



# Annual Report 2014/15



# Department of the Attorney General

## Statement of Compliance

For the year ended 30 June 2015

**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 2015.

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

*Cheryl Gwilliam*

Cheryl Gwilliam

DIRECTOR GENERAL

DEPARTMENT OF THE ATTORNEY GENERAL

18 September 2015

**Cover photos (clockwise from top left)**

1. Official opening of the Kununurra Courthouse.
2. Kununurra Courthouse.
3. Open Day in Broome.
4. Conversion of paper records at the Registry of Births, Deaths and Marriages.

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# OVERVIEW OF THE AGENCY

## Executive Summary

Improvements in service delivery have been enabled by the development of courts infrastructure, use of technology and process improvements.

The Department has successfully managed a comprehensive capital works program comprising three new courthouses in regional Western Australia with a combined total budget of \$99.4 million.

The Kununurra Courthouse was officially opened on 26 October 2014 by the Premier of Western Australia, the Hon Colin Barnett MLA. The Courthouse became operational on 3 November 2014. This \$41.8 million project was completely funded by Royalties for Regions.

The Carnarvon Police and Justice Complex was officially opened on 14 April 2015 by Attorney General Hon Michael Mischin MLC and the Minister for Police, Hon Liza Harvey MLA. The complex became operational on 20 April 2015. The \$52.5 million complex has a police station, courthouse and community corrections offices.

Construction commenced on a \$5.1 million new courthouse adjacent and connected to the recently completed Fitzroy Crossing police station. The design has a Magistrates Courtroom and associated facilities for the public and the judiciary and is scheduled to be completed by September 2015.

Work has continued on the State Administrative Tribunal's new facilities consisting of five floors of hearing and mediation rooms, and six floors of office accommodation for judicial members and staff. The building is scheduled to open in July 2016.

The Department invested in technology replacing out-dated criminal case management systems critical to the operation of the courts and tribunals. The replacement of these criminal systems in all criminal courts creates the opportunity to make information used by courts and tribunals more efficient through the transfer of information across the whole justice system. Further process improvements for the State Administrative Tribunal along with the conversion of paper based records into digital format for the Registry of Births, Deaths and Marriages have resulted in more efficient service delivery.

The Registry of Births, Deaths and Marriages 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 which can be authenticated

through the Commonwealth Document Verification Service (DVS). During the year more than 246,000 Western Australian birth, death, marriage and change of name certificates were validated against information held by the Registry.

Significant work was also undertaken to improve victim safety and implement risk-focused reform in family and domestic violence policy, following the State Government's receipt of the Law Reform Commission of Western Australia's review of family and domestic violence laws and practice.

The Department has undertaken policy work on the comprehensive package of reforms announced by the Government in relation to efforts to tackle family violence. The reforms include an overhaul of the *Restraining Orders Act 1997*, including the introduction of a new category of specific Family Violence Restraining Orders.

Improved outcomes for victims will also come from the development of new arrangements for integrating the courts in family violence matters, with a new, integrated court listing model having been announced for the Magistrates Court of Western Australia. Under the new model, courts

will rearrange their case listings so that violence restraining order breaches and serious assault matters will be heard on one designated day a week to ensure that victim support and other specialists are available.

Sunday Court, at the Perth Police Centre in Northbridge, commenced on 6 July 2014. The Sunday Court deals with accused people held in custody at the Centre. This initiative has resulted in the lockup being largely cleared of persons in custody on Sunday. The Sunday Court also deals with accused people from regional police lockups and hospitals via video or audio link, again with the intent of allowing persons in custody access to a magistrate at the earliest opportunity.

An ageing population and an increasing number of people with mental illness are key factors driving demand for the Office of the Public Advocate's statutory services to vulnerable adults with a decision-making disability. Similarly, the Public Trustee continues to experience increased demand and complexity of trust management and estate administration services.

The Public Trustee's Give2Good Foundation launched by Her Excellency the Honourable Kerry Sanderson AO, Governor of Western Australia in December 2014, has already attracted both *inter vivos* donations and significant bequest pledges through Wills. Give2Good is an easy, secure, cost-effective and convenient vehicle which enables everyday Western Australians to make a lasting difference in their community during their lifetime and beyond.

The Department continued to target the over-representation of Aboriginal people in the criminal justice system. Some of the most common reasons for this over-representation are issues with motor vehicle drivers licensing and unpaid fines and infringements.

A key strategy to lower the rate of suspensions and unpaid fines is an initiative known as Open Days, which brings relevant government and nongovernment agencies face-to-face with local Aboriginal people in an accessible location.

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. During the year 40 Open Days were conducted in priority locations across Western Australia with more than 2,000 community members attending.

The State Solicitor's Office continued to provide broad-based legal services to the Government of Western Australia and many state government departments, instrumentalities and agencies. Parliamentary Counsel's Office also continued to provide comprehensive legislative drafting and related services to the Government and private members of Parliament. The Office completed the drafting and publishing of more than 400 pieces of subsidiary legislation.

The Department also guided the development of many new and amending pieces of legislation. These included the Criminal Code Amendment (Unlawful Possession) Bill 2014 which came into effect in August 2014. This Bill increases the penalty for the offence of possessing stolen or unlawfully obtained property to make it consistent with the penalties for stealing, set out in the Criminal Code.

The Director's Liability Reform Bill 2014 was introduced into the Legislative Council in February 2015. It aims to contribute to uniform State and Territory statutory provisions relating to the criminal liability of directors of companies.

The Department's Corporate Services Division continued its essential work supporting the Department's operations. Without this support it would not be possible for Departmental staff to continue to deliver a high standard of services to the community.

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

I would also like to thank management and staff for their significant contribution in delivering high quality and accessible justice services to the State Government and the community.

*Cheryl Gwilliam*

Cheryl Gwilliam  
DIRECTOR GENERAL  
DEPARTMENT OF THE ATTORNEY GENERAL

## Acts Administered

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

## Operating Locations

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

The Department provides court and tribunal services through 13 metropolitan and 22 regional locations throughout Western Australia.



# 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

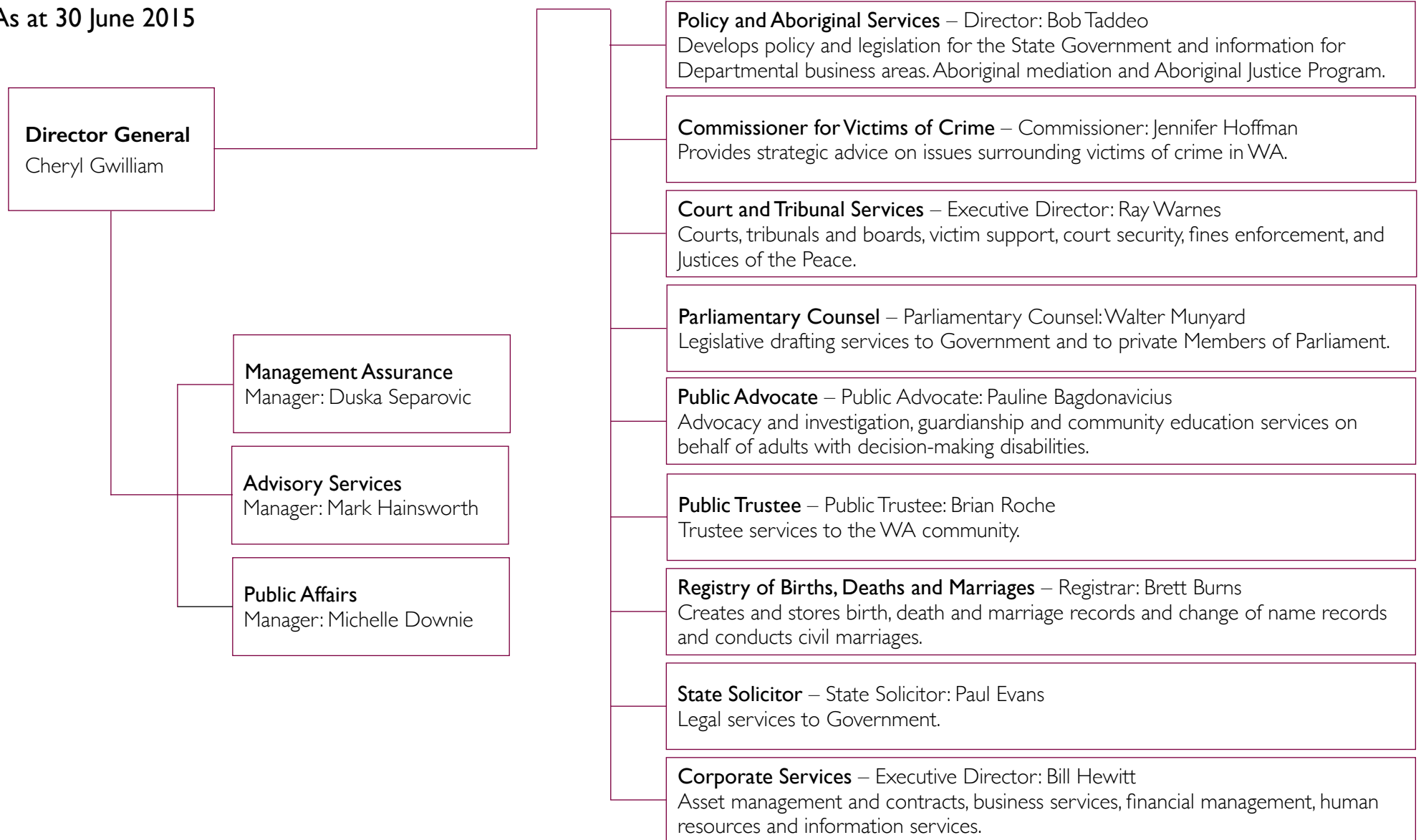
Providing strategic policy analysis and advice to Government on key reforms in the justice system.

### 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 2015





# Operational Highlights 2014/15

<p><b>Finalised 2,836 civil cases and 273 criminal cases.</b></p> <p>- Supreme Court</p>	<p><b>The median time to finalise matters was 13 weeks, below the budget target timeframe of 15 weeks.</b></p> <p>- State Administrative Tribunal</p>	<p><b>Served more than 41,900 customers in person at the Perth Registry office, an average of 3,491 customers per month.</b></p> <p>- Registry of Births, Deaths and Marriages</p>	<p><b>Construction of the \$52.5 million Carnarvon Police and Justice Complex was completed on time and within the budget.</b></p> <p>- Asset Management</p>
<p><b>The median time to trial was 31 weeks, below the budget target of 32 weeks.</b></p> <p>- District Court</p>	<p><b>There were 898 referrals to the Child Witness Service in 2014/15.</b></p> <p>- Child Witness Service</p>	<p><b>40 Open Days were conducted in priority locations across Western Australia with more than 2000 community members attending.</b></p> <p>- Aboriginal Justice Program</p>	<p><b>Video-conference facilities, which link prisons and courts, were used to make 18,885 video conference calls, totaling 3,004 hours of court hearing time.</b></p> <p>- Courts Technology</p>
<p><b>From 6 July 2014, 1,459 accused persons have appeared before the Court.</b></p> <p>- Sunday Court</p>	<p><b>Provided counselling and support services to 7,552 victims of crime across the State.</b></p> <p>- Victim Support Service</p>	<p><b>Completed the drafting and publishing of more than 400 pieces of subsidiary legislation.</b></p> <p>- Parliamentary Counsel's Office</p>	<p><b>1,344 offenders throughout the State gained access to a diversion program.</b></p> <p>- Perth Drug Court and Diversion Programs</p>
<p><b>Dealt with 2,192 reportable deaths, in addition to 908 death certificates, and finalised a total of 2,021 matters.</b></p> <p>- Coroner's Court</p>	<p><b>Collected \$111.3 million, an increase of some 12 per cent on the previous financial year.</b></p> <p>- Fines Enforcement Registry</p>	<p><b>Worked with the Western Australia Police on a 'Victim Information Card' trial and developed a series of practical 'self-help' information videos for victims of crime.</b></p> <p>- Office of the Commissioner for Victims of Crime</p>	<p><b>Responded to 3,250 requests for advice.</b></p> <p>- State Solicitor's Office</p>
<p><b>The Department employed a number of trainees through Public Sector Commission traineeship programs. Aboriginal Traineeship Program: 8. People With a Disability: 5. School Based Trainees: 4 (including 3 African-Australian Trainees).</b></p> <p>- Human Resources</p>	<p><b>Undertook 1,445 investigations into the personal or financial welfare of adults with a decision-making disability, an increase of 20 per cent from the previous year.</b></p> <p>- Office of the Public Advocate</p>	<p><b>In December 2014 the Give2Good Foundation was launched by Her Excellency the Honourable Kerry Sanderson AO, Governor of Western Australia.</b></p> <p>- The Public Trustee</p>	<p><b>Converted a further 224,000 historic records. Since 2009 more than 1.8 million records have been converted, dating back to 1841 when records of life events were first kept in Western Australia.</b></p> <p>- Registry of Births, Deaths and Marriages</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

Department of the Attorney General 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

There were no changes to the Department's Outcome Based Management framework for 2014/15.

# AGENCY PERFORMANCE

## Financial Summary

Services	Original Budget 2014-15 \$000	Revised Budget 2014-15 \$000	Actual Expenditure 2014-15 \$000
1. Court and Tribunal services	379,131	376,275	366,498
2. Advocacy, Guardianship and Administration services	6,196	6,300	6,360
3. Trustee Services	22,315	22,300	23,969
4. Births, Deaths and Marriages	7,487	7,304	7,557
5. Services to Government	82,335	91,595	96,841
6. Legal Aid Assistance	38,369	39,219	39,219
<b>Total Cost of Services</b>	<b>535,833</b>	<b>542,993</b>	<b>540,444</b>

## Financial Targets

	Original Target 2014-15 \$000	Revised Target 2014-15 \$000	Actual 2014-15 \$000	Variation from Original Target	Comment
Total Cost of Services (expense limit) (sourced from Statement of Comprehensive Income)	535,833	542,993	540,444	0.9%	The increase in total cost was mainly due to higher accommodation expenses associated with the relocation of the State Administrative Tribunal. The budget target was amended during the year and the Department's expenditure at 30 June 2015 was under this revised budget target.
Net Cost of Services (sourced from Statement of Comprehensive Income)	395,076	398,619	400,967	1.5%	The target variance was mainly due to increases in the cost of services and the transfer of the old Kalgoorlie courthouse.
Total Equity (sourced from Statement of Financial Position)	608,308	-	571,734	-6%	The decrease was mainly due to the transfer of the Carnarvon Police and Justice Complex and the transfer of the proceeds from the sale of the old Kalgoorlie courthouse.
Net Increase/(Decrease) in Cash Held (sourced from Cash Flow Statement)	(6,519)	-	(18,691)	187%	The decrease in cash was mainly a result of lower receipts from the Royalties for Region fund and higher accommodation payments.

# Key Performance Indicators

The key performance indicator (KPI) results showed the Department continued to work towards achieving the KPI targets set in the 2014-15 budget statements.

Improvement continued in the State Administrative Tribunal where active case management delivered consistently better than target performance during the last four years.

The time to finalise a matter was 13 weeks, two weeks better than the target.

The median time to trial for criminal matters in the District Court is one week better than the budget target of 32 weeks.

Median time to trial (criminal and civil) in the Magistrates Court was 20 weeks, one week above the budget target of 19 weeks.

In the Supreme Court, median time to trial for criminal matters was 33 weeks, which is above the target of 28 weeks.

The percentage of fines and costs satisfied within 12 months of referral to the Fines Enforcement Registry was better than target by four per cent.

Similarly, the percentage of infringements satisfied within the same period was also better than target by two per cent.

These positive outcomes demonstrated that appropriate systems, procedures and resources are in place to enforce fines, costs and infringement penalties in a timely manner.

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 in the timeliness of the delivery of certificates.

More than 101,605 certificates were issued during the year and 96,631 or 95 per cent were issued within two days.

This is five per cent better than the target.

Twenty-four government agencies participated in a survey on the delivery of services by the State Solicitor's Office and the responses showed a 100 per cent satisfaction rating.

The Parliamentary Counsel's Office 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 budget 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 the most serious criminal charges such as murder, armed robbery, arson and breaches of Commonwealth drug enforcement laws and civil cases involving complex issues or significant matters.

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 2014/15

During the year in review, the Supreme Court continued to experience high demand for criminal trial time.

This is reflected in the number of criminal trials conducted which increased from 53 in 2013/14 to 82 this year.

In October 2014 the Government appointed a Supreme Court Judge in advance of a scheduled retirement of a judge to assist with the increase in criminal trials.

The median time to criminal trial increased from 29 weeks in 2013/14 to 33 weeks during 2014/15, which is above the budgeted target of 28 weeks.

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

- finalised 2,836 civil cases and 273 criminal cases
- issued 7,145 grants of Probate which enables deceased estates to be finalised
- conducted 82 criminal trials and 71 civil trials
- heard 4,502 judicial appointments for case management and interlocutory orders in civil matters
- conducted 578 mediations in civil cases
- finalised 324 criminal appeals and 168 civil appeals
- managed 305 accused cases in the Stirling Gardens Magistrates Court to committal.



Supreme Court of Western Australia.

## Family Court of Western Australia

The Family Court of Western Australia (FCWA) 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.

### Outcomes 2014/15

Positive trends have been seen in the Court's key timeliness indicators this year. The median time to non-trial finalisation reduced 13 weeks to 44 weeks (against a target timeframe of 27 weeks). The time to trial, in particular, benefitted from the dedication of two magistrates to trial work for the full year. This was further aided by the Government's approval to appoint a temporary magistrate from March to December 2015, allowing the allocation of a third magistrate to trials for that duration. During the financial year:

- 2,858 initiating applications for final order were lodged with the Court, an increase of 4.2 per cent from the previous financial year, and a corresponding 2,550 initiating applications for final order were finalised.

## District Court

The District Court hears serious criminal offences, excluding those with a maximum term of life imprisonment. The court exercises a significant civil jurisdiction. It hears and determines commercial and debt recovery matters involving claims up to \$750,000 while exercising unlimited jurisdiction in claims for damages for personal injuries and exclusive jurisdiction for damages claims for injury sustained in motor vehicle accidents. The court also has a civil appeal jurisdiction.

### Outcomes 2014/15

The median time to trial in the District Court was 31 weeks, below the budget target of 32 weeks.

During the year, improvements in technology provided the opportunity to enhance justice equality in the regions through the implementation of running transcripts for all criminal trials in Kununurra, Albany, Bunbury, Geraldton and Broome.

Ninety-two per cent of all cases were finalised within the budget target timeframe of 52 weeks. Key workload trends during the year compared to 2013/14 results are:

- 2,458 criminal cases lodged, an 18.7 per cent increase<sup>1</sup>
- 1,873 criminal cases finalised, a 2.2 per cent increase
- 1,271 criminal cases on hand, a 20.6 per cent increase

- 5,077 civil case lodgments received, a 6 per cent increase
- 4,891 civil cases finalised, a 4.4 per cent increase
- 4,117 civil cases on hand, a 2.7 per cent increase.



District Court Building.

<sup>1</sup> Please note that due to data quality issues in criminal counting rules (related to merging of files and transfer of charges between indictments), there is an overstatement of criminal lodgments for the 2014/15 reporting period. Work is underway to rectify this issue. The data will be updated in the Department's Annual Report 2015/16.

## Magistrates Court

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

The Magistrates Court operates in more than 75 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 Magistrates Court also deals with civil matters for claims up to \$75,000, as well as restraining orders and extraordinary drivers' licence applications.

### Outcomes 2014/15

During 2014/15, the Magistrates Court had more than 99,000 criminal case lodgments, an 11 per cent increase from 2013/14. This increase was driven primarily by increases in lodgments of illicit drug and traffic offences.

The Magistrates Court also experienced less than a one per cent reduction in civil case lodgments from 2013/14. This decrease was driven primarily by fewer lodgments of applications for extraordinary drivers' licences and general procedure claims.

The median time to trial for criminal and civil trials in the Magistrates Court was 20 weeks, above the budget target of 19 weeks.

## Mental Health Court (Start and Links Courts)

The Start Court commenced on 18 March 2013. This pilot program is the first mental health court diversion program in Western Australia. The 2015/16 State budget process saw the extension of the pilot phase of the adult and children's programs extended for an additional year at a total cost of \$4.6 million.

The Mental Health Diversion and Support Pilot Project is a joint initiative between the Mental Health Commission and the Department. The project involves dedicated and trained staff from multiple agencies including Legal Aid Western Australia, the Western Australia Police, the Department of Corrective Services and the Department of Health. Outcare, a non-government organisation, also provides services to the Start Court.

The initiative operates out of the Magistrates Court at Perth 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.

The juvenile component of this program operates at the Perth Children's Court.

## Sunday Court

Sunday Court, at the Perth Police Centre, commenced on 6 July 2014. The Sunday Court deals with accused people held in custody at the Centre. This has resulted in the Centre being largely cleared of persons in custody on Sunday.

The Sunday Court also deals with accused people from regional police lockups and hospitals via video or audio link, again allowing persons in custody access to a magistrate at the earliest opportunity.

### Outcomes 2014/15

From 6 July 2014 until 30 June 2015, 1,459 accused persons appeared before the Sunday Court.

Court lists for Mondays have fallen significantly as a result of the implementation of the Sunday Court. For example, between 28 April and 26 May in 2014, there were on average, 99 cases listed for Monday at the Central Law Courts, while this year between 20 April and 25 May, there were only 62 cases on average, a decrease of almost 40 per cent.

During the past year, 15 Sunday Court matters have been dealt with on a trial basis via video-link to Western Australia Police stations in areas such as Newman, Warakurna and Warburton.

## Perth Drug Court and Diversion Programs

The Perth Drug Court diverts serious offenders who have 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 also 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. 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.

Since 2013, offenders in the broader metropolitan area who experience alcohol-related problems are now also able to access these programs. In response to the increasingly complex needs of offenders, the Diversion Programs are also available within other case management regimes including the Family Violence Courts and the Start Court.

### Outcomes 2014/15

During 2014/15, 267 offenders were adjourned for extended assessment for inclusion in the Perth Adult Drug Court and 40 were granted access to the program.

One thousand three hundred and forty four offenders throughout the State gained access to a diversion program.

## Family Violence Court

On 24 June 2015 the Hon Michael Mischin MLC, Attorney General of Western Australia, announced that Western Australian courts will provide more support to family violence victims under a new model (to operate from 1 July 2015) of dealing with restraining orders and serious assaults which occur in a family setting.

Under the new model, courts will rearrange their case listings so that violence restraining order breaches and serious assault matters will be heard on one designated day a week to ensure that victim support and other specialists are available. The new model will initially be rolled out at six metropolitan locations of the existing Family Violence Court sites, as well as the Barndimalgu Court in Geraldton, before being rolled out across all Magistrates courts over time.

## 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), provides 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.

This service has recently been supported by the Street Connect program and the Drug Court has convened on the Street Connect Bus.



### Outcomes 2014/15

- Finalisations of criminal cases declined slightly, with 6,593 finalisations in 2013/14 to 6,406 in 2014/15.
- Civil lodgments declined by 20 per cent from 2,622 in 2013/14 to 2,084 in 2014/15.
- The Links Clinical Assessment Team has provided advice, assessment or assistance in 310 cases during 2014/15.

## Coroner's Court

The coronial system investigates more than 2,000 cases each year where a death arises from apparent unnatural causes or when the cause of death is unknown.

The role of the Coroner is to ensure deaths reported to the Coroner are investigated and, where appropriate, an inquest is held. The hearing is usually open to the public.

During an inquest, witnesses are called to give evidence to enable the Coroner to determine a cause of death.

### Outcomes 2014/15

During the year the Coroner's Court Legislative Project was significantly progressed as part of a three-year reform strategy. This project addresses a significant proportion of the recommendations of the Law Reform Commission of WA Report – Review of Coronial Practice in Western Australia, the Strategic Review of the Office of the State

Coroner and section 57 Review of the operations of the *Coroners Act 1996* (WA). Resulting actions will include amendments to the *Coroners Act 1996*, amendments to the *Coroners Regulations 1997* and creating Coroner's Court rules.

The Coroner's Office continued to focus on a backlog of cases. As at 30 June 2015 there had been a reduction in backlog cases from a record high of 938 in September 2011, to 355 cases. About 68 per cent of the backlog cases were waiting on external agencies to supply information before a coroner can make a determination on the matters.

