



# Annual Report 2013/14



# Department of the Attorney General

## Statement of Compliance

For the year ended 30 June 2014

**Hon Michael Mischin MLC**  
**Attorney General**

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 the Attorney General for the financial year ended 30 June 2014.

The annual report has been prepared in accordance with the provisions of the *Financial Management Act 2006*.



Cheryl Gwilliam

DIRECTOR GENERAL

DEPARTMENT OF THE ATTORNEY GENERAL

19 September 2014

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ISSN: 1837-0500

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# OVERVIEW OF THE AGENCY

## Executive Summary

This financial year the Department continued to support the State Government's law and order and implemented a range of new initiatives to expand and improve frontline services.

A key State Government initiative for 2013/14 was the establishment of the position of Commissioner for Victims of Crime, to advocate for, and to encourage good practice in the treatment of, victims of crime. The Commissioner began in the role in July 2013 and is working to progress a range of operational reforms. These include improving the way victims of crime get notifications about those who offended against them and better guidelines for court prosecutors dealing with victims of crime. Work will also focus on enhancing safety for victims and improving the whole-of-government provision of information to victims of crime.

The Department continued to provide comprehensive policy and legal advice to the Attorney General on a range of law reforms, coupled with delivering legislative drafting services to a high standard. Legislation that passed through State Parliament included amendments to the *WA Criminal Code 1913* to protect children from sexual predators, both within and outside of Western Australia, confirm Youth Custodial Officers as prescribed public officers for the purposes of mandatory sentencing of offenders convicted of assaulting them and amending the *Restraining Orders*

*Act 1997* to improve access to violence restraining orders for family violence victims with children. A number of statutory reviews of legislation were completed this financial year. The Department assisted the Attorney General in reviewing the provisions of the *Dangerous Sexual Offenders Act 2006*. The review followed the conditional release of a dangerous sexual offender by the courts, the subsequent breach of his supervision order and the consequences of that breach.

The *Fines, Penalties and Infringement Notices Enforcement Amendment Act 2012* was proclaimed in August 2013. The legislation allowed for new, tougher fines enforcement sanctions including wheel clamping, the removal of vehicle licence plates, publication of the names of major debtors registered with the Fines Enforcement Registry on a State Government website, increased restrictions on driving and vehicle licence renewal and enhanced enforcement of infringement notices. These enhanced measures were introduced in the metropolitan area in August 2013 and then expanded into parts of the South-West in April 2014. The enhanced sanctions have had a substantial positive impact on the repayment, or

the arrangement to pay off, outstanding fines and infringements across the State.

The State Solicitor's Office assisted State Government agencies in responding to the increasing volume of requests for information associated with the Commonwealth Government Royal Commission into Institutional Response to Child Sexual Abuse. While the Commission was due to be completed in December 2015, it may continue beyond this date.

Western Australia's growing and ageing population, combined with the prevalence of dementia, is resulting in continued increased demand for services provided by the Offices of the Public Trustee and Public Advocate. The Public Trustee provides services at a subsidised rate or at no cost to vulnerable clients. The high demand for Public Trustee services is being addressed by streamlining current services and examining new potential income streams to help self-fund the agency. Similarly, the Office of the Public Advocate has experienced a continued and substantial increase in demand for statutory services provided to vulnerable adults with decision-making disabilities, who require guardianship, as well as the related

## Overview of the Agency - Executive Summary

investigation of matters referred on to the Office by the State Administrative Tribunal. More than 1,200 Western Australians are under guardianship, a 152 per cent increase from five years ago.

The State Government increased the Department's expense limit by approximately \$1 million for the Family Court of Western Australia to address its increased workload. Similarly, the WA Coroner's Court received additional funding to reduce case and inquest backlogs. The median time to trial for criminal matters in the District Court of Western Australia was 26 weeks, six weeks under the target time of 32 weeks. The Magistrates Court of Western Australia was also under target with the median time to trial for criminal and civil matters one week better than the target of 19 weeks. An increased number of homicide cases heard in the Supreme Court saw the median time to trial rise to 29.5 weeks against a target of 28 weeks in that jurisdiction. The State Government has provided some additional temporary resources to the court to assist in managing its workload.

The Department continued its work towards reducing the over-representation of Aboriginal people in the criminal justice system. The three main focus areas of the Department's Aboriginal Justice Program (AJP) relate to Aboriginal people who are either in, or at risk of entering, the justice system because of driver's licence offences or unpaid fines and the provision of victim support services to Aboriginal people in remote areas.

To assist Aboriginal people living in regional and remote locations to gain or regain a driver's licence and address any outstanding fines, the AJP

continued to hold "Open Days" at regional and remote locations. During the past two years Open Days have been held in more than 18 locations across the Derby/West Kimberley, Halls Creek, Laverton and Leonora local government areas.

As an issuer of evidence-of-identity documents, the Registry of Births, Deaths and Marriages is a key contributor to Western Australia's commitment under the National Identity Security Strategy (NISS) to protect the identities of WA people. The Registry has contributed to the NISS by digitising paper-based records, strengthening data-sharing arrangements, improving the security features of birth, death and marriage certificates and by participating in the National Document Verification Service. The high demand for key identity documents arises from the increasing need of government and private organisations to strengthen client identification processes to minimise identity crimes, including identity fraud, and to ensure West Australian citizens are eligible for the full range of benefits and services to which they are entitled.

The Department continued fulfilling its \$138 million investment in regional justice infrastructure. The new Kalgoorlie Courthouse was opened by the Premier, the Hon Colin Barnett MLA, on 22 November 2013 and began operating on 3 December of that year. A new police and justice complex is under construction in Carnarvon, a new courthouse is being built in Kununurra and a tender has been put out to construct a new courthouse in Fitzroy Crossing. Construction of the new Kununurra Courthouse is well advanced and will comprise of two courtrooms and facilities

for mediation and pre-trial conferences. In addition, there will be facilities for jurors and witnesses and a custody area is integrated with the existing police station. It is expected the courthouse will become operational in the last quarter of 2014. Similarly, construction of the Carnarvon Police and Justice Complex progressed during this year and the building is expected to be completed in early 2015.

Our Corporate Services Division including Finance, Strategic and Transactional Human Resources, Assets and Shared Information Services continued to provide essential support for the Department's operations. Without this support it would not be possible for frontline Departmental staff to deliver services to the community.

The Department continued to work with the Attorney General, the Hon Michael Misichin MLC, during the financial year and I thank him for his strategic direction and support of the Department.

I would like to commend all staff for their ongoing dedication and commitment to deliver high quality services to the State Government and the community.



Cheryl Gwilliam  
DIRECTOR GENERAL  
DEPARTMENT OF THE ATTORNEY GENERAL

# Operating Locations

The Department of the Attorney General head office operates from 141 St Georges Terrace, Perth.

The Department administers in eight metropolitan and 21 regional locations throughout Western Australia

# Acts Administered

For a list of Acts administered through the Department of the Attorney General, please refer to Appendix 1.



# Strategic Framework

## Our purpose

The Department of the Attorney General provides high quality and accessible justice, legal, registry, guardianship and trustee services which meet the needs of the community and government.

This supports justice outcomes and opportunities for current and future generations.

In particular, the Department directly contributes to a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

## Our roles and services

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

The Department is the agency principally responsible for assisting the Attorney General in developing and implementing Government policy and the administration and compliance with approximately 200 Acts.

The Department has a diverse range of services, which include:

- court and tribunal services
- advocacy, guardianship and administration services
- trustee services
- birth, death and marriage registrations
- services to Government, including policy, legal and Parliamentary drafting.

## Our principles and values

We are committed to the Public Sector Code of Ethics principles and subscribe to the values of our Department:

**Excellent service** - Our client groups have varied service needs. We strive to achieve and maintain credible and professional services to diverse client groups. This is achieved through effective communication and by making services relevant, responsive, accessible, accurate and fair.

**Integrity and accountability** - We are open, honest, impartial and ethical in our communications and decisions. We take responsibility for our behaviours, which are governed by the legal system, agreed standards and codes.

Our services have the potential to affect almost all Western Australians. As such, we work hard to ensure effective:

- Assistance and infrastructure for the community and judiciary that enables cases to be progressed, orders to be enforced and victims to be supported and counselled.
- Access to accurate, permanent and confidential records of births, deaths and marriages by the community and Government.
- Legal advice and legislative preparation are available to help Government service the community.
- Protection for people with decision-making disabilities and equitable access to trustee services.
- Strategic policy advice to Government on justice, victims of crime and law and order issues.
- Departmental services appropriate to the needs of the diverse population of the State.

**Equity and fairness** - We respect diversity and know that we sometimes have to treat individual members of our staff, the community and client groups differently to reach fair outcomes.

**Collaboration and learning** - Our people take pride in their work and the value they contribute to the Department. We recognise the knowledge and skills of our people and support their continuous learning and development.

**Professional autonomy** - We respect the differing professional attributes that are developed and nurtured in our business areas and the rights of our people to provide objective, frank and fearless advice to their clients and the community.

We also lead and influence justice reform and strategic policy development for the State.

We do this professionally by collaborating internally and with other agencies to efficiently and effectively make our services accessible, timely and relevant to the needs of our client community groups.

We are continuously improving our services to understand and meet client and community needs in a way that reflects their geographic, cultural and demographic diversity.

This includes developing better mechanisms for resolving justice issues, cross-government co-operation that supports better justice outcomes, and developing more efficient business processes and integrated systems.

## Our future

We are valued as leaders in developing and delivering justice services, policy and reforms that are significant and sustainable.

## KEY RESULT AREAS

### Service delivery

Improving the quality of our services and the ability of our clients and the community to access them.

### Strategic policy development and advice

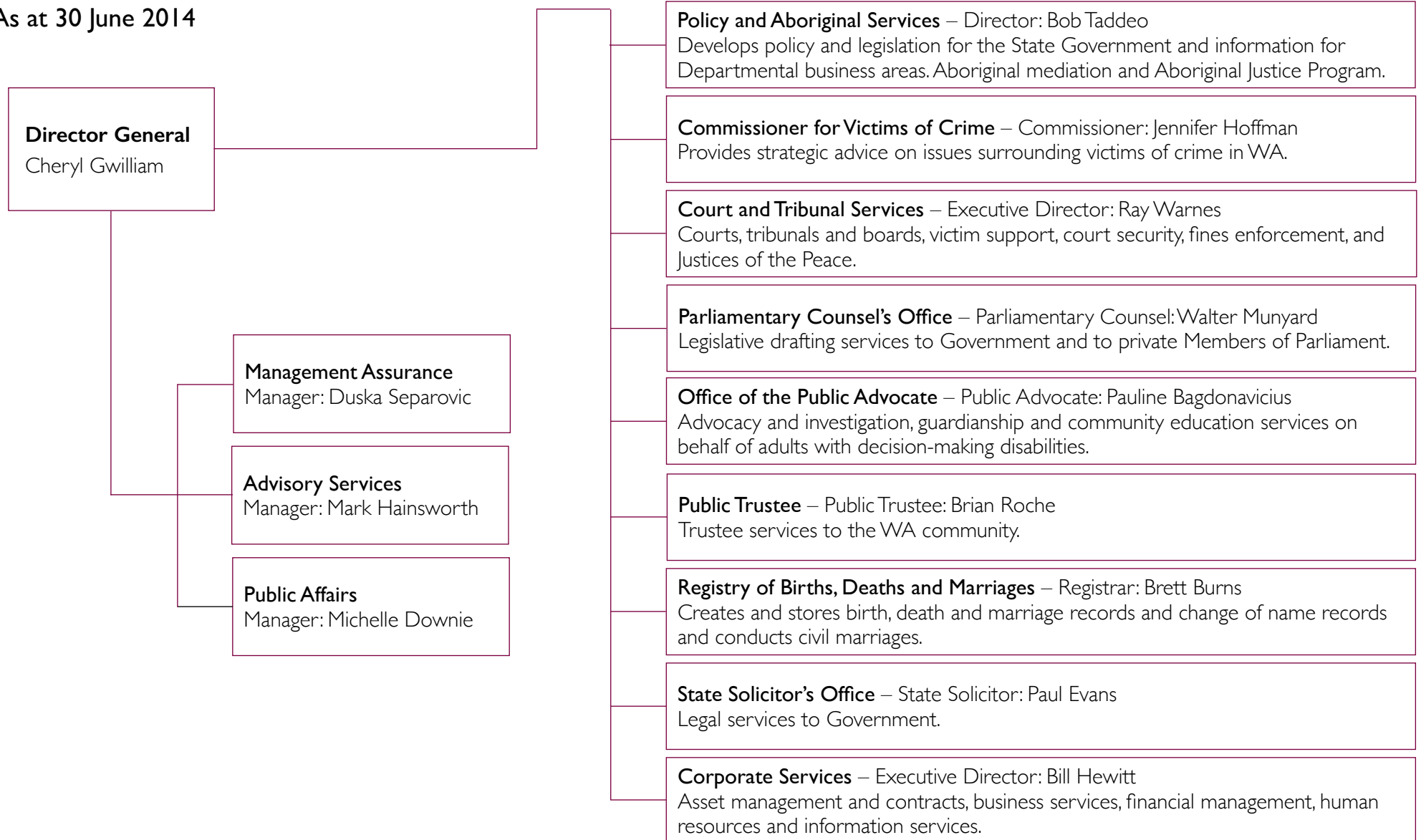
Providing strategic policy analysis and advice to Government on key reforms in the justice system.

### Investing in people

Developing and sustaining our organisational capacity by recognising and developing the skills and expertise of our people.

# Organisational Structure

As at 30 June 2014





# Operational Highlights 2013/14

<p><b>Finalised 2,757 civil cases and 241 criminal cases.</b> - Supreme Court</p>	<p><b>Guardian for 1,218 people</b> - Office of the Public Advocate</p>	<p><b>Criminal Property Confiscation Grants worth \$1.86 million were awarded.</b> - Policy and Aboriginal Services</p>	<p><b>250,000 historical paper-based records converted to an electronic format.</b> - Registry of Births, Deaths and Marriages</p>
<p><b>Continued to meet its key performance indicators with the median time to trial at 26 weeks compared to a target of 32 weeks.</b> - District Court</p>	<p><b>More than 105,000 Western Australians' Wills are now stored in the fire-proof WA Will Bank.</b> - The Public Trustee</p>	<p><b>Completed the drafting and publishing of more than 400 pieces of subsidiary legislation.</b> - Parliamentary Counsel's Office</p>	<p><b>From 21 August 2013 to 30 June 2014, \$84 million had been collected from fine and infringement defaulters.</b> - Fines Enforcement Registry</p>
<p><b>Addressed 2,692 reportable deaths (including 683 death certificates) and finalised a total of 2,036 matters.</b> - Coroner's Court</p>	<p><b>More than 90% of staff, who completed the employee opinion survey, felt their supervisors demonstrated honesty and integrity and respect for them.</b> - Corporate Services</p>	<p><b>Ms Jennifer Hoffman was appointed as the State's first Commissioner for Victims of Crime.</b> - Office of the Commissioner for Victims of Crime</p>	<p><b>A dramatic reduction in the number of backlog cases, from 938 in September 2011 to 415 in June 2014.</b> - Coroner's Court</p>
<p><b>764 Justices of the Peace participated in approved Departmental training.</b> - Court and Tribunal Services</p>	<p><b>Served over 45,000 customers attending the Perth Registry office.</b> - Registry of Births, Deaths and Marriages</p>	<p><b>The Kalgoorlie Courthouse was officially opened on the 22 November 2013.</b> - Court and Tribunal Services / Corporate Services</p>	<p><b>Provided advice and representation to 89 Departments and agencies including 4,211 requests for advice and involvement in 652 prosecutions.</b> - State Solicitor's Office</p>
<p><b>The median time to finalise matters was 14 weeks meeting the target timeframe of 15 weeks.</b> - State Administrative Tribunal</p>	<p><b>Open Days helped convert \$406,931 of outstanding fines into time to pay or work and development orders.</b> - Aboriginal Justice Program</p>	<p><b>Completed the upgrade of 7,000 personal computers.</b> - Corporate Services</p>	<p><b>Investment funds with a value of \$190 million.</b> - The Public Trustee</p>

# Performance Management Framework

## Government Goals

The work of the Department of the Attorney General reflects the State Government goal of:

Results based service delivery; greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

## Outcomes and Services

DotAG Desired Outcomes		Services	
1.	An efficient, accessible court and tribunal system	1.	Court and Tribunal Services
2.	Trustee, Guardianship and Administration services are accessible to all Western Australians	2.	Advocacy, Guardianship and Administration Services
		3.	Trustee Services
3.	Western Australian birth, death and marriage certificates are accurate and accessible	4.	Births, Deaths and Marriages
4.	Government receives quality, timely legal and legislative drafting services	5.	Services to Government
5.	Equitable access to legal services and information *	6.	Legal Aid Assistance*

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

## Changes to the Department's Outcome Based Management Structure

The Department's Outcome Based Management (OBM) structure was amended for this reporting period to cater for the merging of two key efficiency indicators into one, 'Court of Appeal – Cost per case'.

Previously, this indicator was reported separately as 'Court of Appeal - Criminal - Cost per case' and 'Court of Appeal - Civil - Cost per case'. Since the inception of these indicators in 2007 it has been demonstrated that there is no cost differential between the criminal and civil components.

# AGENCY PERFORMANCE

## Financial Summary

Services	Budget 2013/14 \$000	Actual Expenditure 2013/14 \$000
1. Court and Tribunal services	374,523	350,313
2. Advocacy, Guardianship and Administration services	5,762	5,985
3. Trustee Services	23,344	23,815
4. Births, Deaths and Marriages	7,822	7,231
5. Services to Government	78,499	83,926
6. Legal Aid Assistance	36,352	36,988
<b>Total Cost of Services</b>	<b>526,302</b>	<b>508,258</b>

## Financial Targets

	Target 2013/14 \$000	Actual 2013/14 \$000	Variation	Comment
Total Cost of Services (expense limit) (sourced from Statement of Comprehensive Income)	526,302	508,258	-3%	The reduced expenditure was largely due to a lower than expected actuarial assessment of the judicial pension liability and the 2013-14 procurement savings introduced as part of the Mid-Year Review.
Net Cost of Services (sourced from Statement of Comprehensive Income)	392,878	370,736	-6%	The target variance is explained above.
Total Equity (sourced from Statement of Financial Position)	585,536	579,232	-1%	The variance is due to scheduling of various courthouse projects and system upgrades.
Net Increase/(Decrease) in Cash Held (sourced from Cash Flow Statement)	(975)	30,475	32%	The increase in cash is mainly due to scheduling of various capital projects.

# Key Performance Indicators

The key performance indicator results showed the Department continued to work towards achieving the KPI targets set in the 2013/14 budget statements.

Improvement was particularly noted in the Coroner's Court where median time to trial at the end of 2013/14 was at 112 weeks as compared to target of 128 weeks.

This result was attributed to an increase in the finalisation of inquests and a focus on the completion of older inquest cases. In the District Court criminal jurisdiction, enhancements in criminal listing practices continued to impact on the median time between initial committal and the first trial date and resulted in six weeks better than the target of 32 weeks.

Time to finalise non-trial matters in the Family Court was affected by the considerable effort on finalising older matters and an increase in complexity

and volume of parenting applications.

In 2013/14, parenting applications represented 66 per cent of the Family Court matters and these matters take longer to reach finalisation than financial applications.

Median time to trial (criminal and civil) in the magistrates court was 18 weeks, one week better than the target of 19 weeks.

The Registry of Births, Deaths and Marriages continued to benefit from converting its paper-based records to an electronic format by performing better than target for both the accuracy of its source records and timeliness of the delivery of certificates.

More than 102,361 certificates were issued during the year and around

97,105 or 95 per cent were issued within two days.

This is five per cent better than the target set in the 2013/14 budget statements.

Government agencies surveyed on the delivery of services by the State Solicitor's Office showed a 100 per cent satisfaction rating.

The Parliamentary Counsel's Office indicator on the extent to which legislation is drafted in a timely manner showed the drafting of legislation is 10 per cent better than the target.

The complete details of key performance indicators are provided in the Disclosures and Legal Compliance – Key Performance Indicators section.

# Court and Tribunal Services

## 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 serious criminal charges, including breaches of Commonwealth drug enforcement laws, appeals about the decisions of magistrates - sitting in criminal matters in the Magistrates Court - and civil cases involving complex issues or a significant amount.

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

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

## Outcomes 2013/14

The Supreme Court median time to trial for criminal matters was 29.5 weeks, slightly above the target of 28 weeks. The Court experienced high demand for criminal trial time with pending homicide cases increasing from 34 in June 2013 to 46 in June 2014. The State Government provided temporary additional judicial resources for the period February 2014 to July 2014.

The Supreme Court continued to deliver high quality services to the community. The Court:

- Finalised 2,757 civil cases and 241 criminal cases
- Issued 5,404 grants of Probate which enables deceased estates to be finalised
- Conducted 54 criminal trials and 54 civil trials
- Heard 4,789 judicial appointments for case management and interlocutory orders in civil matters
- Conducted 532 mediations in civil cases
- Finalised 389 criminal appeals and 169 civil appeals
- Managed 299 accused cases in the Stirling Gardens Magistrates Court to committal.

On 23 September 2013, the Court completed the "Rayney Appeal" for which the Court received additional Government funding.

Due to the unique nature of the Rayney Appeal, special arrangements were made to ensure the appeal was conducted fairly, including the appointment of three interstate judges.



Supreme Court of Western Australia.

## Family Court of Western Australia

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

As part of the 2013/14 budget process the Government approved an increase in expense limit of more than \$1 million per annum to provide the Family Court of WA with additional resources funded from revenue to address its increasing workload.

### Outcomes 2013/14

Timeliness continued to be a priority for the court, with the State-funded temporary magistrate contributing towards a 12 week reduction (to 95 weeks) in the median time to trial. The median time to non-trial finalisation however increased to 57 weeks, against a target timeframe of 27 weeks. This increase has been attributed to the court's efforts to reduce the number of inactive matters, and an increased clearance of final order parenting applications which generally take longer to reach finalisation than financial matters.

During the financial year:

- 2,731 initiating applications for final order were lodged with the Family Court (an increase of 5.6 per cent from 2012/13);
- 3,270 initiating applications for final order were finalised (an increase of 12.3 per cent from 2012/13), resulting in a clearance ratio of 119.7 per cent.

## District Court

The District Court hears commercial and debt recovery matters involving claims up to \$750,000, claims for damages for personal injuries, claims for damages for injury sustained in motor vehicle accidents and serious criminal offences excluding those with a maximum term of life imprisonment.

### Outcomes 2013/14

The District Court continued to meet its key performance indicators with the median time to trial at 26 weeks compared to a target of 32 weeks. During the year, the District Court also continued to deliver high quality services to the community. Seventy-four per cent of all cases were finalised within the target timeframe of 52 weeks. The Court again focussed on the delivery of services to country circuit locations. Key trends included:

- 3.4 per cent increase in the workload of the Court, with 2,070 criminal case lodgements received (a four per cent increase) and 4,790 civil case lodgements received (a three per cent increase); and
- 1.5 per cent decrease in the number of matters finalised, with 1,833 criminal cases finalised (a nine per cent decrease) and 4,683 civil cases finalised (a two per cent increase).



District Court Building.

## Magistrates Court

The Magistrates Court hears criminal and civil matters involving people aged 18 years and above.

The court operates in many locations across the state. Criminal offences (known as simple offences) are heard in the Magistrates Court, in addition to either way offences which can be heard in either a lower or superior court, depending on a determination made by the court. The court also deals with civil matters for claims up to \$75,000, as well as restraining orders and extraordinary licence applications.

### Outcomes 2013/14

During the year the Magistrates Court had a two per cent reduction in criminal case lodgments from 2012/13. This reduction was driven primarily by a decrease in lodgments of offences, such as public order offences. The Magistrates Court anticipates a similar trend in criminal case lodgments in 2014/15.

The Magistrates Court also noted a one per cent reduction in civil case lodgments from 2012/13. This decrease was driven primarily by fewer lodgments of applications for extraordinary drivers licences, which decreased by one per cent from 2012/13.

The median time to trial for criminal and civil trials in the Magistrates Court of Western Australia was 18 weeks in 2013/14. This was one week better than the target of 19 weeks.

## Mental Health Court (START)

The START (Specialist Treatment and Referral Team) Court commenced operation on 18 March 2013. This pilot program is the first mental health court diversion program in Western Australia.

The Mental Health Diversion and Support Pilot Project is a joint initiative between the Mental Health Commission and the Department of the Attorney General.

The project involves dedicated and trained staff from multiple agencies including Legal Aid, WA Police, Department of Corrective Services and the Department of Health.

The initiative operates out of Perth Magistrates Court and convenes five days per week. The START Court focuses on providing more options for people in Court with mental illness, and more capacity for the Court to respond in ways that support people whilst addressing their offending behaviour.

### Outcomes 2013/14

Up to the end of June 2014, the START Court has had 421 accused appear before it. Of those, 278 have been assessed by the clinical team for suitability for inclusion in the START Court program. As at 30 June 2014, the START Court Clinical Team were supporting 82 participants.

## Sunday Court

Planning for Sunday Court sittings at the Northbridge Police Complex were advanced during the year to enable the court to commence as scheduled on Sunday 6 July 2014. The new court sitting will be able to deal with offenders who are held in custody at the Northbridge Complex on Sunday mornings.

The court will also be able to deal with accused from regional police lockups once police increase video conferencing capability from major regional lockups. By dealing with accused on Sunday morning, rather than detaining them through until Monday, police will be released from lockup duties to deal with matters in the community. The court will be presided over by a pool of Acting Magistrates and funding has also been provided to include police prosecutors, court custody and security staff, community corrections staff, legal aid lawyers, court staff and provisions for prisoner transport and prison reception capacity at Hakea and Bandyup Prisons. The court is expected to deal with up to 40 persons in custody each Sunday.

## Perth Drug Court

The Perth Drug Court diverts more serious offenders who have more complex substance use problems into highly intensive and supervised treatment responses. Participants who successfully complete a Drug Court Program will have addressed their offending behaviour and may avoid a term of imprisonment in order to continue their rehabilitation in the community.

A series of diversion programs are delivered within the Magistrates Court that specifically assist people with drug related problems. These programs are jointly delivered by the Drug and Alcohol Office and the Department of the Attorney General. Participants in these programs are able to access treatment and counselling aimed at assisting them to break their cycle of drug related problems and offending.

In July 2013, the Presentence Opportunity Program (POP) for illicit substance users was expanded in the Perth Magistrates Court to include offenders whose prime and only drug of concern was alcohol. During March 2014, this initiative was further expanded to include offenders who appeared before the Magistrates Court in Joondalup, Midland, Armadale, Fremantle, Rockingham and Mandurah. This means that offenders in the broader Perth area who wish to address their alcohol related problems may now access the POP Program prior to being sentenced.

### Outcomes 2013/14

During the year 1,074 cases were referred to the Perth Adult Drug Court for application to be included within an intensive treatment case management regime for their substance problems.

### Family Violence Court

Specialist Family Violence Courts operate in Magistrates Courts in the metropolitan area and Geraldton. The key objectives of the Family Violence Courts are focused on enhancing the safety for

victims of family violence and holding perpetrators accountable for their offending.

The Family Violence Service (FVS) works in partnership with other key agencies such as Western Australia Police, Department of Corrective Services, Department of Child Protection and Family Support, Legal Aid and non-government agencies supporting victims of family violence while the perpetrator is required to participate in an intervention program before sentencing.

### Outcomes 2013/14

During 2013/14, the FVS delivered more than 1,800 services to victims in the Family Violence Courts and prepared more than 300 court ordered protective bail condition reports to assist the courts with safety assessments for victims of family violence.

### Aboriginal Liaison Program

In 2013/14 the Department continued to provide guidance to Aboriginal people attending court. There are seven Aboriginal Liaison Officer positions at Albany, Broome, Carnarvon, Kununurra, South Hedland and two in Perth.

## Children's Court

The Children's Court of Western Australia deals with offences alleged to have been committed by young people aged 10 to 17 years.

The Court hears protection and care applications for children under the age of 18.

The mental health diversion and support pilot project, known as Links (in the Children's court), continued in 2013/14 providing the President and Magistrates of the Children's Court access to a team of mental health specialists, including a clinical psychologist, a consultant psychiatrist, mental health nurses and support workers.

The Links team is on-hand to provide assessments and reports to the court, make referrals to appropriate services and offer some clinical intervention. Links aims to divert young offenders from the criminal justice stream to ensure they receive necessary treatment as well as alternative sentencing options for those whose offences are the result of mental illness.

The Perth Children's Court also delivers a Children's Court Drug Court which aims to divert young people who are experiencing drug-related problems into intensive case management and treatment.

### Outcomes 2013/14

The number of criminal cases in the Perth Children's Court declined by 6.7 per cent, from 7,210 in 2012/13 to 6,723 in 2013/14. Civil lodgments declined by 14.4 per cent from 3,065



in 2012/13 to 2,622 in 2013/14. The Links Clinical Assessment Team has provided advice, assessment or assistance in 254 cases since the commencement of Links.

### Coroner's Court

The Coroner's Court investigates more than 2,500 cases annually where a death arises from apparent unnatural causes or when the cause of death is unknown.

The outgoing State Coroner, Mr Alastair Hope, retired in January 2014 and the new State Coroner, Ms Rosalinda Fogliani, commenced on 13 January 2014.

During the year the Coroner's Court Legislative Project commenced as part of a three-year reform strategy. This project will address a significant proportion of the recommendations of the Law Reform Commission of WA Report – Review of Coronial Practices in Western Australia the Strategic Review of the Office of the State Coroner and section 57 Review of the operations of the *Coroner's Act 1996*. Resulting actions will include amendments to the *Coroner's Act 1996*, amendments to the Coroner's Regulations 1996 and creating Coroner's Court rules.

In 2013/14 the Government provided ongoing funding of \$8.2 million over the forward estimates to address the Coroner's existing case and inquest backlogs, largely driven by the State's increasing and ageing population.

The funding provided an additional 12 FTE (full-time equivalents) - including two additional coroners - to be made permanent from 2013/14.

### Outcomes 2013/14

The Coroner's Office continued to focus on a backlog of cases.

As at 30 June 2014 there had been a reduction in backlog cases from a record high of 938 in September 2011, to 415 cases. Approximately 60 per cent of the backlog of cases were waiting on external agencies to supply information before a coroner can make a determination on the matters.

In 2013/14 the court dealt with 2,692 reportable deaths (including 683 death certificates) and finalised a total of 2,036 matters. Overall, the number of reportable deaths continued to increase in line with Western Australia's population growth. The Coroner's Court sat for 104 days in 2013/14 and finalised 77 inquest cases.

*There has been a dramatic reduction in the number of backlog cases from a record high of 938 in September 2011, to 415 in June 2014.*

## Tribunal

### State Administrative Tribunal

The Tribunal hears a broad range of matters, from large planning and development disputes to safeguarding the rights of vulnerable members of the community in guardianship and administration matters. The Tribunal uses less formal procedures than other jurisdictions and is designed to encourage self-represented litigation to increase access to the justice system.

### Outcomes 2013/14

The median time to finalise matters was 14 weeks, meeting the target timeframe of 15 weeks.

The Tribunal received 7,794 applications in 2013/14, an increase of six per cent on 2012/13. Key application trends included:

- A nine per cent increase in guardianship and administration applications, with 5,173 applications compared with 4,729 in the previous year. This accounted for 66% of the applications received by the Tribunal.
- A two per cent decrease in commercial and civil applications, largely the result of a 43% decrease in applications under the building complaints jurisdiction following a reduction in matters being referred by the Building Commission to the Tribunal.
- An 11 per cent increase in development and resource applications due to amendment of the *Planning and Development Act 2005* and *Local*

*Government Act 1995.*

- A four per cent decrease in vocational regulation applications.

The Tribunal finalised 7,543 matters during the 2013/14 year compared to 7,536 for the previous year.

During the year the Tribunal began accepting online applications and moved towards broader use of electronic submissions, improving its service delivery.

The year also saw the appointment of a new President, the Hon Justice Jeremy Curthoys, replacing the Hon Justice John Chaney who returned to the Supreme Court in February. Justice Chaney had been a Deputy President and then President of the Tribunal since its inception in 2005.



State Administrative Tribunal reception.

## Boards

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

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

In December 2013 the Prisoners Review Board, the Mentally Impaired Accused Review Board and Supervised Release Review Board moved from a paper-based system of file management to an electronic system. All Board files are now created electronically and Board Members are able to access all files required for their meeting electronically through a portal. This has eliminated the need to produce multiple paper copies of offender files and resulted in substantial reductions in paper use, copier costs, transport problems and cost, as well as improved security of information and ease of access.

In October 2013, His Honour Judge Robert Cock QC, Chairperson Prisoners Review Board, the Hon Michael Murray AO QC, Chairperson Supervised Release Review Board, and the newly appointed Commissioner of Corrective Services, James McMahon, had the pleasure of hosting the annual Australasian Parole Authorities Conference. The theme of the conference was 'Innovation towards Rehabilitation and Reintegration' and representatives from jurisdictions around Australia and New Zealand were given the opportunity

to hear a range of experts and professionals in specific areas. These included rehabilitation and reintegration services for people with mental illness, the value of mentoring and employment programmes and how these impact on parole decisions.

## Prisoners Review Board

The Prisoners Review Board considers prisoners for release from custody, sets or varies conditions of release and considers applications for the suspensions and/or cancellation of orders.

