'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 2022, but not the financial statements, key performance indicators and my auditor's report.

My opinions on the financial statements, controls and key performance indicators do not cover the other information and, accordingly, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, controls and key performance indicators, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and key performance indicators, or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to those charged with governance and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

## Matters relating to the electronic publication of the audited financial statements and key performance indicators

This auditor's report relates to the financial statements and key performance indicators of the Department of Justice for the year ended 30 June 2022 included in the annual report 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 the annual report. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version.

Sandra Labuschagne  
Deputy Auditor General  
Delegate of the Auditor General for Western Australia  
Perth, Western Australia  
14 September 2022

# Certification of Financial Statements

For the reporting period ended 30 June 2022

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 2022 and the financial position as at 30 June 2022.

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

12 September 2022



Dr Adam Tomison  
Accountable Authority

12 September 2022

Primary financial statements

## Statement of Comprehensive Income

For the year ended 30 June 2022

	Notes	2022 (\$000)	2021 (\$000)
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Employee benefits expenses	3.1(a)	828,826	868,081
Supplies and services	3.3	422,666	391,021
Depreciation and amortisation expenses	5.1.1, 5.2, 5.3	79,267	79,153
Finance costs	7.3	34,299	35,043
National Redress Scheme	3.2(a)	509,893	40,890
Grants and subsidies	3.2(b)	235,440	194,157
Accommodation expenses	3.4	56,998	57,315
Prisoner gratuities	3.5	12,692	12,841
Cost of Sales	4.3	15,342	16,086
Loss on revaluation	3.6	-	268
Other expenses	3.7	134,509	119,831
<b>Total cost of services</b>		<b>2,329,932</b>	<b>1,814,686</b>
<b>Income</b>			
User charges and fees	4.2	116,667	105,882
Sale of goods	4.3	16,134	16,780
Commonwealth grants	4.4	79,933	76,809
Other Income	4.5	20,732	19,655
<b>Total Revenue</b>		<b>233,466</b>	<b>219,126</b>
<b>Gains</b>			
Gain on revaluation	3.6	13,613	439
<b>Total gains</b>		<b>13,613</b>	<b>439</b>
<b>Total income</b>		<b>247,079</b>	<b>219,565</b>
<b>Net cost of services</b>		<b>2,082,853</b>	<b>1,595,121</b>
<b>Income from State Government</b>			
Service appropriation	4.1	1,553,351	1,504,522
Income from other public sector entities		45,928	52,483
Resources received		24,415	11,981
Royalties for Regions Fund		9,835	9,687
<b>Total income from State Government</b>		<b>1,633,529</b>	<b>1,578,673</b>
<b>Surplus/(deficit) for the period</b>		<b>(449,324)</b>	<b>(16,448)</b>
<b>Other comprehensive income</b>			
<b>Items not reclassified subsequently to profit or loss</b>			
Changes in asset revaluation surplus/(loss)	9.10	131,422	(7,795)
<b>Total other comprehensive income/(loss)</b>		<b>131,422</b>	<b>(7,795)</b>
<b>Total comprehensive income/(loss) for the period</b>		<b>(317,902)</b>	<b>(24,243)</b>

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 2022

	Notes	2022 (\$000)	2021 (\$000)
<b>Assets</b>			
<b>Current Assets</b>			
Cash and cash equivalents	7.4	30,903	29,545
Restricted cash and cash equivalents	7.4.1	3,096	2,924
Inventories	4.3	5,814	5,772
Receivables	6.1	23,916	17,788
Amounts receivable for services	6.2	13,925	11,625
Other current assets	6.3	2,719	7,115
Biological assets	6.4	3,056	3,143
<b>Total Current Assets</b>		<b>83,429</b>	<b>77,912</b>
<b>Non-Current Assets</b>			
Restricted cash and cash equivalents	7.4.1	15,897	13,500
Amounts receivable for services	6.2	631,045	580,602
Infrastructure, property, plant and equipment	5.1	2,120,959	1,956,079
Intangible assets	5.2	7,265	7,670
Right-of-use assets	5.3	406,125	415,673
<b>Total Non-Current Assets</b>		<b>3,181,291</b>	<b>2,973,524</b>
<b>Total assets</b>		<b>3,264,720</b>	<b>3,051,436</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Payables	6.5	80,674	90,367
Lease liabilities	7.1	28,760	26,645
Employee related provisions	3.1(b)	172,171	179,647
Provision for National Redress Scheme	3.2(a), 6.6	44,100	-
Other provisions	6.6	703	-
<b>Total Current Liabilities</b>		<b>326,408</b>	<b>296,659</b>
<b>Non-Current Liabilities</b>			
Lease liabilities	7.1	365,087	381,820
Employee related provisions	3.1(b)	34,140	38,584
Provision for National Redress Scheme	3.2(a), 6.6	428,500	-
<b>Total Non-Current Liabilities</b>		<b>827,727</b>	<b>420,404</b>
<b>Total liabilities</b>		<b>1,154,135</b>	<b>717,063</b>
<b>Net assets</b>		<b>2,110,585</b>	<b>2,334,373</b>
<b>Equity</b>			
Contributed equity	9.10	2,515,131	2,421,017
Reserves	9.10	131,422	-
Accumulated deficit	9.10	(535,968)	(86,644)
<b>Total equity</b>		<b>2,110,585</b>	<b>2,334,373</b>

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

Primary financial statements

## Statement of Changes in Equity

For the year ended 30 June 2022

	Notes	Contributed equity (\$000)	Reserves (\$000)	Accumulated surplus/(deficit) (\$000)	Total equity (\$000)
<b>Balance at 1 July 2020</b>		2,340,760	7,795	(70,196)	2,278,359
Surplus/(deficit)		-	-	(16,448)	(16,448)
Other comprehensive income		-	(7,795)	-	(7,795)
<b>Total comprehensive income for the period</b>		-	<b>(7,795)</b>	<b>(16,448)</b>	<b>(24,243)</b>
<i>Transactions with owners in their capacity as owners:</i>					
Capital appropriations	9.10	68,510	-	-	68,510
Equity contribution	9.10	12,335	-	-	12,335
Other contributions by owners	9.10	382	-	-	382
Distributions to owners	9.10	(970)	-	-	(970)
<b>Total</b>		<b>80,257</b>	-	-	<b>80,257</b>
<b>Balance at 30 June 2021</b>		<b>2,421,017</b>	-	<b>(86,644)</b>	<b>2,334,373</b>
<b>Balance at 1 July 2021</b>		<b>2,421,017</b>	-	<b>(86,644)</b>	<b>2,334,373</b>
Surplus/(deficit)		-	-	(449,324)	(449,324)
Other comprehensive income		-	131,422	-	131,422
<b>Total comprehensive income for the period</b>		-	<b>131,422</b>	<b>(449,324)</b>	<b>(317,902)</b>
<i>Transactions with owners in their capacity as owners:</i>					
Capital appropriations	9.10	96,185	-	-	96,185
Distributions to owners	9.10	(2,071)	-	-	(2,071)
<b>Total</b>		<b>94,114</b>	-	-	<b>94,114</b>
<b>Balance at 30 June 2022</b>		<b>2,515,131</b>	<b>131,422</b>	<b>(535,968)</b>	<b>2,110,585</b>

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 2022

	Notes	2022 (\$000)	2021 (\$000)
<b>Cash flows from State Government</b>			
Service appropriation		1,480,091	1,429,897
Funds from other public sector entities		45,928	52,483
Capital appropriation		96,185	68,510
Equity contributions		-	12,336
Equity distributions		(1,663)	-
Other contributions by owners		-	382
Holding account drawdown		11,625	11,625
Royalties for Regions Fund		9,835	9,687
<b>Net cash provided by State Government</b>		<b>1,642,001</b>	<b>1,584,920</b>
Utilised as follows:			
<b>Cash flows from operating activities</b>			
<b>Payments</b>			
Employee benefits		(829,080)	(834,910)
Supplies and services		(421,743)	(412,977)
Finance costs		(34,299)	(35,043)
Accommodation		(52,187)	(52,568)
National Redress Scheme		(37,293)	(40,890)
Grants and Subsidies		(234,738)	(194,157)
GST payments on purchases		(72,119)	(65,241)
GST payments to taxation authority		(4,348)	(4,744)
Other payments		(129,375)	(115,825)
<b>Receipts</b>			
Sale of goods and services		2,887	2,320
User charges and fees		116,667	105,866
Commonwealth grants		75,122	72,062
GST receipts on sales		3,801	4,901
GST receipts from taxation authority		73,550	67,160
Other receipts		9,746	14,467
<b>Net cash provided by/(used in) operating activities</b>	<b>7.4.2</b>	<b>(1,533,409)</b>	<b>(1,489,579)</b>
<b>Cash flows from investing activities</b>			
<b>Payments</b>			
Purchase of non-current assets		(72,419)	(58,898)
<b>Receipts</b>			
Proceeds from sale of non-current assets		-	46
<b>Net cash provided by/(used in) investing activities</b>		<b>(72,419)</b>	<b>(58,852)</b>
<b>Cash flows from financing activities</b>			
<b>Payments</b>			
Principal elements of lease payments		(32,247)	(30,984)
<b>Receipts</b>			
Proceeds from borrowings		-	166
<b>Net cash provided by/(used in) financing activities</b>		<b>(32,247)</b>	<b>(30,818)</b>
Net increase/(decrease) in cash and cash equivalents		3,927	5,671
Cash and cash equivalents at the beginning of the period		45,969	40,298
Cash and cash equivalents at the end of the period	<b>7.4.1</b>	<b>49,896</b>	<b>45,969</b>

The Statement of cash flows should be read in conjunction with the accompanying notes.

## Administered schedules

## Administered income and expenses by service

	Court and Tribunal Services		Services to Government		General – Not attributed		Total	
	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)
<b>INCOME FROM ADMINISTERED ITEMS</b>								
<b>Income</b>								
Judicial fines and penalties	35,195	33,258	-	-	-	-	35,195	33,258
Infringement penalties	8,819	10,021	-	-	-	-	8,819	10,021
Revenue for transfer - other Government agencies	-	-	18,073	16,928	-	-	18,073	16,928
Criminal property confiscations	-	-	27,882	15,226	-	-	27,882	15,226
Law Library Fund	-	-	-	-	600	600	600	600
Land acquisition	-	-	20,978	186,339	-	-	20,978	186,339
Other	(446)	81	-	-	650	292	204	373
<b>Total administered income</b>	<b>43,568</b>	<b>43,360</b>	<b>66,933</b>	<b>218,493</b>	<b>1,250</b>	<b>892</b>	<b>111,751</b>	<b>262,745</b>
<b>Expenses</b>								
Transfer payments <sup>(a)</sup>	44,014	43,488	-	-	-	-	44,014	43,488
Criminal property confiscations – grants	-	-	2,171	1,746	-	-	2,171	1,756
Criminal property confiscations - supplies and services	-	-	20,600	11,196	-	-	20,600	11,196
Law Library Fund payments	-	-	-	-	600	600	600	600
Payment to Road Trauma Trust Account	-	-	18,073	17,019	-	-	18,073	17,019
Land acquisition payments	-	-	29,370	182,361	-	-	29,370	182,361
Allowance for impairment of receivables - Fines Enforcement Registry	(10,144)	10,686	-	-	-	-	(10,144)	10,686
Other	55	91	-	-	414	930	468	1,021
<b>Total administered expenses</b>	<b>33,925</b>	<b>54,265</b>	<b>70,214</b>	<b>212,332</b>	<b>1,014</b>	<b>1,530</b>	<b>105,152</b>	<b>268,127</b>

<sup>(a)</sup> Transfer payments represent the transfer of non-retainable regulatory fees to the Consolidated Account.

## Administered financial information

## Administered assets and liabilities

	2022 (\$000)	2021 (\$000)
<b>Current assets</b>		
<b>Cash and cash equivalents</b>		
Departmental receipts in suspense	363	126
<b>Restricted cash and cash equivalents</b>		
Suitor's fund <sup>(a)(b)</sup>	-	501
Law Library	2	2
Land Acquisitions <sup>(a)</sup>	-	12,208
Confiscation Proceeds Account	40,765	30,889
<b>Receivables<sup>(c)</sup></b>		
Fines Enforcement Registry	205,250	200,302
Less: Allowance for impairment of receivables	(75,659)	(80,854)
<b>Total administered current assets</b>	<b>170,721</b>	<b>163,174</b>
<b>TOTAL ADMINISTERED ASSETS</b>	<b>170,721</b>	<b>163,174</b>
<b>Liabilities</b>		
Amounts due to the Treasurer (Appeals Cost Board)	-	2,500
Accrued expenses - Bonus payment to the Office of the Director of Public Prosecutions (ODPP)	4,765	-
<b>Total administered current liabilities</b>	<b>4,765</b>	<b>2,500</b>
<b>TOTAL ADMINISTERED LIABILITIES</b>	<b>4,765</b>	<b>2,500</b>

(a) Effective 1 October 2021, the State Solicitor's Office (SSO) became a sub-department of the Department. Only transactions up to 30 September 2021 have been presented as being administered by the Department. Transactions after the separation date include further land transfers \$3,165,980 and transfer of the balance of \$1,145,478 (\$644,268– Land Trust account & \$501,210– Suitor's Fund) to the SSO. All balances held for land acquisition account and Suitor's funds have been transferred to the SSO during FY22.

(b) **Special Purpose Account - section 16 1(b) of *Financial Management Act 2006* - 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.

	2022 (\$000)	2021 (\$000)
Balance at start of the period	501	511
Receipts	-	40
Payments	(501)	(50)
<b>Balance at the end of the period</b>	<b>-</b>	<b>501</b>

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.

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

- 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 2022; and
- Magistrates Courts criminal fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2022.

## Notes to the Financial Statements

### 1. Basis of preparation

The Department is a WA Government entity and is controlled by the State of Western Australia, which is the ultimate parent. The 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 12 September 2022.

#### 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 AAS 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.

#### Accounting for Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of goods and services tax (GST), except that the:

- (a) amount of GST incurred by the Department as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense; and
- (b) receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of cash flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

#### Contributed equity

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.

#### Administered items

The Department administers, but does not control, certain activities and functions for and on behalf of Government that do not contribute to the Department's services or objectives. It does not have discretion over how it utilises the transactions in pursuing its own objectives.

Transactions relating to the administered activities are not recognised as the Department's income, expenses, assets and liabilities, but are disclosed in the accompanying schedules as 'Administered income and expenses', and 'Administered assets and liabilities'.

The accrual basis of accounting and applicable Australian Accounting Standards have been adopted.

## 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 <sup>(a)</sup>
- legislative drafting and related services

- (a) This service is provided by the SSO. Effective 1 October 2021, the SSO became an independent sub-department of the Department of Justice (DOJ).

**2.2 Schedule of income and expenses by service**

For the year ended 30 June 2022

	Court and Tribunal Services		Trustee Services		Equal Opportunity Commission(a)		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Service		National Redress Scheme	
	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)
<b>Cost of Services</b>												
<b>Expenses</b>												
Employee benefits expense	175,826	171,041	19,587	19,206	2,449	1,305	4,609	4,434	8,853	8,138	933	1,003
Supplies and services	111,660	97,235	3,147	2,898	501	267	1,252	1,186	1,479	715	107	70
Depreciation and amortisation expense	21,872	21,879	592	2,165	10	4	672	631	39	39	-	1
Finance costs	14,516	14,876	1	11	-	-	1	1	1	2	-	-
National Redress Scheme	-	-	-	-	-	-	-	-	-	-	509,893	40,891
Accommodation expenses	103,897	73,896	77	48	8	-	20	12	29	17	-	-
Grants and subsidies	32,815	31,696	2,128	633	309	166	1,703	582	1,260	1,015	37	30
Prisoner gratuities	-	-	-	-	-	-	-	-	-	-	-	-
Cost of Sales	1	-	-	-	-	-	-	-	-	-	-	-
Other expenditure	23,116	22,244	1,412	1,327	41	29	230	224	196	166	11	16
Loss on disposal	79	-	3	-	-	-	-	-	-	-	-	-
<b>Total cost of services</b>	<b>483,782</b>	<b>432,867</b>	<b>26,947</b>	<b>26,288</b>	<b>3,318</b>	<b>1,771</b>	<b>8,487</b>	<b>7,070</b>	<b>11,857</b>	<b>10,092</b>	<b>510,981</b>	<b>42,011</b>
<b>Income</b>												
User charges and fees	84,862	76,425	23,120	22,076	18	23	8,666	7,356	-	-	-	-
Sales	-	-	-	-	-	-	-	-	-	-	-	-
Commonwealth grants	20,049	22,092	-	-	1	5	-	-	-	-	-	-
Other Income	7,914	6,590	3,625	3,750	-	-	11	99	10	7	-	2
Gain on revaluation	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total income</b>	<b>112,825</b>	<b>105,107</b>	<b>26,745</b>	<b>25,826</b>	<b>19</b>	<b>28</b>	<b>8,677</b>	<b>7,455</b>	<b>10</b>	<b>7</b>	<b>-</b>	<b>2</b>
<b>Net Cost of Services</b>	<b>370,957</b>	<b>327,760</b>	<b>202</b>	<b>462</b>	<b>3,299</b>	<b>1,743</b>	<b>(190)</b>	<b>(385)</b>	<b>11,847</b>	<b>10,085</b>	<b>510,981</b>	<b>42,009</b>
<b>Income from State Government</b>												
Service appropriations	344,812	312,829	810	966	3,142	1,519	1,563	620	12,504	9,588	-	-
Income from other public sector entities	3,376	3,234	-	-	44	19	-	-	-	-	38,750	42,336
Resources received	21,634	7,414	-	-	211	-	-	-	-	-	-	-
Royalties for Regions Fund	14	193	-	-	-	-	-	-	-	-	-	-
<b>Total income from State Government</b>	<b>369,836</b>	<b>323,670</b>	<b>810</b>	<b>966</b>	<b>3,397</b>	<b>1,538</b>	<b>1,563</b>	<b>620</b>	<b>12,504</b>	<b>9,588</b>	<b>38,750</b>	<b>42,336</b>
<b>Surplus/(Deficit) for the period</b>	<b>(1,121)</b>	<b>(4,090)</b>	<b>608</b>	<b>504</b>	<b>98</b>	<b>(205)</b>	<b>1,753</b>	<b>1,005</b>	<b>657</b>	<b>(497)</b>	<b>(472,231)</b>	<b>327</b>

