



GOVERNMENT OF
WESTERN AUSTRALIA

Department of
Justice

Annual Report 2022/23



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. The Department acknowledges the over-representation of Aboriginal people in Western Australia in its care.

About the cover artwork

The cover artwork was completed as part of a Court and Tribunal Services NAIDOC event. The interactive workshop was hosted by local artist Acacia Collard a Balladong Noongar, Badimia Yamatji woman for Court and Tribunal Services staff at Golden Square.

The artwork depicts the 'Derbarl Yerrigan' (Swan River), surrounding landscapes, buildings, and meetings places. The 'Wagyl' is the Noongar word for snake or rainbow serpent, recognised by Noongar people as the creator of the 'Derbarl Yerrigan' being the Swan River.



Statement of Compliance



Hon John Quigley MLA
Attorney General; Minister for Electoral Affairs



Hon Paul Papalia CSC MLA
Minister for Police; Corrective Services;
Defence Industry; Veterans Issues

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 2023.

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
15 September 2023

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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, 190 Acts of Parliament.

The 2022/23 financial year saw significant change throughout our communities and across Government, during which Justice successfully navigated a number of challenges and an increased demand for services. The Department continued to lead key justice policy and practice reforms; responded to emerging issues such as an increasing prisoner population and managing a volatile youth detention cohort; planned and progressed a number of courts and corrections infrastructure expansion projects; and enacted innovative approaches to service delivery across the Department's business areas.

Our staff, to their great credit, have continued to rise above the year's challenges, demonstrating their professionalism, resilience, and responsiveness in adapting to new ways of working to better serve our community. The impact of COVID-19 took a different turn this year, as Western Australia's Public Health State of Emergency came to an end in November, and we transitioned to living with the virus. Department staff remained committed to delivering safe and effective justice services and continue to observe measures that slow the spread of the virus.

Sadly, as the pandemic eased, the north of our state was impacted by Ex-Tropical Cyclone Ellie earlier this year. Fortunately, courts and corrections infrastructure avoided any major damage. However, I would like to express my gratitude to the Department's staff and the West Kimberley Regional Prison cohort for their contributions to the local emergency relief services in assisting the affected residents during this challenging period. Although there were some minor disruptions to normal operations, staff showed their resilience and adaptability in ensuring the continued provision of relevant and timely services to clients. To avoid adding further hardship to those affected by the floods, a moratorium was implemented by the Registrar of the Fines Enforcement Registry on the issuance of warrants or fine enforcement during this time.

Offender rehabilitation and education

As part of the complex and demanding role of managing those who come into contact with our criminal justice system, the Department's courts and custodial teams delivered a number of mental health and rehabilitation programs that aim to reduce reoffending, support offender reintegration and build safer communities.

This year marks ten successful years of operation of the Mental Health Diversion and Support Program, a joint initiative by the Department and the Mental Health Commission. The program is a significant milestone in recognising the mental health needs of individuals in our community, and in addressing the disproportionate representation of those with mental health issues in the criminal justice system. The adult component, Start Court, functions as a dedicated court within the Magistrates Court of Western Australia, while the children's component, Links, provides crucial psycho-social support to young individuals appearing before the Perth Children's Court.

Over the past decade, more than 3,300 accused individuals have appeared before the Start Court and approximately 3,600 young people have benefited from the Links mental health services. The program adopts a coordinated multi-agency approach to provide comprehensive support that targets criminal behaviour, addiction and mental health concerns. This approach demonstrates how our justice system can effectively break the cycle of reoffending by tackling the root causes of criminal behaviour and create a safer community for all.

This year, the Department has celebrated a number of other anniversaries and significant dates across our custodial facilities, including the first anniversary of the Bindi Bindi mental health unit, the tenth anniversary of the West Kimberley Regional Prison and the launch of Western Australia's first smoke-free prison.

The Mallee Rehabilitation Centre at Casuarina Prison also marked the second anniversary of its innovative Solid Steps program for alcohol and drug addiction treatment, which has been highly successful. Similar to the women's program operating at Wandoo Prison, the Mallee Rehabilitation Centre has produced many benefits for participants and has seen success in breaking the cycle of re-offending.

This year, 78 men have volunteered for the program and gone on to successfully complete Solid Steps, with approximately one-fifth of them being of Aboriginal descent.

As part of the further development of correctional Alcohol and Other Drug (AOD) rehabilitation services, over the last twelve months significant progress has been made towards the establishment of a new AOD Rehabilitation and Reintegration Service at the Bunbury Regional Prison. The 24-bed Reintegration Service is part of the State Government's commitment to implementing the Methamphetamine Action Plan and will be the first of its kind in Western Australia, offering men leaving prison an opportunity to complete the community reintegration element of their sentence in a minimum-security environment. Extensive consultation with stakeholders has resulted in the adoption of a model of care that will support participants to successfully reintegrate into the community and minimise the risk of reoffending. I was pleased to announce that Palmerston Association and the South West Aboriginal Medical Service were successful in the competitive tender to deliver the service in partnership with the Department.

Smoking is another addictive habit where Corrective Services has taken action to support prisoners in developing healthier lifestyles. In October 2022, Bandyup Women's Prison successfully launched its Smoke-free Prisons pilot, making it the first smoke-free custodial site in Western Australia.

Education in prison is also recognised as playing a key role in prisoner rehabilitation. The development of basic numeracy and literacy skills can provide a pathway to improved social and economic mobility after release, breaking the cycle of crime and its intergenerational effects. The Department offers various programs aimed at helping prisoners transition from incarceration to employment. One of these is the award-winning "Making Tracks" program which connects prisoners across the state with vocational training opportunities as well as potential employers. This program won the Industry Collaboration category at the WA Training Awards 2022.

Another successful program is the "Raising the Bar Behind Bars" program, which won the Australian Apprenticeships Employer Award at the 2022 Australian Training Awards. This program has supported approximately 5,000 prisoners in apprenticeships or traineeships, with an impressive completion rate of 70 per cent. To further aid those in our care, Corrective Services has partnered with Curtin University to offer bridging courses like Uni-Ready and the Indigenous Tertiary Enabling Course at Casuarina, Bandyup, and Greenough Prisons.

Finally, in February this year, Bandyup Women's Prison initiated a pilot program called the Indigenous Tertiary Enabling Course (ITEC) in collaboration with Curtin University. The course is designed to run for twelve months and is a significant initial step for incarcerated women toward attaining a university degree. Upon completing the ITEC course, the prisoners will receive an ATAR equivalency of 70, which can provide them with access to various courses in most universities throughout Australia.

Youth justice

Tackling youth crime requires a whole-of-Government multi-agency response, as the most effective means of averting or reducing youth offending is early intervention and the prevention of a young person's contact with the justice system. Much of the Department's current role is focused on the management of young people once they commit offences, and one of the most challenging issues the Department has dealt with this year has been managing youth in detention. The events at Banksia Hill Detention Centre have been concerning, and to address this, a number of measures have been taken and reforms are being implemented to enhance safety and detainee management to provide long-term benefits for the young people under our care. A new service model incorporating trauma-informed principles and child-safe practices has been introduced. The Centre has also expanded youth mental health and support services, strengthened staff numbers and made progress towards infrastructure upgrades, including the development of a new youth Crisis Care Unit and an increase in Aboriginal Youth Support Officers for the Aboriginal Services Unit.

A new framework for transferring youth in detention has been implemented, and Unit 18 (currently operating as a gazetted youth detention facility) at Casuarina Prison has been effective in providing a safer, more secure, temporary environment for a very difficult cohort of young males. This has enabled other detainees at Banksia Hill to resume their normal education and recreational activities which were previously affected by ongoing disruptions from this group. Detainees again have regular access to a suite of education, sports, volunteering and mental health programs, all delivered by qualified and committed Aboriginal and non-Aboriginal staff.

Closing the Gap

The Department continues to work to rectify the significant over-representation of Aboriginal people in the Western Australian criminal justice system and continues to actively seek solutions and take measures to improve outcomes.

The WA Government's Closing the Gap Jurisdictional Implementation Plan is a collaborative effort between government departments, agencies and advisory councils to empower Aboriginal people and achieve progress against targets outlined in the National Agreement on Closing the Gap. While there has been significant positive progress, the Department acknowledges more work needs to be done to reduce the high incarceration rates of Aboriginal adults and young people, as outlined in Outcomes 10 and 11 of the National Agreement.

The Aboriginal Justice Advisory Committee (AJAC) is a vital partnership between the Department and Aboriginal people and provides a proactive voice on justice issues for the State's Aboriginal community. The Committee comprises 11 Aboriginal members from communities across the State, including two co-members who joined the Committee this year under a shared membership; Elizabeth Ellis and Daisy Ward, both senior leaders from Western Australia's Ngaanyatjarra Lands. Their joint appointment marks the first time a WA public sector agency has followed an Aboriginal-led approach to advisory appointments, acknowledging the significance of traditional cultural knowledge transfer. The Department is committed to continuing this partnership to bring about positive changes and ensure better outcomes for Aboriginal people navigating the justice system.

This year marked a significant milestone in our reconciliation journey with the release of the Western Australian Courts and Tribunals Reconciliation Statement. On 29 May 2023, the Heads of Jurisdiction of Western Australian Courts and Tribunals, in collaboration with the AJAC, launched this statement to demonstrate their ongoing commitment to Aboriginal people. The statement recognises the significant barriers to justice that Aboriginal people have faced over the course of our shared history and that they continue to be over-represented in the criminal justice system. It serves as a crucial starting point for the courts and justice system to continue working towards greater equity and fairness for all.

We are now three-quarters of the way through our second Reconciliation Action Plan 2022-2024. This plan outlines our unwavering commitment to achieving reconciliation, building upon the insights and accomplishments we've gained in past years, and provides clear actions and deliverables that are both challenging and ambitious. It provides a renewed focus on strengthening relationships with Aboriginal people including fostering respect through truth-telling. Initiatives range from anti-discriminatory strategies to improving justice and employment outcomes for Aboriginal people, as well as staff training initiatives that aim to build culturally safe

environments. With 97 per cent of the Plan's deliverables underway and many already completed, the Department will work towards achieving all remaining deliverables in its final six months.

In line with our second Reconciliation Action Plan, strengthening our rehabilitation and reintegration custodial programs, and creating culturally appropriate and inclusive learning environments for those under our care, have continued to be a focus this year. I'm pleased to announce the introduction of the 'Collective Nations: Many Tracks' Aboriginal Education and Employment Strategy 2022-2025, a three-year plan that guides Indigenous prisoners' education and training, from foundational skills to further education and employment pathways.

One such program is the collaborative initiative, Prison to Work Program, which is a partnership between the National Indigenous Australians Agency, the Department of Justice Training Academy and Boronia Pre-Release Centre for Women. This program offers recognised qualifications and job-ready skills in the hospitality, catering and customer service sectors. Named *Yirra Djinda*, which means 'rising stars' in the Noongar language, the program offers Aboriginal women offenders a genuine chance to secure steady employment, enabling them to balance work, parenting, and other cultural obligations upon their release. Since its launch in December 2022, 47 participants have gone through the program and a total of 13 graduated from the course. Some of the participants have been released and are now working within the hospitality industry.

Another initiative that has been driving positive outcomes for Aboriginal people in custody is the launch of the new Eastern Goldfields Regional Prison Art Gallery. The gallery, named *Palya Walkaly-Walkalya* (Good Coloured Patterns in Ngaanyatjarra), is the first operational prison art gallery in Western Australia that showcases works by both male and female prisoners. Art serves as a crucial link to culture and Country, and it also serves as a gateway for individuals with limited literacy skills or those who are visual learners. By honing skills and boosting confidence, art can pave the way for incarcerated individuals to reconnect with education, training and employment opportunities.

I remain focused on the Department making further efforts to enhance our Aboriginal workforce. Our Aboriginal colleagues offer a unique perspective and insight based on their lived experiences, which helps us shape our services to ensure they are culturally appropriate and safe. This financial year, our workforce welcomed 13 full-time trainees who commenced with the Department as part of the 2023/24 Aboriginal Traineeship Program. Trainees will gain on-the-job experience over the next 12 months while undertaking either the nationally recognised Certificate III or IV in Government. The cohort is the largest to date, with regional participation in the South-West and Pilbara for the first time.

Driving justice reforms and legal assistance

The Strategic Reform division and the Parliamentary Counsel's Office between them developed a significant number of policy positions and draft Bills for the Attorney General and Government – the latter involved in drafting many other bills across other portfolios. For this portfolio, the year saw the passage and enactment of the *Civil Procedure (Representative Proceedings) Act 2022*, the *Bail Amendment Act 2022*, the *Animal Welfare and Trespass Legislation Amendment Act 2023*, the *Directors' Liability Reform Act 2023* and the *Criminal Appeals Amendment Act 2022*.

In late 2022, after a number of years work by Department staff, the new Criminal Law (Mental Impairment) Bill 2022 was introduced to replace the outdated *Criminal Law (Mentally Impaired Accused) Act 1996*. This new Bill ensures that individuals who are mentally impaired and unable to stand trial are not unfairly penalised. The new framework covers the management of those deemed unfit to stand trial or acquitted due to mental impairment, while also ensuring safe reintegration into the community for those under supervision.

Legislative changes have also recently been made in the Family Court to allow de facto couples in WA to split their superannuation. Previously, the Family Court of Western Australia had no authority to order the division of superannuation assets in cases of de facto couples. This much-awaited reform has, and will continue to have, an enduring impact on the lives of Western Australians and will ensure that these couples are no longer at a disadvantage when it comes to dividing their superannuation assets if their relationship ends. This change has brought de facto couples in WA on par with married couples in the state, and with married and de facto couples across Australia.

The Department is committed to developing and implementing strategies and initiatives across government to reduce family and domestic violence. As part of this pledge, the Department launched the Family and Domestic Violence Strategic Framework 2022-2025. The Framework showcases our genuine and ongoing commitment to improving responses that hold offenders accountable while providing better support to victims of family and domestic violence. This strategy works alongside the recently implemented Aboriginal Family Safety Strategy 2022-2032, the Legal Assistance Strategy 2022-2025, and the Victims of Crime and Sexual Violence Strategies. All initiatives were created through significant collaboration and consultation across business areas and with Department stakeholders.

It is important that all Western Australians, regardless of their background or location, have fair access to justice and legal assistance. To achieve this, the Department administers State and Commonwealth funding, develops policies and

leads planning for the legal assistance sector. During the year extensive work was undertaken by the Department to develop the WA Legal Assistance Strategy and Action Plan, as per the requirements of the *National Legal Assistance Partnership 2020-2025*. The Legal Assistance Strategy was published on 1 July 2022 and the related Legal Assistance Action Plan was published on 30 September 2022.

During 22/23, the Legal Assistance Branch allocated more than \$128 million in State and Commonwealth funding to the Western Australian legal assistance sector. This included approximately \$60.8 million from the Commonwealth under the National Legal Assistance Partnership 2020-2025, with approximately \$16.8 million for the Aboriginal Legal Service of Western Australia Limited, \$31 million for Legal Aid Western Australia and \$12.1 million for Community Legal Centres.

Supporting victims of crime

The Department has been providing sensitive and structured support to victims of crime for over 30 years. Our comprehensive support services have helped hundreds of thousands of individuals navigate the complexities of the justice system and cope with the profound impacts of crime. In 2022/23, The Office of the Commissioner for Victims of Crime engaged with over 1,158 victims, providing guidance, advocacy and practical support services.

Earlier this year, we saw Western Australia's first memorial to honour children harmed in institutional care, restored and returned to a place of prominence in the Perth Cultural Centre. The memorial, titled *Unfolding Lives*, is a striking piece of artwork created by sculptor Judith Forrest, that resembles a paper fortune-telling game called a chatterbox. Originally unveiled in 2010, the sculpture was temporarily moved to storage during the construction of the WA Museum Boola Bardip. Its restoration and reinstallation hold deep significance for Forgotten Australians and all Western Australians. I thank Commissioner for Victims of Crime, Kati Kraszlan, for leading the Department's involvement in this project and extend our gratitude to care leavers, care leaver support groups, the Departments of Communities and Local Government, Sport and Cultural Industries, and all those who assisted in the successful reinstatement of *Unfolding Lives*.

The Office of the Commissioner for Victims of Crime has successfully built on the progress made last financial year by continuing to play a key role in developing and consulting on State Government reforms that affect victims. This has involved co-leading the development of Western Australia's first Sexual Violence Prevention and Response Strategy in collaboration with the Department of Communities. This strategy aims to enhance the outcomes of victim-survivors of sexual violence by prioritising primary prevention, providing support for victim-survivors during their recovery and holding perpetrators accountable. To ensure the Strategy reflects the

views and experiences of the community, a Sexual Violence Prevention and Response Strategy Reference Group was formed. This group consists of individuals from government and non-government organisations with expertise in preventing and responding to sexual violence for diverse cohorts, including those with lived experience of sexual violence.

This year, the Office also launched a pilot program aimed at providing support to female prisoners who have been victims of family violence or are at risk of experiencing it upon release. The *Leave Safe, Stay Safe Program* is one of the first initiatives of the Department's Family and Domestic Violence Strategic Framework 2022-2025. It offers a range of services such as counselling, risk assessment and safety planning, online training, and referral to external support services as well as a dedicated lawyer. Additionally, the program provides access to the Safe Connection program, which offers free mobile phones and prepaid credit to vulnerable women. The \$2 million pilot is taking place over three years at Bandyup Women's Prison and Greenough Regional Prison.

Guardianship and administration services

Many of our business areas have again experienced a rise in demand this year, particularly the guardianship and financial and asset management services offered by the Public Advocate and the Public Trustee respectively. This is partly due to the State's growing and ageing population, as well as an increasing number of mental health and neurological disorders within the community.

This year, the Office of the Public Advocate marked 30 years of safeguarding the interests of our state's most vulnerable citizens. The Office managed an increasing workload while consistently achieving favourable results for individuals with a decision-making disability through advocacy, guardianship and administration services.

To meet the increasing service demands in the Public Trustee's Office, staff numbers have been increased to ensure essential trust and deceased estate services are able to be provided to those who need them most. During the year the Office of the Auditor General conducted a Performance Audit which examined the administration process of deceased estates and trusts, as well as the fraud prevention measures implemented.

Following the audit the State Government announced \$13 million towards fee relief for vulnerable clients, while the Office continues to work on streamlining the existing fee structure, in collaboration with the Department of Treasury. An independent governing board will also be established to oversee the Public Trustee and its work to further enhance its operations.

A positive workforce

We strive to make a positive impact through all of our services and recognise that it is our people that are our most valuable asset in achieving high quality service delivery.

A number of initiatives have been progressed to enhance the work environment for all staff and to make the Department of Justice an employer of choice. These include investment in our second Reconciliation Action Plan (as noted above), and in our Workforce Diversification and Inclusion Strategy and Action Plan 2021-2025 to further develop a supportive, inclusive, and non-discriminatory work environment.

Delivering services with professionalism and integrity also remains an agency focus. The Department's People Culture and Standards division continues to provide a significant internal audit function, misconduct investigation and management and workplace support to managers and staff. As part of this process, over 7,500 pre-employment screens were conducted for prospective employees, contractors, and volunteers, and more than 90 Integrity and Ethics Awareness Sessions were held statewide. Further, the Department introduced Safe2Say, an online portal for anonymous reporting of misconduct, which provides additional options for the reporting of misconduct and complements the Online Complaints and Referral Portal.

Key appointments

In early 2023 a review was undertaken of position titles for some of our senior positions within the Department. The purpose of this was to make sure that the titles correctly reflected the positions' status and were in line with naming conventions now seen across the rest of the WA Public Service. As a result, on 14 April 2023, I implemented a number of changes for senior staff across the Divisions of Strategic Reform, People Culture and Standards, Court and Tribunal Services, Corporate Services and Advisory Services. Of particular note, the title of Executive Director for Tier 2 positions across Divisions was retitled Deputy Director General.

There were a number of significant appointments across the Department this year. Mr Tony Clark was appointed as Deputy Director General Corporate Services for a five-year term. Mr Clark had previously held the position of acting Deputy Director General of People, Culture and Standards.

Corrective Services has recently welcomed new Deputy Commissioners to their team. Mr Andrew Beck assumed the role of Deputy Commissioner Offender Services; Ms Christine Ginbey was appointed to the role of Deputy Commissioner Women and Young People; Mr David Brampton gained the position of Deputy Commissioner Adult Male Prisons, and Mr James August (previously acting Deputy Director General People Culture and Standards) was appointed to the position of Deputy Commissioner Operational Support. They all bring with them extensive experience and will be valuable leaders within the Corrective Services Division.

In concluding, I would like to acknowledge and express my gratitude to our Ministers. The Attorney General, the Hon John Quigley MLA, who continues to provide valuable strategic guidance and support to the Department, and to the former Minister for Corrective Services, the Hon Bill Johnston MLA, for his significant and highly valued contributions during his term. On behalf of the Department, I extend a warm welcome to the Hon Paul Papalia CSC MLA, the new Minister in charge of the corrections portfolio.

I look forward to working with the new Minister.

Finally, I would like to acknowledge the Department's Corporate Executive and staff, and the connected agencies, community organisations and volunteers for their ongoing dedication and hard work in continuing to improve and deliver justice services to the State Government and the Western Australian community.



Dr Adam Tomison
Director General

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 Northern Territory'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.



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.



Kylie Maj - Deputy Director General, 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.



Joanne Stampalia - Deputy Director General, 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.



Tony Clark - Deputy Director General, Corporate Services 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.



David Robinson - A/Deputy Director General, People, Culture and Standards Prior to this role, David was Director Operations at the Corruption and Crime Commission from August 2016 and Acting Chief Executive of the Commission from August 2021 to May 2023. David has over 30 years' experience in the Western Australian Public Sector agencies including the Department of the Premier and Cabinet, the Department of Education, the Public Sector Commission, and the Ombudsman's office. In 2019 and 2021 he was a sessional academic at Edith Cowan University teaching a unit on misconduct and corruption prevention. David has a BA in History and Politics and a MA in Public Policy.



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 appointed a Member of the Order of Australia in the Queen's Birthday Honours.



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.



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.



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.



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.



Gina Hill - Executive 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 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.



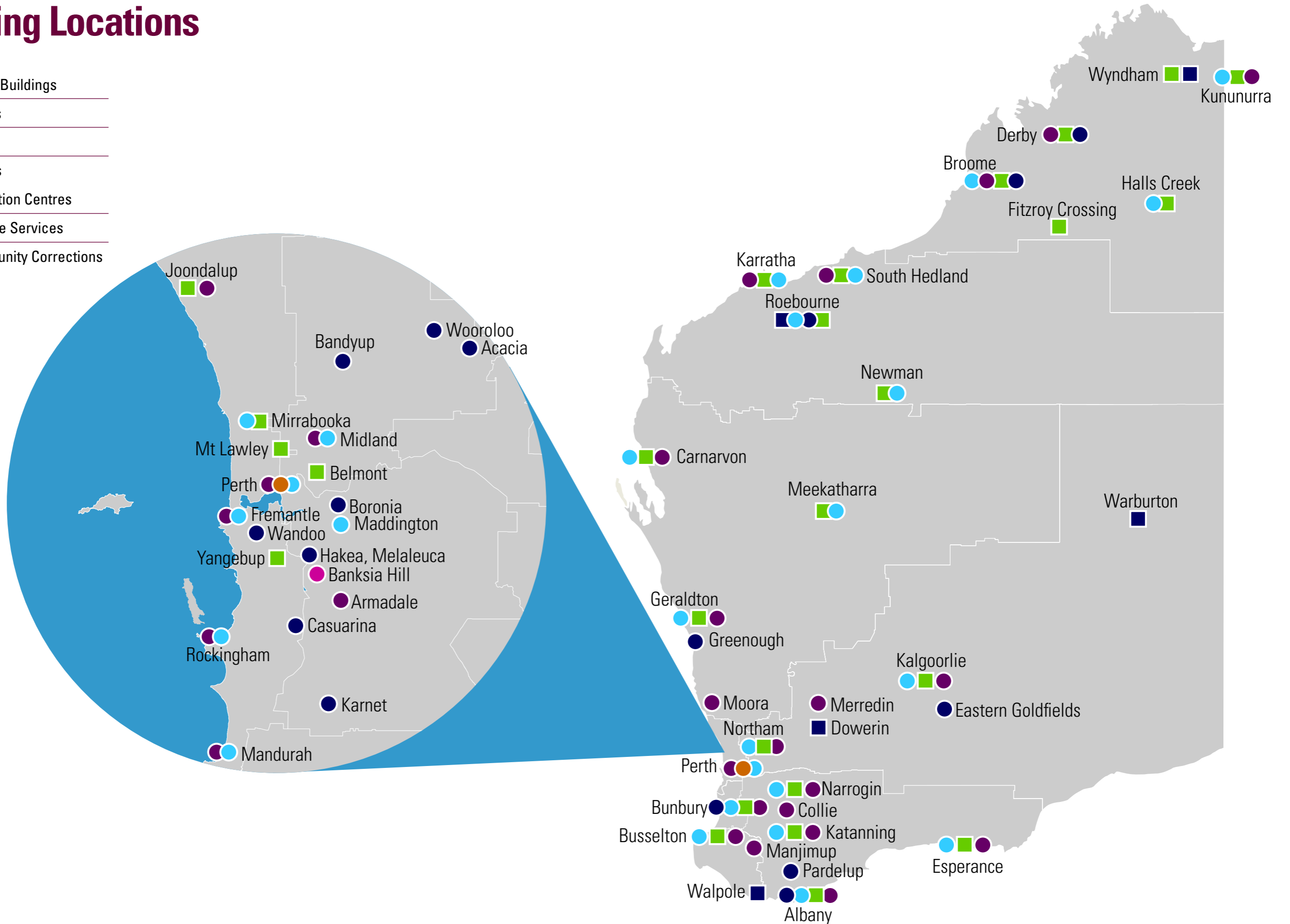
Dr Shona Hyde, Executive Director, Western Australian Office of Crime Statistics and Research Dr Shona Hyde has been with the Department for more than 17 years, working in a variety of research, evaluation, and policy development roles. Shona has a PhD from the Australian National University and a First 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.



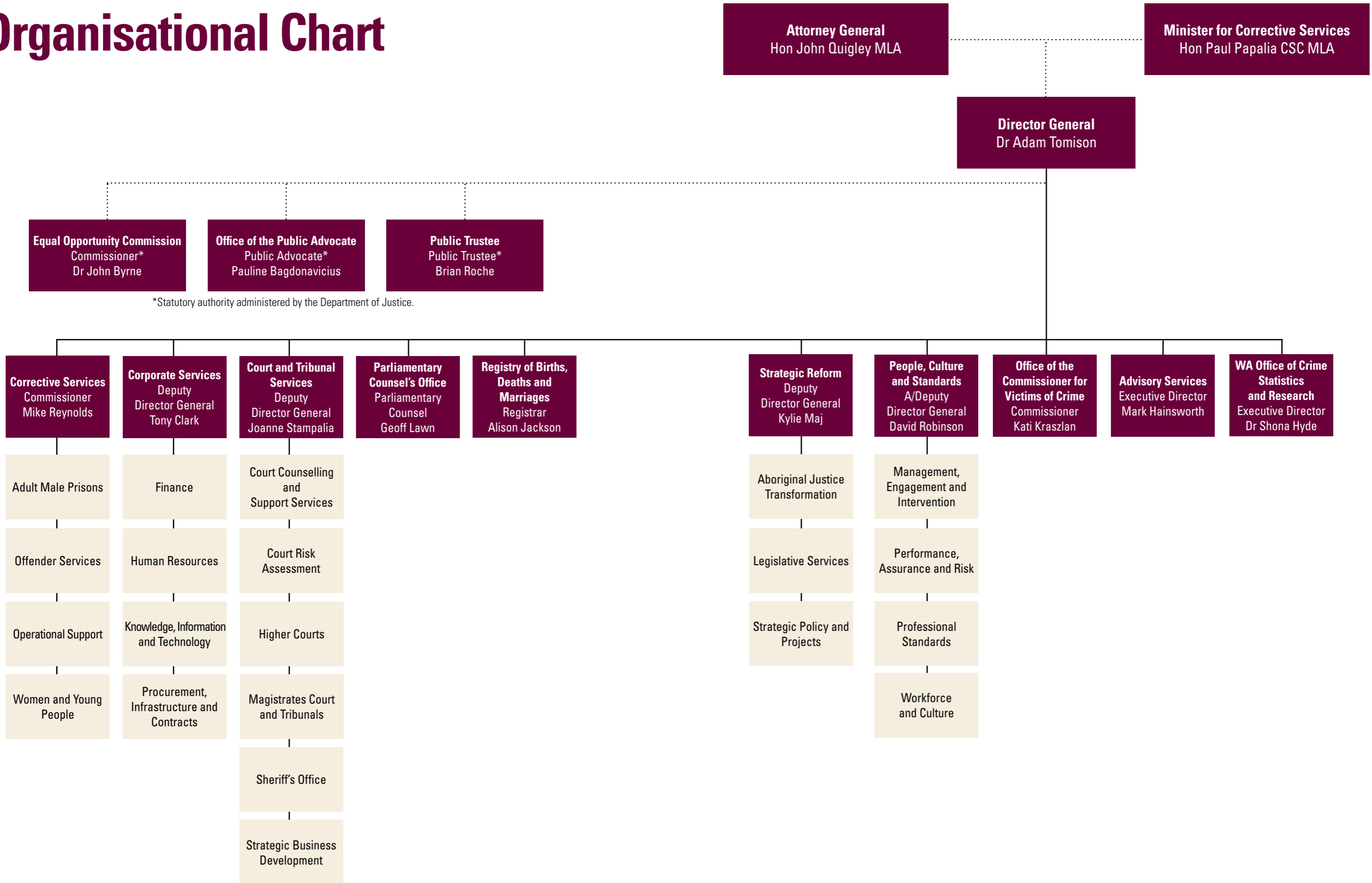
Mark Hainsworth - Executive Director, Advisory Services Mark has worked in the WA Public Service for 35 years and has extensive experience at senior management level within the public sector and has provided policy advice at the highest level of government. Since Mark joined the Department in August 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 an Honours Degree in Agricultural Economics and Soil Physics and a Graduate Certificate in Public Sector Management.

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, 190 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: Supporting our local and regional communities to thrive	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. People who experience discrimination and harassment have efficient and accessible avenues of redress	7. Equal Opportunity Commission Services
	6. Equitable access to legal services and information ¹	8. Legal Assistance ¹
	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

¹ This outcome and service is delivered by legal assistance agencies that support the delivery of legal services to Western Australians. Grant funding is provided through the Department of Justice to the Legal Aid Commission of Western Australia, Aboriginal Legal Service of Western Australia Limited and Community Legal Centres. 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 2022/23 \$000	Revised Budget 2022/23 \$000	Actual Expenditure 2022/23 \$000
1. Court and Tribunal Services	431,280	494,685	494,230
2. Advocacy, Guardianship and Administration Services	13,996	14,820	13,767
3. Trustee Services	27,594	30,122	29,159
4. National Redress Scheme for Institutional Child Sexual Abuse	41,688	41,617	44,575
5. Births, Deaths and Marriages	9,223	9,822	9,191
6. Services to Government	31,904	29,246	27,218
7. Equal Opportunity Commission Services	3,547	3,689	3,212
8. Legal Assistance	128,182	142,236	143,540
9. Adult Corrective Services	1,009,123	1,055,992	1,092,654
10. Youth Justice Services	109,295	120,192	127,655
Total cost of services	1,805,832	1,942,421	1,985,201

Financial Targets

	Original target 2022/23 \$000	Revised target 2022/23 \$000	Actual 2022/23 \$000	Revised Target VS Actual \$000	Comment
Total cost of services (expense limit)	1,805,832	1,942,421	1,985,201	(42,780)	The cost of services was 2.2% higher than the revised target mainly due to higher than expected employee expenditure and unavoidable repairs and maintenance.
Net cost of services	1,567,346	1,701,351	1,746,664	(45,313)	Net cost of services was 2.7% higher than the revised target mainly due to the expenditure changes outlined in the comment above.
Total equity	2,615,437	2,209,081	2,362,033	152,952	
Cash assets	29,147	46,749	55,886	9,137	

Key Performance Indicators Summary

The Department continued to work towards achieving the key performance indicator targets set in the 2022/23 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 19 weeks, meeting the target of 19 weeks.

The median time to trial for criminal matters in the Supreme Court criminal jurisdiction was 45 weeks, 6 weeks above the 39 weeks target, due to the listing of lengthy multi-accused 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 2022/23, the time to finalise non-trial matters continued to be higher than expected, at 48 weeks and 21 weeks above the target of 27 weeks. This year's above target result was due to long-term growth in the complexity and volume of final order parenting applications lodged, and 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 69 weeks, 37 weeks above the 32 weeks target. This is due to an ongoing increase in demand for trials and pre-trial determinations as a result of legislative changes made in 2019. 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 21 weeks, six 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,

Human Rights, and Development and Resources streams. Further impacting the result is an increase in workload associated with the *Building Services (Complaint Resolution and Administration) Act 2011*.

In the Magistrates Court, the median time to trial for combined criminal and civil matters was 22 weeks, three weeks above the 19 weeks target. Although higher than target, the 2022/23 result represents a four-week reduction from the previous year, due to less matters proceeding to trial, enabling other trial matters to be finalised more expeditiously.

The Coroner's Court achieved a median time to inquest result of 110 weeks, 18 weeks below the target of 128 weeks. This result is an improvement on the 2021/22 actual result of 130 weeks, demonstrating the effectiveness of the Court's case management efforts.

The Fines Enforcement Registry result of 32 per cent of fines and costs satisfied within 12 months of referral was below the target of 35 per cent. The 2022/23 result for infringements satisfied within 12 months was 52 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.

The Public Trustee administered 4.1 per cent of deceased estates in Western Australia during 2022/23, meeting the annual target of 4 per cent. The percentage of clients whom the Public Trustee provided services at a subsidised cost has

steadily increased over the years and reached 67 per cent in 2022/23, exceeding the target of 60 per cent. The Office of the Commissioner for Victims of Crime responded to 91 per cent of requests for information from the National Redress Scheme for Institutional Child Sexual Abuse within prescribed timeframes, one 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 shift in the workforce demographic and turnover of RBDM staff impacted the timely delivery of certified certificates. In 2022/23, 80 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 81 per cent of complaints alleging unlawful discrimination, harassment and victimisation within twelve months of receipt by the EOC, which was lower than the target of 95 per cent. The lower than target result was impacted by a focus on older cases during 2022/23 in a concerted effort to reduce the backlog of complaints that built up during the COVID-19 pandemic.

Corrective Services met or came close to reaching a number of its targets, with some improvements on the previous year. The target of zero adult escapes was not met, with four minimum security escapes occurring during 2022/23. All prisoners were recaptured, and each incident was investigated by the Department. There were no escapes from youth detention.

The rate of return of adult prisoners (either to prison or community corrections) was 40.2 per cent, slightly above the target of 39 per cent. Similarly, the rate of return to youth detention was also slightly above the target of 50 per cent, at 52.6 per cent.

A higher than target rate of successful completion of adult community corrections orders was achieved, at 69.2 per cent, which was above than the target of 64 per cent. During 2022/23, the successful completion rate of youth community-based orders was 61.6 per cent. While lower than the target of 68 per cent, this outcome increased from the previous year's actual result of 55.9 per cent.

The average out of cell hours for adult prisoners was 9.6 hours, below the target of 12 hours. The lower than target result was due to restrictions and practices in place as part of the Department's COVID-19 response and implementation of adaptive regimes to account for operational pressures at adult prison facilities.

The rate of serious assault against prisoners and staff of 0.94 per 100 prisoners was higher than the target of <0.48 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

Corrective Services	Successfully established Bandyup Women's Prison as the State's first smoke free prison	78 participants graduated from the Solid Steps Program at Mallee Rehabilitation Centre		44 women graduated from the Wandoo Rehabilitation Prison Alcohol and Other Drug Program	85.3% of the total prisoner and youth detainee population received at least two doses of the COVID 19 vaccine	Prison Industries produced food to the value of \$22.755 million
	2,853 search deployments conducted by the Drug Detection Unit	65 seizures of illicit drug and contraband items		7,356,141 hours of work undertaken by prisoners across the State in Prison Industries	190 Prison Officers graduated from the Corrective Services Academy	86 Youth Custodial Officers graduated from the Corrective Services Academy
Court and Tribunal Services	2,603 Work and Development Permits issued to 1,743 individual clients	\$2.783 million of court fines reduced by participation in the Work and Development Permit Scheme		69 new sponsors registered to support the Work and Development Permit Scheme	\$83.28 million awarded to Victims of Crime through the Criminal Injuries Compensation Scheme	332 referrals to the Start Court as part of the Mental Health Court Diversion and Support Program
	29 referrals to the Drug Court in the Perth Children's Court	160 referrals to the Intellectual Disability Diversion Program Court		80 applications received by the Gender Reassignment Board	45,005 people were summoned for jury duty for a possible selection on 764 scheduled trials	155 referrals to the Drug Court in the Magistrates Court
Commissioner for Victims of Crime	1,158 direct engagements with victims of crime	\$199,996 paid for the funeral expenses of homicide victims		More than \$44 million accepted under the National Redress Scheme	4,244 reports for sentencing and releasing authorities prepared by the Victim-offender Mediation Unit	Leading the development of WA's first Sexual Violence Prevention and Response Strategy in partnership with Department of Communities
Service delivery and enhancement	1,077 requests for information responded to by the Equal Opportunity Commission	1,550 participants attended information sessions and complaint clinics run by the Equal Opportunity Commission		41 Government Bills drafted by Parliamentary Counsel's Office introduced into Parliament	279 items of subsidiary legislation drafted and published by Parliamentary Counsel's Office	More than 90 integrity and ethics awareness sessions delivered to more than 2,000 employees
	666 marriages conducted at the Registry of Births, Deaths and Marriages	146,126 certificates issued for birth, death, marriage and change of name from the Registry of Births, Deaths and Marriages		7,547 clients with trusts managed by the Public Trustee	3,351 people under the Guardianship of the Public Advocate, an 8% increase from 30 June 2022	98 Open Days delivered, assisting 2,557 community members to access essential identity
	6,697 enquiries responded to by the Office of the Public Advocate Advisory Service	\$983,000 allocated under the Criminal Property Confiscation Grants Program for six agencies		256 individuals participating in driver training and education in regional and remote communities	66,160 life events of birth, death, marriage and change of name, registered at the Registry of Births, Death and Marriages	More than 1.3 million visits to www.justice.wa.gov.au from people in Australia
	2,746 investigations into the personal or financial welfare of adults carried out by the Public Advocate	82 disputes finalised by the Aboriginal Mediation Services, resulting in 25 referrals to case management		Royal Assent to the Criminal Law (Mental Impairment) Act 2023 . The new framework covers the management of those deemed unfit to stand trial or acquitted due to mental impairment	More than \$128 million of State and Commonwealth funding allocated to the WA legal assistance sector	13 Aboriginal Traineeship Program participants employed within the Department.

Corrective Services

Corrective Services is responsible for the State's adult prison and youth detention populations, as well as adults and young people living in the community under the management of community corrections. The key priorities include community, staff and offender 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 2022/23 Western Australian prisons held an average daily population of 6,352 adults in custody, while 5,942 adults were managed in the community. During the year there was an average daily population of 94 young people in detention (82 at Banksia Hill Detention Centre and 13 at Unit 18 Juvenile Security on average). There was an average daily population of 1,440 young people managed in the community.

Key achievements were:

- In 2022/23, 190 new Prison Officers and 86 new Youth Custodial Officers undertook training and graduated from the Corrective Services Academy. The Corrective Services Academy also delivered essential foundation training for 47 Adult Community Corrections Officers, 27 Youth Justice Officers and 46 Vocational Support Officers across the State.
- Prisoner Transport and Custodial Services Contract Management negotiated a four-year contract extension to the Court Security and Custodial Services Agreement including a variation to support the Department's operations and deliver improved service delivery and value for money.
- During the year, Intelligence Services created a new position, 'Principal Intelligence Coordinator - Countering Violent Extremism'. The position is focused on radicalisation and extremism across the custodial estate and is the first dedicated role of its kind. When filled, the position will provide tactical and operational support to the High Risk Rehabilitation and Reintegration Program; develop relevant training for Corrective Services staff; develop processes for intelligence-led custodial management decisions; and provide support to senior decision makers regarding the threat posed by extremism in Western Australian prisons.

- Supporting the State Government's Methamphetamine Action Plan by extending Alcohol and Other Drugs through-care services to sentenced prisoners in regional prisons, significant planning has achieved the creation of the bespoke Bunbury Regional Prison AOD Reintegration Service, scheduled to commence the end of August 2023. The new service, delivered by the Department in partnership with Palmerston Association, provides motivated individuals serving a custodial sentence at Bunbury Regional Prison with an opportunity to volunteer for individualised support to address their AOD needs as they prepare to leave custody. The AOD reintegration service draws on several key principles of a Therapeutic Community design and is inclusive, motivational, trauma-informed and culturally sensitive. The new service also provides continuity of through-care for two years when released from custody providing participants with continuing AOD support as a relapse prevention measure.
- Staff in Adult Community Corrections have continued to work with the Department of Communities and the Western Australia Police Force to roll out the new Family and Domestic Violence Response Teams. The new model incorporates the inclusion of the Department of Justice, as a partner agency, pivoting the focus from a primarily victim-support model to a perpetrator risk-driven model. The two pilot sites at Fremantle and Broome have found that the improved information exchange processes between the core partner agencies resulted in increased visibility of perpetrators. This was particularly important in identifying perpetrator patterns of behaviour and risk factors with several examples demonstrating the positive impact this had on family safety.
- The Making Tracks initiative won the Industry Collaboration Award at the WA Training Awards 2022. This award recognises organisations that have made innovative improvements in training which benefit both the individuals and their local community. Through collaboration with employers in key industries, the initiative reduces the stigma that former prisoners face when seeking employment, while meeting the needs of the labour market, contributing to the economy and reducing reoffending.

- At the 2022 Australian Training Awards, the Education, Employment and Transitional Services Directorate won the Australian Apprenticeships Employer Award for its prisoner traineeship program, 'Raising the Bar Behind Bars'. The team implemented the program to establish a clear pathway from prison to employment, through vocational education and training
- In October 2022, Corrective Services launched Collective Nations: Many Tracks Aboriginal Education and Employment Strategy 2022-2025. The Strategy sets out to build on the positive difference our Aboriginal staff and services already make across the custodial estate and is a three-year plan to provide Aboriginal prisoners with real career choices and opportunities both within and beyond their communities.
- In September 2022, the reaccreditation process under the Royal Australian College of General Practice Standards for health services in Australian prisons was undertaken with accreditation of 17 rural and metropolitan health centres. Accreditation involved more than 150 interviews with staff which included site visits to 10 metropolitan prison health centres and remote assessments of the seven regional sites. Despite significant challenges due to COVID-19 and other factors, each site met the required standards for accreditation.
- Corrective Services actively contributed to implementation planning for the Criminal Law (Mental Impairment) Bill 2022, in accordance with the State Government's election commitment. This has involved inter-agency service planning with partner agencies including State Forensic Mental Health Services, Mental Health Commission and Department of Communities.
- Bandyup Women's Prison became the first prison in Western Australia to successfully achieve 'Smoke-Free' status in October 2022.
- A pilot program designed to support victims of family domestic violence as they prepare to leave prisons was launched on 2 June 2023 at Bandyup Women's Prison. The program, a first of its kind, was one of the first initiatives of the Department's inaugural Family and Domestic Violence Strategic Framework. The Leave Safe, Stay Safe program includes counselling, risk and safety planning, online training, referrals to external support services, a dedicated lawyer and access to the Safe Connection program, which provides vulnerable women with free mobile phones and prepaid credit.
- On 29 December 2022, Corrective Services opened a special kitchen facility at the Corrective Services Academy, supported by funding from the National Indigenous Australians Agency. This kitchen is central to the Yirra Djinda Program, a Federal-State partnership to

help Aboriginal women prisoners to obtain the skills they need to find employment in the hospitality industry after release. Since its launch in December 2022, the program has had 47 residents of the Boronia Pre-Release Centre for Women engage with the Yirra Djinda Program and a total of 13 residents graduate from the program. Some of the participants have been released and are now working within the hospitality industry.