In 2014/15 the court dealt with 2,192 reportable deaths, in addition to 908 death certificates, and finalised a total of 2,021 matters. Overall, the number of reportable deaths continued to increase in line with Western Australia's population growth.

The Coroner's Court sat for 125 days in 2014/15 and finalised 46 inquest cases.

## Tribunal

### State Administrative Tribunal

The 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 2014/15

The median time to finalise matters was 13 weeks, two weeks below the budget target of 15 weeks.

The Tribunal received 8,384 applications in 2014/15, an increase of 8 per cent on 2013/14.

Key application trends included:

- An eight per cent increase in guardianship and administration applications, with 5,545 applications compared with 5,150 in the previous year. This accounted for 66 per cent of the applications received by the Tribunal.
- A 14 per cent increase in commercial and civil applications, largely the result of a 11 per cent increase in Commercial Tenancy matters, which represented an increase of 147 applications from the previous year. There was also a significant increase of 33 per cent in applications under the building complaints jurisdiction. This represented an increase of 62 applications from the previous year.
- A seven per cent decrease in development and resource applications due to amendment of the *Planning and Development Act 2005* and *Local Government Act 1995*.
- A 12 per cent increase in vocational regulation applications.

The Tribunal finalised 8,165 matters during the 2014/15 year compared to 7,559 for the previous year.

In response to increasing lodgments, the previous arrangement of fulltime members being listed

to specialise in certain matters ("Streams") was abolished.

New listing practices were introduced allowing all fulltime members to be listed to hear the full range of matters across the Tribunal's jurisdiction. This enables greater flexibility and efficiency in the allocation of work across the Tribunal.

During the year judicial officers and staff were also involved in preparations for the relocation to new premises at 565 Hay Street, Perth, which commenced operations on 20 July 2015.

The new premises will cater for the continued growth of the Tribunal's work well into the future and will provide improved facilities for its users.

## Boards

The Department 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.

### 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 Board continued to use the opportunities presented to it through the implementation of fully electronic file processes.

The use of technology continues to be a focus of the Board as it seeks to continually refine the administrative support provided to the Chairperson and Members.

During the year the Prisoners Review Board held 540 meetings and considered 5,907 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 1,122 orders to release offenders on parole. This represents an increase from the previous financial year of 0.5 per cent. Parole was denied on 2,038 occasions in 2014/15, which represents a 4.9 per cent decrease from the previous financial year.

Parole was suspended or cancelled on 369 occasions which represents a 25.6 per cent decrease on figures from the last financial year.

In March 2015 His Hon Judge Robert Cock QC was reappointed for a three-year term as the Chairperson of the Board.

### Mentally Impaired Accused Review Board

The Mentally Impaired Accused Review Board is concerned with people found not guilty of a crime due to unsoundness of mind and those found to be mentally unfit to stand trial.

In 2014/15 the Board held 19 meetings and considered 133 matters, representing a decrease of 4.3 per cent from the last financial year.

Pursuant to section 33 of the *Criminal Law (Mentally Impaired Accused) Act 1996* (WA), the Board is required to provide the Minister with a written report about an accused at least once in every year. In 2014/15, the Board prepared 45 statutory reports for 40 accused.

In March 2015 His Hon Judge Robert Cock QC was reappointed for a three-year term as the Chairperson of the Board.

The Board has been preparing for the introduction of the "Declared Place" after the proclamation of the *Declared Places (Mentally Impaired Accused) Act 2015* (WA).

The facility has been established by the Disability Services Commission for the detention and rehabilitation of mentally impaired accused who are managed by the Board.

### Supervised Release Review Board

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

During 2014/15 the Board held 70 meetings and considered 554 matters, representing a decrease of 2.8 per cent from the last financial year.

In December 2014 The Hon Justice Michael Murray QC was re-appointed for a three-year term as the Chairman of the Board.

## 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 accordance with the *Gender Reassignment Act 2000* (WA).

On 18 March 2015 the Gender Reassignment Amendment Bill 2015 was tabled in Parliament, with proposed amendments to abolish the Gender Reassignment Board and confer gender reassignment applications to the State Administrative Tribunal. In 2014/15 the Board received 18 applications, representing a 29 per cent increase from the last financial year.

## Criminal Injuries Compensation

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

### Outcomes 2014/15

The number of criminal injuries compensation applications accepted this year increased from 2,342 in 2013/14 to 2,765 in 2014/15, an increase of 18 per cent.

Finalisations increased by seven per cent on last year but did not keep pace with the number of new applications received.

In 2014/15 a total of \$33.1 million was awarded to 1,789 victims of crime. To assist in compensating the State for this cost, a total of \$1.7 million was recovered from offenders, a decrease of 1.5 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.

### Outcomes 2014/15

This year the Department continued to increase training opportunities for the State's 2,894 JPs. In particular, training was targeted at the 288 JPs who are eligible and make themselves available for judicial duties.

In 2014/15 the Department established the JP Training Newsletter with the aim of providing JPs with timely information about training opportunities and information relevant to their role as a JP in the community.

A total of 67 training seminars/workshops/online modules were conducted in the year which included five in the metropolitan area, 36 in regional locations and 21 online modules. A total of 479 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 Australia.

### Victim Support Service

The Victim Support Service (VSS) provides a range of specialist services to victims of crime to assist in their interaction with the criminal justice system and to help them in their recovery from trauma.

These services can be accessed by telephone, face-to-face or email. A range of court-based information and support services to assist victims attending court is also available, together with assistance to prepare Victim Impact Statements.

The VSS also provides the prosecution agency with Assessment Reports to support applications to the court for vulnerable witnesses to provide their evidence via CCTV.

The VSS delivers services to regional WA through 13 service locations within regional courthouses from Kununurra to Esperance.

### Outcomes 2014/15

Victims of crime have continued to benefit from the expansion of the VSS in regional areas that commenced in 2013/14. In 2014/15 the VSS provided counselling and support services to 7,552 victims of crime across the State. This represents an increase of 13 per cent from the previous year. Of the 5,537 new clients assisted, 22 per cent (1,225) were people of Aboriginal descent.

During the year there continued to be a rise in the number of secondary victims of crime-related deaths referred to the Service. In total there were 338 referrals, an increase of 17 per cent, or 49 additional referrals, from the previous year.

The VSS re-evaluated their service delivery model and developed an alternative way of providing a more targeted service using the professional skill set of counsellors. This change in work practice has resulted in a more sustainable use of resources. The VSS continued to provide victim awareness training to all new recruits at the Western Australia Police Academy.

### 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 2014/15

During 2014/15, 3,321 victims of family and domestic violence received more than 25,000 services from the Family Violence Service. One thousand and twenty two people were from Aboriginal and culturally diverse backgrounds, representing about 31 per cent of all clients.

The FVS has continued to meet the demand from victims of family violence for court support, referral and safety planning. This is an issue across all Australian jurisdictions. The FVS staff provide a triage model for assessing needs to ensure those victims in high risk situations receive professional services in a timely way. The use of an appointment service for a number of clients has worked to help manage workloads.

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.

Satisfaction rates show that clients rate the service received very highly. The Family Violence Court evaluation report, published in December 2014, showed that FVS clients provided over 661 responses, with 971 comments and a 97 per cent positive rating for the services received.

The Service continued to provide training to Western Australia Police recruits to ensure professional knowledge is shared with the Academy. In addition, the Service received an award in

February 2015 from Curtin University School of Occupational Therapy and Social Work for Organisational Excellence in Social Work Student Fieldwork Supervision. The award reflects the commitment shown by the FVS staff towards student social workers.

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

### Outcomes 2014/15

There were 898 referrals in 2014/15, compared to the previous year of 837, a slight increase of seven per cent. The complexity of many cases has required more intensive case management than provided in previous years.

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 Western Australia 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 may provide the best evidence to the court.

The CWS will be presenting similar training at the International Victimology Symposium in July 2015.

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

These videos went live on the Victims of Crime website in April 2015. The CWS has also taken steps in reviewing their policy and procedures to ensure services are delivered in line with the principles of trauma-informed practise.

## Court Security

The role of the Court Risk Assessment Directorate is to ensure the safe and secure operation of the state's courts and tribunals by identifying and treating risks. The Directorate also has the lead role in co-ordinating security measures by service providers.

During the year a key priority included positively influencing the security arrangements at courts and tribunals in response to an escalation to the National Public Terrorism Alert classification.

The Directorate operates in conjunction with federal, state and private sector providers to mitigate risk within, and adjacent to, court precincts without impacting upon the judicial process.

The Directorate has also been instrumental in planning the architectural design and testing of the security framework at the Kununurra Courthouse and Carnarvon Police and Justice Complex to deliver an enhanced level of safety and security for all court users.

## Sheriff of Western Australia

Fines and civil enforcement services are provided by the Sheriff's Office of Western Australia which also co-ordinates the State's jury service to the courts. The Sheriff is also referred to as the Sheriff of the Supreme Court, Marshal of the Family Court and Marshal of the Federal Court of Australia. The position's authority is vested from a range of State and Federal legislation, each with a statutory responsibility to the courts.

### Outcomes 2014/15 (Civil)

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.

During the year the tender process for the provision of the 'Civil Enforcement, Fines Enforcement and Delivery of Driver Licence Notices' services was progressed.

The new contract is scheduled to be signed in late July 2015 with the new contractor commencing operations in November 2015.

## Jury Services

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

Jury Services assists community members, who have been selected for jury duty, in meeting their civic responsibilities. 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 Courts without compromising the quality of service to the community. A key strategy has been the implementation of uniform procedures to standardise the claim reimbursement process for loss of earnings.

Early indicators are that this new approach will provide a fair and consistent reimbursement platform.

## 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.

### Outcomes 2014/15

#### Fines Enforcement Registry (FER)

There have been two main legislative changes to the *Fines, Penalties and Infringement Notices Enforcement Act 1994* (FPINE) in recent years.

The first change, which came into operation on 21 August 2013 (Enhanced Enforcement Sanctions), provides the Sheriff with a wider range of enforcement sanctions, including wheel clamping, removal of licence plates, enhanced information sharing and the publication of debtor information on the Department's website.

The second change came into effect in November 2013 when the One Fines System came into operation and made the FER responsible for the management of the administration of all court fines from day one.

This is additional to the default enforcement process already undertaken by FER. These two changes have been a contributing factor in the increased collections by FER.

In the financial year 2013/14 FER collected \$99.68 million. This financial year FER has collected \$111.3 million, an increase of some 12 per cent on the previous financial year.

#### Criminal Enforcement Team

Criminal Enforcement in Western Australia consists of three areas:

- Criminal Enforcement Team.
- Regional Sheriff Community Development Officers.
- Contractors operating through the combined contract for the delivery of civil and criminal enforcement services.

The Criminal Enforcement Team continues to undertake multiple enforcement activities throughout the Perth Metropolitan and South West areas including immobilising vehicles through the use of wheel clamps, removing number plates and seizing and selling personal property to recover outstanding monies owed under Enforcement Warrants.

For the period 1 July 2014 to 30 June 2015:

- 261 wheel clamps have been applied
- 246 registration plates removed
- 4,130 calling cards left at premises
- 33 warning stickers applied
- 2,930 payment arrangements made
- 79 seizure actions performed
- 54 vehicle registrations detected through automatic number plate recognition technology.

The Sheriff's Community Development Officers continue to enforce outstanding warrants in regional and remote Western Australia.

These officers assist individuals in meeting their obligations of satisfying their matters through payment and community work in order to avoid imprisonment.

Sheriff's Officers also continue their efforts in educating the public on the fines enforcement process.

The current Criminal Enforcement Contract held by Baycorp (WA) Pty Ltd has performed successfully during the last financial year recovering \$10.3 million in outstanding fines and infringements compared to that of \$6.8 million for the previous financial year; an increase of approximately 51 per cent.

These initiatives benefit the wider community as the increase in consolidated revenue can be directed to other priority funding areas including education, health, and infrastructure.

# Advocacy, Guardianship 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 and promotes the human rights of adults with a decision-making disability.

These vulnerable members of the community may face the risk of exploitation, abuse and neglect.

The Office works to reduce these risks by providing services including:

- investigations into the need for guardianship and/or administration orders for adults with a decision-making disability
- guardian of last resort, that is the legal decision-maker for personal, lifestyle and treatment decisions, for adults with a decision-making disability
- information, advice and training regarding the guardianship and administration system and the documents adults can use to plan for their future decision-making, as a safeguard in the event they lose decision-making capacity.

### Outcomes 2014/15

In 2014/15, the Office of the Public Advocate's main objectives were to:

- meet the growing demand for advocacy and investigation services
- meet the growing demand for guardianship services
- deliver community education regarding the guardianship and administration system and the 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 2014/15 the Office of the Public Advocate:

- Undertook 1,445 investigations into the personal or financial welfare of adults with a decision-making disability, representing an increase of 20 per cent from the previous year. These included new matters and matters carried over from 2013/14.

- Was newly appointed as guardian of last resort for 423 people, compared to 340 in 2013/14, an increase of 24 per cent.
- Made personal, lifestyle and treatment decisions for a total of 2,154 people, compared to 1,865 people in the previous financial year.
- Was guardian for 1,383 people, compared to 1,218 people at 30 June 2014. This is an increase of 13 per cent, consistent with a 14 per cent increase in the previous financial year.
- Delivered a total of 41 community education seminars across the State, regarding the guardianship and administration system, the legislation and the planning documents available to people under the legislation.
- Addressed 4,994 enquiries via its advisory service.

The Office's community guardianship program aims to match adults who have the Public Advocate appointed as their guardian, with volunteers from the community, who are willing and able to take over the role as guardian.

At 30 June 2015, 22 volunteers were engaged in the program, 12 of whom were appointed as guardian for their represented person.

Changes to the disability sector, brought about by the State Government's 2013 agreement to join the National Disability Insurance Scheme, started to take effect during the year. A number of the Office's clients, who receive disability support including accommodation and services and are under 65 years of age, may be impacted by this reform.

The scheme's staged rollout started on 1 July 2014 with two pilots, one through the Commonwealth's scheme in the three Local Government areas of Swan, Kalamunda and Mundaring in the Perth Hills and the other through the Western Australian Disability Services Commission's 'My Way' model in the lower south-west of the State.

During the year, 95 people for whom the Public Advocate is guardian were identified as living in the Commonwealth Hills pilot site.

These people may be eligible to receive funding through the scheme after the staged implementation has been completed over two years. A further seven people for whom the Public Advocate is guardian, are located in the lower south-west and were involved in the State pilot. From 1 July 2015, the State pilot will expand to the Local Government areas of Cockburn and Kwinana.



# 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, 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, managing deceased estates and examining the accounts of private administrators.

### Service Delivery

In 2014/15, there were 791 new trust clients (including those referred by the State Administrative Tribunal), an increase of two per cent compared to 776 trust clients for the previous year.

The Public Trustee continued to develop its business to remain self-funding. In a challenging global financial environment, the Public Trustee's Common Account performed well against comparable benchmarks, such as other common funds and cash management accounts.

At 30 June 2015, 475 clients currently have 615

investments in the Public Trustee's investment funds, with a combined value of over \$221 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. Regional visits to the Kimberley, Peel, South West and Great Southern regions were well-supported by the local communities.

### Give2Good

The Public Trustee's Give2Good Foundation was launched by Her Excellency the Honourable Kerry Sanderson AO, Governor of Western Australia in December 2014 and has already attracted both *inter vivos* donations and significant bequest pledges through Wills. Give2Good is an easy, secure, cost-effective and convenient vehicle which enables

everyday Western Australians to make a lasting difference in their community during their lifetime and beyond. Donations and bequests are made to Give2Good in the form of endowed funds, which accumulate to form a corpus of funds intended to be invested indefinitely.

An information forum held in June 2015 attracted more than 70 representatives from charitable organisations. The topic focused on philanthropy and the increasing incidence of litigation arising from the contestation of Wills in Australia making charitable bequests. Over time, Give2Good will bolster the Public Trustee's funds under management.

### 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. A growing number of legal firms are now ceasing their safe custody service and approaching the Public Trustee to take over the storage of unclaimed Wills.

About 100,000 Western Australians' Wills are now safely stored in the Public Trustee's fire-proof vault. 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 and change of name records for life events occurring in Western Australia. The Registry also performs civil marriages in the Perth Registry Office.

## Outcomes 2014/15

- In 2014/15, the Registry served more than 41,900 customers in person at the Perth Registry office, with an average of 3,491 customers per month.
- During this period, 5,350 changes of name were registered, at an average of 445 per month.
- Birth registrations for the period totalled 35,219 which equates to 2,934 per month.
- There were 13,014 marriages registered during the period at a rate of 1,084 per month.
- Death registrations for the financial year were 14,232 equating to 1,186 per month.
- In the 2014/15 financial year, the Registry's website had 3.13 million page views.

## 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.

This project, which is nearing completion, has resulted in more than 1.78 million records being converted. This year the Registry converted a further 224,000 records. Birth and adoption records from 1973 to 1841, marriage records from 1983 to 1923 and death records from 1983 to 1841 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.

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 authenticate more accurately documents which are provided for the purpose of identity and other official purposes.

## 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 246,000 Western Australian birth, death, marriage and change of name certificates were validated against Registry information during 2014/15. This is an increase of 57 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 which can be authenticated through the Commonwealth Document Verification Service (DVS). DVS checks, available to government agencies since 2009, are now being made available to the private sector, with an initial focus on organisations that have legislative obligations to identify their customers (for example, financial institutions which need to meet 'know your customer' requirements in anti-money laundering and counter-terrorism financing regulations).

The Commonwealth recently expanded DVS to a range of businesses that have a reasonable necessity to verify the individual for the organisation's activities and functions. These functions may include pre-employment screening, property purchases, motor vehicle hire etc. The Registry is currently working with the Commonwealth to fully participate in the extended service.

## Registration and Certificates

### Births

The Registry recorded a slight increase of 283 registrations of births, deaths, marriages and changes of name in 2014/15.

There was a two per cent decrease in the overall number of certificates issued by the Registry.

### Recognition for children lost early in pregnancy

On Sunday 10 May 2015, the Attorney General announced that still-born babies lost before the age of 20 weeks will be recognised by the Registry with a 'recognition of loss' certificate.

### Marriages

There were 25,584 requests for marriage certificates, a decrease of three per cent from the previous financial year.

The Registry performed 1,860 marriage ceremonies during 2014/15. An analysis of birth places revealed some 120 countries were represented by the couples getting married.

Place of Birth	Total
Australia	1,140
China	448
England	246
Vietnam	145
Malaysia	144
India	132
New Zealand	123
Philippines	98
Indonesia	90
South Africa	77
Taiwan	68
Hong Kong	66
Thailand	58
South Korea	54
United States of America	44
Myanmar (Burma)	43
Singapore	39
Brazil	37
Italy	37
Japan	36

### Deaths

In 2014/15 there were 23,095 requests for death certificates, an increase of seven per cent from the previous financial year.

## Open Day Program

The Registry continued its involvement in the Department's Open Day program during 2014/15. This initiative, operating in partnership with the Department's Policy and Aboriginal Services and other key stakeholders, provides vastly improved services to disadvantaged or vulnerable people living in regional and remote Aboriginal communities. Registry staff help Aboriginal people register their birth and obtain birth certificates.

This service assists Aboriginal people to overcome barriers that may limit their ability to participate more fully in society by not having a birth certificate. A birth certificate is often the first step in establishing a person's identity which is needed to access education, a driver's licence, employment or claiming government benefits.

Since the Registry's involvement with the Open Day Program in 2011/12, the Registry has issued more than 2,126 birth certificates, registered 919 previously unregistered Aboriginal births and issued more than 1,249 confirmation of birth letters.

Of the 919 previously unregistered births 161 relate to births pre-1980.

Approximately 20 per cent of births registered through the Open Day Program relate to births that occurred more than 30 years ago.

During the financial year the Registry issued more than 710 birth certificates, registered 283 previously unregistered births and issued over 232 confirmation of birth letters. The oldest birth registration recorded this year was 1940.

## Baby Names

### Most popular girls names as collated by the Registry in 2014

Position in 2014	Name	Occurrence	Position in 2013	Position in 2012	Position in 2011
1	Emily	204	4	4	8
2	Ava	199	3	9	9
3	Charlotte	186	2	1	4
4	Olivia	181	1	2	5
5	Amelia	180	9	8	11
5	Mia	180	10	10	1
6	Ella	171	6	7	1
7	Isla	166	14	14	14
8	Sophie	164	8	5	7
9	Chloe	162	7	6	6
10	Grace	157	11	11	13

### Most popular boys names as collated by the Registry in 2014

Position in 2014	Name	Occurrence	Position in 2013	Position in 2012	Position in 2011
1	Oliver	254	2	9	5
2	Jack	239	1	2	3
3	Noah	216	3	1	12
4	William	198	4	3	11
5	Lucas	183	5	6	4
6	Thomas	182	11	10	7
7	James	175	6	5	2
8	Ethan	170	8	4	1
9	Liam	148	14	8	13
10	Jacob	147	12	7	9

# 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

During 2014/15 the Department guided the development of new and amending pieces of legislation. These include:

- Statutes (Repeal and Minor Amendments) Bill which came into effect in July 2014.
- Criminal Code Amendment (Unlawful Possession) Bill 2014 which came into effect in August 2014.

- Director's Liability Reform Bill 2014 was introduced into the Legislative Council in February 2015. It aims to contribute to uniform State and Territory statutory provisions relating to the criminal liability of directors of companies.

A number of amendments to sentencing legislation were also either finalised during the year or drafting continued. Amendments included:

- Sentencing Legislation Amendment Bill 2014 was introduced into the Legislative Council in September 2014. This important piece of legislation resolves an inconsistency between the operation of the *Sentencing Act 1995* and the *Prisoners (Interstate Transfer) Act 1983* in relation to the recognition of the parole period set in the original sentencing jurisdiction.
- Sentence Administration Amendment Bill 2014 – drafting is continuing on a solution to a complex set of issues arising from the fact that some offenders in prison today were sentenced under the old *Offenders Community Corrections Act*. If the *Sentencing Act* is not amended these offenders will not be able to be released.
- Sentencing Amendment Bill 2014 – drafting is continuing on a package of amendments arising from the statutory review of the *Sentencing Act 1995*.

- Following a review of the *Bail Act 1982*, drafting commenced during the year of the Bail Legislation Amendment Bill 2014.
- Other legislation being drafted includes amendments to the *Classification (Publications, Films and Computer Games) Enforcement Act 1996*, the Financial Transaction Reports Amendment Bill 2015 and the Courts Legislation (Interest Rates) Bill 2015.

## Reviews

In order to improve the effectiveness 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 a result of a ministerial request. During the year reviews of key pieces of legislation were undertaken. These included the:

### *Review of the Guardianship and Administration Act 1990*

A statutory review of the *Guardianship and Administration Act 1990* was completed during the year. Some 42 submissions were received from the public and from key stakeholders. The report makes 86 recommendations.

### *Review of the Prohibited Behaviour Orders Act 2010*

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

### Review of the Criminal Law (Mentally Impaired Accused) Act 1996.

During the year two interim reports were completed on the *Criminal Law (Mentally Impaired Accused) Act 1996*. This followed extensive consultation with key stakeholders.

### Law Reform Commission of Western Australia

Responsibility for the administration of the Law Reform Commission was transferred to the Department from 1 July 2014. The Department has provided the independent Commission with a range of administrative support functions.

### 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.

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 2014/15

Departmental officers meet regularly with an extensive group of stakeholders within government, the non-government sector and with victims of crime.

Visits were made to Bunbury and Geraldton and as part of the WA Ombudsman's Regional Awareness and Accessibility Program outreach visits to Kalgoorlie and Northam. Outreach work is key to the Commissioner's development of reform initiatives.

Significant work was undertaken in 2014/15 on victim safety and risk-focused reform in the family and domestic violence policy area, following the receipt of the Law Reform Commission of Western Australia's review of family and domestic violence laws and practice. The reforms include an overhaul of the *Restraining Orders Act 1997* and the introduction of a new category of specific Family Violence Restraining Orders.

New arrangements were developed for integrating the courts in family violence matters, with a new, integrated court listing model having been announced for the Magistrates Court of Western Australia. These arrangements have a particular focus on victims of family violence.

Work was also undertaken with the Western Australia Police on a 'Victim Information Card' trial, launched a series of practical 'self-help' information videos for victims of crime (Overview Video,

Preparing a Victim Impact Statement, Child and Adolescent Witnesses), and produced the 'Your Voice' newsletter.