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

**2.2 Schedule of income and expenses by service (cont)**

	Legal Aid Assistance		Services to Government		Adult Corrective Services		Youth Justice Services		Total	
	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)	2022 (\$'000)	2021 (\$'000)
<b>Cost of Services</b>										
<b>Expenses</b>										
Employee benefits expense	839	1,671	25,399	50,407	524,265	543,372	66,066	67,504	828,826	868,081
Supplies and services	62	460	1,851	7,316	281,720	262,075	20,887	18,799	422,666	391,021
Depreciation and amortisation expense	-	-	322	386	53,799	52,000	1,961	2,048	79,267	79,153
Finance costs	-	-	17	16	19,676	20,065	87	72	34,299	35,043
National Redress Scheme	-	-	-	-	-	-	-	-	509,893	40,891
Accommodation expenses	125,238	115,276	3,333	2,681	2,557	2,021	281	205	235,440	194,156
Grants and subsidies	383	162	3,943	9,114	10,768	11,144	3,652	2,773	56,998	57,315
Prisoner gratuities	-	-	-	-	12,517	12,706	175	135	12,692	12,841
Cost of Sales	-	-	-	-	15,276	16,012	65	74	15,342	16,086
Other expenditure	34	19	5,729	1,337	91,353	86,796	11,740	7,673	133,862	119,831
Loss on disposal	-	-	2	-	556	268	7	-	647	268
<b>Total cost of services</b>	<b>126,556</b>	<b>117,588</b>	<b>40,596</b>	<b>71,257</b>	<b>1,012,487</b>	<b>1,006,459</b>	<b>104,921</b>	<b>99,283</b>	<b>2,329,932</b>	<b>1,814,686</b>
<b>Income</b>										
User charges and fees	-	-	-	-	1	2	-	-	116,667	105,882
Sales	-	-	-	-	16,063	16,717	71	63	16,134	16,780
Commonwealth grants	58,838	54,453	-	-	993	213	52	46	79,933	76,809
Other Income	3	3	599	852	7,976	7,864	594	488	20,732	19,655
Gain on revaluation	-	-	268	-	10,009	329	3,336	110	13,613	439
<b>Total Income</b>	<b>58,841</b>	<b>54,456</b>	<b>867</b>	<b>852</b>	<b>35,042</b>	<b>25,125</b>	<b>4,053</b>	<b>707</b>	<b>247,079</b>	<b>219,565</b>
<b>Net Cost of Services</b>	<b>67,715</b>	<b>63,132</b>	<b>39,729</b>	<b>70,405</b>	<b>977,445</b>	<b>981,334</b>	<b>100,868</b>	<b>98,576</b>	<b>2,082,853</b>	<b>1,595,121</b>
<b>Income from State Government</b>										
Service appropriations	66,593	63,130	53,120	64,560	973,131	958,751	97,676	92,559	1,553,351	1,504,522
Income from other public sector entities	-	-	3,132	6,010	398	836	230	48	45,928	52,483
Resources received	-	-	2,570	-	-	4,567	-	-	24,415	11,981
Royalties for Regions Fund	-	-	1,846	-	2,523	3,292	5,452	6,202	9,835	9,687
<b>Total income from State Government</b>	<b>66,593</b>	<b>63,130</b>	<b>60,668</b>	<b>70,570</b>	<b>976,052</b>	<b>967,446</b>	<b>103,358</b>	<b>98,809</b>	<b>1,633,529</b>	<b>1,578,673</b>
<b>Surplus/(Deficit) for the period</b>	<b>(1,122)</b>	<b>(2)</b>	<b>20,939</b>	<b>165</b>	<b>(1,394)</b>	<b>(13,888)</b>	<b>2,489</b>	<b>233</b>	<b>(449,324)</b>	<b>(16,448)</b>



## Notes to the financial statements

### 2.3 Schedule of assets and liabilities by service

	Court and Tribunal Services		Trustee Services		Equal Opportunity Commission		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Service	
	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)
<b>Assets</b>										
Current assets	61,799	56,318	382	17	29	15	145	91	330	1
Non-current assets	1,022,971	968,581	1,276	1,159	55	59	3,025	3,529	33	39
<b>Total assets</b>	<b>1,084,769</b>	<b>1,024,899</b>	<b>1,658</b>	<b>1,176</b>	<b>84</b>	<b>74</b>	<b>3,170</b>	<b>3,620</b>	<b>363</b>	<b>40</b>
<b>Liabilities</b>										
Current liabilities	77,120	96,798	3,048	3,378	378	490	545	620	1,193	1,103
Non-current liabilities	191,584	194,096	2,399	581	298	91	631	114	1,010	213
<b>Total liabilities</b>	<b>268,704</b>	<b>290,894</b>	<b>5,448</b>	<b>3,959</b>	<b>676</b>	<b>581</b>	<b>1,176</b>	<b>734</b>	<b>2,203</b>	<b>1,316</b>
<b>NET ASSETS</b>	<b>816,065</b>	<b>734,005</b>	<b>(3,790)</b>	<b>(2,783)</b>	<b>(592)</b>	<b>(507)</b>	<b>1,993</b>	<b>2,886</b>	<b>(1,841)</b>	<b>(1,276)</b>

	Services to Government		Adult Corrective Services		Youth Justice Services		National Redress Scheme		Total	
	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)	2022 (\$000)	2021 (\$000)
<b>Assets</b>										
Current assets	-	1,429	18,683	17,973	2,062	2,068	-	-	83,429	77,912
Non-current assets	51	489	1,918,076	1,777,262	235,805	222,406	-	-	3,181,291	2,973,524
<b>Total assets</b>	<b>51</b>	<b>1,918</b>	<b>1,936,759</b>	<b>1,795,235</b>	<b>237,867</b>	<b>224,474</b>	<b>-</b>	<b>-</b>	<b>3,264,720</b>	<b>3,051,436</b>
<b>Liabilities</b>										
Current liabilities	918	8,840	175,026	150,083	24,079	35,347	44,100	-	326,408	296,659
Non-current liabilities	938	1,667	179,012	198,245	23,354	25,397	428,500	-	827,727	420,404
<b>Total liabilities</b>	<b>1,856</b>	<b>10,507</b>	<b>354,038</b>	<b>348,328</b>	<b>47,433</b>	<b>60,744</b>	<b>472,600</b>	<b>-</b>	<b>1,154,135</b>	<b>717,063</b>
<b>NET ASSETS</b>	<b>(1,806)</b>	<b>(8,589)</b>	<b>1,582,721</b>	<b>1,446,907</b>	<b>190,434</b>	<b>163,730</b>	<b>(472,600)</b>	<b>-</b>	<b>2,110,585</b>	<b>2,334,373</b>

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

### 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(a)
Employee related provisions	3.1(b)
National Redress Scheme	3.2(a)
Grants and subsidies	3.2(b)
Supplies and services	3.3
Accommodation expenses	3.4
Prisoner gratuities	3.5
(Gain)/Loss on revaluation	3.6
Other expenditure	3.7
Cost of sales	4.3

#### 3.1(a) Employee benefits expenses

	2022 (\$000)	2021 (\$000)
Employee benefits	753,978	797,058
Termination benefits	3,287	448
Superannuation - defined contribution plans	71,561	70,575
<b>Total employee benefits expenses</b>	<b>828,826</b>	<b>868,081</b>
Add: AASB 16 Non-monetary benefits (not included in employee benefits expenses)	16,611	15,385
Less: Employee Contributions (per the statement of comprehensive income)	2,398	2,468
<b>Net employee benefits</b>	<b>843,039</b>	<b>880,998</b>

**Employee benefits** include wages, salaries and social contributions, accrued and paid leave entitlements and paid sick leave, and non-monetary benefits recognised under Australian Accounting Standards other than AASB 16 (such as medical care, housing, cars and free or subsidised goods or services) for employees.

**Termination benefits** are 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** is the amount recognised in profit or loss of the Statement of comprehensive income comprises employer contributions paid to the GSS (concurrent contributions), the WSS, other GESB schemes or other superannuation funds.

**AASB 16 Non-monetary benefits** are non-monetary employee benefits predominantly relating to the provision of vehicle and housing benefits that are recognised under AASB 16 which are excluded from the employee benefits expense.

**Employee Contributions** are 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(b) Employee related provisions

	2022 (\$000)	2021 (\$000)
Current		
<u>Employee benefits provisions</u>		
Annual leave	64,819	69,074
Long service leave	93,703	102,652
Deferred salary scheme	1,612	-
	<b>160,134</b>	<b>171,726</b>
<u>Other provisions</u>		
Employment on-costs	12,037	7,921
<b>Total current employee related provisions</b>	<b>172,171</b>	<b>179,647</b>
Non-current		
<u>Employee benefits provisions</u>		
Long service leave	31,788	36,910
<u>Other provisions</u>		
Employment on-costs	2,352	1,674
<b>Total non-current employee related provisions</b>	<b>34,140</b>	<b>38,584</b>
<b>Total employee related provisions</b>	<b>206,311</b>	<b>218,231</b>

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.

**Annual leave liabilities** are 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:

	2022 (\$000)	2021 (\$000)
Within 12 months of the end of the reporting period	41,719	48,254
More than 12 months after the end of the reporting period	23,100	20,820
	<b>64,819</b>	<b>69,074</b>

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.

**Long service leave liabilities** are 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. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2022 (\$000)	2021 (\$000)
Within 12 months of the end of the reporting period	33,529	41,674
More than 12 months after the end of the reporting period	91,962	97,888
	<b>125,491</b>	<b>139,562</b>

Notes to the financial statements

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.

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 included this liability in the above provisions.

**Deferred salary scheme liabilities** are classified as current where there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period. Actual settlement of the liabilities is expected to occur as follows:

	2022 (\$000)
Within 12 months of the end of the reporting period	704
More than 12 months after the end of the reporting period	908
	<b>1,612</b>

The provision for deferred leave relates to employees who have entered into an agreement to self-fund an additional twelve months leave in the fifth year of the agreement. The provision recognises the value of salary set aside for employees to be used in the fifth year. This liability is measured on the same basis as annual leave. Deferred leave is reported as a current provision as employees can leave the scheme at their discretion at any time.

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

	2022 (\$000)	2021 (\$000)
<b>Employment on-costs provision</b>		
Carrying amount at start of period	9,595	8,384
Additional provisions recognised	4,794	1,211
<b>Carrying amount at end of period</b>	<b>14,389</b>	<b>9,595</b>

**Key sources of estimation uncertainty – long service leave**

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

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

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

Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision. Any gain or loss following revaluation of the present value of long service leave liabilities is recognised as employee benefits expense.

**3.2(a) National Redress Scheme (NRS)**

The Department of Justice is responsible for managing the operation of the National Redress scheme (The Scheme) on behalf of WA Government agencies. The Scheme was established in response to the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission). The Scheme commenced on 1 July 2018 and will run for 10 years, with the WA government participating in the Scheme from 1 January 2019.

The Scheme offers the following elements of redress for victims of institutional child sexual abuse:

- A redress payment of up to \$150,000;
- Access to counselling and psychological care services and;
- A direct personal response from the responsible institution.

The payments made during the financial year and provisions made for future claims is as below:

	2022	2021
	(\$000)	(\$000)
National Redress Scheme – payments during the year <sup>(a)</sup>	37,293	40,890
National Redress Scheme – provision as at 30 June 2022 <sup>(b)</sup>	472,600	-
<b>National Redress Scheme</b>	<b>509,893</b>	<b>40,890</b>

(a) The National Redress Scheme payments are in response to the Royal Commission. See note 4.1(c) 'Income from State Government'.

(b) The provision (Note 6.6) has been recorded in accordance with AASB 137 (Provisions, Contingent Liabilities and Contingent Assets). The provision takes into consideration the WA claims experience, the number of applications notified and discounted using risk-free discount rates as at 30 June 2022.

**3.2(b) Grants and subsidies**

	2022	2021
	(\$000)	(\$000)
<b>Recurrent</b>		
Legal Assistance <sup>(a)</sup>	125,679	115,679
Criminal Injuries Compensation Payments <sup>(b)</sup>	97,574	68,521
Accused Costs Payments <sup>(c)</sup>	5,647	4,775
Ex-Gratia Payments <sup>(d)</sup>	216	20
Act of Grace Payments <sup>(d)</sup>	4	26
Other grants and subsidies	6,320	5,136
<b>Total grants and subsidies</b>	<b>235,440</b>	<b>194,157</b>

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 or subsidy expenses'. These payments or transfers are recognised at fair value at the time of the transaction and are recognised as an expense in the reporting period in which they are paid. 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.

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.

- (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) Accused Costs Payments represent payments of costs ordered under the *Official Prosecutions (Accused's Costs) Act 1973*.
- (d) 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 \$4,000. 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 \$216,059.

**3.3 Supplies and services**

	2022	2021
	(\$000)	(\$000)
<b>Supplies and services</b>		
Communications	6,382	5,807
Electricity, gas and water	18,537	18,203
Municipal rates and charges	4,318	3,890
Goods and services purchased	53,619	50,042
Livestock purchases	7,989	6,535
Plant, equipment and vehicle operating expenses	447	372
Computer services and licences	39,649	39,026
Private prison service & maintenance	82,790	84,442
Court security and custodial service	62,454	57,616
Service purchased from Not-For-Profits	38,964	37,125
Other services and contracts	107,517	87,963
<b>Total supplies and services expenses</b>	<b>422,666</b>	<b>391,021</b>

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.

**3.4 Accommodation expenses**

	2022	2021
	(\$000)	(\$000)
<b>Accommodation expenses</b>		
Office Rental	56,998	57,315
<b>Total Accommodation expenses</b>	<b>56,998</b>	<b>57,315</b>

Office rental is expensed as incurred as Memorandum of Understanding Agreements between the Department and the Department of Finance for the leasing of office accommodation contain significant substitution rights.

**3.5 Prisoner gratuities**

	2022	2021
	(\$000)	(\$000)
<b>Prisoner gratuities</b>		
Payment to prisoners	12,692	12,841
<b>Total payment to prisoners</b>	<b>12,692</b>	<b>12,841</b>

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

**3.6 Loss/(Gain) on revaluation**

	2022	2021
	(\$000)	(\$000)
<b>Loss/(Gain) on revaluation</b>		
Buildings	-	268
<b>Total loss on revaluation</b>		<b>268</b>
Buildings	(268)	-
Land	(13,345)	(439)
<b>Total (gain) on revaluation</b>	<b>(13,613)</b>	<b>(439)</b>

Please see note 5.1(b) 'Property, plant and equipment' for current year gain on revaluation.

**3.7 Other expenditure**

	2022	2021
	(\$000)	(\$000)
<b>Other expenses</b>		
Insurance	61,383	47,701
Building and infrastructure maintenance	28,929	34,233
Travel and accommodation	8,344	7,668
Staff accommodation	6,619	6,792
Equipment repairs and maintenance	5,092	4,037
Freight and couriers	2,583	2,725
Vehicle hire, fuel, registration and management fees	2,734	3,866
Staff clothing and uniforms	1,591	1,530
Jurors' expense	2,058	1,566
Printing	1,364	1,429
Staff training	1,405	1,467
Miscellaneous staff costs	918	1,005
Employment on-costs	4,794	1,211
Expected credit losses expense	2,057	50
Other expenses	3,992	4,497
Loss on disposal of non-current assets	646	54
<b>Total other expenses</b>	<b>134,509</b>	<b>119,831</b>

Building and infrastructure maintenance 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.

Estimated costs of remediation provision at the Karnet Prison Farm are also included here. Please see note 6.6 'Other provision'

Expected credit losses is recognised for movement in allowance for impairment of trade receivables. 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(b) 'Employee related provisions'. Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

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.

