



Annual Report

births, deaths and marriages 2011/12



*court and tribunal
services*

*legal, legislative,
policy and Aboriginal
justice services*



*advocacy, guardianship
and administration services*

trustee services

Annual Report 2011/12

Department of the Attorney General

Statement of Compliance

For the year ending 30 June 2012

Hon Michael Mischin MLC Attorney General

In accordance with section 63 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 ending 30 June 2012.

The 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
17 September 2012

ISSN 1837-0500

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OVERVIEW OF THE AGENCY

Executive Summary

Building for the future

This financial year the Department continued to build new justice infrastructure, co-ordinating planning and construction work for three key regional court infrastructure projects in Kalgoorlie, Kununurra and Carnarvon.

Restoration work on the heritage-listed Government Offices Building in Kalgoorlie is substantially complete with the focus moving onto the new-build aspect of the redevelopment. Construction is underway on the temporary courthouse in Kununurra and design and documentation work for both the permanent court in Kununurra and the new courthouse in Carnarvon is nearly complete.

Work continues in consolidating past achievements and building further upon them with the innovation and gradual progress over recent years now coming to fruition in a range of areas. The benefits to the community come from the Western Australian justice system being at the forefront of good service delivery across the board.

Time to trial figures in most of the State's court jurisdictions over the past half decade have declined. Timely justice is vital to all users of the court system. Despite greater complexity of matters and their duration, efficiency measures and workflow changes built in and applied by the Department's Court and Tribunal Services division, have ensured timely access to justice.

While challenges remain in some areas of high demand including coronial and family law services, the Department has been allocated resources over the past financial year to help address these challenges.

In the State Budget, the Department received a funding allocation from the State Government of \$1.524 million for the 2011-2012 and 2012-2013 financial years to assist the Coroner's Court to reduce its backlog of cases and reduce the time for coronial inquests to be held.

Similarly, the Family Court of Western Australia received a \$1.2 million budget allocation to appoint a temporary magistrate and support staff to assist de facto couples who are separating. This funding will help clear a backlog of existing cases and reduce the time separating de facto couples wait for a court hearing.

The State Administrative Tribunal also took on more responsibility this year when part of the building complaints jurisdiction was transferred over to the Tribunal, which handled more than 500 building dispute matters as a result.

Guardianship matters continue to build as a growth sector due to an increasing and ageing population. Western Australia's Public Advocate is today managing the decision-making of more vulnerable citizens with cognitive impairments than ever before. The State has responded to the growing ranks of people suffering from conditions such as

dementia by funding the appointment of more staff. Guardianship services may provide comfort and assurance to vulnerable community members when there isn't a family member or friend able to act in their role.

This year the Public Trustee achieved self-funding for the first time. This was accomplished just three years after State Parliament agreed to an overhaul of the organisation's business model, which included as a primary goal the attainment of self-sufficiency. The number of new trust management clients for the year was a record and the Trustee built on its successes when it introduced an automated will-writing service for the public for the first time.

The Department continued to build on the electronic conversion of records with the conversion of two million paper-based birth, death and marriage records reaching the half way mark in what is a six-year process. The information contained in these registers and ledgers is being converted to digital data. This \$6 million project will improve the speed and accuracy with which the Registry of Births, Deaths and Marriages can access information and process customers' requests.

Advice, reviews and drafting assignments undertaken by various divisions of the agency contributed to another year of parliamentary law reforms. The Policy; Aboriginal Services Directorate of the Department and the Parliamentary Counsel's Office contributed to changes to the law on manslaughter, double jeopardy and identity crime and prospective reforms of prostitution laws and new curbs on criminal organisations.

Policy and legislative drafting work undertaken to allow the introduction of new fines enforcement measures will, when the legislation is passed by State Parliament later this year, allow the Fines Enforcement Registry to build on its success in recovering outstanding fines and infringements from offenders who fail to pay. These measures, include wheel-clamping, "naming and shaming" on a Government website, and licence plate removal.

In a sign that Western Australia is rapidly expanding its economic and social infrastructure, the Government's volume of commercial legal work, managed by the State Solicitors Office, grew appreciably during the year. In the 2012/13 financial year the office will build capacity by increasing staffing in its commercial section, providing government with more resources and expertise in this field.

A new approach to Aboriginal justice based on a concept known as Open Days builds upon earlier success and involves representatives of government and not-for-profit agencies visiting mainly remote Aboriginal communities. The approach is to assist people to deal with issues that historically result in Aboriginal people entering into the criminal justice system or suffering economic disadvantage. The work entails assisting Aboriginal people to obtain driving licences, make payments towards unpaid fines and infringements as well as access identity documents. Open days held in 2011/12 assisted almost 1,400 people in numerous regional and remote locations.

The Corporate Services Directorate, including Finance and Shared Information Services, continued their valued support of the Department's business areas over this financial year.

In partnership with Riskcover, Management Assurance ensured that the Department's Risk Management Framework is being effectively implemented by using the RiskBase system to monitor and report on the Department's performance.

Transactional Human Resources continued to build upon its record of delivering vital services to the Department, the Department of Corrective Services and other smaller organisations, while also progressing the Choice of Super Fund reforms.

Strategic Human Resources implemented an online training model for staff on accountable and ethical decision-making. The module is part of the Department's corruption prevention and control strategy and has been completed by 96 per cent of staff. The training also benefits the wider WA community because it ensures public servants understand the legislative, statutory and policy roles and responsibilities they are required to take into account in serving in the interests of the wider WA community.

