



Public Sector  
Commission

# Agency Capability

## Department of Justice

### Executive summary



December 2025

## Introduction

The Department of Justice (the agency) was reviewed under the [Agency Capability Review Program](#) from June to November 2025.

The agency operates in a demanding and high pressure environment, delivering essential justice services across the state. It plays a critical role building safe and inclusive communities, supporting legal processes, and enabling rehabilitation and reintegration. Its broad remit and operational intensity make it central to the functioning of the justice system and vital to the wellbeing of the community.

A number of issues are restricting the agency's ability to deliver sustainable reform and meet future service demands. Strategic planning is fragmented, workforce pressures are escalating and whole of justice system leadership is not fully exercised. Addressing these issues is critical to improve justice outcomes and build a more resilient and responsive system.

Despite these issues, the agency has demonstrated strengths that provide a foundation for improvement. It is building relationships with stakeholders to drive better outcomes and making meaningful progress in youth justice reform. These areas show the agency's potential to lead change and deliver lasting impact.

This report provides a practical pathway to support the agency's improvement efforts and strengthen justice system performance across the state.

## About the Agency Capability Review Program

The Agency Capability Review Program takes a comprehensive whole of sector approach to improvement. It sets standards based on a clear understanding of what constitutes a high performing public sector agency in Western Australia.

Reviews provide valuable insight into how agencies can improve and deliver the quality services expected of them. Reviews also contribute to the development and improvement of the sector.

Reviews are conducted by independent lead reviewers who have public administration expertise and experience. Lead reviewers are supported by senior executives from the government sector who are co-opted for each review, as well as the Agency Capability Review team at the Commission.

Each review is conducted against a standardised [Agency Capability Framework](#) of the 5 most significant areas of public sector management and administration. The framework is relevant and applicable to all agencies regardless of remit, purpose, functions and services.

The framework supports agencies to ask 4 key questions:

- What are we meant to achieve?
- How well are we currently doing it?
- How do we know?
- Where can we do better?

## Agency background

The agency was formed on 1 July 2017 through machinery of government changes that amalgamated the former Department of the Attorney General and Department of Corrective Services. The merger aimed to establish a more seamless approach to justice, deliver greater synergies between courts and corrective services, and ensure a more holistic and strategic direction to sentencing and offender case management, with community safety paramount.

The agency is the primary agency administering the justice system in Western Australia. Under the leadership of Director General Kylie Maj who is supported by an executive team of 15, the agency provides judicial, legal, corrective, victim support and other essential services for the government, Parliament, courts and community through high quality justice, legal and corrective services, information and products.

Services include:

- supporting the judiciary and state criminal and civil courts and tribunals that provide justice services to citizens
- managing the state's custodial estate of adult prisons, juvenile detention centres and work camps 24 hours a day 7 days a week
- managing a daily average of approximately 7,935 adults and juveniles on community corrections orders, parole and probation
- maintaining the register of births, deaths and marriages
- supporting and advocating for victims of crime
- providing policy advice, legal advice and representation, legislative drafting and related services
- providing corporate support to 4 independent offices:
  - Office of the Public Advocate
  - Public Trustee
  - Parliamentary Counsel's Office
  - Equal Opportunity Commission.

The general approach to the scope for agency capability reviews is to exclude entities that operate independently from their agencies. Reviews focus on the relationship between the agency and these entities, specifically the effectiveness of support services where provided. For this review, the 4 independent offices were out of scope and considered stakeholders.

The agency's budget for 2025-26 is \$2.3 billion which includes \$1.5 billion for Corrective Services. At 1 October 2025, the agency's headcount was 8,432 (7,731.3 FTE).

## Ministers

At the time of the review, the agency reported to:

- Hon Dr Tony Buti MLA, Attorney General; Minister for Commerce; International and Tertiary Education; Multicultural Interests
- Hon Paul Papalia MLA, Minister for Emergency Services; Corrective Services; Defence Industries; Veterans; Racing and Gaming.