## 3.7 Other expenditure (cont)

	2022 (\$000)	2021 (\$000)
<u>Net proceeds from disposal of non-current assets</u>		
Plant, equipment and motor vehicles	-	(46)
<u>Carrying amount of non-current assets disposed</u>		
Plant, equipment and motor vehicles	646	100
<b>Losses on disposal of non-current assets</b>	<b>646</b>	<b>54</b>

## 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

	2022 (\$000)	2021 (\$000)
Appropriation received during the period		
- Service appropriation <sup>(a)</sup>	1,553,351	1,504,522
<b>Total service appropriation received</b>	<b>1,553,351</b>	<b>1,504,522</b>
Income received from other public sector entities during the period <sup>(b)</sup>		
- National Redress Scheme <sup>(c)</sup>	38,750	42,336
- Legal services - State Solicitor's Office	1,337	5,645
- Recoup of costs - Building Disputes Tribunal <sup>(d)</sup>	1,709	1,644
- Residential tenancies reimbursements <sup>(e)</sup>	1,668	1,539
- Other income received from other public sector entities	2,464	1,319
<b>Total income from other public sector entities</b>	<b>45,928</b>	<b>52,483</b>
Resources received from other public sector entities during the period - Services received free of charge <sup>(f)</sup>		
- Western Australia Police - Court security and custodial services	16,712	7,414
- Department of Finance - Accommodation	3,705	2,841
- North Metropolitan Health Services - Dental treatment to prisoners	1,920	1,410
- Western Australian Land Information Authority (Landgate) - Valuation	387	313
- State Solicitor's Office (1st Oct 2021 - 30th June 2022)	1,689	-
- Department of Education - Road safety and drug prevention education	2	3
<b>Total resources received</b>	<b>24,415</b>	<b>11,981</b>
Royalties for Regions Fund		
- Regional infrastructure and headworks account <sup>(g)</sup>	9,835	9,687
<b>Total Royalties for Regions Fund</b>	<b>9,835</b>	<b>9,687</b>
<b>Total income from State Government</b>	<b>1,633,529</b>	<b>1,578,673</b>

(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 Treasury.

(b) **Income from other public sector entities** 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.

(c) **The National Redress Scheme** is in response to the Royal Commission. 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.

## Notes to the financial statements

(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, and Regional Community Services Accounts** are sub-funds within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in WA regional areas and are recognised as income when the Department receives the funds.

### Summary of consolidated account appropriations

	2022 Budget Estimate (\$000)	2022 Supplementary Funding (\$000)	2022 Revised Budget (\$000)	2022 Actual (\$000)	2022 Variance (\$000)
<b>Delivery of Services</b>					
Item 64 Net amount appropriated to deliver services	1,355,704	22,804	1,378,508	1,387,987	9,479
Amount Authorised by Other Statutes					
- <i>Criminal Injuries Compensation Act 2003</i>	31,817	65,770	97,587	97,587	-
- <i>Salaries and Allowances Act 1975</i>	33,480	(147)	33,333	34,180	847
- <i>District Court of Western Australia Act 1969</i>	14,580	460	15,040	15,040	-
- <i>Judges' Salaries and Pensions Act 1950</i>	11,962	58	12,020	12,020	-
- <i>State Administrative Tribunal Act 2004</i>	6,168	(215)	5,953	5,953	-
- <i>Solicitor General Act 1969</i>	-	-	-	149	149
- <i>Children's Court of Western Australia Act 1988</i>	406	21	427	427	-
- <i>Suitor's Fund Act 1964</i>	-	-	-	8	8
<b>Total appropriations provided to deliver services</b>	<b>1,454,118</b>	<b>88,751</b>	<b>1,542,868</b>	<b>1,553,351</b>	<b>10,483</b>
<b>Capital</b>					
Item 129 Capital appropriations	95,171	980	96,151	96,185	34
<b>GRAND TOTAL</b>	<b>1,549,289</b>	<b>89,731</b>	<b>1,639,019</b>	<b>1,649,536</b>	<b>10,517</b>

### 4.2 User charges and fees

	2022 (\$000)	2021 (\$000)
Court fees <sup>(a)</sup>	84,801	76,316
Public Trustee fees <sup>(b)</sup>	23,120	22,076
Births, deaths and marriages fees	8,652	7,333
Miscellaneous fees and charges	94	157
	<b>116,667</b>	<b>105,882</b>

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 fee \$49,402,071 (2021: \$45,057,451). 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 Office 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

	2022 (\$000)	2021 (\$000)
<b>Sales of goods</b>	<b>16,134</b>	<b>16,780</b>
Cost of Sales:		
Opening Inventory	(1,438)	(1,350)
Purchases	(15,251)	(16,174)
	(16,689)	(17,524)
<b>Closing Inventory</b>	<b>1,347</b>	<b>1,438</b>
Cost of Goods Sold	(15,342)	(16,086)
<b>Gross profit</b>	<b>792</b>	<b>694</b>

Closing Inventory comprises:

#### Current Inventories

Finished goods

Held for trading	1,347	1,438
Held for consumption	4,467	4,334

**Total current inventories** 5,814 5,772

#### Total Inventories

**5,814 5,772**

#### Sale of goods

Revenue is recognised at the transaction price when the Department transfers control of the goods to customers. 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

	2022 (\$000)	2021 (\$000)
National Legal Assistance Partnership <sup>(a)</sup>	59,524	54,453
Commonwealth grant for Family Court	15,095	17,101
Commonwealth grant for Family Court (non-cash contribution)	4,811	4,747
Commonwealth grant for Christmas and Cocos Island cost	503	508
<b>Total Commonwealth grants</b>	<b>79,933</b>	<b>76,809</b>

Recurrent grants are recognised as income when the grants are receivable.

(a) The National Legal Assistance Partnership (NLAP) is a 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 3.2 'Grant and subsidies'.

Christmas and Cocos Island Acquittal (cash basis)

	2022 (\$000)	2021 (\$000)
Opening balance at start of period	284	86
<b>Receipts</b>		
Commonwealth reimbursements	394	624
<b>Total receipts</b>	<b>394</b>	<b>624</b>
<b>Payments</b>		
Operating costs	508	426
<b>Total payments</b>	<b>508</b>	<b>426</b>
Closing balance at end of period	170	284

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 income

	2022 (\$000)	2021 (\$000)
Employee contributions <sup>(a)</sup>		
- Staff Rental GROH Recoups	2,143	2,139
- Vehicle contribution	255	328
	<b>2,398</b>	<b>2,467</b>
Public Trustee - common fund surplus <sup>(b)</sup>	3,604	3,729
Recoup of prisoner telephone expenditure	2,413	2,507
Sale of goods and services	2,171	2,317
Criminal injuries payment recoveries <sup>(c)</sup>	7,023	5,349
Australian Capital Territory Law Courts (ACT) Law Courts & Tribunal Integrated Case Management System (ICMS) Project <sup>(d)</sup>	409	640
Recoup legal costs	85	454
Recoup law library costs	600	600
Recoup of salaries	163	40
Other miscellaneous revenue	1,866	1,551
<b>Total other income</b>	<b>20,732</b>	<b>19,655</b>

(a) Income received by the Department from subleasing of right-of-use assets relates to lease payments received from operating leases. The Department has leased a number of right-of-use assets from the Government Regional Officer Housing (GROH), which it subleases out to employees at a subsidised rate. Information on the Department's leasing arrangements with GROH can be found in note 3.1(a) 'Employee benefit expenses'.

(b) **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.

(c) **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 'Receivables'.

(d) **Australian Capital Territory (ACT) Law Courts & Tribunal Integrated Court Management System (ICMS) Project** revenue relates to ongoing remote support and maintenance of the ICMS to the ACT.

Notes to the financial statements

5. Key assets

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
Infrastructure, property, plant and equipment	5.1
Intangibles	5.2
Right-of-use (ROU) assets	5.3

5.1 Infrastructure, property, plant and equipment

Year ended 30 June 2022	Land	Buildings	Leasehold improvements	Plant, equipment and vehicles	Work in Progress	Total
	\$000	\$000	\$000	\$000	\$000	\$000
<b>1 July 2021</b>						
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)
<b>Carrying amount at start of period</b>	<b>166,119</b>	<b>1,685,465</b>	<b>15,999</b>	<b>45,232</b>	<b>43,264</b>	<b>1,956,079</b>
Additions	-	1,051	126	2,015	67,667	70,859
Transfers	-	20,343	198	770	(21,311)	-
Disposals <sup>(a)</sup>	-	(130)	(93)	(772)	-	(995)
Revaluation increment/(decrement) <sup>(b)</sup>	19,710	125,326	-	-	-	145,036
Depreciation	-	(37,679)	(3,959)	(8,382)	-	(50,020)
<b>Carrying amount at 30 June 2022</b>	<b>185,829</b>	<b>1,794,376</b>	<b>12,271</b>	<b>38,863</b>	<b>89,620</b>	<b>2,120,959</b>
Gross carrying amount	185,829	1,794,376	57,978	106,422	89,620	2,234,225
Accumulated depreciation	-	-	(45,707)	(67,559)	-	(113,266)

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

(b) The land revaluation resulted in a \$19,709,750 increment during 2021-22 of which \$13,345,212 was reversed out of the profit or loss to eliminate previous revaluation decrement. The balance of \$6,364,537 is recognised as a revaluation increment in Other Comprehensive Income. The building revaluation resulted in a \$125,325,704 increment during 2021-22 of which \$267,943 was reversed out of the profit or loss to eliminate the previous revaluation decrement. The balance of \$125,057,761 is recognised as revaluation increment in Other Comprehensive Income.

Notes to the financial statements

Year ended 30 June 2021	Land	Buildings	Leasehold improvements	Plant, equipment and vehicles	Work in Progress	Total
	\$000	\$000	\$000	\$000	\$000	\$000
<b>1 July 2020</b>						
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)
<b>Carrying amount at start of period</b>	<b>165,706</b>	<b>1,674,704</b>	<b>18,972</b>	<b>44,817</b>	<b>51,432</b>	<b>1,955,631</b>
Additions	-	3,423	69	3,521	52,876	59,889
Transfers <sup>(a)</sup>	-	53,421	1,547	6,076	(61,044)	-
Disposals	(26)	(898)	-	(393)	-	(1,317)
Revaluation increment/(decrement) <sup>(b)</sup>	439	(8,063)	-	-	-	(7,624)
Depreciation	-	(37,122)	(4,589)	(8,789)	-	(50,500)
<b>Carrying amount at 30 June 2021</b>	<b>166,119</b>	<b>1,685,465</b>	<b>15,999</b>	<b>45,232</b>	<b>43,264</b>	<b>1,956,079</b>
Gross carrying amount	166,119	1,685,465	58,172	107,081	43,264	2,060,101
Accumulated depreciation	-	-	(42,173)	(61,849)	-	(104,022)

(a) The Department of Planning, Lands and Heritage (DPLH) is the only Department 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 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'

Initial recognition

Items of property, plant and equipment and infrastructure, costing \$5,000 or more are measured initially at cost. Where an asset is acquired for no cost or significantly less than fair value, the cost is valued at its fair value at the date of acquisition. Items of property, plant and equipment and infrastructure 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).

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; and
- buildings.

Land is carried at fair value.

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

Infrastructure, plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

**Land and buildings** are independently valued annually by Western Australian Land Information Authority (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 2021 by Landgate. The valuations were performed during the year ended 30 June 2022 and recognised at 30 June 2022. In undertaking the revaluation, fair value was determined by reference to market values for land: \$185,828,900 (2021: \$166,119,150) and buildings: \$1,794,376,334 (2021: \$1,685,465,335). For the remaining balance, fair value of buildings was determined on the basis of current replacement cost and fair value of land was determined on the basis of comparison with market evidence for land with low level utility (high restricted use land).



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

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

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

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

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

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

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

**5.1.1. Depreciation and impairment****Charge for the period**

	Notes	2022 (\$000)	2021 (\$000)
<b>Depreciation</b>			
Buildings	5.1	37,679	37,122
Plant equipment and motor vehicles	5.1	8,382	8,789
Leasehold improvements	5.1	3,959	4,589
<b>Total depreciation for the period</b>		<b>50,020</b>	<b>50,500</b>

As at 30 June 2022, there were no indications of impairment to property, plant and equipment infrastructure. All surplus assets at 30 June 2022 have either been classified as assets held for sale or have been written-off.

**Useful lives**

All infrastructure, 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:

Asset	Useful life: Years
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.

**Impairment**

Non-financial assets, including items of infrastructure, 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 through 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 declining replacement costs.

**5.2 Intangible assets**

Year ended 30 June 2022	Computer Software (\$000)	Software under development (\$000)	Total (\$000)
<b>1 July 2021</b>			
Gross carrying amount	83,098	1,563	84,661
Accumulated amortisation	(76,991)	-	(76,991)
<b>Carrying amount at start of period</b>	<b>6,107</b>	<b>1,563</b>	<b>7,670</b>
Additions	-	2,403	2,403
Transfers	2,804	(2,804)	-
Software Reclassification <sup>(a)</sup>	(764)	-	(764)
Amortisation expense	(2,044)	-	(2,044)
<b>Carrying amount at 30 June 2022</b>	<b>6,103</b>	<b>1,162</b>	<b>7,265</b>

Year ended 30 June 2021	Computer Software (\$000)	Software under development (\$000)	Total (\$000)
<b>1 July 2020</b>			
Gross carrying amount	82,375	124	82,499
Accumulated amortisation	(74,701)	-	(74,701)
<b>Carrying amount at start of period</b>	<b>7,674</b>	<b>124</b>	<b>7,798</b>
Additions	92	2,071	2,163
Transfers	632	(632)	-
Amortisation expense	(2,291)	-	(2,291)
<b>Carrying amount at 30 June 2021</b>	<b>6,107</b>	<b>1,563</b>	<b>7,670</b>

(a) The IFRS Interpretations Committee (IFRIC) has issued the following agenda decisions with respect to accounting for Software as a service (SaaS) arrangement.

- The first agenda decision, published in March 2019, concludes that SaaS arrangements are likely to be service arrangements, rather than intangible or leased assets. This is because the customer typically only has a right to receive future access to the supplier's software running on the supplier's cloud infrastructure and therefore the supplier controls the intellectual property (IP) of the underlying software code.
- The second agenda decision, published in April 2021, deals with specific circumstances in relation to configuration and customisation costs incurred in implementing SaaS:
  - In limited circumstances, certain configuration and customisation activities undertaken in implementing SaaS arrangements may give rise to a separate asset, where the customer controls the IP of the underlying software code. For example, the development of bridging modules to existing on-premise systems or bespoke additional software capability.
  - In all other instances, configuration and customisation costs will be an operating expense. They are generally recognised in profit or loss as the customisation and configuration services are performed or, in certain circumstances, over the SaaS contract term when access to the cloud application software is provided.

Upon review of the interpretations, two intangible assets valued at \$764,331 were identified as being under the SaaS arrangement and were expensed in 2022. The impact of the above interpretations is considered immaterial by the Department to warrant a prior period adjustment.

#### 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 of AASB 138.57 *Intangible Assets* (as noted above), are capitalised.

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 of intangible assets, requiring the asset to be carried at cost less any accumulated amortisation and accumulated impairment losses.

#### 5.2.1 Amortisation and impairment

	2022 (\$000)	2021 (\$000)
<b>Charge for the period</b>		
Computer software	2,044	2,291
<b>Total amortisation for the period</b>	<b>2,044</b>	<b>2,291</b>

As at 30 June 2022 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 estimated useful lives for each class of intangible assets are:

Asset	Useful life: Years
Software (a)	5 years

(a) Software that is not integral to the operation of any related hardware.

#### 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'.

#### 5.3 Right-of-use assets

Year ended 30 June 2022	Buildings \$000	Employee housing \$000	Plant and equipment \$000	Vehicles \$000	Total \$000
<b>1 July 2021</b>					
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)
<b>Carrying amount at start of period</b>	<b>391,481</b>	<b>10,964</b>	<b>4,289</b>	<b>8,939</b>	<b>415,673</b>
Additions	822	16,720	810	3,897	22,249
Disposals	-	(4,228)	-	(366)	(4,594)
Depreciation	(9,569)	(11,967)	(1,568)	(4,099)	(27,203)
<b>Carrying amount at 30 June 2022</b>	<b>382,734</b>	<b>11,489</b>	<b>3,531</b>	<b>8,371</b>	<b>406,125</b>
Gross carrying amount	410,414	22,749	7,474	17,094	457,732
Accumulated depreciation	(27,680)	(11,260)	(3,943)	(8,723)	(51,607)

Year ended 30 June 2021	Buildings \$000	Employee housing \$000	Plant and equipment \$000	Vehicles \$000	Total \$000
<b>1 July 2020</b>					
Gross carrying amount	411,828	17,559	5,905	13,999	449,291
Accumulated depreciation	(11,080)	(7,517)	(996)	(5,829)	(25,422)
<b>Carrying amount at start of period</b>	<b>400,748</b>	<b>10,042</b>	<b>4,909</b>	<b>8,170</b>	<b>423,869</b>
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)
<b>Carrying amount at 30 June 2021</b>	<b>391,481</b>	<b>10,964</b>	<b>4,289</b>	<b>8,939</b>	<b>415,673</b>
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)

#### 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 corresponding lease liabilities in relation to these ROU assets have been disclosed in note 7.1 'Lease liabilities'.

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 ROU 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

### Depreciation and impairment of right-of-use 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:

	2022	2021
	(\$000)	(\$000)
Depreciation expense of ROU assets	27,203	26,362
Lease interest expense	34,299	35,043
Short-term leases	1,977	33
Low-value leases	307	1,034
<b>Total amount recognised in the statement of comprehensive income</b>	<b>63,786</b>	<b>62,472</b>

The total cash outflow for leases in 2022 was \$65,468,437 (2021: \$64,787,628). As at 30 June 2022 there were no indications of impairment to ROU assets.