The Department worked with the former Attorney General, Hon Christian Porter MLA, for almost the entire year. I acknowledge his leadership of the portfolio over the previous four years. The new Attorney General, Hon Michael Mischin MLC, was welcomed into the portfolio at the end of June 2012 and I look forward to working with him into the future.

I would like to take the opportunity to recognise and thank staff and management for their ongoing dedication and contribution in continuing to improve services during 2011/12.

Cheryl Gwilliam

Cheryl Gwilliam
Director General

Operational Structure

The Department of the Attorney General manages critical aspects of the Western Australian justice system and various State Government legal responsibilities.

The Department, headed by Director General Cheryl Gwilliam, reports to the Attorney General Hon Michael Mischin MLC.

The key services of the Department are:

- the administration of courts and tribunals;
- the registration of births, deaths, marriages and change of names;
- advocacy, guardianship and administration services;
- trustee services; and
- legal, legislative drafting, policy and multi-agency co-ordination for government.

Court and Tribunal Services

The Department provides administrative support to the State's judicial system through its Court and Tribunal Services division. This includes processing and finalising civil and criminal cases, services to victims of crime, court security, enforcement and recovery of court fines and infringements, jury services, and the appointment and training of Justices of the Peace. The Department also provides administrative support to the Mentally Impaired Accused Review Board, Prisoners Review Board and Supervised Release Review Board.

Births, Deaths and Marriages

The Department, through the Registry of Births, Deaths and Marriages, is responsible for creating and permanently storing birth, death, marriage and change of name records, enabling the public to obtain documentary proof of important life events. The Department also provides facilities for marriages in the Perth registry office.

Advocacy, Guardianship and Administration Services

The Department includes the Office of the Public Advocate, which promotes and protects the human rights of adults with decision-making disabilities to reduce their risk of exploitation, abuse and neglect. The statutory functions of the Public Advocate, which are set out in the *Guardianship and Administration Act 1990*, include advocacy and investigation, guardianship services and community education.

Trustee Services

The Public Trustee is a statutory authority administered by the Department of the Attorney General. 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 free community services and fee-based services which include preparing and storing wills, enduring powers of attorney, managing nominated deceased estates and overseeing the financial and legal affairs of vulnerable people.

Legal, Legislative Drafting, Policy and Agency Co-ordination for Government

The Department makes a significant contribution to policy development, law making, legal services and the co-ordination of justice-related services, especially to Aboriginal communities through a dedicated Policy and Aboriginal Services directorate.

The State Solicitor's Office delivers legal services to Government and government clients.

The Parliamentary Counsel's Office ensures policies are put into legislative form and the public is given access to, and information about, existing and historical legislation. It provides comprehensive drafting and related services to Government, its departments and agencies. The office also makes its legislative drafting services available to private members of Parliament and to facilitate the work of parliamentary committees.

The Department also provides some corporate support services to the following agencies:

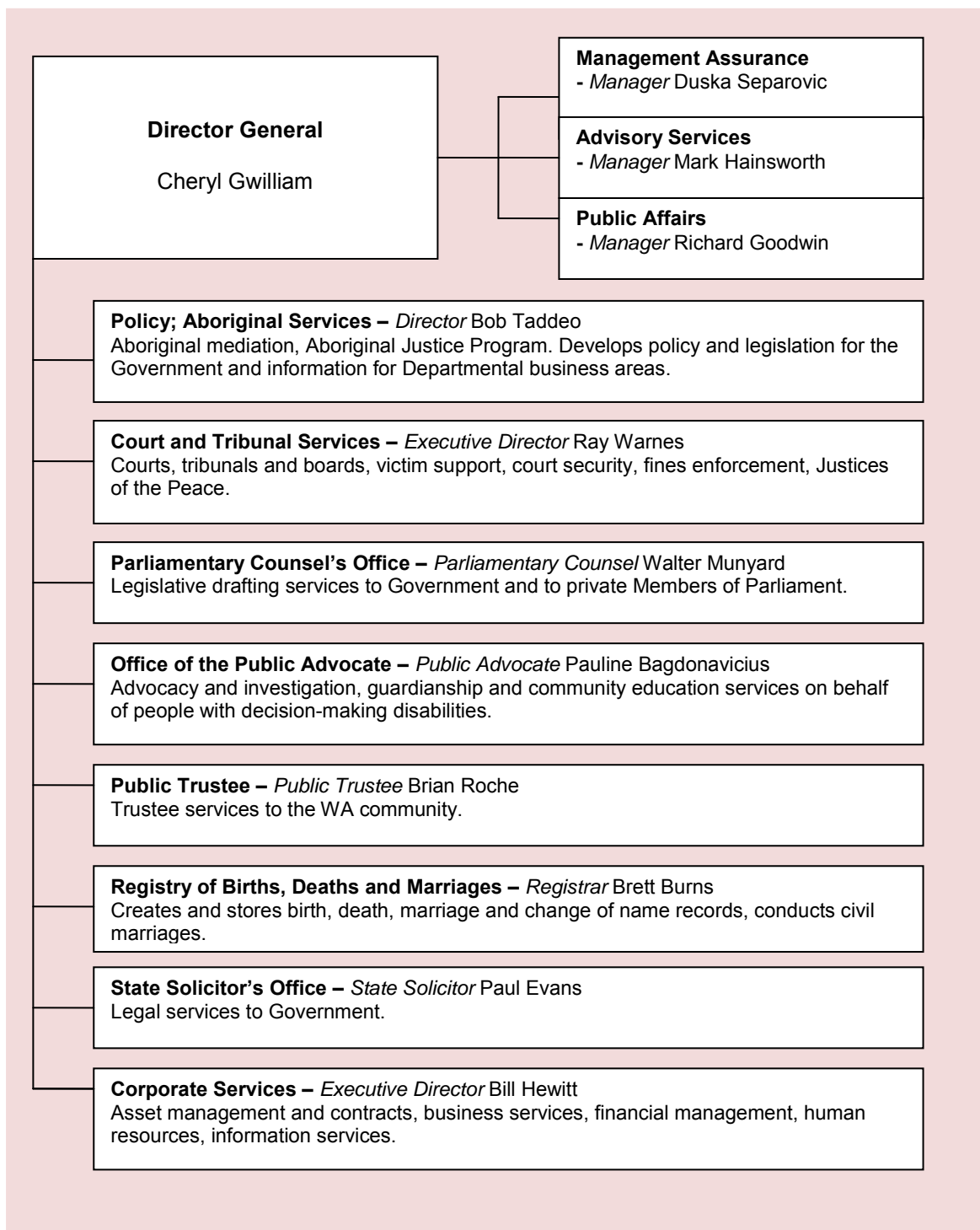
- Solicitor General;
- Department of Corrective Services;
- Law Reform Commission;
- Parliamentary Inspector of the Corruption and Crime Commission;
- Legal Aid Commission;
- Legal Costs Committee; and
- Professional Standards Council.