The Commissioner for Victims of Crime also advocated for court practice initiatives for victims of crime, such that both the District Court of Western Australia and the Supreme Court of Western Australia have introduced new practice directions in relation to victim impact statements during 2014/15.

A strong partnership between the Commissioner and the Chair of the Prisoners Review Board/ Mentally Impaired Accused Review Board has led to a range of victim of crime initiatives during 2014/15. A large number of Victim Impact Statements have already been remitted to the Prisoners Review Board following the 2013/14 reform initiative, and the Policy Manual for the Prisoners Review Board has now been made available to the public. It incorporates a new chapter to guide victims of crime in how they can be involved in parole processes should they wish to do so.

### Victims of Crime Reference Group

The Victims of Crime Reference Group was established in October 2006 to address victim-related issues and to help improve justice services to victims of crime in Western Australia. 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, eight victims of crime, the manager of Victim Support and Child Witness Services in the Department of the Attorney General and representatives from the Office of the Director of Public Prosecutions, Western Australia Police, Department of Corrective Services, Department of Health, the Department for Child Protection and Family Support 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 co-ordinated approach to the development of victims' issues and the delivery of justice services to victims of crime.

### Outcomes 2014/15

Key achievements during the financial year included:

- Considering in detail the Review of the *Criminal Law (Mentally Impaired Accused) Act 1996* Discussion Paper. The group made a submission to the Review.
- Holding the first official 'meet and greet' public forum during Law Week 2015 in which members of the community were able to meet with the Commissioner for Victims of Crime and members of the Victims of Crime

Reference Group, to discuss issues concerning victims of crime.

- A 'refresh' of the terms of reference for the group, including the addition of two new victim of crime members, and two additional key Government representatives (from WA Police Prosecutions and the Department for Child Protection and Family Support).
- Identification of strategic priorities for the Reference Group for 2014/15.

## Aboriginal Justice Program

The Aboriginal Justice Program (AJP) targets the over-representation of Aboriginal people in the criminal justice system. During the year AJP activities were focussed on priority Local Government areas of Broome, Port Hedland, Wyndham, East Kimberley, City of Karratha, East Pilbara, Meekatharra, Wiluna, Mullewa Derby-West Kimberley, Halls Creek, Laverton and Leonora. These regional locations have comparatively large Aboriginal populations and high levels of driver's 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 related government and nongovernment agencies face-to-face with local Aboriginal people in an accessible central location to run a "one-stop-shop".

Having multiple related agencies available at the same place and at the same time is a joined-up, partnership delivery approach that is 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 2014/15

During the year 40 Open Days were conducted in priority locations across Western Australia. Some 2,048 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, avoid imprisonment for unpaid fines and gain better access to community support services.

Driving and licensing		Personal Identification	
Driver theory tests	127	Birth certificate applications	710
Driver practical assessments	138	Confirmation of birth letters	233
		Proof of age cards	52
		Unregistered births recorded	283

### Fines Enforcement

Outstanding fines - time to pay or work and development orders conversion to a value of more than \$700,000 were collected.

### AJP and Royalties for Regions

In August 2012 the AJP was successful in securing Royalties for Regions funding for two key initiatives. The first initiative was driver education and training for Aboriginal people involved in the justice system (\$5.5 million over four years) and the second provides support services for victims of crime (\$3 million over three years).

### Outcomes 2014/15

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 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 2015 the driver training and education projects had assisted 1,105 participants in total. The family and domestic violence projects had provided counselling and support to 264 clients, with 538 community members having attended group education workshops.

### 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 101 enquiries during the financial year, which resulted in 28 matters being considered for pre-mediation, mediation or other alternative dispute resolution processes.

The AMS also provided four interagency meetings with other key government stakeholders to assist clients and one external information session to assist referrers to make effective referrals and deal with conflict in their communities using a culturally appropriate form of dispute resolution.

### Outcomes 2014/15

Key achievements during the financial year included:

- Cases and enquiries have remained consistent.
- Most of the referrals generally came from Aboriginal Legal Service of Western Australia,

Department for Child Protection and Family Support, Magistrates Court, Department of Housing and Women's Law Service.

- There was an increase in family disputes with a significant decrease in neighbour disputes being mediated.
- Burial matters have remained steady with slightly lower number of multi-partied matters being referred.

### 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 Western Australia Police and the Office of the Director of Public Prosecutions and, after costs, the remaining funds are distributed to the community through grants.

### Outcomes 2014/15

During 2014/15 grants worth \$2.34 million were awarded to 16 projects run by applicants such as the Northern Suburbs Community Legal Centre Incorporated, Australian Red Cross Society, Men's Outreach Service Incorporated, Swan City Youth Service, The Patricia Giles Centre and the St Vincent de Paul Society (WA) Incorporated.

The application period for the July 2014 funding round was extended for a further eight weeks to encourage groups who have a focus on helping victims of crime to apply for a grant.



Projects focussing on the forgotten victims of crime such as parents who suffer violence at the hands of their teenage children and seniors at risk from elder abuse and cybercrime also received grants.

## Copyright

The State 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 in work areas; and

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

### Outcomes 2014/15

Negotiations for a new remuneration agreement with Copyright Agency Limited for photocopying and digital copying of third party copyright for work purposes were progressed.

Remuneration agreements with Audio-Visual Copyright Society Limited for the copying of sound and television broadcasts and the Australasian Performing Right Association for the public performance of music remain in force.

## Parliamentary Counsel’s Office

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

Services provided by the PCO 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 texts of Acts and subsidiary legislation with their amendments incorporated so the laws of the State can be made available in a variety of forms to those who must comply with them and those who must apply and enforce them
- maintaining and arranging publication of information about the legislation of Western Australia.

### Outcomes 2014/15

During the year the PCO completed a number of significant drafting tasks to give effect to the Government’s legislative and policy priorities. These drafting tasks included:

- **City of Perth Bill 2015** to recognise Perth as the capital of Western Australia and the special significance of the role and responsibilities of the City of Perth that flow from that.
- **Railway (Forrestfield-Airport Link) Bill 2015** to authorise the construction of a railway from Bayswater to Forrestfield, including stations to service the Perth Domestic and International Airports.
- **Aquatic Resources Management Bill 2015** to provide a modern framework for the conservation and management of the Western Australian fisheries.

- **Misuse of Drugs Amendment (Psychoactive Substances) Bill 2015** to prohibit the sale, supply, manufacture, advertising and promotion of psychoactive substances.
- **Land Acquisition Legislation Amendment (Compensation) Bill 2014** to change the way in which compensation for landholders is assessed where private property is acquired by the State.
- **Mining Legislation Amendment Bill 2015** and **Conservation and Land Management Amendment Bill 2015** to modernise various processes under mining legislation and the *Conservation and Land Management Act 1984*.

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

## State Solicitors Office

The State Solicitor's Office (SSO or the Office) 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 2014/15

Significant legal matters addressed by the SSO during the year included:

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

The SSO continued to assist the Insurance Commission of WA (ICWA) in relation to the realisation of the proceeds of settlement of the "Bell proceedings", Western Australia's largest and longest running civil case. The litigation is the last dispute involving the State of Western Australia (the State) to be resolved arising out of various commercial government activities in the 1980s.

#### Pastoral Management Pty Ltd v Minister for Local Government

The Office successfully defended a judicial review challenge to a determination by the Minister for Local Government changing, for rating purposes, the method of valuation of land which is the subject of a mining tenement. Resort to a statutory power in the *Local Government Act 1995* to correct a deficiency in the determination, which had not initially been identified by the applicants, was also confirmed as valid.

#### City of South Perth v Simpson

This case involved a challenge to the validity of steps taken by the State Government to achieve reductions in the numbers of metropolitan local

governments by district amalgamations and boundary changes. The SSO represented the Minister for Local Government and the Local Government Advisory Board at the Supreme Court hearing. The applications for declaratory and injunctive relief to challenge the proposed consolidation failed but the proposal itself was ultimately abandoned.

#### 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 the Crown Casino Resort Complex in relation to the \$600 million third hotel development. The SSO acted for the Minister and the State, successfully defending expedited proceedings in the Supreme Court and subsequent appeals.

#### Eclipse Resources

During 2014/15 the SSO represented the State, the Minister for Environment and the Chief Executive Officer of the Department of Environment Regulation in legal proceedings against Eclipse Resources Pty Ltd (ER) relating to a dispute over unpaid landfill levy. The proceedings have been in progress since 2010 and have been provisionally listed for trial in November 2015.

### Collard v Western Australia

The 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. The claim was dismissed and each party was ordered to bear their own costs of the trial, a decision which was successfully appealed by the State.

### James Point Pty Ltd v WA

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.

### 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 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 and conferences in relation to the development of the findings of the Commission.

### Mansfield

The SSO continued to represent the Office of the Director of Public Prosecutions for Western

Australia and the State in relation to significant claims for compensation made by Mr and Mrs Mansfield in relation to a freezing order imposed under the *Criminal Property Confiscation Act 2000 (WA)*. The proceedings recently settled on confidential terms.

### Barrick Gold Corporation/Placer Dome Inc.

The SSO continued to act on behalf of the Commissioner of State Revenue in relation to a significant dispute as to whether any liability arose to pay stamp duty, and if so the extent of the liability, from the acquisition of Placer Dome Inc. by Barrick Gold Corp in 2006. The dispute concerns valuation issues and the operation of the landholder provisions of the *Stamp Act 1921 (WA)*. A State Administrative Tribunal hearing is due to commence in the next financial year.

### Land Compensation Claims

The SSO continued to act for the State and its agencies in relation to significant land compensation claims arising from the reservation and compulsory acquisition of land for the purpose of public works.

Those matters included:

#### Kelliher

The SSO acted for the Commissioner of Main Roads in this matter which proceeded to hearing in mid-2014 and is subject of a reserved judgement. The action concerned a claim for compensation in respect of the compulsory acquisition of 37 hectares of land required for the construction of the Perth to Bunbury Highway. The claim is significant given the legal and valuation issues it

raises and the quantum of the claim (the valuers engaged by the plaintiff assessed compensation in the vicinity of \$40 million).

#### Merrick Tyler

The SSO successfully acted for the Commissioner of Main Roads in relation to a dispute concerning the scope of the operation of the *Land Administration Act 1997* and meaning of "adjoining land", both at first instance and on appeal to the Court of Appeal.

### Native Title Claims

The SSO has continued to represent the State in the mediation and litigation of native title claims in the Federal Court and in the arbitration of future act matters involving the grant of mining tenements in the National Native Title Tribunal. The SSO provides legal and policy advice to Government in all matters involving native title and Aboriginal heritage issues, including possible changes to State law, and assistance in drafting Indigenous Land Use Agreements. The SSO also represents the State in a variety of stakeholder forums involving native title issues.

### Significant matters in 2014/15 included:

#### The South West Settlement

This is an historic native title settlement for the State of Western Australia. The Settlement, negotiated over a five year period with the South West Aboriginal Land and Sea Council (SWALSC) and the six south-west native title claim groups,

involves the surrender of any native title rights and interests by the native title groups in exchange for a comprehensive package of benefits. These benefits include, among other things, statutory recognition of the Noongar people as Traditional Owners of the South West Settlement area, the establishment of a Noongar Boodja Trust into which funding instalments of \$50 million will be paid yearly for 12 years, and land allocations of up to 320,000 hectares.

### Gibson Desert

The Office continued to represent the State in proceedings brought by native title holders for compensation as a result of the creation of the Gibson Desert Nature Reserve in 1977.

The case is considered a test case for the principles for assessing compensation for extinguishment of native title under the *Native Title Act 1993* (Commonwealth).

### Pilki

The SSO instituted an appeal on behalf of the State against that part of the determination of Justice North in the Pilki claim in July 2014 which recognised a right to take and use resources for any purpose, which would include a commercial purpose. The decision of the Full Court is reserved.

### Badimia People v State of Western Australia

The SSO represented the State in the long-running litigation of the Badimia native title claim. In May 2015 the Court determined that native title does not exist in respect of the Badimia claim area (in the Mid-West region of Western Australia).

### Banjima Appeal

The SSO represented the State in appeals to the Full Federal Court from the March 2014 determination of Justice Barker in respect of the Banjima native title claim in the central Pilbara region of Western Australia. In June 2015 the State's appeal was dismissed by a Full Court bench comprising five judges.

### Agreements

The SSO assisted with the negotiation, drafting and implementation of major native title agreements in the Pilbara and Kimberley regions of WA, including agreements for the creation of conservation reserves under the Kimberley Science Conservation Strategy.

### 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. The Office either directly provides legal services or supervised the provision of services by outsourced commercial service providers. These include the following key projects:

#### New Museum Project

The New Museum, to be constructed in the Perth Cultural Centre, Northbridge on the existing WA Museum site, will be about 24,000m<sup>2</sup> and includes 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 for the redevelopment. 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 during a five year period with an option for the State to extend to a ten 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.

#### 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 is 8.5 km in length. The SSO and an external legal service provider are providing assistance to the State in respect of the procurement and contractual documentation required for the project.

### Perth Children's and Fiona Stanley Hospital Project and Midland 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 new Midland regional hospital in the eastern suburbs of Perth is being delivered by a private service provider under contract to the State. The SSO has worked with external service providers in all aspects of the contract and delivery, building on the success of the Fiona Stanley Hospital, an 830 bed tertiary hospital, which progressively opened from October 2014.

The experience gained on these three matters has enabled SSO to deliver a number of regional hospitals using entirely internal resources.

### 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 budget is about \$207 million. The SSO continues to assist in the development of procurement and contractual documentation relating to the project.

### Verve/Synergy re-merger and Electricity (Standard Products) Wholesale Arrangements 2014

The SSO, with the assistance of an external service provider, supported the Public Utilities Office in preparing legislation and policy direction for the merger of the State-owned electricity businesses Verve and Synergy. The SSO is now 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.

Following that, the Office commenced support to the Public Utilities Office in undertaking a wide ranging reform of the wholesale electricity market, in accordance with a key policy initiative of the Minister for Energy.

### 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. The SSO has provided advice on the procurement process, including the Expression of Interest and Request for Proposal phases. In conjunction with an external services provider, the Office continues to provide support for the closing out of the Design, Build, Finance and Maintain Project Agreement and ongoing advice during the construction phase and Stadium operator and user agreements.

### WA Schools PPP Project

The Schools Private Public Partnership (PPP) project involves the delivery of a package of four new primary schools and three new secondary schools as well as the second stage of an existing secondary school. The project is to be delivered based on a public private partnership model whereby the successful private sector proponent will design, construct, finance and maintain the schools during an operating phase period of about 25 years. The SSO has provided, and continues

to provide legal advice to the State in respect of the procurement and contractual documentation required for the project.

### General Operations of Government

While the matters listed above represent the high points of SSO's activities, in terms of the size, media prominence and complexity of the work, much of the work undertaken by the SSO is in direct support of the broader operations of Government. During 2014/15 the SSO provided advice and representation to 85 departments and agencies. This work included:

- responding to 3,250 requests for advice
- assessing or undertaking 467 prosecutions
- representing agencies in 89 coronial inquests
- appearing in more than 140 argued superior court hearings for which judgements were published during the year
- supporting the State in 81 industrial relations matters
- delivering more than 4,000 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 significant expansion in capital works with three new courthouses in regional Western Australia with a combined total budget of \$99.4 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

### Metropolitan

#### State Administrative Tribunal

The new State Administrative Tribunal (SAT) Building was officially opened on 10 July 2015 by the Attorney General Hon Michael Mischin MLC and the Finance Minister Hon Bill Marmion MLA. The SAT commenced operations on 20 July 2015.

The SAT has five floors of hearing and mediation rooms and six floors of judicial, members and staff office accommodation. Facilities include twenty-two hearing rooms, four mediation rooms, twenty-one meeting rooms and office accommodation for up to 132 judges, members and administration staff. There is also one floor for future growth to meet demand for the next 25 years.

The SAT building was the former Public Trust building at 565 Hay Street Perth. The reconstruction and refurbishment to A-Grade office standard was completed in August 2014 by the Building Owner the Perth Diocesan Trustee. The SAT fit-out cost of \$25 million was funded by the State and commenced in September 2014. The lease is for 25 years and the total area is approximately 7,700m<sup>2</sup>.

#### Supreme Court (Civil) and Old Treasury Building Tower

The Old Treasury Building (OTB) Redevelopment is a private sector funded construction project managed by the Department of Finance's 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.

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.

## Regional

### Carnarvon

The Carnarvon Police and Justice Complex was officially opened on 14 April 2015 by Police Minister Hon Liza Harvey MLA and Attorney General Hon Michael Mischin MLC. The complex became operational on 20 April 2015. The Complex, on the corner of Robinson Street and Babbage Island Road, has a police station, courthouse and community corrections offices. The courthouse comprises a jury courtroom, a magistrate's courtroom, a mediation suite, jury and witness facilities plus associated facilities for the public. Construction, which commenced on site in early 2013, was completed on time and within the budget of \$52.5 million. The State Government's Royalties for Regions program invested \$9.5 million towards the Complex.

### Kununurra

The Kununurra Courthouse was officially opened on 26 October 2014 by the Premier of Western Australia, the Hon Colin Barnett MLA. The Courthouse became operational on 3 November 2014.

This \$41.8 million project was completely funded by Royalties for Regions. Construction of the courthouse was completed on time and below budget.

The two-storey building, comprises of a jury courtroom, a magistrates courtroom, a mediation suite and remote and vulnerable witness facilities plus associated public facilities.

### 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.

This \$5.1 million courthouse is under construction and is scheduled for completion in September 2015.

## Audiovisual Systems

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

Flexible AV systems ensure multipurpose use including receiving evidence from witnesses in other areas of the state and witnesses located interstate and overseas. The AV systems also link in with Western Australia's prisons, community-based services offices, juvenile detention and remand centres as well as some police stations. They also facilitate the replay of evidence in trials.

The AV systems enable the recording of audio for transcription as well as video links into the courtroom, reducing the need for persons in

custody, witnesses and judicial officers to physically attend court. This makes accessing justice across Western Australia easier, safer, cheaper and faster.

### Outcomes 2014/15

In 2014/15, the video-conference facilities, which link prisons and courts, were used to make 18,885 video conference calls, totalling 3,004 hours of court hearing time. The total court appearances by persons in custody was 28,529 of which 66 per cent appeared by video conference call.

During the year 6,926 video links were made to locations other than prisons, totalling a further 2,090 hours of court hearing time.

The Department continued to expand and enhance its court AV facilities to meet demand. Key project activities included:

- Video Conference – ISDN to IP / IT Network Transition Project
- Continued migration of ISDN Video Conference systems to use the Department's IT network where it is cost effective to move from ISDN to IP
- Video Conference Codec Upgrades - replacement of existing out-dated Video Conference codecs and digital sound processor
- Digital Audio Recording Upgrade Project - commenced the installation of new digital court audio recording systems at the following locations:
  - Midland Court

- Albany Justice Complex
- Geraldton Court
- Bunbury Court
- Broome Court.
- Supreme Court Digital Recording Upgrade - upgraded the recording servers in the Supreme Court Stirling Gardens Building.

## Integrated Courts Management System

The primary focus of the Integrated Courts Management System (ICMS) 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 all criminal courts creates the opportunity to make information used by courts and tribunals more efficient through the transfer of information across the whole justice system.

### Outcomes 2014/15

As planned, the pilot of the electronic Prosecution Notice and Bail in Court 41 (Chief Magistrate's court) commenced on 13 October 2014. The pilot was successful and the Chief Magistrate gave his approval to continue implementation at Central Law Courts (CLC). The implementation at CLC was completed on 30 March 2015. By the end of July 2015, all metropolitan courts will be trained and transitioned to the electronic processes. Training will then commence for the remaining court locations throughout Western Australia.

Development of the Fines Enforcement System replacement continued (Release 7). System testing is targeted to be finished by the end of August and User Acceptance Testing has commenced with an expected implementation date of November 2015.

Next year the focus will move to developing further options to pay by electronic means such as Direct Debit, Centrepay, and BPAY will also be introduced.

These enhancements will result in improvements in fine management (particularly where offenders have multiple fines), customer service and revenue collection.

## 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 2014 to 30 June 2015, the Contracts Branch assisted business units to establish a diverse range of contracts that support the Department's critical functions and services.

## Contracts Awarded

The Department of the Attorney General awarded contracts between 1 July 2014 and 30 June 2015.

Contracts Summary	
Value	Number
\$0 - \$19,999	3
\$20,000 - \$99,999	16
\$100,000 - \$499,999	8
\$500,000 - \$999,999	4
\$1 million +	1

*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 as a result of a quotation or tender process.*



## Information and Communications Technology

The Shared Information Services Directorate (SISD) continued to work on maintaining and securing the shared Information and Communications Technology (ICT) environment provided to the Department of the Attorney General and the Department of Corrective Services, with availability of 99 per cent.

Essential ICT works were undertaken during the year and systems upgraded included the Department's operating database and electronic mail systems. Shared ICT service delivery continued with decommissioning from the Department of Corrective Services planned to be finalised by 30 June 2016.

Another significant item of work was the completion of the project to replace the BlackBerry service used for mobile telephone, email and calendaring with iOS (Apple) mobile telephones through the implementation of 'Mobile Device Management As a Service'.

## Records and Compliance

During the year the Knowledge Management and Compliance Branch (KMxCB) implemented a number of records management performance improvement initiatives and maintained progress towards established best practice records management benchmarks.

During the year the KMxCB continued its program of systems training and compliance audits to raise staff awareness of their recordkeeping obligations.

The electronic document management functionality of the Department's recordkeeping system was extended to the Public Trustee this year. The Public Trustee established a framework of compliance and accountability for existing and future business records. The customisation of the recordkeeping system met the requirements of the Public Trustee and facilitated the capture of all policies and procedures in a central location that was searchable and accessible.

## Library and Information Services

Library and Information Services continues to support the work of judicial and legal officers through the provision of a specialised legal library and information service.

Service Level Agreements with the Supreme, District and Magistrates Courts were renewed and a new Service Level Agreement with the Children's Court was concluded.

The Department entered into the third and final year of contracts with the three major suppliers of legal information resources and started negotiations for a new three-year contract.

# Managing our People

## Human Resources

During the year the Department continued to enhance 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 were keys to ensuring the Department met and exceeded strategic key result areas. Providing 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, corporate induction sessions and team 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 Relations

During the year the Department focused on policy reviews and employment practices ensuring healthy and positive employee relations.

The Department monitored, reviewed and made necessary changes to the Grievance Management and Leave Management Policy. Additionally the Redeployment and Redundancy Policy was updated in line with new legislation effective 1 May 2015.

## Health and Wellness Program

### Global Corporate Challenge

The Department performed well in the 2014 Global Corporate Challenge and received 5,108 virtual trophies and ranked as the 4th most active organisation in the Asia Pacific region.

Four hundred and sixty nine Departmental staff completed a total of 372,418 kilometres with a total weight loss of 1,040 kilograms. More than 77 per cent of those participating exceeded the recommended 10,000 steps per day.

### 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 776, seven more than last 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 Gold Pledge on 11 February 2013.

The One Life Suicide Prevention Strategy has provided the Department of the Attorney General with a framework and governance structure that, during the past four years, has guided our initiatives and programs. This commitment was supported by an extensive training program across the agency. There were nine sessions conducted in 2014/15 and a total of 148 employees attended the training program.

### 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. Such opportunities range from seeking assistance with developing career plans 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 the areas they are prepared to assist with development (Mentors). Mentees are matched with suitable Mentors. The 2015 program has 24 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 nine staff received recognition for service for 20, 25, 30, 35, 40, 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 the vast majority of staff took part in the EDS.

### Training and Development

The Department ensures that employees have opportunities to undertake training and this is achieved through a range of Corporate Workforce Development Programs. In 2014/15 other staff development programs, including those related to leadership and management, such as Management Principles, Coaching Skills for Managers and HR Essentials for Managers, were offered.

Additionally, online learning programs enable staff to complete training at their workstation and in their own time. Programs available include Accountable and Ethical Decision Making, Health and Safety, Record Keeping Awareness, Information Security and Mental Health. The Department's On-boarding Program is designed to assist the process of orienting, training, socialising and retaining new employees during the first year of employment. A step-by-step guide takes managers and new employees through the process of joining the Department. Since implementation in 2013, the On-boarding Program has been provided to 378 employees.