*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 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

### 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

	2022	2021
	(\$000)	(\$000)
<b>Current</b>		
Trade receivables	7,255	1,976
Allowance for impairment of trade receivables	(65)	(55)
Accrued revenue	1,218	2,179
GST receivable	8,768	9,652
	<b>17,176</b>	<b>13,752</b>
Loans and advances:		
Other debtors	8,732	4,036
Allowance for impairment of other receivables	(1,992)	-
	<b>6,740</b>	<b>4,036</b>
<b>Total current</b>	<b>23,916</b>	<b>17,788</b>
<b>Total receivables</b>	<b>23,916</b>	<b>17,788</b>

Trade receivables are initially recognised at their transaction price or, for those receivables that contain a significant financing component, at fair value. The Department holds the receivables with the objective to collect the contractual cash flows and therefore subsequently measured at amortised cost using the effective interest method, less an allowance for impairment.

The Department recognises a loss allowance for expected credit losses (ECL) on a receivable not held at fair value through profit or loss. The ECL based on the difference between the contractual cash flows and the cash flows that the entity expects to receive, discounted at the original effective interest rate. Individual receivables are written off when the Department has no reasonable expectations of recovering the contractual cash flows.

For receivables, the Department recognises an allowance for ECLs 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 3.7 'Other expenditure' for the amount of ECL expensed in this financial year.

## Notes to the financial statements

### 6.1.1 Movement in the allowance for impairment of receivables

	2022 (\$000)	2021 (\$000)
<b>Reconciliation of changes in the allowance for impairment of receivables:</b>		
Opening balance	55	30
Expected credit losses expense	2,057	50
Amounts written off during the period	(55)	(25)
<b>Allowance for Impairment at end of period</b>	<b>2,057</b>	<b>55</b>

The maximum exposure to credit risk at the end of the reporting period for 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 instruments disclosure'. The Department does not hold any collateral as security or other credit enhancements for trade receivables.

### 6.2 Amounts receivable for services (Holding Account)

	2022 (\$000)	2021 (\$000)
Current	13,925	11,625
Non-current	631,045	580,602
<b>Total amounts receivable for services at end of period</b>	<b>644,970</b>	<b>592,227</b>

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

The amounts receivable for services are financial assets at amortised cost, and are not considered impaired (i.e. there is no expected credit loss of the holding accounts).

### 6.3 Other assets

	2022 (\$000)	2021 (\$000)
Prepayments	2,719	7,115
<b>Total other assets at end of period</b>	<b>2,719</b>	<b>7,115</b>

Prepayments represent payments like 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

	2022 (\$000)	2021 (\$000)
Biological assets	3,056	3,143
<b>Total Biological assets at end of period</b>	<b>3,056</b>	<b>3,143</b>

Reconciliation of the fair value of biological assets at the beginning and end of the reporting period is set out below.

	2022 (\$000)	2021 (\$000)
Carrying amount at start of period	3,143	2,414
Change in valuation of livestock, orchards and plantations	(87)	729
Carrying amount at end of period	3,056	3,143

## Notes to the financial statements

### 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

Orchards and plantations are stated at their fair value, which is based on:

- The actual tree quantities provided directly from sites; and
- The estimated average unit wholesale replacement cost from fruit tree nurseries and other online resources.

Biological assets are revalued on an annual basis.

### 6.5 Payables

	2022 (\$000)	2021 (\$000)
<b>Current</b>		
Trade payables	17,758	19,296
Prisoner Gratuities	1,828	1,625
Accrued salaries	18,161	15,050
Accrued expenses	42,927	54,396
<b>Total payables at end of period</b>	<b>80,674</b>	<b>90,367</b>

**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.

**Prisoner 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.

### 6.6 Other provisions

	2022 (\$000)	2021 (\$000)
<b>Current</b>		
National Redress Scheme	44,100	-
Remediation provisions	703	-
<b>Non-current</b>		
National Redress Scheme	428,500	-
<b>Total provisions at end of period</b>	<b>473,303</b>	<b>-</b>

### National Redress Scheme

The National Redress Scheme (the Scheme) was created in response to the recommendations of the Royal Commission. The Scheme commenced on 1 July 2018 and will operate 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 Scheme will deliver a financial payment of up to \$150,000, access to psychological counselling and an apology from the responsible institution to eligible survivors of institutional child abuse. If a survivor is eligible for redress payments, funding will be made available. Due to the historical nature of the abuse in question, the precise number of eligible survivors of abuse is difficult to estimate. For the 2022 financial year the Department has engaged an independent actuarial expert to develop an estimated amount to be provisioned for future claims within the scheme. This has resulted in the recognition for the first time of a provision for incurred but not yet reported (IBNR) claims resulting in the recognition of an allowance of \$472.6m. In previous years it was determined that a reliable estimate of this provision could not be made based on the available information at that time and was consequently previously reported as a contingent liability at 30 June 2021. The calculation has considered an estimation of the number of redress participants, an estimation of the average payment amounts and the discounting of the related future cash flows to present value at a risk-free market rate.

## Notes to the financial statements

## Remediation provisions - Karnet Prison Farm

The contaminated site is classified as remediation required. The old tip site has undergone remediation process in the past, however, a subsequent inspection and site assessment was undertaken by Environmental Site Services (ESS) in November 2021, arranged by the Department. The result indicated that the entire footprint of the cleared area within the site is considered to be asbestos-impacted, and requires further remediation. A new reconciliation action plan has been developed and submitted to Department of Water and Environmental Regulation (DWER) and Department of Health (DOH) for review and is currently waiting for their approval. A consultant has provided an estimated cost of \$700,000 to remedy the site if the plan is approved. This is expected to be resolved in financial year 2022-23.

## 6.6.1 Movement in other provisions

	2022	2021
	(\$000)	(\$000)
<u>National Redress Scheme</u>		
Carrying amount at start of period	-	-
Additional provisions recognised	472,600	-
<b>Carrying amount at end of period</b>	<b>472,600</b>	<b>-</b>
<u>Remediation provisions</u>		
Carrying amount at start of period	-	-
Additional provisions recognised	703	-
<b>Carrying amount at end of period</b>	<b>703</b>	<b>-</b>

## 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 Lease liabilities

	2022	2021
	(\$000)	(\$000)
Current	28,760	26,645
Non-current	365,087	381,820
<b>Total lease liability</b>	<b>393,847</b>	<b>408,465</b>

## Initial Measurement

At the commencement date of the lease, the Department recognises lease liabilities measured at the present value of lease payments to be made over the lease term. 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 5.3 Right-of-Use 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.

## Notes to the financial statements

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.

**District Court Building**

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

**7.2 Assets pledged as security**

	2022 (\$000)	2021 (\$000)
<b>Assets pledged as security</b>		
The carrying amounts of non-current assets pledged as security are:		
Right-of-use assets	382,734	391,481
<b>Total assets pledged as security</b>	<b>382,734</b>	<b>391,481</b>

The Department has secured the right-of-use assets against the related lease liabilities. In the event of default, the rights to the leased assets will revert to the lessor. See note 5.3 'Right-of-use Assets'.

**7.3 Finance costs**

	2022 (\$000)	2021 (\$000)
<b>Finance costs</b>		
Lease interest expense	34,299	35,043
<b>Total finance costs expensed</b>	<b>34,299</b>	<b>35,043</b>

'Finance costs' includes the interest component of the lease liability repayments.

**7.4 Cash and cash equivalents****7.4.1 Reconciliation of cash**

	2022 (\$000)	2021 (\$000)
Cash and cash equivalents	30,903	29,545
Restricted cash and cash equivalents	18,993	16,424
<b>Total cash and cash equivalents at the end of period</b>	<b>49,896</b>	<b>45,969</b>
<b>Restricted cash and cash equivalents</b>	<b>2022 (\$000)</b>	<b>2021 (\$000)</b>
<b>Current</b>		
Unclaimed Monies <sup>(a)</sup>	2,806	2,696
Royalties for Regions Fund <sup>(b)</sup>	290	228
<b>Total Current</b>	<b>3,096</b>	<b>2,924</b>
<b>Non-current</b>		
Accrued salaries suspense account <sup>(c)</sup>	15,897	13,500
<b>Total Non-current</b>	<b>15,897</b>	<b>13,500</b>

(a) Represents stale and un-presented 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 equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and which are subject to insignificant risk of changes in value.

The accrued salaries suspense account consists of amounts paid annually, from the Departments 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.

**7.4.2 Reconciliation of net cost of services to net cash flows used in operating activities**

	Notes	2022 (\$000)	2021 (\$000)
Net cost of services		(2,082,853)	(1,595,121)
<b>Non-cash Items</b>			
Depreciation and amortisation expense	5.1.1, 5.2.1, 5.3	79,266	79,153
Resources received free of charge	4.1, 4.4	29,226	16,728
Loss on disposal of property, plant and equipment	3.7	646	54
Loss on revaluation of land and building		-	268
Gain on revaluation of land and building	3.6	(13,613)	(439)
Canteen Sales	4.3	(16,134)	(16,780)
Telephone Recoups	4.5	(2,413)	(2,507)
Prisoner Gratuities	4.3	16,134	16,780
Adjustment for other non-cash items		6,417	(6,043)
<b>(Increase)/decrease in assets</b>			
Receivables <sup>(a)</sup>		(6,128)	1,254
Other assets		4,395	(3,739)
Inventories		(42)	(1,027)
<b>Increase/(decrease) in liabilities</b>			
Payables <sup>(a)</sup>		(9,693)	(5,922)
Current Employee related provisions		(11,920)	27,762
Other provisions	3.2(a), 6.6	473,303	-
Net GST receipts/(payments) <sup>(b)</sup>		69,201	62,416
Change in GST in receivables/payables <sup>(c)</sup>		(69,201)	(62,416)
<b>Net cash used in operating activities</b>		<b>(1,533,409)</b>	<b>(1,489,579)</b>

(a) Note that the Australian Taxation Office (ATO) receivable/payable in respect of GST and the receivable/payable in respect of the sale/purchase of non-current assets are not included in these items as they do not form part of the reconciling items.

(b) This is the net GST paid/received.

(c) This reverses out the GST in receivables and payables.

**7.5 Capital Commitments**

	2022 (\$000)	2021 (\$000)
Capital expenditure commitments, being contracted capital expenditure additional to the amounts reported in the financial statements, are payable as follows:		
Within 1 year	27,429	48,879
Later than 1 year and not later than 5 years	6	19,957
Later than 5 years	-	-
	<b>27,435</b>	<b>68,836</b>

**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	8.2

**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.

Notes to the financial statements

(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:

	2022 (\$000)	2021 (\$000)
<b>Financial assets</b>		
Cash and cash equivalents	30,903	29,545
Restricted cash and cash equivalents	18,993	16,424
Financial assets at amortised cost <sup>(a)</sup>	660,118	600,363
<b>Total financial assets</b>	<b>710,014</b>	<b>646,332</b>
<b>Financial liabilities</b>		
Financial liabilities at amortised cost <sup>(b)</sup>	474,521	498,832
<b>Total financial liabilities</b>	<b>474,521</b>	<b>498,832</b>

(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 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)
<b>30 June 2022</b>						
Expected credit loss rate		26.41%	14.06%	16.38%	19.28%	18.64%
Estimated total gross carrying amount at default <sup>(a)</sup>	8,637	5,911	245	109	255	2,117
Expected credit losses	(2,057)	(1,561)	(34)	(18)	(49)	(395)
<b>30 June 2021</b>						
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)

Notes to the financial statements

(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.

	Weighted average effective interest rate	Carrying amount	Interest rate exposure			Nominal amount	Maturity dates				
			Fixed interest rate	Variable interest rate	Non-interest bearing		Up to 1 month	1-3 months	3 months to 1 year	1-5 years	More than 5 years
		(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
<b>2022</b>											
<b>Financial Assets</b>											
Cash and cash equivalents		30,903	-	-	30,903	30,903	30,903	-	-	-	-
Restricted cash and cash equivalents		18,993	-	-	18,993	18,993	3,096	-	-	15,897	-
Receivables <sup>(a)</sup>		15,148	-	-	15,148	15,148	15,148	-	-	-	-
Amounts receivable for services <sup>(a)</sup>		644,970	-	-	644,970	644,970	1,341	2,235	10,349	46,500	584,545
		710,014	-	-	710,014	710,014	50,488	2,235	10,349	62,397	584,545
<b>Financial Liabilities</b>											
Payables		80,674	-	-	80,674	80,674	80,674	-	-	-	-
Lease liabilities <sup>(b)</sup>	8.54%	393,847	393,847	-	-	705,121	5,774	10,911	44,805	248,813	394,818
		474,521	393,847	-	80,674	785,795	86,448	10,911	44,805	248,813	394,818

(a) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).

(b) The amount of lease liabilities includes \$370,045,088 from leased buildings and \$8,614,499 from leased vehicles.

	Weighted average effective interest rate	Carrying amount	Interest rate exposure			Nominal amount	Maturity dates				
			Fixed interest rate	Variable interest rate	Non-interest bearing		Up to 1 month	1-3 months	3 months to 1 year	1-5 years	More than 5 years
		(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	
<b>2021</b>											
<b>Financial Assets</b>											
Cash and cash equivalents		29,545	-	-	29,545	29,545	29,545	-	-	-	-
Restricted cash and cash equivalents		16,424	-	-	16,424	16,424	2,924	-	-	-	13,500
Receivables <sup>(a)</sup>		8,136	-	-	8,136	8,136	8,136	-	-	-	-
Amounts receivable for services		592,227	-	-	592,227	592,227	1,341	1,788	8,496	46,500	534,102
		646,332	-	-	646,332	646,332	41,946	1,788	8,496	46,500	547,602
<b>Financial Liabilities</b>											
Payables		90,367	-	-	90,367	90,367	90,367	-	-	-	-
Lease liabilities <sup>(b)</sup>	8.41%	408,465	408,465	-	-	749,896	9,689	7,009	43,665	202,769	486,764
		498,832	408,465	-	90,367	840,263	100,056	7,009	43,665	202,769	486,764

(a) The amount of receivables excludes the 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.



**8.2 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:

	2022 (\$000)	2021 (\$000)
Claims against the general public and offenders by the Department of Justice and Attorney General	1,918	1,680
	<b>1,918</b>	<b>1,680</b>

**8.2.2 Contingent liabilities**

The following contingent liabilities are excluded from the liabilities included in the financial statements:

	2022 (\$000)	2021 (\$000)
<b>Litigation in progress</b>		
Claims against the Department of Justice and Attorney General by the general public and offenders	12,532	13,893
Criminal injuries compensation court appeals <sup>(a)</sup>	1,275	2,100
	<b>13,807</b>	<b>15,993</b>

**(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 2022 is 4,454 (2021: 4,949). 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 based on 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 be liable for investigation or remediation expenses.

Karnet Prison Farm

Dam Tip Site – Asbestos-containing material (ACM) has been identified and remediated. Site access controls and a site management plan (SMP) are in place.

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 conducted by ChemCentre and SGC Australia on behalf of Property Fire Maintenance indicated no contamination. 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.

Environmental Site Services (ESS) conducted soil test in May 2022 to test 6 targeted sampling locations near the vicinity of the former diesel generator and associated above-ground storage tank located in the northwest corner of the inmate cell blocks. The test was to gain a preliminary understanding of the soil's potential contamination. The field observations found no visible ACM in the boreholes, and all soil metal samples were below the level which is harmful to human health risk.

Acacia Prison Wastewater

Previously there was a possible hydrocarbon discharge into the wastewater due to an old spill. A monitoring instrument was installed to monitor the area for five years which did not pick up any hydrocarbon. There is possible contamination at the Acacia wastewater treatment plant and irrigation system due to elevated nitrogen and phosphorus levels in bores. There has been no further evidence that nitrogen and phosphorus are rising. Factor UB report to DWER and DOH on the department's behalf annually to ensure no further contamination is present. The small rifle range, which could have possible lead contamination, is still being investigated.

Albany Regional Prison

Reported as a possibly contaminated site. In the 20/21 financial year, remediation work was completed to remove the ACM roof from the Education block. Wastewater possible contamination is still being sought on the exact location of the old bores before testing can be considered. There is a possible lead contamination at the small rifle range, the site is currently reviewing potential contractors to conduct the work to remove a layer of soil from the site.

**Other contingent liabilities**National Redress Scheme

Under the initial design of the Scheme, where an institution named on an application is defunct, but a government institution is jointly responsible for the abuse with the defunct institution, the government institution may agree to act as a funder of last resort (FoLR) and pay the defunct institution's share of redress. As a result of recommendations from the Second Anniversary Review, an expanded FoLR arrangement has been implemented in December 2021, whereby government institutions with no shared responsibility with a defunct institution may agree to take on the defunct institution's redress payments.

The provision recognised by the Department (\$472.60 million) excludes the expanded FoLR provisions that is likely to involve the WA Government paying redress for:

- Community Sporting Groups and other community organisations; and
- workers aged under 18 who were sexually abused while working. This could arise from small business and business franchise licenses.

At present, there is insufficient data and information to reliably estimate the impact from the expanded provisions hence this is disclosed as a contingent liability.

### 8.3 Fair value measurement

#### Assets measured at fair value: 2022

	Level 1 (\$000)	Level 2 (\$000)	Level 3 (\$000)	Fair value at end of period (\$000)
Land (Note 5.1)	-	9,815	176,014	185,829
Buildings (Note 5.1)	-	1,118	1,793,258	1,794,376
	-	10,933	1,969,272	1,980,205

#### Assets measured at fair value: 2021

	Level 1 (\$000)	Level 2 (\$000)	Level 3 (\$000)	Fair value at end of period (\$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

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.