In accordance with a Strategic Framework, the Department values:

- excellent service – maintaining professional services to diverse client groups;
- integrity and accountability – providing open, impartial and ethical communications and decisions;
- equality – respecting diversity;
- collaboration and learning – supporting the knowledge and skills of staff; and
- professional autonomy – upholding the rights of staff to provide objective and frank advice to the community.

Organisational Structure

As at 30 June 2012



Performance Management Framework

GOVERNMENT GOAL

The Department of the Attorney General's government goal is "results-based service delivery: greater focus on achieving results in key service delivery areas for the benefit of all Western Australians."

The Department delivers the six high-level services listed below with their desired outcomes:

Desired Outcomes of the Department	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, marriage and change of name 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.*

The Department's Outcome Based Management framework was unchanged this year and the reporting structure for performance indicators reflects the list of services above.

AGENCY PERFORMANCE

Financial Summary

Services	Budget 2011-12 \$000	Actual Exp 2011-12 \$000
1. Court and Tribunal Services	338,992	449,583
2. Advocacy, Guardianship and Administration Services	5,151	5,482
3. Trustee Services	21,304	22,559
4. Births, Deaths and Marriages	8,365	7,187
5. Services to Government	73,741	75,696
6. Legal Aid Assistance	32,812	35,516
TOTAL	480,365	596,023

Financial Targets

	Target 2011-12 \$000	Actual 2011-12 \$000	Variation	Comment
Total Cost of Services (i.e. endorsed expense limit)	480,365	596,023	+24%	A significant increase in the actuarial assessment of the judicial pension liability is the main reason for higher services costs. Increases were also incurred for ex-gratia and mesothelioma payments, criminal injury compensation, accused costs, court security, toxicology and forensic pathology costs.
Net Cost of Services (see Income Statement)	352,738	462,186	+31%	The target variance is explained above.
Total Equity (details in the Balance Sheet)	471,619	428,594	-9%	The total equity decline is largely due to delayed starts in regional capital works projects and depreciation of existing assets.
Net Increase/(Decrease) in Cash Held (details in Cash Flow Statement)	1,332	3,965		The increase in cash largely represents unspent monies from the Commonwealth and the Royalties for Regions Program.
Full Time Equivalent (FTE) staff level (excludes Legal Aid)	1650	1550		The Department is operating under its approved FTE target primarily due to management of staff vacancies.

Key Performance Indicators

More than half of the key performance indicator results showed that the Department continued to meet or surpass the targets in 2011/12.

Improvement was particularly evident in the Coroner's Court where the time to trial indicator improved by almost 84 per cent in comparison to target. This is an improvement of 107 weeks in comparison to the Coroner's Court target of 128 weeks. The better than target result is due to the finalisation of 50 backlog inquest cases following the conclusion of the inquest into the boating tragedy at Christmas Island. Results for the Supreme Court and District Court criminal time to trial indicators were also better than target by seven per cent and 19 per cent respectively. This represents a time to trial two weeks better for the Supreme Court than the target of 28 weeks and six weeks better than the target of 32 weeks for the District Court.

The Registry of Births, Deaths and Marriages continues to benefit from converting its paper-based records to an electronic format by performing better than target for both the accuracy of its source records and timeliness of the delivery of certificates. More than 112,000 certificates were issued during the year and around 108,000 or 96 per cent were issued within two days. This is six per cent better than the target set in the 2011/12 budget statements.

The Parliamentary Counsel's Office indicator on the extent to which legislation is drafted in a timely manner showed an improvement of seven per cent above target.

The complete details of key performance indicators are provided, commencing on page 96 of the Disclosures and Legal Compliance section.

Court and Tribunal Services

COURT AND TRIBUNAL SERVICES – NOTABLE OUTCOMES FOR 2011/12

Court Performance

The Department's key performance indicators strongly emphasise the effectiveness and efficiency of the State's court system. The Department continues to work to ensure the timely and fair delivery of justice to all court users.

The State's Supreme and District Courts continue to make improvements in operating more efficiently. In 2011/12, both jurisdictions more than met key performance indicators for time to trial for criminal matters even though the Supreme Court more than doubled its volume of criminal trials in 2011/12. In the Coroner's Court the median time to trial for inquests dropped to 21 weeks in 2011/12 compared to its target of 128 weeks, reflecting additional resourcing provided by the Government to the Court to reduce its backlog. The Magistrates Court continued to hold its time to trial at 19 weeks.