- The Women's Estate Strategic Plan 2022 - 2025 Better Futures: Empowering Women: Changing Lives was released in October 2022. The Strategic Plan builds on Corrective Services' commitment to provide gender-specific, culturally appropriate and trauma-informed services to achieve better outcomes for women in custody and to improve their opportunities for success on release from prison. Better Futures will guide the activities of the women's estate, its staff and operations over the next three years.
- Unit 18, a standalone unit at Casuarina Prison, has operated as a gazetted youth detention facility since 15 July 2022. This was in response to violent and destructive behaviour among a small cohort of detainees at Banksia Hill Detention Centre, which had resulted in a high number of assaults on staff, significant infrastructure damage and other critical incidents. The Department is continuing efforts to maximise staff allocation and service provision at Unit 18, including out-of-cell activities and programs.
- Banksia Hill Detention Centre introduced a new program in March 2023 which consisted of musical therapy sessions with First Nations Hip Hop artist Joshua 'Flewnt MC' Eggington. The hip hop program supports young Aboriginal people to tell stories through music, recorded in the Banksia Beats studio, that are relevant to history, culture, tradition and livelihoods. The program will continue to contribute to the completion of a Banksia Beats music album.

- Since 2019, the Department of Fire and Emergency Services, in partnership with the Department of Justice, has delivered the Youth Emergency Services program at Banksia Hill Detention Centre. In November 2022, the program was expanded to provide young women the opportunity to engage in the program for the first time. Since then, eight young women have successfully completed modules as part of the program, and three young women have graduated from the program. The program provides the opportunity for participants to learn a range of transferable emergency management skills which they can take back with them when they return to the community. The program also promotes volunteering and giving back to the community, with arrangements underway to establish a clear pathway for young people who have completed the program to continue volunteering in their local area.

Acknowledging Aboriginal and Torres Strait Islander culture

Aboriginal and Torres Strait Islander¹ people make up three per cent of the Western Australian population, yet account for approximately 42 per cent of the adult prisoner population and 33 per cent of the adult community offender population. Although the number of incarcerated Aboriginal people decreased in 2022/23, Western Australia continues to have the highest rate of Aboriginal imprisonment nationally with 3,698 incarcerations per 100,000 population.

Despite some improvement, the significant over-representation of Aboriginal young people in the criminal justice system continued. The average daily population of Aboriginal young people held in detention decreased from 85 (75% of total detainees) in 2021/22 to 67 in 2022/23 (72% of detainees).

Aboriginal Service Committee

The Department is committed to improving how it manages and delivers services to Aboriginal people in our care. One of the Department's key cultural initiatives is the delivery of local Aboriginal Services Committees. The Aboriginal Services Committees are aligned to the Department's Reconciliation Action Plan 2022-2024 and are delivered at all custodial facilities each quarter. With a priority on implementing, managing and delivering cultural services at a local custodial facility, it is focused on keeping Aboriginal people on-Country, where possible, enhancing Aboriginal employment and education opportunities, promoting Aboriginal culture and wellbeing in custody, and improving our reporting to identify trends, service delivery gaps and service improvements.

During 2022/23, there were 59 local Aboriginal Service Committee meetings held, more than 170 internal and external stakeholder attendees and an increased number of prisoner and detainee participants in Aboriginal Services Committee meetings at local custodial facilities.

Developing and delivering culturally co-designed correctional prevention, diversion, and intervention programs contributing to Closing the Gap targets is another key focus of our cultural initiatives in custody and community centres.

Yiwarra Kuju – Western Desert Justice Program

The Department's partnership with Aboriginal Community Controlled Organisation Kanyirninpa Jukurrpa was strengthened in 2022/23 through the delivery of the Yiwarra Kuju Program (the Western Desert Justice Program) and its growing service to Martu people.

The Program offers two diversionary cultural and transitional pathways which aim to reduce the over-representation of Martu men and women involved in the criminal justice system.

The first pathway involves diversion from court at the pre-sentencing or sentencing stage at the earliest possible point. The second involves a transition from prison, either on parole or at the completion of a sentence, aimed at getting prisoners back on-Country safely and avoiding township centres to reduce recidivism.

During 2022/23 there were:

- Nine cultural workshops held which were delivered to 359 Martu attendees at Roebourne Regional Prison (noting that some participants attended multiple workshops throughout the year).
- 53 Martu bail applications and non-custodial sentence outcomes, with 46 of those applications successfully supported by the courts.
- 199 individual hearings with Martu clients before the Wangka Minyirra - Martu Cultural Advisory Panel process with 131 distinct Martu individuals having appeared before the Wangku Minyirra.
- 30 Martu participants in Kanyirninpa Jukurrpa Ranger employment and programs offered by Kanyirninpa Jukurrpa.

The year also saw the program benefit from the introduction of a Wangka Minyirra Cultural Advisory Panel, remote community video-link court hearings and a cross-government governance process led by Martu Senior Elders, Martu Leaders and Kanyirninpa Jukurrpa.

Aboriginal Language in Prisons Program

The Department recognises the importance of promoting, nurturing and preserving Aboriginal language in Western Australia and has partnered with Aboriginal Community Controlled Organisations and Department-based Aboriginal language programs to deliver the Aboriginal Languages in Custody Program. This initiative focuses on cultural identity, personal development and empowerment, helping prisoners kickstart their lives and create a better future for themselves and their families. In 2022/23, 170 prisoners and detainees participated in Noongar language programs delivered by the Noongar Boodjar Language Cultural Aboriginal Corporation. Of these 170 prisoners and detainees, 31 were prisoners at Hakea Remand Prison, 52 at Casuarina Prison, 62 at Melaleuca Women's Prison and 25 detainees at Banksia Hill Detention Centre. A further 30 prisoners participated in cultural language programs run by the Bundiyyarra Aboriginal Community Aboriginal Corporation - Irra Wangga Language Centre at Greenough Regional Prison.

In December 2022 the song, 'How to Make Gravy' by Paul Kelly was translated into Pitjantjatjara, a Western Desert language. Musician Chris Edmondson spent four days at the Eastern Goldfields Regional Prison to workshop the cover with six Aboriginal prisoners. During the 'Gravy Project', the prisoners were able to work on their English literacy skills while helping translate the Paul Kelly song into the Pitjantjatjara language. The prisoners spent days rehearsing and translating the song together in a small studio inside the prison. On 21 December 2022, the translated version of the song was released on ABC Radio with both the English verse, followed by the Aboriginal language verse.

The Carey Bindjareb Project

The joint venture between the Department and Carey Training Pty Ltd to deliver the Carey Bindjareb Project continues to help prisoners to attain industry skills, life skills and the confidence and resilience to gain and sustain employment. The project provides a comprehensive educational and mentoring program for Aboriginal men who are in custody at Karnet Prison Farm. During 2022/23, 37 men graduated from the program.

Since partnering with Carey Training in 2019, 99 male prisoners have graduated from the 14-week intensive program. Of these graduates, 61 are now in the community and approximately two thirds of those men have been employed in the mining, civil and related industries, or are working through employment recruitment processes with Carey Training partners.

The program is also being delivered at Roebourne Regional Prison with the inaugural program having started in May 2023 with 10 participants. The new iteration of the program

is being delivered by the Department in partnership with Carey Training and Maramara, an Aboriginal-owned civil contracting company operating in the Pilbara. While completing the course, participants had the opportunity to meet representatives from potential employers including Rio Tinto, Woodside, Maramara and Monadelphous. Graduates will receive a Certificate II in Civil Construction as well as other industry relevant qualifications.

Western Australian Aboriginal Leadership Institute Program

Developing appropriate Aboriginal cultural leadership skills continues to be a focus for the Department. Through its partnership with the Western Australian Aboriginal Leadership Institute and YAD Consultancy, the Department created opportunities for Aboriginal men and women to access Aboriginal leadership programs that promote cultural healing; self-development and learning; and leadership skills. In 2022/23 the program was delivered to 20 Aboriginal women at Bandyup Women's Prison and Melaleuca Women's Prison by the Western Australian Aboriginal Leadership Institute and to 10 Aboriginal men at Wooroloo Prison Farm by YAD Consultancy. The program concluded in 2022, with future funding required and being sought to continue the program and build on its success. Western Australian Aboriginal Leadership Institute Elders continued to visit the site on a regular basis to facilitate the Yarning Circle, an informal cultural support group.

The Yirra Djinda Hospitality Program

On 29 December 2022, the Department opened a special kitchen facility at the Corrective Services Academy in Bentley. The kitchen is central to the Yirra Djinda Program, a Federal-State partnership to help Aboriginal women prisoners obtain skills to find employment in the hospitality industry after release. The program is supported by funding from the National Indigenous Australians Agency and since it began, 47 residents of Boronia Pre-Release Centre for Women have engaged with the program, with 13 women graduating from the program. Some of the participants have since been released from custody and have gained employment in the hospitality industry. One component of the Yirra Djinda project involves engagement with 'Deadly Denim' an Indigenous fashion label founded by Rebecca Rickard, a Ballardong Whadjuk woman from the Noongar nation who is living and working on-Country in Perth. The label began recycling denim from local second hand stores and has expanded to create unique designs that are digitally or screen printed onto textiles. Deadly Denim has held workshops to train women to sew and worked with the women to design and produce Yirra Djinda uniforms and aprons.

¹ The Department of Justice uses the term Aboriginal people throughout this document to refer to both Aboriginal and Torres Strait Islander peoples. The Department acknowledges the over-representation of Aboriginal people in its care.

Better Futures: Empowering Women: Changing Lives

The Women's Estate Strategic Plan 2022 – 2025 'Better Futures: Empowering Women: Changing Lives' was released in October 2022. The plan builds on the Department's commitment to provide gender specific, culturally appropriate and trauma-informed services to achieve better outcomes for women in custody and to improve their opportunities for success on release from prison.

'Better Futures' will guide the activities of the women's estate, its staff and operations over the next three years. In collaboration with a local community service provider, Goldfields Youth Justice Services continued to take young people on-Country for day activities including bush cooking,

yabbing, swimming and bush walks during the year. The initiative allows young people to engage in culturally responsive activities to address risks associated with peer influence and disengagement from leisure and 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 2022/23, 304 people used the bus service to return home including young people and their families.

Prison population at a glance

Western Australia has 16 public prisons, one private prison and five work camps. In 2022/23, the facilities collectively housed an average of 6,352 adult prisoners per day, including an average of 66 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	2022/23	2021/22	Change
Overall	6,352	6,386	-0.5%
Prison location			
Metropolitan	4,538	4,648	-2.4%
Regional	1,814	1,738	4.4%
Gender¹			
Male	5,761	5,792	-0.5%
Female	592	593	-0.2%
Aboriginality			
Aboriginal and Torres Strait Islander	2,667	2,563	4.1%
Non-Aboriginal	3,685	3,823	-3.6%
Personal security rating			
Maximum	1,858	1,777	4.6%
Medium	3,029	3,033	-0.1%
Minimum	1,465	1,576	-7.0%

¹ Figures may not add to total due to rounding.

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.

In 2022/23 on average, Adult Male Prisons was responsible for the daily management of 5,761 male prisoners. Adult males constituted 91 per cent of the State's total prison population, with 41 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 other drug (AOD) related crime, by continuing the operation of the Mallee Unit at Casuarina Prison. The Mallee Unit is the State's first dedicated AOD rehabilitation facility for male prisoners.

In 2022/23, 78 participants graduated from the Solid Steps Program and 81 prisoners who have completed the program were released from custody. The WA Office of Crime Statistics and Research is tracking the graduates' progress and will evaluate the program's outcomes over the next two years.

The Bunbury Regional Prison Alcohol and Other Drug Reintegration Service, scheduled to commence in August 2023, is partly designed to provide stepdown support to Mallee graduates who will remain in prison once they leave the program (see below).

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 statewide 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 Mallee Rehabilitation Centre and Solid Steps Program.

Stage Two commenced in February 2021 and is scheduled for completion in 2026. Stage Two will deliver additional, general and special purpose accommodation to meet the adult male prisoner population needs including high-risk and high-need cohorts. Special purpose accommodation includes a Mental Health Unit, a High Needs and Assisted Care Unit and a High Security Unit.

Stage Two also includes the refurbishment of current infrastructure to support the expanding prison operations and services.

In 2022/23, the first tranche of Stage Two delivered new infrastructure including a new prison industry building that will provide employment for protection prisoners, two support buildings one of which will be dedicated to support the Solid Steps Program, two general purpose accommodation units and the High Security Unit which is nearing completion.

The focus is on flexibility and future proofing to provide the appropriate management options for all prisoner cohorts in fit-for-purpose accommodation. When complete, Casuarina Prison will become the largest prison in Australia with a total capacity of 1,915 beds.

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 progressing to establish a new Alcohol and Other Drug Reintegration Service at Bunbury Regional Prison. The service is expected to commence in August 2023 and 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.

The Bunbury Alcohol and Other Drug Reintegration Service will operate as a regional annex for the Mallee Rehabilitation Centre at Casuarina Prison and 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.

The service will provide participants with an opportunity to complete the reintegration element of their recovery journey, in a minimum-security environment. The progress towards recovery established at Mallee, will continue to be enhanced, and individuals' resilience will be tested in a more normalised environment.

Through a staged approach, the service will be delivered across medium and minimum living accommodation units. The service will have 24 dedicated beds, and a staged approach provides the Department with an opportunity to engage a larger cohort and ensures that 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 Palmerston Association Incorporated, which has entered into a consortium with the South West Aboriginal Medical Service. Palmerston is an experienced provider in delivering evidence-based Alcohol and Other Drug services and related programs.

New Broome Regional Prison

Planning for the replacement of the existing Broome Regional Prison with a contemporary custodial facility continues.

The Department is working closely with Nyamba Buru Yawuru Limited on behalf of Yawuru community and the Shire of Broome to investigate and resolve potential land use constraints associated with the preferred site, located within Broome Road Industrial Park. The Department continues to ensure the Broome community is appropriately consulted.

Roebourne Regional Prison air conditioning upgrade

In November 2022 the Minister for Corrective Services announced that the air conditioning at Roebourne Regional Prison would be expanded. Design documentation for this work was completed in preparation for the invitation of tenders for installation during 2024. The plan is to retrofit air conditioning into accommodation units 1 and 2.

Prison Industries

Prison Industries, coordinated by the Adult Male Prisons Directorate, is an integral part of the Western Australian prison system. It provides a diverse range of opportunities for prisoners to be employed in meaningful work while also developing skills and experience to assist with their rehabilitation and reintegration back 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, textiles, carpentry and metal work.

The goods and services produced by Prison Industries 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), 36 per cent self-sufficient in the supply of staple fruit and vegetables and 78 per cent self-sufficient in the required egg supply.

In 2022/23, Prison Industries produced food to the value of \$22.755 million. This included 771,868 kilograms of processed meat products valued at \$13.872 million; 1.486 million litres of milk valued at \$2.230 million; 108,740 dozen eggs valued at \$406,762 and 559,444 units of fruit and vegetables valued at \$1.288 million for use internally across the prison estate, contributing to the Department's self-sufficiency and sustainability outcomes. Other food categories included in

the total value of food produced include bread/bakery and processed vegetables which provided \$2.024 million and \$2.932 million respectively. The remaining essential, secondary and support industries contributed a combined value of \$70.209 million to the custodial estate.

In 2022/23, prisoners worked a total of 7.356 million hours in prison industries and through Section 95 arrangements. Using the minimum wage value of \$21.58 per hour, the hours worked by prisoners in 2022/23 equates to a notional labour value of \$158.745 million.

A total of \$16.233 million was paid in gratuities to prisoners in 2022/23. The difference between gratuities paid and the nominal minimum wage is \$142.512 million.

The daily average population of prisoners for June 2023 was 6,711. On average, each prisoner worked approximately 95.53 hours for the month of June 2023 or 22.05 hours per week or 4.41 hours per day.

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 at five work camps located at Walpole, Dowerin, Warburton, Roebourne and Wyndham. Section 95 programs operate directly from the estate's prison and prison farms located at 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. At the start of 2022/23, Section 95 activities were restricted and were ceased for periods of time, as part of the Department's ongoing management of COVID-19.

As COVID-19 restrictions eased in 2022/23, Section 95 activities were able to increase at most sites offering these services and saw an increase in total Section 95 activity hours from 2021/22 as shown in the table below. The total value of Section 95 work undertaken by sites across the State in 2022/23 was \$2.007 million, an increase of 31.3 per cent from 2021/22.

Section 95 activity hours

Type of Work	2022/23	2021/22
Community Work	58,963	39,511
Government Work	96,025	31,357
Total hours	154,988	70,868

Examples of some of the external projects that were undertaken by prisoners over 2022/23 include:

South West Region

- Assisted with the renovation of the Ngilgi Cave near Yallingup for the Margaret River Busselton Tourism Association.
- A variety of works at Forest Adventures South West and Cape Naturaliste Lighthouse and also repairs to historical buildings and structures.

Pardelup Prison Farm

- Assisted the Shire of Plantagenet with refurbishment of the Mount Barker Library.
- Garden and basic maintenance of homes for pensioners and incapacitated persons in the Mount Barker and Walpole districts of the Shire of Plantagenet.

Karnet Prison Farm

- Community works program including internal and external restoration of chalets at the Jarrahdale Veterans Transition Centre.
- ALCOA Wood Project, which consisted of cutting and splitting approximately 100 tonnes of donated wood for vulnerable Jarrahdale residents.

Greenough Regional Prison

- Restoration of the Greenough Scout Hall, a weatherboard building that has been used as a Scout Hall in Geraldton since 1926. The work involved re-stumping the building, repairing window and door frames, replacing the weatherboard skin and tidying the yard.

Dowerin Work Camp

- Involved in rejuvenating the main street of Nungarin, including clearing trees and preparing, planting and mulching native plants.
- Work completed at Kununoppin Hospital including the construction of a chicken coop, concrete pads, ground clearing for fire mitigation and clean-up of gardens.

Roebourne Work Camp

- Wickham Community Project which involved the creation of an inviting space for community members to come together in a safe and culturally appropriate location. Work included installing reticulation, laying new lawn, ground work and metal fabrication.
- Construction of two mud kitchens at the Roebourne Primary School for the development of sensory skills for the younger students.

Warburton Work Camp

- Painted the Warburton Community Church.
- Constructed a shelter next to the Warburton Police Station as a safe area for the community.

Wyndham Work Camp

- Worked with the Cockburn Range Native Title holders to rehabilitate a nearby site which the Traditional Owners are hoping will be listed as a World Heritage site. The East Kimberley site includes the King River and boasts waterfalls, waterholes, gorges and cliffs, as well as saltwater and freshwater crocodiles.

In early 2022/23 COVID-19 restrictions impacted the variety and number of Section 95 activities and projects which could be undertaken. During this period of restriction, Section 95 prisoners assisted other impacted essential industries to sustain and support operations. This involved completing a range of general maintenance, cleaning, painting and gardening activities within prisons. Examples include:

- Undertaking animal husbandry in the poultry industry at Karnet Prison Farm to ensure animal welfare was maintained to a high standard and the safe production of eggs for consumption continued.
- Work in the dairy to assist with care and milking of the dairy herd.
- Picking fruit and vegetables at Karnet and Wooroloo Prison Farms, for supply to kitchen sites and Casuarina Prison vegetable preparation for distribution across the metropolitan prison estate.
- Undertaking fence repairs and replacements, and general garden and grounds maintenance as required at all prison farms.
- Undertaking on-site fire mitigation duties, erecting signage and constructing concrete paths at Karnet and Wooroloo Prison Farms.

As COVID-19 restrictions eased during 2022/23, the ability for Section 95 prisoners to access the community increased. This coincided with an increase in the demand for Section 95 participation in community work, particularly given the current worker shortfall in the employment market.

Women and Young People

The Women and Young People Directorate is responsible for female prisoners in custody, young people in detention and young people being managed in the community. In 2022/23, the directorate was responsible for the management of an average of 592 female prisoners; 94 youth detainees; and 1,440 young people in the community, per day.

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.

In 2022/23 the focus on diversion continued through these centres and included:

- Youth Justice Teams: A total of 2,579 referrals were made to Youth Justice Teams this year, a 7 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 765 occasions by these services rather than being placed into custody, a two per cent increase over the 753 bail episodes in the previous year.
- Community-based supervision: The average daily population of young people managed on youth community correction orders was 525 (including bail), an increase of 16 per cent from the previous year, when the average daily population was 452. This contrasts with an 18 per cent decrease in the average daily detention population.

Youth Justice Services have embarked on a statewide training schedule for community staff to improve and strengthen the delivery of Changing Habits and Reaching Targets interventions to young people in the community.

The interventions consist of case management tools for staff use during supervision sessions with young people on community-based supervision orders imposed by sentencing and releasing authorities. The training schedule is delivered over six separate workshops.

Young people managed in the community

Average daily population	2022/23	2021/22	Change
Overall¹	1,440	1,292	11.5%
Gender²			
Male	1,064	979	8.7%
Female	376	313	20.1%
Aboriginality²			
Aboriginal	889	765	16.2%
Non-Aboriginal	431	416	3.6%
Service category³			
Court order (including bail)	525	452	16.2%
Supervised release order	35	34	2.9%
Youth justice team	695	575	20.9%
Other youth justice services	359	386	-7.0%

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.

Young people in custody

Average daily population	2022/23	2021/22	Change
Overall	94	114	-17.5%
Status⁴			
Sentenced	37	44	-15.9%
Unsentenced	57	69	-17.4%
Gender			
Male	84	100	-16.0%
Female	10	14	-28.6%
Aboriginality			
Aboriginal	67	85	-21.2%
Non-Aboriginal	27	29	-6.9%

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 strategic plan promotes clear and consistent communication, consultation and collaboration with stakeholders, Government agencies, community partners and the Aboriginal community. Key stakeholders were consulted as part of the development process, including young people engaged via the Youth Affairs Council of Western Australia. 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 importance of maintaining and developing collaborative responses. This was demonstrated by the Goldfields Youth Justice Services branch which had two Youth Justice Officers complete successful secondments as Senior Protection Officers in 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. The youth custodial estate 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 Detention Centre has been managing a 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 delivery of consistent, therapeutic services for all detainees across the site. Despite the wide ranging programs 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.

To enable required infrastructure works to be undertaken at Banksia Hill Detention Centre to improve safety and security and improve access to supports and services for the larger detainee population, Unit 18 a new unit at Casuarina Prison, was gazetted as a temporary youth detention centre on 15 July 2022.

Unit 18 has been used to house young people whose actions included significant damage to infrastructure at Banksia Hill Detention Centre, those who have engaged in assaults on staff, or were identified as causing a significant risk to the safety and good order of the centre. A range of supports, programs and activities have been introduced to Unit 18, including psychologists, Aboriginal youth support officers, mental health staff, education and mentors.

In addition to the opening of Unit 18, there was considerable focus on advancing other initiatives aimed at ensuring the safety of all young people and staff at Banksia Hill Detention Centre. This included work to stabilise the facility and rejuvenate the infrastructure with a view to providing a safe and more secure environment, with the State Government making a \$25.1 million investment to enhance infrastructure and the care and rehabilitation of detainees. This included the development of a new Crisis Care Unit at the facility.

A new Aboriginal Services Unit was created to support the needs of Aboriginal youth in custody through medical, mental health and holistic cultural supports. This has seen an increase in the number of Aboriginal Youth Support Officers from four to eight, resulting in the increased provision of cultural supports to young people across Banksia Hill Detention Centre and Unit 18.

Implementation commenced for the new operating model. 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.

There was significant focus on the recruitment and retention of Youth Custodial Officers. During 2022/2023, 81 new Youth Custodial Officers graduated and commenced working at Banksia Hill Detention Centre and Unit 18.

The Young Offenders Amendment Bill 2023 was assented on 26 June 2023. Changes to youth offender laws mandates the transfer of detainees who have reached the age of 18 from youth detention to adult prison. Amendments to the *Young Offenders Act 1994* requires young offenders held in youth detention to be transferred to a prison within 30 days of turning 18 years old, unless there are exceptional circumstances.

Operating philosophy and service model

In August 2021, the Department began the development and design of the operating philosophy and best practice service model for Banksia Hill Detention Centre. In March 2023, former Mental Health Commissioner Tim Marney was appointed to put into effect the new model of care for young people at Banksia Hill Detention Centre and to execute a comprehensive change management plan aimed at giving detainees the care and services they need. The Model of Care is being implemented from 2023 with a focus on change management processes.

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 a culture of appreciation, care and support for staff.

Infrastructure

The Department is continuing to improve security and service delivery at Banksia Hill Detention Centre.

The \$46.9 million investment in infrastructure has been committed to the Banksia Hill Detention Centre Remodel Program. This includes the development of a new \$16.5 million Crisis Care Unit 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 has been 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 Detention Centre, including those from regional Western Australia.

Programs

Participation by young people in programs and activities at Banksia Hill Detention Centre provides detainees with an opportunity to improve their social skills, self-efficacy and confidence, self-regulation, relational and physical responses. Banksia Hill Detention Centre has continued to expand on the programs and activities available to the detainees, including ensuring a range of programs were available to the young people at Unit 18.

Programs introduced in Unit 18 include Australia Children's Music Foundation guitar lessons, Deadly Minds art therapy, Brothers In Guidance fitness program, No Limitz fitness and the music and lyrics Hip Hop program.

A new Individual Support and Transition Service (provided by two community agencies) was developed to provide additional support to highly vulnerable and complex young people, and commenced operations in July 2022. This includes young people who are often engaged in disruptive behaviour and considered to pose a risk to themselves. The service is designed to achieve the following service level outcomes to provide:

- practical and emotional support to young people remanded in custody or sentenced detention that increases their capacity to re-engage with mainstream activities;
- support to young people to address physical and mental health factors to increase their general wellbeing; and
- support and guidance for young people to improve behaviour in custody and improve relationships with facility staff.

Given the intensity of the program, each mentor has only two to three young people allocated to them at a time, and each young person would spend a number of hours with the mentor on a daily basis. The activities and focus for each young person is individualised and based on an assessment of needs.

With a goal of increasing cultural services, as one element to support improved cultural safety, the number of Aboriginal Youth Support Officer (AYSO) positions were increased from four positions to eight positions. This has provided increased general and cultural support provided to young people. The AYSO's also play a key role in the suicide prevention strategy of the centres, providing support to any young person who has been identified as being at heightened risk to self.

In March 2023, a new program was implemented with the aim to enhance cultural connection via musical therapy. Hosted by First Nations Hip Hop artist *Flewnt*, the music program has supported young Aboriginal people to tell stories of their history, culture, tradition and livelihoods through music, with songs being recorded at the Banksia Beats studio. Thirty-one young people have participated since this program started.

Since 2019, the Department of Fire and Emergency Services, in partnership with the Department of Justice, has delivered the Youth Emergency Services (YES) program to young people at Banksia Hill. In November 2022, the program was expanded to provide opportunities for young women to engage in the program for the first time. Thirty-two young people graduated from the YES program in 2022/23. Eight young women successfully completed individual modules of the program, and three young women graduated from the program.

Over the year, Banksia Hill focused on creating increased opportunities for involvement by families. In addition to parents or significant family members continuing to attend case planning meetings and social visits (in-person and electronically), they were invited to the graduation events held to celebrate young people completing programs and education. A Christmas Family Day was also held in December 2023, creating a Christmas Wonderland for young people and their families. The Banksia Hill Detention Centre kitchen prepared a Christmas meal and attendees were entertained by program provider the Australian Children's Music Foundation.

In line with Banksia Hill's new operating philosophy and model of care, programs and activities were implemented which encouraged self-expression, the development of nurturing and social skills, and the creation of a more therapeutic environment. This included programs which engaged the young people in painting murals around the facility (via the support of program providers Paul Deej, Self-Made Indigenous Corporation and the Public Transport Authority) and the introduction of a cat program.

Through engagement with the Cat Haven, a stray cat named Comet was adopted and homed at the female self-care precinct at Banksia Hill Detention Centre. The Cat Haven continued to support Comet with veterinary visits and conducted regular check-ins. In May 2023, the young person who was caring for Comet was released, however the cat was rehomed within the facility and is doing well.

Education

Education services continue to progress enhancing the support and opportunities provided to young people. A new Memorandum of Understanding was developed with the Department of Education, aimed at improving educational outcomes and throughcare for young people. Aligned with this, a Student Support Officer from the Department of Education was co-located with the aim of supporting the Memorandum.

A Career Practitioner has been appointed at Banksia Hill Detention Centre to develop a career exploration program and bolster the vocational education and training opportunities available to detainees. In October 2022 a career exhibition was held and attended by a wide range of industry employers. The exhibition provided an opportunity for young people at Banksia Hill to make connections with potential employers and be aware of what opportunities may be available to them after release.

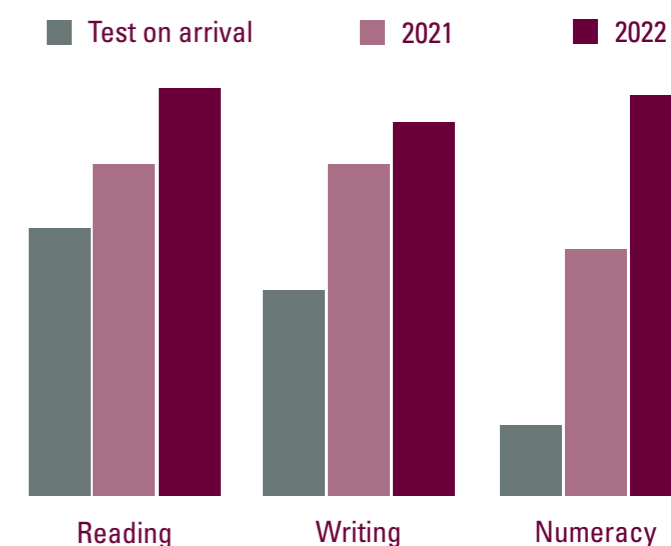
A pilot for online learning was introduced for two young people in Banksia Hill Detention Centre. One young person trialled participation in TAFE studies as part of their day release reintegration and another engaged in Year 10 studies through the School of Isolated and Distant Education.

On 13 January 2023, Banksia Hill Detention Centre held its first education graduation ceremony on-site, to celebrate the academic success of some young people who excelled academically throughout the 2022 school year. A total of ten young people were selected by the Banksia Hill Detention Centre school principal for their outstanding achievements in education throughout the 2022 school year. Families were invited to attend in-person or via video link, with some families linking in from Newman, Geraldton, and South Hedland.

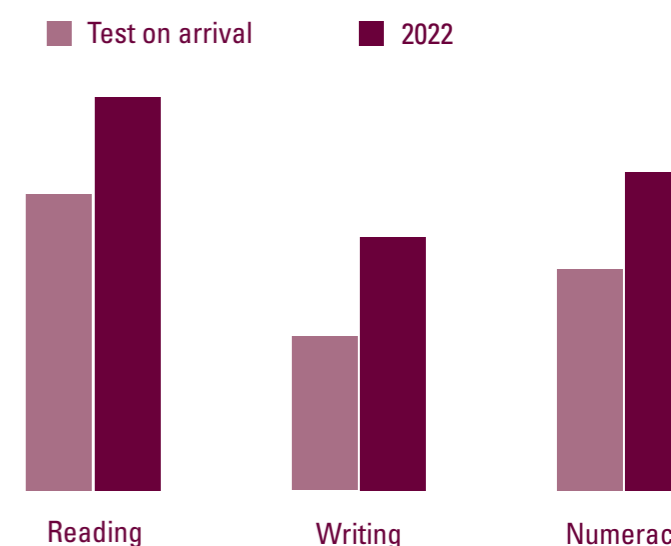
Two students were received the prestigious Student of the Year award for their unwavering personal commitment to their studies. The discipline, determination and enthusiasm they demonstrated across all learning areas was exceptional.

Their academic growth in the core subjects of literacy and numeracy can be seen in the graphs below. This award is given to the highest achieving male and female from the school year.

Alex*



Jake*



* Not their real name.

Women in Custody

The Women and Young People Directorate oversees four metropolitan women's prisons and provide for women housed at five mixed-gender regional facilities throughout Western Australia.

The Women's Estate Strategic Plan 2022 – 2025 Better Futures: Empowering Women: Changing Lives was released in October 2022. The Strategic Plan builds on Corrective Services' commitment to provide gender specific, culturally appropriate and trauma-informed services to achieve better outcomes for women in custody and to improve their opportunities for success on release from prison. Better Futures will guide the activities of the women's estate, its staff, and operations over the next three years.

Bandyup Women's Prison

A significant proportion of the State's sentenced female prisoners are located at Bandyup Women's Prison. The profiles of women who offend and their pathway into offending are fundamentally different to men. Histories of interpersonal victimisation, particularly physical, sexual and emotional abuse; homelessness; poverty; social isolation; unemployment; substance abuse; and violent and dysfunctional relationships can produce multiple pathways into the criminal justice system for women.

A high prevalence of trauma is linked to mental health issues and substance dependency which impacts the lives of many women who offend. The philosophical approach of the women's estate is support, recovery and rehabilitation. Women are encouraged to take personal responsibility and are supported by positive mentoring, programs, education, vocational and employment opportunities and constructive activities.

The Bindi Bindi Mental Health Unit represents a significant milestone in the Department's commitment to caring for vulnerable prisoners. The unit was formally opened at Bandyup Women's Prison in July 2021. It was a long-term collaboration between multiple stakeholders including prisoners and is targeted at caring for vulnerable prisoners with poor mental health through the provision of support from specialist staff. Bindi Bindi provides a model of care which recognises the needs of women who are at risk of acute mental illness. The unit provides intensive care, support and an environment which allows women to address their mental health needs.

Bindi Bindi currently accommodates 14 women across two units. Since opening, 83 women have taken up residence at Bindi Bindi, and the importance and success of the unit was recognised when the project received the 2022 Corrective Services Director General's Award for Excellence.

A suite of gender-specific support services is provided at Bandyup Women's Prison. The facility incorporates specialised mother and baby units meaning babies up to age of 12 months, where approved, can reside with their mother in the prison.

Residential child programs provide women in custody with the opportunity to build their mother-child bond, support positive parenting and contribute to the child's development. In 2022/23, 21 women at Bandyup resided with their babies in these specialised units. In 2022/23 Bandyup continued to provide training opportunities for women:

- Twelve prisoners worked towards industry qualifications in hair and beauty in The Beauty Spot, an in-house beauty training salon.
- Ten women at Bandyup were enrolled in the Certificate IV Mental Health course, with six students successfully completing all 18 units.
- Bandyup Kitchen has been recognised as an accredited venue to deliver a range of traineeships and apprenticeships. Vocational Training Service has certified Bandyup to offer Certificate III Kitchen Operations for prisoners with a number of women now engaged in Certificate III Apprenticeships.

Bandyup Women's Prison was chosen as the pilot site for the Smoke-Free Trial within Western Australian prisons. The Department commenced a smoking reduction phase at the facility in September 2022 followed by the successful launch of the pilot Smoke-Free Prison Project on 31 October 2022.

As part of the pilot project the Department established working relationships with the Australian Council on Smoking and Health, the Cancer Council of WA, Aboriginal Health Services and Quitline. These groups committed to assist the Department with the project, providing counsellors, group sessions and literature for prisoners and staff. Bandyup is currently the only smoke-free prison in Western Australia.

A pilot program designed to support victims of family domestic violence as they prepare to leave prison was launched on 2 June 2023 at Bandyup Women's Prison. The program, a first of its kind, was one of the first initiatives of the Department's inaugural Family and Domestic Violence Strategic Framework. The 'Leave Safe, Stay Safe' program includes counselling, risk and safety planning, online training, referrals to external support services, a dedicated lawyer and access to the Safe Connections program, which provides vulnerable women with free mobile phones and prepaid credit.

Wandoo Rehabilitation Prison

Wandoo was repurposed as the State's first dedicated female alcohol and other drug rehabilitation facility in August 2018 as part of the Government's Methamphetamine Action Plan. Wandoo caters for up to 77 prisoners within a medium security campus style setting, featuring low rise accommodation, communal kitchens, laundries and sports facilities. In partnership with Cyrenian House, the prison offers a 28-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. At 30 June 2023, a total of 266 women had graduated from the program since it started operating in August 2018. In 2022/23, 44 women graduated from the program.

While a formal evaluation is under way but yet to be completed, it is apparent that there has been a large reduction in re-offending by Wandoo graduates.

Boronia Pre-Release Centre for Women

Boronia Pre-Release Centre for Women focuses on maximising women's potential to positively, confidently and safely re-enter the community through the provision of meaningful rehabilitation activities and work placements.

Each year Boronia staff and residents host a Gala Day. The Boronia Community Engagement and Advisory Group select a charity in keeping with the prison's philosophy to donate moneys raised by the Gala Day. The residents sell homemade cakes, pastries, artwork, craft and plants propagated at the facility. From inception in 2005 to date, the Gala Day initiative has raised almost \$300,000 for charities which benefit women in crisis in the community, with the 2022 Gala Day having raised \$39,384 for Dress for Success.

Boronia continued to strengthen its relationships with local providers and National Indigenous Australian Agency identified employers and service providers, in order to create potential employment pathways for women outside of the hospitality industry

On 29 December 2022, the Minister for Corrective Services opened a special kitchen facility at the Corrective Services Training Academy in Bentley, supported by funding from the National Indigenous Australians Agency. The kitchen is central to the Yirra Djinda program, a Federal-State partnership to help Aboriginal women prisoners to obtain the skills they need to find employment in the hospitality industry after release. Between December 2022 when the program was launched and 30 June 2023, 47 Boronia residents engaged with the Yirra Djinda Program and a total of 13 women graduated from the course. Some of the participants have been released and are now working within the hospitality industry.

Yirra Djinda participants attend employment and training exhibitions and meet regularly with potential employers to build relationships, particularly with culturally appropriate employment providers. Ingredients for the program are sourced to enable participants to expand their knowledge and use of Indigenous produce which they showcase in their catering menus at multiple events.

Components of the Yirra Djinda project include engagement with Deadly Denim, an Indigenous fashion label that creates unique designs that are transferred onto textiles. Deadly Denim held workshops to train women to sew and worked with the women to design and produce their Yirra Djinda uniforms and aprons.

Residents at Boronia continue to engage with Relationships Australia WA to deliver the Aboriginal Family Safety Program as a pilot project.

In 2022/23 18 mothers residing at Boronia lived with their 18 babies in specialised units.

Melaleuca Women's Prison

Melaleuca Women's Prison is the State's remand facility for women. The facility focuses on delivering support and services specific to women remanded in custody including access to; health assessment and treatment of immediate needs; legal counsel; attendance at court; maintaining family connection assessment and case management. Melaleuca Women's Prison also engages with service providers to deliver a range of constructive activities for women including recreation, education and programs.

In partnership with the Western Australian Aboriginal Leadership Institute, Melaleuca Women's Prison introduced the Aboriginal Cultural Leadership Program in 2022. This 10-week culturally aligned program aims to empower participants and builds confidence, resilience, goal setting, the capacity to focus on dealing with conflicts and becoming leaders for their families and communities. Funding from Lotterywest supported the delivery of two programs with the second program concluding in October 2022. Future funding is being sought to build on the program's success.

Western Australian Aboriginal Leadership Institute Elders have continued to visit the site on a regular basis to facilitate the Yarning Circle, an informal cultural support group.

Smoke-free pilot success

From 31 October 2022, Bandyup Women's Prison in Middle Swan east of Perth became smoke-free, with all staff, contractors, prisoners and visitors prohibited from smoking on site.

Tobacco and tobacco-related products are no longer permitted.

Smoking remains the leading cause of preventable deaths in Australia.

The dangerous habit is also more entrenched among Aboriginal people, women and younger people in custody and in 2020, made up more than half of all canteen sales to WA prisoners.

The Department of Justice partnered with the Cancer Council and the Australian Council on Smoking and Health to support Bandyup become a smoke-free zone and help women overcome nicotine addiction.



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, prisons and releasing authorities, such as the Prisoners Review Board and Mentally Impaired Accused Review Board.

There are 26 Adult Community Corrections Centres in Western Australia, managing an average of 5,942 adult offenders each day throughout the State. In addition, there are four specialty teams in the Adult Court Services Branch located at the Central Law Courts and two specialty teams in the Community Offender Monitoring Unit operating from the Perth central business district.

The average number of offenders managed in the community has increased by nine per cent over the last five years, with the greatest contribution to the increase being increases in Bail Orders (78 per cent) and Parole (39 per cent).

The percentage of offenders who successfully completed Community Corrections Orders decreased from 72 per cent in 2021/22 to 69 per cent in 2022/23.

Since July 2017, there has been an increase in the average daily population of people being managed on Post Sentence Supervision Orders from 38 in 2017/18 to 88 in 2022/23.

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. The following table includes High Risk Serious Offenders who were previously on Dangerous Sexual Offender Supervision Orders at the time the new Act came into operation.

High Risk Serious Offenders

	2022/23	2021/22
High Risk Serious Offender Interim Orders	7	15
High Risk Serious Offender Supervision Orders	63	48
Post Sentence Supervision Orders	80	100

Adults managed in the community

Average daily population	2022/23	2021/22	Change
Overall	5,942	5,759	3.2%
Gender¹			
Male	4,644	4,508	3.0%
Female	1,294	1,250	3.5%
Aboriginality²			
Aboriginal	1,972	1,698	16.1%
Non-Aboriginal	3,932	4,028	-2.4%
Order category³			
Bail order	685	597	14.7%
Court order	3,939	3,743	5.2%
Early release order	1,238	1,289	-4.0%
Work development order	59	76	-22.4%
Post Sentence Order (including High Risk Offenders)	153	178	-14.0%

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 monitoring 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.

¹ Does not total to overall due to persons whose gender 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.

These legislative changes have resulted in the increased use of GPS for monitoring offenders as opposed to Radio Frequency, which only monitors the offender's presence or absence in a designated residence.

Family and Domestic Violence Response Teams

Staff in Adult Community Corrections have continued to work with the Department of Communities and Western Australia Police Force to roll out the new Family and Domestic Violence Response Teams. The new Family and Domestic Violence Response Team model incorporates the inclusion of the Department as a partner agency and pivots the focus from a primarily victim-support model to a perpetrator risk-driven model. The two pilot sites at Fremantle and Broome have found that the improved information exchange processes between the core partner agencies resulted in increased visibility of perpetrators. This was particularly important in identifying perpetrator patterns of behaviour and risk factors with several examples demonstrating the positive impact this had on family safety.

Community Corrections Officer Foundation Program

To increase recruitment, Adult Community Corrections have worked with the Corrective Services Academy to increase the number of Community Correction Officer Foundation Programs run per year from two to three. This increases the number of Community Corrections Officers trained from 48 to 72 per year. Community Corrections Officers are responsible for managing offenders in the community and helping to keep the community safe by working with clients to address their offending behaviour.

Family and domestic violence training for Senior Community Corrections Officers

Senior Community Corrections Officers manage offenders, subject to community-based orders, who present a greater degree of complexity and/or potential harm to the safety of the community, including perpetrators of family and domestic violence. In line with the Department's strategy to tackle family and domestic violence and build workforce capacity to create a shared understanding of family and domestic violence, additional training was provided to more than 90 Senior Community Corrections Officers across the State in 2022/23. The training is based on the 'Safe and Together Model', which is an internationally recognised approach encompassing a suite of tools in interviewing, assessing, triaging and working with family and domestic violence perpetrators.

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 provides 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.

On 15 December 2022, Health Services achieved full reaccreditation against the Royal Australian College of General Practitioners Standards (first edition) for Health Services in Australian Prisons. Accreditation was awarded for three years from 3 November 2022 to 3 November 2025. Accreditation is independent recognition that Health Services meets the requirements of Royal Australian College of General Practitioners standards for health service in Australian prisons. Accreditation provides quality and performance assurance for organisations, managers, staff, funding bodies and consumers. Further, accreditation demonstrates that Health Services provides community equivalent health care to persons incarcerated in Western Australia.

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 2022/23, 7,577 initial assessments of adult prisoners and 1,753 assessments of young detainees were conducted. This was a decrease of 1.6 per cent for adult offenders and an increase of 2.7 per cent for juvenile detainees from 2021/22.

Response to COVID-19

COVID-19 brought a raft of changes and processes across the prison estate for Health Services including the establishment of joint contingency plans with the Department of Health in the event of an outbreak of COVID-19, additional risk screening of all prisoners, COVID-19 training scenarios and early detection methods and the introduction of the COVID-19 vaccinations. COVID-19 vaccinations were rolled out in all Western Australian prisons from July 2021.

Prisoner COVID-19 vaccination continued with an in-house model and remains aligned to the community vaccination schedules and Australian Technical Advisory Group on Immunisation advice. Prisoner education has been ongoing to ensure prisoners are able to make an informed decision about the vaccine.

Central Pharmacy

The Central Pharmacy provides a critical service to Corrective Services, supplying medications to all prisoners, except for those located at Acacia Prison. 52 per cent of the male prisoner population and 78 per cent of the female prisoner population require prescribed medication.