## Boards and committees

The agency supports 3 justice related boards:

- [Prisoners Review Board of Western Australia](#): Established under the *Sentence Administration Act 2003 (WA)*, the board considers and determines whether a prisoner is suitable for release to parole.
- [Mental Impairment Review Tribunal](#): Established under the *Criminal Law (Mental Impairment) Act 2023 (WA)*, the tribunal is concerned with people who have been found unfit to stand trial and placed on a court ordered disposition at the conclusion of Special Proceedings.
- [Supervised Release Review Board](#): Established under the *Young Offenders Act 1994 (WA)*, the board determines the suitability of juvenile offenders for release from detention into the community on a Supervised Release Order and imposes the conditions of that order.

The agency engages with the following committees and entities:

- Aboriginal Justice Advisory Committee: Established to provide cultural advice and guidance to the agency on justice matters relevant to the Aboriginal community.
- Commissioner for Victims of Crime Reference Group: Established to provide the Attorney General and Western Australian Government with non-binding strategic advice and recommendations to inform the development of policy, programs and services for victims of crime in Western Australia.
- Justice Planning and Reform Committee: Established as a cross agency governance committee to drive justice sector reform and address critical strategic issues for the agency.
- Law Reform Commission of Western Australia: Established as an independent statutory authority to keep the law up to date and relevant by making law reform recommendations.
- Legal Costs Committee: Established as an independent statutory authority responsible for reviewing all legal cost scales in force.

## Future operating environment

The agency is a key contributor to the WA Government priority 'Building safe and inclusive communities: So that all Western Australians feel secure at home, at work and in the community'.

The Government's extensive legislative reform agenda continues to be progressed by the agency. Key reforms include legislation targeting the glorification of illegal and dangerous acts on social media, parole reform, establishing a Judicial Commission and reforms to the *Restraining Orders Act 1997*.

Monitoring and responding to emerging demands under the Family Violence Legislation Reform Bill 2024, the agency supports the Government's commitment to end family and domestic violence through legislative reform, victim survivor support services, advocacy and cross agency response initiatives.

The agency is expected to continue managing the flow of people through the justice system and address capacity issues in courts and prisons. Sustainably expanding court and prison infrastructure, along with initiatives to enhance community safety and reduce offending, are key to managing pressures across the justice system.

The agency is also advancing initiatives to support the safe and appropriate release of offenders on bail and parole. As part of the Kimberley Juvenile Justice Strategy, the agency is to expand the successful Ngurra Buru (Broome Night Space) program to Kununurra, providing a safe place for vulnerable young people.

The On Track to Thrive program provides early intervention services for children between 5 and 9 years old who come into contact with WA Police. The program aims to provide alternative pathways for vulnerable young children to divert them from entering the criminal justice system. A 2 year pilot program in Geraldton and Armadale has been funded from July 2025, with commencement of the program to be confirmed pending the completion of the co-design process.

## The review process

The review was led by Michael Barnes PSM as the independent lead reviewer with support from Zoe Davies as senior reviewer co-opted from the Public Sector Commission's Workforce Policy and Diversity Division, and the Commission's Agency Capability Review team.

Michael has over 30 years' experience in the Western Australian and Australian public sectors in senior and executive positions. Most recently he served as WA's Under Treasurer for 11 years, leaving the role in early 2025. He is now Principal of Barnes Advisory, undertaking review work for the WA Government including leading WA's input into the Productivity Commission review of the GST distribution system. He is also Chair of the Keystart Board, and incoming Chair of the Western Power Board.

Michael was awarded the Public Service Medal in 2020 for outstanding public service to state government finances and named Institute of Public Administration Australia (IPAA) WA Leader of the Year in State or Federal Government in 2022.

The review looked at all 21 capabilities in the Agency Capability Framework and identified 3 lines of inquiry for in-depth investigation. This involved further engagement and interaction with the agency, and research into how practices may be improved and capability gaps addressed.

The review also identified areas of strength that the agency and sector can build on and share.

The process involved 6 months of exploration, research and collection of information:

- A comprehensive review was undertaken of a large number of published and unpublished documents.
- 58 stakeholders were consulted and 17 written submissions received.
- 56 interviews and focus groups were conducted with staff, and individual interviews were conducted with each corporate executive member.
- Corporate executive members completed self assessments against the Agency Capability Framework.
- 2 half day corporate executive workshops and several briefings and meetings were conducted with the Director General and executive team.
- A comprehensive capability questionnaire gauged staff perception of the agency's capabilities.
- 'Have Your Say' invited staff to share what the agency does well, what can be improved and ideas for improvement.