A large number of civil matters handled by courts do not involve trials. For example, in the Family Court more than 95 per cent of matters do not proceed to trial. Both the Supreme and District Courts manage civil litigation through dispute resolution practices, relying on judges and registrars to facilitate settlements. Just four per cent of civil matters proceed to trial in the Supreme Court and only one per cent in the District Court. This is a positive outcome for the parties and the community given the significant time and resource costs that are associated with determining a matter by trial.

Court of Appeal reduces time to finalise appeals

This year, the Supreme Court's Court of Appeal division finalised eight per cent more appeals than the previous year and achieved a 22 per cent drop in the time taken to finalise civil appeals. The median time to finalise civil appeals fell from 42 weeks to 33 weeks. The number of new criminal appeals increased by 11 per cent. However, enhancements to the Court's handling of unmeritorious appeal prospects resulted in 60 criminal appeals being dismissed under this procedure in 2011/12.

The courts have tackled some key areas during the year where delays in the time to finalise matters were being experienced. For example, the Magistrates Court placed second full-time magistrates at Armadale and Rockingham courthouses where they were able to substantially cut delays in hearing matters. The District Court reviewed its circuits to ease the time to trial in regional locations across WA, including Geraldton, Karratha, Broome and Kununurra which had the larger backlogs of trial matters. This has ensured country communities enjoy similar access to justice as people in the metropolitan area. Timely resolution of criminal cases helps to reduce the impact on victims of crime and their families, the accused and their families, and witnesses.

As at 30 June 2012, the Coroner's Court had a backlog of 572 cases, a third less than a year earlier. More than half the backlog of cases were waiting on external agencies to

supply information before the coroner can make a determination on the matters. The Government continued to provide additional resources for the Court, half a million dollars in 2011/12 and \$1 million for 2012/13. This money supplemented existing temporary funding for seven more staff to tackle the backlog and allowed the appointment of three additional coroners.

Why the Coroner's Court can take time

The Coroner's Court has found it hard to reduce the time between a person's death and the conduct of an inquest when it is required. While these cases represent just two to three per cent of coronial work (about 75 cases annually), they can be complex in nature, for example air crashes or boat sinkings. The underlying nature of coronial investigations means the work needs to be thorough and consequently takes time to complete.

A range of factors can typically influence this timeline:

- Obtaining cause of death – The time to ascertain a cause of death can vary significantly, especially if body organs are sent away for further analysis. For example, if the services of a neuropathologist are required there is only one in Western Australia.
- Investigation time – Police and other agencies (such as Worksafe, Air Transport Safety Board) often need to undertake complex investigations of matters before the Coroner's Court can start an inquest.
- Related court matters – The Coroner can't conduct an inquest if matters are pending in another court. Therefore if an impending inquest is related, for example, to a homicide matter being heard in another court jurisdiction, then the Coroner cannot commence their hearing of the matter. This may lead to lengthy delays in some cases.
- Families sometimes seek their own medical/legal opinions before they are ready to proceed with an inquest which may add to the time.

In the Family Court the time to finalise non-trial matters currently stands at 35 weeks, which exceeds the target of 27 weeks. This is a result of the court focusing on finalising older matters which remain unresolved despite having undergone several interim hearings. Although this figure exceeds the target, the strategy is considered important in ensuring that members of the community whose matters have taken time to resolve are able to see their matters finalised.

The latest financial year produced a reduction in the time to trial, down to 96 weeks from the previous year's 105. While this is an improvement, this figure may fluctuate as the court focuses on clearing old matters. The increasing complexity of cases at the Family Court of Western Australia and more matters proceeding to a lengthy defended trial continues to place pressure on time to trial.

The State provided more than \$600,000 in 2011/12 to cover the absence of three ill Family Court judges. The Family Court has also introduced case management procedures including reducing the number of interim orders which should assist the Court in meeting its time to trial target. The State Government provided \$1.2 million over two years as part of the 2012/13 State Budget to appoint a temporary magistrate and support staff to help de facto couples who are separating. The funding increase will help to clear a backlog of existing cases and reduce the time separating de facto couples wait for a court hearing.

The impact of people smuggling cases

The continued influx of people smuggling matters before the District Court is having a significant impact on the available judicial and court resources, with about one in eleven of District Court trial hearing days being allocated to these matters.

As the majority of the matters involve accused people and witnesses who do not speak fluent English, the court needs to provide interpreters. They often have to come from interstate because there are few available interpreters who speak languages such as Indonesian, Sinhalese, Tamil, Arabic, Farsi, Hazaraghi, Dari and Rohingya.

The proportion of the total of people smuggling matters heard in WA has dropped following negotiations between the Attorney General and the Commonwealth. However, the court is still processing a high volume of cases. The pressure these cases place on our courts causes delays for other accused people and victims and places a significant financial burden on the State.

District Court - People Smuggling Matters Outstanding (by number of accused)

2008/09	2009/10	2010/11	2011/12
24	51	59	46

Drug treatment and diversion for offenders

In 2011/12, 1,352 offenders with underlying substance use problems accessed drug treatment programs through the Western Australian Diversion program. During the same period, another 400 offenders were referred to the Perth Drug Court for assessment to be included within an intensive treatment case management regime for their substance problems. The Drug Court directs serious offenders who have complex illicit substance problems into intensive case management. Participants who successfully complete a Drug Court program have addressed their offending behaviour and can lead more productive lives within the community.

State Administrative Tribunal

The median time to finalise matters at the State Administrative Tribunal in 2011/12 was 12 weeks compared to the target of 15 weeks. This was achieved even though lodgements increased by 21 per cent to 7,639. Time to finalise matters is a leading indicator of the Tribunal's efficiency in providing members of the community with an accessible and timely service.