On 10 March 2023, the new pharmacy extension was officially opened. The pharmacy extension was required due to pressure on service delivery as a result of the increasing prisoner population and the increased volume and complexity of medications.

In 2022/23, 138,211 individual prescriptions were dispensed, 166,717 blister packs were distributed across the prison estate and 43,926 methadone doses were dispensed and distributed by the Central Pharmacy.

Mental Health, Alcohol and Other Drugs

The Mental Health, Alcohol and Other Drugs Branch provides mental health care and alcohol and other drug 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 Drugs staff play key roles in the Bindi Bindi Mental Health Unit at Bandyup Women's Prison and the Mallee Rehabilitation Centre at Casuarina Prison.

Mental Health Alcohol and Other Drugs - 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. Treatment is prescribed and overseen by consultant psychiatrists.

Psychological Health Services

Psychological Health Services provides counselling services in prisons across the state, and occupational therapy services in specialist mental health or alcohol and drug rehabilitation units. Counselling services are provided by registered psychologists and clinically experienced social workers. Counsellors provide clinical assessments and interventions to prisoners who are at acute risk of suicide or self-harm, vulnerable within the prison system, affected by poor mental health or having difficulty coping in prison.

In 2022/23, Psychological Health Services received 10,630 counselling referrals in public prisons compared to 9,944

referrals the previous year. The seven per cent increase is attributed to the increase in remand prisoners as the courts increased their capacity following COVID-19.

Occupational therapists provide assessments and interventions to prisoners located within the Bindi Bindi Mental Health Unit at Bandyup Women's Prison and the Mallee Rehabilitation Centre at Casuarina Prison.

Functional Impairment Screening Tool

Health Services introduced a Functional Impairment Screening Tool in September 2021 to prompt awareness and consideration of functional challenges experienced by prisoners, and to trigger additional investigations or assessments aimed at addressing the impairments. The Tool provides a means of recording functional impairments and providing site-wide and statewide data regarding the burden for our cohort of patients and to guide future service delivery.

The Functional Impairment Screening Tool records impairment across 10 domains using a simple scoring system and was upgraded in 2023 to include documentation of the use of hearing, visual, mobility or communication aids. The assessment is now included in prisoner reception and admission processes and in annual health reviews. The Functional Impairment Screening Tool was used for 92 per cent of patients at some sites during the year. Statewide the average coverage was 63 per cent. To date, the feedback this data provided prompted education activities, consideration to service gaps and enhanced linkages with community services.

Work continued to enhance secondary screening processes, enhance care pathways for formal assessments, and ensure pathways to the National Disability Insurance Scheme and other supports are used by staff.

Prisoner Support Services

The Prison Support Services branch provides support to prisoners and detainees who require it. The service is comprised of Prison Support Officers and the Aboriginal Visitors Scheme.

Prison Support Officers are Aboriginal employees who provide welfare-oriented assistance to Aboriginal and non-Aboriginal prisoners who are vulnerable or at risk of self-harm or suicide. In 2022/23, Prison Support Officers recorded 23,068 prisoner contacts compared with 11,569 the previous year. The increase is largely attributable to a return to normal service levels following COVID-19 related disruptions.

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 3,043 contacts with Aboriginal prisoners and detainees in 2022/23 compared with 4,421 in 2021/22. The decrease was due to ongoing difficulties recruiting staff to these positions.

Rehabilitation and Reintegration

The Rehabilitation and Reintegration Branch leads the development and coordinated implementation of offender rehabilitation programs, interventions and services with the aim of improving offenders' lives and reducing the likelihood of re-offending. This includes ensuring appropriate assessment and case management practices are in place to assess rehabilitation and reintegration needs and that suitable programs and services are available and delivered.

Rehabilitation and Reintegration consists of the following business areas: Sentence Management; Clinical Governance and Innovation; Assessment and Interventions; Education, Employment and Transitional Services; Offender Programs and Contract Management and Reintegration Services.

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.

This year there were 6,343 prisoners enrolled in a nationally accredited education or vocational training course. Strong enrolments continue in the field of traineeships and apprenticeships with 538 prisoners enrolled throughout the year showing an improvement from 2021/22 which was 508. The number of Aboriginal students enrolled in tertiary studies continued to be strong with 20 students engaged.

The Department acknowledges that adult basic education or literacy is a fundamental skill for effective functioning in modern society. As a priority program, all offenders who have low language, literacy, numeracy and digital skills are provided with the opportunity to enhance their level of functional ability, self-expression and self-esteem and therefore their employability. In 2022/23, 3,727 prisoners were enrolled in 10,413 units of study from the Adult Basic Education Curriculum. Some highlights for the year included:

- Education Employment and Transitional Services won the 2022 Western Australian Industry Collaboration Award in the WA Training Awards.
- The 'Making Tracks' award submission highlighted prisoner training pathways to employment success and social inclusion, through industry training and an employment network of partnerships for prisoners across Western Australia. This ensures vocational education and training in prisons is appropriate to the needs of both the prisoners engaged in training and the businesses that employ them.

- The Department also received a Gold Award for the Australian Employer of the Year of Apprentices and Trainees at the 2022 Australian Training Awards. The Awards recognise those employers who have made innovative improvements in training which provide beneficial outcomes for their apprentices and/or trainees in Australia and to their local community.
- Further, the Department received the Bronze Award in the Industry Collaboration Award, which recognises an exemplary skills development collaboration between at least one employer/industry body and at least one organisation delivering nationally recognised training.
- In 2022 the Department launched the Collective Nations: Many Tracks Aboriginal Education and Employment Strategy. The Strategy aims to provide culturally inclusive services which will enable Aboriginal prisoners to achieve their full learning potential, enhance their self-respect and, through the development of skills and knowledge, control and shape their own lives and futures.

Offender Programs

The Offender Programs division are responsible for delivering criminogenic programs to offenders in custody and in the community. The programs 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, evidence-based and meet the needs of the offender population. With continuous improvement in mind, the Rehabilitation and Reintegration branch has started a body of work to train clinical staff in the 'Safe and Together Model' when working in the family and domestic violence area. The Safe and Together Model is an internationally recognised approach which encompasses a suite of tools in interviewing, assessing, triaging and working with family and domestic violence perpetrators. Training in the model supports interagency communication and developing a common language when working with family and domestic violence perpetrators across services and within the Department. In 2022/23, 120 Offender Programs staff have had the opportunity to undertake the training.

Contract Management

Contract Management works with 24 non-Government organisations engaged by service agreements with a value of \$29.4 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.

Suicide Prevention Governance Unit

- Progression of suicide/non-suicidal self-injury prevention training initiatives across Corrective Services, including:
- The finalisation and implementation of the suicide prevention online learning modules – the re-launch of the ARMS/SAMS/PRAG online learning modules (iLearn) is expected in August 2023.
- The coordination of training sessions for staff and peer support prisoners by Lifeline, titled Talking About Suicide. To date 415 staff across Corrective Services and 196 prisoners have participated in this training.
- Progressing the Gatekeeper training in consultation with the Mental Health Commission – a one-day Gatekeeper training session for staff is in pilot and will soon be evaluated.
- Progressing face-to-face training for Prisoner Risk Assessment Group (PRAG) chairpersons in consultation with the Learning and Development Directorate within the Department, including:
 - The development of a draft one-day PRAG face-to-face training program for all PRAG/ARAG Chairpersons; as well as Assistant Superintendents, Principal Officers, and selected Senior Officers. Learning outcomes will focus on enhancing the professional capacity of current, acting and upcoming PRAG Chairpersons in managing at-risk prisoners.
 - Learning will be supplemented by online events/webinars, information sessions by subject matter experts.
- Establishing communication networks with Prisoner Risk Assessment Group chairpersons:
 - A PRAG Chairperson network was established in February 2023 and continues to meet monthly via TEAMS with the purpose of:
 - Providing feedback on compliance and governance matters;
 - Discussing training needs;

- Improving communication and information sharing including coroner's findings and recommendations for suicide deaths in custody.
- Six meetings have taken place since the formation of the SPGU, this has proven to be a good forum for the development/mentoring of current PRAG Chairs, with a noted improvement in current practice.
- Informing and supporting the Department's Aboriginal Suicide Prevention Strategy (ASPS).
 - A draft ASPS has been developed.
 - Approval is being sought to commence external consultation with the following external Aboriginal subject matter experts: - Centre for Best Practice in Aboriginal and Torres Strait Islander Suicide Prevention (University of Western Australia), Australian Indigenous Health Info Net (Edith Cowan University), Danjoo Koorliny Walking Together (Centre for Social Impact, University of Western Australia), and Professor Neil Drew, Aboriginal HealthInfoNet (Edith Cowan University).
- Establishing a central oversight process of incidents related to self-harm and suicide.
 - The SPGU has commenced reviewing critical incidents of self-harm, attempted suicide, suicide to establish the factors underlying the incidents with recommendations for improvement.
 - The SPGU has re-established ARMS quarterly reviews including review, feedback, and statistical analysis of performance against ARMS Manual in all adult prisons.

Disability Coordination Unit

The Disability Coordination Unit established a project in 2022/23 to explore business model options for the creation of a Disability Services division within the Disability Coordination Unit. The new division will provide comprehensive disability assessment to better identify the support needs of prisoners with disability in order to better support prisoners/offenders to best access and utilise the National Disability Insurance Scheme and other relevant disability services and supports. Further, improved disability support planning is expected to increase the probability of parole approval for prisoners with disability.

Operational Support

Operational Support plays a critical role in maintaining and increasing security across the custodial estate and delivering improvements to the Department. This work contributes to community safety through the provision of security and response services across the custodial estate, including emergency response operations and the mitigation of drug and alcohol use. 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, to assist with the safe management of offenders in the community. Operational Support is also responsible for the management and compliance monitoring of operational policy, contract management, strategic projects, assurance planning and performance 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 which also complements the use of the Drug Detection Unit canine team. In 2022/23 the devices were used on 383 occasions to search visitors entering prisons resulting in 48 narcotic alarms.

During the year the Drug Detection Unit:

- Completed a number of unannounced searches of vehicles and visitors entering prisons across the State.
- Upgraded Electronic Drug Trace Detection devices to enable prisons to detect certain synthetic narcotic products such as 'Kronic' and 'Spice' at points of entry, preventing these substances from entering custodial facilities.
- Modernised its prisoner urine drug testing process with a new, safer, more dignified, hygienic and environmentally-considerate clinical process, being implemented across the custodial estate.

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 2,853 deployments occurring throughout the year in the custodial estate. This equated to 34,017 visitors and 7,772 prisoners being searched by narcotic detection dogs resulting in 1,933 narcotic odour indications. 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 65 narcotic substances or narcotic-related paraphernalia.

Security of the prison estate

The security and safety of 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.

While meeting security needs across the custodial estate and providing statewide technical advice to Corrective Services' security staff and facilities, environmental scanning also continued to identify emerging technologies and best practice in custodial security management. Key initiatives included:

- Continued development of the Security Management Framework. The framework is designed to organise and standardise security practices and assist in the identification and continuous improvement in the management of security risks.
- Enhanced governance was also a focus area for improvement this year, with the delivery of new policy, 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 installation of a whole body, low dose x-ray scanner at Melaleuca Women's Prison in April 2023. The scanner produces a high resolution representation of a person's body structure and can reveal items hidden under clothing or inside the body. This technology provides a more dignified effective method of searching persons, with the added benefit of reducing reliance on physical searches, such as strip searching. The Department will look to expand this capability to other prison locations 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 conducted more than 1,000 separate operational tasks for the year. The Group's on-site presence was increased at juvenile facilities to respond to incidents and/or to provide enhanced security. This included responding to a number of major incidents at both Banksia Hill Detention Centre and Unit 18.

The Special Operations Group also continued to conduct security search operations aimed at prisoners, visitors and staff entering and leaving prisons, high security prisoner escorts and regular foot and vehicle perimeter patrols.

Support from the Special Operations Group for regional escorts increased for at risk or mentally ill prisoners. Further, due to previous COVID-19 travel restrictions a large number of interstate welfare escorts were conducted.

Training increased across the State with the Special Operations Group completing:

- Riot Control training delivered to each regional facility which also contributes to the operational preparedness of the smoke-free policy.
- Fire Reception Training was introduced and delivered to all Special Operations Group staff.
- Development and piloting of a Team Leader Course and Forward Commander Course, which will commence rolling out to designated staff in 2023/24.
- Continued delivery of Riot Control training to Entry Level Training Programs for adult and youth custodial staff.

Emergency Management

Corrective Services responded to various emergency incidents in prisons and in support of the community, including natural disasters such as Ex-Tropical Cyclone Ellie, which impacted custodial operations and community corrections across the Kimberley region.

Corrective Services continue to manage the effects of COVID-19 within custodial facilities. The lifting of COVID-19 restrictions within the community saw Corrective Services, as a high-risk environment, continue to maintain a range of measures to prevent and control COVID-19 in correctional facilities. From April 2023, Corrective Services reviewed and eased arrangements while maintaining screening practices, the management of COVID-19 positive cases and a range of other disease-mitigation processes.

Corrective Services has also implemented a Respiratory Protection Program to address the risk of smoke inhalation for officers providing immediate response to fires within the custodial environment.

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.

Intelligence Services continued to provide advice and assessments to assist the custodial estate and community corrections to mitigate risk and assist in the management of prisoners; decisions about where to place prisoners; and the management of offenders in the community. In particular, Intelligence Services allocated resources to specifically focus on gangs, to provide increased monitoring and understanding of the gang environment including ongoing liaison with the Western Australia Police Force Gang Crime Squad to enable the provision of contemporary and timely advice in response to gang related incidents in custody and the community.

During the year, Intelligence Services created a new position, 'Principal Intelligence Coordinator – Countering Violent Extremism'. The position is focused on radicalisation and extremism across the custodial estate. The new role is the Department's first dedicated countering violent extremism position which, when filled, will provide tactical and operational support to the High Risk Rehabilitation and Reintegration Program; identify and resource specific training regarding countering violent extremism for Corrective Services staff; develop processes for intelligence-led custodial management decisions; and provide support to senior decision makers regarding the threat posed by extremism in Western Australian prisons.

Intelligence Services continued to make important contributions to the operations of the Western Australia Police Force and other law enforcement agencies by providing immediate support to active investigations and referral of important and urgent information to assist with ensuring community safety.

Learning and Development

The Corrective Services Academy is an enterprise Registered Training Organisation, responsible for the identification and delivery of learning and development for all Corrective Services staff including foundation training, ongoing work skills, corporate governance and compliance, and professional development.

In 2022/23, the Academy's primary objective was the delivery of foundation training programs for frontline operational staff, including training for 190 Prison Officers, 86 Youth Custodial Officers, 47 Adult Community Corrections Officers, 27 Youth Justice Officers and 46 Vocational Support Officers from metropolitan and regional locations across the State.

In addition, five 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 three staff from across the state commenced the program in April 2023, with completion in October 2023. This is the fifth year Corrective Services staff have participated in the program. During the year the Academy also:

- Provided ongoing operational governance and compliance, and professional development training for Corrective Services staff in the areas of suicide prevention, family and domestic violence, mental health first aid, safety and security, occupational first aid and fire and emergency.
- In collaboration with the Women and Young People Directorate, designed and delivered the inaugural Essential Training Program for Community Work Officers who work with designated adult and youth offenders subject to community work obligations or orders issued by the sentencing authorities. The training enables officers to perform their role more effectively, with the aim of ensuring offenders satisfy the requirements of their community work obligations according to legislation and Departmental policy through providing reparation to the community, and by giving offenders an opportunity to develop new skills and contribute to their rehabilitation.
- In collaboration with the Security and Response Services branch, developed training resources to support the roll-out of the Respiratory Protective Program. The program was developed to implement respiratory protection processes to minimise the risk of respiratory hazards that workers may be exposed to in a Corrective Services workplace when conducting first response activities in fire incidents.

Strategic Corrections Projects

The Strategic Corrections Projects Branch leads Corrective Services' involvement in significant change management processes and projects of strategic importance. In 2022/23 these included:

Operational readiness planning for the Casuarina Prison Stage 2 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 including a new purpose build 36 bed Mental Health Unit.

- Project management and delivery of a new Alcohol and Other Drug Reintegration Service at Bunbury Regional Prison, ensuring Corrective Services delivers the State Government's election commitment to extend alcohol and other drug through-care services to male prisoners in regional areas. The service is on track to commence in August 2023.
- Development and delivery of a Western Australian Countering Violent Extremism High Risk Reintegration and Rehabilitation Program. Project initiation planning in late 2022 included the State Government entering into a new Federation Funding Agreement with the Commonwealth. The current agreement executed in June 2023 successfully secured \$1.85 million for Corrective Services which will enable the development and establishment of the Western Australian Countering Violent Extremism Program, strengthening national Countering Violent Extremism capabilities. Planning will continue throughout 2023/24.
- Implementation of the Criminal Law (Mental Impairment) Bill 2022 passed by Parliament in April 2023. This significantly changes how individuals with a mental impairment are treated and managed through the justice system. Corrective Services will undertake a vital role in the management and supervision of individuals with a mental impairment through Custody and Community Supervision Orders, coordinating Leave of Absence and providing for access to Mental Health Advocates.

Operational Policy, Compliance and Contracts

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 juvenile detention centres. In 2022/23 the branch successfully:

- Completed the scheduled review of 35 policies and procedures, combined with many unscheduled reviews to deliver improved security, safety and rehabilitation outcomes.
- Developed an industry leading policy to support the operations of the women's mental health unit within Bandyup Women's prison, which aligns with the mission of the Mental Health Alcohol and Other Drug branch.
- Created a suite of policies to support the specific transfer, placement and management of young people in the care of the Department.

The Operational Compliance Branch continued its support of delivering compliance services across operational areas in line with the branch's compliance framework, working collaboratively with stakeholders and driving continuous improvement. Operational Compliance continued to improve its performance capability through the digitised compliance function to maintain streamlined and effective compliance reporting systems and support key operational and strategic objectives when conducting onsite compliance activities for prisons, juvenile detention centres and courts, significantly improving performance capability. In 2022/23 the branch led the development of a reporting platform to be applied within all Adult Community Corrections and Youth Justice Centres to ensure compliant and effective service delivery, which will be rolled out in 2023/24.

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 3,321 individual matters with a view to supporting continuous improvement in service delivery which was a two per cent increase from the 3,244 matters received for the same period in 2021/22.

The Operational Contracts Branch continued to be responsible for the contract management and oversight of Acacia Prison, Electronic Monitoring Services of Offenders in the Community and the Court Security and Custodial Services Contract.

- 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. In 2022/23 the Contract Management team continued to oversee the delivery

of key contractual improvements including additional performance measures, whilst services delivery was largely impacted by COVID-19 restricted regime a considerable improvement was noticed when standard regime was reinstated. Acacia has made considerable improvements in facilities management performance services in the last half of operation year. In early 2022, a large prisoner disturbance caused significant damage to prisoner accommodation and support services infrastructure, which is currently being rectified. With limited infrastructure for prisoner employment, Acacia is utilising the remaining facilities to maximise prisoners' opportunities for employment.

- 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. In 2022/23 the Operational Contracts Branch negotiated a four-year contract extension including variations for further movement services at West Kimberley Regional Prison as well as a revised pricing mechanism for hospital sit services.
- 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 and in 2022/23 oversaw the commencement of a planned transition to updated technology by the Contractor.

Assurance Planning and Performance

The Assurance Planning and Performance Branch provides guidance and support across Corrective Services to assist in the delivery of business operations and enable business improvements through robust planning, governance, assurance, and risk management activities that drives accountability and delivers outcomes. 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.

In 2022/23, the Branch continued to enhance the approach to risk management across the custodial estate through ongoing review and monitoring of risks by the Local Risk Management Committees at individual facilities and regular reporting and escalation of risks as required to facilitate informed and improved decision making. This risk work has now expanded to include strategic and operational risk management across Corrective Services including but not limited to, Youth Justice Services, Community Corrections, and various corporate business areas within Corrective Services such as Operational Support and Offender Services.

In September 2022, the Branch assumed responsibility for the coordination of Deaths in Custody Lessons Learned Workshops to assist Corrective Services in identifying

opportunities to improve the safety of prisoners within the Department's care and to reduce the likelihood of similar deaths in custody in the future. To date, five lessons learned workshops have been conducted identifying 34 improvement actions for implementation across the custodial estate.

The Branch also facilitated operational improvements through the coordination of internal and external inspections and reviews and monitoring the implementation of recommendations made. In 2022/23, a total of 140 new recommendations were made for Corrective Services through the reports of various oversight agencies including the Office of the Inspector of Custodial Services, the Office of the Auditor General, the Coroner's Court of Western Australia, the Ombudsman Western Australia and other internal reviews. Corrective Services actioned a total of 137 recommendations in the current financial year, of which 55 recommendations were new and 82 from previous financial years.

Additionally, the Branch continued the provision of integrated data analysis to assist business areas to make informed decisions, 'Remand and Demand Analysis' and continuing to represent Corrective Services in respect to department level evaluation and research activities as well as being the Corrective Services representative on the Corrective Services Administrators Council Research Working Group.

COVID-19 Taskforce

The safe and continuous delivery of services during COVID-19 continued to be a major priority for Corrective Services. 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. The Taskforce also 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, including 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 it.

Vaccination of persons in custody continued to be a priority of the Department to assist in protecting the custodial cohort from the impacts and consequences posed by exposure to COVID-19. Forty-one internal vaccination clinics were successfully established across the custodial estate. At 30 June 2023, 85.3 per cent of the total prisoner and youth detainee population had received at least two doses of a COVID-19 vaccine.

With COVID-19 cases present within the custodial estate and a number of prisoners and staff having to be isolated over the course of the year to prevent and reduce outbreaks, the Taskforce was instrumental in assisting with the management and containment of these outbreaks. Lessons learned from outbreaks continued to assist with the current and future management of COVID-19 within custodial facilities.

The Taskforce ensured compliance with State Government mandates, adapting and updating processes accordingly. Despite the end of the COVID-19 State of Emergency in Western Australia on 4 November 2022, the Department continues to work towards ensuring the welfare of prisoners, staff and visitors is maintained and protected from the threat imposed by COVID-19. In late 2022 the Taskforce commenced activities to transition correctional facilities to a business-as-usual environment and in April 2023, the Taskforce was disbanded.



April 28 2023 marked the biggest (and busiest!) day in the history of the Corrective Services Academy. This photograph features 172 trainees, 51 Academy staff and six Commissioned Officers - that's 229 people in one image. The Academy organised extra resources to manage eight programs being run simultaneously, with the trainees all at various stages of their skills development.

Australian Corrections Medal recipients

In 2023, there were eight Corrective Services staff that received the Australian Corrections Medal for distinguished service. For the first time in the Australian Corrections Medal history, an amendment to the regulations was approved and nominations recognising outstanding contribution to the nation's COVID-19 response were accepted. This recognition is set for a period of five years from 25 January 2020.

Jason Barnett Deputy Superintendent, Casuarina Prison

Jason started with the Department of Justice on 10 May 1999 as a trainee Prison Officer Shift at the Eastern Goldfields Regional Prison. By February 2005 Mr Barnett was promoted to Senior Officer Shift, then from January 2012 to May 2016 acted in the roles of Assistant Superintendent Prison Management, Assistant Superintendent Operations and Security Manager.

From September 2015 to June 2018, Mr Barnett transferred to Casuarina Prison to provide various Assistant Superintendent coverage. From June 2018 to February 2020 he was transferred to Wooroloo Prison Farm providing Assistant Superintendent Operations (substantive) coverage and in February 2020 he returned to Casuarina Prison in the roles of Assistant Superintendent Prisoner Management (substantive), A/Deputy Superintendent Services and A/Deputy Superintendent Interventions.

From July 2021 to September Mr Barnett was seconded to the Eastern Goldfields Regional Prison as acting Superintendent and in late 2022, was promoted to substantive Deputy Superintendent, Casuarina Prison. As part of the Methamphetamine Action Plan, the Mallee Rehabilitation Centre treatment facility for male prisoners opened in October 2020 at the Casuarina Prison where Mr Barnett, as Deputy Superintendent, provided custodial leadership and oversight for the running of this treatment facility.

His motivation to help break the cycle of addictions aided his involvement in the Solid Steps addiction program developed by the Department in conjunction with the Palmerston Association and Wungening Aboriginal Corporation.

In July 2022, and on the success of Mallee Rehabilitation Centre, Mr Barnett was approached to lead Unit 18 at Casuarina Prison, a temporary placement of 17 highly disruptive detainees from Banksia Hill Detention Centre to provide an additional safe, nurturing, and secure environment. Mr Barnett's positive leadership and support has seen these young people have improved experiences through access to programs and recreation.

Kerri Bishop Superintendent, Bunbury Regional Prison

Kerri started with the Department of Justice at Broome Regional Prison on 21 September 1987 as Shift Disciplinary Prison Officer. From 1993, Ms Bishop worked at the Bandyup Women's Prison and Wooroloo Prison Farm which saw her promoted through the ranks to Senior Officer in March 2002.

In August 2002, she completed a 12-month secondment as an Inspections Officer with the Office of the Inspector of Custodial Services. From 2003 to 2006, Ms Bishop worked as a Change Manager, implementing a change

management model into the operational environments of Bandyup Women's Prison, Broome, Roebourne, Eastern Goldfields, and Albany Regional Prisons used as a process for reviewing existing operational systems and practices and introducing changes and improvements to these operational environments.

In October 2006 to August 2007, Ms Bishop was promoted to Assistant Superintendent at Hakea Prison, then carried out the role of Operations Manager at various prisons. From August 2007 Ms Bishop carried out numerous acting Superintendent positions at various metropolitan and regional prisons.

Since February 2012 Ms Bishop has been the substantive Superintendent for the Bunbury Regional Prison where she is primarily involved with operational duties in relation to the control and management of offenders in custody. Having a strong understanding of the operational management of male, female and Aboriginal prisoners, and systems and procedures that support operational regimes, enables her to identify, and implement, custody-based programs and services to support behavioural change.

Wendy Duguid Director Adult Court Services, Adult Community Corrections

Wendy started with the Department of Justice on 10 April 1995 as a Community Corrections Officer for Geraldton Adult Community Corrections. In late 1997 Ms Duguid was appointed as Senior Community Corrections Officer. In 2002 Ms Duguid received a further promotion to the position of Senior Casework Supervisor.

From July 2006 until September 2006, Ms Duguid worked as a prison based Senior Case Work Supervisor Community Corrections in the Midwest region. From July 2009 until March 2010, Ms Duguid acted in the role of Manager, Community Standards and Review in the Professional Standards and Compliance Division. In mid-2011, Ms Duguid was appointed Manager at Rockingham Community Corrections which she held substantively for six years.

During this period, Ms Duguid carried out the following acting roles: Director Centres South, Director Reform Team, Director, Operational Practice and Assistant Director, Adult Court Services, and in November 2016 Ms Duguid was appointed as Director, Adult Court Services, a position she still holds.

Ms Duguid is directly responsible for service delivery to the Central Law Courts Team; Court Assessment Treatment Services - Drug Court; Intellectual Disability Diversion Program; Mental Health Court, Central Breach Unit; Bail Co-ordination and the Mallee Rehabilitation Centre - Alcohol and Other Drugs Unit.

In July 2015 Ms Duguid assisted in the development and implementation of a decision-making guide to enable Community Corrections Officers to make reasonable practice decisions for: compliance, risk, harm, need/protective factors and responsivity. This guide has provided significant benefits enabling staff to make defensible decisions, mitigating risk to the community.

Ray Edge Superintendent, Adult Male Prisons

Ray has worked in corrections for 28 years after joining the Department in 1995 as a prison officer at the Canning Vale Prison, now Hakea Prison. During his career, Mr Edge has held the positions of Prison Officer First Class, Senior Officer and Superintendent. Mr Edge has also held the position of Director of what is now known as People, Culture and Standards, where he further promoted the Department's aim for staff integrity and positive conduct and continues to lead by example in terms of his conduct and professionalism.

In 2017, he transferred to his current position as Superintendent at the Karnet Prison Farm, where he has implemented self-sustainability and provided exposure to the attributes and abilities of prisoners to potential employers. Yearly employment expos are held to provide employment opportunities and training. He identified the need to source practical training opportunities for all offenders, notably, supporting the Carey Bindjareb project, in partnership with Piacentini and Son training offenders via a simulated mine-site providing a unique learning environment with an introduction to mine site operations. Additionally, in 2021 a group of 23 prisoners from Karnet completed specialised training to provide vital support to Western Australia's fixed-wing water bomber fleet during the summer season.

Christine Ginbey Deputy Commissioner Women and Young People

Christine commenced with the Department of Justice in August 1986, as Prison Officer and has progressed through the ranks to her current position of Deputy Commissioner Women and Young People.

Ms Ginbey has led in the development of unique and globally recognised prison design and operations for incarcerated women. Focusing on rehabilitation and recognising the needs of women as mothers, providing a pro-social living environment allowing women to easily transition from prison to the community.

Ms Ginbey was instrumental in developing the first community reference group which recognised that prisoners and prisons are integral components to any community and should be engaged in the community. She implemented a range of programs to facilitate successful reintegration through re-entry programs, with a focus to reduce the likelihood of re-offending. These programs address the issue of skills acquisition, providing strategies to assist women to deal with social and health issues that may limit their economic independence.

Ms Ginbey has continuously challenged the traditional model of prison/prisoner interaction by insisting that the role of the Prison Officer is to work with the prisoners, know them on a more familiar level and be able to directly assist their needs. Ms Ginbey has been a passionate advocate for change in custodial design and operations and a strong supporter and mentor for women in corrections. Throughout her career, Ms Ginbey has had frequent face-to-face engagement with prisoners and in her current role, meets with prisoners and detainees when carrying out prison visits, listening to their concerns whilst providing support to them.

As Deputy Commissioner, Ms Ginbey has played an important role in the progression of the Management of Women in Custody Strategy as well as being instrumental in the management of a difficult cohort of detainees at the Banksia Hill Detention Centre.

Dr Joy Rowland Director Medical Services, Offender Services

As Director Medical Services for the Department, Dr Rowland provides clinical leadership on all initiatives to improve patient care. Her role provides professional leadership and governance for all medical practitioners with a focus on medical workforce, patient safety and quality improvement, medical education and population health. However, it is her contribution to the management of the COVID-19 Pandemic Plan which has highlighted her impressive leadership skills and ability to navigate the many changes that come with working on pandemic response in remote and rural settings. Dr Rowland worked with the Department's COVID-19 Taskforce team to implement the myriad of changes required to successfully manage COVID-19 across the Prison Estate and ensure preparedness for an outbreak. Her leadership in the development of extensive partnerships and relationships with community health service providers and specialists to facilitate access and improved efficiencies in health care delivery was invaluable. This was achieved by optimising the use of technology or telehealth to ensure that Prison Health Services met the needs of its patients and staff during COVID-19.

Sharon Turner Senior Officer Shifts, Boronia Pre-release Centre for Women

Sharon started with the Department of Justice on 13 September 1999 at Nyandi, now Boronia Pre-release Centre for Women. In February 2005 Ms Turner was successfully appointed to First-Class Prison Officer and promoted to Senior Officer in March 2009. Boronia is a minimum-security facility where prisoners and their children stay in a community-style setting recognising the diverse needs of incarcerated women. This includes pregnant residents who have their child remain in their care for the duration of their sentence. The recent COVID-19 global pandemic saw a change to daily routines across the prison estate and, in July 2022, Boronia experienced its first COVID-19 outbreak. During the recovery planning, Mrs Turner worked with the Manager of Family and Community Services to ensure continual information was available to residents enabling them to manage expectations and anxieties especially when the decision was made for children to be removed from Boronia and cared for by extended family in the community.

During the peak COVID-19 outbreak period, Mrs Turner ensured residents maintained daily social contact via phone and/or Skype to help minimise the impacts of isolation from children despite their physical lockdown. The residents acknowledge Mrs Turner as approachable, empathetic and trustworthy and believe in her ability to deliver on positive outcomes.

In 2009, Boronia was faced with a unique situation when a baby was born on-site during Mrs Turner's night shift as the Officer in Charge. Mrs Turner supported the resident until arrival of the ambulance. Mrs Turner's calm demeanour enabled her to provide managerial oversight to staff and to calm fellow residents.

Mrs Turner's understanding of Aboriginal cultural issues, and her knowledge of complex kinship relationships between Aboriginal and non-Aboriginal residents, has enabled her to form positive relationships between the residents and staff.

Court and Tribunal Services

Court and Tribunal Services administers 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 Court and Tribunal Services Division supported the Heads of Jurisdiction of Western Australian Courts and Tribunals in conjunction with the Aboriginal Justice Advisory Committee, to develop a Reconciliation Statement, which was launched on 29 May 2023. The Reconciliation Statement is an ongoing commitment to Aboriginal people and acknowledges past and current barriers to justice, and how we can work together to improve access to Courts and Tribunal services across the State.
- In 2023 the Start Court and Links celebrated their 10-year anniversary. For the past 10 years, these two court intervention programs have been making a difference to the lives of people with mental health struggles who face criminal charges. Approximately 7,000 adults and young people have been referred to the therapeutic programs to address their mental health and psychosocial issues which may be the cause of their criminal behaviour. The programs have made an important contribution towards addressing the over-representation of individuals with mental health conditions in the criminal justice system.
- The Office of Criminal Injuries Compensation (OCIC) expanded upon their outreach program to incorporate the provision of personalised services to organisations within the Perth metropolitan area. This financial year, support for victims of crime was provided through the Pat Giles Centre for Non-Violence, St Patrick's Community Support Centre and the Wungening Aboriginal Corporation, where an assessor and case manager attend the centre to meet with applicants and potential applicants to assist with the preparation of a criminal injuries compensation application. These applicants' experiences were able to be shared in a supportive environment so those who otherwise may not claim can have access to OCIC's services.
- The *Family Court Amendment Act 2022* commenced in Western Australia on 28 September 2022 and this reform has, and will continue to have, an enduring impact upon the lives of Western Australians. Prior to this reform, Western Australians in de facto relationships were unable to split superannuation assets in the event of a relationship breakdown.

- The Work and Development Permit (WDP) Scheme continued to be well received throughout the community. The Department, together with the Aboriginal Legal Service of Western Australia Limited and Legal Aid Western Australia continued to promote the WDP Scheme as an alternative means of satisfying debt for people who are in hardship. The number of approved permits has increased approximately 30 per cent from the previous year, with almost half of those being for Aboriginal participants.
- Two videos to support court clients were reproduced. Titled *Attending Court – A Guide for Witnesses* and *Giving Evidence – A Guide for Witnesses*, these videos provide information about court processes and court roles from a witness' perspective. They can also be used for education purposes for other court users.

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 2022/23

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

- Finalised 2,353 civil cases and 56 criminal cases.
- Finalised 9,077 probate applications.
- Finalised 167 criminal appeals and 124 civil appeals.
- Dealt with 73 criminal cases in the Stirling Gardens Magistrates Court.

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 2022/23

The Family Court continued to experience high demand for its services. The court received 13,738 applications, including:

- 2,651 initiating applications for final orders.
- 1,743 interim order applications.
- 5,889 divorce applications.
- 3,283 consent order applications.

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 2022/23

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 21 weeks, the target being 15 weeks.

Seventy-seven per cent of guardianship and administration matters were finalised within 11 weeks.

Overall, the Tribunal received 8,062 applications, an increase of 2.3 per cent on 2021/22.

Key application trends included:

- A 0.4 per cent increase in guardianship and administration applications with 5,624 applications that accounted for 69.7 per cent of the applications received by the Tribunal.
- The *Legal Profession Act 2008* was repealed and replaced with the *Legal Profession Uniform Law Application Act 2022*. The Tribunal received five applications in the first year of the Act.
- A 14.8 per cent increase in applications under the *Strata Titles Act 1985* increasing to 178 from 155 in the previous year.
- Building disputes increased 25.2 per cent this year to 412.
- A 5.36 per cent decrease in vocational regulation applications overall particularly in applications under the *Security and Related Activities (Control) Act 1996*.

- Applications under the *Firearms Act 1973* increased by 35 per cent from 60 in 2021/22 to 81 this year.

District Court

The District Court deals with serious criminal offences, including those which carry a maximum penalty of life imprisonment (other than murder-related offences). The Court routinely deals with charges of 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. The court has unlimited jurisdiction for claims for damages for personal injuries arising from motor vehicle accidents and jurisdiction to determine claims relating to historical sexual abuse.

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

Outcomes 2022/23

The criminal median time to trial in the District Court was 69 weeks (37 weeks above the budget target of 32 weeks). During 2022/23 the court had:

- 2,564 criminal cases lodged.
- 2,263 criminal cases finalised.
- 6,572 civil cases lodged, 55 of which were appeals from lower courts.
- 5,899 civil cases finalised, 73 of which were appeals from lower courts.
- 466 criminal cases and 35 civil cases finalised by trial.

Magistrates Court

The Magistrates Court of Western Australia hears criminal and civil matters involving people aged 18 years and older. The Magistrates Court operates 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 2022/23

The Magistrates Court had 84,253 criminal case lodgments, a 17 per cent increase (12,698 cases) from 2021/22. This

was driven primarily by increases in lodgments of theft and related offences, and traffic and regulatory offences. Criminal charge lodgments increased by 20 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 two per cent increase in civil lodgments. This result was due to an increase in the lodgment of Restraining Order applications and General Procedure Claims, however the number of Residential Tenancy applications lodged decreased by 17 per cent.

The median time to trial for criminal and civil trials in the Magistrates Court was 22 weeks, above the target of 19 weeks, albeit a reduction of four weeks from 2021/22.

Contributing to the comparative reduction in the time to trial has been fewer matters going to trial, most notably fewer Family Violence Restraining Order (FVRO) trials associated with the introduction of FVRO Conferencing, allowing other criminal and civil trial matters to be heard more expeditiously.

Mental Health Court (Start Court and Links)

The Mental Health Court Diversion and Support Program began in 2013 and comprises an adult program, Start Court, and a children's program, Links. This program is the first mental health court diversion program in Western Australia and offers a solution focused response for individuals experiencing a mental health issue.

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

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

FOCUS ON

Start Court, Links mark milestone

For the past 10 years, two court intervention programs have been making a big difference to the lives of people with mental health struggles who face criminal charges.

Almost 7,000 adults and young people have been respectively referred to the Start Court and the Links program during that time.

Past and present staff celebrated the anniversaries of both programs on 30 June 2023.

These therapeutic diversion programs strive to address participants' mental health and psychosocial issues which may be the cause of their criminal behaviour.

The programs strive to improve their health and wellbeing, reduce reoffending and improve community safety. The programs have made an important contribution towards addressing the over-representation of individuals with mental health conditions in the criminal justice system.

Both are partnerships between the Department of Justice and the Mental Health Commission, with support from the Department of Health, service provider Outcare and other agencies.

Start Court offers participating adults who plead guilty and are granted bail access to mental health services and supports for psychosocial and alcohol and other drug (AOD) issues.

The responsive and therapeutic engagement by the Start Court team allows participants to feel valued and have a sense of self-determination within a non-punitive environment.

The Start Court team includes Magistrate Campione, mental health clinicians, community support co-ordinators, peer support workers, legal representation, police and community corrections personnel.

In the Perth Children's Court, the clinical and community support specialists attached to Links assess the mental health of young people referred to the program and can provide treatment referrals and guidance.

Links provides the Court access to a team that includes a clinical psychologist, consultant psychiatrist, mental health nurses and support workers.

Links has provided advice, assessment or assistance to 3,595 young people across the past 10 years, with almost all case-managed clients in 2021/22 being AOD misusers.

An evaluation of the program found that over three years to June 2022, 81 per cent of those case managed by Links experienced improved mental health and 85 per cent demonstrated reduced risk of self-harm or harm to others. Seventy-three per cent showed reduced substance misuse.

Outcomes 2022/23

There were 332 referrals to the Start Court. There were 120 referrals to the Start Court Clinical Team for assessment, for phase one of the Start Court program. There were 93 people placed on phase two of the Start Court program.

The Links Clinical Assessment Team provided advice, assessment or assistance in 379 cases, (34 cases were managed by the Links team), compared with 284 in 2021/22. Of the 34 case managed clients, 79 per cent (27) 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.

Outcomes 2022/23

There were 155 referrals to the Drug Court in the Magistrates Court and 29 referrals in the Perth Children's Court during the 2022/23 period.

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 2022/23

There were 160 referrals to the Intellectual Disability Diversion Program Court.

General Court Intervention Program

The General Court Intervention Program is a pilot voluntary program for people residing in the community with charges before the Magistrates Court of Western Australia at Perth. It provides case management and priority access to 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 interventions through the joint venture known as Connect Wanju, a service tailored specifically for General Court Intervention Program participants.

Outcomes 2022/23

The General Court Intervention Program completed its second full year at the conclusion of the reporting period. Throughout 2022/23, the General Court Intervention Program provided priority services to 181 participants, primarily catering to mental health and alcohol and other drug counselling.

Of those who successfully completed the program in 2022/23, 92 per cent received non-custodial dispositions.

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. Armadale does not currently have a designated list, however the features of the Family Violence List model remain available. A key feature of the model 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, the Western Australia Police Force and the Department of Justice.

Barndimalgu Aboriginal Family Violence Court

Barndimalgu is an Aboriginal Family Violence Court operating in Geraldton, 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. In March 2023, Links celebrated 10 years of service to the Court.

The Dandjoo Bidi-Ak Court, a therapeutic protection and care court, commenced in July 2020 and has completed its third year as a pilot court at the Perth Children's Court. A total of 129 families have participated in the court since 2020 with 40 families having current active cases open as at 30 June 2023. Overall, family violence was identified as an issue in 65 per cent of cases (84), with 12 per cent (10) assessed as involving extreme violence. Around 22 per cent of parents came from a background in care themselves. Reunification has been achieved in 36 per cent of families (32). Fourteen mothers had further babies while participating in Dandjoo Bidi-Ak Court and of these, 11 babies remained in their care without Department of Communities intervention.

Outcomes 2022/23

Finalisation of criminal cases increased to 6,834 from 6,207 the previous year.

Civil judgments increased to 2,385 from 2,025.

Coroner's Court

The Coroner's Court investigated 3,294 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 fourth year that the dedicated Computed Tomography (CT) scanner was fully functional at the State Mortuary at Sir Charles Gairdner Hospital. There were 3,457 non-invasive scans performed in 2022/23, an increase of 391 (12.7 per cent) from the previous year. The CT scanner continues to ensure fewer Western Australians need an invasive post-mortem examination, which is often resisted by families and goes against some cultural beliefs.

Outcomes 2022/23

The Coroner's Court continued its focus on older, backlog coronial cases. At 30 June 2023, the backlog of coronial cases was 1,120, a decrease of 195 backlog cases compared to 30 June 2022.

Of the 1,120 backlog cases:

- 65 were backlog inquest cases.
- 552 were cases where no further finalisations were possible as at 30 June 2023 because the Coroner was awaiting completion of aspects of the coronial investigation by external entities.
- 503 were pending analysis before finalisation.

The court dealt with 3,294 reportable deaths, in addition to 1,641 death certificates, and finalised a total of 3,577 matters. The Coroner's Court sat for 80 days and finalised 42 inquest cases.

Although the backlog remains high (1,120), the court received 350 more reportable deaths (11.8 per cent) in 2022/23 compared to 2021/22, and finalised 1,218 more matters (51.6 per cent) in 2022/23 compared to 2021/22.

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 2022/23, the PRB held 599 meetings, compared with 591 the previous year.

The PRB also determines whether to impose a Post Sentence Supervision Order upon liable offenders. The PRB considered 676 liable offenders and imposed 99 Post Sentence Supervision Orders during the year. The PRB made 1,398 orders to release offenders on discretionary parole which was 14 per cent lower than the 1,627 made in the previous year.

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 28 meetings in 2022/23. 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 57 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*.

Supervised Release Review Board

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

The 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 59 times in 2022/23.

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 applying to have their gender reassigned and issues gender recognition certificates, in accordance with the *Gender Reassignment Act 2000*. The Gender Reassignment Board received 80 applications in 2022/23, an increase of 25 compared with the previous year.

Office of Criminal Injuries Compensation

The Office of Criminal Injuries Compensation is a specialist tribunal providing a flexible and informal approach to determining applications for compensation by victims of crime in Western Australia.

Outcomes 2022/23

The number of criminal injuries compensation applications lodged this year increased by 17.9 per cent from 7,555 in 2021/22 to 8,907. Finalisations decreased by 17.7 per cent from the previous year with 7,708 finalisations in 2021/22 compared to 6,344 finalisations in 2022/23.