	Fair value measurements using significant unobservable inputs (level 3)	
	Land (\$000)	Buildings (\$000)
<b>2022</b>		
Fair Value at the start of the period	156,926	1,684,297
Additions	-	1,051
Revaluation increments/(decrements) recognised in Profit or Loss	12,743	943
Revaluation increments/(decrements) recognised in Other Comprehensive Income	6,345	124,314
Transfers from WIP	-	20,309
Disposals	-	-
Depreciation Expense	-	(37,656)
Fair Value at end of period	176,014	1,793,258
Total gains or losses for the period included in profit or loss	12,743	943
<b>2021</b>		
Fair Value at the start of the period	156,726	1,673,599
Additions	-	3,423
Revaluation increments/(decrements) recognised in Profit or Loss	226	(943)
Revaluation increments/(decrements) recognised in Other Comprehensive Income	-	(7,184)
Transfers from WIP	-	53,398
Disposals	(26)	(898)
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)

#### Valuation processes

There were no changes in valuation techniques during the period. However, the valuation processes have been significantly impacted by the COVID-19 pandemic.

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 Landgate 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
Change in accounting policy	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

#### 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 Change in accounting policy

##### Initial application of Australian Accounting Standards

The following standards are operative for reporting periods ended on or after 30 June 2022:

AASB 1060 – General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities

AASB 2020-5 Amendments to Australian Accounting Standards – Insurance Contracts AASB 2020-7 Amendments to Australian Accounting Standards – Covid-19-Related Rent Concessions: Tier 2 Disclosures

AASB 2020-7 Amendments to Australian Accounting Standards – Covid-19-Related Rent Concessions: Tier 2 Disclosures

AASB 2021-1 – Amendments to Australian Accounting Standards – Transition to Tier 2: Simplified Disclosures for Not-for-Profit Entities

AASB 2021-3 Amendments to Australian Accounting Standards – Covid-19-Related Rent Concessions beyond 30 June 2021

After assessing all new or amended standards issued but not yet effective, the Department has determined that none of those issued standards impact future reported results.

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

The Department cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 Application of Australian Accounting Standards and Other Pronouncements or by an exemption from TI 1101. Where applicable, the Department plans to apply the following Australian Accounting Standards from their application date.

		Operative for reporting periods beginning on/after
AASB 17	Insurance Contracts This Standard establishes principles for the recognition, measurement, presentation, and disclosure of insurance contracts. The Department has not assessed the impact of the Standard.	1 January 2023
AASB 2020-1	<i>Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current</i> 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.	1 January 2023
AASB 2020-3	<i>Amendments to Australian Accounting Standards – Annual Improvements 2018-2020 and Other Amendments</i> This Standard amends: (a) AASB 1 to simplify the application of AASB 1; 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.	1 January 2022
AASB 2020-6	<i>Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current – Deferral of Effective Date</i> 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 2020-21. There is no financial impact.	1 January 2022
AASB 2021-2	<i>Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates</i> 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.	1 January 2023
AASB 2021-6	<i>Amendments to Australian Accounting Standards – Disclosure of Accounting Policies: Tier 2 and Other Australian Accounting Standards</i> This standard amends: (a) AASB 1049, to require entities to disclose their material accounting policy information rather than their significant accounting policies; (b) AASB 1054 to reflect the updated accounting policy terminology used in AASB 101 Presentation of Financial Statements; and (c) AASB 1060 to required entities to disclose their material accounting policy information rather than their significant accounting policy and to clarify that information about measurement bases for financial instruments is expected to be material to an entity's financial statements.	1 January 2023
AASB 2021-7	<i>Amendments to Australian Accounting Standards – Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections</i> This standard further defers (to 1 January 2025) the amendments to AASB 10 and AASB 128 relating to the sale or contribution of assets between an investor and its associated or joint venture. The standard also includes editorial corrections There is no financial impact.	1 January 2022

**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:

Compensation band (\$)	2022	2021
550,001 – 560,000	-	1
540,001 – 550,000	1	-
520,001 – 530,000	-	1
490,001 – 500,000	-	1
480,001 – 490,000	1	-
390,001 – 400,000	1	-
330,001 – 340,000	1	-
320,001 – 330,000	1	-
300,001 – 310,000	1	-
280,001 – 290,000	-	1
260,001 – 270,000	1	2
250,001 – 260,000	-	1
230,001 – 240,000	-	1
220,001 – 230,000	2	-
200,001 – 210,000	2	1
190,001 – 200,000	-	1
180,001 – 190,000	-	2
160,001 – 170,000	-	1
150,001 – 160,000	1	-
	<b>2022</b>	<b>2021</b>
	<b>(\$000)</b>	<b>(\$000)</b>
Short-term employee benefits	3,349	3,569
Postemployment benefits	353	331
Other longterm benefits	(19)	(76)
Total compensation of senior officers	3,683	3,824

**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).

**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 (Note 3.1 (a));
- lease rentals payments to the Department of Finance (Note 3.4) (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 3.2);
- income from Public Trustee (Note 4.2 and 4.5);
- services provided free of charge to other agencies (Note 9.9); and
- remuneration for services provided by the Auditor General (Note 9.8).

**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*:

	2022	2021
	(\$000)	(\$000)
The Legal Aid Commission of Western Australia (Note 3.2 (b))	88,713	96,507
Aboriginal Legal Service	17,757	15,408
The Legal Costs Committee	147	136
The Law Reform Commission of Western Australia	545	167

**9.7 Special purpose accounts**

During the reporting period the Department maintained the following special purpose accounts:

Account name	2021-2022			
	Opening Balance	Receipts	Payments	Closing Balance
	(\$000)	(\$000)	(\$000)	(\$000)
1 Courts Trust Account	48,911	35,369	(70,742)	13,539
2 Sheriff's and District Court Bailiff's Trust Account	133	750	(745)	138
3 Prisoners Private Cash Trust Account	456	11,741	(11,816)	381
4 Juveniles' Private Cash Trust Account	-	8	(8)	-

Account name	2020-2021			
	Opening Balance	Receipts	Payments	Closing 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)	-

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 monies collected in the course of Court activities for disbursement to other parties.
2 Sheriff's and District Court Bailiff's Trust Account	To hold monies collected from the Execution by the Sheriff, Supreme Court or Bailiff District Courts of Western Australia.
3 Prisoners Private Cash Trust Account	To hold funds in trust for prisoner's private use.
4 Juveniles' Private Cash Trust Account	To hold funds in trust for Juvenile offenders under the Juvenile Justice Program.

The above accounts have been established under section 16.1(c) of the *Financial Management Act of 2006*.

**9.8 Remuneration of auditors**

Remuneration paid or payable to the Auditor General in respect of the audit for the current financial year is as follows:

	2022	2021
	(\$000)	(\$000)
Auditing the accounts, financial statements, controls and key performance indicators	506	460

**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. For the financial year ended 2022 the State Solicitor's Office was part of the Department only for a period of 3 months (ended 30th September 2022) and as such, transactions representing only 3 months are reflected in financial year ended 2022.

	2022 (\$000)	2021 (\$000)
<b>Provision of State Solicitor services:</b>		
Department of Communities	1,299	4,745
Department of Health	733	2,074
Department of Planning, Lands and Heritage	705	2,648
Department of Mines, Industry Regulation and Safety	645	2,384
Western Australia Police Force	547	2,839
Department of Premier and Cabinet	525	2,261
Department of Local Government, Sport and Cultural Industries	490	644
Department of Water and Environmental Regulation	423	1,937
Native Title Unit	400	1,856
Department of Jobs, Tourism, Science and Innovation	339	2,182
Main Roads	336	2,383
Public Transport Authority	312	1,192
Department of Education	307	1,169
State Revenue	282	1,077
Department of Transport	247	869
Department of Primary Industries and Regional Development	220	931
Department of Biodiversity, Conservation and Attractions	145	785
Department of Finance	90	496
Department of Treasury	68	278
Insurance Commission of Western Australia	62	237
WA Country Health Service	39	209
Western Australian Land Information Authority	36	176
Other agencies	843	2,762
<b>Provision of Corporate Services:</b>		
State Solicitors Office	2,168	-
Office of the Director of Public Prosecutions	792	671
Law Reform Commission	186	167
Professional Standards Council	97	89
Parliamentary Inspector of the Corruption and Crime Commission	104	110
Commissioner for Children and Young People	96	106
Legal Costs Committee	72	71
Corruption & Crime Commission	-	161
	<b>12,608</b>	<b>37,509</b>

**9.10 Equity**

	2022 (\$000)	2021 (\$000)
<b>Contributed equity</b>		
Balance at start of period	2,421,017	2,340,760
Contributions by owners		
Capital appropriation	96,185	68,510
Equity contribution	-	12,335
Other contributions by owners	-	382
<b>Total contributions by owners</b>	<b>96,185</b>	<b>81,227</b>
<i>Distributions to owners<sup>(a)</sup></i>	(2,071)	(970)
<b>Total distributions to owners</b>	<b>(2,071)</b>	<b>(970)</b>
<b>Total contributed equity at end of period</b>	<b>2,515,131</b>	<b>2,421,017</b>
	2022 (\$000)	2021 (\$000)
<b>Asset revaluation surplus</b>		
Balance at start of period	-	7,795
<i>Net revaluation increments/(decrements)</i>		
- Buildings	131,422	(7,795)
<b>Total asset revaluation surplus at end of period</b>	<b>131,422</b>	<b>-</b>
<b>Accumulated deficit</b>		
Balance at start of period	(86,644)	(70,196)
Result for the period	(449,324)	(16,448)
Balance at end of period	(535,968)	(86,644)
<b>Total Equity at end of period</b>	<b>2,110,585</b>	<b>2,334,373</b>

(a) Effective 1 October 2021, State Solicitor's Office became an independent sub-department of the Department of Justice. The transition to a sub-department is in line with the Western Australian Public Sector reform priorities of transparency and accountability and the Office will have independency and autonomy.

**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:

	2022 (\$000)	2021 (\$000)
The Accountable Authority	55	25
	<b>55</b>	<b>25</b>
<b>Criminal Injuries Compensation</b>		
The Accountable Authority	713	435
	<b>713</b>	<b>435</b>
<b>Administered (Fines Enforcement Registry)</b>		
The Accountable Authority	17,041	21,372
	<b>17,041</b>	<b>21,372</b>

**(b) Losses through theft, defaults and other causes**

	2022 (\$000)	2021 (\$000)
Losses of public money and public and other property through theft or default	82	-
- Acacia prison fire		
	<b>82</b>	<b>-</b>

**(c) Gifts of public property**

The West Kimberley Regional Prison gifted three transportable buildings to the Derby District High School, which has a reported value of \$40,000.

**10 Explanatory statement**

This section explains variations in the financial performance of the Department.

	Notes
Explanatory statement for controlled operations	10.1
Explanatory statement for administered items	10.2

**10.1 Explanatory statement for controlled operations**

This explanatory section explains variations in the financial performance of the Department undertaking transactions under its own control, as represented by the primary financial statements.

All variances between annual estimates (original budget) and actual results for 2021, and between the actual results for 2022 and 2021 are shown below. Narratives are provided for key major variances which vary more than 10% from the comparative and that the variation is more than 1% of the:

- Total Cost of Services budgeted for the Statements of comprehensive income and Statement of cash flows (i.e. 1% of 1.728 billion), and
- Total Assets for previous year for the Statement of financial position (i.e. 1% of \$3.051 billion).

**10.1.1 Statement of comprehensive income variances**

	Variance notes	Estimate 2022	Actual 2022	Actual 2021	Variance between actual and estimate	Variance between actual results for 2022 and 2021
	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
<b>Expenses</b>						
Employee benefits expenses		845,368	828,826	868,081	(16,542)	(39,255)
Supplies and services		393,034	422,666	391,021	29,632	31,645
Depreciation and amortisation expense		74,320	79,267	79,153	4,947	114
Finance costs		34,028	34,299	35,043	271	(744)
National Redress Scheme	1, A	23,752	509,893	40,890	486,141	469,003
Grants and subsidies	3, B	149,232	235,440	194,157	86,208	41,283
Accommodation expenses		53,463	56,998	57,315	3,535	(317)
Prisoner gratuities		13,336	12,692	12,841	(644)	(149)
Cost of sales		16,408	15,342	16,086	(1,066)	(744)
Loss on disposal on non-current asset		-	-	268	-	(268)
Other expenses		125,518	134,509	119,831	8,991	14,678
<b>Total cost of services</b>		<b>1,728,459</b>	<b>2,329,932</b>	<b>1,814,686</b>	<b>601,473</b>	<b>515,246</b>
<b>Income</b>						
User charges and fees		124,296	116,667	105,882	(7,629)	10,785
Sales		17,108	16,134	16,780	(974)	(646)
Commonwealth grants and contributions		71,548	79,933	76,809	8,385	3,124
Other revenue		19,818	20,732	19,655	914	1,077
Gain on revaluation		-	13,613	439	13,613	13,174
<b>Total income other than income from State Government</b>		<b>232,770</b>	<b>247,079</b>	<b>219,565</b>	<b>14,309</b>	<b>27,514</b>
<b>Net cost of services</b>		<b>1,495,689</b>	<b>2,082,853</b>	<b>1,595,121</b>	<b>587,164</b>	<b>487,732</b>
<b>Income from State Government</b>						
Service appropriation		1,454,118	1,553,351	1,504,522	99,233	48,829
Income from other public sector entities	4	27,800	45,928	52,483	18,128	(6,555)
Services received free of charge	5	3,867	24,415	11,981	20,548	12,434
Royalties for Regions Fund		11,033	9,835	9,687	(1,197)	148
<b>Total income from State Government</b>		<b>1,496,817</b>	<b>1,633,529</b>	<b>1,578,673</b>	<b>136,712</b>	<b>54,856</b>
<b>Surplus/(deficit) for the period</b>		<b>1,128</b>	<b>(449,324)</b>	<b>(16,448)</b>	<b>(450,452)</b>	<b>(432,876)</b>
<b>Total other comprehensive income</b>		<b>-</b>	<b>131,422</b>	<b>(7,795)</b>	<b>131,422</b>	<b>139,217</b>
<b>Total comprehensive income for the period</b>		<b>1,128</b>	<b>(317,902)</b>	<b>(24,243)</b>	<b>(319,031)</b>	<b>(293,659)</b>

## Notes to the financial statements

## 10.1.2 Statement of financial position variances

	Variance notes	Estimate 2022	Actual 2022	Actual 2021	Variance between actual and estimate	Variance between actual results for 2022 and 2021
		(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
<b>Assets</b>						
<b>Current assets</b>						
Cash and cash equivalents		17,171	30,903	29,545	13,732	1,358
Restricted cash and cash equivalents		2,989	3,096	2,924	107	172
Inventories		4,745	5,814	5,772	1,069	42
Receivables		17,861	23,916	17,788	6,055	6,128
Amounts receivable for services		11,625	13,925	11,625	2,300	2,300
Other current assets		3,363	2,719	7,115	(644)	(4,396)
Biological assets		2,414	3,056	3,143	642	(87)
<b>Total current assets</b>		<b>60,168</b>	<b>83,429</b>	<b>77,912</b>	<b>23,261</b>	<b>5,517</b>
<b>Non-current assets</b>						
Restricted cash and cash equivalents		10,075	15,897	13,500	5,822	2,397
Amounts receivable for services		633,345	631,045	580,602	(2,300)	50,443
Infrastructure, property, plant and equipment		1,995,979	2,120,959	1,956,079	124,980	164,880
Right-of-use assets		422,717	406,125	415,673	(16,592)	(9,547)
Intangible assets		6,557	7,265	7,670	708	(407)
<b>Total non-current assets</b>		<b>3,068,673</b>	<b>3,181,291</b>	<b>2,973,524</b>	<b>112,618</b>	<b>207,767</b>
<b>Total assets</b>		<b>3,128,841</b>	<b>3,264,720</b>	<b>3,051,436</b>	<b>135,879</b>	<b>213,284</b>
<b>Liabilities</b>						
<b>Current liabilities</b>						
Payables		92,424	80,674	90,367	(11,750)	(9,693)
Lease liabilities		28,732	28,760	26,645	28	2,115
National Redress Scheme	1,2,A	-	44,100	-	44,100	44,100
Employee related provisions		156,814	172,171	179,647	15,357	(7,476)
Other provision		266	703	-	437	703
<b>Total current liabilities</b>		<b>278,236</b>	<b>326,408</b>	<b>296,659</b>	<b>48,172</b>	<b>29,749</b>
<b>Non-current liabilities</b>						
Lease liabilities		363,529	365,087	381,820	1,558	(16,733)
National Redress Scheme	1,2,A	-	428,500	-	428,500	428,500
Employee related provisions		32,834	34,140	38,584	1,306	(4,444)
<b>Total non-current liabilities</b>		<b>396,363</b>	<b>827,727</b>	<b>420,404</b>	<b>431,364</b>	<b>407,323</b>
<b>Total liabilities</b>		<b>674,599</b>	<b>1,154,135</b>	<b>717,063</b>	<b>479,536</b>	<b>437,072</b>
<b>Net assets</b>		<b>2,454,242</b>	<b>2,110,585</b>	<b>2,334,373</b>	<b>(343,657)</b>	<b>(233,788)</b>
<b>Equity</b>						
Contributed equity		2,515,938	2,515,131	2,421,017	(807)	94,114
Reserves		7,795	131,422	-	123,627	131,422
Accumulated surplus/(deficit)		(69,491)	(535,968)	(86,644)	(466,477)	(449,324)
<b>Total equity</b>		<b>2,454,242</b>	<b>2,110,585</b>	<b>2,334,373</b>	<b>(343,657)</b>	<b>(233,788)</b>