The increase in lodgements was driven largely by an increase of 21 per cent in guardianship and administration (GAA) matters, accounting for almost 60 per cent of matters dealt with by the tribunal. Most were finalised within nine weeks, a week beyond the Tribunal's target reflecting of increasing workload pressures due to an ageing population and associated health conditions such as dementia. These pressures were mitigated through the reallocation of resources and improved management practices.

From August 2011 part of the building complaints jurisdiction was transferred to the Tribunal. The Tribunal handled more than 500 building dispute matters, including an initial backlog, and finalised 80 per cent of lodgements arising from new building laws within 23 weeks, compared to 88 weeks under the former building disputes resolution arrangements.

Snapshot of the Coroner's Court

The Coroner's Court dealt with 2,679 reportable deaths in 2011/12 and finalised a total of 2,129 matters. The Coronial Counselling Service made 7,683 contacts with families, up by a fifth on the previous year. Overall the number of reportable deaths continued to increase in line with Western Australia's population growth. The Coroner's Court sat for 210 days in 2011/12.

Review Boards

The Department continues to support the operations of the Prisoners Review Board, Supervised Release Review Board and the Mentally Impaired Accused Review Board.

The Prisoners Review Board granted parole in 700 cases in 2011/12. This is a decrease on previous years with 754 approved in 2010/11, 927 in 2009/10 and 1,957 in 2008/9. Parole was denied on 1,794 occasions and suspended or cancelled 350 times in 2011/12. The Board considered almost 5,000 matters during the year including first reviews for parole, requests to review decisions, re-applications for parole, breaches of parole and other statutory reviews.

The Mentally Impaired Accused Review Board dealt with 88 matters involving 33 accused and the Supervised Release Review Board dealt with 702 decisions relating to 277 individuals.

Jury Service

The year was the first in which new laws applied to jury duty in WA. Historically two-thirds of people summonsed were excused. Since the introduction of the reforms, the excusal rate has diminished to 30 per cent. A further 22 per cent availed themselves of a new flexible option to defer jury duty to an agreed date in the following half year. A new infringement regime for no-shows began in November. More than 1,600 people who didn't turn up were issued with an \$800 infringement. The number of people not turning up for jury duty dropped by two-thirds this year as a result of the tougher measures. Although jury trials increased by nine per cent, more than 15,000 fewer prospective jurors needed to be called up. Evidence also suggests the demographics of jury panels has broadened as government sought to do.

Criminal Injuries Compensation

Applications for criminal injuries compensation rose 12 per cent to 1,872 this year. Almost all were finalised during 2011/12, a significant achievement, considering the trend towards more and complex applications for compensation from victims of crime and the resultant rise in overall workload. The repayment of compensation payments awarded to victims of crime from offenders went up by about six per cent, recovering \$1.7 million. This increase is beneficial to victims of crime as it means that an increased number of liable offenders are consistently reimbursing the State for compensation awards made.

Justices of the Peace

The State's more than 3,000 Justices of the Peace are receiving increased training, particularly the 400 who make themselves available for judicial duties. Training on an annual basis is now mandatory for those JPs undertaking judicial duties and this is also now monitored and tracked. In the course of the past year JPs sat in court a total of 1,858 hours, two thirds in the country.

Aboriginal Liaison Officers

The Department continued to provide guidance to Aboriginal people attending courts in Albany, Broome, Carnarvon, Kununurra, South Hedland and Perth. There is widespread agreement among clients, Aboriginal stakeholders, judicial officers and justice system stakeholders that the work of the Liaison Officers highly valuable. There is a strong significance to Aboriginal people having a well-informed Aboriginal court officer, with deep cultural connections, available to provide them information and assistance.

Fines Enforcement

More than \$85 million was collected from fine defaulters in the 2011/12 financial year, an increase of \$10 million on the previous year. During the year the Fines Enforcement Registry (FER) reviewed time to pay arrangements to encourage clients to increase the value of their payments, leading to a monthly increase of \$80,000 in collections. The registry has been able to case manage more than 11,000 individuals to establish special pay arrangements for a further \$13 million of outstanding fines.

Since the fines enforcement system began in 1995 a total of \$1.3 billion in fines and infringements has been registered with FER with completed matters totalling \$991.7 million.

Victim Support

Government support for victims of crime is increasing. In 2011/12 almost 7,000 victims were counselled or assisted in other ways, a rise of five per cent on the previous year. Almost one in five was Aboriginal. The value of such services was acknowledged in a report by the Auditor General in May 2012.

Two decades of helping

June 30 2012 marked the 20th anniversary of government support for victims of crime in Western Australia. The Department estimates it has helped more than 50,000 people in that time. Through the establishment of the specialist Child Witness Service in 1995 and the Family Violence Intervention Service in 2007, the Department continues to meet the needs of many victims of crime.

A Victims of Crime reference group, which advises the Attorney General, was reconstituted in October 2011. It is the group's responsibility 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 Government agencies on issues and policies concerning victims; and
- promote legislative, administrative or other reforms to meet the needs of victims.

The Department continued to develop wide ranging policy reform options for government on the extent and scope of victim support services including models of funding including a levy against offenders.

Child Witness Support

The needs of children who have to appear as witnesses in court cases receive special attention. The Department's Child Witness Service helps all children who give evidence in every court jurisdiction. This involves approximately a thousand a year. Ages range from one to 19 years. In 2011/12 almost half of the cases involved sexual harm against the young person and about a third involved physical harm. The service also trained police and prosecutors and started information sessions with non-government agencies to aid their work with mutual clients.