A total of \$83.28 million was awarded to victims of crime. To assist in compensating the State for this cost, a total of \$2.27 million was recovered from offenders, 6.5 per cent less 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

A 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 2022/23

This year the Department continued to provide training opportunities for the State's 2,557 Justices of the Peace.

A total of 29 training sessions were offered with seven in the metropolitan area, two in regional or country locations and 20 online modules. There was a total of 379 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 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 by closed circuit television.

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

Outcomes 2022/23

There were 15,167 referrals for victim support, compared to 13,512 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 8,357 people compared to 8,465 people 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. 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 2022/23

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 an increase in new child witness referrals, with 1,288 new referrals this year compared with 1,093 in the previous financial year. Offer of service letters and follow-up support were provided to all referrals. Figures show 65 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 2022/23

There were 4,751 new referrals compared with 4,760 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 2022/23

The Family Court Counselling and Consultancy Service received 1,193 new referrals in 2022/23, compared to 1,200 the previous year.

Court Risk Assessment

The remit of the Court Risk Assessment Directorate includes:

- Identification and treatment of risks and threats to courts and tribunals, the Office of the Public Advocate and the Sheriff's Office of Western Australia.
- Conducting reviews of court security infrastructure and technologies.
- Judicial residential security.
- Staff security training.

The Court Risk Assessment Directorate is also responsible for ensuring court facilities comply with the Department's architecture standard design brief with the Directorate 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.

Outcomes 2022/23

- An intelligence-led framework was designed and implemented for the collection, analysis, and production of threat assessments to support the actions of the Sheriff of Western Australia Criminal and Civil Enforcement teams. This assists with the implementation of controls to mitigate the risk of an incident occurring when conducting enforcement actions.
- Security upgrades were undertaken at the Geraldton, Moora and Northam courthouses and Perth Children's Court. Further development and enhancements to the incident and operational management system, and the intelligence and risk security management system, were also completed.
- The Department and the Western Australia Police Force continued to work cooperatively in achieving joint outcomes that included the safe movement of persons in custody, safety and security of all court users and limited the potential for disruption to the operation of courts.
- Supported the management of high risk trials involving multiple accused persons. Many of these trials involved joint planning arrangements with law enforcement agencies.
- Continued the implementation of the Directorate's incident management system, Web Emergency Operations Centre, known as WebEOC.

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.

During 2022/23 the Sheriff's Office and Court Risk Assessment Directorate integrated the function of risk assessments for operational field staff. The collaboration of the two areas saw an intelligence-led framework designed and implemented to conduct the collection, analysis and production of threat assessments to support the actions of the Sheriff of Western Australia Criminal and Civil Enforcement teams. The threat assessments provide the necessary intelligence for key stakeholders to implement controls to mitigate the risk of an incident occurring when conducting enforcement actions.

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 2022/23

In this financial year 12,950 documents, orders, warrants and summonses were received for service compared with 9,956 in the previous year.

Of these processes, the number of evictions conducted under Property Seizure and Delivery Orders decreased by five per cent (693).

The number of arrest warrants requiring respondents to be brought before the court also decreased significantly, by 31 per cent (333).

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 2022/23

The number of court fines lodged with the Fines Enforcement Registry increased by 9.2 per cent from 60,723 in 2021/22 to 66,311 in 2022/23. The number of infringements lodged decreased by 12.3 per cent from 358,242 in 2021/22 to 314,128 in 2022/23. The decrease sees a return to similar lodgment levels pre-COVID-19.

Overall, the number of lodgments in 2022/23 decreased by nine per cent from 2021/22, while matters finalised increased by 5.2 per cent.

The Fines Enforcement Registry collected \$139.4 million, representing a 3.7 per cent increase from 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 delivered by the Department in partnership with the Aboriginal Legal Service of Western Australia Limited and Legal Aid Western Australia.

As the Work and Development Permit Scheme is a sponsor-driven program, Aboriginal Legal Service of Western Australia Limited and Legal Aid Western Australia actively recruit and support sponsors and direct eligible clients to sponsors who can support them in a Work and Development Permit.

Outcomes 2022/23

- 69 new sponsors were registered bringing the total number of sponsors to 230.
- 2,603 Work and Development Permits were issued to 1,743 individual clients. This is an increase of 69 per cent from 2021/22, satisfying \$2,783,349 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 court fine or infringement amounts. This work is performed through the Sheriff's Office Criminal Enforcement

team and regional Sheriff Community Development Officers. Baycorp (WA) Pty Ltd, contracted by the Department, also performs this work.

The number of enforcement warrants received decreased by 14.7 per cent to 79,219 in 2022/23.

The *Fines, Penalties and Infringement Notices Enforcements Act 1994* provides the Sheriff with powers to garnish funds from a debtor's bank account or employer payments. The Sheriff issued 228 garnishee orders during the year and recovered \$352,829 through this enforcement method.

Outcomes 2022/23

There was a total of \$21.3 million in collections for 2022/23 compared to \$21.2 million in 2021/22. 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 2022/23

During this financial year 45,005 people were summoned for possible selection on 764 scheduled trials, of which 21,090 people attended and 506 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. Upgrades have enabled courts 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 these courts 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, more cost effective and faster.

Outcomes 2022/23

There were a total of 44,362 court appearances by persons in custody of which 40,311 (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 digital upgrade to 22 State Administrative Tribunal hearing rooms which started on 7 March 2023 and is now 70 per cent completed. The upgrade provides videoconferencing in an additional 12 rooms, along with enhanced audio conference capabilities and Microsoft Teams in all hearing rooms.
- Microsoft Teams videoconferencing is now available in all videoconference enabled court/hearing rooms statewide.
- An AV refresh program was undertaken in Magistrates courtrooms for south west court locations to provide robust and contemporary AV systems. An urgent upgrade to the Halls Creek Court was facilitated in March 2023 as a result of issues often experienced because of power outages and power spikes in the region.
- Remote witness rooms have now been upgraded at all court sites. The upgrade brings existing systems to the latest standard design, reduces single points of failure and provides an additional dedicated videoconferencing system.
- The Armadale Courthouse and Police Complex neared practical completion in 2022/23. The new complex provides five videoconference enabled courtrooms, three remote witness rooms and a secure videoconference enabled cell.

eCourts

Since the development of the first eCourts plan, most legacy systems have now been replaced with the Integrated Courts Management System (ICMS). ICMS has been developed in-house by Court and Tribunal Services in Western Australia and provides a consistent approach across all jurisdictions.

To date, the primary focus has been the replacement of legacy case management systems, critical to the operation of courts and tribunals in Western Australia.

In 2022/23, the focus has been on replacing the Jury Information Management System and upgrading the infrastructure supporting the applications.

The progression of eLodgment and eFile continues with further jurisdictions mandating the use of electronic lodgment.

Outcomes 2022/23

Infrastructure upgrades:

- Extensive server infrastructure and software upgrades completed.
- Disaster Recovery capability enhanced.

Functionality for eCourts included:

- An initial release of the replacement system for jury management was deployed in preparation for the delivery of the complete solution in 2023/24.
- A variety of amendments were made for the Government's legislative reform agenda.
- A number of changes were made to support infringement management reform in Western Australia.
- Help functionality was added to the eCourts Portal to make using the system easier for users.

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 Western Australia Bar Association, the Legal Practice Board of Western Australia and the Department.

Continuing Professional Development (CPD) and training initiatives continue to be a focus. In March 2023, library staff presented a CPD on caselaw to over 100 participants on behalf of The Law Society of Western Australia.

Volunteers

Volunteers play an important role in supporting the delivery of justice services across Western Australia. This includes 2,557 Justices of the Peace.

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. This includes providing court support to witnesses when they are giving evidence in court through to assisting victims between different locations within the courthouse.

The Department extends its sincere thanks to all the volunteers for their contribution to justice services.

Senior Aboriginal Advisory Officer

Courts and Tribunals received funding and approval for a Senior Aboriginal Advisory Officer (SAAO), with the view of providing support for projects for both the District Court and State Administrative Tribunal (SAT).

The SAAO was appointed to the role in November 2022. In this newly created role, the SAAO is able to help Aboriginal people and their families who are involved in the justice system and provide colleagues with an understanding and awareness of Aboriginal issues, social structure, culture and tradition.

The SAT has utilised the SAAO position to create a dedicated Guardianship and Administration hearing day for Aboriginal and Torres Strait Islander people.

Applicants to the Tribunal can now request the assistance of the SAAO on their application. If an applicant also self identifies as an Aboriginal or Torres Strait Islander person, the Tribunal will try to facilitate a hearing on the dedicated SAAO hearing day.

The SAAO, on behalf of the SAT, contacts the parties prior to the hearing date to establish a cultural connection and to ensure that parties are more familiar and comfortable with the Tribunal's processes. This initiative is aimed at building understanding of the Tribunal's objectives and building trust that the Tribunal aims to act in the best interests of the proposed represented or represented persons.

In relation to their work at the Tribunal, the SAAO said, "It's helpful to families to have someone there who can offer support and explain the proceedings and for the staff to have someone who can explain Aboriginal family structure and any issues that might be going on in the community. For Aboriginal people, extended family is family and Aboriginal people may have different customs around sharing things such as money and accommodation. They may also need time to support each other in times of grief."

The Tribunal has already received many applications which request the assistance of the SAAO. This initiative has received positive feedback from the Tribunal's judiciary and parties, who note the positive impact of the SAAO's assistance in Guardianship and Administration matters.

The Tribunal is thankful for the work of the SAAO and looks forward to the continuation of the dedicated hearing days for Aboriginal and Torres Strait Islander people.

The demand for this type of support continues to grow and a second SAAO is in recruitment for the Supreme and Family Courts.

The Senior Aboriginal Advisory Officer works in both the District Court (top picture) and the State Administrative Tribunal (bottom picture).

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 works to ensure they receive the support they deserve. Victims of crime frequently suffer from emotional distress following a crime and require a range of services. 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 concerned with assisting and empowering victims to participate in the criminal justice system and to help them recover from the aftermath 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 advocate for systemic change.
- Ensure victim 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 champion best 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.
- Continued 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 1,158 direct engagements with victims in 2022/23, including in-person, by phone and online, and through attending community events.
- Led the project to develop Western Australia's first Sexual Violence Prevention and Response Strategy in partnership with the Department of Communities.
- Led the State Government's public consultation process and promoted community debate about how to deal with the pattern of destructive family violence known as coercive control.
- Helped 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.
- Continued to deliver on State Government election commitments, including the Leave Safe, Stay Safe Program and developing a model for implementing a family violence clinical forensic service.
- Completed an evaluation of the Justice Facility Dog Pilot Program, which found that the use of a support dog in the Perth Children's Court significantly increased the wellbeing of children, caregivers, other court users and staff.
- Organised and funded funerals for homicide victims.



- Organised forensic cleaning in cases where victims were murdered in their own homes.
- Continued to promote the State Government's expungement scheme for historical homosexual convictions.

Advice, advocacy and practical support

In 2022/23, the Office continued to provide advice, advocacy and practical support to victims of crime. The Office played a key role in developing and consulting on Government reforms, with the Commissioner having a continued role in State and national engagements.

Victim engagements

The Office recorded 1,158 engagements with victims of crime and other members of the public on victims' issues, which is a 13 per cent increase from last year. The Office also responded to complaints, which were generally related to decisions made by courts or directed against other State Government agencies. The Office began attending Aboriginal Justice Open Days to increase the awareness of the Office and assist Aboriginal victims of crime directly.

The Commissioner continued to chair the National Victims of Crime Working Group and co-chair the Victims of Crime Reference Group. The Reference Group provides strategic advice and recommendations to the Attorney General to inform the development of policy, programs and services for victims of crime in Western Australia. The group has five community representatives along with the Commissioner for Victims of Crime and representatives from the Department of Justice, Western Australia Police Force, Office of the Director of Public Prosecutions, Department of Communities, Department of Health, Legal Aid Western Australia, and the Mental Health Commission. The Office called for new community members with lived experience to join the Victims of Crime Reference Group in June 2023.

Expungement of historical homosexual convictions

The Historical Homosexual Conviction Expungement Scheme was introduced in 2018. The Scheme is open to people with a conviction for a range of historical homosexual offences relating to consensual activity and which would not be illegal today.

The Scheme recognises the hurt and discrimination caused by these historical convictions. The Office manages the application process and continues to promote the scheme through their website and at outreach events. No applications were received this financial year.

Homicide Funeral Assistance Scheme

The Homicide Funeral Assistance Scheme was established in 2018 to fund the funeral costs of people in Western Australia who die as the result of homicide. The Scheme is funded through the Confiscation of Profits Trust Account under the Proceeds of Crime.

The Scheme provides up to \$8,000 towards the cost of a funeral to eligible applicants, work is progressing to increase this amount due to the increase in the average cost of funerals. This includes where the cause of the death of the deceased person was murder, manslaughter or unlawful assault causing death. During 2022/23, the Office made payments totalling \$199,996 for the funeral expenses of 25 homicide victims.

The Office continues to consider opportunities to raise community awareness of the Scheme for eligible applicants to have easy access to this support.

Financial Year	Total Amount	Number of (Homicide) Victims
2022/23	\$199,996	25
2021/22	\$127,468	16
2020/21	\$162,379	22
2019/20	\$210,844	28

Forensic cleaning of crime scenes in the home

The Office is responsible 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 coordinated and paid for six properties to be cleaned after homicide, with an average cost of \$1,566.

Collaborative working partnerships between the Office, the Western Australia Police Force and housing authorities have ensured the cleaning happens in a timely manner.

Legislative and policy reform

Sexual Violence Prevention and Response Strategy

The Office, in partnership with the Department of Communities, is leading the development of Western Australia's first Sexual Violence Prevention and Response Strategy. 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.

Review of criminal justice responses to sexual offending

The Attorney General requested a review of the criminal justice responses to sexual offending and consideration of the process from reporting an offence to the release of the offender. The Review will look at reforms that will improve victim experiences in the criminal justice system. The Review complements the work being done by the Law Reform Commission of Western Australia to examine the State's laws relating to sexual offences, including the concept of consent.

Legislative responses to coercive control

In March 2022, the Attorney General and the Minister for the Prevention of Family and Domestic Violence announced that a community consultation process on the legislative responses to coercive control would be undertaken. The consultation period finished in August 2022. More than 300 written submissions were received and the Office is currently finalising its report for the Attorney General.

Criminal Law Mentally Impaired Accused

The Office helped develop the *Criminal Law (Mental Impairment) Act 2023* which overhauls Western Australia's outdated mentally impaired accused laws.

The new laws, which passed through State Parliament in March 2023, will play a significant role in protecting the human rights of persons with mental impairment in the justice system, ensure procedural fairness, and bring Western Australia in line with best practice in other States and Territories when implemented.

The Office wrote to victims of crime to explain the changes and clarify aspects of the legislation before it was passed by Parliament.

Commonwealth Working Groups

The Office represented Western Australia on Standing Council of Attorneys-General working groups, including the Working Group on Criminal Justice Responses to Sexual Assault, the Working Group on Recommendation 26 of the Respect@Work Report, the Family Violence Working Group, and the Family Violence Sub-Working Group on developing the National Principles to Address Coercive Control.

Leading the National Redress Scheme in Western Australia

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 through an easier and more supportive avenue than civil litigation in the courts. The Redress Coordination Unit within the Office coordinates redress payments and direct personal responses for Western Australian victim-survivors of institutional child sexual abuse.

The Redress Coordination Unit continued to experience a high workload and 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 Inter-Jurisdictional Committee.

In January 2023, the State Government changed the way the State provides the counselling and psychological care (CPC) component of Redress. The State Government approved the provision of 20 hours of CPC to a maximum cost of \$5,000 per applicant. Previously, a one-off payment was made to eligible survivors, but the CPC component of redress is now managed by the Unit which assists applicants to find and access qualified trauma-informed and culturally appropriate service providers.

Details	2022/23	2021/22
Applications received	929	808
Priority cases	48%	61%
Requests for information	2,088	1,742
Redress and counselling payments	\$44,070,802	\$34,577,855
Accepted by	553 applicants	514 applicants
Applicants deemed not eligible, or State Government not liable	98	67

Keeping victims informed about offenders

The Office operates the Victim-offender Mediation Unit which works with victims 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 a free and impartial service.

The Unit prepared 4,224 reports for sentencing and releasing authorities and provided input into protective conditions for victims registered in relation to community-based offenders.

The Office also operates the Victim Notification Register which gives victims, who choose to register, the opportunity to access important information about an offender for as long as the offender is under the supervision of the Department.

At 30 June 2023, there were 2,108 victims registered in relation to 1,733 offenders.

In 2022/23 the Register received 737 new applications, of which 700 were approved for registration.

Family violence election commitments

Leave Safe, Stay Safe prison exit program

In May 2023 the Attorney General and Minister for Police launched the Leave Safe, Stay Safe program to help female prisoners affected by family and domestic violence. It is a new program being trialled in Bandyup Women's Prison and

Greenough Regional Prison to give women prisoners their best chance of breaking the cycle of family and domestic violence when they are released.

Relationships Australia is offering the women counselling, risk assessment and safety planning before and after release. Gosnells Community Legal Centre and Regional Alliance West are providing legal support, including help with the Family Court, child custody arrangements and applying for family violence restraining orders.

Family and Domestic Violence Forensic Service

The establishment of the first specialist Family and Domestic Violence (FDV) Forensic Service in Western Australia is designed to provide the quality evidence critical to securing convictions in FDV prosecutions and improve the State's FDV data collection and reporting capabilities. The service will develop a process to document and certify injuries relating to FDV and provide expert opinion in any resulting prosecution.

A detailed operating model and implementation roadmap was approved by the Attorney General and Minister for Health in May 2023. The model has clinical and community service components. The clinical component includes a full forensic examination of individuals presenting with FDV-related injuries, the preparation of medico-legal reports to support prosecution and the provision of expert opinion and legal testimony at trial. The community service component involves the assessment and intake of service users, in consultation with the Sexual Assault Resource Centre and relevant prosecuting agencies, to offer safety planning, case management, justice system advocacy and navigation and referrals to other support services.

Victim Voices conference a WA-first

Hearing the voices of victims of crime was the key theme of a WA-first conference held in September 2022.

The Office of the Commissioner for Victims of Crime hosted the inaugural conference, which explored the different needs of various victims of crime.

Topics included children and cybercrime, family and domestic violence in the culturally and linguistically diverse community, the need for more programs and services for Aboriginal victims, and an examination of the pros and cons of civil child sexual abuse claims.

Victim Voices concluded with a panel debate charting the progress of a hypothetical sexual assault victim through the criminal justice system.

Commissioner Kati Kraszlan thanked all those who presented at or attended the conference.

"Victim Voices was a timely reminder that different victims of crime have different needs, and that the victim space is always changing, and we need to change with it," she said.

Commissioner for Victims of Crime Kati Kraszlan addressing the audience.

Equal Opportunity Commission

The Equal Opportunity Commission works to promote formal and substantive equality towards achieving an inclusive community, free of discrimination.

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

The Western Australian Commissioner for Equal Opportunity, Dr John Byrne AM, is independent in performing the functions of the Commissioner as set out in the *Equal Opportunity Act 1984*, which includes:

- Investigating and endeavouring to resolve 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:

- Responded to more than 1,080 requests for information and advice on rights and responsibilities under the Act.
- Finalised 469 complaints about unlawful discrimination and harassment.
- Delivered information sessions and complaint clinics to 1,552 participants from agencies, non-government organisations and community members.
- Delivered training sessions to 542 participants from organisations and businesses across the State about their obligations under the Act.
- Organised and participated in community events including: International Youth Day, promoting gender diversity inclusion in schools; hosted the 10th and final Isabelle Lake Memorial Lecture in collaboration with the University of Western Australia; launched *Changing rooms for gender diversity*, an issues paper regarding gender identity discrimination in public places; hosting the International Women's Day speed mentoring event; and held information stalls for Perth and Albany Pride, International Day for the Elimination of Racial Discrimination and NAIDOC Week.
- Restructured to better improve service delivery and reflect the statutory functions of the Equal Opportunity Commission.



Tenth Isabelle Lake Memorial Lecture

Danielle Laidley gave a moving address at the 10th Isabelle Lake Memorial Lecture held at the University Club of Western Australia on 11 May 2023.

In her keynote address, Danielle spoke openly about the challenges she overcame by privately coming to terms with her gender dysphoria while maintaining a very public career in the AFL.

Danielle went on to speak about how from a young age she felt a great sense of comfort expressing herself as female and stressed that for young transgender people, the most important thing for their wellbeing was support and understanding from loved ones.

She also encouraged the wider community to broaden their understanding of gender dysphoria and be supportive and not judge others.

Danielle ended her address by letting the audience know that despite fighting a life of battles, she now walks proud and has learnt how to love and be loved. WA Commissioner for Equal Opportunity, Dr John Byrne, said it was an honour to hear Danielle's inspirational story. This sentiment was echoed by audience members.

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:

- Carried out 2,746 investigations into the personal or financial welfare of adults with a decision-making disability, representing a 10 per cent increase from the previous year.
- Managed 2,281 new referrals from the State Administrative Tribunal for investigations into the personal or financial welfare of adults with a decision-making disability, an 11 per cent increase from the previous year.
- Acted as guardian for a total of 3,351 people, an eight per cent increase from 2021/22.

- Responded to 737 new appointments by the State Administrative Tribunal as guardian of last resort, compared with 797 in 2021/22.
- Delivered 21 community education seminars regarding the guardianship and administration system, the legislation and the planning documents available to people through the legislation.
- Responded to 6,697 enquiries from 4,518 people via the 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 2023, there were 13 volunteers engaged in the program, 10 of whom were appointed as guardian for their represented person.

Full transition to the National Disability Insurance Scheme (NDIS) under the Commonwealth and WA State Government Bilateral Agreement continued to have a significant impact on the demand for investigator advocate and guardianship services in 2022/23. Since the introduction of the NDIS in 2017/18, guardianship appointments of the Public Advocate for adults with mental illness and intellectual disability have steadily risen and now account for the largest proportion of appointments.

Profile of all guardianship orders appointing the Public Advocate by type of decision-making disability as at 30 June 2023.

Type of decision-making disability	Number	Percentage
Acquired brain injury	480	14%
Dementia	819	24%
Intellectual disability	949	28%
Mental illness	1,063	32%
Other	40 ¹	1%
Total	3,351	100%²

¹ 30 of the 40 'other' are represented persons with Autism Spectrum Disorder.

² Due to rounding, the individual percentages total 99 per cent.

Targeting elder abuse

The Office continued to target elder abuse with a range of activities undertaken across advocacy, investigation and guardianship services; through its membership of the Alliance for the Prevention of Elder Abuse Western Australia; policy development; and collaboration with other organisations.

On-site education sessions aimed at raising awareness and understanding with community members and professionals were delivered at aged care facilities, including a translated session for members of the Spanish community.

In August 2022, following significant consultation and input from the Office of the Public Advocate, the Department of Health launched a revised WA Advance Health Directive form.

The revised form is contained within the *Guardianship and Administration Act 1990*.

An online community seminar was held on World Elder Abuse Awareness Day promoting the importance of planning ahead. The decision to host the session online was made to encourage both metropolitan and regional participation and support the dissemination of enduring powers of attorney and guardianship kits.

The Office continued to liaise with groups and organisations across the State, to provide them with publications to disseminate across their communities. These included Aboriginal Justice Open Days, electorate office morning teas, as well as a Dying to Know event and Have a Go Day.



OPA volunteers get VIP access

The Office of the Public Advocate's Community Guardianship Program matches adults who have the Public Advocate appointed as their guardian, with volunteers from the community who are willing and able to take over the guardianship role.

To celebrate International Volunteer Day, on 5 December 2022, the Office hosted a community guardian volunteer training day, and launched its Volunteer Information Portal (VIP).

The VIP is a collaborative project between the Office and the Department's Strategic Communications Division.

The portal is for the exclusive use of community guardianship volunteers and provides easy access to community guardianship manuals, newsletters and other useful information, in a secure online environment.

The information portal will continue to evolve as new material is developed and uploaded, providing volunteers with a central location to share and store community guardianship information.



Public Trustee

The Public Trustee offers Will, deceased estate administration, and trustee services for all Western Australians. The statutory authority manages net assets of \$1.5 billion and is responsible for managing the financial and legal matters of at-risk people in the community, as well as examining the accounts of private administrators.

Key achievements were:

- Continued to achieve a rate of growth and income return in line with the Public Trustee's objectives.
- Managed trusts for 7,547 clients, including 1,193 new trust clients.
- Submitted 469 probate applications.
- Examined 1,329 private administrator accounts.
- Deployed enhancements and upgrades to the office's client software system.

The Public Trustee managed trusts for 7,547 clients, with continued growth in demand for financial administration services, having been appointed to manage a further 986 clients under administration orders. 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 at risk of neglect, abuse or exploitation.

The Public Trustee provided essential services for 67 per cent of trust clients as part of its community service obligation, ensuring clients are provided with financial management services. The Public Trustee also plays an important role in protecting Western Australians from financial abuse, with cases of alleged financial elder abuse increasing over the past financial year.

The Private Administrator Support team conducted 1,329 account examinations, where total assets exceeded \$1.48 million. As at 30 June 2023, the number of Private Administrators appointed by the State Administrative Tribunal increased from 3,217 to 3,268.

The Public Trustee, in conjunction with the Office of the Public Advocate, presented four training seminars for newly appointed Private Administrators.

The Public Trustee 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 Western Australia and work with membership organisations.

The Office of the Auditor General's Performance Audit Report on the Public Trustee's administration of trusts and deceased estates was tabled in Parliament on 10 August 2022.

While the report identified areas for improvement, the Auditor General found that the Public Trustee understands its high-level fraud risk, has a coordinated approach to manage those risks, and has a detailed fraud and corruption plan.

The Auditor General's report also acknowledged that the Public Trustee had already addressed findings related to the need for improved supplier master file controls and had strengthened controls associated with cash cards for clients who don't have bank accounts or can't access their bank accounts.

Progress continued on implementing the report's first four recommendations.

1. Consider a credible and practical approach to assess whether full scheduled fees reasonably reflect the work on a trust account and should be charged.
2. Review and improve communication of trust fees, to help clients understand potential and actual fees.
3. Improve controls for the management of property repairs and maintenance.
4. Improve fraud and corruption controls.

Implementation of the fifth recommendation was undertaken by the Department of Treasury, who conducted its review of the Public Trustee's fees, self-funding model and governance arrangements.

As part of the 2023/24 Budget, the State Government announced \$13 million towards fee relief over the next two years for the Public Trustee's most vulnerable clients, while the Department of Treasury's review into the agency's fees and funding model continues.

Fee relief includes a 50 per cent reduction in selected trust fees from 1 July 2023, and removing the \$35 minimum monthly fee for those under an administration order.

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:

- The Marriage Celebrant Online portal went live on 6 January 2023 providing a secure portal for Western Australian celebrants to lodge signed marriage documents without the need to post or hand deliver them to the Registry office. To date 1,021 celebrants have signed up to use the portal.
- Registered 66,160 life events: 31,479 births (including adoptions and surrogate births); 17,900 deaths; 12,688 marriages; and 4,093 change of names.
- Issued 36,697 birth, death, marriage and change of name certificates from applications submitted via the Western Australian Registration Online (WARO) portal.
- Continued the Registry's community outreach activities by providing key identity documents and registration services at interagency Community Service Delivery Days and events held by community organisations that support homeless and vulnerable citizens.
- Continued the project to relocate historical registers and registry related records from all metropolitan and regional courthouses to secure storage facilities to ensure the preservation of all birth, death and marriages records in the State.

Accessibility of records

There has been increased demand for the Registry's online certificate application platform WARO, launched in 2020/21, which has been beneficial particularly through COVID-19 where the community's access to the Registry was reduced at times. The portal 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.

WARO 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 27,789 certificates, equating to 21 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 31,479 births (including adoptions and surrogate births); 17,900 deaths; 12,688 marriages; and 4,093 change of names totaling 66,160 registrations. This was a two per cent increase from the 64,876 births, deaths, marriages and changes of name registered in Western Australia in 2021/22.

Provision of certificates

A total of 146,126 certificates were issued during 2022/23 compared to 143,044 certificates issued the previous year:

- 91,308 birth certificates were issued (a two per cent increase from 2021/22).
- 22,917 marriage certificates were issued (a two per cent decrease from 2021/22).
- 27,958 death certificates were issued (a nine per cent increase from 2021/22).
- 3,943 change of name certificates were issued (a nine per cent decrease from 2021/22).

Marriage services

The Registry conducted 666 marriage ceremonies in 2022/23, an increase of 38 per cent from 2021/22, due largely to the lifting of COVID-19 restrictions.

In 2022/23, couples married by the Registry identified 99 countries as their place of birth. The top five countries were:

Place of Birth	Total
Australia	396
China	110
India	97
Vietnam	94
Philippines	56

Aboriginal Justice Open Days and community outreach

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 participated in the Department's Aboriginal Justice Open Days since 2011. This initiative, operating in partnership with Strategic Reform and other key stakeholders, aims to improve services to people living in regional and remote Aboriginal communities.

The Registry has also expanded its community outreach program to include various ID Clinics and events held by not-for-profit organisations such as RUAH, St Vincent De Paul, Clontarf Foundation and Stars Foundation.



Community engagement a rewarding experience

The Registry's Community Engagement Team is a newly formed group that is committed to supporting the communities they serve.

The Team co-operatively delivers respectful and commensurate Registry services.



During the financial year, the Registry issued 845 birth certificates, registered 93 previously unregistered births, processed 54 change of name requests and issued 33 confirmation of birth letters. The Registry assisted a further 1,111 clients on various registration related matters including several enquiries for interstate applications.

Baby names

The top five girls' names in 2022/23 were:

Name	Occurrence
Isla	191
Amelia	150
Olivia	150
Charlotte	126
Mia	122

The top five boys' names in 2022/23 were:

Name	Occurrence
Oliver	260
Noah	178
Leo	171
Charlie	151
Jack	140

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

Services to Government

Services to Government include policy advice, coordination and oversight of operational activities, criminal statistical, 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:

Significant progress was made to deliver the Government's legislative reform agenda with the passage and enactment of the *Civil Procedure (Representative Proceedings) Act 2022*, the *Bail Amendment Act 2022*, the *Animal Welfare and Trespass Legislation Amendment Act 2023*, the *Directors' Liability Reform Act 2023* and the *Criminal Appeals Amendment Act 2022*.

The *Criminal Law (Mental Impairment) Act 2023* received Royal Assent on 13 April 2023, fulfilling the Government's commitment to create a new framework for dealing with mental impairment in the criminal justice system. The reforms address more than 50 recommendations from previous reviews into the operation of the prior Act and ensure best practice in the management of this group of vulnerable people. Additional family and domestic violence initiatives and programs continue to be identified and developed to support the Department's first Family and Domestic Violence Strategic Framework, with work commencing on the development of a second action plan.

The Kimberley Juvenile Justice Strategy (KJJS) continued to provide funding through a series of grant agreements to 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. In 2022/23, concepts for a safe space for young people in Broome were co-designed with Aboriginal community partners, various government agencies and the Shire of Broome.

The Department's Aboriginal Justice Advisory Committee held its first regional meeting in the East Kimberley in June 2023. The group spent two days connecting with local Aboriginal Community Controlled Organisations, community service providers and Aboriginal community leaders in Wyndham and Kununurra, informing its strategic priorities with community-connected conversations and a remote perspective.

The Department's inaugural Aboriginal Cultural Capability Training Strategy was developed in partnership with an Aboriginal consultancy, 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 responsive to the needs of Aboriginal people. 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.

The Aboriginal Mediation Service (AMS) continued to support and assist Aboriginal people in conflict. In 2022/23, a total of 82 disputes were received by the AMS and 25 of these resulted in completion of a referral form which allowed commencement of the case management process and contact with the second disputing party. Seven disputes were finalised with case management. Eight disputes proceeded to a mediation conference, resulting in agreements being reached. The remaining disputes 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. As parenting plan issues increased this year two mediations were arranged jointly through a Memorandum of Understanding with a key family dispute resolution provider working in the not-for-profit space.

In 2022/23, the Aboriginal Justice Open Days Program delivered 98 Open Days to communities across Western Australia, with 2,557 people attending Open Days, 777 Birth Certificate applications, 206 theory driving tests conducted and 167 practical driving assessments passed.

The team also delivered its first Open Day in one of the most remote communities in Western Australia, Kiwirrkurra, approximately 700 kilometres from Port Hedland, with a population of approximately 185 residents.

Legislative Services

Legislative Services 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 2022/23:

Criminal Law (Mental Impairment) Act 2023

Reforming the *Criminal Law (Mentally Impaired Accused) Act 1996* continued to be a high priority in 2022/23. During the year, Legislative Services and the Parliamentary Counsel's Office made significant progress in drafting this legislation, culminating in its introduction into the Western Australian Parliament in December 2022. The *Criminal Law (Mental Impairment) Act 2023* passed Parliament in March 2023 and the new Act received Royal Assent in April 2023.

The reforms 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 also address more than 50 recommendations from previous reviews into the operation of the Act. In particular, the new legislation introduces provisions that place a limiting term on 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 will replace the Mentally Impaired Accused Review Board with a new Tribunal that is empowered to make decisions as to release, removing that power from the 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. Implementation of the reforms is ongoing.

Bail Amendment Act 2022

These bail reforms are to 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. The Act received Royal Assent on 3 September 2022 and commenced on 1 October 2022.

Civil Procedure (Representative Proceedings) Act 2022

The *Civil Procedure (Representative Proceedings) Act 2022* introduces a legislative class action regime in Western Australia that enables one plaintiff to bring a claim on behalf of a wider group of people who have been affected in a similar way by the conduct of a defendant. As a result, the Act improves access to justice by resolving disputes more

efficiently and reducing costs for the parties, and the courts. The Act received Royal Assent on 14 September 2022 and substantively commenced on 25 March 2023.

Animal Welfare and Trespass Legislation Amendment Act 2023

The *Animal Welfare and Trespass Legislation Amendment Act 2023* delivers an integrated response to the interconnected issues of farm trespass and animal welfare. The Act introduced a new aggravated trespass offence, gave designated inspectors the power to monitor animal welfare at intensive food production facilities and improved the availability of misconduct restraining orders in specific circumstances. The Act received Royal Assent on 24 March 2023 and its substantive provisions commenced on 7 April 2023.

Directors' Liability Reform Act 2023

The Department finalised legislation to harmonise and streamline the imposition of personal criminal liability on office holders for corporate fault. The new provisions 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 fulfils the State Government's commitment to implement Council of Australian Government principles in respect of deemed criminal liability for office holders. The Act received Royal Assent on 4 April 2023 and is largely in operation.

Young Offenders Amendment Act 2023

The *Young Offenders Amendment Act 2023* introduced amendments to the *Young Offenders Act 1994* to make it mandatory for adults in detention to be moved from a juvenile facility to an adult facility when they turn 18 years of age, subject to the discretion of the CEO to keep a person in the juvenile facility in certain cases. The Act received Royal Assent on 26 June 2023.

Bills introduced into State Parliament

Legislative Services developed the following key pieces of legislation:

Guardianship and Administration Amendment (Medical Research) Bill 2023

The Bill sought to amend the *Guardianship and Administration Act 1990* (GAA) as a result of recommendations in the final report of the Department of Justice's review of 2020 amendments to the GAA that permitted represented persons to be enrolled in medical research with consent or, in urgent circumstances, where consent could not be obtained.

Corruption, Crime and Misconduct Amendment Bill 2023

This Bill introduces changes to streamline the process for appointment of the Corruption and Crime Commissioner, and to provide for a new Deputy Commissioner.

Statutes (Repeals and Minor Amendments) Bill 2021

On 29 April 2021, the Statutes (Repeals and Minor Amendments) Bill 2021 was introduced into State Parliament. 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. 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. On 15 November 2022, the Bill passed the Legislative Council and was subsequently introduced into the Legislative Assembly on 24 November 2022 where it awaits debate.

Abortion Legislation Reform Bill 2023

A number of Acts within the Attorney General's portfolio have been amended to complement the amendments made to abortion legislation in the Health portfolio and to ensure the protection of the privacy of individuals who access or perform lawful abortions.

Amendments are proposed to the *Coroners Act 1986*, *Evidence Act 1906*, *Freedom of Information Act 1992* and *Guardianship and Administration Act 1990*.

Legislation under development

Legislative Services are developing the following key pieces of legislation:

A new Equal Opportunity Act for Western Australia

Legislative Services is currently working on drafting a Bill to replace the *Equal Opportunity Act 1984* as informed by the Law Reform Commission of Western Australia's Report 111 'Review of the Equal Opportunity Act'.

A Bill to repeal the Gender Reassignment Act 2000

The proposal will abolish the Gender Reassignment Board and amend the *Births, Deaths and Marriages Registration Act 1998* to provide for procedures to amend a person's sex or gender on their birth certificate.

Reform of the Corruption, Crime and Misconduct Act 2003

Legislative Services is working with the Corruption and Crime Commission and other key stakeholders to develop reforms aimed at modernising the *Corruption Crime and Misconduct Act 2003*. The changes will ensure that key oversight bodies can meet the challenges of the contemporary public service and will enhance the Government's ability to address serious crime.

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 2015 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.

Evidence Bill

This Bill will repeal the *Evidence Act 1906* and replace it with a comprehensive new Evidence Act which 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.

Dust Diseases Reform

Legislative Services are currently developing a Bill to improve access to damages for individuals suffering from certain dust diseases by modifying the "once and for all" rule that applies to damages claims. This will allow plaintiffs to seek further damages under certain circumstances.

Prohibition of display/possession of Nazi symbols in public

A Bill is currently being developed to criminalise the display and possession of Nazi symbols in certain circumstances.

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

Legislative Services continued to progress several statutory reviews, including a review of the *Sentencing Act 1995*, the *Young Offenders Act 1994*, and a review of the *Guardianship and Administration Amendment (Medical Research) Act 2020* – with legislative amendments arising out of that review introduced into Parliament in February 2023.

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

Strategic Policy and Projects

The Strategic Policy and Projects Directorate oversees the development and delivery of strategic policy, projects and other key reforms. The Directorate 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.

Recognising that the drivers of contact with the justice system often sit in other agencies, the Directorate coordinates the Department's interagency efforts on cross-portfolio policy matters, utilising strong stakeholder partnerships and participating in interagency governance mechanisms.

In 2022/23 the Directorate worked in partnership with Legislative Services to assist with the delivery of reforms to improve outcomes for mentally impaired accused. A significant strategic project was delivered to plan for the implementation of the *Criminal Law (Mental Impairment) Act 2023*, both within the Department and across agencies.

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 priorities and outcomes for Aboriginal people, such as those defined in the National Agreement on Closing the Gap (Closing the Gap) and supports the operation of the State Government's Aboriginal Empowerment Strategy.

Closing the Gap

The Department, through Aboriginal Justice Transformation, remains strongly committed to the Closing the Gap's four Priority Reforms and Justice socio-economic outcomes 10 and 11 and associated targets, and is progressing a range of work related to them.

The Department is an active member of the Aboriginal Affairs Coordinating Committee and the Closing the Gap Deputies Group and is committed to working collaboratively with agencies across Government and key Aboriginal partners on addressing the issues within the criminal justice system and the underlying factors that contribute to the disadvantage faced by many Aboriginal people.

The Department, through Aboriginal Justice Transformation, continues to be an active member of the national Justice Policy Partnership (JPP), which is the first of the five policy partnerships to be established under Priority Reform One for Closing the Gap. The purpose of JPP is to lead a national joined-up approach to transform law and justice systems through genuine partnerships between all levels of Government and Aboriginal organisations and communities.

Under Western Australia's Closing the Gap governance, Aboriginal Justice Transformation has convened the Justice Partnership Planning Group (Justice PPG) to bring relevant agencies, including the Departments of Communities, Education, Premier and Cabinet, Mental Health Commission and Western Australia Police Force, together to work with foundational Aboriginal partner, the Aboriginal Legal Services of Western Australia Limited to advance efforts to meeting these targets and outcomes. The Justice PPG met three times in 2022/23 and met for an initial workshop to commence discussions on which themes to explore in the short, medium and long term.

Aboriginal Justice Transformation is also an active member of and contributor to a range of additional PPGs, including:

- Education and Youth Wellbeing.
- Safe Families and Communities.
- Country and Culture.
- Social and Emotional Wellbeing.

The Department has committed, in its Reconciliation Action Plan (RAP), to implement strategies to improve justice outcomes for Aboriginal people. Deliverable 53 of the RAP seeks to deliver on the Department's commitment to Closing the Gap, as set out in the Western Australian Jurisdictional Implementation Plan.

Ongoing work as part of Standing Council of Attorneys-General to consider raising the minimum age of criminal responsibility

The issue of raising the minimum age of criminal responsibility has been the subject of ongoing discussions and work as part of the Standing Council of Attorneys-General (SCAG) and the forum's previous iterations, Council of Attorneys-General and Meeting of Attorneys-General (MAG) since 2018.

In August 2022, MAG agreed that an interjurisdictional working group would continue to develop a proposal to increase the minimum age of criminal responsibility, including recommendations about how to support children diverted from the criminal justice system. In acknowledging the disproportionate rate at which Aboriginal children come into contact with the criminal justice system, this work is being undertaken with the Justice Policy Partnership, and with a particular emphasis on how jurisdictions may support Aboriginal children.

The Department continues to work with all Australian jurisdictions to consider minimum age of criminal responsibility reform, and the Deputy Director General Strategic Reform is Co-Chair of the interjurisdictional working group.

Aboriginal Engagement Plan

Aboriginal Justice Transformation has developed the Department's Aboriginal Engagement Plan to guide and improve the way in which the Department engages with Aboriginal people, leaders, organisations, communities, and staff. The Plan will be implemented in conjunction with the implementation of the Aboriginal Cultural Capability Training Strategy.

Aboriginal Cultural Capability Training

In 2022 the Department developed an Aboriginal Cultural Capability Training Strategy. In 2023, the Department began implementing the first stage of the strategy – developing the Foundation Program of the Aboriginal cultural learning framework. The Strategy responds to a key initiative of the Department's Reconciliation Action Plan 2022-2024 which is to increase understanding, value, recognition and respect of Aboriginal and Torres Strait Islander cultures, histories, knowledge, rights, and peoples through cultural learning and building a culturally safe environment. The development of an Aboriginal Cultural Capability Training Strategy is aligned to other national and state policy frameworks including a strong alignment with the National Agreement on Closing the Gap and Western Australia's Aboriginal Empowerment Strategy 2021–2029.

Aboriginal Family Safety Strategy

Since 2022 Aboriginal Justice Transformation has been progressing development of an Aboriginal Family Safety Strategy, 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 co-lead the development of the Strategy, which will focus on making the justice system more responsive to the needs of Aboriginal families experiencing violence. The Strategy is due to be finalised in early 2024.

NAIDOC Week 2022

Aboriginal Justice Transformation coordinates the Department's NAIDOC week events. In 2022, 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 facade of 585 Hay Street, Perth as well as signing an agreement

to progress renaming the building in the Whadjuk Noongar language following consultation with the Whadjuk Noongar community.

A keynote presentation by Mr Rhys Paddick, from Acknowledge This! was conducted during NAIDOC Week. Mr Paddick, is a Badimia Yamatji man with a background in Aboriginal theatre and a passion for developing sound cultural leadership skills and delivering programs that educate participants about Aboriginal culture and promote substantive change. The presentation focused on the celebration of Aboriginal culture, resilience, and strength, including matters relating to cultural protocols and best practice management.

The Department once again commemorated its long serving Aboriginal and Torres Strait 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.

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 by Karinda Burns, an Aboriginal law academic in the University of Western Australia's Law School on the impact of historical and contemporary laws on Aboriginal and Torres Strait Islander peoples and communities in Western Australia. The Department will continue to progress this worthwhile initiative that supports increased cultural capability, empathy and truth telling.

Aboriginal Justice Advisory Committee

The Aboriginal Justice Advisory Committee (AJAC) was established in October 2021 to provide cultural advice and guidance to the Department on justice matters relevant to the Aboriginal community, and to ensure that Department programs, policy and strategies are developed with the meaningful involvement of Aboriginal people.

The AJAC's membership comprises a diverse membership of Aboriginal people connected to 10 regions across Western Australia. In 2022 the AJAC identified four strategic priority areas for its first term:

1. Young People.
2. Safe Housing and Homelessness.
3. Aboriginal Workforce Development and Employment.
4. Procurement and Aboriginal Controlled Community Organisations.