### Traineeship

In the period 1 July 2014 to 30 June 2015, the Department employed a number of trainees through Public Sector Commission traineeship programs. Trainees undertook a structured workplace-based traineeship completing either a Certificate II or III in Government.

- Aboriginal Traineeship Program: 8
- People With a Disability: 5
- School Based Trainees: 4 (including three African-Australian trainees)

One of the Department's trainee's Ms Deanna Scorda was the winner of the Central Institute of Technology's Business Trainee of the Year 2015.

## Employee Assistance Program

During 2014/15 the Department continued receiving services from Optum for the provision of the Employee Assistance Program (EAP).

The Employee Assistance Program was accessed by 119 clients during 2014/15 totalling 291.25 clinical hours.

Utilisation of the EAP service over the last three years has been relatively stable with a marginal increase in 2014/15.

	2012/13	2013/14	2014/15
Clients	96	102	119
Hours	299.50	297.50	291.25

## 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, implement and co-ordinate legislation supporting the Government's law and order reform agenda. These initiatives include strengthening laws governing dangerous sex offenders, introducing post sentence supervision orders and amending laws relating to mentally impaired accused. Overall efforts are focussed on improving the effectiveness of the operation of the legislation that governs the State's justice system.

During 2015/16, the Department will also continue to undertake a key role in providing advice to the Attorney General on family and domestic violence reforms. In addition, the Department will continue to provide high level policy advice and advocate for operational and other reforms to enhance outcomes for victims of crime in relation to sentencing, bail, restraining orders and a wider range of other legislative reforms, including those relevant to the *Victims of Crime Act 1994*, the *Criminal Law (Mentally Impaired Accused) Act 1996* and the *Dangerous Sexual Offenders Act 2006*.

The Department will continue to provide administrative support to the Law Reform Commission of Western Australia. The Commission remains a statutory authority and retains its legal independence with respect to its work and findings.

Whilst median time to trial for criminal matters in the District Court is one week below the budget target of 32 weeks during 2014/15, time to trial for criminal and civil matters in the Magistrates Court was 20 weeks, one week above the budget target of 19 weeks and in the Supreme Court median time to trial for criminal trials increased from 29 weeks in 2013/14 to 33 weeks in 2014/15 which is above the target of 28 weeks. The time to trial in all jurisdictions will continue to be closely monitored during the forthcoming year.

Reducing the over-representation of Aboriginal people in the justice system continues to be a priority. The main focus areas are Aboriginal people 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 for Aboriginal people in remote areas. Open Days bring government and non-government agencies face to face with Aboriginal people to resolve matters such as identity documents, driving tests, reissuing of licences and making arrangements to pay fines. During 2015/16 Open Days will be held in the metropolitan area as well as continuing to serve priority locations in the Pilbara and Kimberley.

The Registry of Births, Deaths and Marriage's commitment to 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 through the national Document Verification System. The protection of personal information and the prevention of identity fraud and theft will continue to be a growing priority for government agencies that issue identity documents

As a result of the ageing population and an increasing number of people with mental illness who require a guardian, the Office of the Public Advocate continues to experience increasing demand for statutory services to vulnerable adults with decision-making disabilities. Similarly, the Public Trustee continues to experience increased demand and complexity of trust management and estate administration services.

The Public Trustee's Give2Good Foundation, established in December 2014, has already attracted significant donations and bequest pledges. Over time the Foundation will significantly increase the Public Trustee's funds under management.

Enhanced measures for the enforcement of fines and infringements including the use of mobile licence plate recognition continue to be implemented in Perth and the South West Region. The enhanced sanctions have had a positive impact on payments and are a valuable tool in managing the outstanding debt registered with the Fines Enforcement Registry.

## Significant Issues Impacting on the Agency

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

The Department's extensive asset investment program in regional areas, with the construction of the Kalgoorlie Courthouse, Kununurra Courthouse, Carnarvon Police and Justice Complex and Fitzroy Crossing Courthouse, will be completed with the opening of Fitzroy Crossing Courthouse in September 2015. During 2015/16 the focus will move to the completion of the new building for the State Administrative Tribunal in July 2015 and the Old Treasury Building Tower in mid-2016.

The Old Treasury Building Tower is a new 33 level office building located between the Old Treasury Building and the Perth Town Hall. The Supreme Court Civil will be located on 13 floors of the towers and includes eight courtrooms, ten hearing rooms and eight mediation suites. The Department's head office will also be located in the building on eight floors of the high rise and two floors in the low rise. Relocation to the Tower is scheduled for mid-2016.

# 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 2015, 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 2015 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 2015.

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 2015.

### **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 2015.

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 2015.

**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 2015 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  
28 August 2015

# Department of the Attorney General

## Certification of Financial Statements

### For the year ended 30 June 2015

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 2015 and the financial position as at 30 June 2015.

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*

Cheryl Gwilliam

Accountable Authority

26 August 2015

*A. Andersson*

Alan Andersson

Chief Finance Officer

26 August 2015

## Statement of Comprehensive Income

For the year ended 30 June 2015

	Notes	2015 \$'000	2014 \$'000
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Employee benefits expense	6	250,134	232,226
Supplies and services	7	101,311	96,700
Depreciation and amortisation expense	8	18,817	19,756
Finance costs	9	16,736	17,095
Accommodation expenses	10	49,576	44,486
Grants and subsidies	11	82,657	77,471
Other expenses	12	21,213	20,524
<b>Total cost of services</b>		<b>540,444</b>	<b>508,258</b>
<b>Income</b>			
<b>Revenue</b>			
User charges and fees	13	92,362	87,342
Commonwealth grants and contributions	14	18,240	17,924
Other revenue	15	29,893	32,238
<b>Total Revenue</b>		<b>140,495</b>	<b>137,504</b>
<b>Gains/(Loss)</b>			
Net gain/(loss) on disposal of non-current assets	16	(1,018)	18
<b>Total Gains/(Loss)</b>		<b>(1,018)</b>	<b>18</b>
<b>Total income other than income from State Government</b>		<b>139,477</b>	<b>137,522</b>
<b>NET COST OF SERVICES</b>		<b>400,967</b>	<b>370,736</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 2015

	Notes	2015 \$'000	2014 \$'000
<b>Income from State Government</b>	17		
Service appropriation		346,268	340,792
Liabilities assumed by the Treasurer		24,646	15,366
Resources received free of charge		22,447	20,317
Royalties for Regions Fund		2,001	1,732
<b>Total income from State Government</b>		<b>395,362</b>	<b>378,207</b>
<b>SURPLUS/(DEFICIT) FOR THE PERIOD</b>		<b>(5,605)</b>	<b>7,471</b>
<b>OTHER COMPREHENSIVE INCOME</b>			
<b>Items not reclassified subsequently to profit or loss</b>			
Changes in asset revaluation surplus	30	7,365	8,307
<b>Total other comprehensive income</b>		<b>7,365</b>	<b>8,307</b>
<b>TOTAL COMPREHENSIVE INCOME FOR THE PERIOD</b>		<b>1,760</b>	<b>15,778</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 2015

	Notes	2015 \$'000	2014 \$'000
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and cash equivalents	31	19,346	24,212
Restricted cash and cash equivalents	18, 31	19,530	27,393
Receivables	19	8,754	7,611
Amounts receivable for services	20	2,557	2,781
Other current assets	21	1,994	1,258
Non-current assets held for distribution to owner	22	-	1,930
<b>Total Current Assets</b>		<b>52,181</b>	<b>65,185</b>
<b>Non-Current Assets</b>			
Restricted cash and cash equivalents	18, 31	-	5,962
Amounts receivable for services	20	155,632	141,233
Property, plant and equipment	23	648,775	649,124
Intangible assets	25	8,597	10,859
<b>Total Non-Current Assets</b>		<b>813,004</b>	<b>807,178</b>
<b>TOTAL ASSETS</b>		<b>865,185</b>	<b>872,363</b>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Payables	27	27,395	23,802
Borrowings	28	4,801	4,157
Provisions	29	44,939	44,192
<b>Total Current Liabilities</b>		<b>77,135</b>	<b>72,151</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 2015

	Notes	2015 \$'000	2014 \$'000
<b>Non-Current Liabilities</b>			
Borrowings	28	207,420	211,993
Provisions	29	8,896	8,987
<b>Total Non-Current Liabilities</b>		<b>216,316</b>	<b>220,980</b>
<b>TOTAL LIABILITIES</b>		<b>293,451</b>	<b>293,131</b>
<b>NET ASSETS</b>			
<b>EQUITY</b>			
Contributed equity	30	224,956	234,214
Reserves		284,482	277,117
Accumulated surplus		62,296	67,901
<b>TOTAL EQUITY</b>		<b>571,734</b>	<b>579,232</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 2015

	Note	Contributed equity \$'000	Reserves \$'000	Accumulated surplus \$'000	Total equity \$'000
<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>		<b>61,519</b>	<b>-</b>	<b>-</b>	<b>61,519</b>
<b>Balance at 30 June 2014</b>		<b>234,214</b>	<b>277,117</b>	<b>67,901</b>	<b>579,232</b>
<b>Balance at 1 July 2014</b>	30	234,214	277,117	67,901	579,232
Surplus for the period		-	-	(5,605)	(5,605)
Other comprehensive income		-	7,365	-	7,365
Total comprehensive income for the period		-	7,365	(5,605)	1,760
Transactions with owners in their capacity as owners:					
Capital appropriations		13,732	-	-	13,732
Other contributions by owners		919	-	-	919
Distribution to owners		(23,909)	-	-	(23,909)
<b>Total</b>		<b>(9,258)</b>	<b>-</b>	<b>-</b>	<b>(9,258)</b>
<b>Balance at 30 June 2015</b>		<b>224,956</b>	<b>284,482</b>	<b>62,296</b>	<b>571,734</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 2015

	Notes	2015 \$'000	2014 \$'000
<b>CASH FLOWS FROM STATE GOVERNMENT</b>			
Service appropriation		329,312	325,831
Capital appropriation		13,732	48,140
Holding account drawdown		2,781	2,660
Royalties for Regions Fund	31	2,920	19,767
<b>Net cash provided by State Government</b>		<b>348,745</b>	<b>396,398</b>
Utilised as follows:			
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Payments</b>			
Employees benefits		(224,118)	(219,442)
Supplies and services		(180,567)	(169,119)
Accommodation		(45,168)	(40,160)
Finance costs		(16,409)	(16,816)
GST payments on purchases		(20,200)	(20,224)
GST payments to taxation authority		(2,707)	(2,927)
<b>Receipts</b>			
Receipts from services		120,573	119,752
Commonwealth grants and contributions		13,832	13,598
GST receipts on sales		3,165	2,614
GST receipts from taxation authority		20,257	20,543
<b>Net cash used in operating activities</b>	31	<b>(331,342)</b>	<b>(312,181)</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 2015

	Notes	2015 \$'000	2014 \$'000
<b>CASH FLOW FROM INVESTING ACTIVITIES</b>			
<b>Payments</b>			
Purchase of non-current physical assets		(31,842)	(50,115)
<b>Receipts</b>			
Proceeds from sale of non-current physical assets		4	18
<b>Net cash used in investing activities</b>		<b>(31,838)</b>	<b>(50,097)</b>
<b>CASH FLOW FROM FINANCING ACTIVITIES</b>			
<b>Payments</b>			
Finance lease payments		(4,256)	(3,645)
<b>Net cash used in financing activities</b>		<b>(4,256)</b>	<b>(3,645)</b>
Net increase/(decrease) in cash and cash equivalents		(18,691)	30,475
Cash and cash equivalents at the beginning of the period		57,567	27,092
<b>CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD</b>	31	<b>38,876</b>	<b>57,567</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 2015

	Court and Tribunal Services		Trustee Services		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Services		Legal Aid Assistance		Services to Government		Total	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000
<b>COST OF SERVICES</b>														
<b>Expenses</b>														
Employee benefits expense	175,687	161,047	15,450	15,404	3,823	3,760	5,164	4,697	-	-	50,010	47,318	250,134	232,226
Supplies and services	76,364	72,004	2,598	2,554	2,086	2,149	242	360	-	-	20,023	19,633	101,313	96,700
Depreciation and amortisation expense	16,419	17,219	1,314	1,504	74	76	132	63	-	-	877	894	18,816	19,756
Finance costs	16,736	17,095	-	-	-	-	-	-	-	-	-	-	16,736	17,095
Accommodation expenses	33,490	28,467	3,032	2,870	1,411	1,117	662	654	-	-	10,981	11,378	49,576	44,486
Grants and subsidies	30,580	37,892	28	15	11	5	9	4	39,219	36,988	12,811	2,567	82,658	77,471
Other expenses	17,222	16,589	1,547	1,468	152	124	151	207	-	-	2,139	2,136	21,211	20,524
<b>Total cost of services</b>	<b>366,498</b>	<b>350,313</b>	<b>23,969</b>	<b>23,815</b>	<b>7,557</b>	<b>7,231</b>	<b>6,360</b>	<b>5,985</b>	<b>39,219</b>	<b>36,988</b>	<b>96,841</b>	<b>83,926</b>	<b>540,444</b>	<b>508,258</b>
<b>Income</b>														
User charges and fees	62,137	58,636	16,600	15,842	7,470	7,632	3	4	-	-	6,152	5,228	92,362	87,342
Commonwealth grants and contributions	18,239	17,924	-	-	-	-	-	-	-	-	-	-	18,239	17,924
Other revenue	8,711	8,754	6,747	8,468	34	75	33	40	-	-	14,369	14,901	29,894	32,238
Gain/(Loss) on disposal of non-current assets	(1,021)	4	-	1	-	-	-	-	-	-	3	13	(1,018)	18
<b>Total income other than income from State Government</b>	<b>88,066</b>	<b>85,318</b>	<b>23,347</b>	<b>24,311</b>	<b>7,504</b>	<b>7,707</b>	<b>36</b>	<b>44</b>	<b>-</b>	<b>-</b>	<b>20,524</b>	<b>20,142</b>	<b>139,477</b>	<b>137,522</b>
<b>NET COST OF SERVICES</b>	<b>278,432</b>	<b>264,995</b>	<b>622</b>	<b>(496)</b>	<b>53</b>	<b>(476)</b>	<b>6,324</b>	<b>5,941</b>	<b>39,219</b>	<b>36,988</b>	<b>76,317</b>	<b>63,784</b>	<b>400,967</b>	<b>370,736</b>
<b>Income from State Government</b>														
Service appropriations	234,111	239,360	-	-	-	-	5,532	5,322	39,219	36,988	67,406	59,122	346,268	340,792
Liabilities assumed by the Treasurer	24,646	15,366	-	-	-	-	-	-	-	-	-	-	24,646	15,366
Resources received free of charge	22,072	19,965	26	21	29	20	32	26	-	-	288	285	22,447	20,317
Royalties for Regions Fund	348	522	-	-	-	-	-	-	-	-	1,653	1,210	2,001	1,732
<b>Total Income from State Government</b>	<b>281,177</b>	<b>275,213</b>	<b>26</b>	<b>21</b>	<b>29</b>	<b>20</b>	<b>5,564</b>	<b>5,348</b>	<b>39,219</b>	<b>36,988</b>	<b>69,347</b>	<b>60,617</b>	<b>395,362</b>	<b>378,207</b>
<b>SURPLUS/(DEFICIT) FOR THE PERIOD</b>	<b>2,745</b>	<b>10,218</b>	<b>(596)</b>	<b>517</b>	<b>(24)</b>	<b>496</b>	<b>(760)</b>	<b>(593)</b>	<b>-</b>	<b>-</b>	<b>(6,970)</b>	<b>(3,167)</b>	<b>(5,605)</b>	<b>7,471</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 2015

	Court and Tribunal Services		Trustee Services		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Services		Legal Aid Assistance		Services to Government		Total	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000
<b>Assets</b>														
Current assets	41,469	35,748	2,486	46	845	1,077	673	-	-	-	6,708	28,314	52,181	65,185
Non-current assets	806,032	798,966	6,369	7,691	29	54	25	106	-	-	549	361	813,004	807,178
<b>Total assets</b>	<b>847,501</b>	<b>834,714</b>	<b>8,855</b>	<b>7,737</b>	<b>874</b>	<b>1,131</b>	<b>698</b>	<b>106</b>	<b>-</b>	<b>-</b>	<b>7,257</b>	<b>28,675</b>	<b>865,185</b>	<b>872,363</b>
<b>Liabilities</b>														
Current liabilities	61,552	54,812	4,041	3,946	901	924	983	942	-	-	9,658	11,525	77,135	72,151
Non-current liabilities	213,487	218,154	710	679	146	145	183	178	-	-	1,790	1,824	216,316	220,980
<b>Total liabilities</b>	<b>275,039</b>	<b>272,966</b>	<b>4,751</b>	<b>4,625</b>	<b>1,047</b>	<b>1,069</b>	<b>1,166</b>	<b>1,120</b>	<b>-</b>	<b>-</b>	<b>11,448</b>	<b>13,349</b>	<b>293,451</b>	<b>293,131</b>
<b>NET ASSETS/ (LIABILITIES)</b>	<b>572,462</b>	<b>561,748</b>	<b>4,104</b>	<b>3,112</b>	<b>(173)</b>	<b>62</b>	<b>(468)</b>	<b>(1,014)</b>	<b>-</b>	<b>-</b>	<b>(4,191)</b>	<b>15,326</b>	<b>571,734</b>	<b>579,232</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 2015

	2015 Estimate \$'000	2015 Actual '000	Variance \$'000	2015 Actual '000	2014 Actual \$'000	Variance \$'000
<b>Delivery of Services</b>						
Net amount appropriated to deliver services	249,542	261,225	11,683	261,225	250,622	10,603
Amount Authorised by Other Statutes						
<i>Salaries and Allowances Act 1975</i>	32,619	30,740	(1,879)	30,740	29,032	1,708
<i>District Court of Western Australia Act 1969</i>	11,575	11,350	(225)	11,350	10,917	433
<i>Judges' Salaries and Pensions Act 1950</i>	10,975	10,956	(19)	10,956	10,400	556
<i>Children's Court of Western Australia Act 1988</i>	430	466	36	466	422	44
<i>State Administrative Tribunal Act 2004</i>	5,730	4,724	(1,006)	4,724	4,993	(269)
<i>Criminal Injuries Compensation Act 2003</i>	31,817	26,200	(5,617)	26,200	33,800	(7,600)
<i>Solicitor General Act 1969</i>	576	576	-	576	576	-
<i>Suitor's Fund Act 1964</i>	31	31	-	31	30	1
<b>Total appropriations provided to deliver services</b>	<b>343,295</b>	<b>346,268</b>	<b>2,973</b>	<b>346,268</b>	<b>340,792</b>	<b>5,476</b>
<b>Capital</b>						
Capital appropriations	11,183	11,183	-	11,183	48,140	(36,957)
Equity contribution	-	2,550	2,550	2,550	-	2,550
<b>GRAND TOTAL</b>	<b>354,478</b>	<b>360,001</b>	<b>5,523</b>	<b>360,001</b>	<b>388,932</b>	<b>(28,931)</b>

Explanations of variations between the current year estimates and actual results are set out in Note 36 'Explanatory statement'.

## Summary of Consolidated Account Appropriations and Income Estimates

For the year ended 30 June 2015

	2015 Estimate \$'000	2015 Actual '000	Variance \$'000	2015 Actual '000	2014 Actual \$'000	Variance \$'000
<b>Details of Expenses by Service</b>						
Court and Tribunal Services	379,131	366,498	(12,633)	366,498	350,313	16,185
Advocacy, Guardianship and Administration Services	6,196	6,360	164	6,360	5,985	375
Trustee Services	22,315	23,969	1,654	23,969	23,815	154
Births, Deaths and Marriages	7,487	7,557	70	7,557	7,231	326
Services to Government	82,335	96,841	14,506	96,841	83,926	12,915
Legal Aid Assistance	38,369	39,219	850	39,219	36,988	2,231
Total Cost of Services	535,833	540,444	4,611	540,444	508,258	32,186
Less Total income	(135,281)	(139,477)	(4,196)	(139,477)	(137,522)	(1,955)
Net Cost of Services	400,552	400,967	415	400,967	370,736	30,231
Adjustments <sup>(a)</sup>	(57,257)	(54,699)	2,558	(54,699)	(29,944)	(24,755)
<b>Total appropriations provided to deliver services</b>	<b>343,295</b>	<b>346,268</b>	<b>2,973</b>	<b>346,268</b>	<b>340,792</b>	<b>5,476</b>
<b>Capital Expenditure</b>						
Purchase of non-current physical assets	34,880	32,083	(2,797)	32,083	50,147	(18,064)
Adjustments for other funding sources	(23,697)	(20,900)	2,797	(20,900)	(2,007)	(18,893)
<b>Capital appropriations</b>	<b>11,183</b>	<b>11,183</b>	<b>-</b>	<b>11,183</b>	<b>48,140</b>	<b>(36,957)</b>
<b>Details of Income Estimates</b>						
Income disclosed as Administered Income	<b>70,353</b>	<b>77,828</b>	<b>7,475</b>	<b>77,828</b>	<b>60,709</b>	<b>17,119</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 2015

## Note 1. Australian Accounting Standards

### General

The Department's financial statements for the year ended 30 June 2015 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 2015.

## 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 2015

## 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 Court 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 2015; and
- Magistrates Court criminal fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2015.

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.

Bail is a system that governs the status of individuals charged with committing crimes, from the time of arrest to the time of their next hearing with the major purpose of ensuring their presence at that hearing. Failure to comply with the bail may result in the forfeiture or requirement to pay an amount to the court for the breach of bail. Bail only becomes payable when the court issues a Court order to pay. This is then treated in the same manner as any other court penalty in the administered section of the financial statements.

## (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

# Notes to the Financial Statements

For the year ended 30 June 2015

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. 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 \$140.495 million in 2015 (\$137.504 million in 2014) from the following:

- Proceeds from fees and charges of \$92.362 million in 2015 (\$87.342 million in 2014);
- Commonwealth specific purpose grants and contributions of \$18.240 million in 2015 (\$17.924 million in 2014);
- Other departmental revenue of \$29.893 million in 2015 (\$32.238 million in 2014).



# Notes to the Financial Statements

For the year ended 30 June 2015

## 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 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 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 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. 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). Fair value for restricted use land is determined by comparison with market evidence for land with similar approximate utility (high restricted use land) or market value of comparable unrestricted land (low restricted use land).

Land and buildings are independently valued annually by the Western Australian Land

# Notes to the Financial Statements

For the year ended 30 June 2015

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 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.

## 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.

## Notes to the Financial Statements

For the year ended 30 June 2015

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 a specialised 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 of the asset's future economic benefits and to evaluate any impairment risk from falling replacement costs.

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 distribute, 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 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:

# Notes to the Financial Statements

For the year ended 30 June 2015

## 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.

### (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 2014-15 was 18 June 2015, therefore an accrual of 8 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 accrual 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

## Notes to the Financial Statements

For the year ended 30 June 2015

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 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 and 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 Department 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

## Notes to the Financial Statements

For the year ended 30 June 2015

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 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 2015 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

## Notes to the Financial Statements

For the year ended 30 June 2015

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 2015

## 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 2015

## 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 2015 that impact on the Department.

<b>Int 21</b>	<b>Levies</b> 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.
<b>AASB 1031</b>	<b>Materiality</b> This Standard supersedes AASB 1031 (February 2010), removing Australian guidance on materiality now available in IFRSs and refers to guidance on materiality in other Australian pronouncements. There is no financial impact.
<b>AASB 1055</b>	<b>Budgetary Reporting</b> This Standard requires specific budgetary disclosures in the 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.
<b>AASB 2012-3</b>	<b>Amendments to Australian Accounting Standards – Offsetting Financial Assets and Financial Liabilities [AASB 132]</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. The Department does not routinely hold financial assets and financial liabilities that it intends to settle on a net basis, therefore there is no financial impact.
<b>AASB 2013-3</b>	<b>Amendments to AASB 136 – Recoverable amount disclosures for non-financial assets</b> This Standard introduces editorial and disclosure changes. There is no financial impact.
<b>AASB 2013-9</b>	<b>Amendments to Australian Accounting Standards - Conceptual Framework, Materiality and Financial Instruments</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). Part B has no financial impact.