During the year the Prisoners Review Board held 626 meetings and considered 5,919 matters. These matters included, but were not limited to, first reviews for parole, requests to review decisions, re-applications for parole, breaches of parole and other statutory reviews.

The Prisoners Review Board made 1,116 orders to release offenders on parole. This represents an increase from the previous financial year of 13.87 per cent. Parole was denied on 2,142 occasions in 2013/14, which represents a 19 per cent increase from the previous financial year.

Parole was suspended or cancelled on 461 occasions which represents a 21 per cent increase on figures from the last financial year.

### Mentally Impaired Accused Review Board

The Mentally Impaired Accused Review Board is concerned with people found not guilty of offences due to unsoundness of mind and those found to be mentally unfit to stand trial. In 2013/14 the Board held 28 meetings and considered 139 matters, representing an increase of 5.3 per cent from the last financial year. Pursuant to section 33 of the *Criminal Law (Mentally Impaired Accused) Act 1996* (WA), the Mentally Impaired Accused Review Board is required to provide the Minister with a written report about an accused at least once in every year. In 2013/14, the Mentally Impaired Accused Review Board prepared 44 statutory reports for 39 accused.

### Supervised Release Review Board

The Supervised Release Board, created under the *Young Offenders Act 1994*, determines the suitability of young offenders in detention to be released.

During the year the Board held 52 meetings and considered 570 matters in 2013/14, representing a decrease of 19 per cent from the last financial year.

### Gender Reassignment Board

The Gender Reassignment Board considers applications from people wishing to have their gender reassigned from male to female or female to male, and issues gender recognition certificates in suitable cases, in accordance with the *Gender Reassignment Act 2000* (WA).

In 2013/14 the Board held six meetings and considered 13 applications, representing a decrease of 23 per cent from the last financial year.

### Criminal Injuries Compensation

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

The number of criminal injuries compensation applications accepted this year increased from 2,154 in 2012/13 to 2,342 in 2013/14, an increase of 8.7 per cent. The past five years has seen a continuing trend of rising numbers of applications (43.9 per cent), together with the applications increasing in complexity. Although finalisations increased by 1.6 per cent on last year, finalisations did not keep pace with the number of new applications received.

A total of \$34.04 million was awarded to 1,679 victims of crime in 2013/14. To assist in compensating the State for this cost, a total of \$1.74 million was recovered from offenders, an increase of 5.2 per cent on the previous year.

### Justices of the Peace

The office of Justice of the Peace (JP) is a voluntary and statutory position involving a range of duties and responsibilities most commonly including witnessing of documents. At many justice facilities throughout Western Australia JPs are also required to preside in magistrates courts, particularly in

regional areas. The Department has responsibility for supporting Western Australian JPs. This year the Department continued to increase training opportunities for the State's 2,876 JPs. In particular, training was targeted to the 300 JPs who are eligible and make themselves available for judicial duties.

### Outcomes 2013/14

A total of 82 training seminars/workshops/online modules were conducted in the year which included nine in the metropolitan area, 53 in regional locations and 20 online modules. A total of 764 JPs participated in approved Departmental training seminars/workshops/online modules.

### Court Counselling and Support Services

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

### Victim Support Service

The Victim Support Service (VSS) provides a range of specialist services to the community to assist their understanding of, and interaction with, the criminal justice system. A dedicated phone line, comprehensive information available online and face-to-face services are targeted initiatives aimed at raising community awareness. These initiatives are

## Agency Performance - Court and Tribunal Services

complemented by the specialist services of court support, counselling and Victim Impact Statements.

### Outcomes 2013/14

The VSS was progressively expanded during this financial year in response to the Government's commitment to fund increased services to victims of crime in regional Western Australia and metropolitan Perth.

Some \$500,000 per annum was provided to contracted services to provide full-time services in most regional centres from 1 July 2013. Implementation has already occurred in Bunbury, Carnarvon, Derby, Esperance, Geraldton, Kalgoorlie, Karratha and Northam.

An expanded service in the Peel Region, contracted to Anglicare for \$250,000 per annum, commenced on 1 May 2014.

In 2013/14 the Victim Support Service provided counselling and support services to 6,532 victims of crime across the State of which 4,539 were new clients. Of the total new clients assisted 934 (21 per cent) were Aboriginal. There has been a steady increase in the number of key secondary victims of homicide and other crime-related deaths seeking assistance. The Service assisted 289 victims in this category in 2013/14 compared to 273 in 2012/13, representing a five per cent increase.

The recommendations of the Performance Review of Victim Support Services, conducted by the Office of Auditor General (2012), had been finalised.

Improved automation of the referral process

between the WA Police Information Release Unit and the Victim Support Service has resulted in the anticipated increase of referrals in the order of nine per cent, from 10,738 to 11,627.

A memorandum of understanding (MOU) between WA Police and the Department dealing with the "Provision of Prescribed Information in relation to the victim of an offence" outlines the arrangements for sharing victim information for the purpose of making an offer of service to the victim. The MOU confirms this new referral process and was signed by the Commissioner of Police and the Director General of the Department of the Attorney General in September 2013.

### Family Violence Service

The Family Violence Service (FVS) provides services to victims of family violence, including support with violence restraining order applications and victim impact statements, victim risk and safety assessments, information about court procedures and outcomes, court support, advocacy and referrals to other specialist family violence and support agencies.

### Outcomes 2013/14

During 2013/14 there were 3,615 victims of family and domestic violence who received services from the Family Violence Service.

More than 1,149 people were from Aboriginal and culturally diverse backgrounds, representing approximately 32 per cent of all clients. The Family Violence Service has developed a practice that

meets the needs of a more diverse range of victims seeking assistance with family violence matters, resulting from the increase in migration and resettlement of families from parts of the world displaced by conflict and war.

During the financial year the most significant challenge addressed by FVS was the increasing level of demand from victims of family violence for court support, referral and safety planning. This is an issue across all Australian Jurisdictions. In response to the demand, FVS staff introduced a triage model for intaking work to ensure those victims in high risk situations receive professional services in a timely way.

It is anticipated that demand will continue to increase in the future. The FVS will continue to review its assessment processes to ensure victims of family violence are helped to obtain the court's protection from further acts of abuse. Additionally, strong partnerships with other service providers will remain a priority to provide safer outcomes for families at risk.

The FVS will continue to evaluate its service by asking victims what kind of service they received and how the FVS could improve its services. Last year, more than 400 survey forms detailed a satisfaction rate above 95 per cent.

### Child Witness Service

The Child Witness Service (CWS) provides services to children who give evidence in all criminal court jurisdictions. The service operates in every court jurisdiction in the State and provides

## Agency Performance - Court and Tribunal Services

a specialist assessment, court preparation and support service to children under 18 years of age and advocacy to ensure children receive all their entitlements under the legislation and assistance with victim impact statements.

### Outcomes 2013/14

During the year the CWS provided advice and expertise to the review of legislation relevant to children giving evidence in court. The Service also continued to provide valuable training to a range of key stakeholders including the WA Police, Office of the Director of Public Prosecutions and other agencies about the impact on children giving evidence. In addition, the training has focused on appropriate ways to interact with these children to ensure the best possible outcomes for them and to support the children so they provide the best evidence to the court.



Scene from the Commissioner for Victims of Crime witness preparation video for adolescents.

Awareness raising initiatives undertaken during the year include an adolescent information booklet due for publication in July 2014 and working collaboratively with the Commissioner for Victims of Crime on a witness preparation video for adolescents.

The Child Witness Service also hosted visits by, and collaborated with, academics and policy makers from across the world. This collaboration assists to inform better service delivery to the children of Western Australia. The number of referrals for 2013/14 was 837 as compared to the previous year of 940, resulting in a slight decrease of 11 per cent. However, the complexity of many cases has required more intensive case management.

### Court Security

The Court Risk Assessment Directorate ensures the safe and secure operation of the state's courts and tribunals, as well as co-ordinating security arrangements for members of the judiciary.

During the year a key priority included positively influencing the architectural design of courts and tribunals to incorporate risk mitigation features. Additionally, the Directorate has been instrumental in the development and implementation of joint agency security arrangements. The Department works with the WA Police and private security providers to mitigate risk within, and adjacent to, court precincts. A measure of the success of this initiative is the capacity to execute operational activities without causing disruption to the judicial process

On 1 January 2014 the *Court Security Act* came into operation. This legislation established the Department of the Attorney General Director General as the Administrative Head for the delivery of court security and custodial services at the Family Court of Western Australia.

### Sheriff of Western Australia

In addition to fines enforcement, the Sheriff's Office is responsible for delivery of civil enforcement services and the provision of jury services to the Supreme and District Courts.

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

### Outcomes 2013/14

During the 2013/14 financial year, preparations commenced for the tender for the provision of the 'Civil Enforcement, Fines Enforcement and Delivery of Driver Licence Notices'.

### Jury Services

The core function of the Jury Services area is to provide sufficient jurors for the Supreme Court and District Court jury trials held across the State. Jury

## Agency Performance - Court and Tribunal Services

Services deal directly with community members who have been selected for jury duty, and assists them in meeting their civic responsibilities to both the community and government.

A primary focus for the financial year was to provide jurors for trials as cost effectively and efficiently as possible. The aim was to improve service delivery to the Government without compromising the quality of service to the community. This has been achieved through several initiatives including reducing the number of people summoned for jury service, made possible because of the success of the legislative amendments to the *Juries Act 1957*.

## Fines Enforcement Registry

The Fines Enforcement Registry (FER) is responsible for the collection of unpaid court fines and infringements registered by multiple prosecuting authorities throughout Western Australia. FER commenced operations in 1995, providing a cost effective process for enforcing the payment of fines and infringements.

### Outcomes 2013/14

To support enhanced recovery of outstanding fines and infringements enforcement services, significant changes to the *Fines, Penalties and Infringement Notices Enforcement Act 1994* (FPINE) came into effect on 21 August 2013. These amendments provide the Sheriff with a

range of new enforcement sanctions, including wheel clamping, removal of vehicle licence plates, enhanced information sharing and the publication of debtor information on the Department's website. The changes are intended to reinforce the fine as a viable sentencing option for the Courts, increase recovery rates and reduce the number of debtors with outstanding fines.

To implement these enhanced sanctions, a new Enforcement Team commenced operations in August 2013. The new team undertakes multiple enforcement activity throughout the Perth metropolitan area and more recently, operations were expanded through the Peel and South West regions. It is expected that similar campaigns will continue.

The impact of the measures was immediate. Between the media launch of the new laws on 4 August 2013 and 22 August 2013, when the laws came into effect, 10,257 people paid 12,478 outstanding matters in full and a further 2,986 people entered into time to pay arrangements.

These figures include 639 defaulters, paying almost \$900,000, who would have been potential targets for wheel clamping or other measures if they had not made payment.

From 21 August 2013 to 30 June 2014, \$84 million had been collected from fine and infringement defaulters. This is an increase of \$8.7 million or 12 per cent for the same period of the previous year.

These new initiatives benefit the wider community as the increase in consolidated revenue can be directed to other priority funding areas including

education, health and improved infrastructure.

In November 2013 FER became responsible for the management of the initial administration of all court fines, in addition to the default enforcement process already undertaken by FER. This has resulted in a streamlined collection of court fines and provided customers with a single point of contact for payment of fines and infringements payment.



Sheriff's officers demonstrate a wheel clamping.

# Commissioner for Victims of Crime

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

Ms Jennifer Hoffman, appointed as the State's first Commissioner for Victims of Crime, brings a wealth of experience and knowledge of the justice system to the role.

The Commissioner for Victims of Crime:

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

## Outcomes 2013/14

In the first year of operation, the Commissioner for Victims of Crime, in consultation with key stakeholders, developed a 100 Day Report on policy opportunities which contained proposals for both operational

and legislative reforms to improve the experiences of crime victims within the WA criminal justice system. Work is progressing on a number of these initiatives including the provision of Victim Impact Statements to the Prisoners Review Board and the Mentally Impaired Accused Review Board, improvement of victim notification processes by the Department of Corrective Services and a review of victim of crime policy by the Office of the Director of Public Prosecutions.

The Commissioner meets regularly with an extensive group of stakeholders within government, the non-government sector and with victims of crime themselves. In November 2013 the Commissioner worked with the WA Ombudsman's Regional Awareness and Accessibility Program and took part in an outreach visit to Kununurra, enabling the Commissioner to see the realities of how the justice system works for victims of crime in regional WA. The Commissioner will also join the WA Ombudsman's Outreach to Kalgoorlie in mid-2014. Other opportunities will be pursued in 2014/15 to ensure future policy proposals are informed by conditions on the ground, and to promote awareness of the provisions of the *Victims of Crime Act 1994* which requires Government agencies who deal with victims to do so with respect and fairness.

## Victims of Crime Reference Group

The Commissioner for Victims of Crime, Ms Jennifer Hoffman, was appointed Chair of the Victims of Crime Reference Group. Former Attorney General, the Hon Cheryl Edwardes, stepped down from the role as Chair in April 2013 after serving in the role for seven years.

The group's terms of reference are to:

- advise the Attorney General on policies about how victims are to be treated, support services for victims and entitlements of victims
- consult victims, community victim groups and State Government agencies on issues and policies concerning victims
- promote legislative, administrative or other reforms to meet the needs of victims.

The group is comprised of the Commissioner for Victims of Crime and six victims of crime, the manager of Victim Support and Child Witness Service in the Department of the Attorney General and representatives from the Office of the Director of Public Prosecutions, WA Police, Department of Corrective Services, Department of Health and the Office of the Attorney General.

The group makes recommendations about victims' issues to help make the criminal justice process less distressing for victims of crime and their families. It aims to ensure a better coordinated approach to the development of victims' issues and the delivery of justice services to victims of crime.

## Outcomes 2013/14

A key achievement during the financial year was successfully advocating for the creation of a Commissioner for Victims of Crime in WA, which was established in July 2013. This year the group was also focused on:

- considering in detail the Law Reform Commission's Discussion Paper on 'Enhancing Laws Concerning Family and Domestic Violence'. The Group met for a full day on this issue. Three victim of crime members made a submission to the Law Reform Commission enquiry following the discussion by the Reference Group
- touring and considering the dedicated victim facilities in the new District Court Building, including Victim Support Service offices in the centre of the building, and purpose-designed security features of the court aimed at reducing risk and trauma for victims of crime when attending court proceedings. The victim of crime facilities were designed with key input from the Reference Group. Reviewing the facilities gives the Reference Group insight into the working of the facilities and to support future input the Reference Group may wish to offer in relation to courthouse design
- identification of strategic priorities for the Reference Group for 2014
- preparation and planning for public discussion forums to be held by the Commissioner for Victims of Crime and the Victims of Crime Reference Group in the second half of 2014.



# Advocacy and Administration Services

## Office of the Public Advocate

Through the functions given to the Public Advocate under the *Guardianship and Administration Act 1990*, the Office of the Public Advocate protects the human rights of adults with a decision-making disability. These vulnerable members of the community face the risk of exploitation, abuse and neglect. The Office works to reduce these risks by offering a number of services including:

- investigations into the need for guardianship and/or administration orders for adults with a decision-making disability, or young people from the age of 16, who have a decision-making disability and are transitioning out of State care
- guardian of last resort, that is the legal decision-maker for personal, lifestyle and treatment decisions, for adults who do not have the capacity to make their own decisions due to a decision-making disability
- information, advice and training regarding the guardianship and administration system and the documents adults can use to plan for their future decision-making, as a safeguard in the event they lose decision-making capacity.

### Outcomes 2013/14

In 2013/14, the Office of the Public Advocate's main objectives were to continue to:

- meet the growing demand for advocacy and investigation services
- meet the growing demand for guardianship services, including running the community guardianship program in which volunteers replace the appointment of the Public Advocate as guardian
- deliver community education regarding the guardianship and administration system and the personal planning documents – enduring powers of attorney, enduring powers of guardianship and advance health directives.

Throughout the year, the Office continued to promote and protect the human rights of adults with a decision-making disability.

In 2013/14, new investigations into the personal or financial welfare of people with a decision-making disability numbered 1,050, of which 88 per cent, or 925 cases, were referred to the office by the State Administrative Tribunal.

As at 30 June 2014, the Public Advocate was guardian for 1,218 people, compared to 1,065 people at 30 June 2013. This is an increase of 14 per cent, which is consistent with the overall increase of 15 per cent in the previous financial year.

In 2013/14, the Public Advocate was appointed as guardian of last resort for 340 people. This figure is similar to the 371 new appointments in 2012/13.

The Office's community guardianship program aims to match adults who currently 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, making personal, lifestyle and treatment decisions for the person. Long lasting friendships are often developed between the represented person and volunteer, with the volunteers being able to provide a more personal level of involvement in the represented persons' lives.

As at 30 June 2014, 21 volunteers were engaged in the program, 14 of whom were appointed as guardian for their represented person.

## Agency Performance - Advocacy and Administration Services

During the year, the Office delivered a total of 32 community education seminars across the state, regarding the guardianship and administration system, the legislation and the planning documents available to people under the legislation.

The Office also handled 5,116 enquiries via its telephone advisory service (TAS), written correspondence or face-to-face interviews.



L-R Dr Helen McGowan, Department of Health, Pauline Bagdonavicius, Public Advocate, Brian Roche, Public Trustee and Greg Mahney, Advocare at the launch of the Elder Abuse Protocol Guidelines.

# Trustee Services

## The Public Trustee

The Public Trustee provides a comprehensive range of affordable, professional and impartial Will, deceased estate administration and trustee services to all Western Australians. It offers a range of fee-based and free community services which include preparing and storing wills, enduring powers of attorney, managing nominated deceased estates and overseeing the financial and legal affairs of Western Australians at risk. Funds management, trustee and financial administrator services for individuals as ordered by courts or tribunals is a key focus for the authority, as is the preparation of Wills and enduring powers of attorney, managing deceased estates and examining the accounts of private administrators.

### Service Delivery

In 2013/14, there were 776 new trust clients (including those referred by the State Administrative Tribunal), a decrease of 7.8 per cent compared to 842 trust clients for the previous year.

The Public Trustee continued to develop its business to remain self-funding and finished a business process review of the records management area to improve its capacity to meet demand. In a challenging global financial environment, the Public Trustee's Common Account performed well and exceeded most comparable benchmarks, such as other common funds and cash management accounts.

At 30 June 2014, the Public Trustee's investment funds contained 443 individual accounts with a value of \$190 million.

Improving client awareness and access was also a key focus and included activities such as:

- information sessions and bulletins to community groups, professional service providers and government agencies
- Wills education aimed at reducing intestacy and family conflict through the WA Wills Week events and other metropolitan and regional activities reaching out to other cultural and religious groups.

The Public Trustee worked jointly with the Office of the Public Advocate to provide training sessions for private administrators. The Public Trustee also concentrated on improving client awareness and access to its services. It achieved this through delivering information sessions and bulletins to community groups and professional service providers across the State on topics including Wills education, and reducing intestacy and family conflict. Regional visits to the Pilbara, Peel and South West regions were well-supported by the local communities.

### Give2Good

Significant progress has also been made in establishing the Public Trustee's Community Foundation, Give2Good. It aims to make a real difference to the lives of others and facilitate philanthropy by providing testators and other generous Western Australians with an affordable, efficient and trustworthy vehicle to establish charitable trusts, make bequests and donate to charity. Give2Good has the potential to increase the Public Trustee's funds under management and provide additional revenue to assist its self-funding requirements.

### WA Will Bank

The Public Trustee's Will storage facility continues to grow in popularity with the general public as a free, safe way to store their Wills. More than 105,000 Western Australians' Wills are now safely stored in the Public Trustee's fire-proof WA Will Bank. Feedback relating to "peace of mind" from testators who have deposited their Wills confirms the service is valued by the WA Community.

# Registry of Births, Deaths and Marriages

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

## Outcomes 2013/14

- The Registry served more than 45,000 customers in person at the Perth Registry office.
- 5,250 changes of name were registered.
- Birth registrations for the year totalled 34,879.
- Death registrations were 13,832 equating to 1,152 per month.

## Accessibility, Security and Accuracy of Records

In March 2009 the Department started converting two million paper-based records into an electronic format. These records date back to 1841, when records of life events were first kept in Western Australia.

To date, more than 1.56 million records have

been converted. This year the Registry converted a further 250,000 records. Birth and adoption records from 1973 to 1862, marriage records from 1983 to 1937 and death records from 1983 to 1940 have been converted and are now available electronically to Registry staff.

The conversion of historical records provides a faster, more efficient birth, death and marriage certificate issuing service for Western Australians. The system also enables regional clients to access certificate services directly from a number of regional courthouses, rather than having their application forwarded to the Perth Registry, which can take longer.

This large-scale project also preserves vital records and increases the ability of the Registry to take part in national identity security initiatives. The Registry, and other government agencies, are now able to more accurately authenticate documents which are provided for the purpose of identity and other official purposes. The conversion project is expected to be completed in 2014/15.

## Protection of personal information

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

More than 157,000 Western Australian birth, death, marriage and change of name certificates were validated against Registry information during 2013/14. This is an increase of one per cent from last year.

The Registry remains a key participant in the National Identity Security Strategy (NISS), a Council of Australian Governments' initiative to better protect the identities of Australians by strengthening the integrity and security of identity credentials such as birth certificates. The National Document Verification Service (DVS), a component of NISS, provides a secure online system where subscriber agencies verify the accuracy of government-issued identifying documents presented by applicants for benefits or services.

The DVS allows government agencies to strengthen their registration procedures, to improve the quality of their identity data and support their customer interactions. For example, when applying for a

## Agency Performance - Births, Deaths and Marriages

passport, the applicant must provide their birth certificate. The Department of Foreign Affairs and Trade use the DVS system to verify the authenticity of that birth certificate against birth registration information stored by the Registry, before progressing the passport application.

The DVS was recently made available to private sector agencies such as banks and the superannuation industry who have obligations under various laws to confirm client identification, eg *Financial Transactions Reports Act*. The Registry has approved 177 such applications.

### Registration and Certificates

#### Births

The Registry recorded a one per cent increase in the number of registrations of births, deaths, marriages and changes of name in 2013/14. There was a four percent decrease in the overall number of certificates issued by the Registry.

#### Deaths

There were 21,411 requests for death certificates a decrease of three per cent from the previous financial year.

#### Marriages

There were 26,474 requests for marriage certificates a decrease of five per cent from the previous financial year. The Registry performed 1,835 marriage ceremonies during 2013/14. An

analysis of their place of birth revealed some 138 countries were represented.

Place of Birth	Total
Australia	1,180
China	333
England	217
India	162
Vietnam	146
Malaysia	142
New Zealand	119
Philippines	97
Brazil	75
Thailand	72
Indonesia	70
Taiwan	64
Hong Kong	62
South Korea	62
Ireland	49
Singapore	45
Japan	37
Mauritius	37
Scotland	37
South Africa	36

### Open Day Program

In 2013/14, the Registry continued its involvement in the Department's Open Day program. Registry staff visited regional and remote Aboriginal communities with Policy and Aboriginal Services staff and other key stakeholders to help Aboriginal people obtain birth certificates, register births, and obtain drivers licences.

This service benefits people in regional and remote areas of Western Australia who have a more limited access to Government services. Tasks that are deemed simple in the city, such as obtaining a birth certificate and registering the birth of a child, are often difficult to do in remote regions because of the restricted or sporadic access to services. Without valid identification, accessing other Government services, such as Centrelink, may not be possible.

During the financial year the Registry issued more than 480 birth certificates, registered 222 previously unregistered births and issued over 193 confirmation of birth letters.

Since the Registry's involvement with the Open Day Program in 2011/12, the Registry has issued more than 1,300 birth certificates, registered 605 previously unregistered Aboriginal births and issued more than 1,012 confirmation of birth letters.

## Baby Names

### Most popular girls names as collated by the Registry in 2013 (calendar year)

Position in 2013	Name	Occurrence	Position in 2012	Position in 2011	Position in 2010
1	Olivia	201	2	5	6
2	Charlotte	199	1	4	9
3	Ava	195	9	9	11
4	Emily	189	4	8	3
5	Ruby	184	3	3	1
6	Ella	177	7	1	5
7	Chloe	176	6	6	2
8	Sophie	159	5	7	7
9	Amelia	148	8	11	12
10	Mia	147	10	1	10

### Most popular boys names as collated by the Registry in 2013 (calendar year)

Position in 2013	Name	Occurrence	Position in 2012	Position in 2011	Position in 2010
1	Jack	242	2	3	1
2	Oliver	226	9	5	2
3	Noah	202	1	12	5
4	William	193	3	11	9
5	Lucas	187	6	4	3
6	James	180	5	2	4
7	Mason	169	12	21	23
8	Ethan	162	4	1	6
9	Lachlan	155	13	15	12
10	Harrison	154	27	24	26

# Services to Government

## Strategic Policy Development and Advice

The Department provides strategic policy advice and analysis to Government on key reforms in the justice system. It achieves this by:

- facilitating the amendment of legislation to reform criminal and civil law and procedure
- developing policy initiatives to improve justice-related outcomes for all members of the community and, developing initiatives that improve justice outcomes for Aboriginal people
- undertaking reviews, evaluation and research to recommend improvements to and future directions for policy, legislation and services
- conducting research and statistical analysis of current justice issues and trends.

## Legislation

The Department continued to develop legislation to implement the Government's law and order reform agenda. Key areas of reform included:

- improving processes related to accessing of violence restraining orders
- providing for mandatory sentencing for assaults on youth custodial officers

- improving the effectiveness of the operation of the *Dangerous Sexual Offenders Act 2006*.

The Department also guided the development and implementation of many new or amended pieces of legislation.

These include:

### **Restraining Orders Amendment Act 2013**

The *Restraining Orders Amendment Act 2013* came into effect on Royal Assent on 4 October 2013. The Act resolved an interpretational issue, the consequence of which was that children who need to be protected were being told they had to make a separate application in the Children's Court. This was taken up as an election commitment of the current Government.

### **Dangerous Sexual Offenders Act 2006**

Work commenced on drafting amendments to improve the effectiveness of the operation of the *Dangerous Sexual Offenders Act 2006*, as recommended by the 2011 Review of the Act.

### **Criminal Code Amendment (Child Sex Offences) Act 2014**

The *Criminal Code Amendment (Child Sex Offences) Act 2014* was assented to on 22 April 2014 and came into full effect the following day. The Act

strengthens WA's criminal laws to protect children from sexual predators both within and outside of the State's borders. It expands the application of criminal law to protect children from persons who organise child sex tours, protects children under 16 from exposure to indecent material and allows WA Police to more readily identify and deal with child sex offenders.

### **Sentencing Legislation Amendment Bill 2013**

Parliament passed the Sentencing Legislation Amendment Bill 2013 on 10 April 2014 and it came into effect on Royal Assent. The amendment provides that adult offenders convicted of either assaulting a public officer in prescribed circumstances under the Criminal Code, or dangerous driving causing death, grievous bodily harm or bodily harm where the dangerous driving occurred to escape police pursuit under the *Road Traffic Act 1974* must serve their mandatory minimum sentence before being eligible for parole.

### **Criminal Code Amendment (No 2) Act 2013**

Parliament passed legislation extending the application of mandatory sentencing provisions in section 297 and section 318 of the Criminal Code to include assaults on Youth Custodial Officers. This came into effect at Royal Assent on 4 October 2013.

### **Fines, Penalties and Infringement Notices Amendment Act 2012**

The *Fines, Penalties and Infringement Notices Amendment Act 2012* came into operation on 21 August 2013. The Act introduced new fines enforcement measures including the ability to remove number plates and seize goods in relation to infringements. These measures have increased the Department's facility to collect fines on the behalf of prosecuting authorities.

### **Criminal Organisations Control Act 2012**

The *Criminal Organisations Control Act 2012* came into operation on 2 November 2013. The Act introduced new measures to prevent the association of members of criminal organisations and to disassemble criminal gangs.

In addition, the Department was responsible for assisting with the preparation of a number of pieces of legislation which, as at 30 June 2014, were still being drafted or under consideration by State Parliament. These include:

### **Amendments to the Sentence Administration Act 2003**

Amendments were progressed to the *Sentence Administration Act 2003* to address the consequences of the Court of Appeal judgment in *Prisoners Review Board v Nathaniel Freeman* [2010] WASCA 166, which confirmed that life/indefinite prisoners sentenced prior to 4 November 1996 are currently unable to participate in re-socialisation programmes under that Act.

### **Statutes (Repeals and Minor Amendments) Bill 2013**

The purpose of this Bill is to amend the statute law by repealing or amending various enactments. The Bill repeals a spent Act, the *Year 2000 Information Disclosure Act 1999*, and makes a range of miscellaneous amendments to correct typographical, grammatical, formatting, and cross-referencing errors, as well as making other minor amendments. This Bill is commonly referred to as an omnibus bill. The Bill is currently before the Parliament.

### **Transfer of the Law Reform Commission Administration**

The administration of the Law Reform Commission of Western Australia was to be transferred to the Department of the Attorney General from 1 July 2014. The Commission will remain a statutory authority and will retain its legal independence with respect to its findings. The Department will absorb and carry out the Commission's administrative functions, providing support to the Commission to enable it to perform its substantive functions.

### **Reviews**

In seeking to improve the effectiveness of the operation of legislation that governs the State's justice system, the department undertook a range of legislative reviews. In some cases these were statutory reviews (that is reviews required by legislation) in other cases they were as the result

of ministerial direction. The following reviews of legislation started during 2013/14 and will continue into the year ahead.

### **Dangerous Sexual Offenders Act 2006**

The Department commenced a further review of the *Dangerous Sexual Offenders Act 2006*. The 2014 review will examine a range of issues, including matters arising from the conditional release of the dangerous sexual offender known as Mr TJD and the subsequent breach of his supervision order.

### **Criminal Law (Mentally Impaired Accused) Act 1996**

The Department completed an initial round of targeted consultation, providing key stakeholders with the opportunity to comment on the operation of the *Criminal Law (Mentally Impaired Accused) Act 1996*, and any areas where they would suggest changes should be made. The issues of concern and possible reform options identified by key stakeholders informed the production of a discussion paper, which will be released for public comment in 2014.

### **Criminal Appeals Act 2004**

The Department commenced a statutory review of the amendments to the *Criminal Appeals Act 2004* made by Part 4 of the *Criminal Law and Evidence Amendment Act 2008*.



### Review of the Law of Homicide

In October 2013, the Department commenced a statutory review of the operation and effectiveness of the amendments to the Criminal Code and the *Sentencing Act 1995* made by the *Criminal Law Amendment (Homicide) Act 2008* on behalf of the Attorney General in accordance with section 739(1) of the Criminal Code.

### Prohibited Behaviour Orders Act 2010

A statutory review of the operation and effectiveness of the *Prohibited Behaviour Orders Act 2010* was commenced as required under section 40 of that Act.

## Aboriginal Justice Program

The Aboriginal Justice Program (AJP) targets the over-representation of Aboriginal people in the criminal justice system. Some of the most common reasons for overrepresentation are issues with motor drivers' licensing and unpaid fines and infringements. During the year the AJP activities were focussed in three high-priority local government areas, Derby-West Kimberley, Halls Creek and Laverton/Leonora. These remote locations have comparatively large Aboriginal populations and high levels of drivers' licence suspensions and unpaid fines. A key strategy to lower the rate of suspensions and unpaid fines is an initiative known as Open Days.

### Open Days

The Open Days bring government and non-government agencies face-to-face with local Aboriginal people in an accessible central location to run a "one-stop-shop". Having multiple agencies available at the same place at the same time is a joined-up, partnership delivery approach that is both efficient and cost effective. It enables Government to deliver services to some of the most remote, and in some cases, disadvantaged, people in Western Australia.

Agency representatives work with Aboriginal people to resolve matters such as identity documents, theory and practical driving tests, reissuing of licences, arrangements to pay fines, exploring employment opportunities and assisting with access to other community support services.

### Outcomes 2013/14

During the year, 36 Open Days were held across Western Australia and conducted in priority locations. Some 1,246 community members attended.

The outcomes achieved during the reporting period will enable Aboriginal people to increase their employment opportunities, travel to other towns and communities safely and legally, and to better access community support services.

### Open Day Outcomes 2013/14

Driving and licensing		Personal Identification	
Driver theory tests	87	Birth certificate applications	480
Driver practical assessments	60	Confirmation of birth letters	193
		Proof of age cards	99
		Unregistered births recorded	222

### Fines Enforcement

Outstanding fines - time to pay or work and development orders conversion - \$406,931.

### AJP and Royalties for Regions

The AJP has been successful in securing Royalties for Regions funding for two key initiatives in August 2012. The first is driver education and training for Aboriginal people caught up in the justice system (\$5.5 million over four years) and the second provides support services for victims of crime (\$3.0 million over three years).

### Outcomes 2013/14

There were eight projects funded in the Kimberley (Broome, Lombadina, Derby, Fitzroy Crossing, Kununurra and Halls Creek), Pilbara (Roebourne) and Goldfields-Esperance (Kalgoorlie) regions for delivery of driver training and education services.

In addition, two projects provide culturally appropriate community safety and support services

to Aboriginal victims of family and domestic violence.

These projects are delivered to a number of communities within the Shire of Derby-West Kimberley (Derby, Pandanus, Mowanjum and Looma) and the Shire of Halls Creek (Halls Creek, Warmun and Yiyili).

For the purpose of community capacity building, all projects are funded through local not-for-profit organisations that have established working relationships with stakeholders in the target communities.