In 2022/23, the AJAC received briefings and provided feedback on the following matters:

- The Heads of Jurisdiction Statement of Reconciliation.
- The Department's draft Aboriginal Family Safety Strategy.
- The Department's draft Aboriginal Cultural Capability Training Strategy.
- The introduction of Gladue Principles in criminal sentencing.
- The Department's draft Aboriginal Suicide Prevention Strategy.
- The Justice Policy Partnership.
- The Department's Youth Justice Strategic Plan.

Aboriginal Mediation Service

The Aboriginal Mediation Service (AMS) is a confidential and flexible conflict resolution service provided at no cost to assist Aboriginal people resolve disputes through intensive case management and potentially mediation, including regional locations. Case managers tailor services in recognition of the particular cultural tradition and practices of Aboriginal people. Central to the service delivery model is self-determination and empowerment with all decisions to resolve the dispute being made by the parties themselves.

The type of disputes managed by the AMS include family, parenting, neighbours, multi-party community issues, workplace, burial and disputes with government. A key aim is to assist disputing parties to resolve conflicts before they escalate into violence or result in court action. Participation in the AMS is voluntary.

As part of the AMS, a dedicated case manager is a neutral third party who communicates with all parties involved to agree on the best approach to resolve the issues. Case managers provide information and objective guidance to disputing parties through a case management process. Assistance is provided to the parties on the basis of identifying common ground, considering possible pathways and negotiating solutions which are suitable to their circumstances. This approach to finalise disputes can positively impact the social and emotional wellbeing of families and communities in dispute.

If parties are unable to finalise their dispute with case management, a professionally accredited mediator can support the parties in a culturally appropriate formal mediation. Case managers work with the parties to ensure disputing parties are fully prepared for the mediation and become a negotiator of their issues which maximises the potential for an agreement being reached.

To increase awareness of its services, the AMS continued a program of engagement with Aboriginal Community Controlled Organisations and by participating in Aboriginal Justice Open Days in Ellenbrook, Midland, Gosnells and the Pilbara. In recognition of the negative impact of conflict in relation to health, Aboriginal medical centres have also been a focus of targeted stakeholder engagement this year.

In June, an exhibition booth was coordinated by the AMS at the Australian Institute of Aboriginal and Torres Strait Islander Studies' Summit to showcase Departmental services focused on assisting Aboriginal people.

A total of 82 disputes were received by the AMS and 25 of these resulted in completion of a referral form which allowed commencement of the case management process and contact with the second disputing party. Seven disputes were finalised with case management. Eight disputes proceeded to a mediation conference, resulting in agreements being reached.

The remaining disputes 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.

This year 54 per cent of disputes originated from the metropolitan area. The Kimberley (11 per cent) and Goldfields (10 per cent) were the highest regional localities referring disputes to the AMS. Family and community conflict featured strongly with 29 per cent of disputes falling into this category.

Parenting plan issues also increased this year being 25 per cent of disputes received by the AMS. Two mediations were arranged jointly through a Memorandum of Understanding with a key family dispute resolution provider working in the not-for-profit space. Two other parenting disputes were negotiated and finalised through case management.

Achievements for the AMS in 2022/23 include:

- Expedient resolution of an emotional burial dispute involving a violence restraining order with the funeral occurring the following day. The case manager negotiated between the parties to enable family members to participate in the funeral.
- A formal approach was made by a case manager to a government department to progress resolution of a dispute which resulted in the review of Government policy to avoid significant detriment to a senior Aboriginal person.
- Mediation services were provided in a regional location following referral from police in a multi-party family dispute where violence had been present. Involvement of the AMS and the police resulted in an agreement and harmony in the community.
- Resolution of a parenting dispute through facilitation was achieved to meet the parties' desire to avoid litigation.

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 service delivery across Western Australia during the year.

Open Days continue to be delivered in priority locations by staff using a culturally safe, 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 and being referred to Work and Development Permit sponsors, applying for driver's licences, undertaking theory and practical driver testing, driving training and education, Centrelink services, accessing community development programs and in some cases, accessing legal and financial assistance.

During 2022/23 the Australian Electoral Commission joined the conglomerate of organisations providing services at Open Days, with a specific focus on increasing the number of Aboriginal people registered to vote and by providing information about electoral processes. As shown in the following table, the Aboriginal Justice team coordinated 98 Open Days, with more than 20 of these at locations within the Perth metropolitan region, achieving the following results:

	2022/23	2021/22	2020/21	2019/20	2018/19
Number of Open Days	98	94	69	51	57
People attending Open Days	2,557	2,116	2,260	1,581	1,936
Conversion of fines – time to pay arrangements, stay of execution and orders to attend	\$2,068,514	\$1,217,822	\$800,142	\$860,678	\$951,116
Fines paid – actual amount	\$433,161	\$800,587	\$1,181,448	\$1,083,630	\$1,041,478
People entering into time to pay arrangements	324	130	78	212	228
Stay of warrant executions	126	50	36	107	122
Licence suspensions lifted	370	268	629	976	1,116
Birth certificate applications	777	696	660	476	588
Confirmation of birth letters issued	14	8	39	57	66
Births registered (pre and post-1980)	92	98	107	123	176
Criminal injuries compensation applications received	28	96	135	N/A	N/A
Practical driving assessments passed	167	104	109	86	159
Theory driving tests conducted	206	141	210	159	211
Driving logbooks issued/re-issued	107	44	54	63	65
Suspended fines for vehicle driver's licences	68	12	23	48	66
WA Photo Card Application	371	271	190	95	114
Centrelink – applications for Medicare	57	16	40	86	70
Centrelink – concession cards issued	140	116	47	59	80
Curtin Tax Clinic – Tax returns prepared	191	223	N/A	N/A	N/A
Curtin Tax Clinic – Tax File Number applications	1	28	N/A	N/A	N/A
Curtin Tax Clinic – Superannuation	53	13	N/A	N/A	N/A
Curtin Tax Clinic – ATO Notifications (Fines)	54	17	N/A	N/A	N/A
Bank accounts opened	9	22	N/A	N/A	N/A

NAIDOC Week 2022

The Aboriginal Justice Transformation Directorate coordinates the Department's NAIDOC Week events.

In 2022, the Department commissioned artwork from an artist resident at Bandyup Women's Prison that adorned the façade of the David Malcolm Justice Centre.

The Department also used an image from the 2021 NAIDOC Week Art Exhibition to decorate the façade of the Annex Building, 585 Hay Street Perth.

The Department also commemorated its long serving Aboriginal and Torres Strait Islander employees, with several employees recognised for their extensive years of service to the Western Australian community.

During NAIDOC Week, the Department hosted a Cultural Symposium as its main event with a keynote address by Mr Rhys Paddick, a Badimia Yamatji man, from Acknowledge This! The presentation provided a unique insight into Aboriginal culture, peoples and how to work better with Aboriginal communities.



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.

Legal Profession Uniform Law Scheme

Western Australia joined the Legal Profession Uniform Law Scheme (the Uniform Law Scheme) on 1 July 2022. The Legal Profession Uniform Law is applied in Western Australia by the *Legal Profession Uniform Law Application Act 2022*, which replaces the now repealed *Legal Profession Act 2008*. The Uniform Law Scheme has applied to legal practitioners in New South Wales and Victoria since 1 July 2015.

The Uniform Law Scheme harmonises regulation of the legal profession, cuts red tape and creates a uniform system to govern legal practice. The Uniform Law Scheme also promotes informed consumer choice and has strong consumer protection measures.

The Standing Committee of Attorneys-General of the participating jurisdictions (i.e. New South Wales, Victoria and Western Australia) and the Legal Services Council oversee the regulatory regime.

The State Solicitor's Office, when it was a part of the Department, previously had responsibility for the administration of the Uniform Law Scheme in WA. As the State Solicitor's Office is no longer part of the Department, Advisory Services has taken over responsibility of the administration of the Uniform Law Scheme.

Advisory Services continued to provide advice and support the Western Australian Attorney General's participation in the Standing Committee of Attorneys-General, lead and implement legislative reforms under the Uniform Law Scheme and support the facilitation of relevant appointments in the Uniform Law Scheme.

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. Six successful applicants received letters of offer totaling just over \$983,000 in Round 18 in 2022/23.

Successful Round 18 applicants

- City of Swan.
- Gosnells Community Legal Centre.
- Parkerville Children and Youth Care.
- Ruah Community Services.
- Shire of Carnarvon.
- Wadjak Northside Aboriginal Community Group.

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 256 individuals were recorded as actively participating in driver training and education at the end of each quarter in 2022/23. The program also recorded a total of 556 clients successfully registering as new enrolments; 219 participants were successful in obtaining their learner's permit; 157 were successful in obtaining their provisional licence; 13 individuals obtained an ordinary licence and three participants regained their driver's licence. The program also assisted 361 individuals to obtain identity documents to enable them to commence their licencing journey.

The South West Development Commission continued its administration and management of the Bunbury End to End Young Driver Training Program which included a pilot program in Collie targeting at-risk youth or youth in contact with the justice system. The primary focus of the Collie program is to prevent offending and re-offending behaviours in young people by using driver training as an engagement tool.

As staffing issues delayed the implementation of the Collie program until late in the year, the allocation of funding in 2023/24 to Bunbury/Collie will facilitate continued access into the program by this cohort.

Legal Assistance Branch

The Legal Assistance Branch is responsible for legal assistance services provided to vulnerable people in Western Australia. The Branch manages the administration and allocation of funding to legal assistance service providers, including Legal Aid Western Australia, Aboriginal Legal Service of Western Australia Limited, Family Violence Prevention Legal Services, and the Community Legal Sector, with funding provided from State and Commonwealth sources, including the National Legal Assistance Partnership 2020-2025.

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 2022/23, the Legal Assistance Branch allocated more than \$128 million in State and Commonwealth funding to the Western Australian legal assistance sector for the provision of legal services, with more than \$60.8 million of this funding being provided under the National Legal Assistance Partnership 2020-2025.

Approximately \$4.5 million of the funding allocated in 2022/23 was additional State Government funding to the legal assistance sector to maintain service delivery in the community legal assistance sector at current levels and to continue to address demand for legal assistance services stemming from COVID-19. This funding will continue to increase access to justice for Western Australians experiencing disadvantage who have been impacted by COVID-19.

The Commonwealth and State Government provided funding to the legal assistance sector to support specific or project-based services to enhance outcomes for vulnerable and disadvantaged Western Australians.

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 Legal Assistance Branch's wider policy work in 2022/23, extensive work was undertaken to develop the WA Legal Assistance Strategy and Action Plan, as per the requirements of the National Legal Assistance Partnership 2020-2025. The Legal Assistance Strategy was published on 1 July 2022 and the related Legal Assistance Action Plan was published on 30 September 2022.

The Legal Assistance Strategy 2022-25 outlines 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 during 2021/22 after comprehensive consultation with stakeholders including the legal assistance sector, courts and tribunals, government agencies and peak bodies. The Legal Assistance Action Plan sets out how the Strategy will be implemented, including the ongoing monitoring and evaluation of the Strategy to ensure continuous and demonstrable improvement, progress and change.

The legal assistance sector continued to come together throughout 2022/23 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 Commonwealth 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.

The Legal Assistance Branch also has an ongoing role in coordinating the legal assistance response to the expected increase in legal needs arising from the damage and displacement caused by the Kimberley floods in January 2023. The Branch has been working closely with the place-based coordinator, as well as with the other highly respected local legal assistance service providers and specialist legal assistance service providers with expertise in the types of legal issues arising as a result of the floods, such as tenancy, welfare rights, obtaining identity documents, and consumer law issues, including scams.

Copyright

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

- Copyright Agency Limited for the photocopying and digital copying of third-party copyright works (literary, dramatic, musical and artistic), survey plans and published editions of works, other than works that are included in a sound recording, film or television or sound broadcast.
- APRA AMCOS 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 audio-visual items 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 jurisdictions. 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.

Law Reform Commission of Western Australia

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

This year, through the creation of a new Executive Manager position, Advisory Services provided administrative and corporate support to the Commission.

The Commission receives terms of reference and reviews laws at the request of the Attorney General. In 2022/23, the Commission focused on the review of sexual offences in the *Criminal Code Act Compilation Act 1913* (the Criminal Code) (Project 113) and its governance standards.

The Department assisted the Commission to publish a Background Paper and a two volume Discussion Paper on this topic; develop an online portal for receiving public submissions; and to hold extensive public consultation. The Final Report for Project 113 is due to be completed mid-2023/24.

With the current Memorandum of Understanding expiring in August 2023, the Department has been discussing and formulating the terms of a new agreement to ensure that it reflects the governance and financial standards that the Commission must meet. The Department also assisted the Commission to commence drafting a Code of Conduct and facilitate procurement processes for consultants.

Strategic Communications

Strategic Communications protects and promotes the Department's reputation in the community, assists the executive in messaging staff and stakeholders, and provides strategic advice. The team manages the Department's external and internal communications through a range of outlets. These include media statements and responses, as well as creating content for the Department's website, intranet and social media platforms. Engaging audiences with stories, videos and photos through these platforms and via external media

has successfully raised public awareness about Department initiatives that enhance justice outcomes and community safety. These channels are also used to promote Aboriginal culture and wellbeing as part of delivering the Department's Reconciliation Action Plan 2022-2024.

Justice website

Significant improvements to the Department's website were made during the year to enhance the user experience for clients and the broader community.

This has been achieved by working with the Office of Digital Government under the State Government's comprehensive content management system.

A notable enhancement was the integration of Google Translate enabling important information on the Department's webpages to be translated into more than 100 languages. This functionality has proven advantageous for users of Jury Services, Victims of Crime, and Court Counselling and Support services.

Analytics for Justice.wa.gov.au

- 1.3 million visits from people in Australia.
- 28,000 visits from people in the United Kingdom.
- 10,000 visits from people in New Zealand.
- 64 per cent were aged between 25 and 54.
- 67 per cent were from organic searches.
- 33 per cent were from other referrals and direct website hits.
- About 20 per cent were referrals from the Department's social media platforms.

Top 10 webpages

1. Fines Enforcement Registry.
2. Western Australian Online Index.
3. Find a Justice of the Peace.
4. Registry of Births, Deaths and Marriages.
5. Staff Gateway.
6. Pay Your Fines.
7. Court and Tribunal Services.
8. Licence Suspension Check.
9. Hakea Prison Online Booking Form.
10. Enduring Power of Attorney.

New online services introduced in 2022/23

- Prisoner deposit forms for all adult male prisons.
- Social visit booking request - Boronia Pre-release Centre for Women.
- Prisoner call list request - Greenough Regional Prison.
- Recruitment expression of interest using QR codes and mobile apps.

Social media

The Department's social media presence is based on principles of openness and accountability and informs the public about services and programs.

These platforms allow the Department to answer community questions and manage issues. They have also proved highly effective as a recruitment tool, driving increased job applications by reaching target audiences with vibrant content that showcases the talent and diversity of our staff and the rewards of working in the justice sector.

With continued steady year-on-year growth, the Department's social media accounts are seeing higher-than-average engagement compared to similar government profiles. This demonstrates the Department's content is resonating with the community while delivering messaging in an accessible format.

Highest engagement social media posts

Facebook:

- Heart-warming Haka: 204,700 impressions, 221 shares, 119 comments, 8,649 reactions.
- Pintupi sisters: 29,000 impressions, 141 shares, 133 comments, 1,876 reactions.
- Busiest day at Corrective Services Academy: 14,100 impressions, 24 shares, 337 comments, 819 reactions.

LinkedIn:

- Pintupi sisters: 67,941 impressions, 24 shares, 28 comments, 1,070 likes.
- Yamatji psychologist at Banksia Hill: 5,824 impressions, 5 shares, 14 comments, 207 likes.
- Tim Marney joins Department of Justice: 6,294 impressions, 7 shares, 17 comments, 172 likes.

Instagram:

- South Summit puts the 'band' in Bandyup: 22,648 reach, 1,244 reactions, 77 shares.
- Hale vs Banksia Hill football game: 23,111 reach, 359 reactions, 100 shares.
- Lucky the hearing dog: 5,601 reach, 168 reactions, 35 shares.

Recruitment

The Department's website and social media channels are also used to support recruitment. Working alongside Human Resources, multiple end-to-end campaigns have been developed by Strategic Communications.

Corrective Services campaigns have included the following positions:

- Special Operations Group
- Prison Officers
- Youth Custodial Officers
- Youth Justice Officers

Another campaign was run for Strategic Reform, where candidates were being sought to work in the areas of policy, legislation and reform.

Campaigns were hosted on the WA Government website, Justice website, external recruitment websites, the intranet and social media platforms, showcasing the talent and diversity of our staff and the rewards of working in the justice sector.

These efforts were highly successful with thousands of applications received and hundreds of positions filled. Applications were significantly higher than previous campaigns not supported by video and photographic assets.

Western Australian Office of Crime Statistics and Research

The Western Australian Office of Crime Statistics and Research (WACSAR) was established in 2020. WACSAR 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

WACSAR undertakes internal evaluations of programs and initiatives across the Department and oversees the tendering and management of external evaluations.

WACSAR works in partnership with Western Australian universities, the 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.

In 2022/23, in addition to completing a number of internal process evaluations, WACSAR oversaw the commencement of two key external evaluations: an outcome evaluation of

the Kimberley Juvenile Justice Strategy, and an outcome evaluation of Western Australia's innovative alcohol and other drug rehabilitation facilities; Mallee Rehabilitation Centre for Men and Wandoo Rehabilitation Prison for Women.

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 of 30 June 2023, there were 22 evaluation and review projects underway across the Department.

Research Applications and Advisory Committee

The Research Applications Advisory Committee 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. In 2022/23, 16 new research applications were considered by the Committee, with nearly half of these submitted by students (Honours, Masters or PhD).

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.

Each quarter, additional questions are added to the survey on particular topics of interest to inform government policy-making and the research community.

The following four addenda topics were selected for the 2022/23 financial year:

- Price elasticity of drugs
- Reasons detainees provide for breaching conditions of community orders
- Burglary (post-COVID-19 behaviour changes)
- Family and domestic violence.

Edith Cowan University and PathWest are the contracted providers for data collection and urinalysis (respectively).

University engagement

In addition to the ongoing DUMA partnership and the Criminal Justice Research Grant, 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.

WACSAR has welcomed a Master of Data Science Course graduate and a graduate with a Bachelor of Arts majoring in Criminology and Law and Society from the University of Western Australia, to the Evaluation and Research Team.

Business Intelligence and Reporting

The Business Intelligence and Reporting branch continues to service the strategic reporting needs of Corrective Services 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 as well as data requirements for external stakeholders including the media, ministers, and researchers.

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 Executive 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 four university representatives appointed for fixed two or three-year terms. The full Board meets annually and the appointed members meet quarterly.

WACSAR Criminal Justice Research Grants

The WACSAR Criminal Justice Research Grants program was launched in December 2021 and awards up to \$300,000 annually to researchers from Western Australia. Projects are selected based on their calibre and potential to lead to practical improvements in the criminal justice system. Lead researchers must be based or employed at a Western Australian university to be eligible to apply.

In February 2023, Grant Round Two was advertised as a targeted call for research on the following:

1. A validation study for the Functional Impairment Screening Tool: Corrective Services Health has developed a Functional Impairment Screening Tool to aid in the identification and documentation of the challenges and needs of people in the Department's care.
2. An evaluation of the Therapeutic Pilot Court at Perth Children's Court, Dandjoo Bidi-Ak.
3. A study on the reintegration needs of returning prisoners to inform development and design of future reintegration programs and services.

WACSAR Criminal Justice Research Grants have supported a total of ten Western Australian research projects so far.

In 2022/23, the Kids, Courts and Canines: An Evaluation of the Justice Facility Dog Pilot Program in Perth's Children Court, conducted by Dr Suzanne Rock and Dr Natalie Gatley of Edith Cowan University, was completed and published on the Department's website.

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.
- Publishing the Government Gazette on the Western Australian legislation website and hosting the historical collection of the Government Gazette on that website.
- Maintaining and arranging publication of information about the legislation of Western Australia.
- Undertaking the Bill management process, which involves the provision of printed copies of Government Bills and private 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 41 Government Bills drafted by the Parliamentary Counsel's Office.
- Drafting and publishing of 279 items of subsidiary legislation.
- Completion of the preparations required to enable the *Legislation Act 2021* to be brought into operation, which occurred on 1 July 2023, along with the *Legislation Regulations 2023*. 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 Parliamentary Counsel's Office 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. In line with conferring official status on electronic versions of Western Australian legislation, the electronic version of the Government Gazette has also been given official status.
- A successful international recruitment campaign for experienced legislative drafters.

Significant drafting tasks

- Abortion Legislation Reform Bill 2023
- Auditor General Amendment Bill 2022
- Corruption, Crime and Misconduct Amendment Bill 2023
- Criminal Law (Mental Impairment) Bill 2022
- Directors' Liability Reform Bill 2022
- Duties Amendment (Farm-in Agreements) Bill 2022
- Emergency Management Amendment (Temporary COVID-19 Provisions) Bill 2022
- Government Trading Enterprises Bill 2022
- Human Tissue and Transplant Amendment Bill 2022
- Land and Public Works Legislation Amendment Bill 2022
- Land Tax Assessment Amendment Bill 2022
- Land Tax Assessment Amendment (Build-to-Rent) Bill 2023
- Liquor Control Amendment (Banned Drinkers Register) Bill 2023
- Liquor Control Amendment (Protected Entertainment Precincts) Bill 2022
- Local Government Amendment Bill 2023
- Main Roads Amendment Bill 2023
- Major Events Bill 2023
- Marine Safety (Domestic Commercial Vessel National Law Application) Bill 2023
- Misuse of Drugs Amendment Bill 2023
- Nickel (Agnew) Agreement Amendment Bill 2023
- Rail Safety National Law Application Bill 2023
- School Education Amendment Bill 2023
- Sports and Entertainment Trust Bill 2023
- Teacher Registration Amendment Bill 2022
- Workers Compensation and Injury Management Bill 2023
- Working with Children (Criminal Record Checking) Amendment Bill 2022.

Significant items of subsidiary legislation

- Aboriginal Cultural Heritage (Cost Recovery) Regulations 2023
- Aboriginal Cultural Heritage Amendment Regulations (No. 2) 2023
- Code of Conduct for the Supply of Electricity to Small Use Customers 2022
- Commerce Regulations Amendment (Building Services) Regulations 2023
- Education and Care Services National Amendment Regulations (No. 3) 2023
- Energy Regulations Amendment Regulations 2023
- Environmental Protection Regulations Amendment (Prohibited Plastics and Balloons) Regulations 2023
- Firearms Amendment Regulations (No. 2) 2022
- Government Trading Enterprises Regulations 2023
- Local Government Regulations Amendment Regulations (No. 2) 2023
- Local Government Regulations Amendment Regulations 2023
- Major Events Regulations 2023
- Working with Children (Criminal Record Checking) Amendment Regulations 2023.

Drafting resources

The Government's legislative program continued to challenge the Parliamentary Counsel's Office in 2022/23.

To address this challenge, the Parliamentary Counsel's Office partnered with an international recruitment company to conduct an extensive search and recruitment campaign for qualified legislative drafters. The Parliamentary Counsel's Office was authorised to recruit as many qualified drafters as were available. The campaign was successful with a number of very experienced drafters appointed to a recruitment pool, and due to start work at the Parliamentary Counsel's Office in 2023/24.

To support the additional drafting output created by an increase in drafting capacity, the Parliamentary Counsel's Office has begun recruiting additional editorial, publications and IT staff. This recruitment activity will continue in 2023/24.

The Parliamentary Counsel's Office continued to engage a number of experienced contract drafters from the limited pool of retired legislative drafters in Western Australia and interstate.

People Culture and Standards

The People, Culture and Standards (PCS) Division seeks to minimise and prevent operational risks associated with managing people and complaints through comprehensive assessment, management and resolution processes.

The Division responds to a range of integrity, behavioural, performance, competency, conduct and/or criminal activity issues and comprises of the:

- Management Engagement and Intervention (MEI) Directorate
- Professional Standards (PS) Directorate
- Workforce and Culture Directorate (WFC)
- Performance Assurance and Risk (PAR) Directorate

Key achievements

- Launched Safe2Say, an online portal for staff to anonymously report misconduct in the workplace.
- Increased staff awareness through Integrity and Ethics Awareness sessions delivered directly to staff and supervisors across the Department.
- Successfully consolidated the Department's employee complaint pathways, via the launch of the new Online Complaints and Referral Portal (formerly the Online Misconduct Reporting Portal).

In March 2023 People, Culture and Standards relaunched an enhanced version of the Department's misconduct reporting mechanism, replacing the 'Online Misconduct Complaints portal' with a platform capable of receiving a greater range of workforce matters. These enhancements provide the Division with a greater understanding of some of the contextual factors impacting an individual or workplace, and assists in the identification of, and responses to, systemic workplace issues.

In April 2023, workforce reporting capabilities were further augmented with the introduction of an anonymous reporting mechanism. The 'Safe2Say' platform allows employees to submit reports of organisational misconduct or inappropriate behaviour remotely and anonymously via a third-party reporting system, which are routed to Division for assessment and response.

During 2022/2023 the Division continued coordination with external oversight agencies, to deliver a department-wide approach to prevention, education and management of misconduct, with the aim of improving workplace behaviour, reduce complaints of bullying and harassment and streamlining the approach to managing and resolving potential breaches.

Management Engagement and Intervention

The Management Engagement and Intervention Directorate is at the forefront of implementing and delivering corruption prevention and education strategies across the Department to promote, maintain and uphold professional standards and ethical conduct, together with driving cultural reform.

The Directorate is responsible for pre-employment screening and staff rescreening, staff drug and alcohol testing, integrity and ethics training, Integrity and Ethics Committee meetings, together with management intervention activities dealing with staff conduct related matters and broader holistic site interventions.

During 2022/23, the Management Engagement and Intervention Directorate took significant steps in promoting integrity and ethics awareness within our organisation. Over 90 Integrity and Ethics Awareness Sessions were conducted, reaching out to more than 2,000 employees spread across 18 custodial estates and nine corporate business areas across the State.

To ensure the highest standards of integrity in our workforce, the Department rigorously conducts pre-employment screening for all applicants. This process includes an integrity declaration and a criminal history check, resulting in more than 7,500 pre-employment screens performed throughout the year for prospective employees, contractors and volunteers. Furthermore, as part of our comprehensive corruption prevention measures, over 550 staff and contractors underwent employment re-screening.

Strengthening our commitment to integrity, the Directorate facilitated 47 Integrity and Ethics Committee meetings, fostering engagement across various business areas within the Department. The Management Engagement and Intervention Strategy, aimed at addressing staffing and management concerns proactively, was widely utilised during its first full year of operation, resulting in 139 interventions with individual staff members. These interventions focus on addressing behavioural and conduct issues to prevent further actions that might lead to disciplinary actions, thereby supporting local management and contributing to improved business operations and service delivery. In alignment with

the Department's commitment to staff wellbeing and safety, the Staff Drug and Alcohol Testing Strategy was actively implemented across our custodial estate, with 193 testing events taking place.

In March 2023, site intervention efforts began at the Banksia Hill Detention Centre, aiding the Site Management Team in addressing staff-related matters. This initiative led to significant reforms within the facility's Human Resource Department, enhancing operational procedures. Recognising the paramount importance of maintaining an elevated level of integrity and ethics, the Directorate developed a tailored face-to-face training program that benefitted more than 200 staff members.

Furthermore, the Directorate is actively responsible for a range of policies and procedures that govern integrity and ethical conduct within the organisation. Ongoing efforts to revise and update key documents, including the Code of Conduct, the Fraud and Corruption Control Plan, and the Justice Integrity Framework, are in advanced stages. These documents collectively guide all employees in their responsibility to uphold ethical behaviour and promote and maintain a culture of integrity in the workplace.

Gifts and benefits

During 2022/23, offers of 227 gifts and benefits were registered, with 185 (81%) being approved for acceptance by the Delegated Authority. Gifts and benefits declined included invitations to various functions and seminars, gift hampers, candles, artwork, chocolates and flowers.

Of the gifts accepted, 121 (65%) had a value of \$50 or less:

- 51 (28%) related to offers of food or alcohol (including chocolates and food hampers);
- 40 (22%) related to events, courses and tickets (including seminars and various functions); and
- 44 (24%) related to other items such as donations of resources for use by those in custody at correctional facilities. These included gifts of musical equipment, books, flowers and gift bags.

The top three gifts in terms of value accepted were:

1. \$1,900 – Donations of various clothing items for the use of residents at Boronia Pre-Release Centre for Women upon their release.
2. \$2,105 – Complimentary registration, return airfares and accommodation for a Senior Officer to attend the 2022 Australian and New Zealand Society of Criminology (ANZSOC) Conference as a Keynote Speaker.
3. \$3,000 – Cash donation from the Anglican Church of Australia used to purchase small items to assist detainees held at Bandyup Women's Prison with the transition to a smoke free environment.

Professional Standards

Professional Standards, maintains and upholds the Department's professional and ethical standards. Professional Standards receives, assesses, refers and investigates reports of suspected misconduct, breaches of the Code of Conduct and/or criminal activity from across the Department as well as complaints pertaining to conflict, grievances, bullying and harassment. All reports submitted to Professional Standards undergo a mandatory assessment to determine the most appropriate course of action. An assessment can result in a referral for investigation, a referral to Management Engagement and Intervention for engagement with affected parties or a referral to Workforce and Culture for associated relevant employee relations advice and support. In line with statutory notification obligations imposed on the Department, some matters may be referred to external agencies such as the Corruption and Crime Commission, the Ombudsman Western Australia, or the Public Sector Commission, for consideration.

During 2022/23, Professional Standards received 1,042 reports through the Online Complaints and Referral Portal and subsequently commenced 297 disciplinary processes for employees of the Department. A total of 155 disciplinary processes were completed by Professional Standards during this period resulting in actions ranging from termination of employment, reclassification, transfer to new work locations, reprimands and 85 improvement actions in the form of warnings, counselling or further training and development. In line with statutory notification obligations, Professional Standards notified the Corruption and Crime Commission of 34 matters, the Ombudsman Western Australia of 15 matters and the Public Sector Commission of 21 matters.

The Online Complaints and Referral Portal continued to be a fundamental tool for reporting alleged misconduct or other matters and is now used by all directorates within People, Culture and Standards. In order to further encourage staff to report matters, this year Professional Standards launched the Safe2Say Reporting Platform that provides staff with another pathway to anonymously report misconduct and workplace behaviour issues.

Workforce and Culture

Workforce and Culture Directorate deliver the Department's employee and industrial relations functions, providing advice and consultancy services focused on supporting delivery of operational needs while creating people practices that develop and maintain positive working relationships between the Department and its employees.

The Directorate delivers a wide range of workforce support functions intended to assist in workplace issue resolution and complaint coordination, these include employee relations advice and consultancy services in respect to individual performance and capability concerns, absenteeism issues, fitness for work concerns, non-compensable return to work programs, along with complaint handling functions in respect to workplace bullying, harassment, conflict, equal opportunity, and grievance coordination.

The Workforce and Culture Directorate was established in April 2022 and during 2022/23, the Directorate continued to review and consolidate functions with a view to integrate these services into the broader People, Culture and Standards Division service provision model. In March 2023 employee relations successfully transitioned to using the new complaints and referral portal within People, Culture and Standards Division as a means of further consolidating services into the Division.

The employee relations area within Workforce and Culture Directorate provided services in relation to 585 workplace issue and/or complaint contacts during 2022/23. Most matters required collaboration and engagement with other areas within People, Culture and Standards or other areas within the Department. This included the management of 12 breach of human resource (recruitment) standard claims.

The Workforce and Culture Directorate also currently provides industrial relations advice and consultancy services in respect to the Department's workforce. In this regard, the industrial relations area provides advice on the terms and conditions of the Department's employee groups, which includes just under 7,000 paid employees.

The Directorate is responsible for the Department's industrial instruments which include:

- Department of Justice Prison Officers' Agreement.
- Department of Justice Youth Custodial Agreement.
- Department of Justice Jury Officers Agreement.
- Department of Justice Nurse's Agreement.

Along with the above instruments, the industrial relations function is also responsible for maintaining, implementing, and advising on a range of administrative arrangements and approvals, and providing support for significant reform agenda programs that have industrial implications.

During 2022/23 the Directorate successfully consolidated the Department's existing industrial relations functions into one dedicated and comprehensive industrial relations advice and consultancy service. Establishment of this specialist and dedicated industrial relations function within the Department has supported improvements in industrial practice, including compliance with relevant workplace laws and industrial instruments.

The Directorate has undertaken negotiations on all but one of the Department Agreements during 2022/23 and implemented a broad range of administrative approvals and industrial initiatives within a challenging industrial context.

Over this period the Directorate has also managed and represented the Department in 58 industrial matters, including the Western Australian Industrial Relations Commission (WAIRC), Industrial Magistrates Court, Equal Opportunity Commission and Australian Human Rights Commission and aided as Public Sector Appeal Board members.

Performance Assurance and Risk

Performance Assurance and Risk is the Department's internal audit function. While managed as part of the People, Culture and Standards Division, for internal audit functions it reports to the Director General and the Department's Risk Management and Audit Committee. It provides independent and objective assurance and consulting services designed to improve the Department's operations, governance, risk management and internal control. The Directorate operates in accordance with the International Standards for the Professional Practice of Internal Auditing and is governed by a Charter that is approved by the Director General.

During 2022/23, the Directorate undertook audits of the Department's business areas and in accordance with the Internal Audit Plan, performed independent reviews of deaths in custody where the Coroner directs the death is reportable under the *Coroners Act 1996*. The Directorate also worked with all business areas to build and embed risk management capability across the Department.

The Department's Risk Management and Audit Committee is independently chaired by Colin Murphy, former Auditor General of Western Australia. As part of its compliance with Treasurer's Instruction Part XII, the Committee continued its advisory role in assisting the Director General with relevant and timely advice on the Department's governance, risk and control activities.

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 progressed the Strategic 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 peoples' 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 key initiatives include expanding the delivery of mental health information and training, and implementation of support for staff involved in potentially traumatic events.

Corporate health and wellbeing

The Department's corporate partnerships with providers such as Bupa, Medibank and HBF, bring a range of benefits to employees, including discounted health insurance and access to health initiatives. External agencies such as PeopleSense (the Department's Employee Assistance Program provider) delivered mental health and wellbeing presentations to staff. Staff can access an online magazine, containing quarterly news articles relating to mental and physical wellbeing.

Staff development and performance

Employee Performance Planning and Development (PPD) system

The Department's new online PPD system was implemented in October 2022, enabling a more streamlined, flexible, and user-friendly approach to recording and reporting on performance discussions held between managers and employees.

Regular performance, planning and development discussions are a critical element in building workforce capability and are integral to meeting the Department's strategic goals.

PPD discussions provide an opportunity to review and recognise an employee's achievements and explore their personal and professional development aspirations, while aligning these to the business planning requirements of the Department and its multiple business areas.

Training and development

The Department continued to ensure employees had access to a broad range of learning and development opportunities, which included:

- My Performance Planning and Development.
- My Team's Performance Planning and Development.
- Leading with Emotional Intelligence.
- Grievance Officer Role.
- Disability Awareness.
- Supporting Neurodiverse Learners.
- Financial Management Awareness.
- Finance Overview.

Grievance Officer Network

The Department's Grievance Officer training program was held in June 2023, with 16 new Grievance Officers joining the network. Eight renewing Grievance Officers also completed re-training for a further three-year term.

The Department now has 35 volunteer Grievance Officers across the State in workplaces as diverse as Courts, the Public Trustee, Commissioner's Office, Prisons, Community Corrections, Health and Offender Management.

Grievance Officers provide a valuable service to the Department by giving their time to advise and help their colleagues resolve conflict in the workplace quickly at a local level.

Multicultural framework

Developed in consultation with the Office of Multicultural Interests and aligned with the Western Australian Multicultural Policy Framework, the Department's Multicultural Plan 2021 - 2025 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 the Department's customers. Implementation of actions and initiatives progressed to date includes the development and promotion of anti-discrimination policies, recognising and celebrating dates of significance for diverse groups and culturally and linguistically diverse people as well as supporting flexible working arrangements to ensure staff are better equipped at meeting and balancing cultural obligations.

Aboriginal Workforce Development

The Department aims to build a diverse workforce that promotes Aboriginal employment to better reflect the Western Australian community and service needs.

The Department recognises the importance and benefits of developing a sustainable and empowered Aboriginal workforce.

Aboriginal staff represent approximately five per cent of employees, which exceeds the Public Sector Commission's benchmark target.

The Department's Workforce Diversification and Inclusion Action Plan, as well as the Aboriginal Workforce Development Strategic Commitment, set 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 continued to explore 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 featured Aboriginal employees promoting 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 2,614 counselling sessions throughout the year, with an annual usage rate of approximately nine per cent and 18 per cent of sessions provided to family members of staff.

	2022/23	2021/22	2020/21	2019/20	2018/19
Clients	947	874	807	960	786

Recruitment

A tight labour market and the demand to hire has presented some challenges across the Department in this past financial year. However, these challenges provided the Department with the opportunity to review, improve and streamline processes to achieve recruitment outcomes.

During 2022/23 the Department advertised 947 vacancies including general, pools and expressions of interests. From the Department's recruitment activities, 772 applicants identified as Aboriginal. This number includes internal applicants and those who have applied for multiple vacancies.

Bulk recruitment activities resulted in 184 Prison Officers being permanently appointed to facilities across the State. In addition, a call to action in the recruitment of Youth Custodial Officers resulted in a record of 40 trainees who commenced in February 2023. A total of 85 Youth Custodial Officers were permanently appointed to Banksia Hill Detention Centre.

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

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 toward becoming the Department's future leaders. Ten graduates were employed and placed within Corrective Services, Corporate Services, Court and Tribunal Services, the Public Trustee, and the Office of the Public Advocate.

School-based trainees

The 18-month traineeship program commenced in February 2022 continued to allow school students to work part time, gaining on-the-job work experience with the Department while 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, Court and Tribunal Services, and Corrective Services.

Aboriginal trainees

The Aboriginal Traineeship Program is a 12-month initiative providing Aboriginal trainees an opportunity to work within the Department. Trainees gain on-the-job experience while completing a Certificate III in Government. Thirteen trainees were employed in the program and placements included Corporate Services, Corrective Services, and Court and Tribunal Services. The program expanded in 2023 to include regional placements.

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 number of services. Fees are based on a user-pays system while recognising the Public Trustee offers an operating subsidy for clients unable to pay fees.

Whilst the Department of Treasury's review into the agency's fees and funding model continues, the Public Trustee is offering further fee relief over the next two years to its most vulnerable clients.

Fee relief includes a 50 per cent reduction in selected trust fees from 1 July 2023 and removing the \$35 minimum monthly fee for those under an administration order.

Financial interests

At 30 June 2023, 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 2022/23, one act of grace payment totaling \$1,074 was made.

No ex gratia payments were made during 2022/23.

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 \$2,810.29 during 2022/23, after 73 employees used their purchase cards for private purposes. All money has been repaid. 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:

2022/23	Amount
Settled within five working days	\$1,034.54
Settled after five working days	\$1,775.75
Outstanding	\$0
Aggregate amount of personal use expenditure	\$2,810.29

Major capital works

Capital expenditure of \$68.8 million was spent on custodial and court infrastructure.

Capital projects in progress

\$63.7 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.
 - High Security Unit.
- New Broome Regional Prison planning.
- Acacia Prison Infrastructure upgrade and replacements.
- Ligature minimisation program.
- Various Banksia Hill Detention Centre Upgrades.
- New Armadale Courthouse and Police Complex (funded by the Western Australia Police Force).

Capital projects completed

Capital projects were completed with an annual expenditure of \$5.1 million, including:

- Supreme Court Infrastructure Upgrade works.
- Central Pharmacy Upgrade.
- Casuarina Security Obsolescence Project Repurposing Unit 18 of Casuarina Prison for young offenders.
- Bunbury Regional Prison Alcohol and Other Drug Program buildings.

Customer feedback

The Department is committed to providing quality services 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 submissions associated with Corrective Services and another that captures feedback for other Departmental services.

People can provide feedback, make complaints, give compliments, or provide suggestions through the appropriate feedback system in person, online, by email or phone.

Outcomes 2022/23

The Customer Feedback Management System received and managed 602 matters comprising:

- 462 complaints.
- 109 compliments.
- 28 suggestions.
- 3 other.

Corrective Services ACCESS system received and managed 3,321 matters, comprising:

- 2,874 complaints.
- 25 compliments.
- 11 suggestions.
- 291 contact only.
- 120 requests for information.

Employment and industrial relations

Breach of human resource management standards

There were 14 breach claims lodged with the Department in 2022/23. Of these, two were upheld with relief offered and four remain in progress.

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

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 2018-2023 complies with the *Disability Services Act 1993*. The Plan provides a framework to guide professional and appropriate service provision to people with 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 and monitoring the progression of initiatives identified within the State Disability Strategy 2020-2030. The Department, under the Strategic Reform Division, has commenced a review of the Disability Access and Inclusion Plan 2018-2023 required by the *Disability Services Act 1993*.

Outcome 1: People with disability have the same opportunities as other people to access the services of, and any events organised by, the Department of Justice.

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

- Corrective Services commenced a project in January 2023 to explore disability supports and inform the development of a model that better supports offenders with disability. The project is focused on ascertaining the resources required to identify people with disability and ways in which they can be better supported to access the National Disability Insurance Scheme while in prison.
- Human Resources continues to provide access to disability awareness learning and development modules available to all staff in the Department.
- With a view to modernising criminal justice legislation, reforms to the existing *Criminal Law (Mentally Impaired Accused) Act 1996* are well progressed. The *Criminal Law (Mental Impairment) Act 2023* was assented to in April 2023. Implementation preparations within the Department and across Government are continuing, ahead of the Act commencing operation.
- Strategic Communications continued to be available to divisions and business areas to support accessible events.

Outcome 2: People with 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.

- The Department ensures that its buildings are safe and accessible to people with disability as per the Commonwealth *Disability Discrimination Act 1992* and the associated Disability (Access to Premises - Buildings) Standards 2010.
- The Office of the Public Advocate continues to ensure that all education sessions for community members and services providers, coordinated by it alone, are held at accessible venues and/or online.

Outcome 3: People with disability receive information from the Department of Justice in a format that will enable them to access the information as readily as other people are able to access it.

The Department continued to ensure that people with disability can access information readily.

- All of the Office of the Public Advocate's publications are available in alternative formats, including other languages, upon request. To date, the Office has published a variety of information sheets in 10 languages other than English. The Office has also published a suite of Easy Read fact sheets. Six new Easy Read publications were developed during the year, taking the Office's total suite of Easy Read publications to nine.
- The Office of the Public Advocate added Text-to-Speech functionality to its website this year, meaning each webpage can be read by any standard screen reader. This new function was launched during Harmony Week (15-21 March). The Office also updated its nine Easy Read publications to include the Text-to-Speech functionality.
- The Office of the Commissioner for Victims of Crime has also added the Text-to-Speech functionality to its website and is working to have victim brochures translated into Easy Read format.
- Publications on the Department's website continue to be in an accessible format and screen reader friendly.

Outcome 4: People with disability receive the same level and quality of service from the Department of Justice staff as other people receive.

The Department continued to advocate for the delivery of quality services to people with disability and raise awareness of issues by delivering and organising training as appropriate, encouraging representation within professional associations, and promoting associated events. For example:

- Corrective Services are developing a suite of online training modules that staff can access as part of an initial induction package. The introduction of this training will enable disability awareness training to be more accessible and focused, to support staff to better understand disability, their responsibilities in supporting people with disability and the relevant services and supports available.
- Corrective Services continued to provide disability awareness training to all frontline operational staff, as part of foundational training.

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

The Department worked to ensure its feedback and complaints processes are accessible for people of all abilities and guide effective and appropriate action to improve its services.

- The Department recommenced a modernisation project to ensure that its Customer Feedback Policy is contemporary and accessible to allow Departmental staff and the public to submit feedback and complaints as required.

Outcome 6: People with disability have the same opportunities as other people to participate in any public consultation by the Department of Justice.

The Department worked to ensure that people with disability are appropriately engaged and can participate in public consultation and share their views on relevant matters.

- The Department continued to ensure that members of the public had the opportunity to participate in consultation via online feedback forms, written letters, emails, or information sessions.
- Recent public consultation opportunities include the Law Reform Commission of Western Australia's Project 113: Sexual offences, Sexual Violence Prevention and Response Strategy; and the Review of Criminal Justice Responses to Sexual Offending.
- Members of the public will also be able to participate in consultation regarding the Department's review of its Disability Access and Inclusion Plan 2018-2023.