## Notes to the Financial Statements

For the year ended 30 June 2015

### 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>AASB 9</b>	<b><i>Financial Instruments</i></b>  This Standard supersedes AASB 139 <i>Financial Instruments: Recognition and Measurement</i> , introducing a number of changes to accounting treatments.  The mandatory application date of this Standard is currently 1 January 2018 after being amended by AASB 2012-6, AASB 2013-9 and AASB 2014-1 <i>Amendments to Australian Accounting Standards</i> . The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2018
<b>AASB 15</b>	<b><i>Revenue from Contracts with Customers</i></b>  This Standard establishes the principles that the Department shall apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2017
<b>AASB 2010-7</b>	<b><i>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, 139, 1023 and 1038 and Int 2, 5, 10, 12, 19 &amp; 127]</i></b>  This Standard makes consequential amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 9 in December 2010.  The mandatory application date of this Standard has been amended by AASB 2012-6 and AASB 2014-1 to 1 January 2018. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2018

## Notes to the Financial Statements

For the year ended 30 June 2015

		Operative for reporting periods beginning on/ after
<b>AASB 2013-9</b>	<b><i>Amendments to Australian Accounting Standards Conceptual Framework, Materiality and Financial Instruments</i></b> Part C of this omnibus Standard 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.	1 Jan 2017
<b>AASB 2014-1</b>	<b><i>Amendments to Accounting Standards</i></b> Part E of this Standard makes amendments to AASB 9 and consequential amendments to other Standards. It has not yet been assessed by the Department to determine the application or potential impact of the Standard.	1 Jul 2018
<b>AASB 2014-4</b>	<b><i>Amendments to Australian Accounting Standards – Clarification of Acceptable Methods of Depreciation and Amortisation [AASB 116 &amp; 138]</i></b> The adoption of the new Standard has no financial impact for the Department as depreciation and amortisation is not determined by reference to revenue generation, but by reference to consumption of future economic benefits.	1 Jan 2016
<b>AASB 2014-5</b>	<b><i>Amendments to Australian Accounting Standards arising from AASB 15</i></b> This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 15. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2017
<b>AASB 2014-7</b>	<b><i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)</i></b> This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 9 (December 2014). The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2018

## Notes to the Financial Statements

For the year ended 30 June 2015

		Operative for reporting periods beginning on/ after
<b>AASB 2014-8</b>	<b><i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2014) – Application of AASB 9 (December 2009) and AASB 9 (December 2010) [AASB 9 (2009 &amp; 2010)]</i></b>  This Standard makes amendments to AASB 9 <i>Financial Instruments</i> (December 2009) and AASB 9 <i>Financial Instruments</i> (December 2010), arising from the issuance of AASB 9 <i>Financial Instruments</i> in December 2014. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2015
<b>AASB 2015-1</b>	<b><i>Amendments to Australian Accounting Standards – Annual Improvements to Australian Accounting Standards 2012-2014 Cycle [AASB 1, 2, 3, 5, 7, 11, 110, 119, 121, 133, 134, 137 &amp; 140]</i></b>  The amendments arise from the issuance of International Financial Reporting Standard Annual Improvements to IFRSs 2012-2014 Cycle in September 2014, and editorial corrections. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2016
<b>AASB 2015-2</b>	<b><i>Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 101 [AASB 7, 101, 134 &amp; 1049]</i></b>  This Standard amends AASB 101 to provide clarification regarding the disclosure requirements in AASB 101. Specifically, the Standard proposes narrow-focus amendments to address some of the concern expressed about existing presentation and disclosure requirements and to ensure entities are able to use judgement when applying a Standard in determining what information to disclose in their financial statements. There is no financial impact.	1 Jan 2016

## Notes to the Financial Statements

For the year ended 30 June 2015

		Operative for reporting periods beginning on/ after
<b>AASB 2015-3</b>	<b><i>Amendments to Australian Accounting Standards arising from the Withdrawal of AASB 1031 Materiality</i></b>  This Standard completes the withdrawal of references to AASB 1031 in all Australian Accounting Standards and Interpretations, allowing that Standard to effectively be withdrawn. There is no financial impact.	1 Jul 2015
<b>AASB 2015-6</b>	<b><i>Amendments to Australian Accounting Standards – Extending Related Party Disclosures to Not-for-Profit Public Sector Entities [AASB 10, 124 &amp; 1049]</i></b>  The amendments extend the scope of AASB 124 to include application by not-for-profit public sector entities. Implementation guidance is included to assist application of the Standard by not-for-profit public sector entities. The Department has not yet determined the application of the Standard, though there is no financial impact.	1 Jul 2016

## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 6. Employee benefits expense

	2015 \$'000	2014 \$'000
Wages and salaries <sup>(a)</sup>	180,782	178,219
Annual leave	24,145	17,451
Superannuation - defined contribution plans <sup>(b)</sup>	18,605	18,108
Long service leave	1,956	3,082
Judges' pension-liability assumed by the Treasurer <sup>(c)</sup>	24,646	15,366
<b>Total employee benefits</b>	<b>250,134</b>	<b>232,226</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 4 'Key sources of estimation uncertainty'). At the end of 2015, the decrease in the discount rate resulted in a net increase in the Judges' pension liability.

### Note 7. Supplies and services

	2015 \$'000	2014 \$'000
Consultants and contractors	64,140	59,130
Computing services	21,192	18,513
Computing licences	5,126	6,564
Communication expenses	3,945	4,063
Materials	2,855	2,742
Minor equipment	1,076	2,036
Consumables	1,371	1,626
Copyright, communication and licence	267	406
Other	1,339	1,620
	<b>101,311</b>	<b>96,700</b>

## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 8. Depreciation and amortisation expense

	2015 \$'000	2014 \$'000
<b>Depreciation</b>		
Buildings	5,715	5,020
Furniture, fittings and equipment	3,433	4,259
Leased buildings	4,053	4,094
Leasehold improvement	2,776	2,587
<b>Total depreciation</b>	<b>15,977</b>	<b>15,960</b>
<b>Amortisation</b>		
Information technology systems	2,840	3,796
<b>Total amortisation</b>	<b>2,840</b>	<b>3,796</b>
<b>Total depreciation and amortisation</b>	<b>18,817</b>	<b>19,756</b>

### Note 9. Finance costs

	2015 \$'000	2014 \$'000
Finance lease charges	16,736	17,095
	<b>16,736</b>	<b>17,095</b>

### Note 10. Accommodation expenses

	2015 \$'000	2014 \$'000
Lease rentals <sup>(a)</sup>	34,162	30,411
Building maintenance	10,086	8,796
Electricity, gas and water usage	4,193	4,143
Council and sewage rates	1,135	1,136
	<b>49,576</b>	<b>44,486</b>

<sup>(a)</sup> Includes \$4,408,000 (2014: \$4,326,000) 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

	2015 \$'000	2014 \$'000
<b>Recurrent</b>		
Legal Aid	39,219	36,988
Criminal Injuries	25,727	33,319
Other grants and subsidies	17,711	7,164
	<b>82,657</b>	<b>77,471</b>

## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 12. Other expenses

	2015 \$'000	2014 \$'000
Other staff costs <sup>(a)</sup>	7,948	8,005
Jurors' expense	4,177	3,686
Doubtful debts expense	24	24
Motor vehicle and office equipment lease expenses	2,043	2,009
Vehicle hire, fuel, registration and management fees	1,160	1,219
Insurance	1,065	1,118
Printing, binding and photocopying charges	838	893
State pay-roll tax	815	712
Other expenses	3,143	2,858
	<b>21,213</b>	<b>20,524</b>

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

### Note 13. User charges and fees

	2015 \$'000	2014 \$'000
Court fees	61,923	58,473
Public Trustee fees	16,600	15,843
Births, deaths and marriages fees	7,470	7,630
Legal services - State Solicitor's Office	6,151	5,227
Licences	109	91
Miscellaneous fees and charges	109	78
	<b>92,362</b>	<b>87,342</b>

### Note 14. Commonwealth grants and contributions

	2015 \$'000	2014 \$'000
<b>Recurrent</b>		
Commonwealth recoup for Family Court and court fees	13,602	13,319
Commonwealth accommodation for Family Court (non-cash contribution)	4,408	4,326
Commonwealth recoup for Christmas and Cocos Island	230	279
	<b>18,240</b>	<b>17,924</b>

### Note 15. Other revenue

	2015 \$'000	2014 \$'000
Shared Information Services Technology revenue	13,760	13,051
Public Trustee - common fund surplus	6,204	5,511
Recoup of costs - Building Disputes Tribunal	2,394	2,635
Residential recoveries	2,912	2,687
Criminal injuries - recoups	1,717	1,744
Recoup of salaries and workers' compensation	441	498
Other miscellaneous revenue <sup>(a)</sup>	2,465	6,112
	<b>29,893</b>	<b>32,238</b>

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



# Notes to the Financial Statements

For the year ended 30 June 2015

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

	2015 \$'000	2014 \$'000
<b>Proceeds from disposal of non-current assets</b>		
Buildings	-	-
Land	908	-
Plant and equipment	5	20
<b>Carrying amount of non-current assets disposed</b>		
Buildings	(990)	-
Land	(940)	-
Plant and equipment	(1)	(2)
<b>Net gain/(loss) on sale of non-current assets</b>	<b>(1,018)</b>	<b>18</b>
<b>Net gain/(loss)</b>	<b>(1018)</b>	<b>18</b>

## Note 17. Income from State Government

	2015 \$'000	2014 \$'000
<b>Appropriation received during the period:</b>		
Service appropriation <sup>(a)</sup>	346,268	340,792
	<b>346,268</b>	<b>340,792</b>
<b>Liabilities assumed by the Treasurer during the period:</b>		
Judges' pensions <sup>(b)</sup>	24,646	15,366
Total liabilities assumed	<b>24,646</b>	<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	131	108
Department of Finance:		
• Provision of integrated procurement services	376	324
• Notional management fee	176	156
• Building and Management Works Maintenance Work	715	551
Department of Corrective Services:		
• Provision of contract management services (court security and custodial services)	21,049	19,178
	<b>22,447</b>	<b>20,317</b>
<b>Royalties for Regions Fund:</b>		
• Regional infrastructure and headworks account <sup>(d)</sup>	2,001	1,732
	<b>2,001</b>	<b>1,732</b>
<b>Total Income from State Government</b>	<b>395,362</b>	<b>378,207</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.

<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 2015

### Note 18. Restricted cash and cash equivalents

	2015 \$'000	2014 \$'000
<b>Current</b>		
Royalties for Regions Fund <sup>(a)</sup>	729	4,837
Systems upgrade for registry of births, deaths and marriages	862	862
Asset Investment Program <sup>(b)</sup>	11,148	21,694
Accrued salaries suspense account <sup>(c)</sup>	6,791	-
	<b>19,530</b>	<b>27,393</b>
<b>Non-current</b>		
Accrued salaries suspense account <sup>(c)</sup>	-	5,962
	<b>-</b>	<b>5,962</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

	2015 \$'000	2014 \$'000
<b>Current</b>		
Receivables	10,190	8,543
Allowance for impairment of receivables	(3,103)	(3,114)
GST receivable	1,667	2,182
	<b>8,754</b>	<b>7,611</b>
<b>Movements in the allowance for impairment of receivables:</b>		
Balance at start of period	3,114	3,113
Doubtful debts expense recognised during the period	13	24
Receivables written off during the period as uncollectable	(24)	(23)
<b>Balance at end of period</b>	<b>3,103</b>	<b>3,114</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 2015

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

	2015 \$'000	2014 \$'000
Current	2,557	2,781
Non-current	155,632	141,233
	<b>158,189</b>	<b>144,014</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

	2015 \$'000	2014 \$'000
Prepayments	1,994	1,258
<b>Total current</b>	<b>1,994</b>	<b>1,258</b>

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

	2015 \$'000	2014 \$'000
Land	-	940
Buildings	-	990
	<b>-</b>	<b>1,930</b>

Non-current assets held for distribution to Owner consist of land and buildings previously employed by the Kalgoorlie courthouse. The courthouse was relocated to a new building during the 2013-14 financial year.

The property was sold on the 13th January 2015 for \$909,000 and the proceeds were transferred to the Consolidated Account.

## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 23. Property plant and equipment

	2015 \$'000	2014 \$'000
<b>Land</b>	103,329	99,940
At fair value <sup>(a)</sup>	<b>103,329</b>	<b>99,940</b>
<b>Buildings</b>		
At fair value <sup>(a)</sup>	304,915	261,790
	<b>304,915</b>	<b>261,790</b>
<b>Leased buildings</b>		
At fair value <sup>(a)</sup>	206,394	207,491
	<b>206,394</b>	<b>207,491</b>
<b>Leasehold improvements</b>		
At cost	34,984	35,312
Accumulated depreciation	(22,501)	(20,099)
	<b>12,483</b>	<b>15,213</b>
<b>Furniture, fittings and equipment</b>		
At cost	39,160	31,505
Accumulated depreciation	(23,469)	(20,716)
	<b>15,691</b>	<b>10,789</b>
<b>Work in progress</b>		
Buildings	3,393	53,398
Information technology systems	2,570	503
	<b>5,963</b>	<b>53,901</b>
	<b>648,775</b>	<b>649,124</b>

<sup>(a)</sup> Land and buildings were revalued as at 1 July 2014 by the Western Australian Land Information Authority (Valuation Services). The valuations were performed during the year ended 30 June 2015 and recognised at 30 June 2015. In undertaking the revaluation, fair value was determined on the basis of depreciated replacement cost and fair value of land was determined on the basis of comparison with market evidence for land with low level utility (high restricted use land).

## Notes to the Financial Statements

For the year ended 30 June 2015

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 buildings	Leasehold improvements	Furniture fittings and equipment	Work in progress	Total
<b>2015</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Carrying amount at start of period	99,940	261,790	207,491	15,213	10,789	53,901	649,124
Additions	-	20,139	-	46	6,073	5,600	31,858
Transfers <sup>(a)</sup>	-	27,681	-	-	2,263	(30,297)	(353)
Disposal of property	-	-	-	-	(1)	-	(1)
Classified as held for distribution to owner <sup>(b)</sup>	-	-	-	-	-	(23,000)	(23,000)
Revaluation Increments	3,389	1,020	2,956	-	-	-	7,365
Expensed work in progress	-	-	-	-	-	(241)	(241)
Depreciation	-	(5,715)	(4,053)	(2,776)	(3,433)	-	(15,977)
<b>Carrying amount at end of period</b>	<b>103,329</b>	<b>304,915</b>	<b>206,394</b>	<b>12,483</b>	<b>15,691</b>	<b>5,963</b>	<b>648,775</b>

	Land	Buildings	Leased buildings	Leasehold improvements	Furniture fittings and equipment	Work in progress	Total
<b>2014</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
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 <sup>(a)</sup>	815	22,914	-	167	6,120	(36,138)	(6,122)
Disposal of property	-	-	-	-	(13)	-	(13)
Classified as held for distribution to owner <sup>(b)</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>

<sup>(a)</sup> An amount of \$353,000, (2014: \$6,122,000) was transferred to intangible assets.

<sup>(b)</sup> At 30 June 2015 Work in progress included the Carnarvon Police and Justice Complex building component for WA Police Department (\$17.5 million) and Department of Corrective Services (\$5.5 million) which was transferred out in 2014-15. At 30 June 2014 Work in progress included the refurbishment of a lock up facility owned by the WA Police Department in Kalgoorlie (\$4.657 million), transferred to the WA Police Department in 2013-14.

## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 24. Fair value measurements

Assets measured at fair value:	Level 1	Level 2	Level 3	Fair value at end of period
	\$'000	\$'000	\$'000	\$'000
<b>2015</b>				
Non-current assets classified as held for distribution to owner	-	-	-	-
Land	-	-	103,329	103,329
Buildings	-	-	304,915	304,915
Leased land and buildings <sup>(a)</sup>	-	-	206,394	206,394
	-	-	<b>614,638</b>	<b>614,638</b>
	Level 1	Level 2	Level 3	Fair value at end of period
	\$'000	\$'000	\$'000	\$'000
<b>2014</b>				
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 <sup>(a)</sup>	-	18,825	188,666	207,491
	-	<b>20,756</b>	<b>550,396</b>	<b>571,152</b>

<sup>(a)</sup> Fremantle Justice Centre was transferred from Level 2 to Level 3 from 1st July 2014, in line with Government policy to record leasehold properties that have long leases on the Government Property Register.

#### 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 2015

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

	Land	Buildings	Leased Buildings
	\$'000	\$'000	\$'000
<b>2015</b>			
Fair Value at start of period	99,940	261,790	188,666
Additions	-	47,820	-
Revaluation increments recognised in Other Comprehensive Income	3,389	1,020	2,956
Transfers from Level 2	-	-	18,825
Depreciation Expense	-	(5,715)	(4,053)
Fair Value at end of period	<b>103,329</b>	<b>304,915</b>	<b>206,394</b>
<b>2014</b>			
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

Transfers in and out of a fair value level are recognised on the date of the event or change in circumstances that caused the transfer. Transfers are generally limited to assets newly classified as non-current assets held for sale as Treasurer's instructions require valuations of land, buildings and infrastructure to be categorised within Level 3 where the valuations will utilise significant Level 3 inputs on a recurring basis.

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 in the year of acquisition; the fair value is determined by reference to the historical cost per square floor area.

#### 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 2015

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

Description and fair value as at 30 June 2015	Valuation technique(s)	Unobservable inputs	Range of unobservable inputs (weighted average)	Relationship of unobservable inputs to fair value
Land (Perth Metropolitan) \$95,130,000	Market approach	Selection of land with similar approximate utility	\$425 - \$5,485 per m <sup>2</sup> (\$2,413 per m <sup>2</sup> )	Higher value of similar land increases estimated fair value.
Land (Regional) \$8,199,450		Selection of land with similar approximate utility	\$8 - \$377 per m <sup>2</sup> (\$106 per m <sup>2</sup> )	Higher value of similar land increases estimated fair value.
Buildings \$257,095,192	Depreciated Replacement Cost	Consumed economic benefit/obsolescence of asset	Ranges up to 6.37% per year (1.1% per year)	Greater consumption of economic benefit or increased obsolescence lowers fair value.
Buildings (New) \$47,820,000		Historical cost per square metre floor area (m <sup>2</sup> )	\$4,718 - \$6,548 per m <sup>2</sup> (\$5,633 per m <sup>2</sup> )	Higher historical cost per m <sup>2</sup> increases fair value.
Leased Buildings \$206,393,500	Depreciated Replacement Cost	Consumed economic benefit/obsolescence of asset	Ranges up to .53% per year (0.26% per year)	Greater consumption of economic benefit or increased obsolescence lowers fair value.

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	Market approach	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		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 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.

Reconciliations of the opening and closing balances are provided in notes 22, 23 and 24.

### 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 2015

### Note 25. Intangible assets

	2015 \$'000	2014 \$'000
<b>Computer Software</b>		
At cost	58,368	58,391
Accumulated amortisation	(49,771)	(47,532)
	<b>8,597</b>	<b>10,859</b>
<b>Reconciliations:</b>		
<b>Computer Software</b>		
Carrying amount at start of period	10,859	3,935
Additions	225	4,598
Transfers	353	6,122
Retirements	-	-
Amortisation	(2,840)	(3,796)
<b>Carrying amount at end of period</b>	<b>8,597</b>	<b>10,859</b>

### Note 26. Impairment of assets

There were no indicators of impairment to property, plant and equipment or intangible assets at 30 June 2015.

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 2015 have either been classified as assets held for sale or written off.

### Note 27. Payables

	2015 \$'000	2014 \$'000
<b>Current</b>		
Trade payables <sup>(a)</sup>	20,998	18,135
Accrued salaries <sup>(b)</sup>	6,397	5,667
<b>Total current</b>	<b>27,395</b>	<b>23,802</b>

(a) Includes \$6.097 million (2014: \$4.755 million) of unclaimed monies. Monies that remain unclaimed for 6 years or more, are provided to the Department of Treasury.

(b) The last pay day of the 2014-15 financial year was on 18 June 2015. A salary accrual of 8 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 2015

### Note 28. Borrowings

	2015 \$'000	2014 \$'000
<b>Current</b>		
Finance lease liabilities (secured) <sup>(a)</sup>	4,801	4,157
<b>Total current</b>	<b>4,801</b>	<b>4,157</b>
<b>Non-current</b>		
Finance lease liabilities (secured) <sup>(a)</sup>	207,420	211,993
<b>Total non-current</b>	<b>207,420</b>	<b>211,993</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.

	2015 \$'000	2014 \$'000
<b>Assets pledged as security</b>		
The carrying amounts of non-current assets pledged as security are:		
Leased land and building	206,394	207,491
	<b>206,394</b>	<b>207,491</b>

### Note 29. Provisions

	2015 \$'000	2014 \$'000
<b>Current</b>		
<b>Employee benefits provision</b>		
Annual leave <sup>(a)</sup>	9,783	11,059
Long service leave <sup>(b)</sup>	31,288	29,157
Superannuation	3,317	3,457
	<b>44,388</b>	<b>43,673</b>
<b>Other provisions</b>		
Employment on-costs <sup>(d)</sup>	551	519
	<b>551</b>	<b>519</b>
	<b>44,939</b>	<b>44,192</b>
<b>Non-current</b>		
Employee benefits provision		
Long service leave <sup>(b)(c)</sup>	8,061	7,978
Superannuation	714	872
	<b>8,775</b>	<b>8,850</b>
<b>Other provisions</b>		
Employment on-costs <sup>(d)</sup>	121	137
	<b>121</b>	<b>137</b>
	<b>8,896</b>	<b>8,987</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 2015

	2015 \$'000	2014 \$'000
Within 12 months of the end of the reporting period	7,594	8,441
More than 12 months after the end of the reporting period	2,189	2,618
	<b>9,783</b>	<b>11,059</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:

	2015 \$'000	2014 \$'000
Within 12 months of the end of the reporting period	10,793	10,320
More than 12 months after the end of the reporting period	28,556	26,815
	<b>39,349</b>	<b>37,135</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

#### Employment on-cost provision

Carrying amount at start of period  
Additional provisions recognised  
Net amounts used

#### Carrying amount at end of period

	2015 \$'000	2014 \$'000
Carrying amount at start of period	656	458
Additional provisions recognised	326	319
Net amounts used	(310)	(121)
	<b>672</b>	<b>656</b>

## Notes to the Financial Statements

For the year ended 30 June 2015

### 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

	2015 \$'000	2014 \$'000
Balance at start of period	234,214	172,695
<b>Contributions by owners</b>		
Capital appropriation	13,732	48,140
<b>Other contributions by owners</b>		
Royalties for Regions Fund - Regional Infrastructure and Headwork Account	919	18,036
<b>Total contributions by owners</b>	<b>14,651</b>	<b>66,176</b>
<b>Distributions to owners</b>		
<b>Transfer of net assets to other agencies:</b>		
WA Police - Kalgoorlie Police Lockup	-	(4,657)
WA Police - Carnarvon Complex building component	(17,500)	-
Department of Corrective Services - Carnarvon Complex building component	(5,500)	-
<b>Net assets transferred to Government:</b>		
Proceeds for disposal of assets paid to Consolidated Account	(909)	-
<b>Total distributions to owners</b>	<b>(23,909)</b>	<b>(4,657)</b>
<b>Balance at end of period</b>	<b>224,956</b>	<b>234,214</b>

#### Reserves

##### Asset revaluation surplus

##### Land

Balance at start of period	94,376	91,865
Net revaluation increments	3,389	2,511
<b>Balance at end of period</b>	<b>97,765</b>	<b>94,376</b>

##### Buildings

Balance at start of period	182,741	176,945
Net revaluation increments	3,976	5,796
<b>Balance at end of period</b>	<b>186,717</b>	<b>182,741</b>
<b>Balance at end of period</b>	<b>284,482</b>	<b>277,117</b>

##### Accumulated surplus

Balance at start of period	67,901	60,430
Result for the period	(5,605)	7,471
<b>Balance at end of period</b>	<b>62,296</b>	<b>67,901</b>
<b>Total Equity at end of period</b>	<b>571,734</b>	<b>579,232</b>

	224,956	234,214
	94,376	91,865
	3,389	2,511
	<b>97,765</b>	<b>94,376</b>
	182,741	176,945
	3,976	5,796
	<b>186,717</b>	<b>182,741</b>
	<b>284,482</b>	<b>277,117</b>
	67,901	60,430
	(5,605)	7,471
	<b>62,296</b>	<b>67,901</b>
	<b>571,734</b>	<b>579,232</b>