As at the end of June 2014, the driver training and education projects had assisted 647 participants in total. The family and domestic violence projects had provided counselling and support to 159 victims, with 145 community members having attended group education workshops.

The AJP is also considering funding worthwhile initiatives in new locations in both the Kimberley and Pilbara in the year ahead.

### Aboriginal Mediation Service

The Aboriginal Mediation Service (AMS) provides culturally appropriate conflict and dispute resolution services to Aboriginal and Torres Strait Islander people in a range of areas, including disputes involving families, neighbours and multi-party community issues, as well as burial and coronial matters.

The AMS handled 98 enquiries during the reporting period, which resulted in 28 matters being considered for pre-mediation, mediation or other alternative dispute resolution processes.

The AMS also provided 19 community education workshops and information sessions to assist clients and referrers to more effectively deal with conflict in their communities using a culturally appropriate form of dispute resolution.

### Grants

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

Money and property is seized from criminals by the WA Police and the Office of the Director of Public Prosecutions, and after costs the remaining funds are distributed to the community through grants.

### Outcomes 2013/14

During the year grants worth \$1.86 million were awarded to 13 projects run by applicants such as the Gosnells Community Legal Centre Incorporated, Nyoongar Sports Association, Holyoake, City of Cockburn and the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council Aboriginal Corporation.

### Copyright

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

Amendments to the Act in 1998 had the effect of requiring governments to deal with declared collecting societies rather than individual copyright owners.

These societies are authorised under the Act to collect remuneration on behalf of all copyright owners whose works have been copied by government.

Most statutory obligations of State Government agencies for remuneration for the reproduction of works (literary, dramatic, musical or artistic) and "published editions" of works are met through centrally funded whole of government agreements, administered by the Department, with the following copyright collecting societies:

- Copyright Agency Limited (CAL) for the photocopying and electronic copying of works (literary, dramatic, musical and artistic) and published editions of works, other than works that are included in a sound recording, film or television or sound broadcast
- Australasian Performing Right Association Limited (APRA) for the public performance of music through the use of radio and television receivers in public and work areas, background music in lifts and waiting rooms, etc; and

- Audio-Visual Copyright Society Limited (trading as Screenrights) for the copying of sound and television broadcasts.

In July 2013, the State, through the Department, extended the Retrospective Remuneration Agreement with CAL for a further 12 month period, which concluded on 30 June 2013. Negotiations for a new agreement with CAL are ongoing.

### Parliamentary Counsel's Office

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

Services provided by the Parliamentary Counsel's Office include:

- preparing drafts of Bills for Ministers so they can be introduced into Parliament in accordance with the government's legislative program
- preparing drafts of subsidiary legislation for Ministers and government agencies so the Acts they administer can be fully implemented and properly administered
- providing legislative drafting services to private members of Parliament and facilitating the work of parliamentary committees
- compiling and consolidating texts of Acts and subsidiary legislation 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

- maintaining and arranging publication of information about the legislation of WA.

#### Outcomes 2013/14

During the year the Parliamentary Counsel's Office completed several significant drafting tasks to facilitate a broad cross section of Government policy and improve service delivery to Government and strategic policy development. The drafting tasks included:

- **Courts and Tribunals (Electronic Processes Facilitation) Act 2013** to provide for the use of electronic technology in relation to court proceedings
- **Western Australian Photo Card Bill 2013** to provide a new form of identification, for example, young people without a driver's licence or other valid identification
- **Electronic Conveyancing Bill 2013** to implement electronic conveyancing in Western Australia as part of a national exercise
- **Mental Health Bill 2013** to provide for the treatment, care, support and protection of people who have a mental illness.

The PCO continued to provide legislative drafting services to private members of Parliament and also completed the drafting and publishing of more than 400 pieces of subsidiary legislation.

### State Solicitors Office

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

These legal services include:

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

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

#### Outcomes 2013/14

Significant legal matters addressed by the SSO during 2013/14 included:

#### The Bell Group Ltd (in Liq) v Westpac Banking Corporation

The SSO continued to assist the Insurance Commission of WA in relation to the satisfaction of the conditions of a conditional settlement of the "Bell proceedings", Western Australia's largest and longest running civil case. The litigation is the last dispute involving the State to be resolved arising out of various commercial government activities in the 1980s (commonly referred as WA Inc). The SSO is also continuing to support ICWA in relation to legal issues relating to the distribution of moneys arising from the settlement.

### Kidd v The State of WA, Minister for Racing and Gaming and Burswood Nominees Limited

In late 2013, a large group of Burswood residents took action in the Supreme Court, seeking an injunction and challenging the validity of development consents given by the Minister for Racing and Gaming to Crown, in relation to the \$600 million third hotel development of the Crown Casino Resort Complex. The SSO acted for the Minister and the State successfully defending expedited proceedings. SSO is also appearing for both of them in relation to the residents' pending appeal to the Court of Appeal.

### Eclipse Resources

In 2010, Eclipse Resources Pty Ltd (ER) commenced proceedings against the State, the Minister for Environment and the Chief Executive Officer of the Department of Environment Regulation. ER was seeking repayment of landfill levies it had previously paid to the State. SSO represented the government parties in these proceedings, who disputed ER's claim. Subsequently the State of Western Australia (the State) brought a counterclaim seeking payment of outstanding landfill levies owed by ER. The proceedings raise issues regarding the construction and application of various Acts and regulations and the legal validity of the landfill levy. The proceedings are significant as approximately \$187 million in levies and penalties have been paid to the State by landfill operators since the Waste Avoidance and Resource Recovery Levy Regulations 2008 commenced operation on 1 July 2008.

### Collard v Western Australia

SSO represented the State as the defendant in this claim by an Indigenous family relating to the removal of children from the family in the 1960s. Following the trial last year, Justice Pritchard delivered her decision which dismissed the claims in their entirety. Justice Pritchard subsequently ordered that each party bear their own costs of the trial, a decision which is now subject to an appeal by the State.

### Mineralogy v Western Australia

SSO represented the State in commercial arbitrations under the State Agreement ratified by the *Iron Ore Processing (Mineralogy Pty Ltd) Agreement Act 2002*, about proposals for the export of iron ore concentrates from Cape Lambert.

### Shark Hazard Mitigation Strategy

SSO provided advice as to the manner in which the State's Shark Hazard Mitigation Strategy, involving baited drum lines being set off popular beaches in metropolitan and South West Coastal areas, could be lawfully implemented. SSO also successfully represented the government defendants in an application by Sea Shepherd Australia Ltd and another for injunctive relief to restrain the implementation of the Strategy.

### James Point

James Point Pty Ltd (JPPL) started an action against the State in November 2011 in relation to the development of a private port at James Point in

Kwinana. The litigation is highly complex, raising a number of contractual and statutory issues. The State is represented by the Solicitor General, instructed by the State Solicitor. Attempts to settle the matter in mediation prior to the end of 2013 were unsuccessful and the case is proceeding.

### Royal Commission

On 11 January 2013 the Commonwealth and State Governments issued Letters Patent appointing a Royal Commission to inquire into and report on institutional responses to child sexual abuse. The Royal Commission is operating in all States and Territories including Western Australia. The Royal Commission is examining institutional responses to allegations and incidents of child sexual abuse and related matters.

SSO is assisting agencies with the production of documents in response to notices to produce, preparation of witness statements and submissions in response to issue papers and representing the State and agencies at hearings.

### Native Title Claims

The SSO has continued to assist the State Government in the mediation of native title claims, providing legal advice, assisting in drafting Indigenous Land Use Agreements and representing the State in a variety of stakeholder forums involving native title issues.

The SSO represents the State in native title claim mediation and litigation in the Federal Court and in National Native Title Tribunal arbitrations

involving the grant of mining tenements and *Land Administration Act 1997* grants. SSO advises on native title policies and possible law changes.

### Significant matters addressed by the SSO in 2013/14 included:

- Federal Court consent determinations in Wiluna, Balangarra and Esperance
- In the Wiluna #2 claim, the SSO represented the State at first instance and on appeal on the question whether the extinguishing effect of two former pastoral leases acquired for conservation purposes are required to be ignored under the *Native Title Act*
- the continuation of the negotiation of a comprehensive settlement with the Noongar People to resolve all claims in the South West of WA
- assisting with the negotiation, drafting and implementation of major native title agreements in the Pilbara and Kimberley regions of WA
- representing the State in two Central Desert claims which tested whether the common law recognises native title rights of a commercial nature
- an appeal to the High Court in relation to the extinguishing effect of two State Agreement mining leases.

### Commercial Work

In recent years the SSO has been responsible for delivering the State's legal resources on a number of key social and economic infrastructure projects. These include the:

#### New Museum Project

The New Museum is to be constructed in the Perth Cultural Centre, Northbridge on the existing WA Museum site. It will be approximately 24,000m<sup>2</sup> and include a new building, refurbished existing heritage buildings and public space. The project is considered one of the most significant museum redevelopments in the world with the State Government allocating some \$428 million. The SSO has provided legal advice to the State in respect of the procurement and contractual documentation required for the project.

#### Superannuation Administration Outsourcing Project

Through the Superannuation Administration Outsourcing Project the State is procuring a service solution delivering superannuation administration services to the Government Employees Superannuation Board (GESB) for all State superannuation schemes. The services to be outsourced, over a five year period with an option for the State to extend to a 10 year period, include information technology and website services, accounting and taxation services, member services (including customer service and simple advice) and fund operations. The SSO and an external

legal service provider have provided legal advice to the State in respect of the procurement and contractual documentation required for the project.

#### Forrestfield Airport Link Project

The Public Transport Authority (PTA) is developing a project definition plan for the Forrestfield Airport Link Project. The Project involves the extension of the metropolitan passenger rail network from Forrestfield in the Shire of Kalamunda to the Perth CBD. The rail extension 8.5 km in length, will include construction of three new suburban stations at Forrestfield, the Airport Consolidated Terminal and Airport West (Domestic Airport precinct) and will link into the Midland rail line at Bayswater train station. The SSO are assisting PTA with various legal matters, including advice on legislation required to authorise the construction of the railway, acquiring suitable land tenure for the project and will prepare contracts to procure the delivery of the rail link.

#### Karratha Health Campus

The Karratha Health Campus will, on completion, be a 40 bed, 13,000m<sup>2</sup> hospital located in central Karratha. The project has a budget of approximately \$207million. SSO continues to assist in the development of procurement and contractual documentation relating to the project.

#### Verve/Synergy remerger and Electricity (Standard Products) Wholesale Arrangements 2014

SSO supported the Public Utilities Office in

preparing legislation and policy direction for the merger of the State-owned electricity businesses Verve and Synergy, and is addressing the matter of establishing a regime under which the merged entity will be obliged to make standing offers to supply and purchase wholesale electricity products to wholesale market participants. The SSO advised the Merger Implementation Group on key issues and drafted the regulatory instrument that establishes the regime, which will become fully operational on 1 July 2014. As the regime has to seamlessly integrate with both the existing Wholesale Electricity Market and current industry practices for transacting in wholesale electricity products, drafting the instrument involved matters of considerable technical and legal complexity.

### New Perth Stadium

The new Perth Stadium Project built on the Burswood Peninsula will, on completion, provide at a minimum a 60,000 seat stadium designed for use for multi-discipline sporting and entertainment events, and a sports precinct for both event and non-event day uses. The project budget is more than \$918 million capital value. The SSO has provided advice on the procurement process, including the Expression of Interest and Request for Proposal phases, and continues to provide support for the negotiation and completion of the Design, Build, Finance and Maintain Project Agreement.

### Perth Children's and Fiona Stanley Hospital Project

The Perth Children's Hospital, with an estimated budget of \$1.2 billion, is being delivered at the QEII site in Nedlands. The Fiona Stanley Hospital is an 830 bed tertiary hospital being delivered at Murdoch. Both projects are extremely complex and the SSO continues to provide advice in relation to all aspects of their delivery.

### Operations of Government

While the matters listed above represent the high points of SSO's activities, in terms of the complexity of the work, much of the work undertaken by the SSO is in direct support of the broader operations of Government.

During 2013/14 the SSO provided advice and representation to 89 Departments and agencies. This work included:

- 4,211 requests for advice
- involvement in 652 prosecutions
- representing agencies in 101 coronial inquests
- supporting the State in 86 industrial relations matters
- delivering more than 5,500 other legal activities in support of the delivery by Government of policies and program.

# Managing our Assets

## Asset Management

During the year the Department managed a comprehensive capital works program comprising four new courthouses in regional Western Australia with a combined total budget of \$142.5 million. The fit out of the new Supreme Court (Civil), the State Administrative Tribunal and new office accommodation for the Department in the Perth CBD has a combined, total budget of \$128 million.

## State Building - Major Projects

### Regional

#### Kalgoorlie

The newly redeveloped and restored Kalgoorlie Courthouse was officially opened by the Premier of Western Australia, the Hon Colin Barnett, on the 22 November 2013, and became operational on 2 December 2013.

The new courthouse has a jury courtroom, two magistrates courtrooms, a community courtroom and provision for a future fifth courtroom. The project also included the upgrade of the adjacent police lockup for shared use as a court custody centre. The project was completed on time and within the budget of \$41.7 million.

#### Carnarvon

Construction is in progress for the Carnarvon Police and Justice Complex. The building's design combines a new police station, youth justice office and courthouse on the corner of Robinson Street and Babbage Island Road. This single storey courthouse will have a jury courtroom, a magistrates courtroom, jury facilities and remote and vulnerable witness facilities plus associated public facilities. Site construction commenced in early 2013 and will be completed in late 2014. The project is on schedule and within the budget of \$52.5 million, partly funded by Royalties for Regions.

#### Kununurra

This \$41.8 million project is completely funded by Royalties for Regions. Site construction for the new Kununurra Courthouse began in early 2013 and is scheduled for completion in late 2014.

The two-storey building will be comprised of a jury courtroom, a magistrates courtroom and remote and vulnerable witness facilities plus associated public facilities.

The existing court is operating from a temporary courthouse in the grounds of the local hospital to provide court services whilst the construction progresses.

#### Broome

A business case, funded by Royalties for Regions, for a new Broome Courthouse was completed in 2011/12. This year the business case was re-submitted to Government for consideration of funding options.

#### Fitzroy Crossing

Funding from Royalties for Regions was provided in 2011/12 for the replacement of the court facility at Fitzroy Crossing.

This funding was to facilitate the building of a new courthouse adjacent and connected to the town's recently completed police station. The design has a magistrates courtroom and associated facilities for the public and the judiciary.

During the financial year the \$3.9 million project was progressed to a public tender. Unfortunately, the tenders received were above the allocated budget and this project will now go out to tender again in mid 2014.

The project is scheduled for completion in late 2015.

### Metropolitan Perth

#### Old Treasury Building Redevelopment

The Old Treasury Building (OTB) Redevelopment is a private sector funded construction project managed by the Department of Finance Building Management and Works. When the redevelopment project is complete the State Government will lease the premises within the OTB, which has an office tower and will also include the refurbishment of 565 Hay Street.

Currently under construction, the lower floors of the office tower will be fitted out to accommodate Supreme Court (Civil). Upper floors will be fitted out to accommodate offices for the Department of the Attorney General. This work is scheduled for completion in mid 2016. The building at 565 Hay Street will be refurbished to accommodate the State Administrative Tribunal and is scheduled for completion in mid 2015.

#### Audiovisual Systems

Audiovisual systems installed in Western Australian courts provide interactive and real-time video and audio links between local, regional and remote sites. The systems are flexible enough to be used for other purposes, including receiving evidence from witnesses in other areas of the state as well as from witnesses located interstate and overseas. As well as being used in courtrooms, the systems also link in with WA's prisons, community-based services offices, juvenile detention and remand centres as well as some police stations. They also facilitate the

replay of evidence in trials.

In 2013/14, the video-conference facilities, which link prisons and courts, were used to make 14,813 video conference calls, totalling 2,402 hours of court hearing time. The total court appearances by persons in custody for 2013/14 was 24,626 of which 60.15% appeared by video conference call. Throughout the State, the facilities were also used to make 6,701 video links during the year, totalling a further 2,098 hours of court hearing time.

The video-conferencing network was migrated from a purely Telstra ISDN (Integrated Services Digital Network) to a hybrid ISDN and IP (Internet Protocol) network. This enables a reduction in Telstra ISDN costs where it is cost effective to utilise the department's existing secure IP network connection. The AV services enable the recording of audio for transcription as well as video links into the courtroom, reducing the need for persons in custody, witnesses and judicial officers to physically attend court. This makes accessing justice across Western Australia easier, safer, cheaper and faster.

System applications support a large number of case management and judicial support applications with more than 800 internal users and in excess of 1,000 external users.

Work to upgrade the audio-visual systems, including replacement of equipment that is now at end of life in regional courts consists of the following courts: Broome Court 2, Carnarvon Court 2, Fitzroy Crossing Police Court, Halls Creek Police Court, Manjimup Court, Merredin Court, Narrogin Court, Newman Police Court, Norseman Mining Registrar, Roebourne Court, and Wyndham Police Court. The

Dampier Peninsular Multi-Functional Police Facility (MFPF), and Warakurna MFPF were completed in 2013/14. Audio-visual systems were also installed in the Ravensthorpe Police Court and Onslow Police Court.

### Integrated Courts Management System

In 2013/14, the main focus in value adding to courts and tribunals through enhanced technology has been the ongoing development of the Integrated Courts Management System (ICMS). As part of the Government's \$10 million budget, allocation to ICMS work on extending criminal case management software for Magistrates Court commenced in 2011/12. The project includes eight separate software releases during a three year period. To date, six releases have been implemented. The most recent release, in November 2013, was delivered on time and on budget.

The primary focus of the ICMS development is the replacement of the old and out-dated criminal case management systems, critical to the operation of courts and tribunals in Western Australia. The replacement of these criminal systems in the Magistrates Court creates the opportunity to make the information technology system used by courts and tribunals more efficient, through the integration of ICMS across the whole of the justice system.

Release Six of ICMS delivered criminal case management functionality to the magistrates courts and enabled the decommissioning of the Magistrates Court ageing criminal case management



and financial systems.

This release provided for:

- the elimination of technical support previously required for the remaining legacy systems still in operation
- the commencement of the transition towards a fully electronic court record through the electronic lodgement of prosecution notices and bail undertakings. These will be the first court forms to become electronic in ICMS potentially saving the Magistrates Court and Children’s Court from handling over 170,000 paper documents each year
- the electronic capture and transmission of court hearing outcomes to agencies in the criminal justice system enabling consistent reporting and data sharing
- centralising the responsibility for the fine management process to Fines Enforcement Registry (FER). Fines imposed by the courts are now immediately transmitted to FER for management and subsequent enforcement. Further options to pay by electronic means such as Direct Debit, Centrepay, and BPAY will also be introduced. These enhancements result in improvements in fine management (particularly where offenders have multiple fines), customer service and revenue collection
- a centralised bail module was established so that WA Police, the courts and the Department of Corrective Services can enter data, access information and produce bail documents from a single source thereby resulting in accurate and

current bail information for accused persons

- secure and restricted access to criminal data for the WA Police, the Department of Corrective Services, the Office of the Director of Public Prosecutions and other approved parties.

### Contracts

The Contracts Branch is responsible for procurement governance, buyer training, maintaining the Oracle Purchasing System, procurement process development, providing leadership and advice to the Department with respect to contracting and tendering and managing the interface between the Department of the Attorney General and the Department of Finance.

During the financial period from 1 July 2013 to 30 June 2014, the Contracts Branch assisted business units establish a diverse range of contracts that support the Department’s mission critical functions and services.

During the course of the next financial year the Department will undertake to retender and establish replacement contracts for a range of software, legal publications and upgrades to security systems.

### Contracts Awarded

The Department of the Attorney General awarded contracts between 1 July 2013 and 30 June 2014.

Contracts Summary	
Value	Number
\$0 - \$19,999	1
\$20,000 - \$99,999	30
\$100,000 - \$499,999	19
\$500,000 - \$999,999	9
\$1 million +	14

*The data in these monetary thresholds derives from arrangements where a formal contract was executed in the form of a Letter of Engagement or Advice of Acceptance of Offer.*

## Information and Communications Technology

The Shared Information Services Directorate continued to work on maintaining, securing and leveraging Information and Communications Technology (ICT) shared between the Departments of the Attorney General and Corrective Services.

During the financial year, Shared Information Services completed the upgrade of 7,000 personal computers across the Departments of the Attorney General and Corrective Services to Windows 7 and MS Office 2010. This upgrade resolved risks arising from the continued use of MS Windows XP after 8 April 2014, when Microsoft ceased providing support for the product.

The Department also recently completed a major upgrade of its human resource management system by transitioning to a "HR Solution as a Service" model, delivered by the HR Solution provider.

The shared ICT model will continue in 2014/2015 and the Department will investigate the "As a Service" model where this can provide a benefit over internally-hosted ICT. Broadly, the "As a Service" model presents convenient, on-demand network access to a shared pool of computing resources. The arrangements are usually based on metered pay-as-you-go pricing models, delivered as a shared and commoditised service.

## Knowledge Management and Compliance

Knowledge Management and Compliance services continued to improve the Department's record keeping practices and compliance, through implementing new systems and upgrades to the electronic documents management system to ensure ongoing data readability.

The Department's Record Keeping Plan and Retention and Disposal Schedules were reviewed, updated and approved as per the requirements of the *State Records Act 2000*.

During the year the business area delivered further automation of the records management system, systems training and compliance audits. Records management functions were also extended to the Law Reform Commission following its recent relocation to Westralia Square.

## Library and Information Services

The Library and Information Services branch provides specialised legal library and information services to meet the legal information needs of all judicial and legal officers.

During the past year, Service Level Agreements with the Supreme and District Courts were renewed and a new Service Level Agreement with the Magistrates Court was concluded.

The Department entered into a second year of contracts with the three major suppliers of legal information.



File storage room.

# Managing our People

## Human Resources

During the year the Department focused on sustaining and enhancing its organisational capacity by recognising and developing the skills and expertise of our people.

Ensuring a high quality of investment in staff and providing a wide range of opportunities for development and training was key to ensuring the Department met and exceeded strategic key result areas. Proving strategic human resource services and high level consultancy to business areas facilitated managers and staff working efficiently and effectively together.

## Code of Conduct

The Department is committed to providing a fair, responsive and supportive workplace.

The Department's Code of Conduct (the Code) is the guiding source for all employees on ethical principles, obligations and workplace standards and behaviour. The Code aims to encompass the values of excellent service, integrity and accountability, equity and fairness, collaboration and learning and professional autonomy that are expected of all staff. The Code also outlines standards of behaviour and helps inform employees how to exercise judgement and accept personal responsibility in their professional roles and not bring their employer into disrepute.

During the year regular communication and education via the intranet, team meetings and in regular meetings between managers and team members, about the Code assisted the understanding by staff and reinforced the requirement for staff to undertake their work in an accountable, appropriate and transparent manner.

## Employee Opinion Survey

During the year the Department participated in the Public Sector Commission's Employee Perception Survey.

The survey is designed to establish employees' views of the extent to which the behaviour of the Department of the Attorney General is consistent with human resource management standards, the Western Australian Code of Ethics and equity and diversity principles.

Overall the Department performed markedly better than the broader public sector sample results. Some 50 per cent of Department staff (more than 800 people) completed the survey, compared to the sector average of 38 per cent. The Department performed very well in many areas including job satisfaction, respect from line manager and between workmates and the value of appropriate and ethical workplace behaviour.

The Department also recorded significantly stronger ratings than the public sector average in the management of ethics and conflicts of interest, including offer and acceptance of gifts.

## Employee Relations

During the year, work focused on policy reviews and employment practices essential for positive employee relations.

Reviews and adjustments were made to Grievance Management, Commencement Salary and Redeployment and Redundancy policies aligning them to recent legislative changes.

## Health and Wellness Program

### Global Corporate Challenge

The Department performed very well in the 2013 Global Corporate Challenge and received a trophy for a placing within the Globally Most Active Organisations, being the third most active government organisation worldwide and the most active organisation in the state government sector. Department staff completed 537,949 kilometres during the challenge with a total weight loss of 1,386 kilograms. More than 75 per cent of participating staff met or exceeded the recommended step activity level and those who lost weight lost an average of four kilograms.

### Influenza Vaccinations

The Department continued the annual influenza vaccination program for staff. Many staff from all areas across the Department participated, including regional staff and members of the judiciary. The total number of staff vaccinated this year was 769; a reduction of just four participants from the previous financial year.

### One Life Pledge

The One Life Suicide Prevention Strategy was launched by the State Government to address the unacceptably high suicide rate in Western Australia. The Strategy represents the Government's commitment to the prevention of suicide and self-harm and is aligned with the National Suicide Prevention Strategy.

The Department had previously signed the One Life Silver Pledge and upgraded this to the One Life Gold Pledge on 11 February 2013. At an official launch on 12 September 2013 ('RU OK?' day) the Gold Pledge Certificate was presented to the Director General.

The One Life Suicide Prevention Strategy has provided the Department of the Attorney General with a framework and governance structure that will, in the next four years, guide our initiatives and programs. This commitment has been supported by an extensive training program across the agency.

### Mentoring Program

The Department's mentoring program assists in developing the capability and potential of its employees. It is a vehicle to encourage the transfer of knowledge from more experienced employees to less experienced employees within a structured model. This model provides mentees with opportunities to address a range of development requirements and opportunities. Such opportunities range from seeking assistance with developing a career path to enhanced capability within current roles. Program applicants complete an Expression of Interest in which they outline the professional areas they wish to develop (mentees) and what areas they are prepared to assist with development (mentors). Mentees are matched with suitable mentors. The 2013/2014 program had 38 participants

### Recognition of Service

The Department holds Recognition of Service events annually to honour staff for their significant years of service to the public sector.

During the year, 70 staff from across the Department received recognition for service for 20, 25, 30, 35, 40 and 45 and 50 years.

### Staff Development and Performance

The Department's Employee Development System (EDS) sets work goals and development objectives for each staff member.

The EDS also assists staff and management to monitor outcomes against goals and objectives. During the financial year some 90 per cent of 1,290 staff took part in the EDS.

The Department introduced an online training module to support the implementation of the EDS.

### Training and Development

The Department ensures employees have many opportunities to undertake training. This is achieved through a range of Corporate Workforce Development programs.

Online learning programs enable staff to complete training at their workstation and in their own time. Online Learning Modules available to staff include accountable and ethical decision making, health and safety, record keeping awareness, information security and mental health.

Additionally, in 2013/14 other staff development programs, including those related to leadership and management, such as Management Principles and Coaching Skills for Managers.

The **ASCEND Management Development Program** provides to managers, and aspiring managers, the opportunity to develop and consolidate their managerial abilities while obtaining

## Agency Performance - Managing our People

a nationally recognised Diploma of Management qualification. During the financial year 25 employees participated in ASCEND. To date, 57 employees have participated in the program. The ASCEND program is not continuing in 2014/15.

The **Onboarding Program**, launched in May 2013, is designed to assist the process of orienting, training, socialising and retaining a new employee during their first year of employment. A step-by-step guide takes managers, and new employees, through the process of joining the Department. Since implementation, the Onboarding Program has been provided to 167 staff. Evaluation of the first year of the program confirmed successful implementation with 100 per cent of employees stating they felt they were able to quickly integrate into their new role and team, access key organisational information and have a better understanding of what it means to be an employee of the Department of the Attorney General.

The Graduate Support Program (GSP) is a twelve-month course focusing on developing the skills of existing employees who obtained a tertiary qualification in the past three years. Since its implementation in 2012, 21 graduates have participated in the GSP, including eight participants in 2013-14.

### Traineeship Programs

The Department's commitment to equity and fairness through equal employment opportunity is demonstrated through its targeted traineeship programs.

The Aboriginal Traineeship Program, introduced in 2008, provides a 12 month, structured workplace-based traineeship in Certificate II and III in Government. As at 30 June 2014 there were nine Aboriginal trainees employed by the Department, studying for Certificate III in Government.

During 2013/2014, the Department also implemented a traineeship program for people with a disability. Five trainees are progressing through a structured workplace-based traineeship in Certificate II and III in Government.



**Back Row (L-R) - Ranjol Kearing, Cassandra Walding, Jesse Hayward, Rikki-Lee Hardy, Jade Kennedy, Ella James.**  
**Front row (L-R) Ilesha Farmer, Rebekah Millard, Deanna Scorda.**

### Workforce Development

The Department's Workforce Development Plan captures the long-term direction in human resource management and systematically addresses the Department's workforce capability and capacity.

The key strategies are:

#### Attract

Attract and select a capable workforce with the capacity to deliver on the Department's present and future objectives.

#### Develop

Develop our workforce, individually and collectively, to meet the present and future needs of the WA community.

#### Design

Design and deliver workforce practices inherent in good governance, integrity and support our people in their roles.

#### Engage

Through collective effort ensure our workforce embraces the Department's Strategic Framework.

The Workforce Development Plan was in the process of being updated at the end of the financial year.

### Employee Assistance Program

During 2013/14 the Department released a new tender for the provision of the Employee Assistance Program (EAP).

Subsequently, the Department awarded a new contract to Optum, formerly PPC Worldwide, in January 2014. The Employee Assistance Program was accessed by 102 clients during 2013/14 totalling 297.50 clinical hours.

## Agency Performance - Managing our People

Utilisation of the EAP service over the last three years has been relatively stable.

	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Clients	69	120	105	116	96	102
Hours			247	334	299.5	297.50

## Volunteers

Volunteers perform an important role in supporting and augmenting the delivery of justice-related services across Western Australia. Volunteers provide a range of services including information related to courts, in-court support, assisting with violence restraining order applications and liaison with specialist external agencies to support the referral of people to other necessary services.

Volunteers also provide a high quality service to victims of crime to assist them through the court and associated legal system.

The Department extends its sincere appreciation for the immense contribution of all volunteers to Western Australian justice services.

# SIGNIFICANT ISSUES IMPACTING ON THE AGENCY

The Department will continue to develop, co-ordinate and implement legislation supporting the Government's law and order reform agenda, including budget priorities to strengthen laws around dangerous sex offenders, introduce post sentence supervision orders, and amend laws relating to mentally impaired accused and improve the effectiveness of the operation of the legislation that governs the State's justice system.

During the year the administration of the Law Reform Commission of Western Australia has been transferred to the Department of the Attorney General. The Commission will remain a statutory authority and retain its legal independence with respect to its findings on topics referred to it by the Attorney General.

The State Solicitor's Office will need to respond to the increasing volume of legal requests associated with the Commonwealth's Royal Commission into Institutional Responses to Child Abuse.

The Parliamentary Counsel's Office will continue to work with the State Government to set legislative drafting priorities for the forthcoming year. The Office will also implement projects to improve access to the law for the public of Western Australia through the Western Australian Legislation website.

The Department will continue to work towards reducing the over representation of Aboriginal people in the justice system. The three main focus areas of the work relate to Aboriginal people either in or at risk of entering the justice system or prison

because of driver's licence offences, or unpaid fines and the provision of victim support services for Indigenous people in remote areas.

The Commissioner for Victims of Crime will progress a range of operational reforms including improvements in victim notification processes and enhanced guidelines for prosecutors dealing with victims of crime. Work will also focus on enhancing safety for victims and improving the whole of government provision of information to victims of crime. This will include the development of a suite of videos that will provide general information about entitlements and services for victims of crime and information on the preparation of Victim Impact Statements.

Western Australia's increasing and ageing population combined with the prevalence of dementia is resulting in continued increased demand for services provided by the Public Trustee. Similarly, the Public Advocate is continuing to experience increased demand for services to vulnerable adults with decision-making disabilities.

In 2014/15, two pilots for the National Disability Insurance Scheme will introduce reforms to Western Australia's disability support system. The reforms will impact a number of the Public Advocate's clients, who receive disability support including accommodation and services. The Office of the Public Advocate will continue to work closely with the relevant stakeholders to prepare for the changes ahead.

The pilot of the Mental Health Court Diversion program in the Magistrates Court and Children's Court will be extended into 2014/15 to allow for the program to be fully evaluated. The broad outcomes of the program are to reduce re-offending and to improve the mental health of program participants. In addition Magistrates Court sittings on Sundays will commence at the Perth Police Complex to deal with bail and remand decisions from July 2014.

The number of unpaid fines and infringements has historically continued to rise as more agencies use the legal system to pursue outstanding fines and infringements. Enhanced measures for the enforcement of fines and infringements were implemented in the metropolitan area in August 2013 and expanded into parts of the South West in April 2014. Implementing new processes such as the recent 'SMS' campaign targeting debtors with matters due for conversion to warrant, will remain a priority in 2014/15 and continue to strengthen the enforcement of fines and infringements throughout Western Australia.

The protection of personal information and the prevention and detection of identity fraud and theft is a growing priority for agencies responsible for issuing identity documents in the community. The National Identity Security Strategy continues to grow as new policy initiatives are developed, and more private sector entities commit to the prevention of identity fraud and data integrity will have an impact on the Registry of Births, Deaths and Marriages.

# DISCLOSURES AND LEGAL COMPLIANCE



Auditor General

## INDEPENDENT AUDITOR'S REPORT

To the Parliament of Western Australia DEPARTMENT OF THE ATTORNEY GENERAL

### Report on the Financial Statements

I have audited the accounts and financial statements of the Department of the Attorney General.

The financial statements comprise the Statement of Financial Position as at 30 June 2014, the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows, Schedule of Income and Expenses by Service, Schedule of Assets and Liabilities by Service, and Summary of Consolidated Account Appropriations and Income Estimates for the year then ended, and Notes comprising a summary of significant accounting policies and other explanatory information, including Administered transactions and balances.