## Key observations

- The agency plays a central role in delivering justice outcomes for Western Australians but rising system pressures demand more than operational delivery – they require strategic leadership and coordinated reform.
- The agency has not fully embraced its system leadership role across the justice pipeline. Without coordinated planning and systems thinking, there is a risk that pressures such as trial delays and prison overcrowding could worsen, limiting reform and further reducing justice system efficiency.
- The agency has to earn trust as a system leader by coordinating and driving reform efforts across the justice pipeline. This work includes rejuvenating the Justice Pipeline Model and leading partner agencies to develop joined up solutions that go beyond immediate operational fixes and deliver more transformative change.
- The judiciary's independence must be respected but the agency has a clear role in supporting it through better systems, data and infrastructure. Without this support, delays and inefficiencies will persist undermining justice outcomes.
- The absence of a whole of agency strategic plan is undercutting alignment and cohesion. If not addressed, divisional silos and reactive decision making will continue, weakening service delivery and the agency's ability to lead system wide reform.
- There are opportunities to better align planning, capability development and workforce strategy with the agency's long term strategic direction. Forward planning is often overshadowed by immediate operational demands, curbing the agency's ability to take a long term view. If planning and capability development remain disconnected from strategic direction, the agency will struggle to deliver sustainable reform.
- A unified agency remains aspirational, with entrenched silos, legacy resistance and functional separation. To fulfil a vision of a 'One Justice' approach, the agency requires skilled strategic coordination, a shared narrative and direction, and fit for purpose structures for long term planning and reform.
- Present structural and governance arrangements are complicated, lack clarity and are generally not fit for purpose. Delegations (particularly for recruitment and other human resources matters) are set at too high a level, reducing operational agility and distracting the agency's leadership from more strategic matters.
- Despite having access to extensive data, the agency does not use it strategically. Weak internal sharing, limited analysis and poor integration undermine its ability to anticipate pressures and drive system wide change.
- Workforce planning is a critical gap with no agency wide plan. A future focused plan across the agency is needed to anticipate service demands and build a resilient, capable and well distributed workforce.
- Regional workforce planning and coordination are largely absent. A more coordinated approach is needed, or the agency could face capability gaps and reduced confidence from stakeholders in its ability to meet service needs.

- Little progress has been made in addressing rising workers' compensation claims. If not targeted with greater priority and urgency, there are risks of increased financial pressure, reduced workforce availability and compromised service delivery across the justice system.
- Corporate services could better meet the agency's needs by reducing duplication of effort and building trust in internal support systems. A more responsive and coordinated model is needed to better support frontline operations and reduce resource strain.
- The agency is on an improvement path and notable progress has been made to improve youth detention outcomes. Investment in a new model of care at Banksia Hill Detention Centre and Unit 18 is translating into tangible benefits with key indicators showing consistent improvement.

## Lines of inquiry

The review identified 3 lines of inquiry to inform areas of focus for the agency and direct performance improvement efforts.

### Line of inquiry 1: System wide leadership of the justice pipeline for Western Australia

Western Australia's justice system is facing mounting and systemic pressures that are straining its capacity to deliver timely and effective justice outcomes.

The courts are experiencing significant delays in progressing matters to trial. The median time to trial for criminal matters in 2024-25 in the District Court was 64 weeks, double the 32 week target; and in the Supreme Court it was 58 weeks, 49% above the 39 week target.

Prisons have limited ability to accommodate the increasing number of people on remand and serving sentences. Bottlenecks in prison based treatment and assessment programs and a lack of transitional housing are inhibiting eligible prisoners from meeting parole requirements, contributing to the growing prison population and overcrowding.

The agency is largely reactive in managing these pressures which has created a cycle of short term responses that do not address the root causes of systemic stress. Being reactive is hindering the agency's progress in meeting Closing the Gap targets. In addition, ongoing budget overruns reflect a system under strain, requiring strategic direction and a forward looking, reform oriented, systems thinking approach.

To break this cycle, the agency needs to be more proactive in identifying whole of system reform options across legislative, policy and operational domains so it can better anticipate and plan for future challenges.

The justice system is a complex pipeline, with individuals flowing through various stages from policing and prosecution in court to sentencing, incarceration and reintegration. A whole of system approach would also enable the agency to better foresee and manage the flow on effects of how decisions made in one part of the system affect another.