## Notes to the financial statements

## 10.1.3 Statement of cash flows variances

	Variance notes	Estimate 2022	Actual 2022	Actual 2021	Variance between actual and estimate	Variance between actual results for 2022 and 2021
		(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
<b>Cash flow from state government</b>						
Service appropriation		1,380,232	1,480,091	1,429,897	99,859	50,194
Capital appropriation	C	95,171	96,185	68,510	1,014	27,675
Funds from other public sector entities		31,615	45,928	52,483	14,313	(6,555)
Equity contribution		-	-	12,336	-	(12,336)
Equity distribution		-	(1,663)	-	(1,663)	(1,663)
Other contributions by owners		-	-	382	-	(382)
Holding account drawdown		12,315	11,625	11,625	(690)	-
Royalties for Regions Fund		12,437	9,835	9,687	(2,602)	148
<b>Net cash provided by state government</b>		<b>1,531,770</b>	<b>1,642,001</b>	<b>1,584,920</b>	<b>110,231</b>	<b>57,081</b>
<b>Cash flow from operating activities</b>						
<b>Payments</b>						
Employees benefits		(845,368)	(829,080)	(834,910)	16,288	5,830
Supplies and services		(391,376)	(421,743)	(412,977)	(30,367)	(8,766)
Finance costs		(34,028)	(34,299)	(35,043)	(271)	744
Accommodation		(53,463)	(52,187)	(52,568)	1,276	381
National Redress Scheme		(23,752)	(37,293)	(40,890)	(13,541)	3,597
Grants and subsidies	3, B	(149,232)	(234,738)	(194,157)	(85,506)	(40,581)
GST payments on purchases		(56,861)	(72,119)	(65,241)	(15,258)	(6,878)
GST payments to taxation authority		(4,517)	(4,348)	(4,744)	169	396
Other payments		(132,075)	(129,375)	(115,825)	2,700	(13,550)
<b>Receipts</b>						
Sales of goods and services		3,124	2,887	2,320	(237)	567
User charges and fees		126,249	116,667	105,866	(9,582)	10,801
Commonwealth grants		66,969	75,122	72,062	8,153	3,060
GST receipts on sales		4,517	3,801	4,901	(716)	(1,100)
GST receipts from taxation authority		56,861	73,550	67,160	16,689	6,390
Other receipts		13,030	9,746	14,467	(3,284)	(4,721)
<b>Net cash provided by/(used in) operating activities</b>		<b>(1,419,922)</b>	<b>(1,533,409)</b>	<b>(1,489,579)</b>	<b>(113,487)</b>	<b>(43,830)</b>
<b>Cash flow from investing activities</b>						
<b>Payments</b>						
Purchase of non-current physical assets	6	(94,645)	(72,419)	(58,898)	22,226	(13,521)
<b>Receipts</b>						
Proceeds from sale of non-current assets		-	-	46	-	(46)
<b>Net cash provided by/(used in) investing activities</b>		<b>(94,645)</b>	<b>(72,419)</b>	<b>(58,852)</b>	<b>22,226</b>	<b>(13,567)</b>
<b>Cash flow from financing activities</b>						
<b>Payments</b>						
Principal elements of lease payments		(30,000)	(32,247)	(30,984)	(2,247)	(1,263)
<b>Receipts</b>						
Proceeds from borrowings		-	-	166	-	(166)
<b>Net cash provided by/(used in) financing activities</b>		<b>(30,000)</b>	<b>(32,247)</b>	<b>(30,818)</b>	<b>(2,247)</b>	<b>(1,429)</b>
Net increase/(decrease) in cash and cash equivalents		(12,797)	3,927	5,671	16,723	(1,745)
Cash and cash equivalents at the beginning of the period		43,032	45,969	40,298	2,937	5,671
<b>Cash and cash equivalents at the end of the period</b>		<b>30,235</b>	<b>49,896</b>	<b>45,969</b>	<b>19,660</b>	<b>3,926</b>

## Major Variance Narratives (Controlled Operations)

## Variances between actual and estimate for 2022

- National Redress scheme expenditure was significantly higher \$469 million (1,147%), and \$486 million (2,047%) than the 2021 actuals and 2022 estimates respectively mainly due to the provision made as at 30 June 2022. This is based on an actuarial valuation obtained to present remaining liability related to the scheme.
- The main reason for the variance between actual provision for National Redress Scheme (under current liability - \$44.1 million and non-current liability - \$428.5 million) versus 2022 estimate and 2021 actuals is same as mentioned in Note 1 above.
- Grants and subsidies were \$86 million (57.8%) higher than the estimate as the department experienced an increase in the number of awards assessed under the *Criminal Injuries Compensation Act 2003* leading to an increase in compensation payments.
- Income from other public sector entities was \$18.1 million (65.2%) higher than the estimate mainly due to applications approved/granted under the NRS for Survivors of Institutional Child Sexual Abuse (\$13.5 million).
- Services received free of charge was \$20.5 million (531.4%) higher than the estimate mainly due to increased services received from the Western Australian Police relating to the provision of Court Security and Custodial Services, services from the State Solicitors Office which separated from Justice in October 2021 and services received from the Department of Finance.
- Payments for purchase of non-current assets were \$22 million (23%) lower than the estimate mainly due to lower than expected payments on Casuarina Expansion stage 2, Greenough Prison, Acacia Prison and Banksia Hill upgrade projects.

## Variances between actual results for 2022 and 2021

- Refer 1 & 2 above
- Grants and subsidies increased by \$41.3 million (21.3%) as the department experienced an increase in the number of awards assessed under the *Criminal Injuries Compensation Act 2003*.
- Capital appropriations increased by \$27.6 million (40%) mostly due to funding provided for the Casuarina Prison Stage 2, upgrades at Greenough Regional Prison, asset replacement and upgrades at Acacia prison projects.

## 10.2 Explanatory statement for administered items

This explanatory section explains variations in the financial performance of the Department undertaking transactions as an agent of the government, as detailed in the administered schedules.

All variances between annual estimates and actual results for 2022, and between the actual results for 2022 and 2021 are shown below. Narratives are provided for key major variances which vary by more than 10% from their comparative and that the variation is more than 1% of the dollar aggregate of Total Administered Income budgeted (i.e. 1% of \$80.697 Million).

	Variance notes	Estimate 2022	Actual 2022	Actual 2021	Variance between actual and estimate	Variance between actual results for 2022 and 2021
		(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
<b>Income from administered items</b>						
<b>Income</b>						
Judicial fines and penalties		37,032	35,195	33,258	(1,837)	1,937
Infringement penalties	1 A	9,902	8,819	10,021	(1,083)	(1,202)
Revenue for transfer - other Government agencies	2	22,021	18,073	16,928	(3,948)	1,145
Criminal property confiscations	3 B	11,000	27,882	15,226	16,882	12,656
Law Library Fund		600	600	600	-	-
Land acquisition <sup>(a)</sup>	4 C	-	20,978	186,339	20,978	(165,361)
Other		142	204	373	62	(169)
<b>Total administered Income</b>		<b>80,697</b>	<b>111,751</b>	<b>262,745</b>	<b>31,054</b>	<b>(150,993)</b>
<b>Expenses</b>						
Payments to the Consolidated Account		46,940	44,014	43,488	(2,926)	526
Criminal property confiscations - grants	5	4,000	2,171	1,756	(1,829)	415
Criminal property confiscations - supplies and services	6 D	7,000	20,600	11,196	13,600	9,404
Law Library Fund payments		600	600	600	-	-
Payment to Road Trauma Trust Account	7	22,021	18,073	17,019	(3,948)	1,054
Land acquisition payments	8 E	-	29,370	182,361	29,370	(152,991)
Allowance for impairment of receivables - Fines	9 F	-	(10,144)	10,686	(10,144)	(20,830)
Other		136	468	1,021	332	(553)
<b>Total administered expenses</b>		<b>80,697</b>	<b>105,152</b>	<b>268,127</b>	<b>24,455</b>	<b>(162,975)</b>

(a) Effective 1 October 2021, the SSO became a sub-department of the Department. Only transactions up to 30 September 2021 have been presented as being administered by the Department. Transactions after the separation date include further land transfers \$3,165,980.49 and transfer of the balance of \$644,268.01 held in Land Trust account to the SSO. All balances held for land acquisition account have been transferred to the SSO during FY22.



Major Variance Narratives (Administered Items)

Variations between actual and estimate for 2022

1. The decrease in Infringement penalties of \$1.1 million (11%) compared to estimates was mainly attributed to lower traffic infringement fines issued by Western Australia Police Force and a decrease in infringements collected on behalf of the Department of Transport than compared to what was budgeted.
2. Photographed based Speed and Red-Light Infringement Revenue is collected on behalf of the Road Safety Commission. Collection of revenue was \$3.9 million (18%) lower than estimates, partially due to a fall in infringement registrations of multi-nova infringements.
3. Criminal property confiscations were \$16.9 million (153%) higher than estimates. This is mainly due to an increase in the number of high value criminal monies confiscated by the Western Australia Police Force, the Office of the Director of Public Prosecutions and the Corruption and Crime Commission during the period.
4. Land acquisition now forms part of State Solicitor's Office (SSO) operations. The 2021-22 original budget was recast to reflect the establishment of SSO as an independent sub-department effective from 1 October 2021. Actuals of \$20.9 million as at 30 September 2021 reflects the Land acquisition trust account which hold monies on behalf of Government departments and authorities pending finalisation of property acquisitions and disposals.
5. Criminal property confiscations – grants were \$1.8 million (46%) lower than estimates. This is due to a lower than expected number of successful grant applications and community projects approved for funding during the period.
6. Criminal property confiscations - supplies and services - has increased by \$13.6 million (194%) mainly due to an 8.8 million increase in cost of supplies and services because of a new Memorandum of Understanding with Western Australia Police Force and Office of the Director of Public Prosecutions. The remaining variance is on account of an accrual of bonus payment of \$4.76 million that is payable to the Office of the Director of Public Prosecutions as they have exceeded the confiscation target for 2021-22
7. The \$3.9 million (18%) lower payment to Road Trauma Trust Account reflected lower funds available for distribution due to lower speed and red light camera fine revenue collected.
8. Land acquisition payments were \$29.3 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.
9. Allowance for impairment of receivables - Fines Enforcement Registry (FER) is \$10.1 million lower 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.

Variations between actual results for 2022 and 2021

- A) The decrease in infringement penalties of \$1.2 million or 12% compared to actuals 2021 was mainly attributed to lower traffic infringement fines issued by Western Australia Police Force and a decrease in infringements collected on behalf of the Department of Transport.
- B) Criminal property confiscations were \$12.7 million (83%) higher than the actual 2021 due to an increase of criminal monies confiscated by the Western Australia Police Force, the Office of the Director of Public Prosecutions and the Corruption and Crime Commission during the period
- C) Land acquisition were \$165.3 million (89%) lower than the actual 2021 as land trust transactions are State Solicitor's Office (SSO) operations and the SSO was established as an independent sub-department effective from 01 October 2021. The actuals of \$20.9 million reflects the settlements of property acquisitions and disposals funds, held in the Trust Account on behalf of the Government Departments up until SSO became an independent Sub- Department
- D) Criminal property confiscations - supplies and services were \$9.4 million (84%) higher than the actual 2021. See variance explanation in note 6.
- E) Land acquisition payments were \$152.9 million (84%) lower than actuals 2021 as land trust transactions are State Solicitor's Office (SSO) operations and the SSO was established as an independent sub-department effective from 01 October 2021. The actuals of \$29.4 million reflects the settlements of property acquisitions and disposals funds, held in the Trust Account on behalf of the Government Departments up until SSO became an independent Sub- Department.
- F) Allowance for impairment of receivables - FER is \$20.8 million (195%) lower than previous year. The allowance for impairment of receivables is calculated as per AASB9 requirements. The main reason for the variance, is due to reduction in the expected credit loss on account of improved recovery of Fines, resulting in a reduction in the amount of allowance required for impairment.

# Key Performance Indicators

## Certification of Key Performance Indicators for the Year Ended 30 June 2022

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 2022.



Dr Adam Tomison  
 Director General  
 Department of Justice  
 12 September 2022

## Key Performance Indicators

### Our Purpose

To provide a fair, just and safe community for all Western Australians.

### Relationships to Government goals

Broad, high-level government goals are supported at agency level by more specific agency level desired outcomes. Agencies deliver services to achieve these desired outcomes that ultimately contribute to meeting the higher level government goals.

The following table illustrates the relationship between the Department of Justice's agency level desired outcomes, services delivered by the Department and the Government's goals.

Government Goal	Department of Justice - Desired Outcomes	Services
Safe, Strong and Fair Communities: Developing healthy and resilient communities	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 legislative drafting and publication services	6. Services to Government
	5. The people of Western Australia have efficient and accessible avenues of redress under the relevant legislation	7. Equal Opportunity Commission Services
	6. Equitable access to legal services and information*	8. Legal Aid Assistance*
	7. A safe, secure and decent corrective services which contributes to community safety and reduces offenders' involvement in the justice system	9. Adult Corrective Services 10. 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. The Legal Aid Commission of Western Australia prepares a separate annual report, including reporting against key performance indicators for this desired outcome and service.

## Changes to the Department's Outcome Based Management structure

The Department's Outcome Based Management (OBM) framework for 2021/22 was amended to reflect a Cabinet decision to change the status of the State Solicitor's Office (SSO) to an independent sub-department of the Department of Justice. This change led to the removal of one SSO key effectiveness indicator and one SSO key efficiency indicator from the Department's OBM. The agency level desired outcome was also amended to reflect these changes.

Associated with this change, a key effectiveness indicator of Services to Government delivered by the Parliamentary Counsel's Office was abolished and replaced with a new key efficiency indicator. The new indicator measures the timeliness of legislation publication on the WA legislation website using an easily understood metric (i.e. number of days) to clearly demonstrate efficiency in the use of inputs.

Additionally, changes were made to the Equal Opportunity Commission's (EOC) OBM including consolidation of two EOC services to one and reduction of the EOC's key performance indicators from five to two (i.e. one key effectiveness indicator and one key efficiency indicator). The agency level desired outcome was also amended to reflect 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 2021/22 Actual results varied significantly from the 2021/22 Target and 2020/21 Actual results ( $\pm 10\%$  or more).

## Outcome 1: An efficient, accessible court and tribunal system

The Department aims to provide a court system that is responsive to community needs for access to justice. This supports the Government's strategic goal of safe, strong and fair communities: developing healthy and resilient communities.

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

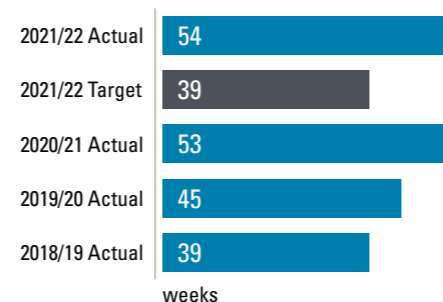
#### Supreme Court – Criminal – Time to trial

##### 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).



##### How does the indicator result compare to target?

The 2021/22 actual result is 38% higher than target due to the listing of lengthy multiple-accused trials and a high number of relisted trials.

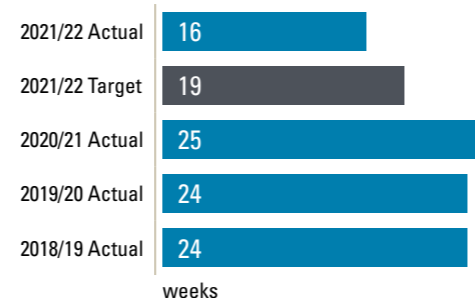
#### Supreme Court – Civil – Time to finalise non-trial matters

##### 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).



##### How does the indicator result compare to target?

The 2021/22 actual result is 16% lower than target due to an increase in the proportion of applications for admission finalised and a decrease in the proportion of civil writs finalised. Admissions matters are typically finalised in a shorter period of time whereas civil writs generally take longer to finalise. The 2021/22 actual result is 36% lower than the 2020/21 actual result due to a reduction in the median time to finalise matters by discontinuance and by order.

#### District Court – Criminal – Time to trial

##### What does this indicator measure?

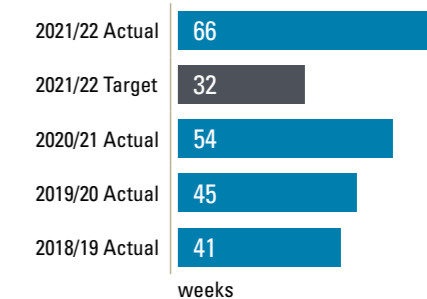
This indicator measures the median time taken from a specified initial date (i.e. committal date, which is the date the matter is sent to the District Court from a lower court) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated 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).

##### How does the indicator result compare to target?

The 2021/22 result is 106% higher than target and 22% higher than the 2020/21 actual result due to an increase in demand for trials and the relisting of jury trials that were vacated as a result of COVID-19 restrictions. Further impacting the result is an increase in the complexity of cases, including multi-accused trials.



#### State Administrative Tribunal – Time to finalise

##### What does this indicator measure?

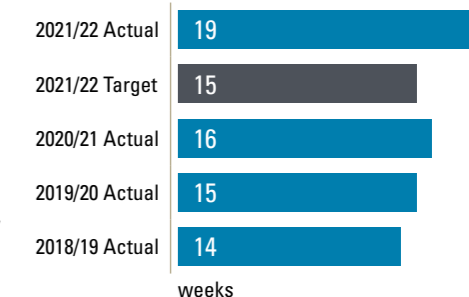
This indicator measures the median time to finalise a matter from the date of lodgment to when a judgement is made.