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

- The Department continued to ensure that recruitment processes were inclusive and encouraged applications from diversity groups by including the 'Equity and Diversity' statement in job advertisements. Business areas engaged with the Department's Talent and Diversity team to promote advertised job vacancies through their networks and encourage applications from people with disability.
- The Department continued to progress a 12-month partnership with JobAccess which facilitates Disability Awareness Training sessions across the Department. This included an in-person session to senior representatives from all divisions during the year. Awareness sessions focused on understanding the diversity of disability, accessibility requirements, inclusive interview approaches as well as recognising and managing unconscious bias. Through its partnership with JobAccess, the Department aims to achieve Disability Confident Recruiter accreditation.



Department SHINE's at PrideFEST

The Department's inaugural participation in PrideFEST supported an ongoing commitment to inclusivity and diversity. Participation provided an opportunity to continually build a positive culture within the Department as well as increase representation of people from diverse backgrounds in fostering inclusive workplaces and practises across the agency.

Members and Allies of our LGBTQIA+ community took the streets of Perth for the 32nd Annual Pride Parade on 10 November 2022, where the theme of the festival was SHINE.

Marching together, attendees 'Shined' promoting the Department as a fair, just, and safe community for all Western Australians.



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

Award Groups	2022/23					2021/22				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Enrolled Nurses & Nursing Assistants	2.00	0.00	2.00	100.00	0.00	3.00	0.00	3.00	100.00	0.00
Government Services (Miscellaneous)	2.93	0.00	2.93	100.00	0.00	3.93	0.00	3.93	100.00	0.00
Jury Officers	5.15	0.71	5.86	87.83	12.17	4.26	0.74	4.99	85.25	14.75
Juvenile Custodial Officers	93.50	167.08	260.58	35.88	64.12	78.29	161.28	239.57	32.68	67.32
Medical Practitioners Agreement	9.38	13.47	22.85	41.06	58.94	7.61	13.96	21.57	35.30	67.40
Nurses Industrial	111.45	24.23	135.68	82.14	17.86	112.87	28.08	140.95	80.08	19.92
Prison Officers Agreement	710.00	1,981.34	2,691.34	26.38	73.62	690.24	2,001.30	2,691.54	25.64	74.36
Public Service Employees	2,409.14	1,045.40	3,454.54	69.74	30.26	2,300.32	1,020.20	3,320.53	69.28	30.72
Salaries and Allowances Tribunal	2.60	7.90	10.50	24.76	75.24	2.00	8.20	10.20	19.61	80.39
Youth Detention Centre Teachers	13.00	3.00	16.00	81.25	18.75	16.30	3.00	19.30	84.46	15.54
Total	3,359.15	3,243.13	6,602.28	50.88	49.12	3,218.83	3,236.75	6,455.58	49.86	50.14
Judicial Services										
Government Officers (Award)	107.92	37.00	144.92	74.47	25.53	99.19	41.00	140.19	70.75	29.25
Parole and Other Board Members	0.00	0.00	0.00	0.00	0.00	0.04	0.04	0.08	50.00	50.00
Public Service Employees	32.90	6.00	38.90	84.58	15.42	30.46	8.00	38.46	79.20	20.80
State Administrative Tribunal	18.27	5.09	23.36	78.22	21.78	15.38	6.25	21.63	71.11	28.89
Judicial Services Total	159.09	48.09	207.18	76.69	23.21	145.08	55.29	200.37	72.41	27.59
Overall Total	3,518.24	3,291.22	6,809.46	51.67	48.33	3,363.90	3,292.04	6,655.95	50.54	49.46

The Department has 6,809.46 fulltime equivalent employees (FTE) comprising 7,207 paid individuals, excluding the judiciary and including trainees.

Note: this table provides the paid employee numbers by Award Group as at the last pay of the 2022/23 financial year, which is the pay period ending 22 June 2023, and the previous financial year's last pay, the pay period of 23 June 2022.

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 Obsolescence Project.
- Planning for a new regional prison in Broome.

Major projects

Armadale Courthouse and Police Complex

The project will see the co-location of the new Armadale Courthouse and Police Station, due to be operational in late 2023.

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.

New Broome Regional Prison

Planning for the replacement of the existing Broome Regional Prison with a contemporary custodial facility continues.

The Department is working closely with Nyamba Buru Yawuru Limited on behalf of Yawuru community and the Shire of Broome to investigate and resolve potential land use constraints associated with the preferred site, located within Broome Road Industrial Park. The Department continues to ensure the Broome community is appropriately consulted.

Supreme Court (Stirling Gardens) Building upgrades

Three significant scopes of work were undertaken and completed:

- Fire Services upgrade.
- Electrical upgrade.
- Exterior maintenance.

Banksia Hill Detention Centre upgrades

The Department continued to improve security and service delivery at Banksia Hill Detention Centre. A \$46.9 million investment in infrastructure has been budgeted to the Banksia Hill Remodel Program. This includes the development of a new \$16.5 million Crisis Care Unit at Banksia Hill to provide a safer therapeutic environment to support vulnerable at risk young people. Completion is expected in 2026/27.

A further \$3.5 million was allocated to develop an Aboriginal Services Unit, to provide cultural support and services to address the over-representation of Aboriginal youth in Banksia Hill. New staff positions will be created, including additional Aboriginal Welfare Officers and Aboriginal medical and mental health workers, alongside contracted service provision.

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. This provided Casuarina Prison an expanded digital CCTV system with new digital technology and a full physical refurbishment of the Gatehouse Master Control Room to contemporary custodial standards.

Several redundant systems were decommissioned and removed, replaced with a Physical Security Information Management System enabling multiple systems to be operated under the single platform. All areas of the Prison are now integrated, allowing for future security system expansion capabilities and digitalisation of Casuarina Prison.

Central Pharmacy expansion impact

A budget of \$1.6 million was approved to expand pharmacy operations. The fit-out and expansion was completed in late 2022, providing significant improvement in delivery of pharmaceutical services to prisons across the State.

Emergency Services Radio Network

The Emergency Services Radio Network (ESRN) program is a Western Australian State Government initiative. This involves multi-agency collaboration to transform the existing radio network used by both the Western Australia Police Force and the Department, into a single radio network for use by all of the State's emergency services. The ESRN program involves collaboration between four Government agencies; the Western Australia Police Force; Department of Fire and Emergency Services; Department of Health and the Department of Justice.

Roebourne Regional Prison air conditioning upgrade

In November 2022 the Minister for Corrective Services announced that the air conditioning at Roebourne Regional Prison would be expanded. Design documentation for this work was completed in preparation for the invitation of tenders for installation during 2024. The plan is to retrofit air conditioning into accommodation units 1 and 2.

National strategic plan for asbestos awareness

The Department has an ongoing program of Asbestos Containing Materials (ACM) audits which produce an ACM Register that is located at each of its sites. All ACM ranked as high risk are remediated with any remainders managed according to risk.

Contractors are obligated to view and sign the ACM Register before undertaking any works in an area which may have a possible risk of exposure.

All Contractors are required to undertake an induction process prior to engaging in any site works and produce a Safe Work Method Statement before commencing any works.

Contracts

Procurement, Infrastructure and Contract Services are responsible for the Department's 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	0
\$50,000 - \$249,999	34
\$250,000 - \$4,999,999	27
\$5 million +	10
Total	71

Purchase orders issued

11,576 purchase orders against 1,343 suppliers.

Value	Number
\$0 - \$4,999	7,183
\$5,000 - \$49,999	3,567
\$50,000 - \$249,999	538
\$250,000 - \$4,999,999	271
\$5 million +	17
Total	11,576

Information and Communications Technology

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

In 2022/23, the Department's Information and Communications Technology (ICT) program focused on remediation of ICT risks, and addressing open audit items, which improved the Department's security posture and further aligned the Department with Government policy and the WA Digital Strategy.

The program to modernise ICT infrastructure and migrate applications from end-of-life platforms to modern platforms for 120 business systems, continued over the year. These modern infrastructure platforms enable the Department to be more flexible, enhancing its ability to meet security control targets, adopt new technologies and improve disaster recovery for core applications.

To enable staff to work remotely, the Department continued to improve flexible ways of working through several technology enhancements to the Department's email system, expansion of the secure virtual desktop platform, and commencement of a unified communications platform.

The Department continued to strengthen its security capabilities and reduce potential exposure to cyber security incidents through the implementation of eight essential recommendations and integration into the Whole-of-Government (WofG) Security Operations Centre (WASOC). In response to the WA Government Cyber Security Policy, the Department has established a Cyber Security Steering Committee (CSSC) with the Director General nominated as the Cyber Security Accountable Authority. This Committee will govern the Department's ownership of its cyber security risks, together with its responsibilities for assessing cyber security risks, implementing cyber security measures, and controlling responses to cyber security incidents. The CSSC reports to the Departments Corporate Executive Committee.

Further digitisation of the Department's various paper intensive processes is delivering benefits through reduced reliance on paper forms and faster service delivery.

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 between all staff. 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 regarding ethical principles, obligations and standards applying to staff.

Recordkeeping Plan

The Department is required to have an approved Recordkeeping Plan in accordance with section 19 of the *State Records Act 2000*. The State Records Commission approved the Department's new Recordkeeping Plan in May 2023. The Department continues to update and develop new policies, procedures, systems and tools to assist staff to meet their recordkeeping responsibilities.

1. The efficiency and effectiveness of the organisation's Recordkeeping systems is evaluated not less than once every five years.

To support the improvements identified in the Recordkeeping Plan 2023, the following activities are scheduled for the next 12 months:

- Work continued on the upgrade to the Department's Electronic Documents and Records Management System (EDRMS) which is due to be finalised in late 2023. Staff will have access to additional functionality to assist with their recordkeeping responsibilities. This will include an integration of the EDRMS and MS Teams enabling staff to work within MS Teams and their records being retained in compliance with records management legislation and policies. Integrations with other business systems is also in the scope of the upgrade.
- Records Health Checks will continue to reduce "information sprawl". When a business area requests a new shared folder, shared mailbox or MS Teams site a

Records Health Check to undertaken. This determines if records are being maintained as outlined in the Records Management Policy. Business areas have access to Records staff who provide consultancy and advice for improvement.

- To assist with improving recordkeeping across the Department's numerous sites a pilot program will assist local staff in the delivery of training, and implementation of Vital Records and Disaster Recovery Programs.
- A review of Retention and Disposal Schedules will be undertaken to ensure compliance with State Records Commission standards. This will provide assurance that various categories of records can be destroyed in accordance with legislation and standards.
- A Digital Records Risk Assessment Procedure has been developed for the assessment of existing and new systems for recordkeeping functionality and compliance with legislation and policy. Further systems will be assessed in the next 12 months.
- Hard copy offender records continue to be digitised in line with best practice, including progression of initiatives to enable prisoner management and community offender records to be accessed 24/7.
- In 2022/23, prison-issued medical forms were reviewed and re-designed to comply with Australian Standards, and streamline document preparation, scanning and indexing.
- Digital transformation initiatives to replace production of paper prisoner management records commenced.

2. The organisation conducts a recordkeeping training program.

In 2022/23, the recordkeeping training program was reviewed as part of the development of the Recordkeeping Plan. The online Government Records Education Awareness Training is mandatory for all staff with 2,315 completing the training in 2022/23. Fifty nine staff completed Content Manager Administrative Business Classification Scheme Folder creation training and 137 staff completed face to face Content Manager Standard training.

Training during 2022/2023 was primarily delivered via MS Teams due to constraints with a geographically dispersed staff population. Online courses are planned for development in 2023/24 to provide standardised training on demand.

3. The efficiency and effectiveness of the recordkeeping training program is reviewed from time to time.

Records management training materials, user guides and advice are published on the Department's intranet. The Department has recognised the need for additional online courses to be developed and courses on Archiving and Advanced Content Manager are scheduled for the coming year.

4. The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's recordkeeping plan.

Individual business areas deliver local recordkeeping training as part of their employee inductions. Recordkeeping requirements and the proper use of information are included in the Code of Conduct. Recordkeeping responsibilities are also included in the policies, procedures and operating manuals created and maintained by individual business areas.

The efficiency and effectiveness of the recordkeeping training program is evident from the number of records created in the EDRMS (as below).

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.

	2019/20	2020/21	2021/22	2022/23
Documents created in EDRMS	1,404,700	1,977,465 ¹	1,560,824	1,985,614
Folders created in EDRMS	641,001 ³	359,099 ¹	229,839	234,676
Boxes created in EDRMS	11,097	5,050	5,281	6,893
Series created in EDRMS ²	203,334 ³	9,612	9,954	15,261 ⁴

1. As part of the Exchange Online Project in 2020/21, the back capture of emails resulted in increased document and folder registrations.
2. The Department uses Series record types in the EDRMS to group or link related folders in the system.
3. As part of the EDRMS Amalgamation Project, implementation of the new Business Classification Scheme, folder structure and Series records in the EDRMS resulted in increased registrations during the 2019/20 financial year.
4. Registration of the Public Trust Series record type resulted in an overall increase in registrations in 2022/23.

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 2022/23.

Advertising agencies	\$747,784
Initiative	\$674,133
Facebook	\$43,585
Price Consulting	\$17,889
LinkedIn	\$9,918
All Flags Signs	\$2,259
Market research organisations	\$37,502
Catalyse Pty Ltd	\$37,502
Media advertising	\$207,002
Telstra	\$202,671
Commonwealth Association of Legislative Counsel	\$ 2,279
Western Australian Prison Officers' Union of Workers	\$ 2,052
Polling	NIL
Direct mail organisation	NIL
Total	\$992,288

Freedom of information

Summary of FOI applications

Applications received	
Personal information requests	1,376
Non-personal information requests	54
Amendment of personal information	3
Applications transferred in full	86
Total applications processed¹	1,519
Outcomes	
Applications withdrawn	118
Internal reviews completed	24
External reviews completed	8
Applications currently being processed	302

The Office of the Public Advocate, the Public Trustee, the Equal Opportunity Commission, State Administrative Tribunal, Parliamentary Counsel's Office, Acacia Prison, G4S and Broadspectrum (Australia) Pty Ltd are not listed as part of the Department in the Freedom of Information Regulations 1993 and report their statistics separately.

At the end of this period, seven reviews remain outstanding with the Information Commissioner.

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.

This commitment to the State Government's policy is reflected in our Code of Conduct and embedded into human resource policies, procedures and guidelines.

The 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.
- Reduction in the use of tables to ensure screen readers are able to read correctly the data presented
- Language translation services as per the WA Language Services Policy 2020.

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 all workers, clients, offenders and visitors. During 2022/23 the Department progressed implementation of the Work Health and Safety Strategy 2021-2024, part of which is working towards a more mature WHS Management System and a positive safety culture.

The Department continues to promote and support the mental health and wellbeing of workers through the implementation of the Strategic Mental Health Framework 2021-2024.

Workers' compensation

The Department remains committed to supporting workers injured at work in line with medical advice.

The Workers' Compensation and Injury Management team works in partnership with injured workers, local business areas, medical practitioners and external stakeholders to manage claims, and implement early intervention and return to work practices.

To support the Department's objective of early intervention through timely injury management and strategic claims management, a review was undertaken of the service delivery model in consideration of industry standards. In response to the review, the Workers' Compensation Team received additional resources, inclusive of a greater level of oversight, support and supervision. The Department continues to seek to improve service delivery through a number of initiatives and a focus on continuous improvement.

Measures	Results 2022/23	Results 2021/22	Results 2020/21	Targets ¹	Comments about targets
Number of fatalities	0	0	0	0	Target achieved
Lost time injury and disease incidence rate ¹	7.4	7	7.2	0 or 10% reduction in incidence rate	Target not achieved
Lost time injury and severity rate ¹	64	50.5	46.9	0 or 10% reduction in severity rate	Target not achieved
Percentage and number of injured workers returned to work within 13 weeks	63%	60%	52%	No target	N/A
Percentage and number of injured workers returned to work within 26 weeks ²	82%	72%	67%	Greater than or equal to 80%	Target achieved
Percentage of managers trained in occupational safety, health and injury management responsibilities, including refresher training within 3 years ³	80%	61%	60%	Greater than or equal to 80%	Target achieved

Sources:

- Insurance Commission of Western Australia: RiskCover – Workers' Compensation Class – Occupational Safety, Health and Injury Management: Department of Justice as at 30 June 2023.
- Insurance Commission of Western Australia: Lost Time Injury Claims with an incident date during 2022 Financial Year, provided as at 30 June 2023.
- Department of Justice Record of Learning: Certifications Report (iLearn system) as at 30 June 2023.

¹ As defined by Public Sector Commissioner's Circular 2018-03 Code of Practice: Occupational Safety and Health in the Western Australian public sector.

² Number of incidents resulting in lost time per 100 full-time equivalent staff.

³ Number of incidents resulting in lost time classified as severe per 100 incidents resulting in lost time.

Board remuneration

Law Reform Commission of Western Australia

Position title	Member name	Type of remuneration	Period of membership*	Term of appointment / tenure	Base salary/ sitting fees	Gross/actual remuneration for financial year**
Chair	Hon Carolyn (Lindy) Jenkins	Honorarium	1 year	Full-time	N/A	\$16,028
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	\$44,055
Total						\$60,083

* 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	1 year	3 Year	\$6,140	\$6,140
Member	Gregory Rickie	Annual	1 year	3 Year	\$6,140	\$6,140
Member	Annette Morgan	Annual	6 months	3 Year	\$6,140	\$6,140
Total					\$46,050	\$46,050

* 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 Kevin Sleight		Salary*	From 2 May 2022 to 6 January 2023	Part-time	\$146,260	\$146,260
Chairperson - The Honourable Jeremy Curthoys		Salary*	From 7 January 2023	Part-time	\$160,188	\$160,188
Deputy Chairperson	A	Sessional	Entire Reporting period	Sessional	\$619	\$32,188
Deputy Chairperson	B	Sessional	Entire Reporting period	Sessional	\$619	\$45,806
Deputy Chairperson	C	Sessional	Entire Reporting period	Sessional	\$619	\$31,569
Deputy Chairperson	D	Sessional	Entire Reporting period	Sessional	\$619	\$29,093
Deputy Chairperson	E	Sessional	Entire Reporting period	Sessional	\$619	\$17,951
Deputy Chairperson	F	Sessional	Entire Reporting period	Sessional	\$619	\$26,041
Deputy Chairperson	G	Sessional	Entire Reporting period	Sessional	\$619	\$16,912
Member	A	Sessional	Entire Reporting period	Sessional	\$497	\$2,187
Member	B	Sessional	Entire Reporting period	Sessional	\$497	\$11,107
Member	C	Sessional	Entire Reporting period	Sessional	\$497	\$2,982
Member	D	Sessional	Entire Reporting period	Sessional	\$497	\$3,711
Member	E	Sessional	Entire Reporting period	Sessional	\$497	\$6,561
Member	F	Sessional	Entire Reporting period	Sessional	\$497	\$861
Member	G	Sessional	Entire Reporting period	Sessional	\$497	\$39,661
Member	H	Sessional	Entire Reporting period	Sessional	\$497	\$25,314
Member	I	Sessional	Entire Reporting period	Sessional	\$497	\$27,534
Member	J	Sessional	Entire Reporting period	Sessional	\$497	\$16,004
Member	K	Sessional	Entire Reporting period	Sessional	\$497	\$21,643
Member	L	Sessional	Entire Reporting period	Sessional	\$497	\$24,525
Member	M	Sessional	Entire Reporting period	Sessional	\$497	\$31,212
Member	N	Sessional	Entire Reporting period	Sessional	\$497	\$10,934
Member	O	Sessional	Entire Reporting period	Sessional	\$497	\$23,260
Member	P	Sessional	Entire Reporting period	Sessional	\$497	\$14,811
Member	Q	Sessional	Entire Reporting period	Sessional	\$497	\$16,872
Member	R	Sessional	Entire Reporting period	Sessional	\$497	\$25,944
Member	S	Sessional	Entire Reporting period	Sessional	\$497	\$7,289
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	From November 2022	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
Total						\$818,420

*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 Kevin Sleight		Salary*	Up to 6 January 2023	Part-Time	\$0	\$0
Chairperson - The Honourable Jeremy Curthoys		Salary*	From 7 January 2023	Part-time	\$0	\$0
Deputy Chairperson	A	Sessional Payment	Entire reporting period	Sessional	\$619	3,714
Member	A	Sessional Payment	Entire reporting period	Sessional	\$497	8,449
Member	B	Sessional Payment	Entire reporting period	Sessional	\$497	1,060
Member	C	Sessional Payment	Entire reporting period	Sessional	\$497	2,982
Member	D	Sessional Payment	Entire reporting period	Sessional	\$497	7,952
Member	E	Sessional Payment	Entire reporting period	Sessional	\$497	10,437
Member	G	Sessional Payment	Entire reporting period	Sessional	\$66	66
Member	H	Sessional Payment	Entire reporting period	Sessional	\$66	66
Member	I	Sessional Payment	Entire reporting period	Sessional	\$497	497
Member Dept of Communities		Nil	Entire reporting period	N/A	\$0	\$0
Member Dept of Communities		Nil	Entire reporting period	N/A	\$0	\$0
Total						\$35,223

* 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 Kevin Sleight		Salary*	Up to 6 January 2022	Part-Time	\$36,565	\$36,565
Chairperson - The Honourable Jeremy Curthoys		Salary*	From 7 January 2023	Part-Time	\$40,048	\$40,048
Deputy Chairperson	A	Sessional Payment*	Entire reporting period	Sessional	\$628	12,015
Deputy Chairperson	B	Sessional Payment*	Entire reporting period	Sessional	\$628	3,395
Member	A	Sessional Payment*	Entire reporting period	Sessional	\$504	9,726
Member	B	Sessional Payment*	Entire reporting period	Sessional	\$504	14,616
Member	C	Sessional Payment*	Entire reporting period	Sessional	\$504	18,798
Member	D	Sessional Payment*	Entire reporting period	Sessional	\$504	12,869
Member	E	Sessional Payment*	Entire reporting period	Sessional	\$504	4,032
Member Youth Justice Services	F	Nil	Up to October 2022	N/A	\$0	\$0
Member Youth Justice Services	G	Nil	From November 2022	N/A	\$0	\$0
Member of WA Police Force	H	Nil	Entire reporting period	N/A	\$0	\$0
Member of WA Police Force	I	Nil	Entire reporting period	N/A	\$0	\$0
Total						\$152,064

* 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⁺

Position title	Member name	Type of remuneration	Period of membership	Term of appointment / tenure ⁺	Fee for a full day	Fee for a part day
President	Mr Grantham Kitto	Consolidated Account	20/12/2022	31/12/2024	\$450	\$300
Member	Mr Grantham Kitto	Consolidated Account	10/02/2009	19/12/2022	\$300	\$200
President	Magistrate Patrick Hogan	Consolidated Account	12/09/2007	Resigned as President 12/9/2022	\$450	\$300
Member	Dr Lauren Megaw	Consolidated Account	20/08/2013	31/12/2024	\$300	\$200
Member	Ms Esther Wasch [#]	Consolidated Account	06/08/2019	31/12/2024	\$300	\$200
Member	Dr Kimberley Wilson	Consolidated Account	01/01/2002	31/12/2024	\$300	\$200
Member	Ms Fiona Margaret Hugo	Consolidated Account	01/01/2022	31/12/2024	\$300	\$200

⁺ 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.

[#] Public Sector worker – full time.

The Board was only administratively supported by the State Administrative Tribunal from 2009.

Acts Administered by the Department

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 2022

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 (Representative Proceedings) Act 2022

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 (Mental Impairment) Act 2023

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

Legal Aid Commission Act 1976

Legal Profession Uniform Law Application Act 2022

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

2023

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 which comprise:

- the Statement of Financial Position at 30 June 2023, and the Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year then ended
- Administered schedules comprising the Administered assets and liabilities at 30 June 2023 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 2023 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.augasb.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 the State's financial reporting framework (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 section of my report, the controls exercised by the Department of Justice are sufficiently adequate to provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with the State's financial reporting framework during the year ended 30 June 2023.

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 Engagement 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 2023. 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 2023.

The Director General's responsibilities for the key performance indicators

The Director General is responsible for the preparation and fair presentation of the key performance indicators in accordance with the *Financial Management Act 2006* and the Treasurer's Instructions and for such internal controls 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 management relating to the report on financial statements, 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 ASQM 1 *Quality Management for Firms that Perform Audits or Reviews of Financial Reports and Other Financial Information, or Other Assurance or Related Services Engagements*, the Office of the Auditor General maintains a comprehensive system of quality management 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 2023, but not the financial statements, key performance indicators and my auditor's report.

My opinions on the financial statements, controls and key performance indicators does 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

The auditor's report relates to the financial statements and key performance indicators of the Department of Justice for the year ended 30 June 2023 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

Sandra Labuschagne
Deputy Auditor General
Delegate of the Auditor General for Western Australia
Perth, Western Australia
13 September 2023

Certification of Financial Statements

For the reporting period ended 30 June 2023

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 2023 and the financial position as at 30 June 2023.

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

11 September 2023



Dr Adam Tomison
Accountable Authority

11 September 2023

Statement of comprehensive income

For the year ended 30 June 2023

	Notes	2023 (\$000)	2022 (\$000)
Cost of Services			
Expenses			
Employee benefits expenses	3.1(a)	902,839	828,826
Supplies and services	3.3	465,307	422,666
Depreciation and amortisation expense	5.1.1, 5.2, 5.3	83,064	79,267
Finance costs	7.3	44,749	34,299
National Redress Scheme	3.2(a)	31,568	509,893
Grants and subsidies	3.2(b)	214,972	235,440
Accommodation expenses	3.4	56,818	56,998
Prisoner gratuities	3.5	13,594	12,692
Cost of sales	4.3	15,658	15,342
Other expenditure	3.7	156,632	134,509
Total cost of services		1,985,201	2,329,932
Income			
User charges and fees	4.2	122,156	116,667
Sale of goods	4.3	17,021	16,134
Commonwealth grants	4.4	84,242	79,933
Other income	4.5	15,118	20,732
Total income		238,537	233,466
Gains			
Gain on revaluation	3.6	-	13,613
Total gains		-	13,613
Total income		238,537	247,079
Net cost of services		1,746,664	2,082,853
Income from State Government			
Service appropriation	4.1	1,603,806	1,553,351
Income from other public sector entities	4.1	54,693	45,928
Services received	4.1	29,664	24,415
Royalties for Regions Fund	4.1	10,455	9,835
Total income from State Government		1,698,618	1,633,529
Surplus/(deficit) for the period		(48,046)	(449,324)
Other comprehensive income			
Items not reclassified subsequently to profit or loss			
Changes in asset revaluation surplus	9.10	194,426	131,422
Total other comprehensive income		194,426	131,422
Total comprehensive income for the period		146,380	(317,902)

The Statement of comprehensive income should be read in conjunction with the accompanying notes.

Statement of financial position

For the year ended 30 June 2023

	Notes	2023 (\$000)	2022 (\$000)
Assets			
Current Assets			
Cash and cash equivalents	7.4.1	33,268	30,903
Restricted cash and cash equivalents	7.4.1	3,469	3,096
Inventories	4.3	5,075	5,814
Receivables	6.1	24,407	23,916
Amounts receivable for services	6.2	11,625	13,925
Other current assets	6.3	2,683	2,719
Biological assets	6.4	2,972	3,056
Total Current Assets		83,499	83,429
Non-Current Assets			
Restricted cash and cash equivalents	7.4.1	19,149	15,897
Amounts receivable for services	6.2	701,026	631,045
Infrastructure, property, plant and equipment	5.1	2,328,339	2,120,959
Intangible assets	5.2	6,310	7,265
Right-of-use assets	5.3	397,909	406,125
Total Non-Current Assets		3,452,733	3,181,291
Total assets		3,536,232	3,264,720
Liabilities			
Current Liabilities			
Payables	6.5	112,711	80,674
Lease liabilities	7.1	31,665	28,760
Employee related provisions	3.1(b)	182,287	172,171
National Redress Scheme provision	3.2(a), 6.6	75,200	44,100
Remediation provision	6.6	1,038	703
Total Current Liabilities		402,901	326,408
Non-Current Liabilities			
Lease liabilities	7.1	347,470	365,087
Employee related provisions	3.1(b)	33,028	34,140
National Redress Scheme provision	3.2(a), 6.6	390,800	428,500
Total Non-Current Liabilities		771,298	827,727
Total liabilities		1,174,199	1,154,135
Net assets		2,362,033	2,110,585
Equity			
Contributed equity	9.10	2,620,199	2,515,131
Revaluation reserves	9.10	325,848	131,422
Accumulated deficit	9.10	(584,014)	(535,968)
Total Equity		2,362,033	2,110,585

The Statement of financial position should be read in conjunction with the accompanying notes.

Statement of changes in equity

	Note	Contributed equity	Revaluation reserves	Accumulated surplus/(deficit)	Total equity
	9.10	(\$000)	(\$000)	(\$000)	(\$000)
Balance at 1 July 2021		2,421,017	-	(86,644)	2,334,373
Surplus/(deficit)		-	-	(449,324)	(449,324)
Other comprehensive income		-	131,422	-	131,422
Total comprehensive income for the period		-	131,422	(449,324)	(317,902)
Transactions with owners in their capacity as owners:					
Capital appropriations		96,185	-	-	96,185
Distributions to owners		(2,071)	-	-	(2,071)
Total		94,114	-	-	94,114
Balance at 30 June 2022		2,515,131	131,422	(535,968)	2,110,585
Balance at 1 July 2022		2,515,131	131,422	(535,968)	2,110,585
Surplus/(deficit)		-	-	(48,046)	(48,046)
Other comprehensive income		-	194,426	-	194,426
Total comprehensive income for the period		-	194,426	(48,046)	146,380
Transactions with owners in their capacity as owners:					
Capital appropriations		95,036	-	-	95,036
Special purpose account funding		2,936	-	-	2,936
Other contributions by owners		7,096	-	-	7,096
Total		105,068	-	-	105,068
Balance at 30 June 2023		2,620,199	325,848	(584,014)	2,362,033

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

Statement of cash flows

For the year ended 30 June 2023

	Notes	2023 (\$000)	2022 (\$000)
Cash flows from State Government			
Service appropriation		1,524,500	1,480,091
Funds from other public entries		54,693	45,928
Capital appropriations		97,972	96,185
Equity distributions		-	(1,663)
Holding account drawdown		11,625	11,625
Royalties for regions fund		12,825	9,835
Net cash provided by State Government		1,701,615	1,642,001
Utilised as follows:			
Cash flows from operating activities			
Payments			
Employee benefits		(867,976)	(829,080)
Supplies and services		(451,101)	(421,743)
Finance costs		(33,159)	(34,299)
Accommodation		(52,008)	(52,187)
National Redress Scheme		(49,757)	(37,293)
Grants and subsidies		(214,973)	(234,738)
GST payments on purchases		(76,130)	(72,119)
GST payments to taxation authority		(3,769)	(4,348)
Other payments		(155,453)	(129,375)
Receipts			
Sales of goods and services		1,660	2,887
User charges and fees		121,348	116,667
Commonwealth grants		79,431	75,122
GST receipts on sales		4,182	3,801
GST receipts from taxation authority		75,131	73,550
Other receipts		17,734	9,746
Net cash used in operating activities	7.4.2	(1,604,840)	(1,533,409)
Cash flows from investing activities			
Payments			
Purchase of non-current physical assets		(55,310)	(72,419)
Receipts			
Proceeds from sale of non-current physical assets		5	-
Net cash used in investing activities		(55,305)	(72,419)
Cashflows from financing activities			
Payments			
Principal elements of lease payments		(35,480)	(32,247)
Net cash used in financing activities		(35,480)	(32,247)
Net increase/(decrease) in cash and cash equivalents		5,990	3,927
Cash and cash equivalents at the beginning of the period		49,896	45,969
Cash and cash equivalents at the end of the period	7.4.1	55,886	49,896

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	
	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)
INCOME FROM ADMINISTERED ITEMS								
Income								
Judicial fines and penalties	36,474	35,195	-	-	-	-	36,474	35,195
Infringement penalties	8,324	8,819	-	-	-	-	8,324	8,819
Revenue for transfer - other Government agencies	-	-	20,184	18,073	-	-	20,184	18,073
Criminal property confiscations	-	-	28,488	27,882	-	-	28,488	27,882
Law Library Fund	-	-	-	-	600	600	600	600
Land acquisition	-	-	-	20,978	-	-	-	20,978
Other	19	9,698	-	-	297	650	316	10,348
Total administered income	44,817	53,712	48,672	66,933	897	1,250	94,386	121,895
Expenses								
Transfer payments ^(a)	44,798	44,014	-	-	-	-	44,798	44,014
Criminal property confiscations – grants	-	-	1,612	2,171	-	-	1,612	2,171
Criminal property confiscations - supplies and services	-	-	16,947	20,600	-	-	16,947	20,600
Law Library Fund payments	-	-	-	-	600	600	600	600
Payment to Road Trauma Trust Account	-	-	20,184	18,073	-	-	20,184	18,073
Land acquisition payments	-	-	-	29,370	-	-	-	29,370
Allowance for impairment of receivables - Fines Enforcement Registry	11,185	-	-	-	-	-	11,185	-
Other	15	55	-	-	269	414	284	469
Total administered expenses	55,998	44,069	38,743	70,214	869	1,014	95,610	115,297

^(a) Transfer payments represent the transfer of non-retainable regulatory fees to the Consolidated Account.

Administered assets and liabilities

	2023 (\$000)	2022 (\$000)
Current assets		
Cash and cash equivalents		
Departmental receipts in suspense	395	363
Restricted cash and cash equivalents		
Law Library	2	2
Confiscation Proceeds Account ^(a)	50,877	40,765
Receivables^(b)		
Fines Enforcement Registry	208,343	205,250
Less: Allowance for impairment of receivables	(89,937)	(75,659)
Total administered current assets	169,680	170,721
TOTAL ADMINISTERED ASSETS	169,680	170,721
Liabilities		
Accrued expenses – Bonus payment to Office of the Director of Public Prosecutions (ODPP)	4,947	4,765
Total administered current liabilities	4,947	4,765
TOTAL ADMINISTERED LIABILITIES	4,947	4,765

(a) This includes the amount set aside for ODPP bonus payment.

(b) 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 2023; and
- Magistrates Courts criminal fines, which are outstanding in each Court and have not been referred to the FER as at 30 June 2023.

Notes to the financial statements

1. Basis of preparation

The Department is a WA Government entity 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 11 September 2023.

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 on 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). The different measurement basis is disclosed in the associated note where this is the case. 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 that 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 the 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
- legislative drafting and related services

2.2 Schedule of income and expenses by service

For the year ended 30 June 2023

	Court and Tribunal Services		Trustee Services		Equal Opportunity Commission		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Service		National Redress Scheme	
	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)
Cost of Services												
<u>Expenses</u>												
Employee benefits expense	192,243	175,826	21,146	19,587	2,732	2,449	5,351	4,609	10,817	8,853	1,114	933
Supplies and services	123,919	111,660	3,769	3,147	362	501	1,181	1,252	1,109	1,479	238	107
Depreciation and amortisation expense	21,601	21,872	349	592	9	10	583	672	38	39	1	-
Finance costs	13,582	14,516	1	1	-	-	-	1	1	1	11,590	-
National Redress Scheme	-	-	-	-	-	-	-	-	-	-	31,568	509,893
Grants and subsidies	83,858	103,897	145	77	14	8	37	20	57	29	24	-
Accommodation expenses	33,708	32,815	2,552	2,128	-	309	1,768	1,703	1,426	1,260	29	37
Prisoner gratuities	-	-	-	-	-	-	-	-	-	-	-	-
Cost of Sales	-	1	-	-	-	-	-	-	-	-	-	-
Other expenditure	25,311	23,116	1,197	1,412	95	41	271	230	319	196	11	11
Loss on disposal	8	79	-	3	-	-	-	-	-	-	-	-
Total cost of services	494,230	483,782	29,159	26,947	3,212	3,318	9,191	8,487	13,767	11,857	44,575	510,981
<u>Income</u>												
User charges and fees	86,264	84,862	26,871	23,120	58	18	8,963	8,666	-	-	-	-
Sales	-	-	-	-	-	-	-	-	-	-	-	-
Commonwealth grants	21,351	20,049	-	-	45	1	-	-	-	-	-	-
Other Income	2,479	7,914	2,318	3,625	2	-	8	11	5	10	-	-
Gain on revaluation	-	-	-	-	-	-	-	-	-	-	-	-
Total income	110,094	112,825	29,189	26,745	105	19	8,971	8,677	5	10	-	-
Net Cost of Services	384,136	370,957	(30)	202	3,107	3,299	220	(190)	13,762	11,847	44,575	510,981
Income from State Government												
Service appropriations	350,277	344,812	548	810	3,394	3,142	572	1,563	14,769	12,504	-	-
Income from other public sector entities	3,782	3,376	-	-	-	44	-	-	-	-	50,916	38,750
Services received	27,750	21,634	-	-	152	211	-	-	-	-	-	-
Royalties for Regions Fund	1,625	14	-	-	-	-	-	-	-	-	-	-
Total income from State Government	383,434	369,836	548	810	3,546	3,397	572	1,563	14,769	12,504	50,916	38,750
Surplus/(Deficit) for the period	(702)	(1,121)	578	608	439	98	352	1,753	1,007	657	6,341	(472,231)

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

Notes to the financial statements

2.2 Schedule of income and expenses by service (cont)

	Legal Assistance		Services to Government		Adult Corrective Services		Youth Justice Services		Total	
	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)	2023 (\$'000)	2022 (\$'000)
Cost of Services										
<u>Expenses</u>										
Employee benefits expense	893	839	17,010	25,399	572,441	524,265	79,092	66,066	902,839	828,826
Supplies and services	17,371	62	5,509	1,851	286,859	281,720	24,990	20,887	465,307	422,666
Depreciation and amortisation expense	-	-	260	322	58,014	53,799	2,209	1,961	83,064	79,267
Finance costs	-	-	21	17	19,431	19,676	123	87	44,749	34,299
National Redress Scheme	-	-	-	-	-	-	-	-	31,568	509,893
Grants and subsidies	124,863	125,238	1,292	3,333	4,247	2,557	435	281	214,972	235,440
Accommodation expenses	381	383	2,411	3,943	10,917	10,768	3,626	3,652	56,818	56,998
Prisoner gratuities	-	-	-	-	13,448	12,517	146	175	13,594	12,692
Cost of Sales	-	-	-	-	15,603	15,276	55	65	15,658	15,342
Other expenditure	32	34	715	5,729	111,520	91,353	16,966	11,740	156,437	133,862
Loss on disposal	-	-	-	2	174	556	13	7	195	647
Total cost of services	143,540	126,556	27,218	40,596	1,092,654	1,012,487	127,655	104,921	1,985,201	2,329,932
<u>Income</u>										
User charges and fees	-	-	-	-	-	1	-	-	122,156	116,667
Sales	-	-	-	-	16,967	16,063	54	71	17,021	16,134
Commonwealth grants	61,316	58,838	-	-	1,463	993	67	52	84,242	79,933
Other Income	-	3	636	599	9,221	7,976	449	594	15,118	20,732
Gain on revaluation	-	-	-	268	-	10,009	-	3,336	-	13,613
Total income	61,316	58,841	636	867	27,651	35,042	570	4,053	238,537	247,079
Net Cost of Services	82,224	67,715	26,582	39,729	1,065,003	977,445	127,085	100,868	1,746,664	2,082,853
Income from State Government										
Service appropriations	81,347	66,593	26,347	53,120	1,013,944	973,131	112,608	97,676	1,603,806	1,553,351
Income from other public sector entities	-	-	(5)	3,132	-	398	-	230	54,693	45,928
Services received	-	-	-	2,570	1,762	-	-	-	29,664	24,415
Royalties for Regions Fund	-	-	2,265	1,846	182	2,523	6,383	5,452	10,455	9,835
Total income from State Government	81,347	66,593	28,607	60,668	1,015,888	976,052	118,891	103,358	1,698,618	1,633,529
Surplus/(Deficit) for the period	(877)	(1,122)	2,025	20,939	(49,115)	(1,394)	(8,094)	2,489	(48,046)	(449,324)

2.3 Schedule of assets and liabilities by service

As at 30 June 2023

	Court and Tribunal Services		Trustee Services		Equal Opportunity Commission		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Service	
	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)
Assets										
Current assets	55,110	61,799	1,544	382	18	29	138	145	109	330
Non-current assets	1,084,788	1,022,971	1,507	1,276	46	55	2,621	3,025	28	33
Total assets	1,139,898	1,084,769	3,051	1,658	64	84	2,759	3,170	137	363
Liabilities										
Current liabilities	104,540	77,120	4,789	3,048	569	378	966	545	2,334	1,193
Non-current liabilities	167,889	191,584	669	2,399	84	298	140	631	305	1,010
Total liabilities	272,429	268,704	5,458	5,448	653	676	1,106	1,176	2,639	2,203
NET ASSETS	867,469	816,065	(2,407)	(3,790)	(589)	(592)	1,653	1,993	(2,502)	(1,841)

	Services to Government		Adult Corrective Services		Youth Justice Services		National Redress Scheme		Total	
	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)	2023 (\$000)	2022 (\$000)
Assets										
Current assets	-	-	23,926	18,683	2,654	2,062	-	-	83,499	83,429
Non-current assets	32	51	2,112,563	1,918,076	251,148	235,805	-	-	3,452,733	3,181,291
Total assets	32	51	2,136,489	1,936,759	253,802	237,867	-	-	3,536,232	3,264,720
Liabilities										
Current liabilities	1,590	918	179,183	175,026	33,730	24,079	75,200	44,100	402,901	326,408
Non-current liabilities	280	938	187,590	179,012	23,541	23,354	390,800	428,500	771,298	827,727
Total liabilities	1,870	1,856	366,773	354,038	57,271	47,433	466,000	472,600	1,174,199	1,154,135
NET ASSETS	(1,838)	(1,806)	1,769,716	1,582,721	196,531	190,434	(466,000)	(472,600)	2,362,033	2,110,585

The service for Legal Assistance does not have assets and liabilities.

The Schedule of Assets and Liabilities by 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 relevant accounting policies 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 (NRS)	3.2 (a)
Grants and subsidies	3.2 (b)
Supplies and services	3.3
Accommodation expenses	3.4
Prisoner gratuities	3.5
Loss/(Gain) on revaluation	3.6
Other expenditure	3.7
Cost of sales	4.3

3.1(a) Employee benefits expenses

	2023 (\$000)	2022 (\$000)
Employee benefits	822,544	753,978
Termination benefits	373	3,287
Superannuation - defined contribution plans	79,922	71,561
Total employee benefits expenses	902,839	828,826
Add: AASB 16 Non-monetary benefits (not included in employee benefits expenses)	18,725	16,611
Less: Employee Contributions (per the statement of comprehensive income)	2,273	2,398
Net employee benefits	919,291	843,039

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 the 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 the 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 comprising 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 the Department has provided. This includes both AASB 16 and non-AASB 16 employee contributions.

3.1(b) Employee related provisions

	2023 (\$000)	2022 (\$000)
Current		
<u>Employee benefits provisions</u>		
Annual leave	66,817	64,819
Long service leave	100,871	93,703
Deferred Salary Scheme	1,953	1,612
	169,641	160,134
<u>Other provisions</u>		
Employment on-costs	12,646	12,037
Total current employee related provisions	182,287	172,171
Non-current		
<u>Employee benefits provisions</u>		
Long service leave	30,744	31,788
<u>Other provisions</u>		
Employment on-costs	2,284	2,352
Total non-current employee related provisions	33,028	34,140
Total employee related provisions	215,315	206,311

Provision is made for benefits accruing to employees regarding 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:

	2023 (\$000)	2022 (\$000)
Within 12 months of the end of the reporting period	43,382	41,719
More than 12 months after the end of the reporting period	23,435	23,100
	66,817	64,819

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

Long service leave liabilities are unconditional long service leave provisions 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:

	2023 (\$000)	2022 (\$000)
Within 12 months of the end of the reporting period	34,139	33,529
More than 12 months after the end of the reporting period	97,476	91,962
	131,615	125,491

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:

	2023 (\$000)	2022 (\$000)
Within 12 months of the end of the reporting period	1,072	704
More than 12 months after the end of the reporting period	881	908
	1,953	1,612

The provision for deferred leave relates to employees who have entered into an agreement to self-fund an additional twelve months of 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, giving 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 the 'Employment on-costs provision'.