#### *Director General's Responsibility for the Financial Statements*

The Director General is responsible for keeping proper accounts,

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

#### *Auditor's Responsibility*

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial statements based on my audit. The audit was conducted in accordance with Australian Auditing Standards. Those Standards require compliance with relevant ethical requirements relating to audit engagements and that the audit be planned and performed to obtain reasonable assurance about whether the financial statements are free from material misstatement.



An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Department's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Director General, as well as evaluating the overall presentation of the financial statements.

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

### **Opinion**

In my opinion, the financial statements are based on proper accounts and present fairly, in all material respects, the financial position of the Department of the Attorney General at 30 June 2014 and its financial performance and cash flows for the year then ended. They are in accordance with Australian Accounting Standards and the Treasurer's Instructions.

### **Report on Controls**

I have audited the controls exercised by the Department of the Attorney General during the year ended 30 June 2014.

Controls exercised by the Department of the Attorney General are those policies and procedures established by the Director General to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions.

### *Director General's Responsibility for Controls*

The Director General is responsible for maintaining an adequate

system of internal control to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of public and other property, and the incurring of liabilities are in accordance with the Financial Management Act 2006 and the Treasurer's Instructions, and other relevant written law.

### *Auditor's Responsibility*

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the controls exercised by the Department of the Attorney General based on my audit conducted in accordance with Australian Auditing and Assurance Standards.

An audit involves performing procedures to obtain audit evidence about the adequacy of controls to ensure that the Department complies with the legislative provisions. The procedures selected depend on the auditor's judgement and include an evaluation of the design and implementation of relevant controls.

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

### **Opinion**

In my opinion, the controls exercised by the Department of the Attorney General are sufficiently adequate to provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions during the year ended 30 June 2014.

### **Report on the Key Performance Indicators**

I have audited the key performance indicators of the Department of the Attorney General for the year ended 30 June 2014.

The key performance indicators are the key effectiveness indicators and the key efficiency indicators that provide information on outcome achievement and service provision.

*Director General's Responsibility for the Key Performance Indicators*

The Director General is responsible for the preparation and fair presentation of the key performance indicators in accordance with the Financial Management Act 2006 and the Treasurer's Instructions and for such controls as the Director General determines necessary to ensure that the key performance indicators fairly represent indicated performance.

*Auditor's Responsibility*

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the key performance indicators based on my audit conducted in accordance with Australian Auditing and Assurance Standards.

An audit involves performing procedures to obtain audit evidence about the key performance indicators. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the key performance indicators. In making these risk assessments the auditor considers internal control relevant to the Director General's preparation and fair presentation of the key performance indicators in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the relevance and appropriateness of the key performance indicators for measuring the extent of outcome achievement and service provision.

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

**Opinion**

In my opinion, the key performance indicators of the Department of the Attorney General are relevant and appropriate to assist users to assess the Department's performance and fairly represent indicated performance for the year ended 30 June 2014.

**Independence**

In conducting this audit, I have complied with the independence requirements of the Auditor General Act 2006 and Australian Auditing and Assurance Standards, and other relevant ethical requirements.

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

This auditor's report relates to the financial statements and key performance indicators of the Department of the Attorney General for the year ended 30 June 2014 included on the Department's website. The Department's management is responsible for the integrity of the Department's website. This audit does not provide assurance on the integrity of the Department's website.

The auditor's report refers only to the financial statements and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements or key performance indicators. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited financial statements and key performance indicators to confirm the information contained in this website version of the financial statements and key performance indicators.



COLIN MURPHY  
AUDITOR GENERAL  
FOR WESTERN AUSTRALIA Perth, Western Australia  
5 September 2014

# Department of the Attorney General

## Certification of Financial Statements

### For the year ended 30 June 2014

The accompanying financial statements of the Department of the Attorney General 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 financial year ended 30 June 2014 and the financial position as at 30 June 2014.

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.



Cheryl Gwilliam

ACCOUNTABILITY AUTHORITY

4 September 2014



Rodolfo Montilva

A/CHIEF FINANCE OFFICER

4 September 2014

## Statement of Comprehensive Income

For the year ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Employee benefits expense	6	232,226	214,538
Supplies and services	7	96,700	98,758
Depreciation and amortisation expense	8	19,756	17,744
Finance costs	9	17,095	18,063
Accommodation expenses	10	44,486	45,621
Grants and subsidies	11	77,471	74,382
Other expenses	12	20,524	24,673
<b>Total cost of services</b>		<b>508,258</b>	<b>493,779</b>
<b>Income</b>			
<b>Revenue</b>			
User charges and fees	13	87,342	79,935
Commonwealth grants and contributions	14	17,924	18,853
Other revenue	15	32,238	30,941
<b>Total Revenue</b>		<b>137,504</b>	<b>129,729</b>
<b>Gains</b>			
Net gain on disposal of non-current assets	16	18	5
<b>Total Gains</b>		<b>18</b>	<b>5</b>
<b>Total income other than income from State Government</b>		<b>137,522</b>	<b>129,734</b>
<b>NET COST OF SERVICES</b>		<b>370,736</b>	<b>364,045</b>

See also the 'Schedule of Income and Expenses by Service'.  
The Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

## Statement of Comprehensive Income

For the year ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
<b>Income from State Government</b>	17		
Service appropriation		340,792	332,544
Liabilities assumed by the treasurer		15,366	-
Resources received free of charge		20,317	20,562
Royalties for Regions Fund		1,732	1,652
<b>Total income from State Government</b>		<b>378,207</b>	<b>354,758</b>
<b>SURPLUS/(DEFICIT) FOR THE PERIOD</b>		<b>7,471</b>	<b>(9,287)</b>
<b>OTHER COMPREHENSIVE INCOME</b>			
<b>Items not reclassified subsequently to profit or loss</b>			
Changes in asset revaluation surplus	30	8,307	22,857
<b>Total other comprehensive income</b>		<b>8,307</b>	<b>22,857</b>
<b>TOTAL COMPREHENSIVE INCOME FOR THE PERIOD</b>		<b>15,778</b>	<b>13,570</b>

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

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

## Statement of Financial Position

As at 30 June 2014

	Notes	2014 \$'000	2013 \$'000
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and cash equivalents	31	24,212	7,023
Restricted cash and cash equivalents	18, 31	27,393	15,322
Receivables	19	7,611	7,818
Amounts receivable for services	20	2,781	2,652
Other current assets	21	1,258	3,655
Non-current assets held for distribution to owner	22	1,930	2,451
<b>Total Current Assets</b>		<b>65,185</b>	<b>38,921</b>
<b>Non-Current Assets</b>			
Restricted cash and cash equivalents	18, 31	5,962	4,747
Amounts receivable for services	20	141,233	129,061
Property, plant and equipment	23	649,124	621,519
Intangible assets	25	10,859	3,935
<b>Total Non-Current Assets</b>		<b>807,178</b>	<b>759,262</b>
<b>TOTAL ASSETS</b>		<b>872,363</b>	<b>798,183</b>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Payables	27	23,802	20,155
Borrowings	28	4,157	3,632
Provisions	29	44,192	47,869
<b>Total Current Liabilities</b>		<b>72,151</b>	<b>71,656</b>

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

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

## Statement of Financial Position

As at 30 June 2014

	Notes	2014 \$'000	2013 \$'000
<b>Non-Current Liabilities</b>			
Borrowings	28	211,993	215,884
Provisions	29	8,987	8,708
<b>Total Non-Current Liabilities</b>		<b>220,980</b>	<b>224,592</b>
<b>TOTAL LIABILITIES</b>		<b>293,131</b>	<b>296,248</b>
<b>NET ASSETS</b>			
<b>EQUITY</b>			
Contributed equity	30	234,214	172,695
Reserves		277,117	268,810
Accumulated surplus		67,901	60,430
<b>TOTAL EQUITY</b>		<b>579,232</b>	<b>501,935</b>

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

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

## Statement of Changes in Equity

For the year ended 30 June 2014

	Note	Contributed equity \$'000	Reserves \$'000	Accumulated surplus \$'000	Total equity \$'000
<b>Balance at 1 July 2012</b>	30	112,924	245,953	69,717	428,594
Deficit for the period		-	-	(9,287)	(9,287)
Other comprehensive income		-	22,857	-	22,857
Total comprehensive income for the period		-	22,857	(9,287)	13,570
Transactions with owners in their capacity as owners:					
Capital appropriations		30,555	-	-	30,555
Other contributions by owners		29,216	-	-	29,216
<b>Total</b>		59,771	-	-	59,771
<b>Balance at 30 June 2013</b>		<b>172,695</b>	<b>268,810</b>	<b>60,430</b>	<b>501,935</b>
<b>Balance at 1 July 2013</b>	30	172,695	268,810	60,430	501,935
Surplus for the period		-	-	7,471	7,471
Other comprehensive income		-	8,307	-	8,307
Total comprehensive income for the period		-	8,307	7,471	15,778
Transactions with owners in their capacity as owners:					
Capital appropriations		48,140	-	-	48,140
Other contributions by owners		18,036	-	-	18,036
Distribution to owners		(4,657)	-	-	(4,657)
<b>Total</b>		61,519	-	-	61,519
<b>Balance at 30 June 2014</b>		<b>234,214</b>	<b>277,117</b>	<b>67,901</b>	<b>579,232</b>

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 2014

	Notes	2014 \$'000	2013 \$'000
<b>CASH FLOWS FROM STATE GOVERNMENT</b>			
Service appropriation		325,831	314,736
Capital appropriation		48,140	30,555
Equity contribution to finance working capital deficiency		-	15,000
Holding account drawdown		2,660	2,582
Royalties for Regions Fund	31	19,767	15,868
<b>Net cash provided by State Government</b>		<b>396,398</b>	<b>378,741</b>
Utilised as follows:			
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Payments</b>			
Employees benefits		(219,442)	(214,518)
Supplies and services		(169,119)	(177,191)
Accommodation		(40,160)	(40,459)
Finance costs		(16,816)	(17,774)
GST payments on purchases		(20,224)	(19,001)
GST payments to taxation authority		(2,927)	(3,190)
<b>Receipts</b>			
Receipts from services		119,752	112,772
Commonwealth grants and contributions		13,598	13,691
GST receipts on sales		2,614	2,768
GST receipts from taxation authority		20,543	19,480
<b>Net cash used in operating activities</b>	31	<b>(312,181)</b>	<b>(323,422)</b>

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

## Statement of Cash Flows

For the year ended 30 June 2014

	Notes	2014 \$'000	2013 \$'000
<b>CASH FLOW FROM INVESTING ACTIVITIES</b>			
<b>Payments</b>			
Purchase of non-current physical assets		(50,115)	(34,959)
<b>Receipts</b>			
Proceeds from sale of non-current physical assets		18	7
<b>Net cash used in investing activities</b>		<b>(50,097)</b>	<b>(34,952)</b>
<b>CASH FLOW FROM FINANCING ACTIVITIES</b>			
<b>Payments</b>			
Finance lease payments		(3,645)	(2,616)
<b>Net cash used in financing activities</b>		<b>(3,645)</b>	<b>(2,616)</b>
Net increase in cash and cash equivalents		30,475	17,751
Cash and cash equivalents at the beginning of the period		27,092	9,341
<b>CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD</b>	31	<b>57,567</b>	<b>27,092</b>

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

## Schedule of Income and Expenses by Service

For the year ended 30 June 2014

	Court and Tribunal Services		Trustee Services		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Services		Legal Aid Assistance		Services to Government		Total	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
<b>COST OF SERVICES</b>														
<b>Expenses</b>														
Employee benefits expense	161,047	146,164	15,404	14,863	3,760	3,639	4,697	4,550	-	-	47,318	45,322	232,226	214,538
Supplies and services	72,004	74,491	2,554	2,968	2,149	2,571	360	442	-	-	19,633	18,286	96,700	98,758
Depreciation and amortisation expense	17,219	15,067	1,504	1,605	76	78	63	59	-	-	894	935	19,756	17,744
Finance costs	17,095	18,063	-	-	-	-	-	-	-	-	-	-	17,095	18,063
Accommodation expenses	28,467	30,824	2,870	2,671	1,117	1,125	654	686	-	-	11,378	10,315	44,486	45,621
Grants and subsidies	37,892	36,094	15	16	5	6	4	4	36,988	36,013	2,567	2,249	77,471	74,382
Other expenses	16,589	17,610	1,468	1,468	124	171	207	192	-	-	2,136	5,232	20,524	24,673
<b>Total cost of services</b>	<b>350,313</b>	<b>338,313</b>	<b>23,815</b>	<b>23,591</b>	<b>7,231</b>	<b>7,590</b>	<b>5,985</b>	<b>5,933</b>	<b>36,988</b>	<b>36,013</b>	<b>83,926</b>	<b>82,339</b>	<b>508,258</b>	<b>493,779</b>
<b>Income</b>														
User charges and fees	58,636	52,181	15,842	15,484	7,632	7,863	4	2	-	-	5,228	4,405	87,342	79,935
Commonwealth grants and contributions	17,924	18,453	-	-	-	-	-	-	-	-	-	400	17,924	18,853
Other revenue	8,754	8,298	8,468	8,688	75	43	40	55	-	-	14,901	13,857	32,238	30,941
Gain on disposal of non-current assets	4	5	1	-	-	-	-	-	-	-	13	-	18	5
<b>Total income other than income from State Government</b>	<b>85,318</b>	<b>78,937</b>	<b>24,311</b>	<b>24,172</b>	<b>7,707</b>	<b>7,906</b>	<b>44</b>	<b>57</b>	<b>-</b>	<b>-</b>	<b>20,142</b>	<b>18,662</b>	<b>137,522</b>	<b>129,734</b>
<b>NET COST OF SERVICES</b>	<b>264,995</b>	<b>259,376</b>	<b>(496)</b>	<b>(581)</b>	<b>(476)</b>	<b>(316)</b>	<b>5,941</b>	<b>5,876</b>	<b>36,988</b>	<b>36,013</b>	<b>63,784</b>	<b>63,677</b>	<b>370,736</b>	<b>364,045</b>
<b>Income from State Government</b>														
Service appropriations	239,360	234,790	-	1,080	-	-	5,322	4,987	36,988	36,013	59,122	55,674	340,792	332,544
Liabilities assumed by the Treasurer	15,366	-	-	-	-	-	-	-	-	-	-	-	15,366	-
Resources received free of charge	19,965	20,201	21	22	20	21	26	26	-	-	285	292	20,317	20,562
Royalties for Regions Fund	522	872	-	-	-	-	-	-	-	-	1,210	780	1,732	1,652
<b>Total Income from State Government</b>	<b>275,213</b>	<b>255,863</b>	<b>21</b>	<b>1,102</b>	<b>20</b>	<b>21</b>	<b>5,348</b>	<b>5,013</b>	<b>36,988</b>	<b>36,013</b>	<b>60,617</b>	<b>56,746</b>	<b>378,207</b>	<b>354,758</b>
<b>SURPLUS/(DEFICIT) FOR THE PERIOD</b>	<b>10,218</b>	<b>(3,513)</b>	<b>517</b>	<b>1,683</b>	<b>496</b>	<b>337</b>	<b>(593)</b>	<b>(863)</b>	<b>-</b>	<b>-</b>	<b>(3,167)</b>	<b>(6,931)</b>	<b>7,471</b>	<b>(9,287)</b>

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

## Schedule of Assets and Liabilities by Service

For the year ended 30 June 2014

	Court and Tribunal Services		Trustee Services		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Service		Services to Government		Total	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
<b>Assets</b>												
Current assets	35,748	7,705	46	21	1,077	124	-	4	28,314	31,067	65,185	38,921
Non-current assets	798,966	749,509	7,691	9,313	54	76	106	125	361	239	807,178	759,262
<b>Total assets</b>	<b>834,714</b>	<b>757,214</b>	<b>7,737</b>	<b>9,334</b>	<b>1,131</b>	<b>200</b>	<b>106</b>	<b>129</b>	<b>28,675</b>	<b>31,306</b>	<b>872,363</b>	<b>798,183</b>
<b>Liabilities</b>												
Current liabilities	54,812	55,482	3,946	3,886	924	1,021	942	1,032	11,525	10,235	72,151	71,656
Non-current liabilities	218,154	221,698	679	694	145	163	178	189	1,824	1,848	220,980	224,592
<b>Total liabilities</b>	<b>272,966</b>	<b>277,180</b>	<b>4,625</b>	<b>4,580</b>	<b>1,069</b>	<b>1,184</b>	<b>1,120</b>	<b>1,221</b>	<b>13,349</b>	<b>12,083</b>	<b>293,131</b>	<b>296,248</b>
<b>NET ASSETS/ (LIABILITIES)</b>	<b>561,748</b>	<b>480,034</b>	<b>3,112</b>	<b>4,754</b>	<b>62</b>	<b>(984)</b>	<b>(1,014)</b>	<b>(1,092)</b>	<b>15,326</b>	<b>19,223</b>	<b>579,232</b>	<b>501,935</b>

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

## Summary of Consolidated Account Appropriations and Income Estimates

For the year ended 30 June 2014

	2014 Estimate \$'000	2014 Actual '000	Variance \$'000	2014 Actual '000	2013 Actual \$'000	Variance \$'000
<b>Delivery of Services</b>						
Item 50 Net amount appropriated to deliver services	248,967	250,622	1,655	250,622	245,827	4,795
Amount Authorised by Other Statutes						
<i>Salaries and Allowances Act 1975</i>	30,633	29,032	(1,601)	29,032	29,190	(158)
<i>District Court of Western Australia Act 1969</i>	11,212	10,917	(295)	10,917	11,076	(159)
<i>Judges' Salaries and Pensions Act 1950</i>	10,678	10,400	(278)	10,400	10,298	102
<i>Children's Court of Western Australia Act 1988</i>	416	422	6	422	380	42
<i>State Administrative Tribunal Act 2004</i>	5,549	4,993	(556)	4,993	5,179	(186)
<i>Criminal Injuries Compensation Act 2003</i>	31,604	33,800	2,196	33,800	30,132	3,668
<i>Solicitor General Act 1969</i>	559	576	17	576	433	143
<i>Suitor's Fund Act 1964</i>	30	30	-	30	29	1
<b>Total appropriations provided to deliver services</b>	<b>339,648</b>	<b>340,792</b>	<b>1,144</b>	<b>340,792</b>	<b>332,544</b>	<b>8,248</b>
<b>Capital</b>						
Item 158 Capital Contributions	48,140	48,140	-	48,140	30,555	17,585
Equity contribution	-	-	-	-	15,000	(15,000)
<b>GRAND TOTAL</b>	<b>387,788</b>	<b>388,932</b>	<b>1,144</b>	<b>388,932</b>	<b>378,099</b>	<b>10,833</b>

## Summary of Consolidated Account Appropriations and Income Estimates

For the year ended 30 June 2014

	2014 Estimate \$'000	2014 Actual '000	Variance \$'000	2014 Actual '000	2013 Actual \$'000	Variance \$'000
<b>Details of Expenses by Service</b>						
Court and Tribunal Services	374,523	350,313	(24,210)	350,313	338,313	12,000
Advocacy, Guardianship and Administration Services	5,762	5,985	223	5,985	5,933	52
Trustee Services	23,344	23,815	471	23,815	23,591	224
Births, Deaths and Marriages	7,822	7,231	(591)	7,231	7,590	(359)
Services to Government	78,499	83,926	5,427	83,926	82,339	1,587
Legal Aid Assistance	36,352	36,988	636	36,988	36,013	975
<b>Total Cost of Services</b>	<b>526,302</b>	<b>508,258</b>	<b>(18,044)</b>	<b>508,258</b>	<b>493,779</b>	<b>14,479</b>
Less Total income	(133,424)	(137,522)	(4,098)	(137,522)	(129,734)	(7,788)
<b>Net Cost of Services</b>	<b>392,878</b>	<b>370,736</b>	<b>(22,142)</b>	<b>370,736</b>	<b>364,045</b>	<b>6,691</b>
Adjustments <sup>(a)</sup>	(53,230)	(29,944)	23,286	(29,944)	(31,501)	1,557
<b>Total appropriations provided to deliver services</b>	<b>339,648</b>	<b>340,792</b>	<b>1,144</b>	<b>340,792</b>	<b>332,544</b>	<b>8,248</b>
<b>Capital Expenditure</b>						
Purchase of non-current physical assets	81,173	50,147	(31,026)	50,147	36,047	14,100
Adjustments for other funding sources	(33,033)	(2,007)	31,026	(2,007)	(5,492)	3,485
<b>Capital appropriations</b>	<b>48,140</b>	<b>48,140</b>	<b>-</b>	<b>48,140</b>	<b>30,555</b>	<b>17,585</b>
<b>Details of Income Estimates</b>						
Income disclosed as Administered Income	<b>70,353</b>	<b>60,709</b>	<b>(9,644)</b>	<b>60,709</b>	<b>70,825</b>	<b>(10,116)</b>

<sup>(a)</sup> Adjustments comprise of other funding sources and movements in cash balances and other accrual items such as receivables, payables and provisions. Explanations of variations between the current year estimates and actual results are set out in Note 36 'Explanatory statement'.

# Notes to the Financial Statements

For the year ended 30 June 2014

## Note 1. Australian Accounting Standards

### General

The Department's financial statements for the year ended 30 June 2014 have been prepared in accordance with Australian Accounting Standards. The term 'Australian Accounting Standards' refers to Standards and Interpretations issued by the Australian Accounting Standards Board (AASB).

The Department has adopted any applicable new and revised Australian Accounting Standards from their operative dates.

### Early adoption of standards

The Department cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 *Application of Australian Accounting Standards and Other Pronouncements*. There has been no early adoption of Australian Accounting Standards that have been issued or amended (but not operative) by the Department for the annual reporting period ended 30 June 2014.

## Note 2. Summary of significant accounting policies

### (a) General statement

The Department is a not-for-profit reporting entity that prepares general purpose financial statements

in accordance with Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB as applied by the Treasurer's instructions. Several of these are modified by the Treasurer's instructions to vary application, disclosure, format and wording.

The *Financial Management Act 2006* and the Treasurer's instructions impose legislative provisions that govern the preparation of financial statements and take precedence over Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB.

Where modification is required and has had a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

### (b) Basis of preparation

The financial statements have been prepared on the accrual basis of accounting using the historical cost convention, except for land and buildings which have been measured at fair value.

The accounting policies adopted in the preparation of the financial statements have been consistently applied throughout all periods presented unless otherwise stated.

The financial statements are presented in Australian dollars and all values are rounded to the nearest thousand dollars (\$'000).

Note 3 'Judgements made by management in applying accounting policies' discloses judgements that have been made in the process of applying the Department's accounting policies resulting in the most significant effect on amounts recognised in the financial statements.

Note 4 'Key sources of estimation uncertainty' discloses key assumptions made concerning the future, and other key sources of estimation uncertainty at the end of the reporting period, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year.

The financial statements have been prepared on the going concern basis. This basis has been adopted as the Department is a State Government agency funded by Parliamentary appropriation from the Consolidated Account.

### (c) Reporting entity

This reporting entity comprises the Department and no other related bodies.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Mission

The Department's mission is to provide high quality and accessible justice, legal, registry, guardianship and trustee services that meet the needs of the community and government.

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

### Services

The Department provides the following services:

- Court and Tribunal Services
- Advocacy, Guardianship and Administration Services
- Trustee Services
- Births, Death and Marriages
- Services to Government
- Legal Aid Assistance

### (d) Administered items

The Department administers assets, liabilities, income and expenses on behalf of Government which are neither controlled by, nor integral to the Department in carrying out its functions and are disclosed in the notes to the financial statements

(Note 44 'Disclosure of administered income and expenses by service' and Note 45 'Administered assets and liabilities'), forming part of the general purposes financial report of the Department. The administered items are disclosed on the same basis as is described above for the financial statement of the Department. The administered assets, liability, income and expenses are those which the Government requires the Department to administer on its behalf. The assets do not render any service potential or future economic benefits to the Department. The liabilities do not require any future sacrifice of service potential or future economic benefits of the Department. The income and expenses are not attributable to the Department.

As the administered assets, liabilities, income and expenses are not recognised in the principal financial statements of the Department, the disclosure requirements of Accounting standard AASB 7 *Financial Instruments: Disclosures* are not applied to administered items.

Administered assets are not controlled by the Department but are administered on behalf of the Government. These assets included receivables in relation to:

- Supreme and District Court fines and forfeitures; and
- Magistrates Courts criminal fines.

Outstanding fines and costs include:

- District and Supreme Court fines and costs and those which are referred to the Fines Enforcement Registry (FER) for action and are outstanding as at 30 June 2014; and
- Magistrates Courts criminal fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2014.

Infringement penalty details are not included as the State Solicitor provided an opinion that infringements form no liability or obligation to pay until a Court orders the offender to pay the penalty.

### (e) Provision for unrecoverable debts - administered items

The provision in respect of Court fees and fines outstanding and referred to the FER is based on objective evidence that the Department will not be able to collect the debts.

### (f) Contributed equity

AASB Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, to be designated by the Government (the owner) as contributions by owners (at the time of, or prior to transfer) before such transfers can be recognised as equity contributions.



## Notes to the Financial Statements

For the year ended 30 June 2014

Capital appropriations have been designated as contributions by owners by TI 955 *Contributions by Owners made to Wholly Owned Public Sector Entities* and have been credited directly to Contributed equity.

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

### (g) Income

#### Revenue recognition

Revenue is recognised and measured at the fair value of consideration received or receivable. However, where there is not an established pattern of income flow, revenue is recognised on a cash receipts basis. Revenue is recognised for the major business activities as follows:

#### Provision of services

Revenue for provision of services is recognised by reference to the stage of completion of the transaction.

#### Criminal injuries revenue

Criminal injuries revenue is recognised at the time payment is received. Outstanding criminal injuries are not recognised as debts, as the future economic benefits are minimal and cannot be

reliably measured. Criminal injuries recoveries include awards pursuant to the *Criminal Injuries Compensation Acts of 1970, 1982 and 1985* together with amounts recorded under the *Criminal Injuries Compensation Act 2003*.

#### Interest

Revenue is recognised as the interest accrues.

#### Service appropriations

Service appropriations are recognised as revenues at fair value in the period in which the Department gains control of the appropriated funds. The Department gains control of appropriated funds at the time those funds are deposited to the bank account or credited to the 'Amounts receivable for services' (holding account) held at Treasury. Refer to Note 17 'Income from State Government' for further commentary on Service Appropriations.

#### Net Appropriation Determination

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

The Treasurer may make a determination providing for prescribed receipts to be retained for services under the control of the Department. In accordance with this determination, the Department retained \$137.504 million in 2014 (\$129.729 million in 2013) from the following:

- Proceeds from fees and charges of \$87.342 million in 2014 (\$79.935 million in 2013);
- Commonwealth specific purpose grants and contributions of \$17.924 million in 2014 (\$18.853 million in 2013); and
- Other departmental revenue of \$32.238 million in 2014 (\$30.941 million in 2013).

#### Grants, donations, gifts and other non-reciprocal contributions

Revenue is recognised at fair value when the Department obtains control over the assets comprising the contributions, usually when cash is received.

Other non-reciprocal contributions that are not contributions by owners are recognised at their fair value. Contributions of services are only recognised when a fair value can be reliably determined and the services would be purchased if not donated.

Royalties for Regions funds are recognised as revenue at fair value in the period in which the Department obtains control over the funds. The Department obtains control of the funds at the

## Notes to the Financial Statements

For the year ended 30 June 2014

time the funds are deposited into the Department's bank account.

### Gains

Realised and unrealised gains are usually recognised on a net basis. These include gains arising on the disposal of non-current assets and some revaluations of non-current assets.

### (h) Borrowing costs

Borrowing costs are expensed when incurred.

### (i) Property, plant and equipment

#### Capitalisation/expensing of assets

Items of property, plant and equipment costing \$5,000 or more are recognised as assets and the cost of utilising assets is expensed (depreciated) over their useful lives. Items of property, plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of Comprehensive Income (other than where they form part of a group of similar items which are significant in total).

#### Initial recognition and measurement

Property, plant and equipment are initially recognised at cost.

For items of property, plant and equipment acquired at no cost or for nominal cost, the cost is

the fair value at the date of acquisition.

#### Subsequent measurement

Subsequent to initial recognition of an asset, the revaluation model is used for the measurement of land and buildings and historical cost for all other property, plant and equipment. Land and buildings are carried at fair value less accumulated depreciation on buildings and accumulated impairment losses. All other items of property, plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Where market-based evidence is available, the fair value of land and buildings is determined on the basis of current market buying 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.

In the absence of market-based evidence, fair value of land and buildings is determined on the basis of existing use. This normally applies where the buildings are specialised or where land use is restricted. Fair value for existing use assets is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, i.e. the depreciated replacement cost.

Where the fair value of the buildings is determined on the depreciated replacement cost basis, on revaluation, the Department elects to eliminate accumulated depreciation against the gross carrying amount of the asset and restate the net carrying amount to the revalued amount (net method).

Land and buildings are independently valued annually by the Western Australian Land Information Authority (Valuation Services) 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.

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 useful 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.

#### Derecognition

Upon disposal or derecognition of an item of property, plant and equipment, any revaluation surplus relating to that asset is retained in the asset revaluation surplus.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Asset revaluation surplus

The asset revaluation surplus is used to record increments and decrements on the revaluation of non-current assets as described in Note 23 'Property, plant and equipment'.

### Depreciation

All non-current assets 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.

Depreciation is calculated using the straight line method, using rates which are reviewed annually. Estimated useful lives for each class of depreciable assets are:

- Buildings - 50 years
- Leasehold improvements - 10 years
- Furniture, fittings and equipment - 5 to 10 years

Buildings and information technology projects are reported as 'Works In Progress' until commissioned.

Land is not depreciated.

### (j) Intangible assets

#### Capitalisation/expensing of assets

Acquisitions of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$50,000 or more are capitalised. The cost of utilising the assets is expensed (amortised)

over their useful lives. Costs incurred below these thresholds are immediately expensed directly to the Statement of Comprehensive Income.

Intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal cost, the cost is their fair value at the date of acquisition.

The cost model is applied for subsequent measurement requiring the asset to be carried at cost less any accumulated amortisation and accumulated impairment losses.

Amortisation for intangible assets with finite useful lives is calculated for the period of the expected benefit (estimated useful life which is reviewed annually) on the straight line basis. All intangible assets controlled by the Department have a finite useful life and zero residual value.

The expected useful lives for each class of intangible assets are:

- Software <sup>(a)</sup> - 5 years

<sup>(a)</sup> *Software that is not integral to the operation of any related hardware.*

#### Computer software

Software that is an integral part of the related hardware is recognised as property, plant and equipment. Software that is not an integral part of the related hardware is recognised as an intangible asset. Software costing less than \$5,000 is expensed in the year of acquisition.

### (k) Impairment of assets

Property, plant and equipment and intangible assets are tested for any indication of impairment at the end of each reporting period. 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 recoverable amount, an impairment loss is recognised in profit or loss. Where a previously revalued asset is written down to recoverable amount, the loss is recognised as a revaluation decrement in other comprehensive income. As the Department is a not-for-profit entity, unless an asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell and depreciated replacement cost.

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 not the asset's future economic benefits and to evaluate any impairment risk from falling replacement costs.

## Notes to the Financial Statements

For the year ended 30 June 2014

Intangible assets not yet available for use are tested for impairment at the end of each reporting period irrespective of whether there is any indication of impairment.

The recoverable amount of assets identified as surplus assets is the higher of fair value less costs to sell and the present value of future cash flows expected to be derived from the asset. Surplus assets carried at fair value have no risk of material impairment where fair value is determined by reference to market-based evidence. Where fair value is determined by reference to depreciated replacement cost, surplus assets are at risk of impairment and the recoverable amount is measured. Surplus assets at cost are tested for indications of impairment at the end of each reporting period.

### **(l) Non-current assets held for distribution to Owner**

A non-current asset is classified as held for distribution to owner when the Department is committed to distribute the asset to the owner; the distribution is highly probable and the asset is available for immediate distribution in its present condition.

Non-current assets held for distribution to owner are recognised at the lower of carrying amount and fair value less costs to sell, and are disclosed separately from other assets in the Statement of

Financial Position. Assets held for distribution to owner are not depreciated or amortised.

All Crown land holdings are vested in the Department by the state Government (the Owner). The Department of Lands is the only agency with the power to sell Crown land. The Department transfers the Crown land and any attached buildings to the Department of Lands when the land becomes available for sale.

### **(m) Leases**

Finance lease rights and obligations are initially recognised, at the commencement of the lease term, as assets and liabilities equal in amount to the fair value of the leased item or, if lower, the present value of the minimum lease payments, determined at the inception of the lease.

The assets are disclosed as leased land and buildings, (Note 23) and are depreciated over the period during which the Department is expected to benefit from their use (buildings only). Minimum lease payments are apportioned between the finance charge and the reduction of the outstanding lease liability, according to the interest rate implicit in the lease.

Operating leases are expensed on a straight line basis over the lease term as this represents the pattern of benefits derived from the leased properties.

### **(n) Financial instruments**

In addition to cash, the Department has two categories of financial instrument:

- Loans and receivables
- Financial liabilities measured at amortised cost

Financial instruments have been disaggregated into the following classes:

#### **Financial Assets**

- Cash and cash equivalents
- Restricted cash and cash equivalents
- Receivables
- Amounts receivable for services

#### **Financial Liabilities**

- Payables
- Finance lease liabilities

Initial recognition and measurement of financial instruments is at fair value which normally equates to the transaction cost or the face value. Subsequent measurement is at amortised cost using the effective interest method.