Family Violence Intervention Services

More than 4,100 family violence victims were helped in 2011/12. Assistance included applications for restraining orders, victim impact statements, safety assessments, court support and referrals to other specialist family violence agencies. Help for clients from ethnic groups jumped by almost a fifth, requiring a bigger use of interpreters.

Family Violence Courts

Specialist family violence courts operate in the Magistrates Courts, supporting victims of family violence while the perpetrator undergoes an intervention program prior to sentencing. This program has dual objectives – accountability for perpetrators and safety for victims – and is a critical part of the State's response to family and domestic violence. In the past year, more than 2,900 family violence court services were provided to victims.

Improvement in attendance for jury duty

Amendments to the *Juries Act 1957* (the Act) were introduced in 2011 and designed to:

- broaden the range of people who can be summoned for jury duty, particularly among professionals;
- reduce rates of excusal; and
- provide people who are summoned for jury duty with the ability to defer attendance for up to six months.

Prior to the amendments out of every 100 people summoned, some 62 managed to avoid attending for jury duty. Since the amendments, the rate of excusal has fallen to where only 30 in 100 people summoned avoid attending jury duty and 22 per cent of people summoned have taken up the opportunity to defer to a later date.

Although jury trials increased by nine per cent, approximately 15,000 fewer prospective jurors needed to be called up compared to the previous year.

Advocacy, Investigation and Guardianship

OFFICE OF THE PUBLIC ADVOCATE – NOTABLE OUTCOMES FOR 2011/12

PROTECTING THE RIGHTS OF PEOPLE WITH DECISION-MAKING IMPAIRMENTS

The Office of the Public Advocate protects and promotes the human rights of adults with a decision-making disability, to reduce their risk of exploitation, abuse and neglect. The statutory functions of the Public Advocate, which are set out in the *Guardianship and Administration Act 1990*, include advocacy and investigation, guardianship services and community education.

In 2011/12, the Office of the Public Advocate's main objectives were to:

- apply additional resources to increasing demand for advocacy and investigation and guardianship services to vulnerable adults with a decision-making disability;
- maintain a community guardianship program; and
- continue to raise awareness of enduring powers of guardianship.

The Office of the Public Advocate has experienced an increase in demand for its statutory services, driven by an ageing population and a resulting increase in the number of people with dementia.

In recognition of this growth, the Government has provided extra funding totalling more than \$5 million to permanently increase full-time staff by 14 over four years starting in 2011/12. Already additional staff have helped meet demand for advocacy and investigation and guardianship services.

In 2011/12, investigations into the personal or financial welfare of people with a decision-making disability exceeded 1,200. Almost 1,000 of them were new, of which 90 per cent were referred by the State Administrative Tribunal. An additional 567 preliminary investigations were carried out by the Public Advocate's liaison officers based at the tribunal.

This work helped the tribunal to determine whether vulnerable adults needed a guardian and/or administrator or whether a guardian/enduring guardian and/or administrator/attorney already appointed was carrying out their role appropriately. The Public Advocate also gave the tribunal vital information about a range of other situations so that it could make decisions in the best interests of parties coming before it.

When a guardian is needed

The Public Advocate is appointed by the State Administrative Tribunal as 'guardian of last resort' for adults with a decision-making disability.

This vulnerable group of people may be unable to protect themselves from exploitation and abuse (including financial, physical, psychological, sexual abuse or neglect), because they have a decision-making disability as a result of dementia, an intellectual disability, an acquired brain injury, a mental illness or some other form of cognitive impairment.

When the State Administrative Tribunal determines that someone needs a guardian, it endeavours to appoint a family member or friend wherever possible. If there is no one willing, available and suitable, the Tribunal can, as a last resort, appoint the Public Advocate as that person's guardian.

The appointment of the Public Advocate means they have someone in their life making personal, lifestyle and treatment decisions which promote their best interests.

At 30 June 2012, the Public Advocate was guardian for 928 people, compared to 759 people at the same time last year – an increase of 22 per cent. During the year 347 new appointments of the Public Advocate as guardian were made, slightly more than in 2010/11. Over the year the Public Advocate made personal, lifestyle and treatment decisions for a total of 1,351 people, compared to 1,011 in the previous financial year.

WORKING IN AND WITH THE COMMUNITY

Community Guardianship

The Community Guardianship program matches volunteers from the community with adults who need a guardian and who are currently represented by the Public Advocate.

At 30 June 2012, the program had 20 volunteer community guardians. Of these, 15 had been appointed by the State Administrative Tribunal as their represented person's guardian.

A steady approach to expanding the program reflects the time needed to establish and nurture relationships with volunteers and the people they represent. The program sees volunteers replace the Public Advocate as people's guardian, providing a more personal level of involvement in these people's lives than a guardian from the office could offer.

Community Education

Changes to the *Guardianship and Administration Act 1990*, which introduced enduring powers of guardianship and advance health directives in Western Australia in 2010,

continued to be the focus of community education in 2011/12. More than a hundred seminars on these topics were delivered around the State.

Because these documents involve private arrangements with no registration process, the exact number of people who have availed themselves of these powers is unknown. However, feedback from seminars is overwhelmingly positive about the new powers. More than half of attendees surveyed indicated that they intended to complete an enduring power of guardianship and another third said they were considering it. In addition to this anecdotal evidence, in 2011/12 staff responded to more than 700 phone enquiries about enduring powers of guardianship and advance health directives.

In addition to this core element, education on enduring powers of attorney, the guardianship and administration system in general, elder abuse and exploitation, and joint training with the Public Trustee for private administrators continued.