	2023 (\$000)	2022 (\$000)
Employment on-costs provision		
Carrying amount at start of period	14,389	9,595
Additional provisions recognised	541	4,794
Carrying amount at end of period	14,930	14,389

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 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 National Redress Scheme (The Scheme) operation 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 adjustments to provisions made for future claims are below:

	2023 (\$000)	2022 (\$000)
National Redress Scheme – payments during the year ^(a)	49,758	37,293
National Redress Scheme – adjustments to the provision ^(b)	31,568	472,600

(a) The National Redress Scheme (NRS) payments are in response to the Royal Commission. See note 4.1(c) 'Income from State Government'.

(b) The provision 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 2023. See note 6.6.1 Movement in Provisions.

3.2(b) Grants and subsidies

	2023 (\$000)	2022 (\$000)
Recurrent		
Legal assistance ^(a)	124,851	125,230
Criminal injuries compensation payments ^(b)	75,683	97,574
Accused costs payments ^(c)	6,962	5,647
Ex gratia payments ^(d)	-	216
Act of grace payments ^(d)	1	4
Other grants and subsidies	7,475	6,769
Total grants and subsidies	214,972	235,440

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 or have conditions attached regarding their use.

Grants and other transfers to third parties (other than contributions 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 the 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 \$1,000. In contrast, with the 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 the Executive Council and Cabinet (if necessary). Ex gratia payments made totalled \$nil (2022: \$216,059).

3.3 Supplies and services

	2023 (\$000)	2022 (\$000)
Supplies and services		
Communication expenses	6,367	6,382
Electricity gas and water	18,481	18,537
Municipal rates and charges	3,913	4,318
Goods and supplies purchased	56,047	53,619
Livestock purchases	8,050	7,989
Plant equipment and vehicle operating expenses	236	447
Computer services and licences	40,486	39,649
Private prison service & maintenance	84,563	82,790
Court security and custodial service	67,267	62,454
Service purchased from NFP	59,346	38,964
Other services and contracts	120,551	107,517
Total supplies and services expenses	465,307	422,666

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

	2023 (\$000)	2022 (\$000)
Accommodation expenses		
Office rental	56,818	56,998
Total accommodation expenses	56,818	56,998

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

	2023 (\$000)	2022 (\$000)
Prisoner gratuities		
Payments to prisoners	13,594	12,692
Total payment to prisoners	13,594	12,692

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 Gain on revaluation

	2023 (\$000)	2022 (\$000)
Buildings	-	(268)
Land	-	(13,345)
Total gain on revaluation	-	(13,613)

Please see note 5.1(b) 'Property, plant and equipment' for the current year gain on revaluation.

3.7 Other expenditure

	2023 (\$000)	2022 (\$000)
Other expenses		
Insurance	73,977	61,383
Building repairs and maintenance ^(a) ^(b)	33,243	28,929
Travel and accommodation	10,450	8,344
Staff accommodation	6,839	6,619
Plant equipment and vehicle repairs and maintenance ^(a)	13,048	5,092
Freight and couriers	2,832	2,583
Vehicle hire fuel registration and management fees	3,579	2,734
Staff clothing and uniforms	1,899	1,591
Jurors' expense	2,280	2,058
Printing	1,403	1,364
Staff training	1,853	1,405
Miscellaneous staff costs	1,020	918
Employment on-costs ^(d)	541	4,794
Expected credit losses expense ^(c)	105	2,057
Other expenses ^(e)	3,368	3,992
Loss on disposal of non-current assets ^(f)	195	646
Total other expenses	156,632	134,509

(a) **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.

(b) Estimated costs of remediation provision at the Karnet Prison Farm are also included here. Please see note 6.6 'Other provision.'

(c) **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'.

(d) **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.

(e) **Other expenses** generally represent the day-to-day running costs incurred in normal operations.

(f) **Losses on the disposal of non-current assets** are presented by deducting from the proceeds on disposal the asset's carrying amount and related selling expenses. Gains and losses are recognised in profit or loss in the statement of comprehensive income.

	2023 (\$000)	2022 (\$000)
<u>Net proceeds from disposal of non-current assets</u>		
Plant, equipment and motor vehicles	(5)	-
Carrying amount of non-current assets disposed		
<u>Plant, equipment and motor vehicles</u>	<u>200</u>	<u>646</u>
Net gain on sale of non-current assets	195	646

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

	2023 (\$000)	2022 (\$000)
Appropriation received during the period:		
- Service appropriation ^(a)	1,603,806	1,553,351
Total service appropriation received	1,603,806	1,553,351
Income received from other public sector entities during the period ^(b)		
- National Redress Scheme ^(c)	50,916	38,750
- Legal services - State Solicitor's Office	(5)	1,337
- Recoup of costs - Building Disputes Tribunal ^(d)	2,199	1,709
- Residential tenancies reimbursements ^(e)	1,583	1,668
- Other income received from other public sector entities	-	2,464
Total income from other public sector entities	54,693	45,928
Resources received from other public sector entities during the period - Services received free of charge ^(f)		
- Western Australia Police - Court security and custodial services	21,536	16,712
- Department of Finance - Accommodation	2,545	3,705
- North Metropolitan Health Services - Dental treatment to prisoners	1,762	1,920
- Western Australian Land Information Authority (Landgate) – Valuation	337	387
- State Solicitor's Office (1st October 2021 – 30th June 2022)	3,330	1,689
- Department of Education - Road safety and drug prevention education	2	2
- Equal Opportunity Commission	152	-
Total services received	29,664	24,415
Royalties for Regions Fund:		
- Regional infrastructure and headworks account ^(g)	10,455	9,835
Total Royalties for Regions Fund	10,455	9,835
Total Income from the State Government	1,698,618	1,633,529

(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.

(e) **Residential tenancies reimbursements** revenue is recognised on an accrue basis. 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

	2023 Budget Estimate (\$000)	2023 Supplementary Funding (\$000)	2023 Revised Budget (\$000)	2023 Actual (\$000)	2023 Variance (\$000)
<u>Delivery of Services</u>					
Item 64 Net amount appropriated to deliver services	1,381,694	73,704	1,455,398	1,455,398	-
Amount Authorised by Other Statues					-
- <i>Criminal Injuries Compensation Act 2003</i>	41,738	33,262	75,000	75,000	-
- <i>Salaries and Allowances Act 1975</i>	35,699	781	36,480	36,480	-
- <i>District Court of Western Australia Act 1969</i>	15,673	1,133	16,806	16,806	-
- <i>Judges' Salaries and Pensions Act 1950</i>	12,700	(225)	12,475	12,475	-
- <i>State Administrative Tribunal Act 2004</i>	6,689	544	7,233	7,233	-
- <i>Children's Court of Western Australia Act 1988</i>	407	7	414	414	-
Total appropriations provided to deliver services	1,494,600	109,206	1,603,806	1,603,806	-
<u>Capital</u>					
Item 133 Capital appropriations	92,871	2,165	95,036	95,036	-
GRAND TOTAL	1,587,471	111,371	1,698,842	1,698,842	-

4.2 User charges and fees

	2023 (\$000)	2022 (\$000)
Court fees	86,177	84,801
Public Trustee fees	26,872	23,120
Births deaths and marriages fees	8,952	8,652
Miscellaneous fees and charges	155	94
	122,156	116,667

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:

- Revenue is recognised at a point-in-time. The majority of the Department's court fees comprise of; fines enforcement fee \$49,136,964 (2022: \$49,402,071). The performance obligations for these fees and charges are satisfied when the application is submitted to the court or when the fine is paid.
- 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 client's 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 Department retains the proceeds from services. Items covered by the agreement include Commonwealth recoups, court fees, births deaths and marriage registration fee, proceeds from Public Trustee fees, Public Trustee common fund interest revenues, legal services, workers compensation recoups and other miscellaneous revenues.

4.3 Sale of goods

	2023 (\$000)	2022 (\$000)
Sales of goods	17,021	16,134
Cost of Sales:		
Opening Inventory	(1,347)	(1,438)
Purchases	(15,777)	(15,251)
	(17,124)	(16,689)
Closing Inventory	1,466	1,347
Cost of Goods Sold	(15,658)	(15,342)
Gross profit	1,363	792
Closing Inventory comprises:		
Current Inventories		
Finished goods		
Held for trading	1,466	1,347
Held for consumption	3,609	4,467
Total current inventories	5,075	5,814
Total Inventories	5,075	5,814

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.

4.4 Commonwealth grants

	2023 (\$000)	2022 (\$000)
National Legal Assistance Partnership (NLAP) ^(a)	61,652	59,524
Commonwealth recoup for Family Court and court fees	16,510	15,095
Commonwealth accommodation for Family Court (non-cash contribution)	4,811	4,811
Commonwealth recoup for Christmas and Cocos Island	419	503
Other Commonwealth grants	850	-
Total Commonwealth grants	84,242	79,933

(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)

	2023 (\$000)	2022 (\$000)
Opening balance at start of period	170	284
Receipts		
Commonwealth reimbursements	531	394
Total receipts	531	394
Payments		
Operating costs	546	508
Total payments	546	508
Closing balance at end of period	155	170

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.

4.5 Other income

	2023 (\$000)	2022 (\$000)
Employee contributions ^(a)		
- Staff Rental GROH Recoups	2,050	2,143
- Vehicle contribution	223	255
	2,273	2,398
Public Trustee - common fund surplus ^(b)	1,800	3,604
Recoup of prisoner telephone expenditure	2,455	2,413
Sale of goods and services	1,648	2,171
Criminal injuries payment recoveries ^(c)	3,375	7,023
Australian Capital Territory Law Courts (ACT) Law Courts & Tribunal Integrated Case Management System (ICMS) Project ^(d)	-	409
Recoup legal and other costs	1,297	85
Recoup law library costs	600	600
Recoup of salaries	276	163
Other miscellaneous revenue ^(e)	1,394	1,866
Total other income	15,118	20,732

^(a) **Employee contributions** - 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.

^(e) **Other miscellaneous revenue** - these represents annual recoups in relation to prior period items and other items.

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
Intangible assets	5.2
Right-of-use assets	5.3

5.1 Infrastructure, property, plant and equipment

Year ended 30 June 2023	Land	Buildings	Leasehold improvements	Plant, equipment and vehicles	Work in Progress	Total
	\$000	\$000	\$000	\$000	\$000	\$000
1 July 2022						
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)
Carrying amount at start of period	185,829	1,794,376	12,271	38,863	89,620	2,120,959
Additions	373	5,129	15	4,759	55,346	65,622
Transfers	-	78,383	742	2,548	(81,673)	-
Disposals ^(a)	(373)	-	-	(219)	-	(592)
Revaluation increment/(decrement) ^(b)	17,517	176,910	-	-	-	194,427
Depreciation	-	(41,586)	(2,886)	(7,605)	-	(52,077)
Carrying amount at 30 June 2023	203,346	2,013,212	10,142	38,346	63,293	2,328,339
Gross carrying amount ^(c)	203,346	2,013,212	75,332	112,096	63,293	2,467,279
Accumulated depreciation ^(c)	-	-	(65,190)	(73,750)	-	(138,940)

- (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 the owner.
- (b) Financial year (FY)2023 resulted in a land revaluation increment of \$17,516,800 compared to FY2022 of \$19,709,750. FY2023. Building revaluation resulted in a \$176,909,848 increment compared to FY2022 \$125,325,704. The Valuer General's Office (VGO) considered the damage caused to the buildings as a result of Banksia Hill and Acacia fires and loss of control events, and VGO adjusted the fair values as at the balance sheet date accordingly.
- (c) The gross carrying amount and accumulated depreciation as at 30 June 2023 includes an addition of \$19.2 million of fully depreciated leasehold improvements on workcamps, incorporated into the fixed asset register of the Department, following the asset verification process.

Year ended 30 June 2022	Land	Buildings	Leasehold improvements	Plant, equipment and vehicles	Work in Progress	Total
	\$000	\$000	\$000	\$000	\$000	\$000
1 July 2021						
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)
Carrying amount at start of period	166,119	1,685,465	15,999	45,232	43,264	1,956,079
Additions	-	1,051	126	2,015	67,667	70,859
Transfers ^(a)	-	20,343	198	770	(21,311)	-
Disposals	-	(130)	(93)	(772)	-	(995)
Revaluation increment/(decrement) ^(b)	19,710	125,326	-	-	-	145,036
Depreciation	-	(37,679)	(3,959)	(8,382)	-	(50,020)
Carrying amount at 30 June 2022	185,829	1,794,376	12,271	38,863	89,620	2,120,959
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 the 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 the 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.

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 the 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 2022 by Landgate. The valuations were performed during the year ended 30 June 2022 and recognised at 30 June 2023. In undertaking the revaluation, fair value was determined by reference to market values for land: \$9,840,300 (2022: \$9,814,600) and buildings: \$1,140,000 (2022: \$1,118,700). 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

	2023 (\$000)	2022 (\$000)
<u>Depreciation</u>		
Buildings (Depreciation)	41,586	37,679
Plant equipment and vehicles (Depreciation)	7,605	8,382
Leasehold improvement (Depreciation)	2,886	3,959
Total depreciation for the period	52,077	50,020

As at 30 June 2023, there were no indications of impairment to property, plant and equipment infrastructure. All surplus assets at 30 June 2023 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 2023	Computer Software (\$000)	Software under development (\$000)	Total (\$000)
1 July 2022			
Gross carrying amount	82,823	1,162	83,985
Accumulated amortisation	(76,720)	-	(76,720)
Carrying amount at start of period	6,103	1,162	7,265
Additions	14	1,039	1,053
Transfers	1,264	(1,264)	-
Amortisation expense	(2,008)	-	(2,008)
Carrying amount at 30 June 2023	5,373	937	6,310

Year ended 30 June 2022	Computer Software (\$000)	Software under development (\$000)	Total (\$000)
1 July 2021			
Gross carrying amount	83,098	1,563	84,661
Accumulated amortisation	(76,991)	-	(76,991)
Carrying amount at start of period	6,107	1,563	7,670
Additions	-	2,403	2,403
Transfers	2,804	(2,804)	-
Software Reclassification ^(a)	(764)	-	(764)
Amortisation expense	(2,044)	-	(2,044)
Carrying amount at 30 June 2022	6,103	1,162	7,265

(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:
 - a. 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.
 - b. 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:

- (a) the technical feasibility of completing the intangible asset so that it will be available for use or sale;
- (b) an intention to complete the intangible asset, and use or sell it;
- (c) the ability to use or sell the intangible asset;
- (d) the intangible asset will generate probable future economic benefit;
- (e) the availability of adequate technical, financial, and other resources to complete the development and to use or sell the intangible asset; and
- (f) 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

	2023 (\$000)	2022 (\$000)
Charge for the period		
Computer software	2,008	2,044
Total amortisation for the period	2,008	2,044

As at 30 June 2023 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 2023	Buildings	Employee housing	Plant and equipment	Vehicles	Total
	\$000	\$000	\$000	\$000	\$000
1 July 2022					
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)
Carrying amount at start of period	382,734	11,489	3,531	8,371	406,125
Additions	587	19,897	440	5,230	26,155
Disposals	-	(5,094)	(260)	(37)	(5,392)
Depreciation	(9,569)	(13,547)	(1,616)	(4,247)	(28,979)
Carrying amount at 30 June 2023	373,752	12,745	2,095	9,317	397,909
Gross carrying amount	411,001	25,266	7,579	19,676	463,522
Accumulated depreciation	(37,249)	(12,521)	(5,484)	(10,359)	(65,613)

Year ended 30 June 2022	Buildings	Employee housing	Plant and equipment	Vehicles	Total
	\$000	\$000	\$000	\$000	\$000
1 July 2021					
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)
Carrying amount at start of period	391,481	10,964	4,289	8,939	415,673
Additions	822	16,720	810	3,897	22,249
Disposals	-	(4,228)	-	(367)	(4,594)
Depreciation	(9,569)	(11,967)	(1,568)	(4,099)	(27,203)
Carrying amount at 30 June 2022	382,734	11,489	3,531	8,371	406,125
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)

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 on 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 the lease liability.

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 the 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:

	2023 (\$000)	2022 (\$000)
Depreciation expense of ROU Assets	28,979	27,203
Lease interest expense	33,159	34,299
Short-term leases	2,027	1,977
Low-value leases	320	307
Total amount recognised in the statement of comprehensive income	64,485	63,786

The total cash outflow for leases in 2023 was \$68,307,698 (2022: \$64,468,437). As at 30 June 2023 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 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'.

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
Other provisions	6.6

6.1 Receivables

	2023 (\$000)	2022 (\$000)
Current		
Trade receivables	4,030	7,255
Allowance for impairment of receivables	(82)	(65)
Accrued revenue	2,801	1,218
GST receivable	9,354	8,768
	16,103	17,176
Other receivables	10,311	8,732
Allowance for impairment of other receivables	(2,007)	(1,992)
	8,304	6,740
Total receivables	24,407	23,916

Trade receivables are initially recognised at their transaction price or, at fair value for those receivables that contain a significant financing component. The Department holds the receivables with the objective of collecting 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 is 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 trade 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.

6.1.1 Movement in the allowance for impairment of trade receivables

	2023 (\$000)	2022 (\$000)
Reconciliation of changes in the allowance for impairment of trade receivables:		
Opening balance	2,057	55
Expected credit losses expense	105	2,057
Amounts written off during the period	(73)	(55)
Allowance for Impairment at end of period	2,089	2,057

The maximum exposure to credit risk at the end of the reporting period for trade receivables is the carrying amount of the asset inclusive of any allowance for impairment as shown in the table at Note 8.1(c) 'Financial instruments disclosure'. The Department does not hold any collateral as security or other credit enhancements for trade receivables.

6.2 Amounts receivable for services

	2023 (\$000)	2022 (\$000)
Current	11,625	13,925
Non-current	701,026	631,045
Total amounts receivable for services at end of period	712,651	644,970

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

	2023 (\$000)	2022 (\$000)
Prepayments	2,683	2,719
Total other assets at end of period	2,683	2,719

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

	2023 (\$000)	2022 (\$000)
Biological assets	2,972	3,056
Total Biological assets at end of period	2,972	3,056

Reconciliation of the fair value of biological assets at the beginning and end of the reporting period is set out below.

	2023 (\$000)	2022 (\$000)
Carrying amount at start of period	3,056	3,143
Change in valuation of livestock, orchards and plantations	(84)	(87)
Carrying amount at end of period	2,972	3,056

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

	2023 (\$000)	2022 (\$000)
<u>Current</u>		
Trade payables	25,484	17,758
Prisoner gratuities	1,775	1,828
Accrued salaries	44,563	18,161
Accrued expenses	40,889	42,927
Total payables at end of period	112,711	80,674

Payables are recognised as 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

	2023 (\$000)	2022 (\$000)
<u>Current</u>		
National Redress Scheme	75,200	44,100
Remediation provisions	1,038	703
<u>Non-current</u>		
National Redress Scheme	390,800	428,500
Total other provisions at end of period	467,038	473,303

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 Parliament passed the Act 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 provision represents the total monetary payment that is offered to survivors under the scheme that has not been accepted at the reporting date.

Remediation provisions - Karnet Prison Farm

The contaminated site is classified as remediation required. The old tip site has undergone a 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 the Department of Water and Environmental Regulation (DWER) and Department of Health (DOH) for review and is currently waiting for their approval. The consultant has provided an estimated cost of \$1,038,373 to remedy the site if the plan is approved. This is expected to be resolved in the financial year 2023-24.

6.6.1 Movement in provisions

	2023 (\$000)	2022 (\$000)
<u>National Redress Scheme</u>		
Carrying amount at start of period	472,600	-
Additional provisions recognised	31,568	472,600
Unwinding of discount	11,590	-
Amounts used during the year	(49,758)	-
Carrying amount at end of period	466,000	472,600
<u>Remediation provisions</u>		
Carrying amount at start of period	703	-
Additional provisions recognised	335	703
Carrying amount at end of period	1,038	703

National Redress Scheme

Of the \$466 million provision, \$75.2 million relates to current liabilities (where payments are expected to be made over the next 12 months to 30 June 2024), and \$390.8 million relates to non-current liabilities. This includes both notified eligible applications which have not yet been paid by the WA Government and incurred but not yet reported (IBNR) applications. The incurred but not yet reported applications refer to applications where the abuse has already occurred (prior to 1 July 2018) but has not yet been reported to the NRS. This additional breakdown is shown in the table 1 below.

Table 1 - Provision as at 30 June 2023 (by notified and IBNR applications)

	2023 (\$000)	2022 (\$000)
IBNR applications	379,900	400,000
Notified but not yet determined applications	60,100	45,500
Notified, eligible, but offer not yet accepted	11,000	6,200
Offer accepted and paid by the Commonwealth Scheme but not by WA Government	4,900	8,700
CPC payment in March 2023 quarter to be paid into the Trust	500	-
Internal administration expense	9,600	12,200
Total provision as at 30 June	466,000	472,600

As shown in the table above, the vast majority of the provision relates to IBNR applications that is, applications for which the abuse has occurred prior to 1 July 2018 but has not yet been reported to the NRS.

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

	2023 (\$000)	2022 (\$000)
Current	31,665	28,760
Non-current	347,470	365,087
	379,135	393,847

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.

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. These leasing arrangements impose no restrictions 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

	2023 (\$000)	2022 (\$000)
Assets pledged as security		
The carrying amounts of non-current assets pledged as security are:		
Right-of-use Assets	373,752	382,734
Total assets pledged as security	373,752	382,734

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

	2023 (\$000)	2022 (\$000)
Finance costs		
Lease interest expense	33,159	34,299
National Redress Scheme – unwinding of the discount (refer to note 6.6.1)	11,590	-
Total finance costs expensed	44,749	34,299

7.4 Cash and cash equivalents

7.4.1 Reconciliation of cash

	2023 (\$000)	2022 (\$000)
Cash and cash equivalents	33,268	30,903
Restricted cash and cash equivalents	22,618	18,993
Total cash and cash equivalents at the end of period	55,886	49,896
Restricted cash and cash equivalents	2023 (\$000)	2022 (\$000)
Current		
Unclaimed Monies ^(a)	1,397	2,806
Counselling and psychological care - NRS ^(b)	463	-
Royalties for Regions Fund ^(c)	1,609	290
Total Current	3,469	3,096
Non-current		
Accrued salaries suspense account ^(d)	19,149	15,897
Total Non-current	19,149	15,897

- (a) Represents stale and un-presented cheques; rejected EFT payments and monies held in suspense as the owners/recipients cannot be located.
(b) For counselling and psychological care services granted by the National Redress Scheme, pending the creation of a trust.
(c) Refer note 4.1(g) 'Income from State Government'.
(d) 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 an insignificant risk of changes in value.

The accrued salaries suspense account consists of amounts paid annually from the Department's appropriation for salaries expense, into a Treasury suspense account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.

7.4.2 Reconciliation of net cost of services to net cash flows used in operating activities

	Notes	2023 (\$000)	2022 (\$000)
Net cost of services		(1,746,664)	(2,082,853)
Non-cash items			
Depreciation and amortisation expense	5.1.1, 5.2.1, 5.3	83,064	79,266
Resources received free of charge	4.1, 4.4	34,474	29,226
Loss on disposal of property, plant and equipment	3.7	195	646
Gains on revaluation of land and building	3.6	-	(13,613)
Canteen Sales	4.3	(17,021)	(16,134)
Telephone Recoups	4.5	(2,455)	(2,413)
Prisoner Gratuities	4.3	17,021	16,134
Adjustment for other non-cash items		(2,354)	6,417
(Increase)/ decrease in assets			
Receivables ^(a)		95	(6,128)
Other assets		37	4,395
Inventories		739	(42)
Increase/ (decrease) in liabilities			
Payables ^(a)		25,876	(9,693)
Employee related provisions		9,003	(11,920)
Other provisions	3.2(a), 6.6	(6,264)	473,303
Net GST receipts/(payments) ^(b)		71,362	69,201
Change GST in receivables/payables ^(c)		(71,948)	(69,201)
Net cash used in operating activities		(1,604,840)	(1,533,409)

- (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

	2023 (\$000)	2022 (\$000)
Capital expenditure commitments, being contracted capital expenditure additional to the amounts reported in the financial statements, are payable as follows:		
Within 1 year	17,234	27,429
Later than 1 year and not later than 5 years	-	6
	17,234	27,435

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 measurement	8.3

8.1 Financial risk management

Financial instruments held by the Department are cash and cash equivalents, restricted cash and cash equivalents, receivables, payables, Western Australian Treasury Corporation (WATC)/bank borrowings, finance leases, and Treasurer's advances. 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). The Department trades only with recognised, creditworthy third parties for receivables other than the Government. The Department has policies 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 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.

(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:

	2023 (\$000)	2022 (\$000)
Financial Assets		
Cash and cash equivalents	33,268	30,903
Restricted cash and cash equivalents	22,618	18,993
Financial assets at amortised cost ^(a)	727,704	660,118
Total financial assets	783,590	710,014
Financial liabilities		
Financial liabilities at amortised cost ^(b)	489,119	474,521
Total financial liabilities	489,119	474,521

(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)
30 June 2023						
Expected credit loss rate		20.85%	15.63%	19.03%	21.73%	18.80%
Estimated total gross carrying amount at default	10,285	7,812	270	155	142	1,906
Expected credit losses	(2,089)	(1,629)	(42)	(29)	(31)	(358)
30 June 2022						
Expected credit loss rate		26.41%	14.06%	16.38%	19.28%	18.64%
Estimated total gross carrying amount at default	8,637	5,911	245	109	255	2,117
Expected credit losses	(2,057)	(1,561)	(34)	(18)	(49)	(395)

(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	Interest rate exposure				Nominal amount	Maturity dates						
		Carrying amount	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)	(\$000)	(\$000)
2023													
<u>Financial Assets</u>													
Cash and cash equivalents		33,268	-	-	33,268	33,268	-	-	-	-	-	-	-
Restricted cash and cash equivalents		22,618	-	-	22,618	22,618	-	-	-	-	-	-	19,149
Receivables ^(a)		15,053	-	-	15,053	15,053	-	-	-	-	-	-	-
Amounts receivable for services		712,651	-	-	712,651	712,651	448	2,894	8,283	46,500	654,526		
		783,590	-	-	783,590	783,590	52,238	2,894	8,283	46,500	673,675		
<u>Financial Liabilities</u>													
Payables		109,984	-	-	109,984	109,984	109,984	-	-	-	-	-	-
Lease liabilities ^(b)	8.62%	379,135	379,135	-	-	658,308	5,947	11,216	46,298	200,036	394,811		
		489,119	379,135	-	109,984	768,292	115,931	11,216	46,298	200,036	394,811		

(a) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).

(b) The amount of lease liabilities includes \$354,665,310 from leased buildings and \$9,398,088 from leased vehicles.

(d) Liquidity risk and interest rate exposure (continued)

	Weighted average effective interest rate	Interest rate exposure				Nominal amount	Maturity dates						
		Carrying amount	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)	(\$000)	(\$000)
2022													
<u>Financial Assets</u>													
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 ^(a)		15,148	-	-	15,148	15,148	15,148	-	-	-	-	-	-
Amounts receivable for services		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		
<u>Financial Liabilities</u>													
Payables		80,674	-	-	80,674	80,674	80,674	-	-	-	-	-	-
Lease liabilities ^(b)	8.5%	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 \$383,943,067 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:

	2023 (\$000)	2022 (\$000)
Claims against the general public and offenders by the Department of Justice and Attorney General	850	1,918
	<u>850</u>	<u>1,918</u>

8.2.2 Contingent liabilities

The following contingent liabilities are excluded from the liabilities included in the financial statements:

	2023 (\$000)	2022 (\$000)
Litigation in progress		
Claims against the Department of Justice and Attorney General by the general public and offenders	950	12,532
Criminal injuries compensation court appeals ^(a)	1,850	1,275
	<u>2,800</u>	<u>13,807</u>

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 2023 is 6,786 (2022: 4,454). A more comprehensive annual report on the Office of Criminal Injuries Compensation operations 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.

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 the bores. There has been no further evidence that nitrogen and phosphorus are rising. The Department engaged an external contractor who reported to DWER and DOH on the Department's behalf annually to ensure no further contamination is present.

Albany Regional Prison

Wastewater possible contamination is still being sought on the exact location of the old bores before testing can be considered.

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 (\$466 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.

Legal Claims

The Department is defending a class action brought by Levitt Robinson in the Federal Court of Australia. The claim is in relation to the *Fines, Penalties, and Infringement Notices Enforcement Act 1994* (FPINE) and concerns the death in custody of a young aboriginal woman who was detained by Police due to unpaid fines. The State Solicitor's Office and Norton Rose Fulbright have been engaged to represent the State of Western Australia. The Department is partially responsible for the defence legal fees and is expecting to recoup a portion of the costs under insurance. Other implications to the Financial Statements and a time for resolution could not be estimated.

The Department is defending a class action brought by Levitt Robinson in the Federal Court of Australia relating to detention centres dating back to 1997. The State Solicitor's Office and Norton Rose Fulbright have been engaged to represent the State of Western Australia. The Department is responsible for the defence legal fees and is expecting to recoup a portion of the costs under insurance. The potential impact on the Department's operations and the Financial Statements is unknown.

The Department is defending a class action brought by Levitt Robinson in the Federal Court of Australia relating to the detention of young offenders in the Casuarina Prison Unit 18. The State Solicitor's Office and Norton Rose Fulbright have been engaged to represent the Department. The Department is responsible for the defence legal fees and is expecting to recoup a portion of the costs under insurance. The potential impact on the Department's operations and the Financial Statements is unknown.

The Department is defending two Federal Court actions (injunctions) relating to the management of young people in detention centres (Banksia Hill Detention Centre and Casuarina Prison Unit 18). The claim was brought by Levitt Robinson. The State Solicitor's Office and Norton Rose Fulbright have been engaged to represent the Department. The potential impact on the Department's operations and the Financial Statements is unknown.

8.3 Fair value measurement

Assets measured at fair value: 2023	Level 1 (\$000)	Level 2 (\$000)	Level 3 (\$000)	Fair value at end of period (\$000)
Land (Note 5.1)	-	9,840	193,506	203,346
Buildings (Note 5.1)	-	1,140	2,012,072	2,013,212
	-	10,980	2,205,578	2,216,558

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

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)
2023		
Fair Value at the start of the period	176,014	1,793,258
Additions	1,131	5,128
Revaluation increments/(decrements) recognised in Other Comprehensive Income	16,361	176,864
Transfers from WIP	-	78,383
Depreciation expense	-	(41,561)
Fair Value at end of period	193,506	2,012,072
Total gains or losses for the period included in profit or loss	-	-
2022		
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
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

Valuation processes

There were no changes in valuation techniques during the period.

Transfers in and out of a fair value level are recognised on the date of the event or change in circumstances that caused the transfer. Transfers are generally limited to assets newly classified as non-current assets held for sale as the 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 are selected by Landgate and represent 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 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 Future impact of Australian Accounting Standards not yet operative

The Agency 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 Agency plans to apply the following Australian Accounting Standards from their application date.

Operative for
reporting periods
beginning on/after

Operative for reporting periods beginning on/after 1 Jan 2023

<i>AASB 2021-2</i>	<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 Jan 2023
<i>AASB 2021-6</i>	<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. There is no financial impact.	1 Jan 2023
<i>AASB 2022-7</i>	<i>Editorial Corrections to Australian Accounting Standards and Repeal of Superseded and Redundant Standards</i> This Standard makes editorial corrections to various Australian Accounting Standards and AASB Practice Statement 2 Making Materiality Judgements. There is no financial impact.	1 Jan 2023

Operative for reporting periods beginning on/after 1 Jan 2024

<i>AASB 2020-1</i>	<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. These is no financial impact.	1 Jan 2024
<i>AASB 2022-5</i>	<i>Amendments to Australian Accounting Standards – Lease Liability in a Sale and Leaseback</i> This Standard amends AASB 16 to add measurement requirements for sale and leaseback transactions that satisfy the requirements in AASB 15 to be accounted for as a sale. There is no financial impact.	1 Jan 2024
<i>AASB 2022-6</i>	<i>Amendments to Australian Accounting Standards – Non-current Liabilities with Covenants</i> This Standard amends AASB 101 to improve the information an entity provides in its financial statements about liabilities arising from loan arrangements for which the entity's right to defer settlement of those liabilities for at least twelve months after the reporting period is subject to the entity complying with conditions specified in the loan arrangement. The Standard also amends an example in Practice Statement 2 regarding assessing whether information about covenants is material for disclosure. There is no financial impact.	1 Jan 2024
<i>AASB 2022-10</i>	<i>Amendments to Australian Accounting Standards – Fair Value Measurement of Non-Financial Assets of Not-for-Profit Public Sector Entities.</i> This Standard amends AASB 13 including adding authoritative implementation guidance and providing related illustrative examples, for fair value measurements of non-financial assets of not-for-profit public sector entities not held primarily for their ability to generate net cash inflows. The Agency has not assessed the impact of the Standard.	1 Jan 2024

Operative for reporting periods beginning on/after 1 Jan 2025

<i>AASB 2021-7C</i>	<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 associate or joint venture. The standard also includes editorial corrections. The Agency has not assessed the impact of the Standard.	1 Jan 2025
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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; 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 (\$)	2023	2022
150,000-200,000	1	1
200,000-250,000	4	4
250,000-300,000	2	1
300,000-350,000	2	3
350,000-400,000	1	1
450,000-500,000	-	1
500,000-550,000	1	1
550,000-600,000	1	-
	2023	2022
	(\$000)	(\$000)
Short-term employee benefits	3,299	3,349
Post-employment benefits	348	353
Other long-term benefits	69	(19)
Total compensation of senior officers	3,716	3,683

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:

	2023 (\$000)	2022 (\$000)
The Legal Aid Commission of Western Australia (Note 3.2(b))	98,217	88,713
Aboriginal Legal Service	20,756	17,757
The Legal Costs Committee	149	147
The Law Reform Commission of Western Australia	888	545

9.7 Special purpose accounts

During the reporting period the Department maintained the following special purpose accounts:

Account name	2022-2023			
	Opening Balance (\$000)	Receipts (\$000)	Payments (\$000)	Closing Balance (\$000)
1 Courts Trust Account	13,539	41,676	(38,882)	16,333
2 Sheriff's and District Court Bailiff's Trust Account	138	781	(750)	169
3 Prisoners Private Cash Trust Account	381	12,382	(12,336)	427
4 Juveniles' Private Cash Trust Account	-	5	(5)	-

Account name	2021-2022			
	Opening Balance (\$000)	Receipts (\$000)	Payments (\$000)	Closing Balance (\$000)
1 Courts Trust Account	48,911	35,369	(70,742)	13,538
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)	-

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:

	2023 (\$000)	2022 (\$000)
Auditing the accounts, financial statements, controls and key performance indicators	584	506

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 provision of State Solicitor's Office services 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. SSO services are not a part of the Department for FY2023.

	2023 (\$000)	2022 (\$000)
Provision of State Solicitor services:		
Department of Communities	-	1,299
Department of Health	-	733
Department of Planning, Lands and Heritage	-	705
Department of Mines, Industry Regulation and Safety	-	645
Western Australia Police Force	-	547
Department of Premier and Cabinet	-	525
Department of Local Government, Sport and Cultural Industries	-	490
Department of Water and Environmental Regulation	-	423
Native Title Unit	-	400
Department of Jobs, Tourism, Science and Innovation	-	339
Main Roads	-	336
Public Transport Authority	-	312
Department of Education	-	307
State Revenue	-	282
Department of Transport	-	247
Department of Primary Industries and Regional Development	-	220
Department of Biodiversity, Conservation and Attractions	-	145
Department of Finance	-	90
Department of Treasury	-	68
Insurance Commission of Western Australia	-	62
WA Country Health Service	-	39
Western Australian Land Information Authority	-	36
Other agencies	-	843
Provision of Corporate Services:		
State Solicitors Office	2,572	2,168
Office of the Director of Public Prosecutions	38	792
Law Reform Commission	242	186
Professional Standards Council	97	97
Parliamentary Inspector of the Corruption and Crime Commission	96	104
Commissioner for Children and Young People	98	96
Legal Costs Committee	74	72
	3,217	12,608

9.10 Equity

	2023 (\$000)	2022 (\$000)
Contributed equity		
Balance at start of period	2,515,131	2,421,017
Contribution by owners	4,726	-
Capital appropriation	95,036	96,185
Special purpose account funding	2,936	-
Royalties for Regions Fund – Regional Infrastructure and Headworks Account	2,370	-
Total contributions by owners	105,068	96,185
Distributions to owners ^{a)}	-	(2,071)
Total distributions to owners	-	(2,071)
Total contributed equity at end of period	2,620,199	2,515,131
Asset revaluation surplus		
Balance at start of period	131,422	-
Net revaluation increments/(decrements)		
Buildings	194,426	131,422
Total asset revaluation surplus at end of period	325,848	131,422
Accumulated Deficit		
Balance at start of period	(535,968)	(86,644)
Result for the period	(48,046)	(449,324)
Balance at the end of period	(584,014)	(535,968)
Total Equity at end of period	2,362,033	2,110,585

^{a)} Effective 1 October 2021, State Solicitor's Office became an independent sub-department of the Department of Justice (DOJ). 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 independence 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 the Department's registers under the authority of:

	2023 (\$000)	2022 (\$000)
The Accountable Authority	75	55
	75	55
Criminal Injuries Compensation		
The Accountable Authority	496	713
	496	713
Administered (Fines Enforcement Registry)		
The Accountable Authority	29,107	17,041
	29,107	17,041

(b) Losses through theft, defaults and other causes

	2023 (\$000)	2022 (\$000)
Losses of public money and public and other property through theft or default	14	82
	14	82

(c) Gifts of public property

Seven gifts are recorded as having been given with a total value of \$297. Gifts have included small items such as chocolates to a guest presenter giving their time pro bono, pens and cases, a chopping board, a fire pit, a trailer, wood, artwork and transportable buildings.

Some of the gifts given have been manufactured within the prison estate and have been donated to support community projects.

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 2023, and between the actual results for 2023 and 2022 are shown below. Narratives are provided for key major variances which vary more than 10% from their comparative and that the variation is more than 1% of the:

1. Estimate and actual results for the current year:
 - Total cost of services for the statements of comprehensive income and statement of cash flows (i.e. 1% of \$1.805b), and
 - Total assets for the statement of financial position (i.e. 1% of \$3.207b).
2. Actual results for the current year and the prior year actual:
 - Total cost of services for the previous year for the statements of comprehensive income and statement of cash flows (i.e. 1% of \$2.340b), and
 - Total assets for the previous year for the statement of financial position (i.e. 1% of \$3.265b).

10.1.1 Statement of comprehensive income variances

	Variance	Estimate 2023	Actual 2023	Actual 2022	Variance Between Estimate and Actual	Variance Between Actual results for 2023 and 2022
	Note	\$000	\$000	\$000	\$000	\$000
Expenses						
Employee benefits expense		876,166	902,839	828,826	26,673	74,013
Supplies and services	1	376,272	465,307	422,666	89,035	42,641
Depreciation and amortisation expense		74,295	83,064	79,267	8,769	3,797
Finance costs		32,748	44,749	34,299	12,001	10,450
Accommodation expenses		53,453	56,818	56,998	3,365	(180)
National Redress Scheme	A	40,000	31,568	509,893	(8,432)	(478,325)
Grants and subsidies	2	180,997	214,972	235,440	33,975	(20,468)
Prisoner gratuities		13,820	13,594	12,692	(226)	902
Cost of sales		16,732	15,658	15,342	(1,074)	316
Other Expenses		141,349	156,632	134,509	15,283	22,123
Total cost of services		1,805,832	1,985,201	2,329,932	179,369	(344,731)
Income						
User charges and fees		120,244	122,156	116,667	1,912	5,489
Sales		17,126	17,021	16,134	(105)	887
Commonwealth grants and contributions		82,624	84,242	79,933	1,618	4,309
Other revenue		23,848	15,118	20,732	(8,730)	(5,614)
Total income		243,842	238,537	233,466	(5,305)	5,071
Gains						
Gain on revaluation		-	-	13,613	-	(13,613)
Total Gains		-	-	13,613	-	(13,613)
Total Income other than Income from State Government		243,842	238,537	247,079	(5,305)	(8,542)
Net Cost of Services		1,561,990	1,746,664	2,082,853	184,674	(336,189)
Income from State Government						
Service appropriation		1,494,600	1,603,806	1,553,351	109,206	50,455
State Other revenue		43,715	54,693	45,928	10,978	8,765
Resources received free of charge	3	11,281	29,664	24,415	18,383	5,249
Regional infrastructure and headworks account		11,475	10,455	9,835	(1,020)	620
Total income from State Government		1,561,071	1,698,618	1,633,529	137,547	65,089
Surplus/(deficit) for the period		(919)	(48,046)	(449,324)	(47,127)	401,278
Other comprehensive income						
Items not reclassified subsequently to profit or loss						
Changes in asset revaluation surplus		-	194,426	131,422	194,426	63,004
Total other comprehensive income/(loss) for the period		(919)	146,380	(317,902)	147,299	464,282

10.1.2 Statement of financial position variances

	Variance	Estimate 2023	Actual 2023	Actual 2022	Variance Between Estimate and Actual	Variance Between Actual results for 2023 and 2022
	Note	\$000	\$000	\$000	\$000	\$000
Assets						
Current Assets						
Cash and cash equivalents		14,142	33,268	30,903	19,126	2,365
Restricted cash and cash equivalents		2,469	3,469	3,096	1,000	373
Inventories		5,800	5,075	5,814	(725)	(739)
Receivables		16,409	24,407	23,916	7,998	491
Amounts receivable for services		11,625	11,625	13,925	-	(2,300)
Other current assets		7,186	2,683	2,719	(4,503)	(36)
Biological assets		3,000	2,972	3,056	(28)	(84)
Total Current Assets		60,631	83,499	83,429	22,868	70
Non-Current Assets						
Restricted cash and cash equivalents		12,536	19,149	15,897	6,613	3,252
Amount receivable for services		693,793	701,026	631,045	7,233	69,981
Property plant and equipment	4	2,033,429	2,328,339	2,120,959	294,910	207,380
Intangible assets		6,437	6,310	7,265	(127)	(955)
Right-of-use assets		400,000	397,909	406,125	(2,091)	(8,216)
Total Non-Current Assets		3,146,195	3,452,733	3,181,291	306,538	271,442
Total assets		3,206,826	3,536,232	3,264,720	329,406	271,512
Liabilities						
Current Liabilities						
Payables	5, B	77,598	112,711	80,674	35,113	32,037
Lease liabilities		29,320	31,665	28,760	2,345	2,905
Employee related provisions		185,018	182,287	172,171	(2,731)	10,116
National Redress Scheme	6,C	-	75,200	44,100	75,200	31,100
Remediation provision		-	1,038	703	1,038	336
Total Current Liabilities		291,936	402,901	326,408	110,965	76,493
Non-Current Liabilities						
Lease liabilities		346,577	347,470	365,087	893	(17,617)
Employee related provisions		37,126	33,028	34,140	(4,098)	(1,112)
National Redress Scheme	6	-	440,558	428,500	440,558	12,058
National Redress Scheme	6,C	-	(49,758)	-	(49,758)	(49,758)
Total Non-Current Liabilities		383,703	771,298	827,727	387,595	(56,429)
Total Liabilities		675,639	1,174,199	1,154,135	498,560	20,064
Net assets		2,531,187	2,362,033	2,110,585	(169,154)	251,448
Equity						
Contributed equity		2,615,437	2,620,199	2,515,131	4,762	105,068
Revaluation reserves	7,D	-	325,848	131,422	325,848	194,426
Accumulated deficit		(84,250)	(584,014)	(535,968)	(499,764)	(48,046)
Total Equity		2,531,187	2,362,033	2,110,585	(169,154)	(251,448)

10.1.3 Statement of cash flows variances

	Variance	Estimate 2023	2023	2022	Variance between actual and estimate	Variance between actual result for 2023 and 2022
	Note	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
Cash flow from State Government						
Service appropriation		1,420,227	1,524,500	1,480,091	104,273	44,409
Funds from other public entries		51,687	54,693	45,928	3,006	8,765
Capital appropriations		92,871	97,972	96,185	5,101	1,787
Equity contributions		200	-	-	(200)	-
Equity distributions		-	-	(1,663)	-	1,663
Holding account drawdown		13,925	11,625	11,625	(2,300)	-
Royalties for regions fund		16,603	12,825	9,835	(3,778)	2,990
Net cash provided by State Government		1,595,513	1,701,615	1,642,001	106,102	59,614
Cash flow from operating activities						
Payments						
Employee benefits		(823,558)	(867,976)	(829,080)	(44,418)	(38,896)
Supplies and services	8	(405,144)	(451,101)	(421,743)	(45,957)	(29,358)
Finance costs		(30,926)	(33,159)	(34,299)	(2,233)	1,140
Accommodation	9	(73,997)	(52,008)	(52,187)	21,989	179
National Redress Scheme		(40,000)	(49,757)	(37,293)	(9,757)	(12,464)
Grants and subsidies	10	(180,317)	(214,973)	(234,738)	(34,656)	19,765
GST payments to purchases		(61,378)	(76,130)	(72,119)	(14,752)	(4,011)
GST payments to taxation authority		-	(3,769)	(4,348)	(3,769)	579
Other payments	E	(147,280)	(155,453)	(129,375)	(8,173)	(26,078)
Receipts						
Sales of goods and services		12,508	1,660	2,887	(10,848)	(1,227)
User charges and fees		115,562	121,348	116,667	5,786	4,681
Commonwealth grants and contributions		77,663	79,431	75,122	1,768	4,309
GST receipts on sales		61,378	4,182	3,801	(57,196)	381
GST receipts from taxation authority		-	75,131	73,550	75,131	(1,581)
Other receipts		13,156	17,734	9,746	4,578	7,988
Net cash provided by/(used in) operating activities		(1,482,333)	(1,604,840)	(1,533,409)	(122,507)	(71,431)
Cash flow from investing activities						
Payments						
Purchase of non-current physical assets	11	(102,602)	(55,310)	(72,419)	(47,292)	17,109
Receipts						
Proceeds from sale of non-current physical assets		-	5	-	5	5
Net cash provided by/(used in) investing activities		(102,602)	(55,305)	(72,419)	(47,297)	17,114
Cashflow from financing activities						
Payments						
Principal elements of lease payments		(31,418)	(35,480)	(32,247)	(4,062)	(3,233)
Net cash provided by/(used in) financing activities		(31,418)	(35,480)	(32,247)	(4,062)	(3,233)
Net increase/(decrease) in cash and cash equivalents		(20,840)	5,990	3,927	26,830	2,063
Cash and cash equivalents at the beginning of the period		49,987	49,896	45,969	(91)	3,928
Cash and cash equivalents at the end of the period		(29,147)	55,886	49,896	26,739	5,991

Major Variance Narratives (Controlled Operations)

Variances between estimate and actual for 2023

1. Supplies and services were \$89 million (24%) higher than estimated largely due to reallocation of budgets for payments to Community Legal Centres, being reallocated from Grants and Subsidies and a higher than estimate in the services received from the Western Australian Police Force relating to the provision of Court Security and Custodial Services.
2. Grants and subsidies were \$34 million (19%) 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.
3. The variance between actual and estimates for resources received free of charge is \$18.4 million (163%). This variance is mainly due to the Estimate for 2023 resources received did not include full amount received from WA Police. This has increased from \$16.7 million to \$21.5 million. In the last three years the resources received from WA Police had been increasing by a significant amount.
4. Property Plant and Equipment variance was \$295 million (15%) mainly due the revaluation of land and building as per the valuation by Valuer General's Office.
5. The 2023 actual for Accounts payable includes an amount of \$22 million in accrued salaries for the prison officers' agreement pay rise and Cost of Living allowance.
6. A provision for National Redress Scheme was omitted in the budget.
7. Refer to explanation D.
8. Supplies and services payments increase by \$46 million (11%) largely due to increase in material cost of goods and supplies and services from non-for-profit organisations.
9. The main reason for the \$22 million (30%) variance between budget and actual is due to the budgeted accommodation expense including building maintenance costs, whereas in actuals, this is included in other payments.
10. Refer to explanation 2.
11. Purchase of non-current physical assets were \$47 million (46%) lower than budget due to delay in completion of Casuarina tranche 1 project.