Systems thinking means recognising that upstream factors such as unemployment, homelessness, social inequality and systemic discrimination contribute to justice

system contact. Downstream factors like access to transitional housing, employment opportunities and support services are critical to reduce recidivism and support reintegration. Addressing these factors has the potential to alleviate pressure across the entire pipeline. The agency should lead the design of these reforms in collaboration with its partners and with a shared commitment to system wide outcomes so they are targeted, effective and sustainable.

The Justice Pipeline Model, originally developed by the Department of Treasury in 2019 and transferred to the agency in 2022, is a valuable but currently underused tool to support policy development, funding and service delivery. The model is not a solution in itself; to realise its potential, the agency needs to shape and expand it to reflect current system pressures and reform priorities as part of a broader framework of leadership, governance and data capability.

The agency has the mandate to lead this work with ownership of the Justice Pipeline Model and Justice Planning and Reform Committee. These tools provide the levers to execute the system leadership that is critical to reform. The agency should use these tools to bring together partner agencies, share intelligence, coordinate reform options and align resources. To re-establish momentum and support the Justice Planning and Reform Committee, the agency may consider temporary arrangements, such as a time limited cross agency team or taskforce, to drive cross agency collaboration and planning.

Data, and the ability to share and interpret it, is fundamental to a whole of system approach. The agency and its partners should be encouraged to share relevant data to the maximum extent. The Western Australian Office of Crime Statistics and Research could be repositioned to play a central role in supporting the agency's system leadership function with a primary focus on data analytics, modelling and strategic policy.

For sustainability, a governance structure is required. It has to be designed by the agency in consultation with its partners and include Ministerial oversight to provide the necessary authorising environment and a pathway for key matters to be considered by the Expenditure Review Committee and Cabinet.

## **Line of inquiry 2: Strategic planning, organisational structures and governance mechanisms**

The agency's strategic planning processes are insufficient. While a one page strategic framework exists, there is no comprehensive agency wide strategic plan to guide and align divisional efforts. This has impacted strategic clarity and restricted the agency's ability to build a unified outlook, prioritise effectively and coordinate reform.

As a result, deepened divisional silos and blurred clarity for staff and stakeholders have caused:

- limited future focus and long term planning
- a reactive policy environment with fragmented initiatives
- inconsistent priorities and weak alignment between divisional and agency wide strategies
- minimal interrogation of cross cutting themes to maximise efficiency.



The agency would benefit from a robust strategic plan that articulates goals, outputs and outcomes; and serves as a foundation for cascading priorities and coordinated programs of work.

The Corporate Executive Committee is primarily operationally focused, with little time dedicated to agency strategic reflection and planning. A lack of strategic framing hinders its ability to set a unified direction, build capability and facilitate timely decision making. There is limited evidence of innovation and continuous improvement. Evaluations are primarily programmatic and not integrated into broader business planning.

While reform underway recognises some of the inconsistencies, stronger planning and governance are required to foster cohesion, accountability and strategic maturity across the agency. A systems thinking approach would support the agency to manage reviews in a timely manner, embedding outcomes as part of an established and consolidated continuum of improvement.

Delegations appear impractical, either set too high or not well understood and detached from the level of accountability. This is disrupting workflows, impacting staff and disempowering mid-tier leaders. To provide leaders with operational authority and enhance trust, the agency should consider a practical and proportionate delegations framework supported with guidance and training.

The corporate services model is not meeting the diverse needs of divisions, leading to inconsistent support, delayed responses and a lack of confidence. To fill this gap, larger divisions like Corrective Services and Court and Tribunal Services have created their own administrative structures. Alternative corporate service structures such as a business partner model could be adopted to better align services with agency specific contexts and improve cost and functional efficiencies.

Despite an extensive regional footprint, a centralised decision making environment and a lack of formal regional coordination structures limit the agency's ability to engage with regional stakeholders and address place based needs. Unlike other agencies - such as the Department of Communities, WA Health, Department of Education and WA Police Force - the agency does not have a senior overarching role to unify regional matters and advocate holistically.

Strengthened regional coordination would enhance stakeholder engagement, support formal partnerships, improve transparency, and enable more effective internal consultation, data collection and reporting.