##### 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).

##### How does the indicator result compare to target?

The 2021/22 actual result is 27% higher than target due to an increase in the complexity and proportion of older cases finalised in the Commercial and Civil and Development and Resources streams. Further impacting the result is an increase in workload associated with Building Commission matters, Development Applications and Vocational Applications. The 2021/22 actual result is 19% higher than the 2020/21 actual result due to an increase in applications finalised in more than 90 days.



#### Family Court of Western Australia – Time to finalise non-trial matters

##### What does this indicator measure?

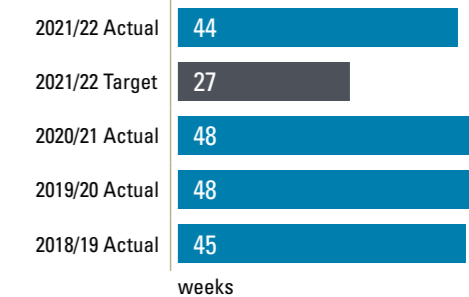
This indicator measures the median time to finalise final order applications by court order, before proceeding to trial. This is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

##### 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 the Integrated Courts Management System (ICMS).

##### How does the indicator result compare to target?

The 2021/22 actual result is 63% 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. This result is an improvement on the 2020/21 actual result of 48 weeks, a reduction of four weeks in the time to finalise.



#### Magistrates Court – Criminal and Civil – Time to trial

##### What does this indicator measure?

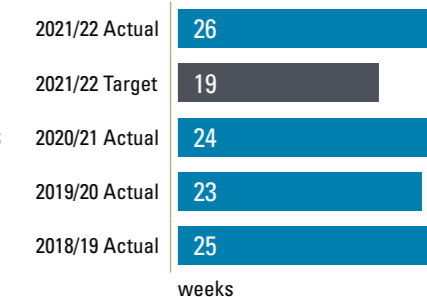
This indicator measures the median time taken from a specified initial date (i.e. lodgment for civil matters, first actual hearing date for criminal matters) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy 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).

##### How does the indicator result compare to target?

The 2021/22 actual result is 37% higher than target due to a continued increase in the seriousness of cases finalised by trial, in addition to an increase in the proportion of criminal trials that were multi-day trials.



### Coroner's Court – Time to trial

#### What does this indicator measure?

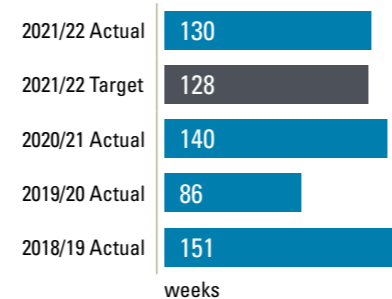
This indicator measures the median time taken from the date of notification of death (lodgment) to the first inquest hearing. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and 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).

#### How does the indicator result compare to target?

No significant variation.



### 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.

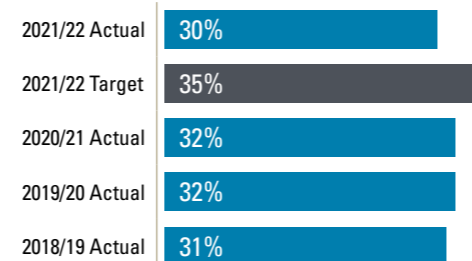
#### • Fines and Costs

##### 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).

##### How does the indicator result compare to target?

The 2021/22 actual result is 14% lower than target primarily due to an increasing average debt load per case, resulting in a reduction of clients' financial ability to finalise fines within 12 months. The non-suspension of licences in remote regions following amendment of the *Fines, Penalties and Infringement Notices Enforcement Amendment Act 2020 (WA)*, effective from the end of September 2020 has further impacted the result.



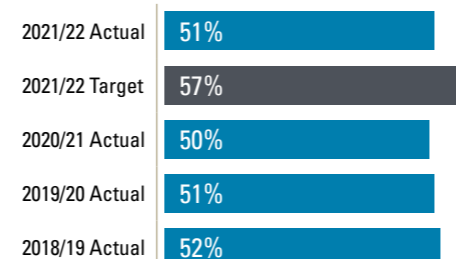
#### • Infringements

##### 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).

##### How does the indicator result compare to target?

The 2021/22 actual result is 11% lower than target primarily due to an increasing average debt load per case, resulting in a reduction of clients' financial ability to finalise infringements within 12 months. The non-suspension of licences in remote regions following the amendment of the *Fines, Penalties and Infringement Notices Enforcement Amendment Act 2020 (WA)*, effective from the end of September 2020 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 Effectiveness 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.

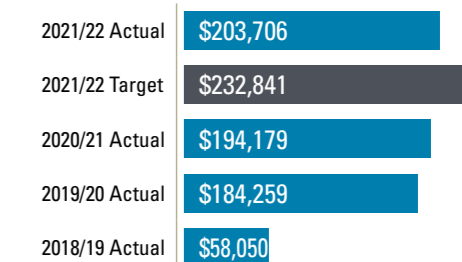
#### How are these cost per case indicators calculated?

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

##### How does the indicator result compare to target?

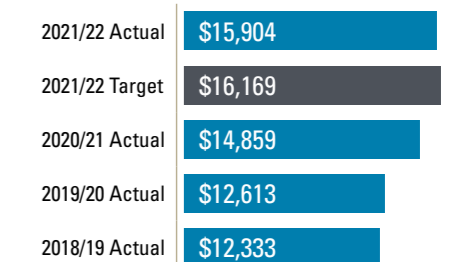
The 2021/22 actual result is 13% lower than target primarily due to a higher number of finalisations during 2021/22, compared to the budgeted number of finalisations for the year.



#### Supreme Court – Civil – Cost per case

##### How does the indicator result compare to target?

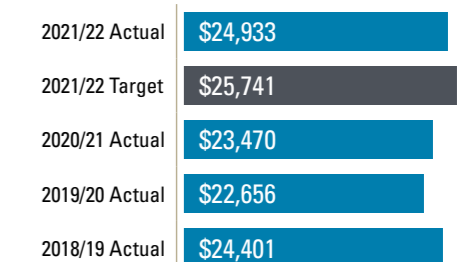
No significant variation.



#### Court of Appeal – Cost per case

##### How does the indicator result compare to target?

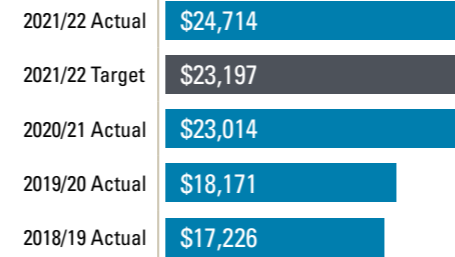
No significant variation.



**District Court – Criminal – Cost per case**

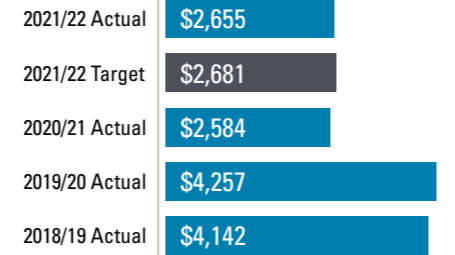
[How does the indicator result compare to target?](#)

No significant variation.

**District Court – Civil – Cost per case**

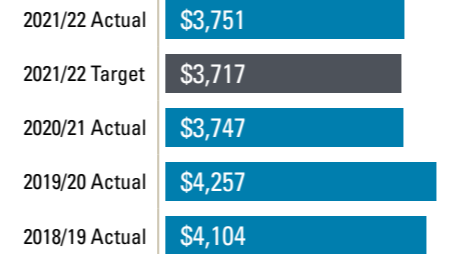
[How does the indicator result compare to target?](#)

No significant variation.

**State Administrative Tribunal – Cost per case**

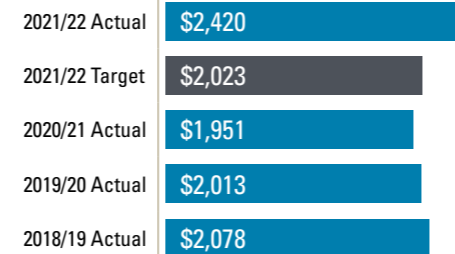
[How does the indicator result compare to target?](#)

No significant variation.

**Family Court – Cost per case**

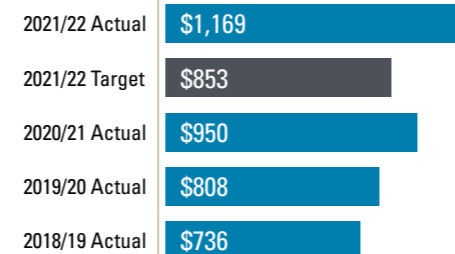
[How does the indicator result compare to target?](#)

The 2021/22 actual result is 20% higher than target and is 24% higher than the 2020/21 actual result of \$1,951. The increase is primarily due to less finalisations as a result of the increased complexity in the number of parenting applications lodged.

**Magistrates Court – Criminal – Cost per case**

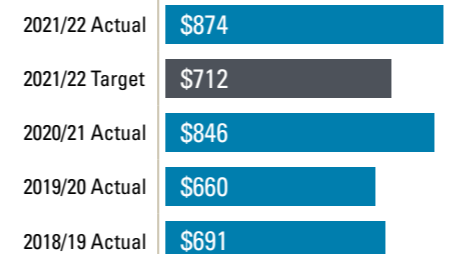
[How does the indicator result compare to target?](#)

The 2021/22 actual result is 37% higher than target and is 23% higher than the 2020/21 actual result of \$950. The increase is due to a reduction in less serious offence type lodgments. The result is further impacted by a 126% increase in WA Police Force court security and custodial costs as a Resources Received Free of Charge, from \$7.4 million in 2020/21 to \$16.7 million in 2021/22.

**Magistrates Court – Civil – Cost per case**

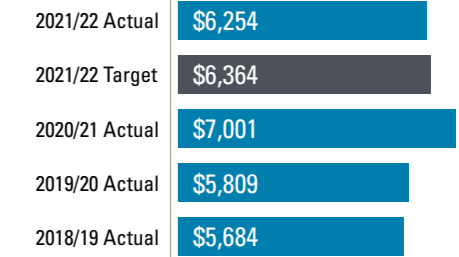
[How does the indicator result compare to target?](#)

The 2021/22 actual result is 23% higher than target due to a lower number of civil lodgments in general procedure and residential tenancy matters.

**Coroner's Court – Cost per case**

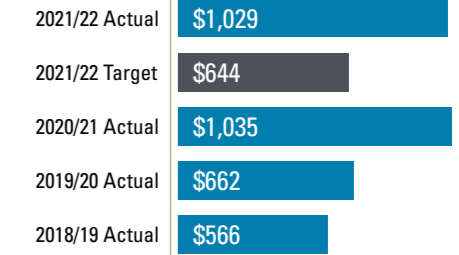
[How does the indicator result compare to target?](#)

There is no significant variation between the 2021/22 actual result and target. The 2021/22 actual result is 11% lower than the 2020/21 actual result of \$7,001 primarily due to an increase in finalisations of death certificates and inquiry matters.

**Children's Court – Criminal – Cost per case**

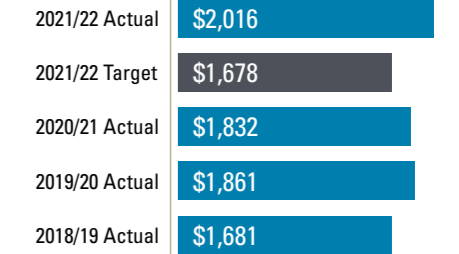
[How does the indicator result compare to target?](#)

The 2021/22 actual result is 60% higher than target primarily due to a 126% increase in WA Police Force court security and custodial costs as a Resources Received Free of Charge, from \$7.4 million in 2020/21 to \$16.7 million in 2021/22.

**Children's Court – Civil – Cost per case**

[How does the indicator result compare to target?](#)

The 2021/22 actual result is 20% higher than target and is 10% higher than the 2020/21 actual result of \$1,832. The increase is primarily due to costs associated with the introduction of the Protection and Care Pilot into the functions of the Court.

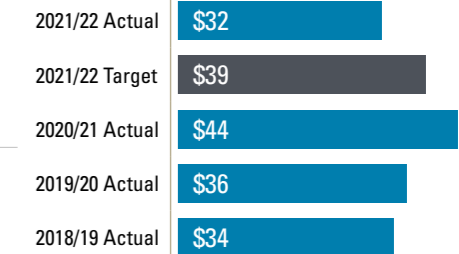
**Fines Enforcement Registry – Cost per enforcement**

[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.

[How does the indicator result compare to target?](#)

The 2021/22 actual result is 18% lower than target and is 27% lower than the 2020/21 actual result of \$44. This is due to an increase in lodgments resulting from the addition of non-voting infringements issued following the 2021 State Government Election. Further impacting the result were lower than anticipated contractor service costs.



## 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 safe, strong and fair communities: developing healthy and resilient communities.

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.

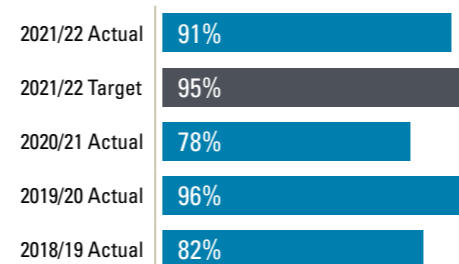
##### How is this indicator calculated?

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.

##### How does the indicator result compare to target?

There is no significant variation between the 2021/22 actual result and target. The 2021/22 actual result is 17% higher than the 2020/21 actual result of 78% due to implementation of a refined guardian of last resort allocation process during the year.



#### 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.

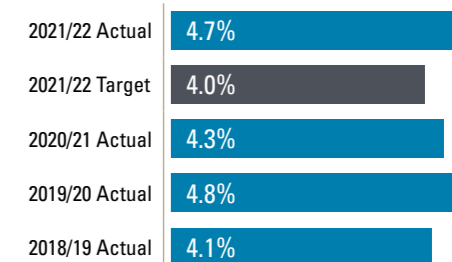
##### How is this indicator calculated?

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.

##### How does the indicator result compare to target?

The 2021/22 actual result is higher than target by 18% due to an increased number of deceased files administered by the Public Trustee during the 2021/22 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.

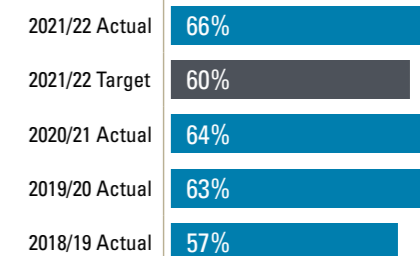
The indicator represents the proportion of services provided free of charge or at a reduced cost under the Public Trustee's community service.

##### 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.

##### How does the indicator result compare to target?

The 2021/22 actual result is higher than target by 10% due to an increased number of trustee services delivered to vulnerable persons under an operating subsidy.



**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.

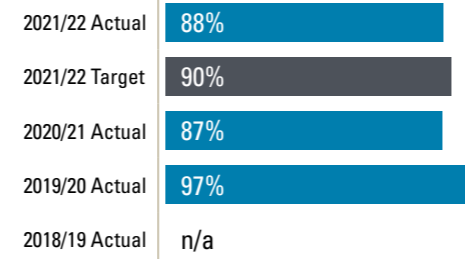
**How is this indicator calculated?**

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.

**How does the indicator result compare to target?**

No significant variation.



**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?**

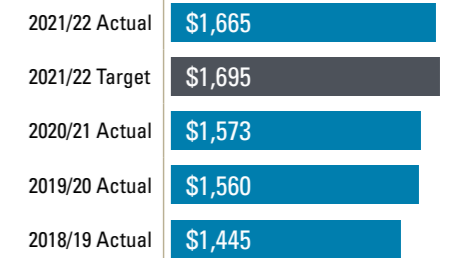
This indicator measures the average cost per case of providing advocacy and guardianship services on behalf of people with decision-making disabilities.

**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.

**How does the indicator result compare to target?**

No significant variation.



## 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?

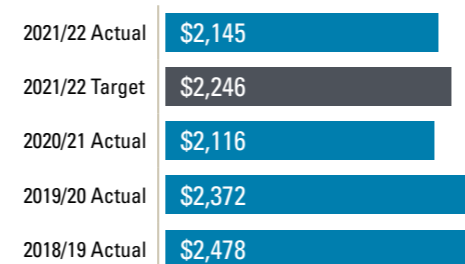
This indicator measures the average cost per deceased estate administered.

##### 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).

##### How does the indicator result compare to target?

No significant variation.



#### Average cost per trust managed

##### What does this indicator measure?

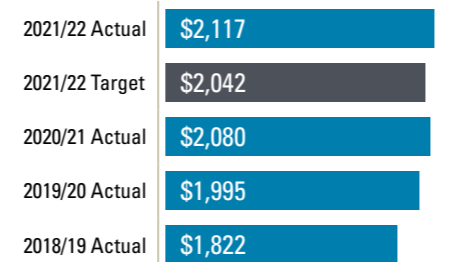
This indicator measures the average cost of managing a trust.

##### 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.

##### How does the indicator result compare to target?

No significant variation.