Variances between actual results for 2023 and 2022

- A. National Redress Scheme expenditure was significantly lower \$478 million (94%) than the 2022 Actuals mainly due to the initial provision recognised in 2022.
- B. The variance in payables is mainly due to an accrual of \$22 million for the prisoner pay rise and Cost of Living allowance.
- C. National Redress Scheme is based on an actuarial valuation. The variance is explained by an increase in incurred but not reported yet applications, offset by payments during the period.
- D. The increase in equity reserves of \$194 million (148%) is due to increase in land and building valuation.
- E. Other payments increased during 2023, in comparison to 2022, mainly due to increases in payments for insurance premiums and increase in repairs and maintenance for buildings and equipment.

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 2023, and between the actual results for 2023 and 2022 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:

1. Estimate and actual results for the current year:

- Total estimate administered income for the Statement of administered items (i.e. 1% of \$86.532m).

2. Actual results for the current year and the prior year actual:

- Total administered income for the previous year for the Statement of administered items (i.e. 1% of \$111.751m).

	Variance	Estimate 2023	Actual 2023	Actual 2022	Variance Between Estimate and Actual	Variance Between Actual results for 2023 and 2022
	Note	\$000	\$000	\$000	\$000	\$000
Income from administered items						
Income						
Judicial fines and penalties		38,160	36,474	35,195	(1,686)	1,279
Infringement penalties	1	9,902	8,324	8,819	(1,578)	(495)
Revenue for transfer - other Government agencies	2 A	22,728	20,184	18,073	(2,544)	2,111
Criminal property confiscations	3	15,000	28,488	27,882	13,488	606
Law Library Fund		600	600	600	-	-
Land acquisition	B	-	-	20,978	-	(20,978)
Other	H	142	316	10,348	174	(10,032)
Total administered Income		86,532	94,386	121,895	7,854	(27,509)
Expenses						
Payments to the Consolidated Account		48,068	44,798	44,014	(3,270)	784
Criminal property confiscations - grants	4 C	4,000	1,612	2,171	(2,388)	(559)
Criminal property confiscations - supplies and services	5 D	14,400	16,947	20,600	2,547	(3,653)
Law Library Fund payments		600	600	600	-	-
Payment to Road Trauma Trust Account	6 E	22,728	20,184	18,073	(2,544)	2,111
Land acquisition payments	F	-	-	29,370	-	(29,370)
Allowance for impairment of receivables - Fines	7 G	-	11,185	-	11,185	11,185
Other		136	284	468	148	(184)
Total administered expenses		89,932	95,610	115,297	5,678	(19,686)

Major Variance Narratives (Administered Items)**Variances between estimate and actual for 2023**

1. The decrease in infringement penalties of \$1.6 million (16%) compared to estimates was mainly attributed to lower traffic infringement fines issued by the 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 \$2.5 million (11%) lower than estimates, partially due to a fall in infringement registrations of multi-nova infringements.
3. Criminal property confiscations were \$13.5 million (90%) higher than estimates. This is mainly due to an increase in 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. Criminal property confiscations – grants were \$2.4 million (60%) 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.
5. Criminal property confiscations supplies and services – was higher than estimates by 2.5 million (18%), mainly due to an increase in the cost of acquiring supplies and services.
6. The \$2.5 million (11%) lower payment to the Road Trauma Trust Account reflected lower funds available for distribution due to lower than expected speed and red-light camera fine revenue collected.
7. Allowance for impairment of receivables - Fines Enforcement Registry (FER) is \$11.2 million higher than estimates because no budget is set for Allowance for impairment of receivables - FER which is used to provide a provision for uncollectable fines on behalf of other government agencies.

Variances between actual results for 2023 and 2022

- A. Speed and Red-Light Infringement Revenue is collected on behalf of the Road Safety Commission. Collection of revenue in 2023 was \$2.1 million (11%) higher than the 2022 actual, partially due to technical issues associated with the infringement registrations of multi-nova infringements in 2022.
- B. Land acquisition now forms part of State Solicitor's Office operations. The State Solicitor's Office was established as an independent sub-department effective from 1 October 2021. The 2022 Actuals of \$21 million reflect the settlements of property acquisitions and disposals funds held in the Trust Account on behalf of the Government Departments up until State Solicitor's Office became an independent Sub- Department.
- C. See variance explanation in note 4.
- D. Criminal property confiscations supplies and services was lower than 2022 due to inclusion of 2021 bonus payment accrual in 2022. This is because accrual of bonus payment was done for the first time in 2022. In addition, the increase in the cost in supplies and services was higher in 2022 than 2023.
- E. See variance explanation in note A.
- F. See variance explanation in note B.
- G. The \$11.2 million increase in the allowance for impairment of receivables compared to 2022 is due to an impairment gain being recognised in prior year of \$10.1 million.
- H. Other income has decreased by \$10 million from 2022 due to an impairment gain of \$10.1 million being recognised in prior year.

Key Performance Indicators

Certification of Key Performance Indicators for the Year Ended 30 June 2023

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 2023.



Dr Adam Tomison
 Director General
 Department of Justice
 11 September 2023

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: Supporting our local and regional communities to thrive	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. People who experience discrimination and harassment have efficient and accessible avenues of redress	7. Equal Opportunity Commission Services
	6. Equitable access to legal services and information*	8. Legal 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 framework for 2022/23 was amended to reflect a change to the Equal Opportunity Commission's (EOC) agency level desired outcome to make specific reference to discrimination and harassment and remove an apparent restriction regarding the scope of people who can lodge a complaint. In addition, one EOC key efficiency indicator was abolished and replaced with a new key efficiency indicator.

Additionally, the 'Legal Aid Assistance' service name was amended to 'Legal Assistance' to better reflect the types of service now included within the Legal Assistance sector.

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 to 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 2022/23 Actual results varied significantly from the 2022/23 Target and 2021/22 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: supporting our local and regional communities to thrive.

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?

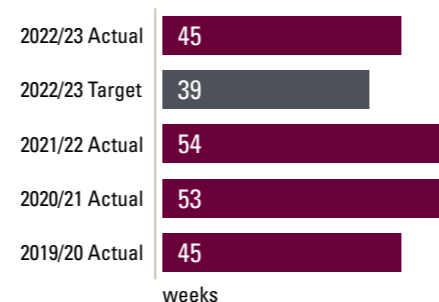
This indicator measures the median time taken from a specified initial date (i.e. committal date, which is the date the matter is sent to the Supreme Court from a lower court) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated 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, for matters with a first listed trial date during 2022/23. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

How does the indicator result compare to target?

The 2022/23 actual result is 15% higher than target due to the relisting of lengthy multiple-accused trials. The 2022/23 actual result is 17% lower than the 2021/22 actual result due to fewer lengthy trials, together with fewer relisting of trials that were aborted, vacated due to COVID-19 restrictions, had an order for retrial or had a 'hung jury' verdict.



Supreme Court – Civil – Time to finalise non-trial matters

What does this indicator measure?

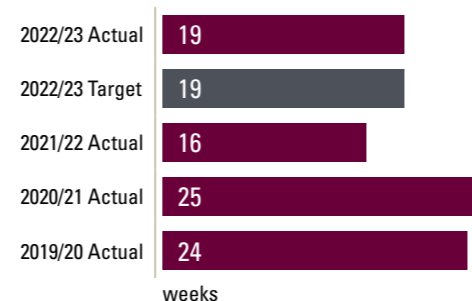
This indicator measures the median time to finalise cases that are heard by a Registrar or Judge at conferences or hearings, before proceeding to trial, and is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

How is this indicator calculated?

This indicator is calculated by taking the median time from date of lodgment to first date of finalisation, for matters finalised during 2022/23, 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?

There is no variation between the 2022/23 actual result and target. The 2022/23 actual result is 19% higher than the 2021/22 actual result due to an increase in the median time to finalise matters by discontinuance and by default judgment.



District Court – Criminal – Time to trial

What does this indicator measure?

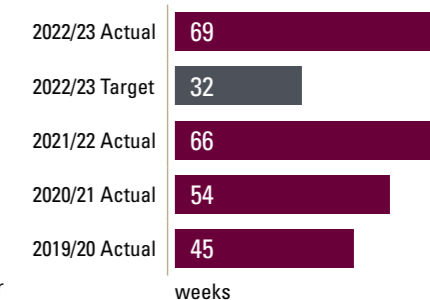
This indicator measures the median time taken from a specified initial date (i.e. committal date, which is the date the matter is sent to the District Court from a lower court) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated 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, for matters with a first listed trial date during 2022/23. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

How does the indicator result compare to target?

The 2022/23 actual result is 116% higher than target due to an ongoing increase in demand for trials and pre-trial determinations as a result of legislative changes made in 2019 and an increase in the complexity of matters. This has been exacerbated by the relisting of trials for a second or subsequent time, competing for court trial resources with trials being listed for the first time.



State Administrative Tribunal – Time to finalise

What does this indicator measure?

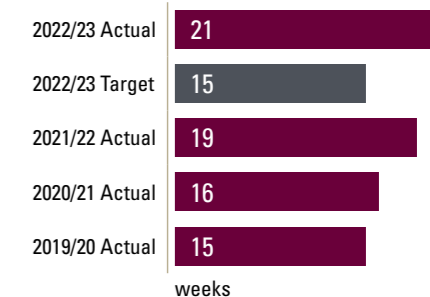
This indicator measures the median time to finalise a matter from the date of lodgment to when a judgement is made.

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, for matters finalised during 2022/23 (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 2022/23 actual result is 40% higher than target due to a greater proportion of older cases finalised across all streams. Further impacting the result is an increase in workload associated with *Building Services (Complaint Resolution and Administration) Act 2011* matters. The 2022/23 actual result was 11% higher than the 2021/22 actual result of 19 weeks due to a larger proportion of matters taking longer than 90 days to finalise.



Family Court of Western Australia – Time to finalise non-trial matters

What does this indicator measure?

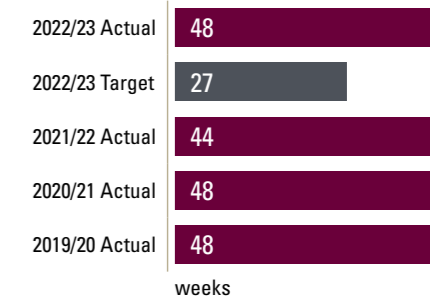
This indicator measures the median time to finalise final order applications by court order, before proceeding to trial. This is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

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, for matters finalised during 2022/23, 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 2022/23 actual result is 78% higher than target due to long-term growth in the complexity and volume of final order parenting applications lodged, and growth in the finalisation of these applications by court order or direction.



Magistrates Court – Criminal and Civil – Time to trial

What does this indicator measure?

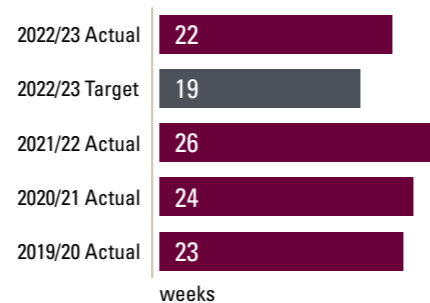
This indicator measures the median time taken from a specified initial date (i.e. lodgment for civil matters, first actual hearing date for criminal matters) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy 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, for matters with a first listed trial date during 2022/23. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

How does the indicator result compare to target?

The 2022/23 actual result is 16% higher than target due to an increase in the proportion of criminal trials for offences of a higher seriousness. The 2022/23 actual result is 15% lower than the 2021/22 actual result of 26 weeks due to a reduction in the demand for trials. This is attributable to the conferencing of Family Violence Restraining Order matters, which has allowed for finalisations to occur without the need for trial.



Coroner's Court – Time to trial

What does this indicator measure?

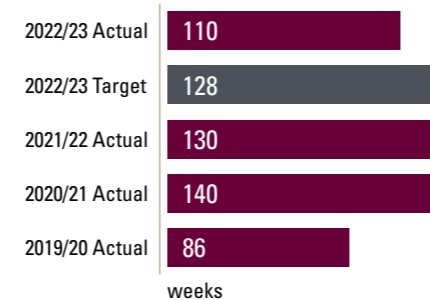
This indicator measures the median time taken from the date of notification of death (lodgment) to the first inquest hearing. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and 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 cases with an inquest held during 2022/23. 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?

The 2022/23 actual result is 14% lower than target and 15% lower than the 2021/22 actual result of 130 weeks due to a high proportion of inquests that were of a less complex nature, such as mandatory inquests of persons with known illnesses and missing persons cases requiring little investigation.



Fines Enforcement Registry - Percentage of fines satisfied within 12 months:

What do these indicators measure?

The Fines Enforcement Registry effectiveness indicators demonstrate to the community that the appropriate systems, procedures and resources are in place to enforce fines, costs and infringement penalties in a timely manner. It also demonstrates to the community that a court fine is a viable sentencing option.

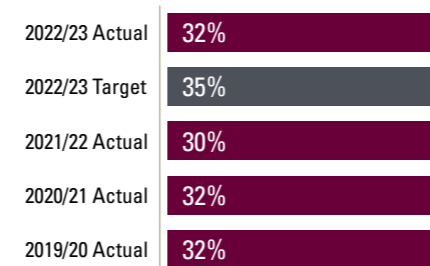
• Fines and Costs

How is this indicator calculated?

This indicator measures the number of court fines satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is calculated by dividing the number of fines satisfied within 12 months of referral by the total number of fines referred to FER in the reporting period, with the result expressed as a percentage. Indicator results are based on court fines with an enforcement date during the 2021/22 financial year to allow 12 months to satisfy fines. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

How does the indicator result compare to target?

No significant variation.



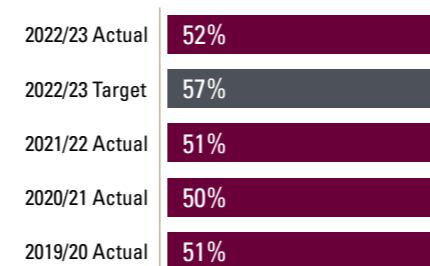
• Infringements

How is this indicator calculated?

This indicator measures the number of infringements satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is calculated by dividing the number of infringements satisfied within 12 months of referral by the total number of infringements referred to FER in the reporting period, with the result expressed as a percentage. Indicator results are based on infringements with an enforcement date during the 2021/22 financial year to allow 12 months to satisfy fines. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

How does the indicator result compare to target?

No significant variation.



Service 1: Court and Tribunal Services

This service is delivered by Court and Tribunal Services.

Two distinct groups administer courts in Western Australia: the independent judicial officers, who preside over the various courts, and the Department of Justice that provides court facilities, administrative support and judicial support staff to enable the determination of cases brought before a court or tribunal. Part of this function also involves the delivery of court counselling services and a range of civil and criminal enforcement services.

Key Efficiency Indicators

What do these indicators measure?

The following indicators measure the average cost per case for all matters finalised within each jurisdiction (including matters finalised without trial and those finalised administratively), and the cost per enforcement action to finalise outstanding fines and infringements.

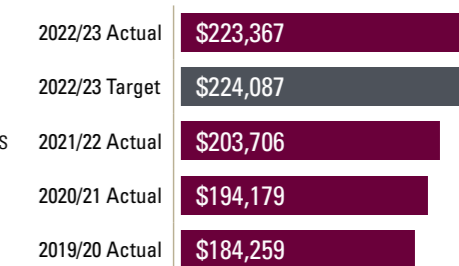
How are these cost per case indicators calculated?

The average cost per case indicators are calculated by dividing the total cost of processing cases by the total number of finalisations during 2022/23. 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?

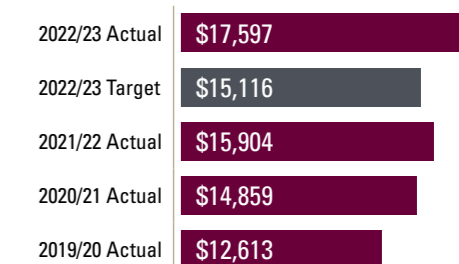
There is no significant variation between the 2022/23 actual result and target. The 2022/23 actual result is 10% higher than the 2021/22 actual result of \$203,706 primarily due to a decrease in the number of lodgments and an increase in the complexity of matters being finalised.



Supreme Court – Civil – Cost per case

How does the indicator result compare to target?

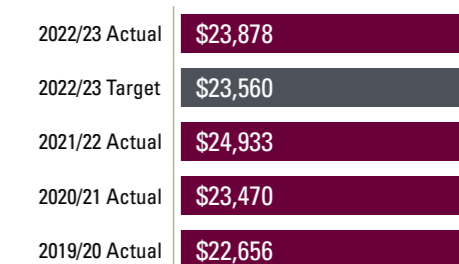
The 2022/23 actual result is 16% higher than target and 11% higher than the 2021/22 actual result of \$15,904. This is primarily due to a change in cost allocations attributed to the Supreme Court Civil Division following a review into the apportionments under the Outcome Based Management framework.



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?

The 2022/23 actual result is 25% higher than target and 21% higher than the 2021/22 actual result of \$24,714. This is due to a decrease in the number of finalisations and an increase in the complexity of matters being finalised. The result is further impacted by an increase in WA Police Force court security costs as Resources Received Free of Charge.

2022/23 Actual	\$29,906
2022/23 Target	\$23,963
2021/22 Actual	\$24,714
2020/21 Actual	\$23,014
2019/20 Actual	\$18,171

District Court – Civil – Cost per case

How does the indicator result compare to target?

The 2022/23 actual result is 13% lower than target and 13% lower than the 2021/22 actual result of \$2,655. This is due to an increase in the number of civil matters finalised and is further impacted by a change in cost allocations between the Criminal and Civil Divisions of the District Court following a review into the apportionments under the Outcome Based Management framework.

2022/23 Actual	\$2,310
2022/23 Target	\$2,653
2021/22 Actual	\$2,655
2020/21 Actual	\$2,584
2019/20 Actual	\$4,257

State Administrative Tribunal – Cost per case

How does the indicator result compare to target?

No significant variation.

2022/23 Actual	\$4,017
2022/23 Target	\$3,782
2021/22 Actual	\$3,751
2020/21 Actual	\$3,747
2019/20 Actual	\$4,257

Family Court – Cost per case

How does the indicator result compare to target?

No significant variation.

2022/23 Actual	\$2,503
2022/23 Target	\$2,385
2021/22 Actual	\$2,420
2020/21 Actual	\$1,951
2019/20 Actual	\$2,013

Magistrates Court – Criminal – Cost per case

How does the indicator result compare to target?

The 2022/23 actual result is 21% higher than target due to an increase in WA Police Force court security costs as Resources Received Free of Charge. The result is further impacted by an increase in cost allocations attributed to the Magistrates Court following a review into the apportionments under the Outcome Based Management framework.

2022/23 Actual	\$1,262
2022/23 Target	\$1,040
2021/22 Actual	\$1,169
2020/21 Actual	\$950
2019/20 Actual	\$808

Magistrates Court – Civil – Cost per case

How does the indicator result compare to target?

The 2022/23 actual result is 13% higher than target, primarily due to an overall reduction in civil lodgments and finalisations. The 2022/23 actual result is 13% higher than the 2021/22 actual result of \$874 due to an increase in cost allocations attributed to the Magistrates Court following a review into the apportionments under the Outcome Based Management framework.

2022/23 Actual	\$986
2022/23 Target	\$872
2021/22 Actual	\$874
2020/21 Actual	\$846
2019/20 Actual	\$660

Coroner's Court – Cost per case

How does the indicator result compare to target?

The 2022/23 actual result is 20% lower than target and 21% lower than the 2021/22 actual result of \$6,254. This is primarily due to an increase in finalisations as a result of additional focus between police and the court finalising natural cause death matters not requiring investigation.

2022/23 Actual	\$4,948
2022/23 Target	\$6,174
2021/22 Actual	\$6,254
2020/21 Actual	\$7,001
2019/20 Actual	\$5,809

Children's Court – Criminal – Cost per case

How does the indicator result compare to target?

The 2022/23 actual result is 56% higher than target and 22% higher than the 2021/22 actual result of \$1,029. The higher than target result is due to a change in cost allocations attributed to the Children's Court following a review into the apportionments under the Outcome Based Management framework. The result is further impacted by an increase in WA Police Force court security costs as Resources Received Free of Charge.

2022/23 Actual	\$1,251
2022/23 Target	\$804
2021/22 Actual	\$1,029
2020/21 Actual	\$1,035
2019/20 Actual	\$662

Children's Court – Civil – Cost per case

How does the indicator result compare to target?

There is no significant variation between the 2022/23 actual result and target. The 2022/23 actual result is 15% lower than the 2021/22 actual result of \$2,016 primarily due to a change in cost allocations attributed to the Children's Court following a review into the apportionments under the Outcome Based Management framework.

2022/23 Actual	\$1,713
2022/23 Target	\$1,746
2021/22 Actual	\$2,016
2020/21 Actual	\$1,832
2019/20 Actual	\$1,861

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 during 2022/23.

How does the indicator result compare to target?

The 2022/23 actual result is 13% lower than target primarily due to unanticipated operational cost savings.

2022/23 Actual	\$34
2022/23 Target	\$39
2021/22 Actual	\$32
2020/21 Actual	\$44
2019/20 Actual	\$36

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: supporting our local and regional communities to thrive.

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?

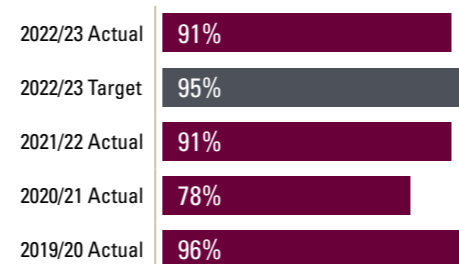
This indicator measures the timeliness of the Public Advocate in allocating a guardian to a represented person in order to make decisions on their behalf and protect them from neglect, abuse or exploitation. The Public Advocate is appointed as guardian of last resort only when considered necessary and 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 during 2022/23. Information for this indicator is extracted from the Public Advocate Case Management (PACMAN) system.

How does the indicator result compare to target?

No significant variation.



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 extent of usage of this 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 for assets to be registered in the survivor or beneficiaries' name.

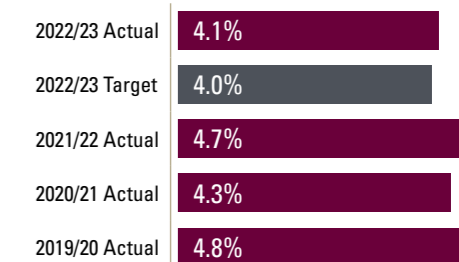
How is this indicator calculated?

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 during 2022/23, 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?

There is no significant variation between the 2022/23 actual result and target. The 2022/23 actual result is 13% lower than the 2021/22 actual result of 4.7% due to a reduction in the number of deceased files administered by the Public Trustee during the 2022/23 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.

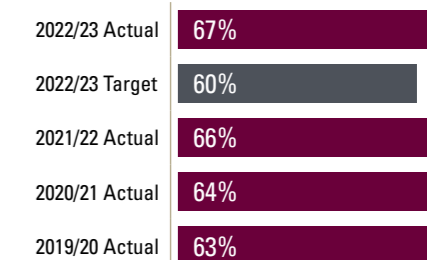
The indicator represents the proportion of services provided free of charge or at a reduced cost under the Public Trustee's community service.

How is this indicator calculated?

This indicator measures the proportion of clients provided with services by the Public Trustee under an operating subsidy during 2022/23. 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 2022/23 actual result is higher than target by 12% 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.

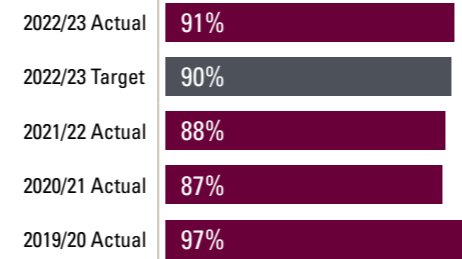
How is this indicator calculated?

The indicator is calculated by dividing the total number of RFIs responded to within eight weeks by the total number of RFIs responded to during 2022/23, 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?

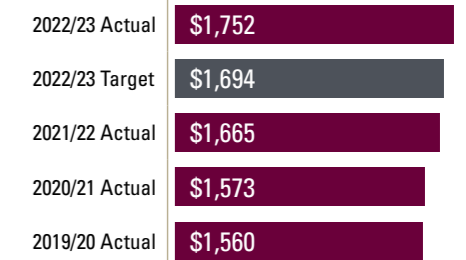
This indicator measures the average cost per case of providing advocacy and guardianship services on behalf of people with decision-making disabilities.

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 during 2022/23. 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?

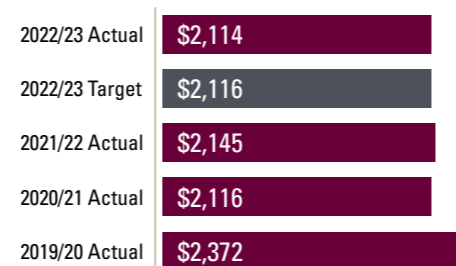
This indicator measures the average cost per deceased estate administered.

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 2022/23. 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?

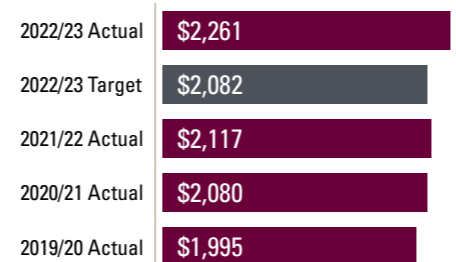
This indicator measures the average cost of managing a trust.

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 2022/23. 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?

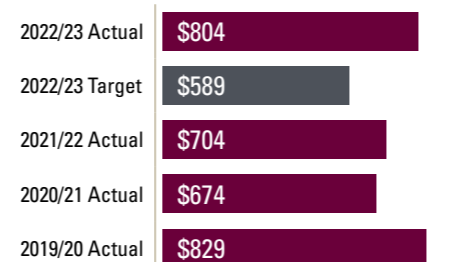
This indicator measures the average cost per will prepared.

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 2022/23. 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 2022/23 actual result is higher than target by 37% and higher than the 2021/22 actual result of \$704 by 14% due to an overall decrease in the number of wills prepared during the reporting period. The Public Trustee has reviewed its will services and reallocated resources to meet increased workload and staff shortages 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 (RCU). The RCU 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 reimbursed during 2022/23.

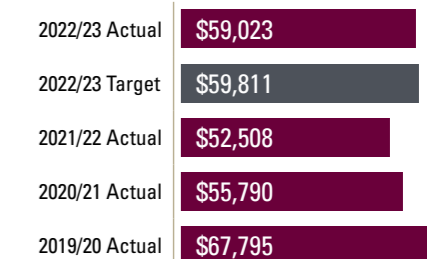
The Scheme provides quarterly invoices to the RCU, which requests reimbursement for payments made to applicants, as well as an administrative and legal payment towards the running of the Scheme. The number of finalised claims is sourced from this invoice, and is derived from a count of all listed payments reimbursed to the Scheme during the reporting year. An applicant may receive more than one payment. 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 RCU 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?

There is no significant variation between the 2022/23 actual result and target. The 2022/23 actual result is 12% higher than the 2021/22 actual result of \$52,508 due to three factors. The average payment determined by the Scheme's Independent Decision Makers increased, the number of institutions which the government agreed to act as a Funder of Last Resort increased resulting in a decrease in the contribution made by a Non-government institution, and the number of claims with prior payments (which are deducted from the final amount) decreased.



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: supporting our local and regional communities to thrive.

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?

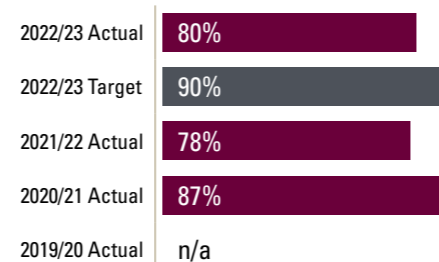
The growing need for people to access certificates for identification in a timely manner means that time taken to obtain a certificate of birth, death, marriage or change of name is a major determinant of accessibility. This indicator measures the extent to which requests for certified certificates are 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 2022/23 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 2022/23 actual result is 11% lower than target. The Registry continues to provide training to less experienced staff members to build proficiency and address a shift in the workforce demographic and turnover of RBDM staff in the 2022/23 financial year.



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.

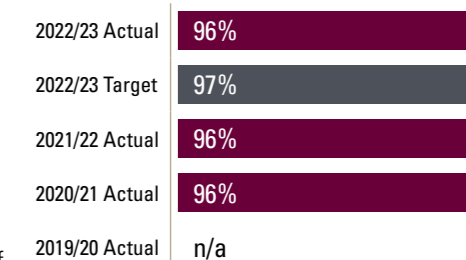
This indicator is a Key Performance Indicator because the Registry is the creator and custodian of vital records and the public must have confidence that records are accurate and reliable.

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 2022/23, 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.

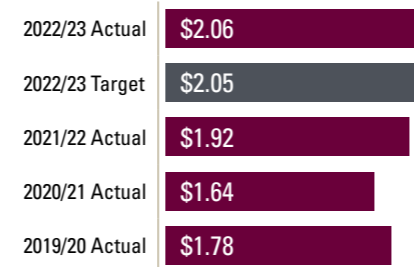
How is this indicator calculated?

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 during 2022/23. 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?

No significant variation.



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: supporting our local and regional communities to thrive.

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.

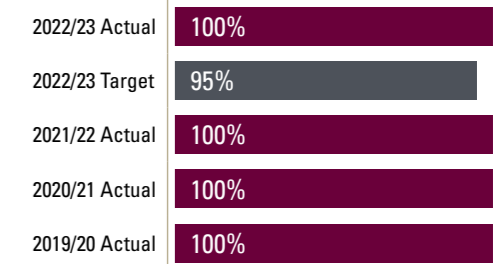
How is this indicator calculated?

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. Indicator results are based on the 2022 calendar year 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?

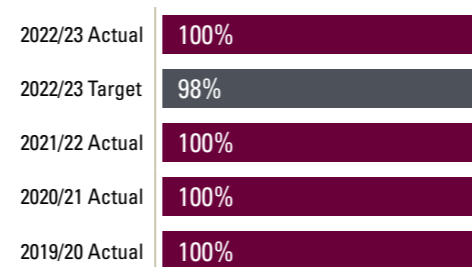
The indicator is calculated by dividing the total number of new and amended legislation titles published on the Western Australian legislation website within two working days by the total number of legislation titles published during 2022/23, with the result expressed as a percentage.

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.



Outcome 5: People who experience discrimination and harassment have efficient and accessible avenues of redress

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: supporting our local and regional communities to thrive.

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?

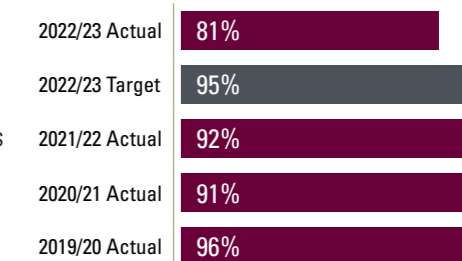
The EOC investigates and aims to conciliate allegations of unlawful discrimination (complaints) that fall within the jurisdiction of the *Equal Opportunity Act 1984* and other legislation administered by the EOC. This indicator measures the percentage of complaints finalised within twelve months of registration 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 during 2022/23, 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 2022/23 actual result is 15% lower than target and 12% lower than the 2021/22 actual result of 92%. This is due to a focus on older cases during 2022/23 in a concerted effort to reduce the backlog of complaints that built up during the COVID-19 pandemic.



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 finalised

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.

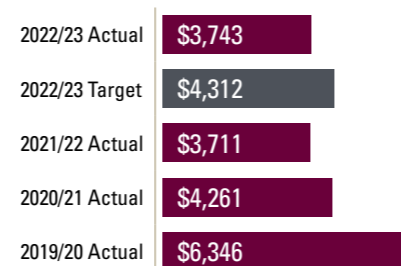
How is this indicator calculated?

The indicator is calculated by dividing the total cost of complaint management by the total number of complaints finalised during 2022/23. The total cost of complaint management is extracted from the Department's activity based cost management system, PBCS. Complaints data is derived from Integrated Courts Management System (ICMS).

How does the indicator result compare to target?

The 2022/23 actual result is 13% lower than target primarily due to a decrease in employee benefit expenses relating to staffing vacancies during the 2022/23 financial year.

Note: This key efficiency indicator is new for 2022/23. Prior year results for 2019/20, 2020/21 and 2021/22 are provided for comparative purposes.



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: supporting our local and regional communities to thrive 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?

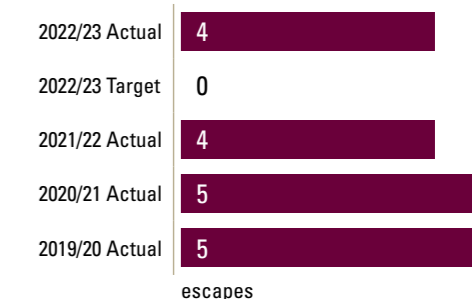
This indicator measures the number of escapes by prisoners in the custody of the Department by the prisoner's personal security rating.

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 during 2022/23.

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 2022/23 actual result is higher than target by four escapes. This result is based on two minimum security escapes from Warburton Workcamp in September 2022, one escape from Pardelup Prison Farm in October 2022 and one further escape from Warburton Workcamp in May 2023. This compares with four escapes across all security ratings during 2021/22. 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.

	2019/20 Actual	2020/21 Actual	2021/22 Actual	2022/23 Target	2022/23 Actual
Maximum	1	2	1	0	0
Medium	1	0	0	0	0
Minimum	3	3	3	0	4
Total	5	5	4	0	4

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.

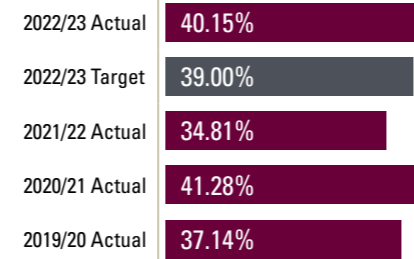
How is this indicator calculated?

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. Indicator results are based on exits during 2020/21 to allow two years from date of release.

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?

There is no significant variation between the 2022/23 actual result and target. The 2022/23 actual result of 40.15%, based on 330 returns to corrective services within two years of release from a period of sentenced custody, where the person had completed at least one offender program prior to release, of 822 exits, is 15% higher than the 2021/22 actual result of 34.81%, which is based on 251 returns to corrective services within two years of release from custody, of 721 exits. 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.

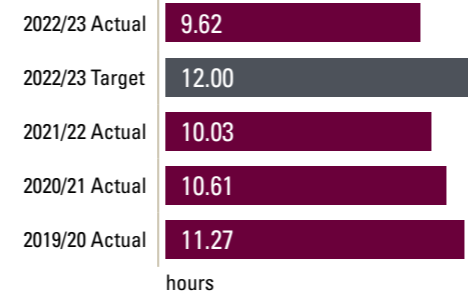
Providing a secure, safe and decent custodial environment includes managing prisoners in a way that minimises the risks they pose to the community while enabling them to achieve an acceptable quality of life. Time spent out of cells provides a greater opportunity for prisoners to participate in activities 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 2022/23 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 2022/23 actual result is lower than target by 20% due to the combined impact of restrictions and practices in place as part of the Department's COVID-19 response and implementation of adaptive regimes to account for operational pressures 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.

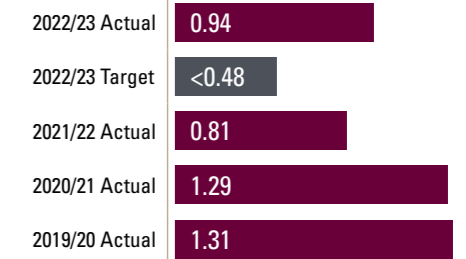
How is this indicator calculated?

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 during 2022/23, 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 2022/23 actual result is higher than target by 96% and 16% higher than the 2021/22 actual result of 0.81 serious assaults per 100 adult prisoners. The 2022/23 actual result of 0.94 is based on 60 serious assault incidents against prisoners and staff, comprising 10 serious assaults where the victim was a staff member and 50 serious assaults where the victim was a prisoner. The 2021/22 serious assault rate was based on 10 serious assaults where the victim was a staff member and 42 serious assaults where the victim was a prisoner.



Successful completion of community corrections orders – Adult

What does this indicator measure?

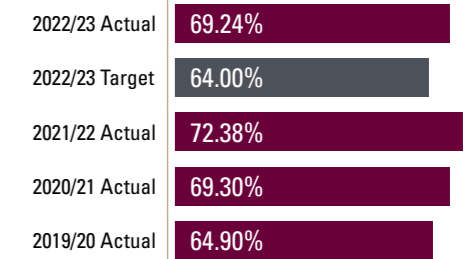
This indicator measures the percentage of community orders completed during the period that were not terminated for a breach of order for failure to meet the order requirements or because further offences were committed. This is an indicator of the Department's objective of ensuring court sanctions are 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 during 2022/23, 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?

No significant variation.



YOUTH

Number of escapes – Youth

What does this indicator measure?

This indicator measures the number of escapes by young people in the custody of the Department.

How is this indicator calculated?

The number of escapes includes a count of all escapes that have occurred from detention and during the escorted movement of young people between facilities and to other locations such as hospital or court during 2022/23.

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.

2022/23 Actual	0
2022/23 Target	0
2021/22 Actual	1
2020/21 Actual	0
2019/20 Actual	0

escapes

How does the indicator result compare to target?

There were no escapes from custody from youth detention in 2022/23. This compares with one escape during 2021/22. 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. Indicator results are based on exits during 2020/21 to allow two years from date of release.

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.

2022/23 Actual	52.59%
2022/23 Target	50.00%
2021/22 Actual	49.21%
2020/21 Actual	44.31%
2019/20 Actual	53.41%

How does the indicator result compare to target?

No significant variation.

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 during 2022/23, 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?

There is no significant variation between the 2022/23 actual result and target. The 2022/23 actual result is 10% higher than the 2021/22 actual result of 55.88% due to a decrease in the number of breached orders due to young people failing to comply with conditions of their order or re-offending. 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.

2022/23 Actual	61.56%
2022/23 Target	68.00%
2021/22 Actual	55.88%
2020/21 Actual	63.02%
2019/20 Actual	58.61%

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?

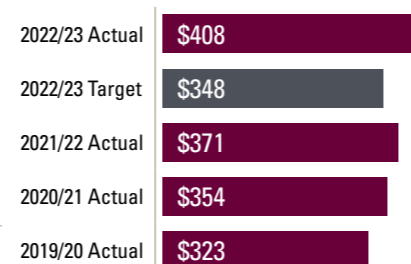
This indicator measures the average cost per day of keeping an adult prisoner in custody.

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 during 2022/23 and the number of days in the period.

How does the indicator result compare to target?

The 2022/23 actual result is higher than target by 17% and increased by 10% from the 2021/22 actual result of \$371. This variance is due to a reduced average daily number of offenders managed in custody, compared to the budgeted number of adult offenders managed, combined with a higher than budgeted total cost of service during the July 2022 to June 2023 period.



Cost per day of managing an offender through community supervision – Adult

What does this indicator measure?

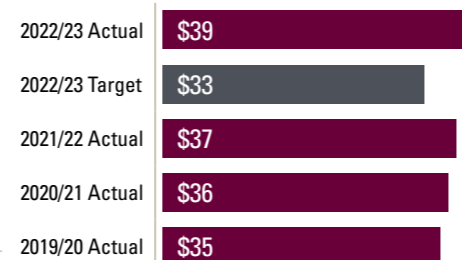
This indicator measures the average cost per day of managing adult offenders through supervision of community orders.

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 during 2022/23 and the number of days in the period.

How does the indicator result compare to target?

The 2022/23 actual result is higher than target by 18%. This variance is primarily due to a reduced average daily number of offenders managed through community supervision, 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 adult offenders managed through supervision of community orders.



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?

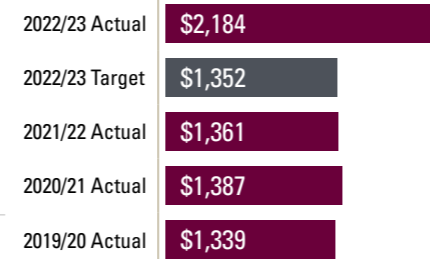
This indicator measures the average cost per day of keeping a young person in detention.

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 during 2022/23 and the number of days in the period.

How does the indicator result compare to target?

The 2022/23 actual result is higher than target by 62% and 60% above the 2021/22 actual result of \$1,361. This variance is due to a higher total cost of managing young people in detention resulting from the commissioning of a second youth detention facility, combined with a lower average daily number of young persons managed in detention, compared to the budgeted number.



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 during 2022/23 and the number of days in the period.

How does the indicator result compare to target?

The 2022/23 actual result is lower than target by 18%. This variance is primarily due to a higher average daily number of young persons managed through community supervision, compared to the budgeted number of young persons managed. The lower average cost relates to increased economies of scale as a result of the higher average daily number of young persons managed through supervision of community orders.