The fair value of short-term receivables and payables is the transaction cost or the face value because there is no interest rate applicable and subsequent measurement is not required as the effect of discounting is not material.

## Notes to the Financial Statements

For the year ended 30 June 2014

### **(o) Cash and cash equivalents**

For the purpose of the Statement of Cash Flows, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and where are subject to insignificant risk of changes in value.

### **(p) Accrued salaries**

Accrued salaries (see Note 27 'Payables') represent the amount due to staff but unpaid at the end of the financial year. Accrued salaries are settled within a fortnight of the financial year end. The Department considers the carrying amount of accrued salaries to be equivalent to its fair value. The last pay day in 2013-2014 was 19 June 2014, therefore an accrual of 7 days was brought to account this financial year.

The accrued salaries suspense account (see Note 18 'Restricted cash and cash equivalents') consists of amounts paid annually into a suspense account over a period of 10 financial years to largely meet the additional cash outflow in each eleventh year when 27 pay days occur instead of the normal 26. No interest is received on this account.

### **(q) Amounts receivable for services (holding account)**

The Department receives funding on an accruals basis. The appropriations are paid partly in cash and partly as an asset (holding account receivable). The holding account receivable balance, resulting from service appropriation funding, is accessible on the emergence of the cash funding requirement to cover lease entitlements and asset replacement.

### **(r) Receivables**

Receivables are recognised at original invoice amount less an allowance for any uncollectable amounts (i.e. impairment). The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectable are written off against the allowance account. The allowance for uncollectable amounts (doubtful debts) is raised when there is objective evidence that the Department will not be able to collect the debts. The carrying amount is equivalent to fair value as it is due for settlement within 30 days.

### **(s) Payables**

Payables are recognised at the amounts payable when the Department becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value, as settlement is generally within 30 days.

### **(t) Borrowings**

All loans payable are initially recognised at fair

value, being the net proceeds received. Subsequent measurement is at amortised cost using the effective interest method.

### **(u) Provisions**

Provisions are liabilities of uncertain timing or amount and are recognised where there is a present legal or constructive obligation as a result of a past event and when the outflow of resources embodying economic benefits is probable and a reliable estimate can be made of the amount of the obligation. Provisions are reviewed at the end of each reporting period.

#### **Provisions – employee benefits**

All annual leave and long service leave provisions are in respect of employees' services up to the end of the reporting period.

#### **Annual leave**

Annual leave is not expected to be settled wholly within 12 months after the end of the reporting period and is therefore considered to be 'other long-term employee benefits'. The annual leave liability is recognised and measured at the present value of amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

When assessing expected future payments consideration is given to expected future wage and

## Notes to the Financial Statements

For the year ended 30 June 2014

salary levels including non-salary components such as employer superannuation contributions, as well as the experience of employee departures and periods of service. The expected future payments are 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.

The provision for annual leave is classified as a current liability 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.

### Long service leave

Long service leave is not expected to be settled wholly within 12 months after the end of the reporting period is recognised and measured at the present value of amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

When assessing expected future payments consideration is given to expected future wage and salary levels including non-salary components such as employer superannuation contributions, as well as the experience of employee departures and periods of service. The expected future payments are 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.

Unconditional long service leave provisions are classified as current liabilities as the Department does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period. Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the Authority has an unconditional right to defer settlement of the liability until the employee has completed the requisite years of service.

### Purchased leave

The provision for purchased leave relates to Public Service employees who have entered into an agreement to self-fund up to an additional 10 weeks leave per calendar year. The provision recognises the value of salary set aside for employees and is measured at the undiscounted amounts expected to be paid when the liabilities are settled.

### Superannuation

The Government Employees Superannuation Board (GESB) and other fund providers administer public sector superannuation arrangements in Western Australia in accordance with legislative requirements. Eligibility criteria for membership in particular schemes for public sector employees vary

according to commencement and implementation dates.

Eligible employees contribute to the Pension Scheme, a defined benefit pension scheme closed to new members since 1987, or the Gold State Superannuation Scheme (GSS), a defined benefit lump sum scheme closed to new members since 1995.

Employees commencing employment prior to 16 April 2007 who were not members of either the Pension Scheme or the GSS became non-contributory members of the West State Superannuation Scheme (WSS). Employees commencing employment on or after 16 April 2007 became members of the GESB Super Scheme (GESBS). From 30 March 2012, existing members of the WSS or GESBS and new employees have been able to choose their preferred superannuation fund provider. The Department makes contributions to GESB or other fund provider on behalf of employees in compliance with the *Commonwealth Government's Superannuation Guarantee (Administration) Act 1992*. Contributions to these accumulation schemes extinguish the Department's liability for superannuation changes in respect of employees who are not members of the Pension Scheme or GSS.

The GSS is a defined benefit scheme for the purpose of employees and whole-of-government

## Notes to the Financial Statements

For the year ended 30 June 2014

reporting. However, it is a defined contribution plan for agency purposes because the concurrent contributions (defined contributions) made by the Department to GESB extinguishes the agency's obligations to the related superannuation liability.

The Department has no liabilities under the Pension Scheme or the GSS. The liabilities for the unfunded Pension Scheme and the unfunded GSS transfer benefits attributable to members who transferred from the Pension Scheme, are assumed by the Treasurer. All other GSS obligations are funded by concurrent contributions made by the Department to the GESB.

The GESB makes all benefit payments in respect of the Pension Scheme and GSS, and is recouped from the Treasurer for the employer's share.

### Provisions – other

#### Employee on-costs

Employment on-costs, including workers' compensation insurance, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses' and are not included as part of the Department's 'Employee benefits expense'. The related liability is included in 'Employee on-costs provision'. Refer to Note 29 'Provisions'.

### (v) Superannuation expense

The superannuation expense in the Statement of Comprehensive Income comprises of employer contributions paid to the GSS (concurrent contributions), the WSS, the GESBS, or other superannuation funds. The employer contribution paid to the GESB in respect of the GSS is paid back into the Consolidated Account by the GESB.

### (w) Judges' pensions

All Judges' pension benefits are met by the Treasurer. Judges are entitled to pensions of 60% of their final salary after ten years of service and proportionate pensions for lesser service. Spouses of Judges are entitled to pensions of five-eighths of the Judge's pension entitlement on the Judge's death. The liability for Judges' pensions as at 30 June 2014 was calculated by independent external actuaries.

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

The expense recorded in the Department's financial statements at the end of the reporting

period, reflects the net increase in the liability at the Department of Treasury.

### (x) Resources received free of charge or for nominal cost

Resources (Assets or Services) received free of charge or for nominal cost that can be reliably measured are recognised as income at the fair value of the assets and/or the fair value of those services that the Department would otherwise pay for if not donated. A corresponding expense is recognised for services received. Receipts of assets are recognised in the Statement of Financial Position.

Resources received from other State Government agencies are separately disclosed under Income from State Government in the Statement of Comprehensive Income.

### (y) Comparative figures

Comparative figures are, where appropriate, reclassified to be comparable with the figures presented in the current financial year.

## Notes to the Financial Statements

For the year ended 30 June 2014

### **Note 3. Judgements made by management in applying accounting policies**

The preparation of financial statements requires management to make judgements about the application of accounting policies that have a significant effect on the amounts recognised in the financial statements. The Department evaluates these judgements regularly.

#### **Operating lease commitments**

The Department has entered into a number of leases for buildings for branch office accommodation. Some of these leases relate to buildings of a temporary nature and it has been determined that the lessor retains substantially all the risks and rewards incidental to ownership. Accordingly, these leases have been classified as operating leases.

### **Note 4. Key sources of estimation uncertainty**

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.

#### **Long service leave**

Several estimates and assumptions used in calculating the Department's long service leave provision include expected future salary rates, discount rates, employee retention rates and expected future payments. Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision.

### **Judges' Pension**

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

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

Changes in these assumptions may impact on the carrying amount of the Judges' Pension liability which is assumed by the Treasurer.



## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 5. Disclosure of changes in accounting policy and estimates

#### Initial application of an Australian Accounting Standard

The Department has applied the following Australian Accounting Standards effective for annual reporting periods beginning on or after 1 July 2013 that impact on the Department.

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<b>AASB 13</b>	<b><i>Fair Value Measurement</i></b> This Standard defines fair value, sets out a framework for measuring fair value and requires additional disclosures about fair value measurements. There is no financial impact.
<b>AASB 119</b>	<b><i>Employee Benefits</i></b> This Standard supersedes AASB 119 (October 2010), making changes to the recognition, presentation and disclosure requirements. The Department assessed employee leave patterns to determine whether annual leave is a short-term or other long-term employee benefit. The resultant discounting of annual leave liabilities that were previously measured at the undiscounted amounts is not material.
<b>AASB 1048</b>	<b><i>Interpretation of Standards</i></b> This Standard supersedes AASB 1048 (June 2012), enabling references to the Interpretations in all other Standards to be updated by reissuing the service Standard. There is no financial impact.
<b>AASB 2011-8</b>	<b><i>Amendments to Australian Accounting Standards arising from AASB 13 [AASB 1, 2, 3, 4, 5, 7, 101, 102, 108, 110, 116, 117, 118, 119, 120, 121, 128, 131, 132, 133, 134, 136, 138, 139, 140, 141, 1004, 1023, 1038 and Int 2, 4, 12, 13, 14, 17, 19, 131 &amp; 132]</i></b> This Standard replaces the existing definition and fair value guidance in other Australian Accounting Standards and Interpretations as the result of issuing AASB 13 in September 2011. There is no financial impact.
<b>AASB 2011-10</b>	<b><i>Amendments to Australian Accounting Standards arising from AASB 119 (September 2011) [AASB 1, 8, 101, 124, 134, 1049 &amp; 2011-8 and Int 14]</i></b> This Standard makes amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 119 in September 2011. The resultant discounting of annual leave liabilities that were previously measured at the undiscounted amounts is not material.

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## Notes to the Financial Statements

For the year ended 30 June 2014

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<b>AASB 2012-2</b>	<b><i>Amendments to Australian Accounting Standards – Disclosures – Offsetting Financial Assets and Financial Liabilities [AASB 7 &amp; 132]</i></b>
	This Standard amends the required disclosures in AASB 7 to include information that will enable users of an entity's financial statements to evaluate the effect or potential effect of netting arrangements, including rights of set-off associated with the entity's recognised financial assets and recognised financial liabilities, on the entity's financial position. There is no financial impact.
<b>AASB 2012-5</b>	<b><i>Amendments to Australian Accounting Standards arising from Annual Improvements 2009-11 Cycle [AASB 1, 101, 116, 132 &amp; 134 and Int 2]</i></b>
	This Standard makes amendments to the Australian Accounting Standards and Interpretations as a consequence of the annual improvements process. There is no financial impact.
<b>AASB 2012-6</b>	<b><i>Amendments to Australian Accounting Standards – Mandatory Effective Date of AASB 9 and Transition Disclosures [AASB 9, 2009-11, 2010-7, 2011-7 &amp; 2011-8]</i></b>
	This Standard amends the mandatory effective date of AASB 9 Financial Instruments to 1 January 2015 (instead of 1 January 2013). Further amendments are also made to numerous consequential amendments arising from AASB 9 that will now apply from 1 January 2015. There is no financial impact.
<b>AASB 2012-9</b>	<b><i>Amendment to AASB 1048 arising from the Withdrawal of Australian Int 1039</i></b>
	The withdrawal of Int 1039 Substantive Enactment of Major Tax Bills in Australia has no financial impact for the Department during the reporting period and at balance date. Measurement of tax assets and liabilities continues to be measured in accordance with enacted or substantively enacted tax law pursuant to AASB 112.46-47.
<b>AASB 2012-10</b>	<b><i>Amendments to Australian Accounting Standards – Transition Guidance and Other Amendments [AASB 1, 5, 7, 8, 10, 11, 12, 13, 101, 102, 108, 112, 118, 119, 127, 128, 132, 133, 134, 137, 1023, 1038, 1039, 1049 &amp; 2011-7 and Int 12]</i></b>
	The Standard introduces a number of editorial alterations and amends the mandatory application date of Standards for not-for-profit entities accounting for interests in other entities. There is no financial impact.
<b>AASB 2013-9</b>	<b><i>Amendments to Australian Accounting Standards – Conceptual Framework, Materiality and Financial Instruments</i></b>
	Part A of this omnibus Standard makes amendments to other Standards arising from revisions to the Australian Accounting Conceptual Framework for periods ending on or after 20 December 2013. Other Parts of this Standard become operative in later periods. There is no financial impact for Part A of the Standard.

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## Notes to the Financial Statements

For the year ended 30 June 2014

### Future impact on Australian Accounting Standards not yet operative

The Department cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 *Application of Australian Accounting Standards and Other Pronouncements*. Consequently, the Department has not applied early any of the following Australian Accounting Standards that have been issued that may impact the Department. Where applicable, the Department plans to apply these Australian Accounting Standards from their application date.

		Operative for reporting periods beginning on/ after
<b>Int 21</b>	<p><b>Levies</b></p> <p>This Interpretation clarifies the circumstances under which a liability to pay a government levy imposed should be recognised. There is no financial impact for the Department at reporting date.</p>	1 Jan 2014
<b>AASB 9</b>	<p><b>Financial Instruments</b></p> <p>This Standard supersedes AASB 139 <i>Financial Instruments: Recognition and Measurement</i>, introducing a number of changes to accounting treatments.</p> <p>AASB 2012-6 <i>Amendments to Australian Accounting Standards – Mandatory Effective Date of AASB9 and Transition Disclosures</i> amended the mandatory application date of this Standard to 1 January 2017. The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2017
<b>AASB 14</b>	<p><b>Regulatory Deferral Accounts</b></p> <p>The Department has not yet determined the application or the potential impact of the Standard</p>	1 Jan 2016

## Notes to the Financial Statements

For the year ended 30 June 2014

		Operative for reporting periods beginning on/ after
<b>AASB 1031</b>	<b>Materiality</b>  This Standard supersedes AASB 1031 (February 2010), removing Australian guidance on materiality not available in IFRSs and refers to guidance on materiality in other Australian pronouncements. There is no financial impact.	1 Jan 2014
<b>AASB 1055</b>	<b>Budgetary Reporting</b>  This Standard specifies the nature of budgetary disclosures, the circumstances in which they are to be included in the general purpose financial statements of not-for-profit entities within the General Government Sector. The Department will be required to disclose additional budgetary information and explanations of major variances between actual and budgeted amounts, though there is no financial impact.	1 Jul 2014
<b>AASB 2009-11</b>	<b>Amendments to Australian Accounting Standards arising from AASB 9 [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 121, 127, 128, 131, 132, 136, 139, 1023 &amp; 1038 and Int 10 &amp; 12]</b>  <i>[modified by AASB 2010-7]</i>	1 Jan 2015
<b>AASB 2010-7</b>	<b>Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 &amp; 1038 and Int 2, 5, 10, 12, 19 &amp; 127]</b>  This Standard makes consequential amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 9 in December 2010.  AASB2012-6 amended the mandatory application date of this Standard to 1 January 2015. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2015

## Notes to the Financial Statements

For the year ended 30 June 2014

		Operative for reporting periods beginning on/ after
<b>AASB 2012-3</b>	<b><i>Amendments to Australian Accounting Standards – Offsetting Financial Assets and Financial Liabilities [AASB 132]</i></b>  This Standard adds application guidance to AASB 132 to address inconsistencies identified in applying some of the offsetting criteria, including clarifying the meaning of “currently has a legally enforceable right of set-off” and that some gross settlement systems may be considered equivalent to net settlement. There is no financial impact.	1 Jan 2014
<b>AASB 2013-3</b>	<b><i>Amendments to AASB 136 – Recoverable Amount Disclosures for Non-Financial Assets</i></b>  This Standard introduces editorial and disclosure changes. There is no financial impact.	1 Jan 2014
<b>AASB 2013-9</b>	<b><i>Amendments to Australian Accounting Standards Conceptual Framework, Materiality and Financial Instruments</i></b>  This omnibus Standard makes amendments to other Standards arising from the deletion of references to AASB 1031 in other Standards for periods beginning on or after 1 January 2014 (Part B), and, defers the application of AASB 9 to 1 January 2017 (Part C).  The application date of AASB 9 was subsequently deferred to 1 January 2018 by AASB 2014-1. The Department has not yet determined the application or the potential impact of AASB 9, otherwise there is no financial impact for Part B.	1 Jan 2014

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 6. Employee benefits expense

	2014 \$'000	2013 \$'000
Wages and salaries <sup>(a)</sup>	178,219	173,324
Annual leave	17,451	18,649
Superannuation - defined contribution plans <sup>(b)</sup>	18,108	17,305
Long service leave	3,082	5,260
Judges' pension-liability assumed by the Treasurer <sup>(c)</sup>	15,366	-
<b>Total employee benefits</b>	<b>232,226</b>	<b>214,538</b>

<sup>(a)</sup> Includes the value of the fringe benefit to the employee plus the fringe benefits tax component.

<sup>(b)</sup> Defined contribution plans include West State, Gold State and GESBS (contributions paid).

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

Employment on-costs such as workers' compensation insurance are included at Note 12 'Other expenses'.

Employment on-costs liability is included at Note 29 'Provisions'.

Changes in the actuarial assumptions impact the carrying amount of the Judges' Pension liability (see Note 3 'Judgements made by management in applying accounting policies'). At the end of 2013, the increase in the discount rate resulted in a net decrease in the Judge's pension liability.

### Note 7. Supplies and services

	2014 \$'000	2013 \$'000
Consultants and contractors	59,130	59,607
Computing services	18,513	18,706
Computing licences	6,564	5,235
Communication expenses	4,063	4,032
Materials	2,742	2,749
Minor equipment	2,036	1,575
Consumables	1,626	1,743
Copyright, communication and licence	406	4,055
Other	1,620	1,056
	<b>96,700</b>	<b>98,758</b>

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 8. Depreciation and amortisation expense

	2014 \$'000	2013 \$'000
<b>Depreciation</b>		
Buildings	5,020	4,289
Furniture, fittings and equipment	4,259	2,127
Leased buildings	4,094	4,242
Leasehold improvement	2,587	2,560
<b>Total depreciation</b>	<b>15,960</b>	<b>13,218</b>
<b>Amortisation</b>		
Information technology systems	3,796	4,526
<b>Total amortisation</b>	<b>3,796</b>	<b>4,526</b>
<b>Total depreciation and amortisation</b>	<b>19,756</b>	<b>17,744</b>

### Note 9. Finance costs

	2014 \$'000	2013 \$'000
Finance lease charges	17,095	18,063
	<b>17,095</b>	<b>18,063</b>

### Note 10. Accommodation expenses

	2014 \$'000	2013 \$'000
Lease rentals <sup>(a)</sup>	30,411	30,200
Building maintenance	8,796	10,571
Electricity, gas and water usage	4,143	3,867
Council and sewage rates	1,136	983
	<b>44,486</b>	<b>45,621</b>

<sup>(a)</sup> Includes \$4,326,000 (2013: \$5,162,000) of accommodation provided free of charge by the commonwealth as non-cash contribution for the Family Court of Western Australia (See Note 14 'Commonwealth grants and contributions').

### Note 11. Grants and subsidies

	2014 \$'000	2013 \$'000
<b>Recurrent</b>		
Legal Aid	36,988	36,013
Criminal Injuries	33,319	30,775
Other grants and subsidies	7,164	7,594
	<b>77,471</b>	<b>74,382</b>

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 12. Other expenses

	2014 \$'000	2013 \$'000
Other staff costs <sup>(a)</sup>	8,005	8,090
Jurors' expense	3,686	3,853
Doubtful debts expense	24	3,116
Motor vehicle and office equipment lease expenses	2,009	2,045
Vehicle hire, fuel, registration and management fees	1,219	2,014
Insurance	1,118	1,106
Printing, binding and photocopying charges	893	902
State pay-roll tax	712	773
Other expenses	2,858	2,774
	<b>20,524</b>	<b>24,673</b>

<sup>(a)</sup> Includes travel and accommodation, rental subsidies and workers compensation insurance.

### Note 13. User charges and fees

	2014 \$'000	2013 \$'000
Court fees	58,473	51,987
Public Trustee fees	15,843	15,485
Births, deaths and marriages fees	7,630	7,862
Legal services-State Solicitor's Office	5,227	4,405
Licences	91	117
Miscellaneous fees and charges	78	79
	<b>87,342</b>	<b>79,935</b>

### Note 14. Commonwealth grants and contributions

	2014 \$'000	2013 \$'000
<b>Recurrent</b>		
Commonwealth recoup for Family Court and court fees	13,319	12,907
Commonwealth accommodation for Family Court (non-cash contribution)	4,326	5,162
Commonwealth recoup for Christmas and Cocos Island	279	384
Commonwealth recoup other	-	400
	<b>17,924</b>	<b>18,853</b>

### Note 15. Other revenue

	2014 \$'000	2013 \$'000
Shared Information Services Technology revenue	13,051	12,714
Public Trustee - common fund surplus	5,511	5,700
Recoup of costs - Building Disputes Tribunal	2,635	2,840
Residential recoveries	2,687	2,300
Criminal injuries - recoups	1,744	1,657
Recoup of salaries and workers' compensation	498	1,182
Other miscellaneous revenue <sup>(a)</sup>	6,112	4,548
	<b>32,238</b>	<b>30,941</b>

<sup>(a)</sup> Includes unclaimed moneys and other miscellaneous Income.



## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 16. Net gain on disposal of non-current assets

	2014 \$'000	2013 \$'000
Net gain on sale of non-current assets	18	5
<b>Net gain</b>	<b>18</b>	<b>5</b>

### Note 17. Income from State Government

	2014 \$'000	2013 \$'000
<b>Appropriation received during the period:</b>		
Service appropriation <sup>(a)</sup>	340,792	332,544
	<b>340,792</b>	<b>332,544</b>

#### Liabilities assumed by the Treasurer during the period:

Judges' pensions <sup>(b)</sup>	15,366	-
Total liabilities assumed	<b>15,366</b>	-

#### Resources received free of charge from other state government agencies during the period: <sup>(c)</sup>

Western Australian Land Information Authority (Landgate):

• Services for valuation services, land registration and information	108	114
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Department of Finance:

• Provision of integrated procurement services	324	337
• Notional management fee	156	137
• Building and Management Works (Capital Projects)	-	595
• Building and Management Works Maintenance Work	551	646

Department of Corrective Services:

- Provision of contract management services (court security and custodial services)

#### Royalties for Regions Fund:

- Regional infrastructure and headworks account <sup>(d)</sup>

#### Total Income from State Government

	2014 \$'000	2013 \$'000
Department of Corrective Services:		
• Provision of contract management services (court security and custodial services)	19,178	18,733
	<b>20,317</b>	<b>20,562</b>
Royalties for Regions Fund:		
• Regional infrastructure and headworks account <sup>(d)</sup>	1,732	1,652
	<b>1,732</b>	<b>1,652</b>
<b>Total Income from State Government</b>	<b>378,207</b>	<b>354,758</b>

<sup>(a)</sup> Service appropriations fund the net cost of services delivered. Appropriation revenue comprises a cash component and a receivable (asset). The receivable (holding account) comprises the budgeted depreciation expense for the year and any agreed increase in leave liabilities during the year.

<sup>(b)</sup> An actuarial assessment of the defined benefits obligations of the Judges' Pension Scheme is undertaken on an annual basis, in accordance with AASBI 19 Employee benefits.

<sup>(c)</sup> Where assets or services have been received free of charge or for nominal cost, the Department recognises revenues equivalent to the fair value of the assets and/or the fair value of those services that can be reliably measured and which would have been purchased if they were not donated, and those fair values shall be recognised as assets or expenses, as applicable. The value of resources received free of charge recognised during the period was calculated based on estimates and information provided by agencies. During the financial year ended 30 June 2014, no resources received free of charge were capitalised in the statement of financial position (2013: \$595,000).

<sup>(d)</sup> This is a sub-fund within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in Western Australian regional areas.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 18. Restricted cash and cash equivalents

	2014 \$'000	2013 \$'000
<b>Current</b>		
Royalties for Regions Fund <sup>(a)</sup>	4,837	3,567
Systems upgrade for registry of births, deaths and marriages	862	367
Asset Investment Program <sup>(b)</sup>	21,694	11,388
	<b>27,393</b>	<b>15,322</b>
<b>Non-current</b>		
Accrued salaries suspense account <sup>(c)</sup>	5,962	4,747
	<b>5,962</b>	<b>4,747</b>

<sup>(a)</sup> Funds provided for projects and programs in Western Australian regional areas.

<sup>(b)</sup> Funds provided for Asset Investment.

<sup>(c)</sup> Funds held in the suspense account for the purpose of meeting the 27th pay in the financial year that occurs every 11-year.

### Note 19. Receivables

	2014 \$'000	2013 \$'000
<b>Current</b>		
Receivables	8,543	8,743
Allowance for impairment of receivables	(3,114)	(3,113)
GST receivable	2,182	2,188
	<b>7,611</b>	<b>7,818</b>
<b>Movements in the allowance for impairment of receivables:</b>		
Balance at start of period	3,113	43
Doubtful debts expense recognised during the period	24	3,116
Receivables written off during the period as uncollectable	(23)	(46)
<b>Balance at end of period</b>	<b>3,114</b>	<b>3,113</b>

The creation and reversal of the allowance for impaired receivables has been included in 'other expenses' in profit or loss (Note 12 'Other expenses'). Amounts charged to the allowance account are generally written off when there is no expectation of recovering additional cash. The Department does not hold any collateral or other credit enhancements as security for receivables.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 20. Amounts receivable for services (Holding Account)

	2014 \$'000	2013 \$'000
Current	2,781	2,652
Non-current	141,233	129,061
	<b>144,014</b>	<b>131,713</b>

Represents 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.

### Note 21. Other current assets

	2014 \$'000	2013 \$'000
Prepayments	1,258	3,655
<b>Total current</b>	<b>1,258</b>	<b>3,655</b>

### Note 22. Non-current assets held for distribution to owner

	2014 \$'000	2013 \$'000
Land	940	950
Buildings	990	1,501
	<b>1,930</b>	<b>2,451</b>

Non-current assets held for distribution to Owner consist of land and buildings that were employed by the Kalgoorlie courthouse. The courthouse was relocated to a new building during the financial year. The Department agreed to transfer these assets to the Department of Treasury upon relocation.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 23. Property plant and equipment

	<b>2014</b>	<b>2013</b>
	<b>\$'000</b>	<b>\$'000</b>
<b>Land</b>		
At fair value <sup>(a)</sup>	99,940	96,614
	<b>99,940</b>	<b>96,614</b>
<b>Buildings</b>		
At fair value <sup>(a)</sup>	261,790	235,626
	<b>261,790</b>	<b>235,626</b>
<b>Leased land and buildings</b>		
At fair value <sup>(a)</sup>	207,491	209,548
	<b>207,491</b>	<b>209,548</b>
<b>Leasehold improvements</b>		
At cost	35,312	34,130
Accumulated depreciation	(20,099)	(17,512)
	<b>15,213</b>	<b>16,618</b>
<b>Furniture, fittings and equipment</b>		
At cost	31,505	22,823
Accumulated depreciation	(20,716)	(17,129)
	<b>10,789</b>	<b>5,694</b>
<b>Work in progress</b>		
Buildings	53,398	49,115
Information technology systems	503	8,304
	<b>53,901</b>	<b>57,419</b>
	<b>649,124</b>	<b>621,519</b>

<sup>(a)</sup> Land and buildings were revalued as at 1 July 2013 by the Western Australian Land Information Authority (Valuation Services). The valuations were performed during the year ended 30 June 2014 and recognised 30 June 2014. In undertaking the revaluation, fair value was determined by reference to market values for land: \$4.850 million (2013: \$4.850 million) and buildings: \$13.975 million (2013: \$13.975 million). For the remaining balance, fair value of buildings was determined on the basis of depreciated replacement cost.

## Notes to the Financial Statements

For the year ended 30 June 2014

Reconciliation of the carrying amounts of property, plant and equipment at the beginning and end of the reporting period are set out in the table below.

	Land	Buildings	Leased land and buildings	Leasehold improvements	Furniture fittings and equipment	Work in progress	Total
2014	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at start of period	96,614	235,626	209,548	16,618	5,694	57,419	621,519
Additions	-	3,990	-	1,015	3,247	37,297	45,549
Transfers	815	22,914	-	167	6,120	(36,138)	(6,122)
Disposal of property	-	-	-	-	(13)	-	(13)
Classified as held for distribution to owner <sup>(c)</sup>	-	-	-	-	-	(4,657)	(4,657)
Revaluation Increments	2,511	4,280	2,037	-	-	-	8,828
Expensed work in progress	-	-	-	-	-	(20)	(20)
Depreciation	-	(5,020)	(4,094)	(2,587)	(4,259)	-	(15,960)
<b>Carrying amount at end of period</b>	<b>99,940</b>	<b>261,790</b>	<b>207,491</b>	<b>15,213</b>	<b>10,789</b>	<b>53,901</b>	<b>649,124</b>

## Notes to the Financial Statements

For the year ended 30 June 2014

Reconciliation of the carrying amounts of property, plant and equipment at the beginning and end of the reporting period are set out in the table below.

	Land	Buildings	Leased land and buildings	Leasehold improvements	Furniture fittings and equipment	Work in progress	Total
2013	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at start of period	97,172	210,890	217,158	18,771	4,824	28,449	577,264
Additions <sup>(a)</sup>	-	1,248	-	287	1,484	33,028	36,047
Transfers <sup>(b)</sup>	-	3,445	-	120	1,515	(3,576)	1,504
Disposal of property	-	-	-	-	(2)	-	(2)
Classified as held for distribution to owner	(950)	(1,501)	-	-	-	-	(2,451)
Revaluation Increments / (decrements)	392	25,833	(3,368)	-	-	-	22,857
Expensed work in progress	-	-	-	-	-	(482)	(482)
Depreciation	-	(4,289)	(4,242)	(2,560)	(2,127)	-	(13,218)
<b>Carrying amount at end of period</b>	<b>96,614</b>	<b>235,626</b>	<b>209,548</b>	<b>16,618</b>	<b>5,694</b>	<b>57,419</b>	<b>621,519</b>

<sup>(a)</sup> Additions to Work in progress include \$595,000 of project management services received free of charge.

<sup>(b)</sup> An amount of \$6,122,000 was transferred to intangible assets (2013: \$1,504,000 was transferred from intangible assets).

<sup>(c)</sup> At 30 June 2013 Work in progress included the refurbishment of a lock up facility owned by the WA Police Department in Kalgoorlie. The refurbishment was part of the construction of the new Kalgoorlie Justice Complex. The share of the WA Police Department in the refurbishment of the lock up facility (\$4.657 million) is transferred to the WA Police Department in 2013/14.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 24. Fair value measurements

Assets measured at fair value:	Level 1	Level 2	Level 3	Fair value at end of period
2014	\$'000	\$'000	\$'000	\$'000
Non-current assets classified as held for distribution to owner	-	1,931	-	1,931
Land	-	-	99,940	99,940
Buildings	-	-	261,790	261,790
Leased land and buildings	-	18,825	188,666	207,491
	-	<b>20,756</b>	<b>550,396</b>	<b>571,152</b>

There were no transfers between Levels 1, 2 or 3 during the period.

#### Valuation techniques to derive Level 2 fair values

Level 2 fair values are derived using the market approach. Market evidence of sales prices of comparable land and buildings (office accommodation) in close proximity is used to determine price per square metre.

Non-current assets held for distribution have been written down to fair value less costs to distribute allowing for 1% for cost of distribution. Fair value has been determined by reference to market evidence of sales prices of comparable assets.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Fair value measurements using significant unobservable inputs (Level 3)

	Land	Buildings	Leased Land and Buildings
2014	\$'000	\$'000	\$'000
Fair Value at start of period	96,614	235,626	190,722
Additions	815	26,904	-
Revaluation increments recognised in Other Comprehensive Income	2,511	4,280	1,758
Depreciation Expense	-	(5,020)	(3,814)
Fair Value at end of period	<b>99,940</b>	<b>261,790</b>	<b>188,666</b>

### Valuation processes

There were no changes in valuation techniques during the period. There were no transfers in and out of a fair value level.

Fair value for existing use specialised buildings is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, i.e. the depreciated replacement cost. Depreciated replacement cost is the current replacement cost of an asset less accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired economic benefit, or obsolescence, and optimisation (where applicable) of the asset. 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.

Fair value for restricted use land is based on market value, either by using market evidence of sales of comparable land that is unrestricted less restoration costs to return the site to a vacant and marketable condition (low restricted use land), or by comparison with market evidence for land with low level utility (high restricted use land).

Significant Level 3 inputs used by the Department are derived and evaluated as follows:

#### Historical cost per square metre floor area (m<sup>2</sup>)

The costs of constructing specialised buildings with similar utility are extracted from financial records of the Department then indexed by movements in CPI.

#### Consumed economic benefit/obsolescence of asset

These are estimated by the Western Australian Land Information Authority (Valuation Services).

#### Selection of land with restricted utility

Fair value for restricted use land is determined by comparison with market evidence for land with low level utility. Relevant comparators of land with low level utility are selected by the Western Australian Land Information Authority (Valuation Services).