### **Line of inquiry 3: Workforce planning and management**

Workforce planning by the agency lacks a future focus. It is neither coordinated and informed by a strategic plan nor aligned with current and emerging service demands.

Planning efforts are largely reactive and driven by short term operational pressures. Recruitment efforts concentrate on filling immediate vacancies with marginal consideration of job design, workflow efficiency and long term requirements. Workforce planning is rarely integrated with infrastructure development and strategic initiatives, and regional coordination remains a gap.

While there are some efforts to coordinate training with emerging skills requirements, learning and development plans are not aligned with workforce priorities. A performance management system exists but staff feedback indicated performance

conversations are infrequent, and managers often lack the tools and support needed to address poor performance and build team capability.

Workforce challenges are undermining service delivery and long term strategic goals. Staff retention is a significant issue driven by workforce pressures, limited career development pathways and inconsistent employee engagement practices. Attracting skilled custodial and non-custodial staff remains problematic, particularly in regional locations and high demand professions such as legal services and psychology.

The agency should shift from a reactive to a proactive approach and position workforce planning as a core capability that supports it to anticipate future needs, manage workforce challenges, support consistent staff wellbeing and engagement, and deliver services more effectively.

Over the last 5 financial years, the agency has seen a significant increase in workers' compensation claims and insurance premiums. These high numbers are symptomatic of systemic gaps in injury prevention and management, workplace health and safety and return to work processes.

Despite having a dedicated team in Human Resources, systems and structures are not meeting the scale and complexity of the issues. Inconsistent claims management across sites, coupled with not having documented guidelines, have led to uneven practices and reduced confidence in the agency's ability to resolve matters.

To address these challenges, the agency has committed to a range of initiatives and plans to develop a Workplace Health, Safety and Wellbeing Strategy to shift the focus from reactive hazard and injury management to active promotion of health and wellbeing in the workplace.

To achieve meaningful progress, the agency needs to prioritise this work, allocate sufficient resources and foster cohesion between strategic and operational levels. A unified approach is essential to improve staff wellbeing, reduce claim numbers and ensure financial sustainability.

## Areas of strength

Highlighting and sharing areas of good practice is an important element of the Agency Capability Review program. Sharing good practice contributes to the development of the WA public sector. The body of knowledge and data collected through reviews is being used to create a bank of valuable learnings and resources to develop solutions to common problems and shared across the public sector.

The following 2 are examples of where the agency has demonstrated strengths that can contribute to learnings for other agencies:

### Area of strength 1: Relationships with stakeholders to drive improved outcomes

The agency is taking deliberate and measured steps to strengthen its relationships with stakeholders. The changes are subtle but intentional, reinforcing transparency, inclusion and cultural renewal, with many stakeholders recognising a more accessible and collaborative agency.

Under the leadership of the Director General and Commissioner for Corrective Services, the agency is shifting to one that values openness, accountability and

transparency. The Director General is working on building collaboration across divisions and with stakeholders through a more responsive approach to budget prioritisation and strategic planning. The Commissioner for Corrective Services has adopted an inclusive and consultative approach to developing the Corrective Services Strategic Plan 2025-2030. Stakeholders welcomed the opportunity to contribute and saw the Commissioner's engagement with staff and partners as a signal the agency is opening its doors and listening. The shift is the start of a broader change across the agency, with leaders signalling that stakeholder voices must be heard and considered in shaping future directions.

The agency is taking active steps to build trust with delivery partners including Aboriginal community controlled organisations, legal assistance providers and non-government organisations. Stakeholders reported improved engagement, greater transparency and a willingness to co-design culturally responsive services.

Initiatives such as the Aboriginal Justice Open Days and Solid Steps program at Casuarina Prison show how collaborative partnerships can deliver tangible benefits. These programs bring together government and non-government services in a coordinated way, helping people access legal, financial and identity support.

The agency is also working with peak bodies to build more structured and enduring relationships. Renewed partnerships with organisations such as the Council of Aboriginal Services Western Australia and Aboriginal Health Council of Western Australia are helping shift the perception of the agency to one that is more open and collaborative.

Re-establishing the Justice Planning and Reform Committee is a positive step to align system wide priorities and improve cross agency coordination. The agency is also establishing initiatives with other agencies including reforms in family and domestic violence, and youth justice.