## Notes to the Financial Statements

For the year ended 30 June 2015

### 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:

	2015 \$'000	2014 \$'000
Cash and cash equivalents	19,346	24,212
Restricted cash and cash equivalents - current (Note 18 'Restricted cash and cash equivalents')	19,530	27,393
Restricted cash and cash equivalents - non-current (Note 18 'Restricted cash and cash equivalents')	-	5,962
	<b>38,876</b>	<b>57,567</b>
	2015 \$'000	2014 \$'000
<b>Royalties for Regions Fund</b>		
Capital Funding	919	18,036
Recurrent Funding	2,001	1,731
	<b>2,920</b>	<b>19,767</b>

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

	2015 \$'000	2014 \$'000
Net cost of services	(400,967)	(370,736)
<b>Non-cash Items</b>		
Depreciation and amortisation expense (Note 8 'Depreciation and amortisation expense')	18,817	19,756
Movement in the allowance for impairment of receivables (Note 19 'Receivables')	(11)	1
Judges' Pensions expense - Liability assumed by the treasurer	24,646	15,366
Resources received free of charge (Note 17 'Income from State Government')	22,447	20,317
Net (gain) / loss on disposal of property, plant and equipment	1,018	(18)
<b>(Increase)/decrease in assets</b>		
Current receivables <sup>(a)</sup>	(1,647)	200
Other current assets	(736)	2,396
<b>Increase/(decrease) in liabilities</b>		
Current payables <sup>(a)</sup>	3,920	3,929
Provisions	656	(3,398)
Change in GST in receivables/payables <sup>(b)</sup>	515	6
<b>Net cash used in operating activities</b>	<b>(331,342)</b>	<b>(312,181)</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 2015

### 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:

	2015 \$'000	2014 \$'000
Legal services provided by the State Solicitor's Office to:		
Other Government agencies	29,086	26,779
Corporate support provided by the Department to:		
Department of Corrective Services	14,118	14,552
Legal Practice Board	1,246	1,669
Office of the Director of Public Prosecutions	994	1,004
Law Reform Commission	307	170
Commissioner for Children and Young People	144	164
Parliamentary Inspector of the Corruption and Crime Commission	181	132
Legal Costs Committee	55	53
Professional Standards Council	35	39
	<b>46,166</b>	<b>44,562</b>

## Notes to the Financial Statements

For the year ended 30 June 2015

### 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 2015			As at 30 June 2014		
	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	19,295	1,643	20,938	19,105	1,647	20,752
Later than 1 year and not later than 5 years	79,337	6,245	85,582	78,679	6,245	84,924
Later than 5 years	280,467	8,587	289,054	301,801	10,148	311,949
Minimum lease payments	379,099	16,475	395,574	399,585	18,040	417,625
Less future finance charges	(176,776)	(6,577)	(183,353)	(193,824)	(7,651)	(201,475)
<b>Present value of finance lease liability</b>	<b>202,323</b>	<b>9,898</b>	<b>212,221</b>	<b>205,761</b>	<b>10,389</b>	<b>216,150</b>
The present value of the finance lease liability is as follows:						
Within 1 year	4,260	541	4,801	3,670	487	4,157
Later than 1 year and not later than 5 years	23,104	2,914	26,018	20,388	2,636	23,024
Later than 5 years	174,959	6,443	181,402	181,703	7,266	188,969
<b>Present value of finance lease liability</b>	<b>202,323</b>	<b>9,898</b>	<b>212,221</b>	<b>205,761</b>	<b>10,389</b>	<b>216,150</b>
Included in the financial statements as:						
Current liabilities (Note 28 'Borrowings')	4,260	541	4,801	3,670	487	4,157
Non-current liabilities (Note 28 'Borrowings')	198,063	9,357	207,420	202,091	9,902	211,993
	<b>202,323</b>	<b>9,898</b>	<b>212,221</b>	<b>205,761</b>	<b>10,389</b>	<b>216,150</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 2015

### Non-cancellable operating lease commitments

Commitments for minimum lease payments are payable as follows:

	2015 \$'000	2014 \$'000
Within 1 year	32,612	25,886
Later than 1 year and not later than 5 years	138,253	81,630
Later than 5 years	205,145	17,567
	<b>376,010</b>	<b>125,083</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.

### Capital expenditure commitments

Capital expenditure commitments, being contracted capital expenditure additional to the amounts reported in the financial statements, are payable as follows:

	2015 \$'000	2014 \$'000
Within 1 year	7,382	-
Later than 1 year and not later than 5 years	11	-
Later than 5 years	-	-
	<b>7,393</b>	<b>-</b>

The Capital expenditure commitments were reported by the Department of Finance at the end of the reporting period 30 June 2014.

### 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:

	2015 \$'000	2014 \$'000
Within 1 year	17,419	16,115
Later than 1 year and not later than 5 years	23,517	17,155
Later than 5 years	-	-
	<b>40,936</b>	<b>33,270</b>

## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 34. Contingent liabilities and contingent assets

#### Contingent liabilities

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

	2015 \$'000	2014 \$'000
<b>Litigation in progress</b>		
Criminal injuries compensation court appeals	2,550	1,980
<b>Disclosure regarding criminal injuries</b>		
Claims yet to be assessed	36,893	28,283

#### 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 – 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:

	2015 \$'000	2014 \$'000
Recovery of court costs	657	457

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

There were no events occurring after the balance sheet date



## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 36. Explanatory statement

Significant variations between estimates (also referred as 'Original budget') 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 variances are considered to be those greater than 10% or \$10 million.

### Statement of Comprehensive Income

	Variance note	Original budget 2015 (*) \$'000	Actual 2015 \$'000	Actual 2014 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2015 and 2014 \$'000
<b>COST OF SERVICES</b>						
<b>Expenses</b>						
Employee benefits expense	A	258,950	250,134	232,226	(8,816)	17,908
Supplies and services		101,600	101,311	96,700	(289)	4,611
Depreciation and amortisation expense	I	16,956	18,817	19,756	1,861	(939)
Finance costs		16,817	16,736	17,095	(81)	(359)
Accommodation expenses	2, B	43,076	49,576	44,486	6,500	5,090
Grants and subsidies		77,900	82,657	77,471	4,757	5,186
Other expenses		20,534	21,213	20,524	679	689
<b>Total cost of services</b>		<b>535,833</b>	<b>540,444</b>	<b>508,258</b>	<b>4,611</b>	<b>32,186</b>
<b>Income</b>						
<b>Revenue</b>						
User charges and fees		93,231	92,362	87,342	(869)	5,020
Commonwealth grants and contributions		19,153	18,240	17,924	(913)	316
Other revenue		28,373	29,893	32,238	1,520	(2,345)
<b>Total Revenue</b>		<b>140,757</b>	<b>140,495</b>	<b>137,504</b>	<b>(262)</b>	<b>2,991</b>

# Notes to the Financial Statements

For the year ended 30 June 2015

## Statement of Comprehensive Income

	Variance note	Original budget 2015 <sup>(*)</sup> \$'000	Actual 2015 \$'000	Actual 2014 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2015 and 2014 \$'000
<b>Gains</b>						
Net gain on disposal of non-current assets	3, C	-	(1,018)	18	(1,018)	(1,036)
<b>Total Gains</b>		-	(1,018)	18	(1,018)	(1,036)
<b>Total income other than income from State Government</b>		140,757	139,477	137,522	(1,280)	1,955
<b>NET COST OF SERVICES</b>		<b>395,076</b>	<b>400,967</b>	<b>370,736</b>	<b>5,891</b>	<b>30,231</b>
<b>Income from State Government</b>						
Service appropriation		343,295	346,268	340,792	2,973	5,476
Liabilities assumed by the Treasurer	4, D	27,800	24,646	15,366	(3,154)	9,280
Resources received free of charge	E	21,131	22,447	20,317	1,316	2,130
Royalties for Regions Fund	5, F	2,892	2,001	1,732	(891)	269
<b>Total income from State Government</b>		<b>395,118</b>	<b>395,362</b>	<b>378,207</b>	<b>244</b>	<b>17,155</b>
<b>SURPLUS/(DEFICIT) FOR THE PERIOD</b>		<b>42</b>	<b>(5,605)</b>	<b>7,471</b>	<b>(5,647)</b>	<b>(13,076)</b>
<b>OTHER COMPREHENSIVE INCOME</b>						
Items not reclassified subsequently to profit or loss						
Changes in asset revaluation surplus	6, G	-	7,365	8,307	-	(942)
<b>Total other comprehensive income</b>		<b>-</b>	<b>7,365</b>	<b>8,307</b>	<b>-</b>	<b>(942)</b>
<b>TOTAL COMPREHENSIVE INCOME FOR THE PERIOD</b>		<b>-</b>	<b>1,760</b>	<b>15,778</b>	<b>-</b>	<b>(14,018)</b>

(\*) Budgetary information has been restated to align with the presentation and classification adopted in the financial statements.

# Notes to the Financial Statements

For the year ended 30 June 2015

## Statement of Financial Position

	Variance note	Original budget 2015 (*) \$'000	Actual 2015 \$'000	Actual 2014 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2015 and 2014 \$'000
<b>ASSETS</b>						
<b>Current Assets</b>						
Cash and cash equivalents	7, H	4,805	19,346	24,212	14,541	(4,866)
Restricted cash and cash equivalents	8, I	2,083	19,530	27,393	17,447	(7,863)
Receivables	9, J	7,317	8,754	7,611	1,437	1,143
Amounts receivable for services	10	2,864	2,557	2,781	(307)	(224)
Other current assets	11, K	3,655	1,994	1,258	(1,661)	736
Non-current assets held for distribution to owner	12, L	2,451	-	1,930	(2,451)	(1,930)
<b>Total Current Assets</b>		<b>23,175</b>	<b>52,181</b>	<b>65,185</b>	<b>29,006</b>	<b>(13,004)</b>
<b>Non-Current Assets</b>						
Restricted cash and cash equivalents	13, M	5,967	-	5,962	(5,967)	(5,962)
Amounts receivable for services	N	155,325	155,632	141,233	307	14,399
Property, plant and equipment	14	709,401	648,775	649,124	(60,626)	(349)
Intangible assets	15, O	4,282	8,597	10,859	4,315	(2,262)
<b>Total Non-Current Assets</b>		<b>874,975</b>	<b>813,004</b>	<b>807,178</b>	<b>(61,971)</b>	<b>5,826</b>
<b>TOTAL ASSETS</b>		<b>898,150</b>	<b>865,185</b>	<b>872,363</b>	<b>(32,965)</b>	<b>(7,178)</b>

# Notes to the Financial Statements

For the year ended 30 June 2015

## Statement of Financial Position

	Variance note	Original budget 2015 <sup>(*)</sup> \$'000	Actual 2015 \$'000	Actual 2014 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2015 and 2014 \$'000
<b>LIABILITIES</b>						
<b>Current Liabilities</b>						
Payables	I 6, P	21,155	27,395	23,802	6,240	3,593
Borrowings	Q	4,819	4,801	4,157	(18)	644
Provisions		47,869	44,939	44,192	(2,930)	747
<b>Total Current Liabilities</b>		<b>73,843</b>	<b>77,135</b>	<b>72,151</b>	<b>3,292</b>	<b>4,984</b>
<b>Non-Current Liabilities</b>						
Borrowings		207,290	207,420	211,993	130	(4,573)
Provisions		8,709	8,896	8,987	187	(91)
<b>Total Non-Current Liabilities</b>		<b>215,999</b>	<b>216,316</b>	<b>220,980</b>	<b>317</b>	<b>(4,664)</b>
<b>TOTAL LIABILITIES</b>		<b>289,842</b>	<b>293,451</b>	<b>293,131</b>	<b>3,609</b>	<b>320</b>
<b>NET ASSETS</b>						
<b>EQUITY</b>						
Contributed equity	17	257,285	224,956	234,214	(32,329)	(9,258)
Reserves		293,824	284,482	277,117	(9,342)	7,365
Accumulated surplus		57,199	62,296	67,901	5,097	(5,605)
<b>TOTAL EQUITY</b>		<b>608,308</b>	<b>571,734</b>	<b>579,232</b>	<b>(36,574)</b>	<b>(7,498)</b>

(\*) Budgetary information has been restated to align with the presentation and classification adopted in the financial statements.

# Notes to the Financial Statements

For the year ended 30 June 2015

## Statement of Cash Flows

	Variance note	Original budget 2015 (*) \$'000	Actual 2015 \$'000	Actual 2014 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2015 and 2014 \$'000
<b>CASH FLOWS FROM STATE GOVERNMENT</b>						
Service appropriation		326,339	329,312	325,831	2,973	3,481
Capital appropriation	18, R	11,183	13,732	48,140	2,549	(34,408)
Holding account drawdown		2,781	2,781	2,660	-	121
Royalties for Regions Fund	19, S	16,247	2,920	19,767	(13,327)	(16,847)
<b>Net cash provided by State Government</b>		<b>356,550</b>	<b>348,745</b>	<b>396,398</b>	<b>(7,805)</b>	<b>(47,653)</b>
Utilised as follows:						
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>						
<b>Payments</b>						
Employees benefits		(231,150)	(224,118)	(219,442)	7,032	(4,676)
Supplies and services	T	(173,929)	(180,567)	(169,119)	(6,638)	(11,448)
Accommodation	20, U	(37,600)	(45,168)	(40,160)	(7,568)	(5,008)
Finance costs		(16,817)	(16,409)	(16,816)	408	407
GST payments on purchases		(21,513)	(20,200)	(20,224)	1,313	24
GST payments to taxation authority		(1,300)	(2,707)	(2,927)	(1,407)	220
<b>Receipts</b>						
Receipts from services		122,385	120,573	119,752	(1,812)	821
Commonwealth grants and contributions		12,896	13,832	13,598	936	234
GST receipts on sales		1,300	3,165	2,614	1,865	551
GST receipts from taxation authority		21,513	20,257	20,543	(1,256)	(286)
<b>Net cash used in operating activities</b>		<b>(324,215)</b>	<b>(331,342)</b>	<b>(312,181)</b>	<b>(7,127)</b>	<b>(19,161)</b>

# Notes to the Financial Statements

For the year ended 30 June 2015

## Statement of Cash Flows

	Variance note	Original budget 2015 (*) \$'000	Actual 2015 \$'000	Actual 2014 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2015 and 2014 \$'000
<b>CASH FLOW FROM INVESTING ACTIVITIES</b>						
<b>Payments</b>						
Purchase of non-current physical assets	V	(34,880)	(31,842)	(50,115)	3,038	18,273
<b>Receipts</b>						
Proceeds from sale of non-current physical assets		-	4	18	4	(14)
<b>Net cash used in investing activities</b>		<b>(34,880)</b>	<b>(31,838)</b>	<b>(50,097)</b>	<b>3,042</b>	<b>18,259</b>
<b>CASH FLOW FROM FINANCING ACTIVITIES</b>						
<b>Payments</b>						
Finance lease payments		(3,974)	(4,256)	(3,645)	(282)	(611)
<b>Net cash used in financing activities</b>		<b>(3,974)</b>	<b>(4,256)</b>	<b>(3,645)</b>	<b>(282)</b>	<b>(611)</b>
Net increase in cash and cash equivalents		(6,519)	(18,691)	30,475	(12,172)	(49,166)
Cash and cash equivalents at the beginning of the period		19,374	57,567	27,092	38,193	30,475
<b>CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD</b>		<b>12,855</b>	<b>38,876</b>	<b>57,567</b>	<b>26,021</b>	<b>(18,691)</b>

(\*) Budgetary information has been restated to align with the presentation and classification adopted in the financial statements.

# Notes to the Financial Statements

For the year ended 30 June 2015

## Major Variance Narratives

### Variances between estimate and actual for 2015

1. Depreciation and amortisation expense exceeded estimates by \$1.9 million (11%) due to fair value adjustments and project timeline changes since the preparation of estimates.
2. Accommodation expenses exceeded estimates by \$6.5 million (15.1%) due to higher costs associated with the relocation of the State Administrative Tribunal and the escalation of rental and electricity costs above inflation.
3. Loss on disposal of non-current assets exceeded estimates by \$1 million (estimate: nil) due to lower than estimated proceeds on disposal of the Old Kalgoorlie Courthouse.
4. Liabilities assumed by the Treasurer are lower by \$3.2 million (11.3%) due to a lower than estimate increase in the Judges' pension-liability at the Department of Treasury.
5. Royalties for Regions Fund was lower by \$0.9 million (30.8%) due to project timeline and funding changes at the Department of Regional Development.
6. Changes in asset revaluation surplus is not part of the estimates, hence nil.
7. Cash and cash equivalent exceeded estimates by \$14.5 million (302.6%) mainly due to higher than estimate opening cash balances in 2014-15 (\$8.1 million higher) and changes in receivables and payables.
8. Current restricted cash and cash equivalents exceeded estimates by \$17.4 million (837.6%) mainly due to spending delays and project timeline changes in various capital investment projects; and the reclassification of amounts held for the 27th pay.
9. Current receivables exceeded estimates by \$1.4 million (19.6%) mainly due to the timing of the residential tenancy recoup from the Department of Commerce, which was expected to be received in 2015, and the ICT services recoup from the Department of Corrective Services.
10. Current amounts receivable for services decreased by \$0.3 million (10.7%) due to an adjustment in the Department's cash disbursement profile at the Department of Treasury.
11. Other current assets are lower by \$1.7 million (45.4%) mainly due to lower than estimate prepaid expenses.
12. Non-current assets held for distribution to owner are lower by \$2.5 million (100%) due to the transfer of the Old Kalgoorlie Courthouse since estimates.
13. Non-current restricted cash and cash equivalents are lower by \$6 million (100%) due to the reclassification of amounts held for the 27th Pay to current.
14. Property, Plant and Equipment are lower by \$60.6 million (8.5%) mainly due the transfer of assets for the Carnarvon Police and Justice Complex to the Department of Corrective Services and Western Australian Police.
15. Intangible Assets exceeded estimates by \$4.3 million (100.7%) due to increases for the development of the Integrated Courts Management System, partially offset by higher amortisation expenditure.
16. Payables exceeded estimates by \$6.2 million (29.5%) mainly due to the accrual of eight days of salaries and wages and the timing of payments of various invoices.
17. Contributed equity is lower than estimates by \$32.3 million (12.6%), due to the transfer of the assets for the Carnarvon Police and Justice complex and the transfer of the Old Kalgoorlie courthouse.
18. Capital appropriation exceeded estimates by \$2.5 million (22.8%), due to a funding realignment between service and capital appropriations allocated for borrowing repayments.
19. Royalties for Region fund was lower by \$13.3 million (82%) due to project timeline extension for projects funded by the Regional Infrastructure and Headworks Fund.
20. Accommodation payments exceeded estimates by \$7.6 million (20.1%) due to higher costs associated with the relocation of the State Administrative Tribunal and the escalation of rental and electricity costs above inflation.

## Notes to the Financial Statements

For the year ended 30 June 2015

### Variations between actual results for 2015 and 2014

- A. Employee benefits expense increased by 17.9 million (7.7%) mainly due to a higher actuarial assessment of the Judges' pension-liability in 2015 and the escalation of salaries and wages.
- B. Accommodation expenses increased by \$5.1 million (11.4%) mainly due to higher costs associated with the relocation of the State Administrative Tribunal and contractual increases in rent and electricity.
- C. Loss on disposal of non-current assets of \$1 million (2014: gain of \$18 thousand) due to lower proceeds on disposal of the Old Kalgoorlie Courthouse.
- D. Liabilities assumed by the Treasurer increased by \$9.3 million (60.4%) due to a higher actuarial assessment of the Judges' pension-liability.
- E. Resources received free of charge increased by \$2.1 million (10.5%) mainly due to cost increases in court security and custodial services contracted by the Department of Corrective Services.
- F. Royalties for Regions Fund receipts increased by \$0.2 million (15.5%) due to funding changes at the Department of Regional Development.
- G. Drop in the asset revaluation surplus by \$0.9 million (11.3%) is due to the lower increments reported by Landgate valuation services in the valuation of land and buildings.
- H. Current cash and cash equivalents decreased by \$4.9 million (20%) mainly due to changes in receivables and payables.
- I. Current restricted cash and cash equivalents decreased by \$7.9 million (28.7%) mainly due to the completion of various asset investment projects.
- J. Current receivables increased by \$1.1 million (15%) mainly due to the timing of the residential tenancy recoup from the Department of Commerce and the ICT services recoup from the Department of Corrective Services.
- K. Other current assets are higher by \$0.7 million (58.5%) due to an increase in prepaid expenses.
- L. Non-current assets held for distribution to owner is lower by \$1.9 million (100%) due to the transfer of the Old Kalgoorlie Courthouse in 2015.
- M. Non-current restricted cash and cash equivalents are lower by \$6 million (100%) due to the reclassification of amounts held for the 27th Pay to current.
- N. Non-current amounts receivable for services are higher by \$14.4 million (10.2%) due to the non-cash appropriation for asset replacement partially offset by drawdowns from the holding account.
- O. Intangible Assets are lower by \$2.3 million (20%) due to amortisation expenditure.
- P. Payables are higher by \$3.6 million (15.1%) mainly due to the accrual of eight days of salaries and wages and the timing of payments of various invoices.
- Q. Current Borrowings are higher by \$0.6 million (15.5%) due to the increases in contractual borrowing repayments due in 2015-16.
- R. Capital appropriation is lower by \$34.4 million (71.5%) mainly due to the completion of various courthouse projects.
- S. Royalties for Region fund is lower by \$16.8 million (85.2%) due to project timeline changes for projects funded by the Regional Infrastructure and Headworks Fund.
- T. Supplies and services are higher by \$11.4 million (6.8%) due to costs escalation and increases in 'Consultants and contractors' and 'Computing services'.
- U. Accommodation payments increased by \$5 million (12.5%) mainly due to higher costs associated with the relocation of the State Administrative Tribunal and contractual increases in rent and electricity.
- V. Purchase of non-current physical assets is lower by \$18.3 million (36.5%) mainly due to the completion of various courthouse projects.