## Notes to the Financial Statements

For the year ended 30 June 2014

### Information about significant unobservable inputs (Level 3) in fair value measurements

Description and fair value as at 30 June 2014	Valuation technique(s)	Unobservable inputs	Range of unobservable inputs (weighted average)	Relationship of unobservable inputs to fair value
Land (Perth Metropolitan) \$90,570,000	Current Use	Selection of land with similar approximate utility	\$402 - \$5,288 per m <sup>2</sup> (\$2,303 per m <sup>2</sup> )	Higher value of similar land increases estimated fair value.
Land (Regional) \$9,370,000	Current Use	Selection of land with similar approximate utility	\$8 - \$455 per m <sup>2</sup> (\$117 per m <sup>2</sup> )	Higher value of similar land increases estimated fair value.
Buildings \$231,455,000	Depreciated Replacement Cost	Consumed economic benefit/obsolescence of asset	1.12% - 6.38% per year (2.32% per year)	Greater consumption of economic benefit or increased obsolescence lowers fair value.
Buildings (New) \$30,335,000		Historical cost per square metre floor area (m <sup>2</sup> )	\$6,184 per m <sup>2</sup> (\$6,184 per m <sup>2</sup> )	Higher historical cost per m <sup>2</sup> increases fair value.
Leased Land and Buildings \$188,666,000	Depreciated Replacement Cost	Consumed economic benefit/obsolescence of asset	1.08% per year (1.08% per year)	Greater consumption of economic benefit or increased obsolescence lowers fair value.

#### Basis of Valuation

In the absence of market-based evidence, due to the specialised nature of some non-financial assets, these assets are valued at Level 3 of the fair value hierarchy on an existing use basis. The existing use basis recognises that restrictions or limitations have been placed on their use and disposal when they are not determined to be surplus to requirements. These restrictions are imposed by virtue of the assets being held to deliver a specific community service and the Department's enabling legislation.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 25. Intangible assets

	2014 \$'000	2013 \$'000
<b>Computer Software</b>		
At cost	58,391	50,515
Accumulated amortisation	(47,532)	(46,580)
	<b>10,859</b>	<b>3,935</b>
<b>Reconciliations:</b>		
<b>Computer Software</b>		
Carrying amount at start of period	3,935	9,976
Additions	4,598	-
Transfers	6,122	(1,504)
Retirements	-	(11)
Amortisation	(3,796)	(4,526)
Carrying amount at end of period	<b>10,859</b>	<b>3,935</b>

### Note 26. Impairment of assets

There were no indicators of impairment to property, plant and equipment or intangible assets at 30 June 2014.

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.

All intangible assets not yet available for use are tested for impairment at the end of each reporting period. All surplus assets at 30 June 2014 have either been classified as assets held for sale or written off.

### Note 27. Payables

	2014 \$'000	2013 \$'000
<b>Current</b>		
Trade payables	18,135	15,502
Accrued salaries	5,667	4,653
<b>Total current</b>	<b>23,802</b>	<b>20,155</b>

The last pay day of the 2013-2014 financial year was on 19 June 2014.

A salary accrual of 7 working days was taken up.

Accrued salaries and wages are settled within a few days of the financial year end. The carrying amount is equivalent to the net fair value.

See also Note 2 (s) 'Payables' and Note 37 'Financial instruments'.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 28. Borrowings

	2014 \$'000	2013 \$'000
<b>Current</b>		
Finance lease liabilities (secured) <sup>(a)</sup>	4,157	3,632
<b>Total current</b>	<b>4,157</b>	<b>3,632</b>
<b>Non-current</b>		
Finance lease liabilities (secured) <sup>(a)</sup>	211,993	215,884
<b>Total non-current</b>	<b>211,993</b>	<b>215,884</b>

<sup>(a)</sup> Lease liabilities are effectively secured as the rights to the leased assets revert to the lessor in the event of default.

	2014 \$'000	2013 \$'000
<b>Assets pledged as security</b>		
The carrying amounts of non-current assets pledged as security are:		
Leased land and building	207,491	209,548
	<b>207,491</b>	<b>209,548</b>

### Note 29. Provisions

	2014 \$'000	2013 \$'000
<b>Current</b>		
<b>Employee benefits provision</b>		
Annual leave <sup>(a)</sup>	11,059	13,829
Long service leave <sup>(b)</sup>	29,157	30,064
Superannuation	3,457	3,611
	<b>43,673</b>	<b>47,504</b>
<b>Other provisions</b>	519	365
Employment on-costs <sup>(d)</sup>	<b>519</b>	<b>365</b>
	<b>44,192</b>	<b>47,869</b>
<b>Non-current</b>		
Employee benefits provision		
Long service leave <sup>(b)(c)</sup>	7,978	7,744
Superannuation	872	871
	<b>8,850</b>	<b>8,615</b>
<b>Other provisions</b>	137	93
Employment on-costs <sup>(d)</sup>	<b>137</b>	<b>93</b>
	<b>8,987</b>	<b>8,708</b>

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

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 29. Provisions

	2014 \$'000	2013 \$'000
Within 12 months of the end of the reporting period	8,441	13,829
More than 12 months after the end of the reporting period	2,618	-
	<b>11,059</b>	<b>13,829</b>

<sup>(b)</sup> Long service leave liabilities have been classified as current where there is no unconditional right to defer settlement for at least 12 months after the reporting period. Assessments indicate that actual settlement of the liabilities will occur as follows:

	2014 \$'000	2013 \$'000
Within 12 months of the end of the reporting period	10,320	20,043
More than 12 months after the end of the reporting period	26,815	17,765
	<b>37,135</b>	<b>37,808</b>

<sup>(c)</sup> Pro rata Long service leave liabilities have been classified as non-current as the Department has an unconditional right to defer settlement of the liability until the employee has completed the requisite years of service.

<sup>(d)</sup> The settlement of annual and long service leave liabilities gives rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments. The associated expense, apart from the unwinding of the discount (finance cost), is disclosed in Note 12 'Other expenses'.

### Movements in other provisions

	2014 \$'000	2013 \$'000
<b>Employment on-cost provision</b>		
Carrying amount at start of period	458	387
Additional provisions recognised	319	184
Net amounts used	(121)	(113)
<b>Carrying amount at end of period</b>	<b>656</b>	<b>458</b>

### Note 30. Equity

The Government holds the equity interest in the Department on behalf of the community. Equity represents the residual interest in the net assets of the Department. The asset revaluation surplus represents that portion of equity resulting from the revaluation of non-current assets.

#### Contributed equity

	2014 \$'000	2013 \$'000
Balance at start of period	172,695	112,924
<b>Contributions by owners</b>		
Capital appropriation	48,140	30,555
<b>Other contributions by owners</b>		
Royalties for Regions Fund - Regional Infrastructure and Headwork Account	18,036	14,216
Equity Contribution <sup>(a)</sup>	-	15,000
<b>Total contributions by owners</b>	<b>66,176</b>	<b>59,771</b>

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 30. Equity

	2014 \$'000	2013 \$'000
<b>Distributions to owners</b>		
Kalgoorlie Police Lockup transferred to WA Police	(4,657)	-
Total distributions to owners	<b>(4,657)</b>	-
Balance at end of period	<b>234,214</b>	<b>172,695</b>
<b>Reserves</b>		
<b>Asset revaluation surplus</b>		
<b>Land</b>		
Balance at start of period	91,865	91,624
Net revaluation increments	2,511	241
Balance at end of period	<b>94,376</b>	<b>91,865</b>
<b>Buildings</b>		
Balance at start of period	176,945	154,329
Net revaluation increments	5,796	22,616
Balance at end of period	<b>182,741</b>	<b>176,945</b>
Balance at end of period	<b>277,117</b>	<b>268,810</b>
<b>Accumulated surplus</b>		
Balance at start of period	60,430	69,717
Result for the period	7,471	(9,287)
Balance at end of period	<b>67,901</b>	<b>60,430</b>
Total Equity at end of period	<b>579,232</b>	<b>501,935</b>

<sup>(a)</sup> In 2012-2013, an equity injection of \$15 million was allocated to supplement the capital appropriation budget.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 31 Notes to the Statement of Cash Flows

#### Reconciliation of cash

Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:

	2014 \$'000	2013 \$'000
Cash and cash equivalents	24,212	7,023
Restricted cash and cash equivalents - current (Note 18 'Restricted cash and cash equivalents')	27,393	15,322
Restricted cash and cash equivalents - non-current (Note 18 'Restricted cash and cash equivalents')	5,962	4,747
	<b>57,567</b>	<b>27,092</b>
	2014 \$'000	2013 \$'000
<b>Royalties for Regions Fund</b>		
Capital Funding	18,036	14,216
Recurrent Funding	1,731	1,652
	<b>19,767</b>	<b>15,868</b>

#### Reconciliation of net cost of services of net cash flows used in operating activities

	2014 \$'000	2013 \$'000
Net cost of services	(370,736)	(364,045)
<b>Non-cash Items</b>		
Depreciation and amortisation expense (Note 8 'Depreciation and amortisation expense')	19,756	17,744
Movement in the allowance for impairment of receivables (Note 19 'Receivables')	1	3,070
Judges' Pensions expense - Liability assumed by the treasurer	15,366	-
Resources received free of charge (Note 17 'Income from State Government')	20,317	19,967
Net gain on disposal of property, plant and equipment	(18)	(5)
<b>(Increase)/decrease in assets</b>		
Current receivables <sup>(a)</sup>	200	1,896
Other current assets	2,397	(2,502)
<b>Increase/(decrease) in liabilities</b>		
Current payables <sup>(a)</sup>	3,928	(1,551)
Provisions	(3,398)	1,947
Change in GST in receivables/payables <sup>(b)</sup>	6	57
<b>Net cash used in operating activities</b>	<b>(312,181)</b>	<b>(323,422)</b>

<sup>(a)</sup> 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.

<sup>(b)</sup> This reverses out the GST in receivables and payables.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 32. Resources 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:

	2014 \$'000	2013 \$'000
Legal services provided by the State Solicitor's Office to:		
Other Government agencies	26,779	25,703
Corporate support provided by the Department to:		
Department of Corrective Services	14,552	14,134
Legal Practice Board	1,669	1,143
Office of the Director of Public Prosecutions	1,004	918
Law Reform Commission	170	179
Commissioner for Children and Young People	164	165
Parliamentary Inspector of the Corruption and Crime Commission	132	114
Legal Costs Committee	53	49
Professional Standards Council	39	35
	<b>44,562</b>	<b>42,440</b>

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 33. Commitments

#### Finance lease commitments

Minimum lease payments in relation to finance leases are as follows:

Within 1 year

Later than 1 year and not later than 5 years

Later than 5 years

Minimum lease payments

Less future finance charges

**Present value of finance lease liability**

The present value of the finance lease liability is as follows:

Within 1 year

Later than 1 year and not later than 5 years

Later than 5 years

**Present value of finance lease liability**

Included in the financial statements as:

Current liabilities (Note 28 'Borrowings')

Non-current liabilities (Note 28 'Borrowings')

	As at 30 June 2014			As at 30 June 2013		
	CBD Courts Complex \$'000	Fremantle Justice Complex \$'000	Total \$'000	CBD Courts Complex \$'000	Fremantle Justice Complex \$'000	Total \$'000
Minimum lease payments in relation to finance leases are as follows:						
Within 1 year	19,105	1,647	20,752	18,890	1,650	20,540
Later than 1 year and not later than 5 years	78,679	6,245	84,924	77,765	6,245	84,010
Later than 5 years	301,801	10,148	311,949	321,821	11,709	333,530
Minimum lease payments	399,585	18,040	417,625	418,476	19,604	438,080
Less future finance charges	(193,824)	(7,651)	(201,475)	(209,792)	(8,772)	(218,564)
<b>Present value of finance lease liability</b>	<b>205,761</b>	<b>10,389</b>	<b>216,150</b>	<b>208,684</b>	<b>10,832</b>	<b>219,516</b>
The present value of the finance lease liability is as follows:						
Within 1 year	3,670	487	4,157	3,193	439	3,632
Later than 1 year and not later than 5 years	20,388	2,636	23,024	18,006	2,386	20,392
Later than 5 years	181,703	7,266	188,969	187,485	8,007	195,492
<b>Present value of finance lease liability</b>	<b>205,761</b>	<b>10,389</b>	<b>216,150</b>	<b>208,684</b>	<b>10,832</b>	<b>219,516</b>
Included in the financial statements as:						
Current liabilities (Note 28 'Borrowings')	3,670	487	4,157	3,193	439	3,632
Non-current liabilities (Note 28 'Borrowings')	202,091	9,902	211,993	205,491	10,393	215,884
	<b>205,761</b>	<b>10,389</b>	<b>216,150</b>	<b>208,684</b>	<b>10,832</b>	<b>219,516</b>

CBD Courts Complex: In December 2004, the Department entered into an agreement to finance the development of a new purpose built District Court Building in Perth.

Construction was completed in June 2009. Under this agreement ownership of the facility will transfer to the Department at the conclusion of the lease term.

Fremantle Justice Complex: In March 2001, the Department entered into a 25 year lease agreement for the procurement of the Fremantle Justice Centre. Under this arrangement, ownership of the facility will transfer to the Department at the conclusion of the lease term.



## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 33. Commitments

#### Non-cancellable operating lease commitments

Commitments for minimum lease payments are payable as follows:

	2014 \$'000	2013 \$'000
Within 1 year	25,886	23,687
Later than 1 year and not later than 5 years	81,630	68,520
Later than 5 years	17,567	28,739
	<b>125,083</b>	<b>120,946</b>

The Department has entered into non-cancellable operating leases for the use of certain premises, motor vehicles and office equipment. The term of the leases varies between one to seven years, with rent payable monthly in advance. The commitments shown above are all exclusive of GST. Operating leases are expensed on a straight line basis over the lease term as this represents the pattern of benefits derived from the leased properties.

#### Other expenditure commitments

Other expenditure commitments for operational services contracted for at the end of the reporting period but not recognised as liabilities, are payable as follows:

	2014 \$'000	2013 \$'000
Within 1 year	16,115	16,861
Later than 1 year and not later than 5 years	17,155	17,364
Later than 5 years	-	-
	<b>33,270</b>	<b>34,225</b>

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 34. Contingent liabilities and contingent assets

#### Contingent liabilities

The following contingent liabilities are additional to the liabilities included in the financial statements:

	2014 \$'000	2013 \$'000
<b>Litigation in progress</b>		
Criminal injuries compensation court appeals	1,980	1,508
<b>Disclosure regarding criminal injuries</b>		
Claims yet to be assessed	28,283	20,261

#### Contaminated sites

Under the *Contaminated Sites Act 2003*, the Department is required to report known and suspected contaminated sites to the Department of Environment Regulation (DER). In accordance with the Act, DER classifies these sites on the basis of the risk to human health, the environment and environmental values. Where sites are classified as *contaminated – remediation required* or *possibly contaminated – investigation required*, the Department may have a liability in respect of investigation or remediation expenses.

In prior financial years lots 510, 557 and 1059 were reported as suspected contaminated sites. These lots are located within the site of the proposed Carnarvon Police and Justice Complex at the corner of Robinson Street and Babbage Island Road, Morgantown, Carnarvon. Investigations conducted confirmed the presence of hydrocarbons (such as from diesel or oil) in soils exceeding ecological Investigations levels. Hydrocarbons were also identified in groundwater at concentrations exceeding Aquatic Ecosystems – Freshwater/Marine guidelines.

Remedial works were conducted and the soils within the site have been remediated to a condition suitable for residential or commercial use including the proposed use as a justice complex but the groundwater underlying the site remains contaminated.

The Department of Environment Regulation in consultation with the Department of Health has classified the site as “Remediated for Restricted use” with restrictions on the abstraction of groundwater and site management requirements.

As part of the site management requirements, DER requested groundwater monitoring bores to be installed and monitored twice yearly for two years from September 2010 and analysis be undertaken for total petroleum hydrocarbons and other groundwater parameters. Wesfarmers, the former owner of the land and responsible party for the pollution, assumed the groundwater monitoring requirements.

The results of the groundwater monitoring have been submitted to DER, these reports indicate that groundwater underlying the site remains contaminated and there is no conclusive evidence that natural attenuation is occurring in the site. Groundwater monitoring bore holes are being replaced during current building works and will be used for future assessments and reporting of findings will be carried out and submitted to DER for reclassification.

The Department is unable to assess the likely outcome of any re-classification process, and accordingly, it is not practicable to estimate the potential financial effect or to identify the uncertainties relating to the amount or timing of any outflows. The Department considers there may be a possibility of reimbursement of any future expenses that may be incurred in the remediation of the site from the former owner of the land.

#### Contingent assets

The following contingent assets are additional to the assets included in the financial statements:

	2014 \$'000	2013 \$'000
Recovery of court costs	457	457

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 35. Events occurring after the end of the reporting period

There were no events occurring after the balance sheet date

### Note 36. Explanatory statement

Significant variations between estimates and actual results for income and expenses as presented in the financial statement titled 'Summary of Consolidated Account Appropriations and Income Estimates' are shown below. Significant variations are considered to be those greater than 5% or \$300,000.

#### Total service expenses

##### Significant variances between estimate and actual

Significant variances between estimate and actual for 2014 by service are summarised as follows:

	2014 Estimate \$'000	2014 Actual \$'000	Variation \$'000
Service 1 - Court and Tribunal Services	374,523	350,313	(24,210) <sup>(a)</sup>
Service 2 - Advocacy, Guardianship and Administration Services	5,762	5,985	223
Service 3 - Trustee Services	23,344	23,815	471 <sup>(b)</sup>
Service 4 - Births, Deaths and Marriages	7,822	7,231	(591) <sup>(c)</sup>
Service 5 - Services to Government	78,499	83,926	5,427 <sup>(d)</sup>
Services 6 - Legal Aid Assistance	36,352	36,988	636 <sup>(e)</sup>
<b>Total cost of Services</b>	<b>526,302</b>	<b>508,258</b>	<b>(18,044)</b>

<sup>(a)</sup> Court and Tribunal services - Lower expenditure was mainly due to the actuarial assessment of the judicial pension liability and one-off savings from lower salary costs achieved by active leave management, delay in Government Officers' General Agreement pay rise and vacancy management.

<sup>(b)</sup> Trustee services - Higher expenditure is mainly due to an increase in contract staff and consultant fees.

<sup>(c)</sup> Births, Deaths and Marriages - Lower expenditure was mainly due to a reduction in contract staff, consultant fees and computing licences.

<sup>(d)</sup> Services to Government - Increased expenditure was mainly due to higher accommodation leasing expenses.

<sup>(e)</sup> Legal Aid Assistance - The State grant provided to the Legal Aid Commission was increased to provide additional funding for expensive legal cases.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 36. Explanatory statement

#### Total appropriation provided to deliver services

##### Significant variances between actual results for 2014 and 2013

Significant variances in total appropriation provided to deliver services and total income other than from the state government are summarised as follows:

	2014 \$'000	2013 \$'000	Variation \$'000
Total appropriation provided to deliver services for the year	340,793	332,544	8,249 <sup>(h)</sup>
Total income other than from state government	137,521	129,734	7,787 <sup>(i)</sup>

<sup>(h)</sup> The higher appropriation in 2013-14 is due to increases in funding for criminal injuries payments, legal aid, copyright payment on behalf of the State (extension of term) and Coroner's Court (higher forensic pathology and toxicology services, body removal and medical reports).

<sup>(i)</sup> Decreased income was mainly due to a lower than expected revenue from the Registry of Births, Deaths and Marriages and court fees. This was offset by increased contribution from the Public Trustee and higher revenue from the State Solicitor's Office.

Significant variances in service expenditure are summarised as follows:

	2014 Actual \$'000	2013 Actual \$'000	Variation \$'000
Service 1 - Court and Tribunal Services	350,313	338,313	12,000 <sup>(a)</sup>
Service 2 - Advocacy, Guardianship and Administration Services	5,985	5,933	52
Service 3 - Trustee Services	23,815	23,591	224 <sup>(b)</sup>
Service 4 - Births, Deaths and Marriages	7,231	7,590	(359) <sup>(c)</sup>
Service 5 - Services to Government	83,926	82,339	1,587 <sup>(d)</sup>
Services 6 - Legal Aid Assistance	36,988	36,013	975 <sup>(e)</sup>
<b>Total cost of Services</b>	<b>508,258</b>	<b>493,779</b>	<b>14,479</b>

<sup>(a)</sup> **Court and Tribunal services** - Increased expenditure was mainly due to greater employee expenses associated with an increase in the actuarial assessment of the judicial pension liability.

<sup>(b)</sup> **Trustee services** - Increased expenditure is mainly due to increases in staff costs and accommodation lease costs.

<sup>(c)</sup> **Births, Deaths and Marriages** - Decreased expenditure is mainly due to lower staff costs including training and travel, contract staff, consultant fees and computing licences.

<sup>(d)</sup> **Services to Government** - The increase in expenditure largely relates to additional funding approved for the State Solicitor's Office and increased costs in line with the Consumer Price Index (CPI).

<sup>(e)</sup> **Legal Aid Assistance** - Increased grant paid to the Legal Aid Commission largely relates to additional funding for expensive cases.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 36. Explanatory statement

#### Capital contribution

Significant variances between estimate and actual for 2014

	2014 Estimate \$'000	2014 Actual \$'000	Variation \$'000
Capital contribution	48,140	40,736	(7,404) <sup>(g)</sup>

<sup>(g)</sup>The lower capital contribution is mainly due to delays in court projects.

Significant variances between actual results for 2014 and 2013

	2014 Actual \$'000	2013 Actual \$'000	Variation \$'000
Capital contribution	40,736	30,555	10,181 <sup>(h)</sup>

<sup>(h)</sup>Increased expenditure mainly relates to Carnarvon Justice Complex which was funded from capital contribution in 2013-14 but was largely funded out of Royalties for Regions in 2012-13. This is offset by lower spending on Kalgoorlie Courthouse, which is now complete.

#### Administered revenues

Significant variances between estimate and actual for 2014

	2014 Estimate \$'000	2014 Actual \$'000	Variation \$'000
Total income disclosed as administered income	70,354	60,709	(9,645) <sup>(i)</sup>

<sup>(i)</sup>Judicial fines and infringement receipts are lower than the target mainly due to a change in the debtor collection process in 2014 which caused a temporary delay in the collection of administered revenue. There is no long term impact and overall debt collected by the Sheriff has not been affected by the changes. Additionally there was a decrease in the infringement fines collected on behalf of the Department of Transport.

Significant variances between actual results for 2014 and 2013

	2014 Actual \$'000	2013 Actual \$'000	Variation \$'000
Total income disclosed as administered income	60,709	70,825	(10,116) <sup>(i)</sup>

<sup>(i)</sup>Judicial fines and infringement receipts have decreased in 2014 mainly due to a change in the debtor collection process in 2014 which caused a temporary delay in the collection of administered revenue. There is no long term impact and overall debt collected by the Sheriff has not been affected by these changes. Additionally there was a decrease in the infringement fines collected on behalf of the Department of Transport.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 37. Financial Instruments

#### (a) Financial risk management objectives and policies

Financial instruments held by the Department are cash and cash equivalents, restricted cash and cash equivalents, loans and receivables, payables and finance leases. The Department has limited exposure to financial risks. The Department's overall risk management program focuses on managing the risks identified below.

#### Credit risk

Credit risk arises when there is the possibility of the Department's receivables defaulting on their contractual obligations resulting in financial loss to the Department. Credit risk also arises from cash and cash equivalents held at banks and financial institutions. The maximum exposure to credit risk at the end of the reporting period in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any allowance for impairment as shown in the table at Note 37 (c) 'Financial instrument disclosures' and Note 19 'Receivables'.

Credit risk associated with the Department's financial assets is minimal because the main receivable is the amounts receivable for services (holding account) and there are no significant receivables other than Government. In addition, receivable balances are monitored on an ongoing basis with the result that the Department's exposure to bad debts is minimal. For banks and financial institutions, only independently rated and highly reputable financial institutions are accepted. At the end of the reporting period, all of the bank deposits are held by the Commonwealth Bank of Australia. There were no other significant concentrations of credit risk.

#### Liquidity risk

Liquidity risk arises when the Department is unable to meet its financial obligations as they fall due. The Department is exposed to liquidity risk through its trading in the normal course of business.

The Department has appropriate procedures to manage cash flows including drawdowns of appropriations by monitoring forecast cash flows and keeping regular communications with the Departments of Treasury and Finance to ensure that sufficient funds are available to meet its commitments.

#### Market risk

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates will affect the Department's income or the value of its holdings of financial instruments. The Department does not trade in foreign currency and is not materially exposed to other price risks because it does not hold investments in securities or bonds.

The majority of the cash and cash equivalents and restricted cash balances are deposited in non-interest bearing accounts. All of the finance lease liabilities have fixed interest rates and are carried at amortised cost. They are therefore not subject to interest rate risk as defined in AASB 7: *Financial Instruments: Disclosures*, since neither the carrying amount nor the future cash flows will fluctuate because of a change in market interest rates.

#### (b) Categories of financial instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are as follows:

	2014 \$'000	2013 \$'000
<b>Financial assets at amortised cost</b>		
Cash and cash equivalents	24,212	7,023
Restricted cash and cash equivalents	33,355	20,069
Receivables <sup>(a)</sup>	5,429	5,630
Amounts receivable for services	144,014	131,713
<b>Financial liabilities at amortised cost</b>		
Finance lease liabilities	216,150	219,516
Payables	23,802	20,155

<sup>(a)</sup> The amount of Receivables excludes GST recoverable from to the Australian Taxation Office (statutory receivable).

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 37. Financial Instruments

#### (c) Financial instrument disclosures

##### Credit risk

The following table discloses the Department's maximum exposure to credit risk and the ageing analysis of financial assets. The Department's maximum exposure to credit risk at the end of the reporting period is the carrying amount of financial assets as shown below.

The Department does not hold any collateral as security or other credit enhancements relating to the financial assets it holds.

#### Interest Rate Exposure and Maturity Analysis of Financial Assets and Financial Liabilities

##### Ageing analysis of financial assets

	Carrying amount \$'000	Not past due and not Impaired \$'000	Past due but not impaired					Impaired financial assets \$'000
			Up to 1 month \$'000	1 - 3 months \$'000	3 months to 1 year \$'000	1 - 5 years \$'000	More than 5 years \$'000	
<b>2014</b>								
Cash and cash equivalents	24,212	24,212	-	-	-	-	-	-
Restricted cash and cash equivalents	33,355	33,355	-	-	-	-	-	-
Receivables <sup>(a)</sup>	5,429	4,345	644	49	8	375	8	3,114
Amounts receivable for services	144,014	144,014	-	-	-	-	-	-
	<b>207,010</b>	<b>205,926</b>	<b>644</b>	<b>49</b>	<b>8</b>	<b>375</b>	<b>8</b>	<b>3,114</b>
<b>2013</b>								
Cash and cash equivalents	7,023	7,023	-	-	-	-	-	-
Restricted cash and cash equivalents	20,069	20,069	-	-	-	-	-	-
Receivables <sup>(a)</sup>	5,630	4,665	245	275	357	88	-	3,113
Amounts receivable for services	131,713	131,713	-	-	-	-	-	-
	<b>164,435</b>	<b>163,470</b>	<b>245</b>	<b>275</b>	<b>357</b>	<b>88</b>	<b>-</b>	<b>3,113</b>

<sup>(a)</sup> The amount of receivables excludes GST recoverable from the Australian Taxation Office (statutory receivable)

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 37. Financial Instruments

#### (c) Financial instrument disclosures

##### Liquidity risk

The following table details the contractual maturity analysis of financial assets and financial liabilities. The amounts disclosed in the table are the contractual undiscounted cash flows (interest and principal). Balances due within 12 months equal their carrying balances as the impact of discounting is not significant.

	Carrying amount \$'000	Total contractual cash flows \$'000	Up to 1 month \$'000	1 - 3 months \$'000	3 months to 1 year \$'000	1 - 5 years \$'000	More than 5 years \$'000
<b>2014</b>							
<b>Financial Assets</b>							
Cash and cash equivalents	24,212	24,212	24,212	-	-	-	-
Restricted cash and cash equivalents	33,355	33,355	27,393	-	-	5,962	-
Receivables <sup>(a)</sup>	5,429	5,429	5,429	-	-	-	-
Amounts receivable for services	144,014	144,014	204	510	1,946	13,300	128,054
	<b>207,010</b>	<b>207,010</b>	<b>57,238</b>	<b>510</b>	<b>1,946</b>	<b>19,262</b>	<b>128,054</b>
<b>Financial Liabilities</b>							
Payables	23,802	23,802	23,802	-	-	-	-
Finance lease liabilities	216,150	417,625	1,614	3,571	15,567	84,924	311,949
	<b>239,952</b>	<b>441,427</b>	<b>25,416</b>	<b>3,571</b>	<b>15,567</b>	<b>84,924</b>	<b>311,949</b>

<sup>(a)</sup>The amount of receivables excludes GST recoverable to the Australian Taxation Office (statutory receivable). Impaired receivables have also been excluded.



## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 37. Financial Instruments

#### (c) Financial instrument disclosures

##### Liquidity risk

The following table details the contractual maturity analysis of financial assets and financial liabilities. The amounts disclosed in the table are the contractual undiscounted cash flows (interest and principal). Balances due within 12 months equal their carrying balances as the impact of discounting is not significant.

	Carrying amount \$'000	Total contractual cash flows \$'000	Up to 1 month \$'000	1 - 3 months \$'000	3 months to 1 year \$'000	1 - 5 years \$'000	More than 5 years \$'000
<b>2013</b>							
<b>Financial Assets</b>							
Cash and cash equivalents	7,023	7,023	7,023	-	-	-	-
Restricted cash and cash equivalents	20,069	20,069	15,322	-	-	4,747	-
Receivables <sup>(a)</sup>	5,630	5,630	5,630	-	-	-	-
Amounts receivable for services	131,713	131,713	204	510	1,938	10,608	118,453
	<b>164,435</b>	<b>164,435</b>	<b>28,179</b>	<b>510</b>	<b>1,938</b>	<b>15,355</b>	<b>118,453</b>
<b>Financial Liabilities</b>							
Payables	20,155	20,155	20,155	-	-	-	-
Finance lease liabilities	219,516	438,080	1,596	3,535	15,409	84,010	333,530
	<b>239,671</b>	<b>458,235</b>	<b>21,751</b>	<b>3,535</b>	<b>15,409</b>	<b>84,010</b>	<b>333,530</b>

<sup>(a)</sup>The amount of receivables excludes GST recoverable to the Australian Taxation Office (statutory receivable). Impaired receivables have also been excluded.

##### Fair values

The carrying amounts of receivables and payables are assumed to approximate their fair values due to their short-term nature. Unless otherwise stated in the applicable notes, all other sub-categories of financial assets and liabilities are recognised at amounts that represent a reasonable approximation of fair value.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 38. Remuneration of senior officers

The number of senior officers whose total fees, salaries, superannuation, non-monetary benefits and other benefits for the financial year fall within the following bands are:

	2014	2013
\$		
50,001 - 60,000	1	-
150,001 - 160,000	2	2
160,001 - 170,000	1	-
170,001 - 180,000	2	1
180,001 - 190,000	-	1
190,001 - 200,000	-	1
200,001 - 210,000	-	1
210,001 - 220,000	1	1
250,001 - 260,000	1	-
260,001 - 270,000	-	1
270,001 - 280,000	1	-
390,001 - 400,000	1	-
410,001 - 420,000	-	1
520,001 - 530,000	-	1
550,001 - 560,000	1	-
570,001 - 580,000	-	1
580,001 - 590,000	1	-
	<b>\$'000</b>	<b>\$'000</b>
<b>Total remuneration of senior officers</b>	<b>3,179</b>	<b>3,057</b>

The total remuneration includes the superannuation expense incurred by the Department in respect of senior officers. No Senior officers are members of the Superannuation and Family Benefits Act Scheme (Pension Scheme).

Senior officers are those who take part in the management of the organisation and are deemed to be the Director General, the Public Trustee, the State Solicitor, the Parliamentary Counsel, Executive Directors and other Divisional Heads.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 39. Remuneration of auditor

Remuneration paid or payable to the Auditor General in respect of the audit for the current financial year is as follows:

	2014 \$'000	2013 \$'000
Auditing the accounts, financial statements and key performance indicators	183	178

### Note 40. Related bodies

A related body is a body that receives more than half of its funding and resources from an agency and is subject to operational control by that agency. The Department has no related bodies during the financial year.

### Note 41. Affiliated bodies

An affiliated body is a body that receives more than half its funding and resources from an agency but is not subject to operational control by that agency. The Department provided 53% (2013: 55%) of the total operational funds of the Legal Aid Commission of Western Australia during the 2013-2014 financial year. The Commission is not subject to operational control by the Department and is therefore considered to be affiliated body under the *Financial Management Act 2006*.

### Note 42. Supplementary financial information

#### (a) Department's revenue and debts write-offs

During the financial year, revenue and outstanding debts to the state were written off under the authority of:

	2014 \$'000	2013 \$'000
The Accountable Authority <sup>(a)</sup>	9,375	9,205
	<b>9,375</b>	<b>9,205</b>

<sup>(a)</sup> Amounts written off pertain primarily to court fines and infringements that have been registered within the fines and enforcement registry. As explained in Note 2 (d) outstanding infringements are not included in administered items.

#### Criminal Injuries Compensation Act write-offs

During the financial year, outstanding criminal injuries recoveries were written off under the authority of:

	2014 \$'000	2013 \$'000
The Accountable Authority <sup>(b)</sup>	2,089	-
Criminal injuries Compensation Close-offs <sup>(b)(c)</sup>	4,683	-
	<b>6,772</b>	<b>-</b>

<sup>(b)</sup> As explained in Note 2 (g) criminal injuries debtors are not recognised as debts in the controlled accounts of the Department.