The agency's shift in approach is starting to deliver positive outcomes. Stakeholders reported improved responsiveness, more inclusive consultation and greater clarity in leadership roles. These changes can help the agency better align with government priorities, improve service delivery and build trust with partners and the community.

## **Area of strength 2: Focus on improvements to youth justice**

Youth justice in Western Australia is a complex and demanding environment. Oversight bodies and agencies consistently note the difficulty operating in this space, where managing diverse needs, maintaining safety and delivering rehabilitation requires sustained effort and innovation. Addressing these challenges is not straightforward, with systemic issues and the nature of the cohort making progress hard won. In this context, the agency has prioritised and made significant progress towards improving youth justice services.

Its work designing and implementing the new trauma informed model of care for young people in detention in the Banksia Hill Detention Centre and Unit 18 is particularly commended.

Following a recommendation from the [Office of the Inspector of Custodial Services](#) (2017) to pursue a trauma informed model of treatment for young people in detention, the agency developed the [Banksia Hill operating philosophy and service model](#) in consultation with Banksia Hill staff, Youth Justice Services leadership and young people in detention. Given the overrepresentation of Aboriginal youth in

detention, implementing the model of care has prioritised Aboriginal cultural security initiatives through:

- establishing the Aboriginal Services Team
- implementing the Aboriginal Elders and Leaders Cultural Mentoring Program
- embedding a partnership with the Council of Aboriginal Services Western Australia to co-design a framework for cultural security
- engaging Aboriginal community controlled organisations to deliver programs at Banksia Hill Detention Centre and Unit 18.

In May 2025, young people at Banksia Hill Detention Centre actively contributed to planning, delivering and participating in Benang Moorditjabiny – Becoming Stronger for Tomorrow, a National Reconciliation Week event hosted in partnership with Reconciliation WA, welcoming 90 guests.

A [2024 Office of the Inspector of Custodial Services report](#) reviewing youth in custody cited data showing a decrease in critical incidents and a corresponding increase in out of cell hours reported between January 2023 and May 2024. The report observed “noticeable improvements aligned to the model of care” along with improved cultural services driven by the Aboriginal Services Unit, and positive education results.

The successful Dandjoo Bidi-Ak civil court of the Children’s Court of WA reflects the agency’s improved commitment to delivering culturally aware services. Established as a pilot in 2020, the Dandjoo-Bidi-Ak court aims to provide a culturally safe and respectful environment that empowers and supports Aboriginal families. Similar to the model of care for youth in custody, the agency implemented a thorough process to establish the court.

Stakeholders have acknowledged the agency’s strong relationships with and commitment to co-design for the Broome Ngurra Buru/Immediate Response Night Space service for youth as part of the Kimberley Juvenile Justice Strategy. The program’s co-design process was facilitated by West Kimberly Futures Empowered Communities (EC-West), actively supported by the agency’s consultation with Aboriginal community members, public sector agencies and local organisations.

In March 2025, the government allocated \$5.9 million to co-design and implement a night space service in Kununurra. The agency can draw on the successful Broome co-design process for Kununurra and more broadly for the development of other place-based culturally aware initiatives.

The agency continues to prioritise improvement in youth justice services and is making progress in a complex and challenging environment. It will maintain momentum by continuing working with partners, focusing on shared priorities and delivering improvements that benefit young people.



We are proud to deliver our services from Whadjuk Noongar boodja. We acknowledge and pay respect to Elders, Traditional Owners and Custodians of Country throughout Western Australia and their continuing connection to land, sky, waters and community.

Copies are available in different formats on request.

© State of Western Australia 2025

The State of Western Australia owns or licenses the copyright in this material. You may reproduce or communicate the material in an unaltered form (retaining this notice) for your own personal use, non-commercial use in your organisation, or as permitted under the *Copyright Act 1968* (for example 'fair dealing'). You must not reproduce, modify, communicate or use any part of the material for a commercial purpose without prior written approval from the Public Sector Commission.

Public Sector Commission | 2 Havelock Street, West Perth, WA 6005  
T 08 6552 8500 | E [admin@psc.wa.gov.au](mailto:admin@psc.wa.gov.au) | [WA.gov.au](http://WA.gov.au)

**December 2025 | PSC25034560**