# Notes to the Financial Statements

For the year ended 30 June 2015

## 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:

	2015 \$'000	2014 \$'000
<b>Financial assets at amortised cost</b>		
Cash and cash equivalents	19,346	24,212
Restricted cash and cash equivalents	19,530	33,355
Receivables <sup>(a)</sup>	7,087	5,429
Amounts receivable for services	158,189	144,014
<b>Financial liabilities at amortised cost</b>		
Finance lease liabilities	212,221	216,150
Payables	27,395	23,802

<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 2015

### (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>2015</b>								
Cash and cash equivalents	19,346	19,346	-	-	-	-	-	-
Restricted cash and cash equivalents	19,530	19,530	-	-	-	-	-	-
Receivables <sup>(a)</sup>	7,088	6,509	128	36	43	366	6	3,103
Amounts receivable for services	158,189	158,189	-	-	-	-	-	-
	<b>204,153</b>	<b>203,574</b>	<b>128</b>	<b>36</b>	<b>43</b>	<b>366</b>	<b>6</b>	<b>3,103</b>
<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>

<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 2015

### 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>2015</b>							
<b>Financial Assets</b>							
Cash and cash equivalents	19,346	19,345	19,345	-	-	-	-
Restricted cash and cash equivalents	19,530	19,530	12,739	-	-	6,791	-
Receivables <sup>(a)</sup>	7,088	7,088	7,088	-	-	-	-
Amounts receivable for services	158,189	158,189	285	380	1,892	11,232	144,400
	<b>204,153</b>	<b>204,152</b>	<b>39,457</b>	<b>380</b>	<b>1,892</b>	<b>18,023</b>	<b>144,400</b>
<b>Financial Liabilities</b>							
Payables	27,395	27,395	-	-	-	-	-
Finance lease liabilities	212,221	395,574	1,627	3,597	15,715	85,582	289,053
	<b>239,616</b>	<b>422,969</b>	<b>1,627</b>	<b>3,597</b>	<b>15,715</b>	<b>85,582</b>	<b>289,053</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 2015

### 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.

### 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 2015

### 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:

\$	2015	2014
50,001 - 60,000	-	1
150,001 - 160,000	1	2
160,001 - 170,000	1	1
170,001 - 180,000	1	2
200,001 - 210,000	2	-
210,001 - 220,000	1	1
250,001 - 260,000	-	1
270,001 - 280,000	-	1
280,001 - 290,000	2	-
390,001 - 400,000	-	1
410,001 - 420,000	1	-
550,001 - 560,000	1	1
580,001 - 590,000	-	1
590,001 - 600,000	1	-
	<b>\$'000</b>	<b>\$'000</b>
<b>Total remuneration of senior officers</b>	<b>3,237</b>	<b>3,179</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 2015

### 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:

	2015 \$'000	2014 \$'000
Auditing the accounts, financial statements and key performance indicators	187	183

### 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 58% (2014: 53%) of the total operational funds of the Legal Aid Commission of Western Australia during the 2014-15 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:

	2015 \$'000	2014 \$'000
The Accountable Authority <sup>(a)</sup>	10,594	9,375
	<b>10,594</b>	<b>9,375</b>

<sup>(a)</sup> Amounts written off pertain primarily to court fines and infringements that have been registered within the Fines 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:

	2015 \$'000	2014 \$'000
The Accountable Authority <sup>(b)</sup>	961	2,089
Criminal injuries Compensation Close-offs <sup>(b)(c)</sup>	2,606	4,683
	<b>3,567</b>	<b>6,772</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 2015

## Note 43. Special Purpose accounts

During the reporting period the Department maintained the following special purpose accounts:

Account name	2014-2015				2013-2014			
	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	-
2. Land Acquisition Account	2,213	122,700	120,205	4,708	3,652	99,204	100,643	2,213
3. Suitor's Fund Account	285	271	342	214	301	27	43	285
4. Courts Trust Account	11,758	76,203	77,037	10,924	11,565	40,065	39,872	11,758
5. Departmental Receipts in Suspense	371	24,957	25,265	63	385	24,763	24,777	371
6. Sheriff's and District Court Bailiff's Trust Account	91	1,026	1,016	101	100	812	821	91
7. Criminal Property Confiscations Account	15,902	10,141	6,909	19,134	16,063	8,193	8,354	15,902

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 <i>Financial Management Act</i> .
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 2015

### Note 44. Disclosure of administered income and expenses by service

	Court and Tribunal Services		Services to Government		General - Not Attributed <sup>(a)</sup>		Total	
	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000	2015 \$'000	2014 \$'000
<b>COST OF SERVICES</b>								
<b>Income</b>								
Judicial fines and penalties	40,978	26,468	-	-	-	-	40,978	26,468
Infringement penalties	-	-	1,223	1,280	-	-	1,223	1,280
Copyright income received on behalf of the State	-	-	-	-	259	95	259	95
Revenue for transfer - other Government agencies	-	-	-	-	16,853	14,274	16,853	14,274
Criminal property confiscations	-	-	10,141	8,193	-	-	10,141	8,193
Other paid into Consolidated Account	246	28	-	-	8,128	10,490	8,374	10,518
<b>Total administered Income</b>	<b>41,224</b>	<b>26,496</b>	<b>11,364</b>	<b>9,473</b>	<b>25,240</b>	<b>24,859</b>	<b>77,828</b>	<b>60,828</b>
<b>Expenses</b>								
Payments to the Consolidated Account	41,599	42,554	-	-	-	-	41,599	42,554
Criminal property confiscations - grants	-	-	1,688	1,904	-	-	1,688	1,904
Criminal property confiscations - supplies and services	-	-	5,221	6,450	-	-	5,221	6,450
Payment to Road Trauma Trust Account	-	-	16,295	13,957	-	-	16,295	13,957
Other	900	360	-	-	800	2,266	1,700	2,626
<b>Total administered expenses</b>	<b>42,499</b>	<b>42,914</b>	<b>23,204</b>	<b>22,311</b>	<b>800</b>	<b>2,266</b>	<b>66,503</b>	<b>67,491</b>

<sup>(a)</sup> Relates to administered costs' receipts in suspense.



## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 45. Explanatory Statement for Administered Items

	Variance note	Original budget 2015 \$'000	Actual 2014 \$'000	Actual 2014 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2015 and 2014 \$'000
<b>COST OF SERVICES</b>						
<b>Income</b>						
Judicial fines and penalties	1, A	35,346	40,978	26,468	5,632	14,510
Infringement penalties	7	1,604	1,223	1,280	(381)	(57)
Copyright income received on behalf of the State	8, H	227	259	95	32	164
Revenue for transfer - other Government agencies	2, B	14,323	16,853	14,274	2,530	2,579
Criminal property confiscations	3, C	7,500	10,141	8,193	2,641	1,948
Other paid into Consolidated Account	4, D	11,353	8,374	10,518	(2,979)	(2,144)
<b>Total administered Income</b>		<b>70,353</b>	<b>77,828</b>	<b>60,828</b>	<b>7,475</b>	<b>17,000</b>
<b>Expenses</b>						
Payments to the Consolidated Account	5	46,411	41,599	42,554	(4,812)	(955)
Criminal property confiscations - grants	9, I	1,900	1,688	1,904	(212)	(216)
Criminal property confiscations - supplies and services	E	5,600	5,221	6,450	(379)	(1,229)
Payment to Road Trauma Trust Account	6, F	14,323	16,295	13,957	1,972	2,338
Other	G	2,119	1,700	2,626	(419)	(926)
<b>Total administered expenses</b>		<b>70,353</b>	<b>66,503</b>	<b>67,491</b>	<b>(3,850)</b>	<b>(988)</b>

# Notes to the Financial Statements

For the year ended 30 June 2015

## Major Variance Narratives (Administered Items)

### Variations between estimate and actual for 2015

1. Judicial fines and penalties collection exceeded estimates by \$5.6 million (16%) mainly due to an increase in fines and infringements registered at the Fines Enforcement Registry.
2. Revenue for transfer is collected on behalf of the Department of Transport for speed and red light camera fines. In 2014-15, fines were increased for a number of offences which led to a higher collection of revenue than anticipated.
3. Criminal property confiscations exceeded estimates by \$2.6 million (35%) due to a growth in the criminal money and property seized by the Western Australian Police and the Office of the Director of Public Prosecutions.
4. The reduction in other revenue was mainly attributed by lower infringements fines collected on behalf of the Department of Transport. These collections are not controlled or managed by the Department of the Attorney General.
5. Payments to Consolidated Account reduced by \$4.8 million (10%) mainly due to lower cash receipts of judicial fines and penalties.
6. The higher than estimates payment to Road Trauma Trust Account was a result of higher speed and red light camera fine revenue collected.
7. Infringement penalties reduced by \$0.38 million (24%) mainly due to lower revenue of minor infringements collected by the Courts.

8. Copyright income received on behalf of the State exceeded the estimates by \$0.03 million (14%) due to higher use of WA State government copyright works.
9. Payment of grants from the criminal property confiscations lower by \$0.2 million (11%) due to delays in the commencement and acquittals of projects by the recipients. Grant payments are made in accordance with various payment schedules as agreed at the commencement of the projects and these can be varied over the years.

### Variations between actual results for 2015 and 2014

- A. Judicial fines and penalties increased by \$14.5 million (55%) due to the growth in the fines and infringements registered at the Fines Enforcement Registry in 2015.
- B. Revenue for transfer increased by \$2.6 million (18%) mainly due to fines increases in 2014-15 for a number of offences.
- C. Criminal property confiscations increased by \$1.9 million (24%) due to a growth in the criminal money and property seized by the Western Australian Police and the Office of the Director of Public Prosecution.
- D. Other revenue reduced by \$2.1 million (20%) as a result of lower infringements fines collected on behalf of the Department of Transport. These collections are not controlled or managed by the Department of the Attorney General.

- E. Criminal property confiscations - supplies and services refer to funds distributed from the collection under the *Criminal Property Confiscation Act 2000*. Payments in 2013-14 to the Office of the Director of Public Prosecutions included an additional funding to assist in the handling of cases involving organised crime.
- F. Payment to Road Trauma Trust Account increased by \$2.3 million (17%) due to higher funds available for payment as a result of higher speed and red light camera fine revenue collected.
- G. Other payments reduced by \$0.9 million (35%) mainly due to lower funds available for distribution as a result of lower miscellaneous receipts collected.
- H. Copyright income received on behalf of the State increased by \$0.16 million due to higher use of WA State government copyright works.
- I. Payment of grants from the criminal property confiscations was lower by \$0.2 million (11%) due to delays in the commencement and acquittals of projects by the recipients. Grant payments are made in accordance with various payment schedules as agreed at the commencement of the projects and these can be varied over the years.

## Notes to the Financial Statements

For the year ended 30 June 2015

### Note 46. Administered assets and liabilities

	2015 \$'000	2014 \$'000
<b>Assets</b>		
<b>Cash and restricted cash assets</b>		
Suitors' fund	214	285
Departmental receipts in suspense	63	371
Criminal Property Confiscations	19,134	15,902
<b>Receivables</b>		
Magistrates Court - fines and costs	1,263	5,163
Fines Enforcement Registry	159,379	143,995
Children's Court	17	106
Less: allowance for impairment of receivables - Unrecoverable fees and fines - Note 2 (e)	(85,651)	(82,928)
<b>Total administered current assets</b>	<b>94,419</b>	<b>82,894</b>
<b>Total administered assets</b>	<b>94,419</b>	<b>82,894</b>
<b>Liabilities</b>		
Amounts due to the Treasurer (Appeals Cost Board) <sup>(a)</sup>	2,000	1,800
<b>Total administered liabilities</b>	<b>2,000</b>	<b>1,800</b>
<b>Net administered assets</b>	<b>92,419</b>	<b>81,094</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 47. Commonwealth grant – Christmas and Cocos Island

	2015 \$'000	2014 \$'000
<b>Opening balance</b>	<b>26,080</b>	<b>8,482</b>
<b>Income</b>		
Commonwealth reimbursements	127,502	279,106
Court fees	1,133	788
<b>Total receipts</b>	<b>128,635</b>	<b>279,894</b>
<b>Expenses</b>		
Operating costs	203,671	262,296
<b>Total payments</b>	<b>203,671</b>	<b>262,296</b>
<b>Closing balance</b>	<b>(48,956)</b>	<b>26,080</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 2015

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 2015.

*Cheryl Gwilliam*

Cheryl Gwilliam

DIRECTOR GENERAL

DEPARTMENT OF THE ATTORNEY GENERAL

26 August 2015

## 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	Department of the Attorney General 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

There were no changes to the Department's Outcome Based Management framework for 2014-15.

## 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 2014-15 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. 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.

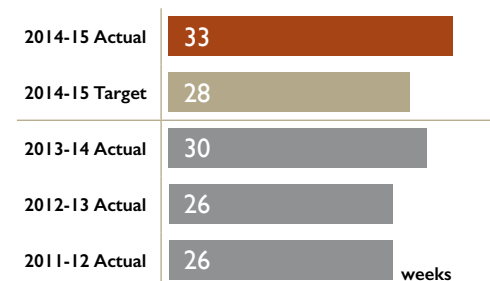
### Key Effectiveness Indicators

#### 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?** The criminal median time to trial remained above target due to the combination of an increase in the volume of defended matters and increased judicial leave.

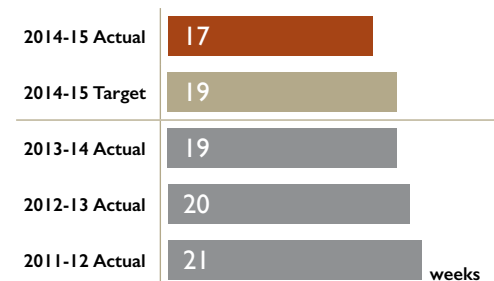


### Supreme Court – Civil – Time to finalise non-trial matters

**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 first date of finalisation, excluding matters finalised by trial and matters finalised administratively. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

**What does this indicator show?** The better than target result in the median time to finalise civil non-trial matters is due to an improvement in the time taken to finalise possession of property matters by notice of discontinuance (when a party decides to no longer pursue the action).

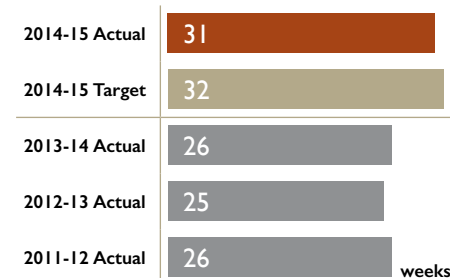


### District Court – Criminal – Time to trial

**What does this indicator measure?** Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, 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 the first trial date. The information for this indicator is derived from the Integrated Courts Management System (ICMS).

**What does this indicator show?** No significant variation.

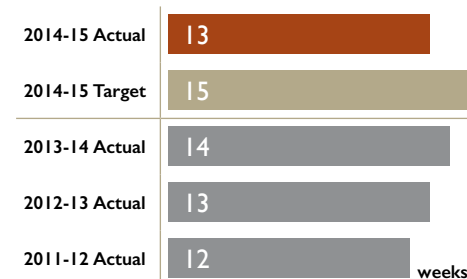


### State Administrative Tribunal – Time to finalise

**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?** The better than target result is attributed to the Tribunal's continued active case management which refers to improved listing practices. The result is consistent with the Tribunal's performance over the last two years.



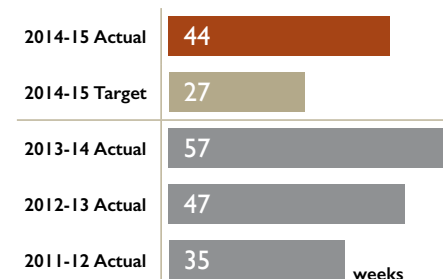


### Family Court of Western Australia – Time to finalise non-trial matters

**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 median time to finalise non-trial matters has reduced by 13 weeks since 2013-14. While improving, the result remains higher than the target. The Court's efforts to reduce the number of inactive matters, an increase in the complexity and volume of final order parenting applications finalised, and the dedication of two Magistrates to trial work have reduced the Court's capacity to undertake non-trial work.

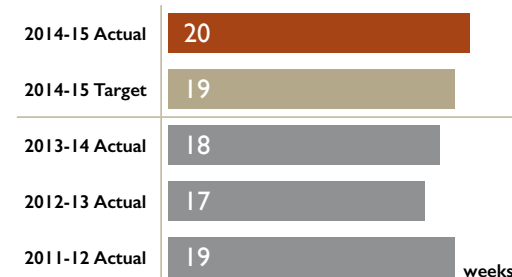


### Magistrates Court – Criminal and Civil – Time to trial

**What does this indicator measure?** Time to trial is a measure of the median time taken from a specified initial date (e.g. 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 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.

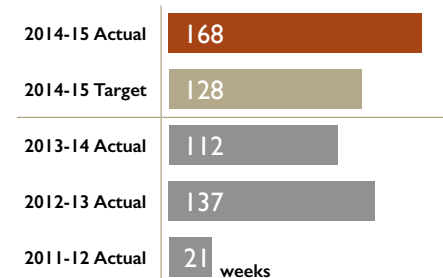


### Coroner’s Court – Time to trial

**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 2014-15 result is higher than the target and last year’s actual. This is due to the Coroner’s Court focusing on older and more complex inquest cases. More than 70 percent of the inquests heard in 2014-15 were over 128 weeks old.



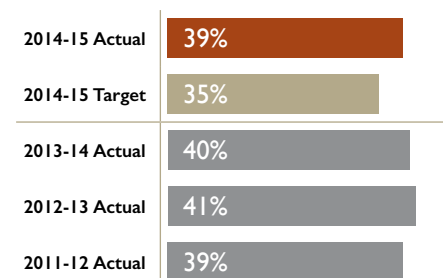
### Fines Enforcement Registry - Percentage of Fines Satisfied Within 12 Months

**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.

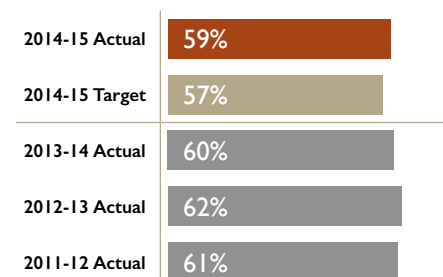
**What does this indicator show?** No significant variation.



#### 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 1: Court and Tribunal Services

This service is delivered by Court and Tribunal Services.

Two distinct groups administer courts in Western Australia: the independent judicial officers who preside over the various courts and the Department of 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.

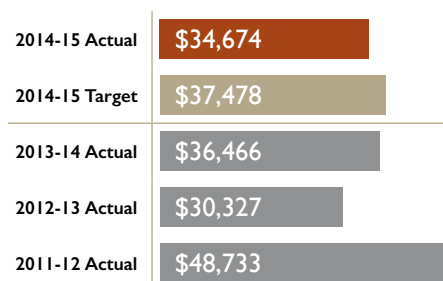
The efficiency indicators for Court and Tribunal Services are calculated from the Department's Cost Allocation Model in the Financial Management Information System. Total operating costs used to calculate the efficiency measure are extracted

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.

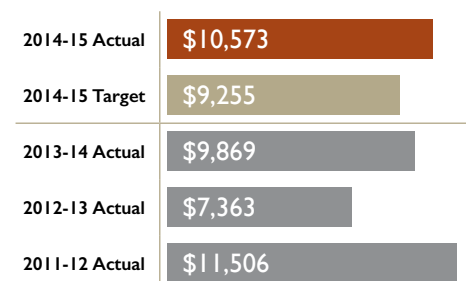
#### Supreme Court – Criminal – Cost per case

No significant variation.



#### Supreme Court – Civil – Cost per case

The higher than target cost per case is primarily due to a higher actuarial assessment of the current serving Judges' pension liability.



**Court of Appeal – Cost per case**

The higher than target cost per case is primarily due to a higher actuarial assessment of the current serving Judges' pension liability.

2014-15 Actual	\$25,829
2014-15 Target	\$23,377
2013-14 Actual	\$23,688
2012-13 Actual	n/a
2011-12 Actual	n/a

**State Administrative Tribunal – Cost per case**

No significant variation.

2014-15 Actual	\$3,413
2014-15 Target	\$3,463
2013-14 Actual	\$3,290
2012-13 Actual	\$3,265
2011-12 Actual	\$3,975

**District Court – Criminal – Cost per case**

No significant variation.

2014-15 Actual	\$22,428
2014-15 Target	\$21,036
2013-14 Actual	\$21,636
2012-13 Actual	\$18,170
2011-12 Actual	\$29,423

**Family Court of Western Australia – Cost per case**

No significant variation.

2014-15 Actual	\$1,894
2014-15 Target	\$1,860
2013-14 Actual	\$1,748
2012-13 Actual	\$2,052
2011-12 Actual	\$1,741

**District Court – Civil – Cost per case**

The lower than target cost per case is due to an increase in the number of matters finalised across all areas of civil related work.

2014-15 Actual	\$6,457
2014-15 Target	\$7,832
2013-14 Actual	\$6,501
2012-13 Actual	\$6,381
2011-12 Actual	\$5,143

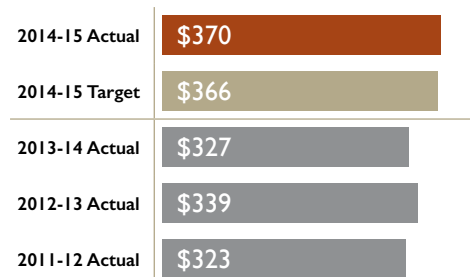
**Magistrates Court – Criminal – Cost per case**

The lower than target cost per case is due to a greater number of matters finalised in the areas of traffic matters, illicit drugs and miscellaneous offences.

2014-15 Actual	\$912
2014-15 Target	\$1,237
2013-14 Actual	\$945
2012-13 Actual	\$961
2011-12 Actual	\$905

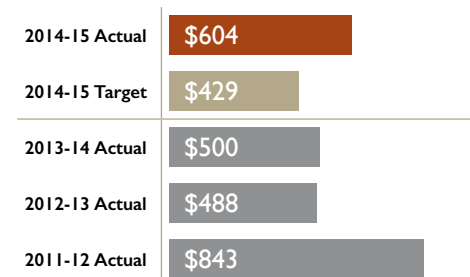
**Magistrates Court – Civil – Cost per case**

No significant variation.



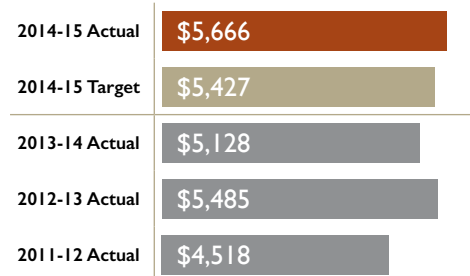
**Children’s Court – Civil – Cost per case**

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**

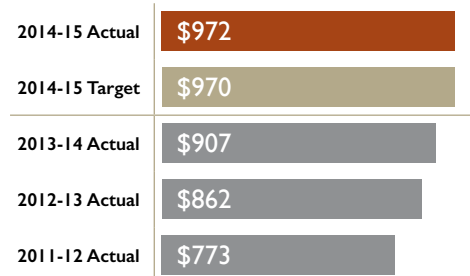
No significant variation.



**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.

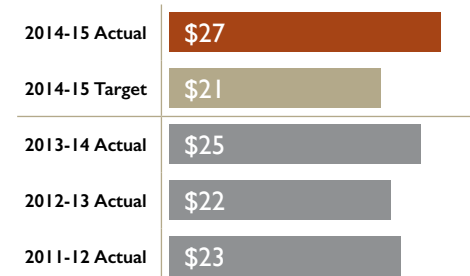
**Children’s Court – Criminal – Cost per case**

No significant variation.



**Fines Enforcement Registry – Cost per enforcement**

The higher than target cost per case follows the implementation of the ‘One Fine initiative’. The initiative results in all court fines being referred directly to the registry for administration once ordered by a court and allows individuals to pay court fines before enforcement thus contributing to a decrease in lodgements.



## 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

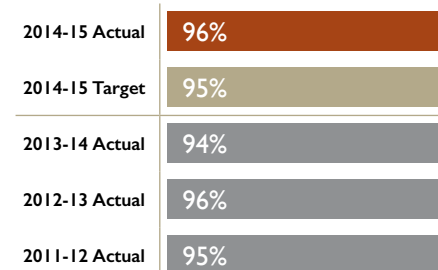
#### Percentage of Guardians of last resort allocated in one day

**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.

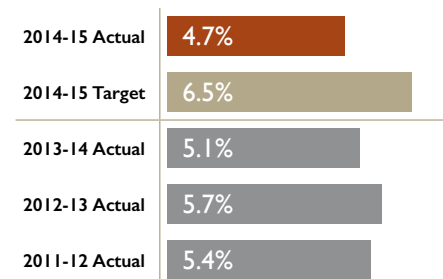
The percentage of deceased estates administered by the Public Trustee indicates the use being made of the service and therefore the overall accessibility of trustee services to Western Australians. The indicator represents the number of deceased estate files reported as a percentage of the number of 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.



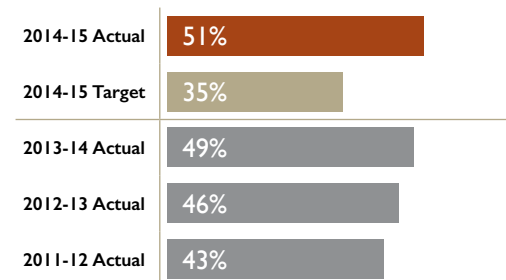
### Percentage of clients who have services provided by the Public Trustee under an operating subsidy

**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 a continual 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.

2014-15 Actual	\$1,649
2014-15 Target	\$1,800
2013-14 Actual	\$1,820
2012-13 Actual	\$1,776
2011-12 Actual	\$1,744



## 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.

**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?** The higher than target average cost per deceased estate administered is due to an increase in the number of beneficiaries apply to administer the estate themselves.

2014-15 Actual	\$2,914
2014-15 Target	\$2,591
2013-14 Actual	\$2,898
2012-13 Actual	\$2,810
2011-12 Actual	\$2,920

### Average cost per trust managed

**What does this indicator measure?** This indicator measures the average cost of managing a trust.

**How is this indicator calculated?** This indicator is calculated by dividing the total cost to manage trusts by the 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.

2014-15 Actual	\$1,919
2014-15 Target	\$1,911
2013-14 Actual	\$1,983
2012-13 Actual	\$1,998
2011-12 Actual	\$2,008

### Average cost per will prepared

**What does this indicator measure?** This indicator measures the average cost per will prepared.

**How is this indicator calculated?** This indicator is calculated by dividing the total cost of preparing wills by the 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 average cost per will is due to the lower than target number of wills prepared.