Protection for the vulnerable

Educating the community about the planning documents – enduring powers of attorney, enduring powers of guardianship and advance health directives – empowers adults who have capacity to take control of their own future. These planning tools give people the power to decide who (if anyone) they would like to make important financial, lifestyle and medical treatment decisions on their behalf, as well as making specific medical treatment decisions for themselves ahead of time.

These documents can help protect people from potential abuse and exploitation, they promote their best interests and prior wishes, and can be instrumental in avoiding future family conflict and breakdown.

Trustee Services

THE PUBLIC TRUSTEE – NOTABLE OUTCOMES FOR 2011/12

The Public Trustee provides funds management, trustee and financial administrator services for individuals pursuant to orders by courts or tribunals. It also caters for the preparation of wills and enduring powers of attorney and manages deceased estates.

STRONG DEMAND FOR SERVICES

There continues to be significant increased demand for Public Trustee services. In 2011/12 a record number of new trust management clients emerged, mostly from appointments made by the State Administrative Tribunal, continuing a trend of both increasing volume and complexity in trust management.

The Public Trustee has continued to develop its business to meet growing demand by introducing innovation, such as its purpose-built automated will writing system. By reforming its business process and realigning its wills team, the Public Trustee is working on more timely delivery of its wills service and its capacity to meet demand.

In an uncertain global financial environment, the Public Trustee's Common Account performed well and exceeded most comparable benchmarks, such as other common funds and cash management accounts. As at June 2012, the Public Trustee's investment funds contained almost 250 individual accounts with a value of \$132 million.

At the start of the year, buildings at 565 and 553 Hay Street in Perth were both assets in the Public Trustee's Common Account. However following the finalisation of the move from 565 to 553 Hay Street, the Public Trustee sold 565 Hay Street in July 2012 so it is no longer a Common Account asset.

The Public Trustee achieved self-funding for 2011/12, the first time this has been achieved and the result of planned strategic initiatives completed over the past 10 years. The income received from managing the Bell Resources Trust, the subject of a lengthy and uncompleted court appeal, contributed to this outcome.

Will Bank grows

The Public Trustee's will storage facility is continuing to grow with the addition of nearly 4,000 wills lodged during 2011/12. More than 124,000 Western Australians' wills are now safely stored in the Public Trustee's fire-proof WA Will Bank.

Improving client awareness and access continued through activities such as:

- information sessions 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 activities; and
- reaching out to other cultural and religious groups.

The Public Trustee maintained its regional visits to the Kimberley area.

The final two stages of the Public Trustee's office relocation program successfully occurred in September 2011 and March 2012. The new accommodation includes improved disability access with purpose-built customer service facilities on the ground floor for wills, estate and trust clients, and capacity to hold large group public seminars. The accommodation exceeds standard accessibility requirements under legislation and addresses the specific needs of Public Trustee clients, the general public and staff.

Managing the State's Demographic Records

REGISTRY OF BIRTHS, DEATHS AND MARRIAGES – NOTABLE OUTCOMES FOR 2011/12

Through the Registry of Births, Deaths and Marriages, the Department provides government and the community access to accurate, permanent and confidential records of the three major life events and name changes.

ACCESSIBILITY, SECURITY AND ACCURACY OF RECORDS

The quality of record keeping is essential in the registration of births, deaths and marriages. Rapid and secure access to the information contained in these records is a feature of current operations. A long-term project to convert old registers and documents dating from 1841 to electronic records reached a major milestone in 2011/12. The conversion reached its halfway point – a million paper records are now digitised with a million left to be finished. Birth and adoption records from 1973 to 1930, marriage records from 1983 to 1940 and death records from 1983 to 1972 have been converted and are now available electronically to assist staff in processing customers' requests.

Computerised records have improved service standards for members of the public. Because 96 per cent of all applications for certificates can now be processed from electronic birth, death and marriage records, the time taken is far shorter than the five days it takes to generate information from paper-based records. Residents of regional areas have also benefited. A greater range of records is available at select country and metropolitan courthouses which can access the registry's computerised system and issue certificates directly to customers rather than people having to apply to the Perth registry.

Authenticating certificates used by people to establish their identity or status is a separate and growing business in the face of identity crime. More than 156,000 Western Australian birth, death, marriage and change of name certificates were validated against registry information during 2011/12. This is an increase of four per cent from last year and 43 per cent from 2009/10. Public and private organisations use this service to underpin the integrity of their enrolment processes.

Western Australia also belongs to a secure online national system (the National Document Verification Service) which enables subscriber agencies, such as the Department of Foreign Affairs and Trade and Australian Taxation Office, to verify the accuracy of government-issued identifying documents presented by applicants for benefits or services. Discussions have begun nationally to allow this service to be available to private sector agencies.

INCREASING NUMBER OF REGISTRATIONS

Registrations increased by four per cent during 2011/12 with 33,020 births, 13,243 deaths, 12,662 marriages and 5,041 changes of name. While demand for standard certificates (ordered with a new birth registration) waned slightly, the Department issued about 24,000 commemorative certificates. These feature artwork and are designed for display purposes or as gifts to celebrate the arrival of new born children.

Although parents are legally required to register a child's birth within 60 days, it does not always happen, especially in remote locations or outback Aboriginal communities. This year the registry began to participate in the Aboriginal Justice Program's "Open Days" that entail visiting regional and remote communities to assist Aboriginal people register births, some many years after the event, and obtain birth certificates. As part of this work the registry has issued more than 400 birth certificates, registered 200-plus previously unregistered births and issued 500 confirmation of birth letters. This work substantially benefits Aboriginal people who previously had no identification to access housing, drivers licences, employment and government services such as Centrelink.