<sup>(c)</sup> Amounts written-off where a reimbursement order was not issued.

## Notes to the Financial Statements

For the year ended 30 June 2014

### Note 43. Special Purpose accounts

During the reporting period the Department maintained the following special purpose accounts:

Account name	2013-2014				2012-2013			
	Opening balance \$'000	Receipts \$'000	Payments \$'000	Closing balance \$'000	Opening balance \$'000	Receipts \$'000	Payments \$'000	Closing balance \$'000
1. Civil Court Judgement - Government Account	5	4	9	-	28	306	329	5
2. Land Acquisition Account	3,652	99,204	100,643	2,213	4,429	104,657	105,434	3,652
3. Suitor's Fund Account	301	27	43	285	280	25	4	301
4. Courts Trust Account	11,565	40,065	39,872	11,758	8,396	37,872	34,703	11,565
5. Departmental Receipts in Suspense	385	24,763	24,777	371	70	26,535	26,220	385
6. Sheriff's and District Court Bailiff's Trust Account	100	812	821	91	300	1,367	1,567	100
7. Criminal Property Confiscations Account	16,063	8,193	8,354	15,902	15,992	9,359	9,288	16,063

The following table summarises the purpose of the special purpose accounts maintained by the Department:

Account name	Purpose of the Special Purpose Account
1. Civil Court Judgement - Government Account	To hold moneys arising from Civil Court Judgements made in favour of Government departments and authorities.
2. Land Acquisition Account	To hold moneys for and on behalf of Government departments and authorities pending settlement of land acquisition.
3. Suitor's Fund Account	To hold funds, in accordance with section 4 of the <i>Suitor's Fund Act</i> (The Act), to meet the liability for costs of certain litigation and for incidental and other purposes pursuant to the Act.
4. Courts Trust Account	To hold moneys paid into the Supreme and District Courts in civil actions, as ordered by those Courts; and to hold monies collected in the course of the Court activities at Local Courts throughout the State, for disbursement to other parties.
5. Departmental Receipts in Suspense	To hold funds pending identification of the purpose for which those monies were received pursuant to Section 9(2)(c)(iv) of the Financial Management Act.
6. 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.
7. Criminal Property Confiscations Account	The purpose of this account is to hold moneys and proceeds of property recovered or confiscated by the State in accordance with the Act, and to distribute such moneys in accordance with the Act.

# Notes to the Financial Statements

For the year ended 30 June 2014

## Note 44. Disclosure of administered income and expenses by service

	Court and Tribunal Services \$'000		Services to Government \$'000		General - Not Attributed <sup>(a)</sup> \$'000		Total \$'000	
	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000	2014 \$'000	2013 \$'000
<b>Cost of services</b>								
<b>Expenses</b>								
Payments to the Consolidated Account	42,554	46,443	-	-	-	-	42,554	46,443
Criminal property confiscations - grants	-	-	1,904	2,928	-	-	1,904	2,928
Criminal property confiscations - supplies and services	-	-	6,450	6,360	-	-	6,450	6,360
Payment to Road Trauma Trust Account	-	-	13,957	14,564	-	-	13,957	14,564
Other	360	896	-	-	2,266	1,352	2,626	2,248
<b>Total administered expenses</b>	<b>42,914</b>	<b>47,339</b>	<b>22,311</b>	<b>23,852</b>	<b>2,266</b>	<b>1,352</b>	<b>67,491</b>	<b>72,543</b>
<b>Income</b>								
Judicial fines and penalties	26,468	33,301	-	-	-	-	26,468	33,301
Infringement penalties	-	-	1,280	1,577	-	-	1,280	1,577
Copyright income received on behalf of the State	-	-	-	-	95	47	95	47
Revenue for transfer - other Government agencies	-	-	-	-	14,274	15,456	14,274	15,456
Criminal property confiscations	-	-	8,193	9,359	-	-	8,193	9,359
Other paid into Consolidated Account	28	25	-	-	10,490	11,060	10,518	11,085
<b>Total administered Income</b>	<b>26,496</b>	<b>33,326</b>	<b>9,473</b>	<b>10,936</b>	<b>24,859</b>	<b>26,563</b>	<b>60,828</b>	<b>70,825</b>

<sup>(a)</sup> Relates to administered costs' receipts in suspense.

# Notes to the Financial Statements

For the year ended 30 June 2014

## Note 45. Administered assets and liabilities

	2014 \$'000	2013 \$'000
<b>Assets</b>		
<b>Cash and restricted cash assets</b>		
Suitors' fund	285	301
Departmental receipts in suspense	371	385
Criminal Property Confiscations	15,902	16,063
<b>Receivables</b>		
Magistrates Court - fines and costs	5,163	12,261
Fines Enforcement Registry	143,995	142,546
Children's Court	106	114
Less: allowance for impairment of receivables - Unrecoverable fees and fines - Note 2 (e)	(82,928)	(82,094)
<b>Total administered current assets</b>	<b>82,894</b>	<b>89,576</b>
<b>Total administered assets</b>	<b>82,894</b>	<b>89,576</b>
<b>Liabilities</b>		
Amounts due to the Treasurer (Appeals Cost Board) <sup>(a)</sup>	1,800	1,800
<b>Total administered liabilities</b>	<b>1,800</b>	<b>1,800</b>
<b>Net administered assets</b>	<b>81,094</b>	<b>87,776</b>

<sup>(a)</sup> Expenditure advance approved by the State Treasurer to provide a temporary advance for funding of the *Suitors' Fund Act*. The funds advanced by the State Treasurer are subject to reimbursement.

## Note 46. Commonwealth grant – Christmas and Cocos Island

	2014 \$'000	2013 \$'000
<b>Opening balance</b>	8,482	(5,452)
<b>Income</b>		
Commonwealth reimbursements	279,106	384,366
Court fees	788	598
<b>Total receipts</b>	<b>279,894</b>	<b>384,964</b>
<b>Expenses</b>		
Operating costs	262,296	371,030
<b>Total payments</b>	<b>262,296</b>	<b>371,030</b>
<b>Closing balance</b>	<b>26,080</b>	<b>8,482</b>

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.

# Key Performance Indicators

## Certification of Key Performance Indicators for the year ended 30 June 2014

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 the Attorney General's performance, and fairly represent the performance of the Department of the Attorney General for the financial year ended 30 June 2014.



Cheryl Gwilliam

DIRECTOR GENERAL

DEPARTMENT OF THE ATTORNEY GENERAL

4 September 2014

## Key Performance Indicators

### Our purpose

To provide high quality and accessible justice, legal, registry, guardianship and trustee services that meet the needs of the community and Government.

### 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 the Attorney General's agency level desired outcomes, services delivered by the Department and the Government's goals.

Government Goals	DotAG Desired Outcomes	Services
<p><b>Results-based service delivery:</b></p> <p>Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.</p>	1. An efficient, accessible court and tribunal system	1. Court and Tribunal Services
	2. Trustee, Guardianship and Administration services are accessible to all Western Australians	2. Advocacy, Guardianship and Administration Services 3. Trustee Services
	3. Western Australian birth, death and marriage certificates are accurate and accessible	4. Births, Deaths and Marriages
	4. Government receives quality, timely legal and legislative drafting services	5. Services to Government
	5. Equitable access to legal services and information *	6. Legal Aid Assistance*

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



## **Changes to the Department's Outcome Based Management structure**

The Department's Outcome Based Management (OBM) structure was amended for this reporting period to cater for the merging of two key efficiency indicators into one, 'Court of Appeal – Cost per case'.

Previously, this indicator was reported separately as 'Court of Appeal - Criminal - Cost per case' and 'Court of Appeal - Civil - Cost per case'. Since the inception of these indicators in 2007 it has been demonstrated that there is no cost differential between the criminal and civil components.

## **Key performance indicators**

The Department of the Attorney General is required under Section 61 of the *Financial Management Act 2006* and Treasurer's Instruction TI 904, to disclose key performance indicators in agency annual reports.

The Department has developed Key Performance Indicators of effectiveness and efficiency to assist senior management and stakeholders assess and monitor the extent to which agency level government desired outcomes have been achieved and the efficiency of service delivery. The Key Performance Indicators are monitored on a regular basis by the Department's Corporate Executive Committee.

Key effectiveness indicators provide information on the extent to which agency level outcomes have been achieved, or contributed to, through the delivery of services. The Department of the Attorney General reports on effectiveness indicators for five agency level outcomes.

Key efficiency indicators relate services to the level of resource inputs required to deliver them. Efficiency indicators have been developed for each of the services delivered by the Department. Each indicator shows the average cost per output to deliver the service. Service costs are calculated based on the Department's internal cost allocation model to reflect the full cost of the service.

The following performance indicators should be read in conjunction with the accompanying notes to the Key Performance Indicators. Explanations are provided where there is a significant variation between 2013-14 budget targets and actual results.

## 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 a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

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, ie in criminal jurisdictions, the majority of matters may go to trial therefore time to trial is an appropriate measure whereas in civil jurisdictions most matters may be finalised without going to trial and time to finalise non-trial matters is used.

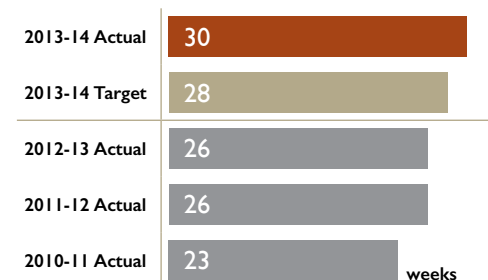
### Key Effectiveness Indicators

#### Supreme Court – Criminal – Time to trial

**What does this indicator measure?** Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, lodgement) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

**How is this indicator calculated?** This measure is calculated by taking the median time from date of committal to first trial date. The information for this indicator has been derived from the Integrated Courts Management System (ICMS).

**What does this indicator show?** No significant variation.



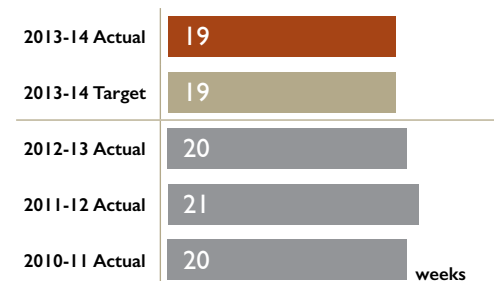
## Disclosures and Legal Compliance - Key Performance Indicators

### Supreme Court – Civil – Time to finalise non-trial matters

**What does this indicator measure?** This indicator measures the median time to finalise cases that are heard by a Registrar or Judge at conferences or hearings, before proceeding to trial and is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

**How is this indicator calculated?** This measure is calculated by taking the median time from date of lodgement to the first finalisation date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

**What does this indicator show?** No significant variation.

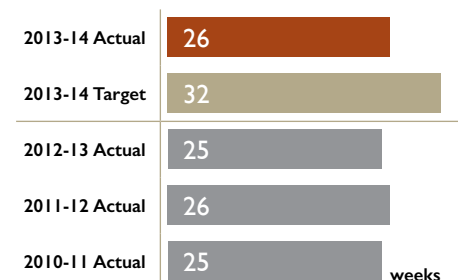


### District Court – Criminal – Time to trial

**What does this indicator measure?** Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, lodgment) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

**How is this indicator calculated?** This measure is calculated by taking the median time from date of committal to the first trial date. The information for this indicator is derived from the Integrated Courts Management System (ICMS).

**What does this indicator show?** The better than target result is due to sustained improvements in the criminal listing practices which include minimising the use of Judges in non-trial hearings, enhanced hearing support and streamlining criminal case management processes.

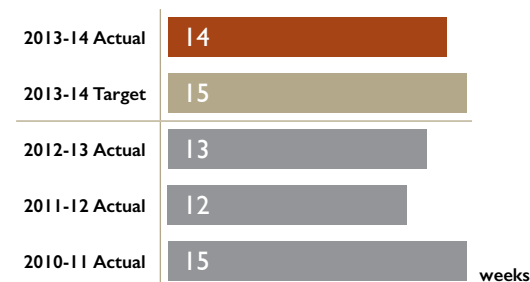


### State Administrative Tribunal – Time to finalise

**What does this indicator measure?** This indicator is measured by calculating the median time to finalise a matter from its lodgement to when a judgement is made.

**How is this indicator calculated?** This measure is calculated by taking the median time to finalise a matter from date of lodgement to when a judgement is made (excludes all guardianship administration matters). Information for this indicator is derived from the Integrated Courts Management System (ICMS).

**What does this indicator show?** No significant variation.

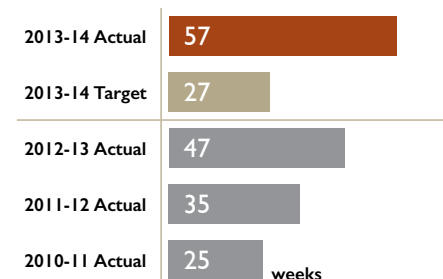


### Family Court of Western Australia – Time to finalise non-trial matters

**What does this indicator measure?** This indicator measures the median time to finalise cases that are heard by a Registrar or Judge at conferences or hearings, before proceeding to trial and is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

**How is this indicator calculated?** This measure is calculated by taking the median time from the date of lodgement to the date of finalisation, excluding matters finalised by trial and matters finalised administratively. Information for this indicator is derived from a national cases database (CASETRACK).

**What does this indicator show?** The higher than target result is due to the Court's efforts to reduce the number of inactive matters, and an increase in the complexity and volume of final order parenting application finalisations.

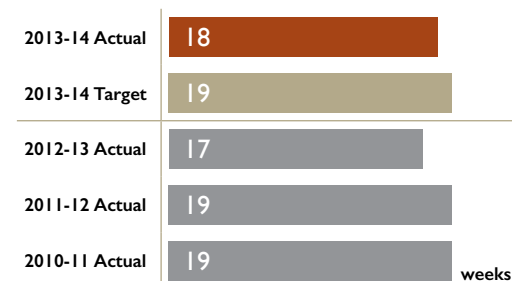


### Magistrates Court – Criminal and Civil – Time to trial

**What does this indicator measure?** Time to trial is a measure of the median time taken from a specified initial date (e.g. lodgment) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

**How is this indicator calculated?** This measure is calculated by taking the median time from the date of lodgement to the first trial date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

**What does this indicator show?** No significant variation.

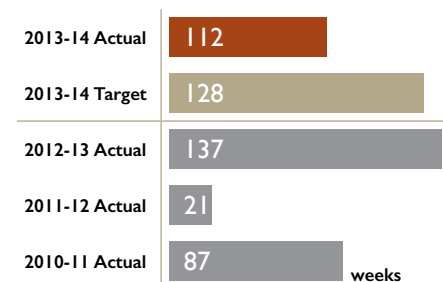


### Coroner's Court – Time to trial

**What does this indicator measure?** Time to trial is a measure of the median time taken from the date of death to the first inquest hearing. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

**How is this indicator calculated?** This measure is calculated by taking the median time from death to the first inquest hearing (for those cases where an inquest is held). In the Coroner's Court a trial is defined as an inquest. Information for this indicator is derived from the National Coroners Information System (NCIS) database.

**What does this indicator show?** The better than target result was attributed to an increase in the finalisation of inquests and a focus on the completion of older inquest cases.



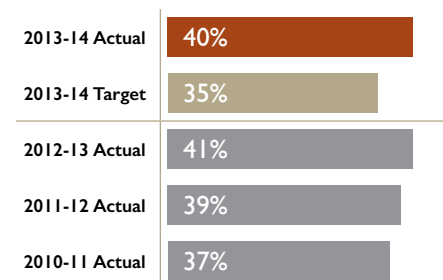
### Fines Enforcement Registry - Percentage Of Fines Satisfied Within 12 Months

**What does this indicator measure?** The Fines Enforcement Registry effectiveness indicators demonstrate to the community that the appropriate systems, procedures and resources are in place to enforce fines, costs and infringement penalties in a timely manner. It also demonstrates to the community that a court fine is a viable sentencing option.

#### Fines and Costs

**How is this indicator calculated?** This indicator measures the number of fines satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is calculated by expressing the number of fines satisfied within 12 months of referral as a percentage of the total number of fines referred to FER. Information is extracted from the FER database.

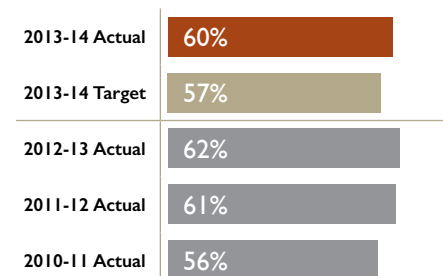
**What does this indicator show?** No significant variation.



#### Infringements

**How is this indicator calculated?** This indicator measures the number of infringements satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is derived by expressing the number of infringements satisfied within 12 months of referral as a percentage of the total number of infringements referred to FER. Information is extracted from the FER database.

**What does this indicator show?** No significant variation.



## Service I: 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 the Attorney General 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 does this indicator measure?** The following indicators measure the average cost per case for all matters finalised within each jurisdiction (including matters finalised without trial and those finalised administratively), and the cost per enforcement action to finalise outstanding fines and infringements. The cost per case is calculated by dividing the total cost of the jurisdiction by the number of cases finalised.

**How are the cost per case indicators calculated?** The cost per case indicators are calculated by dividing the total cost of processing cases by the number of finalisations.

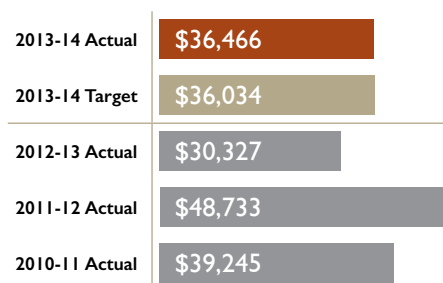
The efficiency indicators for Court and Tribunal Services are calculated from the Department's Cost Allocation Model in the Financial Management Information System.

Total operating costs used to calculate the efficiency measure are extracted from the Department's jurisdiction based cost management system (Business Objects).

The number of finalisations is obtained from various in house case management and tracking systems maintained by the jurisdictions.

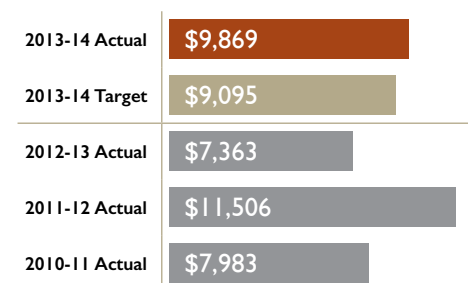
#### Supreme Court – Criminal – Cost per case

No significant variation.



#### Supreme Court – Civil – Cost per case

No significant variation.



## Disclosures and Legal Compliance - Key Performance Indicators

### Court of Appeal – Cost per case

No significant variation.

The Key Performance Indicators for the 'Court of Appeal - Criminal - Cost per case' and 'Court of Appeal - Civil - Cost per case' indicators have been merged into one. As a result, the actual cost is only comparable to the target in this financial year.

2013-14 Actual	\$23,688
2013-14 Target	\$23,468
2012-13 Actual	n/a
2011-12 Actual	n/a
2010-11 Actual	n/a

### State Administrative Tribunal – Cost per case

No significant variation.

2013-14 Actual	\$3,290
2013-14 Target	\$3,339
2012-13 Actual	\$3,265
2011-12 Actual	\$3,975
2010-11 Actual	\$3,244

### District Court – Criminal – Cost per case

The higher than target cost per case is due to a lower number of finalisations.

2013-14 Actual	\$21,636
2013-14 Target	\$19,064
2012-13 Actual	\$18,170
2011-12 Actual	\$29,423
2010-11 Actual	\$13,539

### Family Court of Western Australia – Cost per case

No significant variation.

2013-14 Actual	\$1,748
2013-14 Target	\$1,768
2012-13 Actual	\$2,052
2011-12 Actual	\$1,741
2010-11 Actual	\$1,640

### District Court – Civil – Cost per case

The lower than target cost per case is due to a higher number of finalisations in the area of Writ of Summons - Proceedings by Pleadings.

2013-14 Actual	\$6,501
2013-14 Target	\$7,822
2012-13 Actual	\$6,381
2011-12 Actual	\$5,143
2010-11 Actual	\$5,807

### Magistrates Court – Criminal – Cost per case

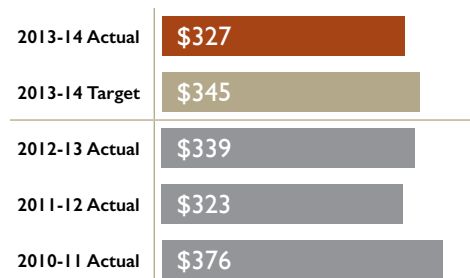
No significant variation.

2013-14 Actual	\$945
2013-14 Target	\$1,005
2012-13 Actual	\$961
2011-12 Actual	\$905
2010-11 Actual	\$815

## Disclosures and Legal Compliance - Key Performance Indicators

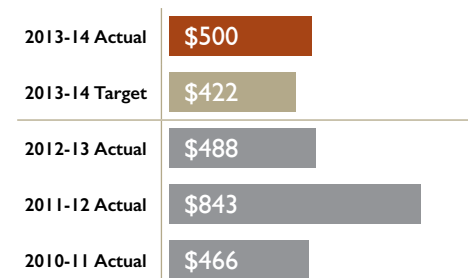
### Magistrates Court – Civil – Cost per case

No significant variation.



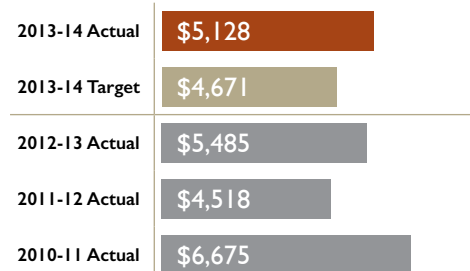
### Children’s Court – Civil – Cost per case

The higher than target cost per case is due to a lower number of finalisations as a result of a change to the relevant legislation which returns the responsibility of restraining orders from the Children’s Court to the Magistrates’ Court.



### Coroner’s Court – Cost per case

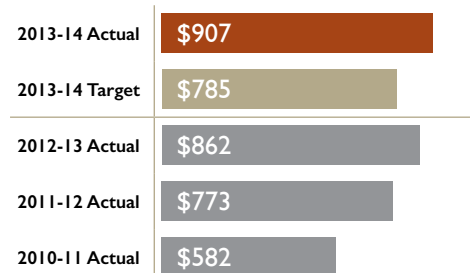
The higher than target cost per case is due to a lower number of finalisations.



**How is the cost per enforcement indicator calculated?** The total cost of processing fines and infringements is divided by the number of lodgements where a lodgement represents an individual enforcement registered with the Fines Enforcement Registry for enforcement. The data sources for this Key Performance Indicator are Business Objects and the departmental information management system (COGNOS) for the number of lodgements.

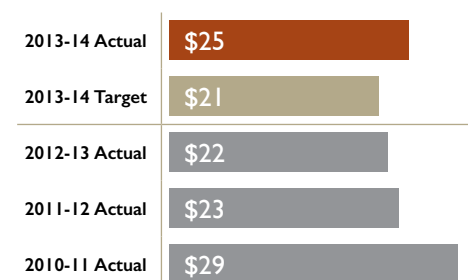
### Children’s Court – Criminal – Cost per case

The higher than target cost per case is due to a lower number of finalisations as a result of the WA Police’s continued focus and move towards issuing ‘infringement notices’ and ‘move on notices’.



### Fines Enforcement Registry – Cost per enforcement

The higher than target cost per case is due to higher costs associated with the Enhanced Enforcement Measures project which commenced in August 2013.





## Outcome 2: Trustee, guardianship and administration services are accessible to all Western Australians

The Department, through the operations of the Public Advocate safeguards the rights of adults with decision-making disabilities, and reduces the incidence of risk, neglect and exploitation while the Public Trustee ensures equitable access to trustee services for all Western Australians.

This supports the Government's strategic goal of a greater focus on achieving results in key service

delivery areas for the benefit of all Western Australians.

The following indicators show the extent to which the Department has achieved this outcome.

The indicators measure the accessibility of trustee, guardianship and administration services to all Western Australians.

### Key Effectiveness Indicators

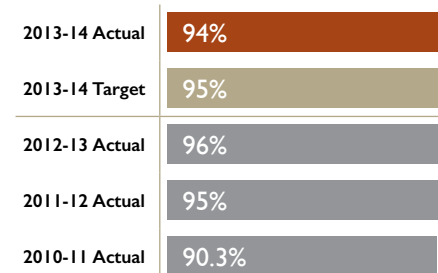
#### Percentage of Guardians of last resort allocated in one day

**What does this indicator measure?** This indicator measures the timeliness of the Public Advocate in allocating a guardian to a represented person in order to make decisions on their behalf and protect them from neglect, abuse or exploitation. A guardian is appointed only when considered necessary, and when there is no one else suitable or available to take on the role.

**How is this indicator calculated?** The indicator is based on the Public Advocate's best practice to ensure the needs of the represented person are met immediately. It is measured by the number of appointments of Guardians of Last Resort made by the State Administrative Tribunal at the hearing and accepted by the Public Advocate's delegate within one working day of receipt of the guardianship order.

The Public Advocate is appointed as guardian of last resort only when considered necessary and when there is no one else suitable, available or willing to take on the role. The information for this indicator is extracted from the Public Advocate Case Management System (PACMAN).

**What does this indicator show?** No significant variation.



### Percentage of Western Australian deceased estates administered by the Public Trustee

**What does this indicator measure?** The Public Trustee offers a secure value for money alternative for administration of deceased estates in Western Australia. This ensures that trustee services are accessible to people in the state. The percentage of deceased estates administered by the Public Trustee indicates the use being made of the service and therefore the overall accessibility of trustee services to Western Australians.

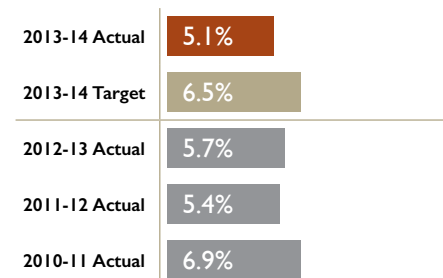
The indicator represents the number of deceased estate files reported as a percentage of the number of adult deaths in Western Australia.

**How is this indicator calculated?** The Public Trustee operates in a commercial environment offering services that can be provided by numerous professional service providers.

The Public Trustee administers the estates where it has been appointed as executor. Some estates may not require formal administration but still require work to be undertaken in order that assets may be registered in the survivor or beneficiaries' name.

Data for this indicator is sourced from the Registry of births, deaths and marriages and the Public Trustee's Management Accounting and Trust Environment (MATE) system.

**What does this indicator show?** No significant variation.



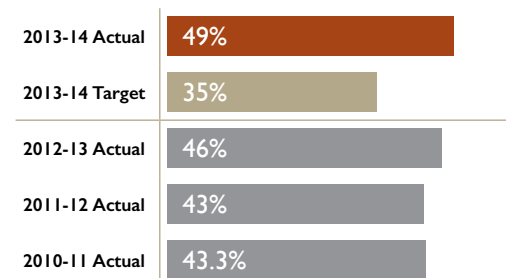
### Percentage of clients who have services provided by the Public Trustee under an operating subsidy

**What does this indicator measure?** In addition to providing affordable services thereby making trustee services more accessible, the Public Trustee provides services free of charge, or at a reduced cost, to clients who cannot afford them. This further increases the accessibility of trustee services by ensuring that all Western Australians have access to trustee services.

The indicator represents the proportion of services provided free of charge or at a reduced cost under the Public Trustee's community service.

**How is this indicator calculated?** This indicator measures the proportion of clients provided with services by the Public Trustee under the operating subsidy. The fees raised are rebated back to the clients who meet the minimum requirements under the operating subsidy. The indicator is calculated using the number of operating subsidy clients compared to the total trust clients administered.

**What does this indicator show?** The higher than target result is due to an increase in the number of appointments from the State Administrative Tribunal where the Public Trustee provides services at a subsidised cost or no cost to vulnerable persons.



## Service 2: Advocacy, guardianship and administration services

This service is delivered by the Public Advocate.

Advocacy, guardianship and administration services protect and promote the financial interests and welfare of people with decision-making disabilities by providing:

- access to investigation and advocacy services;
- appropriate appointment of guardians and administrators and appropriate interventions in relation to Enduring Powers of Attorney and Enduring Powers of Guardianship;

- guardianship and administration community education services; and

- guardianship and administration services provided by the Public Advocate.

The following efficiency indicator measures the cost of delivering the service.

### Key Efficiency Indicators

#### Average cost of providing advocacy and guardianship services

**What does this indicator measure?** This indicator measures the average cost per case of providing advocacy and guardianship services on behalf of people with decision-making disabilities.

**How is this indicator calculated?** This indicator is calculated by dividing the total cost of providing advocacy, guardianship and administration services by the number of advocacy and guardianship services provided. The information for this indicator is extracted from Department's activity based cost management system (Business Objects) and the Public Advocate Case Management System (PACMAN).

**What does this indicator show?** No significant variation.

2013-14 Actual	\$1,820
2013-14 Target	\$1,720
2012-13 Actual	\$1,776
2011-12 Actual	\$1,744
2010-11 Actual	\$1,610

## Service 3: Trustee Services

This service is delivered by the Public Trustee.

The Public Trustee is a statutory authority within the provisions of the *Financial Management Act 2006*. It provides a funds management and investment service and acts as trustee or financial administrator pursuant to the orders of courts or tribunals. It also administers the estates of people who die with or without a will, in accordance with

the terms of the will or the relevant law and under the authority of the Supreme Court. The Public Trustee offers high quality, personalised trustee services to meet the needs of all sectors of the Western Australian community.

The following efficiency indicators measure the cost of delivering the service.

### Key Efficiency Indicators

#### Average cost per deceased estate administered

**What does this indicator measure?** This indicator measures the average cost per deceased estate administered. It is calculated by dividing the full cost of the deceased estate service by the number of estates for the year.

**How is this indicator calculated?** This indicator is calculated by dividing the total cost of administration services by the number of deceased estates administered during the year. The total number of deceased estates administered is held in the Public Trustee's internal information system and the total cost of administration services is derived from the Department's activity based cost management system (Business Objects).

**What does this indicator show?** No significant variation.

2013-14 Actual	\$2,898
2013-14 Target	\$2,758
2012-13 Actual	\$2,810
2011-12 Actual	\$2,920
2010-11 Actual	\$2,458

## Disclosures and Legal Compliance - Key Performance Indicators

### Average cost per trust managed

**What does this indicator measure?** This indicator measures the average cost of managing a trust. It is calculated by dividing the full cost of providing trust management services by the number of trusts under management.

**How is this indicator calculated?** This indicator is calculated by dividing the total cost to manage trusts by the number of trusts under management during the year. The number of trusts under management is held in Public Trustee's internal information system and the total cost of providing trust management services is derived from the Department's activity based cost management system (Business Objects).

**What does this indicator show?** No significant variation.

2013-14 Actual	\$1,983
2013-14 Target	\$2,038
2012-13 Actual	\$1,998
2011-12 Actual	\$2,008
2010-11 Actual	\$1,788

### Average cost per will prepared

**What does this indicator measure?** This indicator measures the average cost per will prepared. It is calculated by dividing the full cost of the wills service by the number of wills prepared for the year.

**How is this indicator calculated?** This indicator is calculated by dividing the total cost of preparing wills by the number of wills prepared during the year. The total number of wills prepared is held in Public Trustee's internal information system and the total cost of preparing wills is derived from the Department's activity based cost management system (Business Objects).

**What does this indicator show?** The higher than target result is due to a lower than expected numbers of Wills were prepared.

2013-14 Actual	\$825
2013-14 Target	\$580
2012-13 Actual	\$780
2011-12 Actual	\$715
2010-11 Actual	\$505

## Outcome 3: Western Australian birth, death and marriage certificates are accurate and accessible

The Department seeks to ensure eligible people are able to obtain accurate documentary proof of key life events and approved organisations can obtain accurate information for research, statistical and planning purposes in a timely manner.

This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

The following effectiveness indicators show the extent to which the Department, through the activities of the Registry of Births, Deaths and Marriages, has achieved this outcome.

The indicators measure the accuracy and accessibility of certificates of birth, death and marriage to all Western Australians.

### Key Effectiveness Indicators

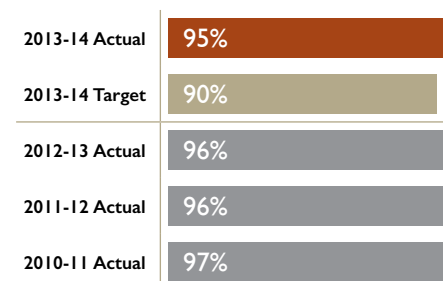
#### Percentage of certificates of birth, death or marriage issued within two days

**What does this indicator measure?** The growing need for people to access certificates for identification in a timely manner means that time taken to obtain a certificate of birth death or marriage is a major determiner of accessibility. This indicator measures the extent to which certificates of birth, death and marriage are issued in a timely manner. This directly measures the extent to which the agency level outcome has been achieved.

**How is this indicator calculated?** The Western Australian Registration System (WARS) keeps track of the date customers request certificates and the date the certificates are issued. For the purposes of this KPI issued means printed.