2014-15 Actual	\$751
2014-15 Target	\$597
2013-14 Actual	\$825
2012-13 Actual	\$780
2011-12 Actual	\$715

## 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

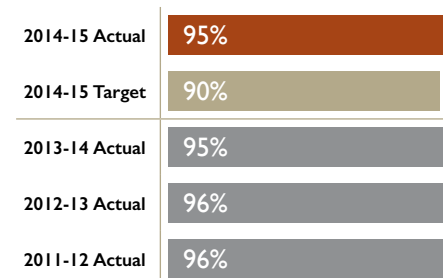
#### Percentage of certificates of birth, death or marriage issued within two days

**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.



**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.

2014-15 Actual	97%
2014-15 Target	97%
2013-14 Actual	97%
2012-13 Actual	97%
2011-12 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.

2014-15 Actual	\$1.92
2014-15 Target	\$1.90
2013-14 Actual	\$1.87
2012-13 Actual	\$1.99
2011-12 Actual	\$1.92

## 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 Solicitor's Office and the Parliamentary Counsel's Office, has achieved this outcome.

The indicators measure the satisfaction of recipients of legal services and the timeliness of drafting legislation.

### Key Effectiveness Indicator

#### Extent to which government departments are satisfied with the legal services

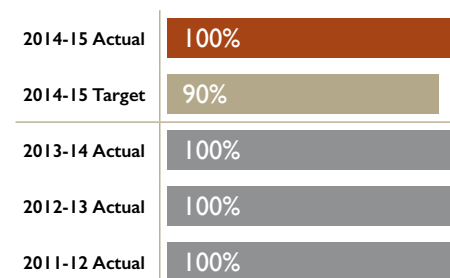
**What does this indicator measure?** This indicator measures client satisfaction with the quality of legal services provided by the State Solicitor's Office. It is measured through a client survey and targets Chief Executive Officers (CEOs) of Government departments and agencies. Details of areas to be canvassed are forwarded in advance to CEOs and are followed by an interview conducted by the State Solicitor.

**How is this indicator calculated?** The top 20 plus four (4) randomly selected client agencies were surveyed.

The number of agencies surveyed represents approximately 87 per cent of the chargeable work of the State Solicitor's Office.

The criterion used to assess satisfaction with service was the overall extent to which Government departments are satisfied with legal services.

**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 2014-15, 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**

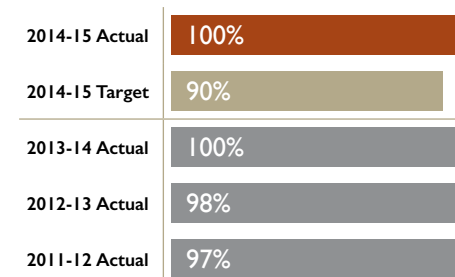
**What does this indicator measure?** This indicator measures whether the legislative program has been met by determining the extent to which the drafting of legislation that Cabinet has authorised to be prepared has been completed according to the priorities set by Cabinet.

**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.

comprehensive legislative drafting services and access to up to date Western Australia legislation.

The State Solicitor's Office provides a broad-based legal service to Government and its agencies and the Parliamentary Counsel's Office provides

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.

2014-15 Actual	\$3,962
2014-15 Target	\$3,800
2013-14 Actual	\$3,635
2012-13 Actual	\$3,462
2011-12 Actual	\$3,270

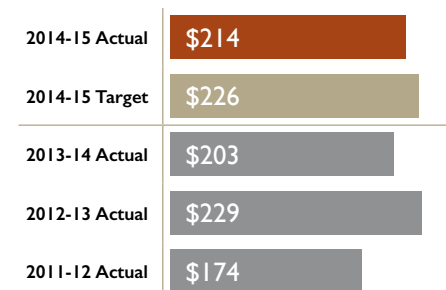


**Average cost per page of output**

**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?** No significant variation.



# Other Financial Disclosures

## Ministerial Directives

No ministerial directives were received during the financial year.

## 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. This includes court hearing time, transcripts and the enforcement of orders including infringements lodged at the Fines Enforcement Registry for enforcement by various Prosecuting Authorities. Cost recovery is largely confined to the civil jurisdictions.

A review of fees is conducted annually to ensure a balance between the criteria of access to justice, incentives to settle and user pays contributions.

Fees and charges were increased in 2014/15 by 2.6%, except for fines enforcement which were increased by an additional 8.4%. This was published in the Government Gazette on 27 June 2014 and came into effect on 1 July 2014.

## 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 2014/15.

## Public Trustee

The Public Trustee collects fees for a variety of services. The fees are based on a user pays system adopting a work effort methodology, whilst recognising the Public Trustee's operating subsidy obligations in terms of a 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 2.5 per cent in 2014/15.

## Major Capital Works

### Capital project in progress

Funding from Royalties for Regions was provided in 2011/12 for the replacement of the court facility at Fitzroy Crossing. This \$5.1 million courthouse is under construction and is scheduled for completion in September 2015.

### Capital projects completed

#### Carnarvon Police and Justice Complex

The Carnarvon Police and Justice Complex commenced operations on 20 April 2015. The complex has a police station, courthouse and community corrections offices. The estimated total cost of the project is \$52.5 million and the completion cost to date is \$48.3 million. The builder continues to carry out remedial works for identified defects and variations issued during the course of construction.

#### Kununurra Courthouse

The new courthouse commenced operations on 3 November 2014. The \$41.8 million project funded by the State Government's Royalties for Regions program was delivered on time and within budget.

The cost to date is \$31.6 million and the remaining funds will be used in 2015/16 for an additional car park, security screens and the relocation of the temporary courthouse.

## Employee and Industrial Relations

### Summary of Employee Numbers

The Department has 1,545 full time employees (Excluding Judicial Officers and including Trainees).

### Summary of Employee Numbers by Occupational Group and Gender

Row Labels	2013/14					2014/15				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Catering Employees and Tea Attendants	2	0	2	100	0	2	0	2	100	0
Child Care Workers	1	0	1	100	0	1	0	1	100	0
Cleaners and Caretakers	11	1	12	91.7	8.3	11	1	12	91.67	8.33
Govt Officers (GOSAC/GOSGA Award)	80	52	132	60.6	39.4	74	56	130	56.92	43.08
Public Service Employees	1,094	533	1,627	67.7	32.3	1,124	528	1,652	68.04	31.96
State Review Board *	1	0	1	100	0	1	0	1	100	0
Salaries and Allowances Tribunals	7	13	20	35	65	7	12	19	36.84	63.16
State Administrative Tribunal	12	12	24	50	50	9	6	15	60	40
<b>Total</b>	<b>1,208</b>	<b>611</b>	<b>1,819</b>	<b>66.4</b>	<b>33.6</b>	<b>1,229</b>	<b>603</b>	<b>1,832</b>	<b>67.09</b>	<b>32.91</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.

\* State Review Board includes Prisoners Review Board, Supervised Release Review Board and the Mentally Impaired Accused Review Board.

## Breach of Human Resource Management Standards

There was one breach claim lodged with the Department during the 2014/15 reporting year, which related to employment standards. There were no claims reported against performance, grievance, redeployment or discipline management standard.

## 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 were three ex gratia payments made in 2014/15 that totalled to \$10.065 million. In addition, the Department paid seven mesothelioma claims on behalf of Government that totalled \$606,663 in 2014/15.

## 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. In 2014/15 97 per cent of staff enrolled in training on ethical conduct and public sector standards, an online assessment course, completed the training. 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 reports quarterly on the offer and acceptance of gifts, benefits and other rewards.

During 2014/15 offers of 252 gifts, including hospitality, were registered, 185 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 2014/15 a total of 196 registrations were received and approved.

## Social Media Policy

The Department implemented the Social Media Policy which established a clear set of requirements for the use of social media.

The Department recognises that staff may choose to use social media in their personal life. Social media may also be used for official interests and professional interests.

The policy does not intend to discourage nor unduly limit the personal interests of staff or their undertaking of online activities.

## 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 2014/15.

<b>Advertising Agencies</b>	<b>\$257,008</b>
Adcorp	\$251,537
Sensis	\$5,471
<b>Market Research Organisations</b>	<b>Nil</b>
<b>Polling Organisations</b>	<b>Nil</b>
<b>Direct Mail Organisations</b>	<b>Nil</b>
<b>Media Advertising</b>	<b>\$65,548</b>
Carat Australia	\$50,473
Government Gazette	\$9,432
West Australian Newspapers	\$5,643
<b>Total</b>	<b>\$322,556</b>

### Disability Access and Inclusion Planning

The Department's Disability Access and Inclusion Plan (DAIP) 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 2014/15 the Department achieved the following:

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

- Training and information sessions were conducted in an accessible manner and included offering alternative modes of delivery when required.
- Raising DAIP awareness among employees, including encouraging employees to attend disability awareness training.
- Participation in the Homeless Community Connect program, by the Registry of Births, Deaths and Marriages, to provide service, information and access to documents of identity to disadvantaged people, including those with physical and mental disability. The provision of this service assists clients to acquire identification to support their efforts to address homelessness.

#### Outcome 2: People with disability have the same opportunities as other people to access the buildings and facilities of the Department of the Attorney General.

- The construction of the Kununurra Courthouse and Carnarvon Courthouse were completed to meet accessibility guidelines. Manuals were developed to ensure staff, users and the public are provided with information on how to access all parts of the building. Signage complies

with access standards, including font type and size and braille for hearing loop information.

- Ramps were installed and doorways widened to allow wheelchair access at the Northam Courthouse.
- Service counters were lowered at the Rockingham Courthouse to allow for wheelchair users to use the facility.
- The Registry of Births, Deaths and Marriages refurbished wedding reception rooms and lowered the reception desk and application counters to allow for wheelchair accessibility.

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

- The Child Witness Service developed a new brochure targeted towards children and young people. The brochure complies with accessible information standards, is written in plain English and sets out the services available, including definitions of legal terms and images to assist them.
- The Office of the Public Advocate developed a brochure titled "If you can't make your own decisions, who will make them for you?" to assist people with planning arrangements for another person to act on their behalf should they lose the capacity to make decisions for themselves.

- The Commissioner for Victims of Crime developed online videos to assist victims of crime to navigate the criminal justice system. These videos have been uploaded in a format that is accessible from all devices. They assist people who are unable to read English or where their English is not their first language. The videos also provide closed captions for people who are Deaf or have hearing difficulties.
- New accessibility features were added on the website of the Office of the Public Advocate to allow for easier navigation and enhanced readability. The Readspeak and DocReader function is available on the main website pages, downloadable word documents and PDFs.
- Auslan signs promoting the Department's use of sign language for people who are deaf or have hearing difficulties or are hard of hearing are placed at public front counters and contain information on the back to assist staff. Hearing loops are provided where necessary.
- Courts and Tribunal Services provide a free of charge interpreter and translator service to clients who have difficulty communicating in spoken and/or written English or who are deaf or have hearing difficulties.

**Outcome 4: People with disability receive the same level and quality of service from the Department of the Attorney General's staff as other people receive.**

The Public Trustee continues to provide Will

services to clients who may be restricted to their house or hospital, due to disability or other incapacity.

The Office of the Public Advocate continues to ensure the Community Guardianship Program volunteers receive a comprehensive induction, including information on the Represented Person's rights and access needs. The training conducted during the year has focused on equal opportunity and equal access rights presented by the non-government organisation 'People with Disabilities'.

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

- Disability access issues continue to be reported separately within the Customer Feedback Management System. Minimal numbers are received each year.
- A new We Welcome Your Feedback brochure and Customer Service Charter is being developed to consider accessibility guidelines and to cater for people with limited English proficiency.

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

- Updates and reviews to Department policies ensure there are no barriers for people with disability.

- Policy and Aboriginal Services Open Days and NAIDOC week celebrations foster consultation with the community.

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

- In October, an intake of trainees with a disability, graduated and obtained a Certificate III in Government. Most trainees continue to be retained on a contract basis.
- Reminders are ongoing for new and existing staff to update their EEO details, including disability status on HR Kiosk, through corporate induction, online articles and onboarding programs.
- The annual organisational survey has been amended to capture equity and diversity information. This will assist in workforce strategy planning to assist current and future staff with a disability.
- The Department continues to maintain the entry level traineeship program under the disability stream and continues to support staff with a disability including identifying ongoing opportunities for trainees as appropriate.

## 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 "Excellent Service, Integrity and Accountability, Equality, Collaboration and Learning and Professional Autonomy" 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 2014/15 134 staff participated in awareness-raising on ethical conduct and public sector standards.

### Recordkeeping Plan (State Records Act 2000 and State Records Commission Standard 2, Principle 6)

The Department is addressing various consolidated records projects to conform to all requirements as is required under the *State Records Act 2000*.

The State Records Commission's minimum compliance requirements are:

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

As prescribed in the Department's Recordkeeping Plan (RKP) Key Performance Indicators have been implemented to define and measure recordkeeping practices and focus on continued improvement of the Department's recordkeeping system.

#### 2. The organisation conducts a record keeping training program.

To date, 98 per cent of employees have completed or are progressing through the Department's mandatory online course for Records Awareness Training (RAT), which addresses various aspects of records management. Regular reporting of staff who have undertaken the training is provided to line managers and the corporate executive. Upon completion of the RAT course, staff are enrolled in the Good Records Information Practices (GRIP) online course. Designed to supplement RAT, this course has a Department specific focus to assist staff in understanding the recordkeeping fundamentals of the management and disposal of corporate records. In addition to these online courses, the Department conducts scheduled and ad hoc face-to-face training.

#### 3. The efficiency and effectiveness of the recordkeeping training program is reviewed periodically.

The Department undertakes regular reviews of the

efficiency and effectiveness of the recordkeeping training program. As a result of this year's review all training materials are being updated to reflect the current recordkeeping requirements of the Department. The updated information will be provided to staff during face-to-face training sessions and will also be accessible via the Department's intranet.

#### 4. The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's recordkeeping plan.

The Department's induction program includes an overview of recordkeeping roles and responsibilities. The course highlights the importance of capturing and managing corporate records. It also directs participants to structured training sessions that are available via the corporate training calendar.

## Substantive Equality

Substantive Equality recognises that individuals have different needs, and may require different treatment to achieve equal outcomes. The Department's Substantive Equality Policy commits to the provision of policy, planning, service delivery, employment and training that address the needs and circumstances of the individual, providing them with equitable outcomes, regardless of their backgrounds or personal circumstances.

The Government's Policy Framework for Substantive Equality previously only aimed at identifying and eliminating racial discrimination. The Policy Framework was updated in February 2015 to

include all forms of systemic discrimination where it may exist in the policies and practices of public sector services.

The Department has completed level one and commenced implementation of level two from the five levels of the framework. The five levels are:

1. Commitment to implementing the Policy Framework for Substantive Equality.
2. Identifying clients and their needs.
3. Setting objectives/targets and developing strategies to address needs.
4. Monitoring strategies.
5. Review and evaluation.

During the year the Department continued its commitment to building a diverse workforce by considering equity and diversity principles when recruiting staff. The Department also provided information to all new employees on the importance of equity and diversity in all workplace practices and provided access to cultural awareness training.

Traineeship programs are in place for Aboriginal people, African people and people with a disability.

To continue our commitment and progression in implementing the other levels of the Policy Framework, further Needs and Impact Assessments are planned for Carnarvon Courthouse, Kalgoorlie Courthouse and Kununurra Courthouse for the 2015/16 financial year.

## **OSH and Injury Management**

This reporting is used to assist in the monitoring of the Western Australian public sector's performance in the occupational safety, health and injury management fields as well as in the development of strategies aimed at improving public sector agencies' safety, health and injury management systems and practices. Agencies are to report on their occupational safety, health and injury management performance and commitment in relation to the following minimum requirements:

- A statement of the agency's commitment to occupational safety and health and injury management with an emphasis on executive commitment
- A description of the formal mechanism for consultation with employees on occupational safety and health matters
- 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
- A statement confirming that an assessment of the occupational safety and health 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 including the percentage of agreed actions completed. A report of annual performance for 2014/15 against the following:



**A report of performance against the following targets:**

Measure	Actual Results			Target	Comments
	2012/13 <sup>(1)</sup>	2013/14	2014/15 <sup>(2)</sup>		
Number of fatalities	0	0	0	0	-
Lost time injury and/or disease incidence rate	0.455	0.376	0.655	0 or 10% reduction (actual target can be stated)	An increase from the 2012/13 year.
Lost time injury and/or disease severity rate	42.8571	28.57	33.33	0 or 10% reduction (actual target can be stated)	A 22% reduction over the 2012/13 year.
Percentage of injured workers returned to work: (i) within 13 weeks (ii) within 26 weeks	70% within 13 weeks 10% within 26 weeks	100% within 13 weeks	66% within 13 weeks 20% within 26 weeks	Greater than or equal to 80%	86% of injured workers returned within 26 weeks which exceeds target.
Percentage of managers trained in occupational safety, health and injury management responsibilities	92%	75%	92%	Greater than or equal to 80%	Achieved result above target.

Note <sup>(1)</sup> this is a three-year trend and as such the year is to be three years prior to current reporting year (ie current year is 2014/15 and comparison year is 2012/13).

Note <sup>(2)</sup> the current year ie 2014/15.

## Freedom of Information

The Department received 57 Freedom of Information (FOI) applications in 2014/15. A total of five applications from the previous period were also processed in the period.

During this time, 39 applications were completed and 18 transferred to other agencies. Ten applications were withdrawn and five were in the process of being completed. In this period, there were three requests for external review by the Information Commissioner. However, one remains outstanding from the previous period. Three reviews, including one from the previous period, were conciliated and withdrawn by the applicant.

Five decisions were reviewed internally on request by the applicants with the initial decision varying on one occasion and being upheld on the other four occasions.

## Summary of FOI applications for 2014/15

Applications Processed	
Personal information requests	22
Non-personal information requests	17
Amendment of personal information	0
Applications transferred in full	18
<b>Total</b>	<b>57</b>
Outcomes	
Applications completed	39
Applications withdrawn	10
Internal reviews completed	5
External reviews completed	2
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

Complaints, compliments and suggestions from Departmental clients and customers are recorded and monitored through the Customer Feedback Management System (CFMS). Feedback can be provided in various formats including:

- an online form available on the website – this is the most popular method of feedback, with 76 per cent of submissions received online by completing the CFMS brochure “We Welcome Your Feedback”
- a letter
- via telephone
- via fax
- in person.

During 2014/15 the Department received 327 complaints, 78 compliments and 46 suggestions. More than 92 per cent of feedback was answered within ten working days. Court and Tribunal Services received the most feedback, accounting for 63 per cent of all feedback.

Various business improvements have been implemented as a result of the feedback received. Resultant improvements include access and delivery of services, processes and procedures, products, facilities, communication and decision-making.

The Customer Service Charter and CFMS brochure is under review to ensure it meets accessibility guidelines and to ensure the information provided reflects modern, corporate practice.

# 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 (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of ss 28, 33 & 40 of this Act)*

*Choice of Law (Limitation Periods) Act 1994*

*Civil Judgments Enforcement Act 2004*

*Civil Liability Act 2002*

*Civil Procedure Act 1833 (Imperial)*

*Classification (Publications, Films and Computer Games) Enforcement Act 1996*

*Commercial Arbitration Act 2012*

*Commissioner for Children and Young People Act 2006*

*Commonwealth Places (Administration of Laws) Act 1970*

*Commonwealth Powers (De Facto Relationships) Act 2006*

*Companies (Administration) Act 1982*

*Constitutional Powers (Coastal Waters) Act 1979*

*Co-operative Schemes (Administrative Actions) Act 2001*

*Coroners Act 1996*

*Corporations (Administrative Actions) Act 2001*

*Corporations (Ancillary Provisions) Act 2001*

*Corporations (Commonwealth Powers) Act 2001*  
*Corporations (Consequential Amendments) Act (No. 3) 2003*  
*Corporations (Taxing) Act 1990*  
*Corporations (Western Australia) Act 1990*  
*Courts and Tribunals (Electronic Processes Facilitation) Act 2013*  
*Crimes at Sea Act 2000*  
*Criminal Appeals Act 2004*  
*Criminal Code Act Compilation Act 1913*  
*Criminal Injuries Compensation Act 2003*  
*Criminal Investigation (Extra-territorial Offences) Act 1987*  
*Criminal Law (Mentally Impaired Accused) Act 1996*  
*Criminal Organisations Control Act 2012*  
*Criminal Procedure Act 2004*  
*Criminal Property Confiscation (Consequential Provisions) Act 2000*  
*Criminal Property Confiscation Act 2000*  
*Cross-border Justice Act 2008*  
*Crown Suits Act 1947*  
*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*  
*District Court of Western Australia Act 1969*  
*Domicile Act 1981*  
*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*  
*Imperial Acts Adopting Ordinance 1849*  
*Imperial Acts Adopting Ordinance 1867*  
*Infants' Property Act 1830 (Imp)*  
*Interpretation Act 1984*  
*Judges' Retirement Act 1937*  
*Judgments Act 1839 (Imp)*

*Judgments Act 1855 (Imp)*  
*Juries Act 1957*  
*Jurisdiction of Courts (Cross-vesting) Act 1987*  
*Justices of the Peace Act 2004*  
*Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947*  
*Law Reform (Miscellaneous Provisions) Act 1941*  
*Law Reform (Statute of Frauds) Act 1962*  
*Law Reporting Act 1981*  
*Law Society Public Purposes Trust Act 1985*  
*Legal Profession Act 2008*  
*Legal Representation of Infants Act 1977*  
*Limitation Act 1935*  
*Limitation Act 2005*  
*Magistrates Court (Civil Proceedings) Act 2004*  
*Magistrates Court Act 2004*  
*Mercantile Law Amendment Act 1856 (Imp) Native Title (State Provisions) Act 1999*  
*Oaths, Affidavits and Statutory Declarations Act 2005*  
*Occupiers' Liability Act 1985*  
*Offenders (Legal Action) Act 2000*  
*Official Prosecutions (Accused's Costs) Act 1973*  
*Off-shore (Application of Laws) Act 1982*  
*Parole Orders (Transfer) Act 1984*  
*Partnership Act 1895*  
*Perth Anglican Church of Australia Collegiate School Act 1885*  
*Perth Diocesan Trustees (Special Fund) Act 1944*  
*Perth Hebrew Congregation Lands Act 1921*  
*Presbyterian Church Act 1908*  
*Presbyterian Church Act 1976*  
*Presbyterian Church Act Amendment Act 1919*  
*Presbyterian Church Act Amendment Act 1924*  
*Presbyterian Church of Australia Act 1901*  
*Presbyterian Church of Australia Act 1970*  
*Prescription Act 1832 (Imp)*  
*Prisoners (Release for Deportation) Act 1989*  
*Professional Standards Act 1997*  
*Prohibited Behaviour Orders Act 2010*  
*Property Law Act 1969*  
*Prostitution Act 2000 (Section 62 and Part 5 only)*  
*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 Divs. 3 & 4, Pt. 3, ss. 72(2), 73 & 74, Pt. 9 & Sch. 1 (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of those provisions of this Act)*

*Sentencing (Consequential Provisions) Act 1995*

*Sentencing Act 1995 (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of Pt. 3 Divs. 3 & 5, Pts. 3A, 9, 10 & 11 & Pt. 18 Divs. 2 & 3 of this Act)*

*Sentencing Legislation Amendment and Repeal Act 2003*

*Solicitor General Act 1969*

*Spent Convictions Act 1988*

*State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004*

*State Administrative Tribunal Act 2004*

*Statute of Frauds (1677) (Imp)*

*Statutory Corporations (Liability of Directors) Act 1996*

*Suitors' Fund Act 1964*

*Supreme Court Act 1935*

*The Salvation Army (Western Australia) Property Trust Act 1931*

*Titles (Validation) and Native Title (Effect of Past Acts) Act 1995*

*Trustee Companies Act 1987*

*Trustees Act 1962*

*Trustees of Western Australia Limited (Transfer of Business) Act 2003*

*Unauthorised Documents Act 1961*

*Uniting Church in Australia Act 1976*

*Vexatious Proceedings Restriction Act 2002*

*Victims of Crime Act 1994*

*Warehousemen's Liens Act 1952*

*Warrants for Goods Indorsement Act 1898*

*West Australian Trustees Limited (Merger) Act 1989*

*Wills Act 1970*

*Yallingup Foreshore Land Act 2006*