#### Average cost per will prepared

##### What does this indicator measure?

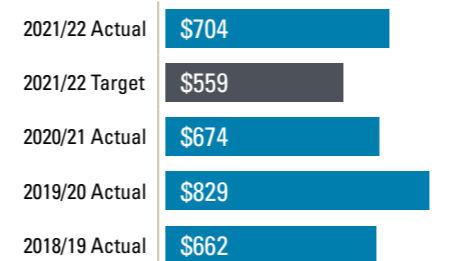
This indicator measures the average cost per will prepared.

##### 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.

##### How does the indicator result compare to target?

The 2021/22 actual result is higher than target by 26%. This variance is mainly due to a lower number of wills prepared during the reporting period. The Public Trustee has reviewed its will services and reallocated resources to meet priorities in response to COVID-19 and increased workload in other legal areas.



## 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.

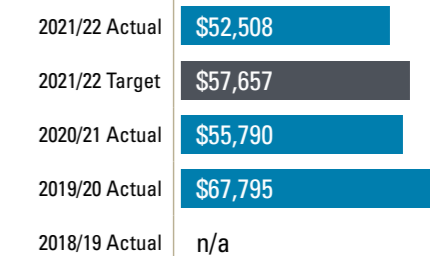
The Scheme provides quarterly invoices to the Redress Unit, which requests reimbursement for payments made to applicants, as well as an administrative and legal payment towards the running of the Scheme. The number of finalised claims is sourced from this invoice. An application is considered finalised 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.

##### How does the indicator result compare to target?

No significant variation.





## 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 safe, strong and fair communities: developing healthy and resilient communities.

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?

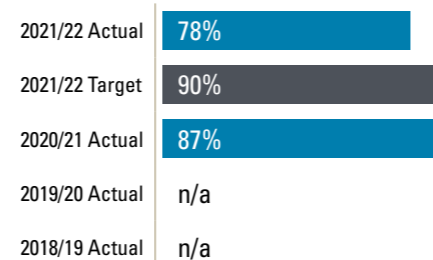
The growing need for people to access certificates for identification in a timely manner means that time taken to obtain a certificate of birth, death, marriage or change of name is a major determinant of accessibility. This indicator measures the extent to which requests for certified certificates are 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.

##### How does the indicator result compare to target?

The 2021/22 actual result is 13% lower than target and 10% lower than the 2020/21 actual result of 87% following a high volume backlog of work due to COVID-19 related staff shortages, combined with a 14% increase in demand for certificates.



#### 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.

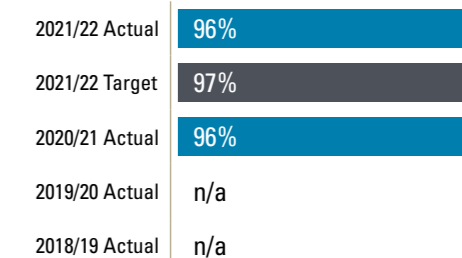
This indicator is a Key Performance Indicator because the Registry is the creator and custodian of vital records and the public must have confidence that records are accurate and reliable.

##### How is this indicator calculated?

The indicator is calculated by dividing the total number of birth, death, marriage, change of name, adoption and surrogate birth registrations accurately recorded by the total number of birth, death, marriage, change of name, adoption and surrogate birth 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).

##### How does the indicator result compare to target?

No significant variation.



## 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.

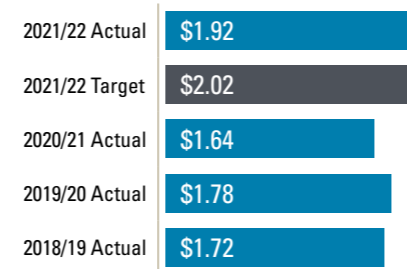
##### How is this indicator calculated?

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).

##### How does the indicator result compare to target?

There is no significant variation between the 2021/22 actual result and target. The 2021/22 actual result is 17% higher than the 2020/21 actual result of \$1.64 due to an increase in corporate overhead costs during the year.



## Outcome 4: Government receives quality and timely 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 safe, strong and fair communities: developing healthy and resilient communities.

The following effectiveness indicator shows the extent to which the Department, through the activities of the Parliamentary Counsel's Office, has achieved this outcome. The indicator measures the timeliness of drafting legislation.

### Key Effectiveness Indicator

#### 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.

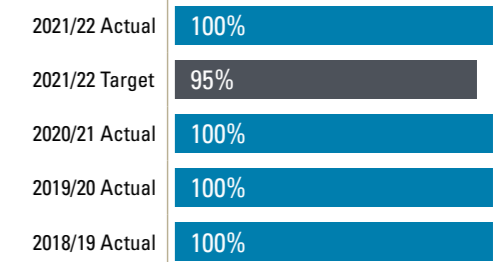
##### How is this indicator calculated?

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.

##### How does the indicator result compare to target?

No significant variation.



## Service 6: Services to Government

This service is delivered by the Parliamentary Counsel's Office.

The Parliamentary Counsel's Office provides comprehensive legislation drafting services and access to up-to-date Western Australian legislation.

The following efficiency indicator measures the timeliness of publishing legislation to the WA legislation website.

### Key Efficiency Indicator

#### Percentage of new and amended legislation titles published within two days

##### What does this indicator measure?

This indicator measures the number of new and amended legislation titles published within two working days. 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.

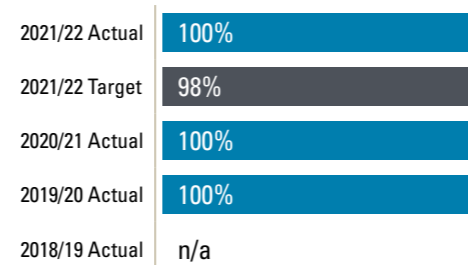
Legislation titles published within two days include:

- 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.

##### How does the indicator result compare to target?

No significant variation.

*Note: This key efficiency indicator is new for 2021/22. Prior year results are included for 2019/20 and 2020/21.*



## Outcome 5: The people of Western Australia have efficient and accessible avenues of redress under the relevant legislation

The Equal Opportunity Commission (EOC) provides accessible avenues of redress for unlawful discrimination under relevant Western Australian legislation. This supports the Government's strategic goal of safe, strong and fair communities: developing healthy and resilient communities.

The following effectiveness indicator shows the extent to which this outcome has been achieved. The indicator measures timeliness for investigating allegations of unlawful discrimination.

### Key Effectiveness Indicator

#### Percentage of complaints finalised within 12 months

##### What does this indicator measure?

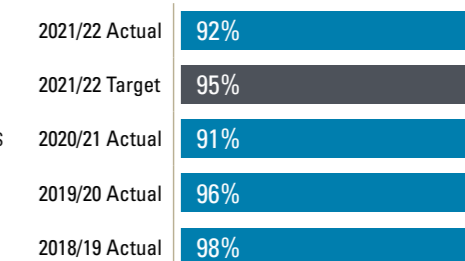
The EOC investigates and aims to conciliate allegations of unlawful discrimination (complaints) that fall within the jurisdiction of the *Equal Opportunity Act 1984* and other legislation administered by the EOC. This indicator measures the percentage of complaints finalised within twelve months of registration with the EOC.

##### 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. Information for this indicator is derived from the Oscar complaint data collection system for complaints lodged before 1 July 2021, and the Integrated Courts Management System (ICMS) for complaints lodged after that date.

##### How does the indicator result compare to target?

No significant variation.



## Service 7: Equal Opportunity Commission Services

This service is delivered by the Equal Opportunity Commission.

The Equal Opportunity Commission 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?

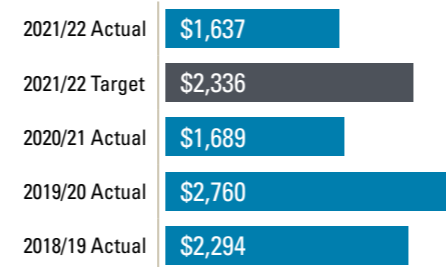
The Equal Opportunity Commission (EOC) investigates and aims to conciliate allegations of unlawful discrimination (complaints) that fall within the jurisdiction of the *Equal Opportunity Act 1984* and other legislation administered by the EOC. This indicator measures the costs involved in investigating 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. The total cost of handling complaints is extracted from the Department's activity based cost management system, PBCS. Complaints data is derived from the Oscar complaint data collection system for complaints lodged before 1 July 2021, and the Integrated Courts Management System (ICMS) for complaints lodged after that date.

##### How does the indicator result compare to target?

The 2021/22 actual result is 30% lower than target result due to a greater overall number of complaints handled during the reporting period. The EOC finalised a higher number of complaints during 2021/22, responding to a high number of complaints carried over from the previous financial year, as well as complaints received during the year.



## 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 safe, strong and fair communities: developing healthy and resilient communities 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?

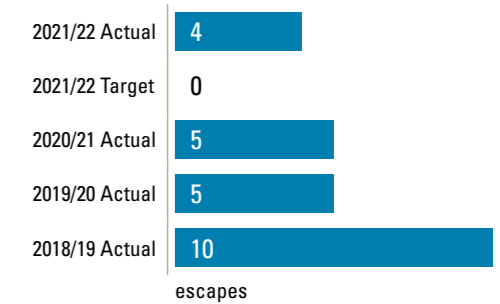
This indicator measures the number of escapes by prisoners in the custody of the Department by the prisoner's personal security rating.

##### 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.



##### How does the indicator result compare to target?

The 2021/22 actual result is higher than target by four escapes. This result is based on one maximum security escape from Broome Regional Prison during October 2021, and three minimum security escapes from Boronia Pre-release Centre in February 2022.

This compares with five escapes across all security ratings during 2020/21.

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.

	2018/19 Actual	2019/20 Actual	2020/21 Actual	2021/22 Target	2021/22 Actual
Maximum	0	1	2	0	1
Medium	10	1	0	0	0
Minimum	0	3	3	0	3
<b>Total</b>	<b>10</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>4</b>

### 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.

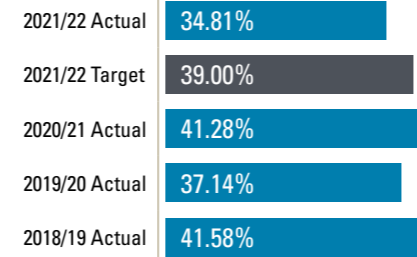
#### How is this indicator calculated?

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 exited to jurisdictions outside of Western Australia or to a mental health placement, 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.

#### How does the indicator result compare to target?

The 2021/22 actual result is lower than target by 11% and decreased by 16% from the 2020/21 actual result of 41.28%. The 2021/22 result of 34.81% is based on 251 returns to corrective services within two years of release from a period of sentenced custody, of 721 exits. This compares with 400 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 969 exits, for the 2020/21 period. Factors that impact the rate of return include supervision practices, program delivery and standards set for compliance and breaching. External influences, such as policing practices, drug availabilities and changes in personal circumstances can also impact the rate of return.



### 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.

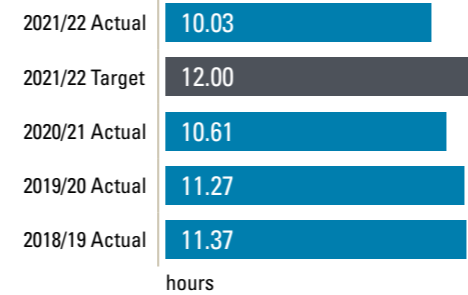
Providing a secure, safe and decent custodial environment includes managing prisoners in a way that minimises the risks they pose to the community while enabling them to achieve an acceptable quality of life. Time spent out of cells provides a greater opportunity for prisoners to participate in activities 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.

#### How does the indicator result compare to target?

The 2021/22 actual result is lower than target by 16% due to the combined impact of restrictions and practices in place as part of the Department's COVID-19 response and 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.

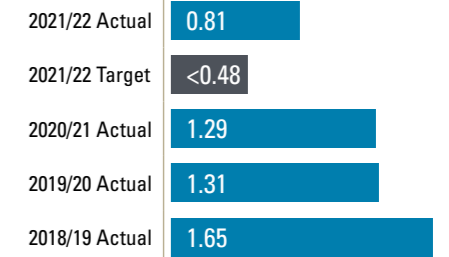
#### How is this indicator calculated?

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.

#### How does the indicator result compare to target?

The 2021/22 actual result is higher than target by 69%, however decreased by 37% from the 2020/21 actual result of 1.29 serious assaults per 100 adult prisoners. The 2021/22 actual result of 0.81 is based on 52 serious assault incidents against prisoners and staff, comprising 10 serious assaults where the victim was a staff member and 42 serious assaults where the victim was a prisoner. The 2020/21 serious assault rate was based on 14 serious assaults where the victim was a staff member and 72 serious assaults where the victim was a prisoner.



### Successful completion of community corrections orders – Adult

#### What does this indicator measure?

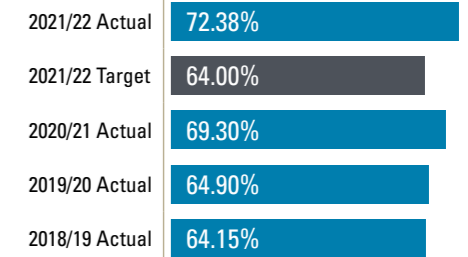
This indicator measures the percentage of community orders completed during the period that were not terminated for a breach of order for failure to meet the order requirements or because further offences were committed. This is an indicator of the Department's objective of ensuring court sanctions are 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.

#### How does the indicator result compare to target?

The 2021/22 actual result is higher than target by 13% due to a lower number of adults reoffending and higher compliance with conditions of their order. Continued improvements in the capability of staff in managing offenders in the community has resulted in incremental improvement. Amendments to the Adult Community Corrections (ACC) handbook in 2019 also impacted by placing emphasis on motivational engagement with the offender to reduce non-compliance from occurring, and consideration of strategies to achieve a shared goal of compliance.



## 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.

2021/22 Actual	1
2021/22 Target	0
2020/21 Actual	0
2019/20 Actual	0
2018/19 Actual	0

escapes

#### How does the indicator result compare to target?

The 2021/22 actual result is higher than target due to one maximum security escape from Broome Courthouse in October 2021, prior to reception at Banksia Hill Detention Centre. This compares with zero escapes during the preceding three years. 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.

### 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.

#### How does the indicator result compare to target?

There is no significant variation between the 2021/22 actual result and target. The 2021/22 actual result of 49.21% is 11% higher than the 2020/21 actual result of 44.31%, and is based on 62 returns to detention within two years of release from a period of sentenced detention, of 126 exits during the July 2019 to June 2020 period (i.e. two years prior). This compares with 74 returns to detention within two years of release, of 167 exits for the 2020/21 period.

2021/22 Actual	49.21%
2021/22 Target	50.00%
2020/21 Actual	44.31%
2019/20 Actual	53.41%
2018/19 Actual	52.87%

### 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.

#### How does the indicator result compare to target?

The 2021/22 actual result is lower than target by 18% and decreased by 11% from the 2020/21 actual result of 63.02%. This is mainly due to an increase in the number of breached orders due to reoffending. When young people do not comply with orders and pose a risk to the community, breach action is warranted in line with the relevant legislation and Departmental procedures.

2021/22 Actual	55.88%
2021/22 Target	68.00%
2020/21 Actual	63.02%
2019/20 Actual	58.61%
2018/19 Actual	56.36%

## Service 9: 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 10.

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

##### What does this indicator measure?

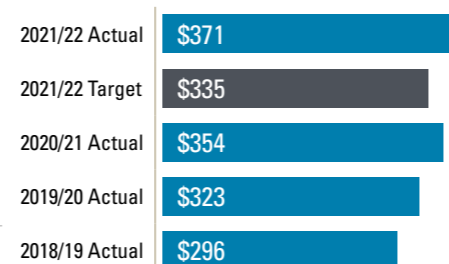
This indicator measures the average cost per day of keeping an adult prisoner in custody.

##### How is this indicator calculated?

This indicator is calculated by dividing the total cost of managing adult prisoners in custody by the average daily number of adult prisoners and the number of days in the period.

##### How does the indicator result compare to target?

The 2021/22 actual result is higher than target by 11%. This variance is due to a reduced average daily number of offenders managed in custody, compared to the budgeted number of adult offenders managed. The higher average cost relates to reduced economies of scale as a result of the lower average daily number of offenders managed in custody.



#### Cost per day of managing an offender through community supervision – Adult

##### What does this indicator measure?

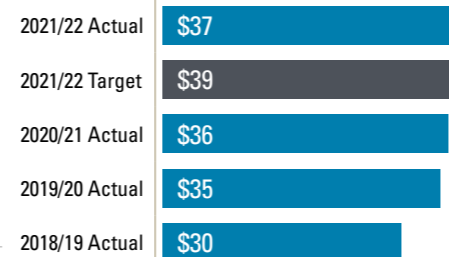
This indicator measures the average cost per day of managing adult offenders through supervision of community orders.

##### How is this indicator calculated?

This indicator is calculated by dividing the total 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.

##### How does the indicator result compare to target?

No significant variation.



## Service 10: 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 focussed 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?

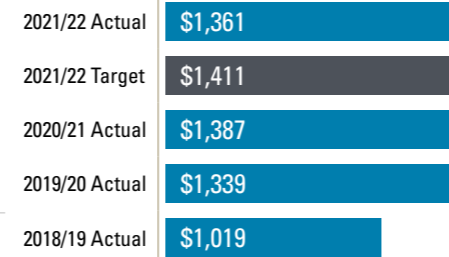
This indicator measures the average cost per day of keeping a young person in detention.

#### 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.

#### How does the indicator result compare to target?

No significant variation.



### 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.

#### How does the indicator result compare to target?

No significant variation.