The KPI result is calculated by dividing the number of certified certificates issued within two days by the total number of certified certificates issued with the result expressed as a percentage. The WARS management report "Service Requested and Delivery Times" is used to provide the output for the KPI.

**What does this indicator show?** No significant variation.



## Disclosures and Legal Compliance - Key Performance Indicators

### Extent to which births, deaths and marriages source information is recorded error free

**What does this indicator measure?** This indicator measures the percentage of new registrations accurately recorded by the registry, excluding incorrect source information provided by customers.

**How is this indicator calculated?** This indicator is a Key Performance Indicator because the registry is the creator and custodian of vital records and the public must have confidence that records are accurate and reliable.

The number of registry errors in death registrations is used to calculate this indicator because immediate feedback is provided if an error is evident in the death certificate, which is always needed for estate settlement. Any errors made on birth or marriage certificates are not immediately detected, as these certificates may not be requested for many years after registration. As the processes for recording births, deaths and marriages are nearly identical; the number of errors in death registrations is considered representative of all three registration types.

The computerised Western Australian Registration System counts the number of death registrations corrected as a result of staff data entry errors and divides this count by the total number of deaths registered for the year. The result (i.e. erroneous registrations) is expressed as a percentage.

**What does this indicator show?** No significant variation.

2013-14 Actual	97%
2013-14 Target	97%
2012-13 Actual	97%
2011-12 Actual	98%
2010-11 Actual	98%

## Service 4: Births, Deaths and Marriages

This service is delivered by the Registry of Births, Deaths and Marriages.

The purpose of the Registry is to create and permanently store birth, death and marriage records to enable the public to obtain documentary proof of key life events for legal, personal and

historical purposes and also to enable approved organisations to obtain information for research, statistical and planning purposes.

The following efficiency indicator measures the cost of delivering the service.

### Key Efficiency Indicator

#### Average cost of registration services

**What does this indicator measure?** This indicator measures the unit cost of creating, amending and issuing information and storing records indefinitely.

**How is this indicator calculated?** The registry has maintained a database of birth, death and marriage records since it was established in 1841. These are either in paper registers, on microfilm or computer.

To obtain this measure, the total cost of registration services is divided by the total number of registration services provided, including records held in storage. The total cost of registration services is derived from the Department's activity based cost management system (Business Objects).

**What does this indicator show?** No significant variation.

2013-14 Actual	\$1.87
2013-14 Target	\$2.01
2012-13 Actual	\$1.99
2011-12 Actual	\$1.92
2010-11 Actual	\$1.82



## Outcome 4: Government receives quality, timely legal and legislative drafting services

The Department delivers services to Government to support justice outcomes and activities of other Government agencies.

This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

The following effectiveness indicators show the extent to which the Department, through the activities of the State Solicitors Office and the Parliamentary Counsel's Office, has achieved this outcome.

The indicators measure the satisfaction of recipients of legal services and the timeliness of drafting legislation.

### Key Effectiveness Indicator

#### Extent to which government departments are satisfied with the legal services

**What does this indicator measure?** This indicator measures client satisfaction with the quality of legal services provided by the State Solicitor's Office. It is measured through a client survey and targets Chief Executive Officers (CEOs) of Government departments and agencies. Details of areas to be canvassed are forwarded in advance to CEOs and are followed by an interview conducted by the State Solicitor.

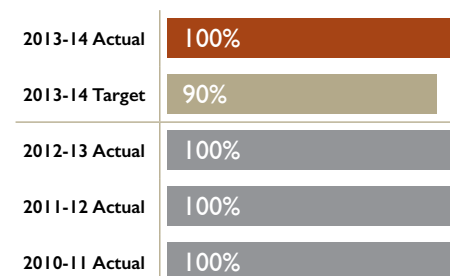
**How is this indicator calculated?** 24 client agencies were surveyed.

The number of agencies surveyed represents approximately 90% of the chargeable work of the State Solicitor's Office.

The criteria used to assess satisfaction with service included:

- the technical quality of work;
- the relevance of information provided to client's needs;
- the timeliness of information provided; and
- overall, the extent to which Government departments are satisfied with legal services.

**What does this indicator show?** The variation from the budget target is a result of the delivery of better than expected levels of client service in 2013-14, as rated by the State Solicitor's Office's clients.



### Extent to which legislation was drafted in a timely manner to effect the Government's legislative program

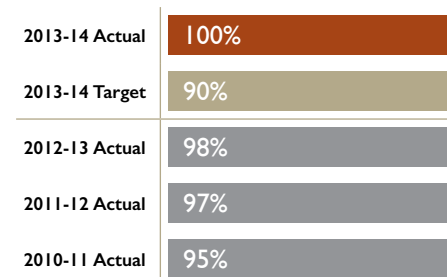
**What does this indicator measure?** This indicator measures whether the legislative program has been met by determining the extent to which the drafting of legislation that Cabinet has authorised to be prepared has been completed according to the priorities set by Cabinet.

**How is this indicator calculated?** The indicator represents the total number of Cabinet authorities of various priorities, for which legislation was completed by the relevant cut-off dates in a Parliamentary year. It is expressed as a percentage of the total number of Cabinet authorities to which the legislative program relates. The information is recorded in databases located within the Parliamentary Counsel's Office.

This calculation excludes matters which were not completed on time due to circumstances beyond the control of the Parliamentary Counsel's Office, such as:

- lack of action on the part of the instructing agency to progress a Bill; or
- deferral of a Bill by the instructing agency.

**What does this indicator show?** The better than target result is due to the Parliamentary Counsel's Office being able to satisfy its commitments to meet the Government's timeframes.



## Service 5: Services to Government

This service is delivered by the State Solicitor's Office and the Parliamentary Counsel's Office.

The State Solicitor's Office provides a broad-based legal service to Government and its agencies and the Parliamentary Counsel's Office provides comprehensive legislative drafting services and

access to up to date Western Australia legislation.

The following efficiency indicator measures the cost of delivering the service.

### Key Efficiency Indicators

#### Average cost per legal matter

**What does this indicator measure?** This indicator measures the average cost of a legal matter, which is defined as an initiating instruction received from a client in the reporting year, plus any other matter active during the reporting year and upon which some legal work was conducted. It also includes work in progress. The indicator is calculated by dividing the State Solicitor's Office total cost of service by the number of recorded matters.

**How is this indicator calculated?** This indicator measures the average cost of a legal matter, which is defined as an initiating instruction received from a client in the reporting year, plus any other matter active during the reporting year and upon which some legal work was conducted. It also includes work in progress.

The cost per matter is calculated by dividing the total cost of providing legal services by the number of matters dealt with during the financial year. Number of matters is extracted from the Time and Matter Costing System and the total cost of service is derived from the Department's activity based cost management system (Business Objects).

**What does this indicator show?** No significant variation.

2013-14 Actual	\$3,635
2013-14 Target	\$3,700
2012-13 Actual	\$3,462
2011-12 Actual	\$3,270
2010-11 Actual	\$3,388

## Disclosures and Legal Compliance - Key Performance Indicators

### Average cost per page of output

**What does this indicator measure?** This indicator is calculated by dividing the Parliamentary Counsel's Office total operating expenses, by the number of pages of bills, subsidiary legislation and reprinted texts produced each financial year.

**How is this indicator calculated?** The average cost per drafting service is calculated by dividing the total cost of the Parliamentary Counsel's Office by the number of pages of bills, subsidiary legislation and reprinted texts produced by the office each financial year. The information is recorded in Access databases located within the Parliamentary Counsel's Office. The total cost of service is derived from the Department's activity based cost management system (Business Objects).

**What does this indicator show?** The better than target cost per page of output is due to a higher than expected number of pages drafted.

2013-14 Actual	\$203
2013-14 Target	\$243
2012-13 Actual	\$229
2011-12 Actual	\$174
2010-11 Actual	\$189

# Other Financial Disclosures

## Ministerial Directives

No ministerial directives.

## Pricing Policy of Services

The pricing policy adopted across the Department conforms with Treasury guidelines.

## Court and Tribunal Services

Fees are collected for a variety of services across the court system, which range from the provision of civil court hearing time and enforcement of civil and criminal court orders to the provision of court transcripts. Broadly, the court system has adopted a policy of partial cost recovery, largely confined to the civil jurisdiction (with the exception of some criminal enforcement activities). In setting court fees, the Department aims to strike an appropriate balance between:

- access to justice
- incentives to settle
- user pays contributions.

In achieving this balance, a staged civil fee structure is used, where users of the court system make contributions towards the cost as they progress through the court system. This encourages parties to settle before taking a matter to the next stage. In this way, the pricing structure aims to regulate

demand and discourage frivolous use of the civil court system. This must be balanced against the need to ensure that access to justice is not compromised by making it prohibitively expensive.

A review of court fees is conducted each year to ensure they are achieving the appropriate balance between the above three criteria.

In 2013 a majority of Court fees were increased by 13.6% except for some existing fees where no increase was applied as 100 per cent of their costs are currently recouped. The increase was applied to offset a forecast drop in revenue in order to retain the existing revenue position with no additional funding sought from the Government. The rise was applied as an average increase across the jurisdictions consistent with the policy of "relative parity" which requires fees in the District Court to be lower than the Supreme Court, but higher than the Magistrates Court.

Court fees in operation during 2013/14 were published in the Government Gazette on 15 November 2013 and came into effect the next day.

## Registry of Births, Deaths and Marriages

The fees applied by the Registry of Births, Deaths and Marriages to its products and services are determined by reference to the Department of Treasury instructions on full cost recovery and

an annual review which takes into account the Consumer Price Index, the cost of providing services and like fees charged by other Australian registries. Fees and charges were not increased for 2013-14.

## Public Trustee

The Public Trustee collects fees for a variety of services. A new fee structure was put in place in 2009/10. This moved from a commission-based structure to a user pays system while recognising the Public Trustee's operating subsidy obligations as well as the client's ability to pay.

## State Solicitor's Office

The State Solicitor's Office charges client agencies for various legal services that are non-core in nature. These fees are based on hourly rate charges and are struck to reflect no more than cost recovery. The fees were increased by two per cent in 2013/14.

## Major Capital Works

### Major Capital Works (Projects valued over \$5 million) 2013/14

Works in Progress	Estimated Total Cost (\$'000)	Life to Date Expenditure (\$'000)	Remaining Expenditure (\$'000)	Estimated Year of Completion (\$'000)
Carnarvon Police and Justice Complex	52,500	27,835	24,665	2014
Kununurra Courthouse	41,800	28,873	12,927	2014
Kalgoorlie Courthouse	41,719	39,244	2,475	2014

## Employee and Industrial Relations

### Full-Time Equivalent Employee Numbers

The Department of the Attorney General had 1,565 full-time equivalent employees during the reporting period.

### Summary of Employee Numbers

Employees by Award / Occupational Grouping	2012/13					2013/14				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Catering Employees and Tea Attendants	3	0	3	3	0	2	0	2	100	0
Child Care Workers	1	0	1	1	0	1	0	1	100	0
Cleaners and Caretakers	11	0	11	11	0	11	1	12	91.7	8.3
Govt Officers (GOSAC/GOSGA Award)	80	48	128	62.5	37.5	80	52	132	60.6	39.4
Public Service Employees	1105	563	1668	66.25	33.75	1094	533	1627	67.7	32.3
State Review Board *	1	0	1	100	0	1	0	1	100	0
Salaries and Allowances Tribunals	5	14	19	26.32	73.68	7	13	20	35	65
State Administrative Tribunal	8	9	17	47.06	52.94	12	12	24	50	50
<b>Total</b>	<b>1,214</b>	<b>634</b>	<b>1,848</b>	<b>65.69</b>	<b>34.31</b>	<b>1,208</b>	<b>611</b>	<b>1,819</b>	<b>66.4</b>	<b>33.6</b>

The headcount figures in the Summary of Employee Numbers table are for those employees paid on the last pay date of the financial year, using an official Government definition known as the Workforce Analysis and Comparison Application.

\* State Review Board includes Prisoners Review Board, Supervised Release Board and the Mentally Impaired Accused Review Board.

### Breach of Human Resource Management Standards

A total of three claims were lodged with the Department during the 2013/14 reporting year. All three claims related to recruitment, selection and appointment. One claim was withdrawn in the agency, and the remaining two claims were dismissed at the Public Sector Commission.

### Act of Grace and Ex Gratia Payments

The Department from time to time processes Act of Grace and ex gratia payments on behalf of Government. There was no payment made in 2013-14. In addition, the Department paid six mesothelioma claims on behalf of Government that totalled \$930,421 in 2013-14.

### Governance Disclosures

#### Compliance with Sector Standards and Ethical Codes

The Department complied with the Public Sector Standards in Human Resource Management, the Code of Ethics and the Department's Code of Conduct.

The Code of Conduct outlines the ethical principles, obligations and standards applying to staff. It aims to instil the values of "respect, integrity, unity and diversity, justice and collaboration" in all staff. The code specifies standards of behaviour

and helps inform employees how to exercise judgement and accept personal responsibility in their professional roles.

Completion of a training program on ethics and accountability became mandatory for all employees in 2010/11. During this financial year more than 95 per cent of staff enrolled in training on ethical conduct and public sector standards, an online assessment course. This training informs and serves to remind staff of the importance placed upon ethical behaviour. Additionally, regular items on the Department's intranet news page provide examples, topical stories and links to other key sources of information in the field of corruption prevention.

#### Corruption Prevention

The Department emphasises effective corruption prevention. Training of the workforce about the potential for corruption is given priority and a range of practical measures support the vigilance. The 2011-2016 Fraud and Corruption Control Plan identifies key strategies, actions and responsibilities for managing fraud and corruption risks within the Department. The Plan is reinforced by policies on corruption prevention, gifts and conflict of interest in employment. The Department has quarterly reporting of the offer and acceptance of gifts, benefits and other rewards. During 2013/14 offers of 334 gifts, including hospitality, were registered, 237 gifts were accepted and most were under \$50 in value. A record is also maintained of staff registering conflicts of interest and secondary employment. In 2013/14 a total of 244 registrations were received and approved.

### Social Media Policy

During the year the Department introduced a social media policy. The purpose of this policy is to establish a clear set of guidelines for the use of social media by Department staff. The Policy reinforces the requirement that the behaviour of staff on social media continues to be bound by the Western Australian Public Sector Code of Ethics and the Department's Code of Conduct, even outside work hours.

The policy establishes that staff are not to:

- Disclose and discuss confidential information obtained in their capacity as a staff member of the Department
- Post material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, constitutes a contempt of court, breaches a court suppression order, or is otherwise unlawful
- Imply that they are authorised to speak as a representative of the Department or the State Government; nor give the impression that the views expressed are those of the Department or the State Government.

### Financial Interests

At the date of reporting, other than normal contracts of employment of service, no senior officers had any interests in existing or proposed contracts with the Department.

## Other Legal Requirements

### Advertising and Allied Expenditure

Expenditure on advertising, market research, polling and direct mail during 2013-14.

<b>Advertising Agencies</b>	<b>\$243,072</b>
Adcorp <sup>1</sup>	\$243,072
<b>Market Research Organisations</b>	<b>Nil</b>
<b>Media Advertising</b>	<b>\$61,947</b>
West Australian Newspapers	\$3,041
Carat Australia	\$58,906
<b>Direct Mail Organisations</b>	<b>Nil</b>
<b>Polling Organisations</b>	<b>Nil</b>
<b>Total</b>	<b>\$305,019</b>

<sup>1</sup> Corresponding expenditure in 2012-13 was \$255,926.

## Disability Access and Inclusion Planning

The Department's Disability Access and Inclusion Plan complies with the *Disability Services Act 1993* (WA) and ensures that professional and appropriate services are provided to customers with a disability, their carers and families.

During 2013/14 a range of achievements against the planned strategies occurred:

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

Ten initiatives were implemented under this outcome. Notable achievements include:

1. The Registry of Births, Deaths and Marriages and the Public Trustee updated their service standards to recognise they consider the needs of all their customers, including those with a disability.

2. The Department assessed their staff training venues and modes of delivery to ensure all staff including those with a disability can access training. Individualised modifications have been made as appropriate.

3. Several thousand clients attended events organised by the Department including WA Will Week and the Aboriginal Justice Program Open Days. These events were held in suitable venues considering the access requirements of the clientele attending. In some instances, clients were visited in their homes.

### Outcome 2: People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

Twelve initiatives have been implemented, to ensure buildings are accessible to the public wherever possible, and that access measures are added to new buildings. Significant achievements include:

1. A review of wheelchair access and hearing accessibility is being undertaken for all courts.
2. The Kalgoorlie Courthouse made access guidelines available to assist staff, judicial officers, witnesses, jurors and the public to access the court.
3. Signage standards for Department of the Attorney General buildings including courthouses have been developed to ensure accessibility and consistency for clients.

### Outcome 3: People with disability receive information for a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Ten initiatives have been implemented of which notable achievements include:

1. Many new and updated publications, for example, 'The Handbook and Services Guide', Kalgoorlie Courthouse Commemorative Booklet and 'In Session', have increased font sizes to enhance accessibility, according to the State Government Access Guidelines for Information, Services and Facilities.
2. The Office of the Public Advocate (OPA) updated 'The Guide on Enduring Power of Attorney' using plain English in both word and pdf formats. OPA has also transcribed three publications into audio files to enhance access for clients with vision impairments and/or print disability. These include the 'Guide to Enduring Power of Guardianship in Western Australia', new laws on Advance Health Directives and appointing



## Disclosures and Legal Compliance - Other Financial Disclosures

an enduring guardian and the 'Enduring Power of Attorney Information Kit'.

3. More than 65 per cent of the Department's external web pages have information in accessible formats and comply with web accessibility guidelines. Readspeaker, a web application to enable people with disability or those unable to read English to hear web content, is being enhanced to include publications online.

### **Outcome 4: People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.**

The Department implemented five initiatives under this outcome aimed at improving staff awareness of disability access issues. Achievements include:

1. The Public Trustee and Office of the Public Advocate conducted training for both customer service and general staff on the National Relay Service to assist customers who are deaf or have a speech or hearing impairment.

2. Volunteers trained to an excellent standard, reflected by a volunteer in the Public Advocate's Community Guardianship Program receiving the 'highly commended' award in the State Count Me In Awards.

3. The Public Trustee continues to offer for no additional fee, a Wills on Wheels service, whereby staff attend the home or hospital of clients with a disability or other incapacity.

### **Outcome 5: People with disabilities have the same opportunities as other people to make complaints to a public authority.**

Two strategies were planned and developed for this Outcome which raises staff awareness of customer rights to make complaints, and ensures the Department's complaints processes are compliant with access requirements.

The Department is conducting a comprehensive review of its existing complaint and feedback systems to ensure people with disability are fully able to access services and provide feedback.

### **Outcome 6: People with disability have the same opportunities as other people to participate in any public consultation by a public authority.**

Three initiatives were developed for this outcome during 2013/14. The Policy and Aboriginal Services Directorate Open Days and NAIDOC week fostered consultation with the community.

The Public Trustee conducted several consultations with the public in an accessible manner including a client satisfaction survey, and a perception study which was conducted at participant's homes to assist clients with access requirements.

### **Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.**

For the two planned strategies, six achievements were identified.

The Department's Disability Employment Strategy was approved for implementation and the Department recruited five people with disability as part of the Disability Employment Strategy. These staff members are completing a vocational qualification in Government whilst taking part in a twelve month traineeship.

Workplace modifications were also made to improve wheelchair access in and around work areas.

Strategic Human Resources updated the Disability Recruitment Information on the intranet to assist with the recruitment of staff with disability and to prevent unintentional discrimination against people with disability.

## **Compliance with Public Sector Standards and Ethical Codes**

The Department complied with the Public Sector Standards in Human Resource Management, the Code of Ethics and the Department's Code of Conduct.

The Code of Conduct outlines the ethical principles, obligations and standards applying to staff. It aims to instil the values of "respect, integrity,

## Disclosures and Legal Compliance - Other Financial Disclosures

unity and diversity, justice and collaboration” in all staff. The code specifies standards of behaviour and helps inform employees how to exercise judgement and accept personal responsibility in their professional roles.

In 2013/14 approximately 150 staff (more than 90 per cent) participated in awareness-raising on ethical conduct and public sector standards.

### Recordkeeping Plan

The Department continues to address the consolidated records projects to conform to all requirements as is required under the *State Records Act 2000*.

The Department’s Recordkeeping Plan (RKP) and Retention and Disposal Schedules (R&D) were reviewed, amended and submitted to the State Records Office as per legislative requirements and were approved. In addition, this department has formulated policies, standards, guidelines and communications to assist with the deployment of amended RKP and R&D.

To date, 98 per cent of employees have completed or are progressing through the Department’s online course for records awareness training (RAT), which addresses various aspects of records management. Regular communications are sent out to business area heads to encourage remaining staff to complete the course. In addition to the RAT course, the Department conducts scheduled and ad hoc face-to-face training. An additional course called Good Records Information Practices (GRIP) with a department specific focus, to assist staff with

the proper management and disposal of corporate records, is also available online.

The Department undertakes regular reviews of online records management courses, updating policy document links and refreshing question banks for course assessments. Regular reporting of staff who have undertaken the training are provided to line managers. Staff can also access “How to” Information sheets on the intranet.

The Department’s induction program includes an overview of record keeping roles and responsibilities. The course addresses the importance of capturing and managing business records. It also directs participants to structured training sessions that are available via the corporate training calendar.

### Substantive Equality

The Government’s substantive equality framework aims to identify and eliminate systemic racial discrimination where it may exist in the policies and practices of public sector services. It also promotes sensitivity to the different needs of client groups.

The Department has completed the first of the five levels of the framework. The five levels are:

- Commitment to implementing the Policy Framework
- Identifying clients and their needs
- Developing strategies to meet client needs
- Monitoring
- Review and Evaluation

In 2013/14, the Registry of Births, Deaths and Marriages birth registration service at the Department continued its commitment to a three year arrangement with the Equal Opportunity Commission and Monash University to conduct research into identifying and overcoming barriers to Aboriginal Australians obtaining a birth certificate.

The Department is also committed to building a diverse workforce to continue meeting the needs of the community it serves.

The Department’s Attraction and Selection Guide includes reference to the requirement to consider equity and diversity principles when recruiting staff.

The Corporate Induction program provides information to all new employees on the importance of adhering to equity and diversity principles.

All employees have access to cultural awareness raising training through the Public Sector Commission: Sharing Culture and the Office of Multicultural Interests: Diverse WA.

Traineeship programs for Aboriginal people and people with a disability are in place.

## OSH and Injury Management

### I. Statement of the agency’s commitment to OSH and injury management with an emphasis on Executive commitment.

The Department continues to drive its commitment to providing and maintaining a safe and healthy workplace for all workers. Through

continuous improvement processes to the Work Health and Safety Management System (WHSMS) the Department endeavours for all Departmental workplaces to be, as far as practicable, free of work-related harm.

The year marked further improvements to the Department's commitment to ensuring a safe workplace. Following the implementation of the new policy and procedures, the agency:

- built greater recognition of the role of the Workplace Health and Safety Representatives (HSR) and Committees
- developed a set of HWS statements within all Job Description Forms that reflect the legal obligations relevant to an officer's position within the Department
- prepared a draft WorkSafe Plan
- conducted HR Forums highlighting WHS obligations.

### **2. A description of the formal mechanism for consultation with employees on occupational safety & health matters.**

The Department continues to comply with the statutory framework for consultation on matters related to work health and safety (WHS). Consultation on WHS issues occurs through a range of informal and formal processes, including WHS Committees, increasing numbers of the Health and Safety Representative (HSR) in our network and ongoing training and HR Forums information sessions.

### **3. A statement of compliance with injury management requirements of the Workers' Compensation and Injury Management Act 1981 including the development of return to work plans.**

The Department is committed to providing high quality injury management services to all employees who sustain an injury or illness whilst at work. Provision of these services is not limited to the return of those employees injured during the course of their employment, but also to those returning to work following a significant non-work related injury or illness.

The Department undertakes a systematic injury management approach with the primary goal being to return the employee, as far as possible, to their pre-injury position and status. Early intervention is recognised as being critical during this process. Individual return to work programs are developed in consultation with the injured employee, their treating medical practitioners and line managers (wherever possible) and according to the Act. This process may also include identification of alternate duties where appropriate.

### **4. A statement confirming that an assessment of the OSH management system has been completed within the past five years or sooner depending on the risk profile of the agency, using a recognised assessment tool and reporting the percentage of agreed actions completed.**

In April 2013 an external compliance audit was undertaken using a recognised assessment tool AS/NZS4801:2001 - Occupational health and safety management systems. With the development of the Work Safe Plan all matters requiring attention identified under the audit have been addressed.

**5. A report of performance against the following targets:**

A report of performance against the following targets:

Measure	Actual Results		Target	Comments
	2011/12	2013/14	2013/14	
Number of fatalities	0	0	0	
Lost time injury and/or diseases incidence rate	1.11	0.376	0 or 10% reduction	An improvement 66% from 2011/12
Lost time injury and/or disease severity rate	47.05	28.57	0 or 10 % reduction	An improvement of 33% over the 2011/12 year
Percentage of injured workers returned to work (i) within (i) 13 weeks (ii) within 26 weeks	70% within 13 weeks 10% within 26 weeks	100% within 13 weeks	Greater than or equal to 80%	
Percentage of managers and supervisors trained in occupational safety, health and injury management responsibilities	96%	75%	Greater than or equal to 80%	

## Freedom of Information

The Department received 71 Freedom of Information (FOI) applications in 2013/14. A total of three applications from the previous period were also processed in the period.

During this time, 46 applications were completed and 23 transferred to other agencies. Eleven were withdrawn and five were in the process of being completed. In this period, there were no requests for external review by the Information Commissioner; however, two remain outstanding from the previous period. One review from the previous period was withdrawn by the applicant.

Two decisions were reviewed internally on request by the applicants with the initial decision varying on one occasion and being upheld on the other occasion.

### Summary of FOI applications for 2013/14

Applications Processed	
Personal information requests	37
Non-personal information requests	9
Amendment of personal information	0
Applications transferred in full	23
<b>Total</b>	<b>69</b>
Outcomes	
Applications completed	46
Applications withdrawn	11
Internal reviews completed	2
External reviews completed	1
Applications being processed	5

The Office of the Public Advocate, the Public Trustee and the State Administrative Tribunal are not listed as part of the Department in the Freedom of Information Regulations 1993 and compile separate FOI statistics.

## Customer Feedback Management System

The Department's Customer Feedback Management System (CFMS) records and tracks complaints, compliments and suggestions from customers. An online feedback form is available on the website and the Department issues brochures with a reply paid form attached and an outline of feedback processes. A brochure to capture feedback from children and young people was distributed in 2013. To date, no person under 18 years of age has been identified submitting feedback.

### Outcomes 2013/14

During 2013/14 the Department received 221 complaints, 98 compliments and 34 suggestions. Court and Tribunal Services received the most feedback, accounting for 47% of all feedback. More than 94% of feedback was answered within ten business days.

Many business improvements have been identified from the feedback received, including the need for more staff to answer calls at Fines Enforcement Registry. Additionally, the Registry of Births, Deaths and Marriages updated their website to include information customers were regularly requesting.

A full review of the Department's internal processes and procedures is being conducted

to ensure customers have equal access to make complaints and ensure the Department is meeting its complaint management requirements. This review will be complete by the end of 2014 with results reported in the 2014/15 annual report.

The Department continues to receive complaints regarding judicial decisions that are unable to be dealt with by Department staff according to the Public Sector Commission's Circular on complaint management. In these cases, clients are referred to the appropriate Head of Jurisdiction to submit their feedback.

# Acts Administered through the Department of the Attorney General

*Acts Amendment (Equality of Status) Act 2003*

*Acts Amendment and Repeal (Courts and Legal Practice) Act 2003*

*Administration Act 1903*

*Age of Majority Act 1972*

*Anglican Church of Australia (Diocesan Trustees) Act 1888*

*Anglican Church of Australia (Diocese of North West Australia) Act 1961*

*Anglican Church of Australia (Swanleigh land and endowments) Act 1979*

*Anglican Church of Australia Act 1976*

*Anglican Church of Australia Constitution Act 1960*

*Anglican Church of Australia Lands Act 1914*

*Artificial Conception Act 1985*

*Australia Acts (Request) Act 1985*

*Bail Act 1982*

*Bail Amendment Act 2008*

*Baptist Union of Western Australia Lands Act 1941*

*Bills of Exchange (day for payment) (1836) (Imp)*

*Bills of exchange (non-payment) (1832) (Imp)*

*Births, Deaths and Marriages Registration Act 1998*

*Charitable Trusts Act 1962*

*Child Support (Adoption of Laws) Act 1990*

*Children's Court of Western Australia Act 1988*

*Choice of Law (Limitation Periods) Act 1994*

*Civil Judgments Enforcement Act 2004*

*Civil Liability Act 2002*

*Civil Procedure Act 1833 (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*

## Appendix I - Acts Administered through the Department of the Attorney General

*Corporations (Commonwealth Powers) Act 2001*  
*Corporations (Consequential Amendments) Act (No. 3) 2003*  
*Corporations (Taxing) Act 1990*  
*Corporations (Western Australia) Act 1990*  
*Courts and Tribunals (Electronic Processes Facilitation) Act 2013*  
*Crimes at Sea Act 2000*  
*Criminal Appeals Act 2004*  
*Criminal Code Act Compilation Act 1913*  
*Criminal Injuries Compensation Act 2003*  
*Criminal Investigation (Extra-territorial Offences) Act 1987*  
*Criminal Law (Mentally Impaired Accused) Act 1996*  
*Criminal Organisations Control Act 2012*  
*Criminal Procedure Act 2004*  
*Criminal Property Confiscation (Consequential Provisions) Act 2000*  
*Criminal Property Confiscation Act 2000*  
*Cross-border Justice Act 2008*  
*Crown Suits Act 1947*  
*Dangerous Sexual Offenders Act 2006 (except s. 18, 19A-19C, 21 & 32 & Pt. 2 Div. 3 & 5 & Pt. 5, which are administered by the Department of Corrective Services)*  
*Debts Recovery Act 1830 (Imp)*  
*Debts Recovery Act 1839 (Imp)*  
*Defamation Act 2005*  
*Deodands abolition (1846) (Imp)*  
*District Court of Western Australia Act 1969*  
*Domicile Act 1981*  
*Dower amendment (1833) (Imp)*  
*Electronic Transactions Act 2011*  
*Escheat (Procedure) Act 1940*  
*Escheat and forfeiture of real and personal property (1834) (Imp)*  
*Evidence Act 1906*  
*Executors Act 1830 (Imp)*  
*Factors (1823) (Imp)*  
*Factors (1825) (Imp)*  
*Factors (1842) (Imp)*  
*Factors Acts Amendment Act 1878*  
*Family Court (Orders of Registrars) Act 1997*  
*Family Court Act 1997*  
*Family Legislation Amendment Act 2006*  
*Family Provision Act 1972*  
*Fatal Accidents Act 1959*  
*Federal Courts (State Jurisdiction) Act 1999*  
*Financial Transaction Reports Act 1995*  
*Fines, Penalties and Infringement Notices Enforcement Act 1994*  
*Freemasons' Property Act 1956*  
*Gender Reassignment Act 2000*  
*Guardianship and Administration Act 1990*  
*Highways (Liability for Straying Animals) Act 1983*  
*Imperial Act Adopting Ordinance 1847*  
*Imperial Acts Adopting Act 1836*  
*Imperial Acts Adopting Act 1844*

## Appendix I - Acts Administered through the Department of the Attorney General

Imperial Acts Adopting Ordinance 1849  
Imperial Acts Adopting Ordinance 1867  
Infants' Property Act 1830 (Imp)  
Inheritance amendment (1833) (Imp)  
Interpretation Act 1984  
Judges' Retirement Act 1937  
Judgments Act 1839 (Imp)  
Judgments Act 1855 (Imp)  
Juries Act 1957  
Jurisdiction of Courts (Cross-vesting) Act 1987  
Justices of the Peace Act 2004  
Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947  
Law Reform (Miscellaneous Provisions) Act 1941  
Law Reform (Statute of Frauds) Act 1962  
Law Reporting Act 1981  
Law Society Public Purposes Trust Act 1985  
Legal Aid Commission Act 1976  
Legal Profession Act 2008  
Legal Representation of Infants Act 1977  
Limitation Act 1935  
Limitation Act 2005  
Magistrates Court (Civil Proceedings) Act 2004  
Magistrates Court Act 2004  
Marriage Act 1835 (Imp)  
Mercantile Law Amendment Act 1856 (Imp)  
Miscellaneous Repeals Act 1991  
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  
Perpetuation of Testimony Act 1842 (Imp)  
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 Health Department)



## **Appendix I** - Acts Administered through the Department of the Attorney General

*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 (Pt. 2 Div. 1, 3 & 4, Pt. 3, Pt. 4, Pt. 5 Div. 4, Pt. 9, s. 114, 115, 115A, 119 & 122, Sch. 1 & 2; remainder of Act administered by the Department of Corrective Services)*

*Sentencing (Consequential Provisions) Act 1995*

*Sentencing Act 1995 (except Pt. 3 Div. 3 & 5, Pt. 3A, 9, 10, 11 & 12 & Pt. 18 Div. 2, 3 & 4 which are principally administered by the Department of Corrective Services)*

*Sentencing Legislation Amendment and Repeal Act 2003*

*Service and Execution of Process (Harbours) Ordinance 1855*

*Solicitor-General Act 1969*

*Special Investigation (Coal Contract) Act 1994*

*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*

*Stock Jobbing (Application) Act 1969*

*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*