How our demographic records are evolving								
	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
Registrations	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual
Births	25,358	27,426	28,813	31,514	30,965	31,754	31,706	33,020
Deaths	11,340	12,027	12,010	12,743	12,954	12,975	12,871	13,243
Marriages	10,868	11,645	12,155	12,092	12,102	12,498	12,440	12,662
Name Changes	3,464	3,639	4,250	4,271	4,732	5,008	4,657	5,041
Adoptions	46	58	54	44	50	55	51	54
	51,076	54,795	57,282	60,664	60,803	62,290	61,725	64,020

Birth registrations over the past decade are rising as are registrations of deaths and name changes. Overall marriage registrations in WA have been fairly steady for the past six years.

Legal, Legislative Drafting and Policy Services to Support Justice Outcomes

SERVICES TO GOVERNMENT – NOTABLE OUTCOMES FOR 2011/12

POLICY AND LEGISLATIVE ADVICE TO GOVERNMENT

In 2011-12 the Department continued to assist with the implementation of the Government's law and order agenda through assisting with the introduction of a number of new pieces of legislation, including:

- The *Manslaughter Legislation Amendment Act 2011*. The Act amends the *Criminal Code* to provide that the maximum penalty for manslaughter is increased from 20 years imprisonment to life imprisonment, allowing the courts a greater range of penalties. The Act also provides that in certain cases where dangerous driving results in a death the matter must be dealt with on indictment in the District Court – leading to a higher penalty. The higher penalties will provide a greater deterrent and protect the public.
- The *Criminal Appeals Amendment (Double Jeopardy) Act 2012* received assent on 21 May 2012. The legislation reflects the ongoing advancement of criminal investigation techniques and provides exceptions to the law regarding double jeopardy where there is fresh and compelling evidence, tainted acquittals, administration of justice such as bribery or interference with a juror, witness or judicial officer. The legislation contains a number of safeguards to protect the rights of the accused and the interests of justice.
- The *Criminal Code Amendment (Identity Crime) Act 2010* creates new criminal offences with enhanced penalties, to target criminals who steal or misuse identity documents like drivers licences and credit cards was proclaimed in 2012. The legislation allows the justice system to be more proactive in its response to emerging 21st century criminal activities such as credit card skimming.

Additionally, the Department was responsible for assisting with the preparation and introduction of a number of pieces of legislation which, as at 30 June 2012, were still under consideration by State Parliament. These include:

- The Criminal Organisations Control Bill 2011. This legislation targets organisations which are engaged in criminal activities as part of a Government commitment to target organised crime. This particular Bill addresses the implications of the two High Court decisions which invalidated similar legislation in SA and NSW.
- The Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2012. This Bill includes a package of enhanced fines enforcement measures that target people who default on fines and infringements. The Bill includes measures such as wheel clamping and removal of licence plates as new enforcement options and

provides for the publication of the names and addresses of people with significant outstanding fines.

The Department assisted the Attorney General and Government on other proposed reforms, including:

- “Truth in Sentencing” reforms, aimed at making sentencing practices more transparent and reflective of community expectations. In particular, the Department is progressing reforms to discounts available for pleas of guilty and eligibility for parole.
- A proposal for a nationally consistent approach to criminal offences relating to match-fixing. This coordinated effort will help safeguard Australian sport from fraudulent sports betting and match-fixing activities.
- Work on the reform of the *Criminal Law (Mentally Impaired Accused) Act 1996* which deals with the care and administration of mentally impaired accused who are found unfit to stand trial or not guilty by reason of unsoundness of mind. The reforms are designed to ensure that an appropriate balance is maintained between protecting the community and safeguarding the rights of mentally impaired individuals.

The Department has also undertaken a number of statutory reviews for consideration by Government, including reviews of the following Acts:

- *Dangerous Sexual Offenders Act 2006*. The recommendations of the review are being developed into a proposal to amend the Act to ensure it continues to protect the community against threats posed by dangerous sexual offenders.
- The *Victims of Crime Act 1994*. The recommendations of the review will inform future amendments to the Act to ensure that the Act remains relevant in the context of today’s multicultural society and diverse family structures.
- The Department finalised the review of the *Bail Act 1982* and associated processes which was conducted in response to the Coroner’s report into the death of Aboriginal elder Mr Ward in January 2008. The recommendations in the report on the review seek to ensure that bail processes are appropriate and workable, particularly for people living in remote communities.

The Department provided assistance to the Attorney General to enable him to raise and address law and justice issues of State and national importance at the COAG Standing Council on Law and Justice.

PARLIAMENTARY DRAFTING SERVICES

The Parliamentary Counsel's Office completed a range of significant legislative drafting projects in 2011/12:

- Criminal Investigation (Covert Powers) Bill 2011 to improve criminal investigations and intelligence-gathering in relation to criminal activity
- Manslaughter Legislation Amendment Bill 2011 to increase the maximum penalty for manslaughter and to require certain cases when dangerous driving results in a death to be dealt with in the District Court thus leading to a higher penalty.
- Prostitution Bill 2011 to prohibit prostitution from residential areas and limit the number of permitted prostitution businesses.
- Community Protection (Offender Reporting) Amendment Bill 2011 to strengthen regulation of reportable offenders including giving police more scrutiny of offenders.
- Criminal Organisations Control Bill 2011 to provide powers to curb the activities of organisations involved in serious criminal activity, their members and associates, such those engaged in bkie gangs.

Other large drafting assignments covered areas such as workers' compensation reform, road traffic legislation and facilitation of major iron ore projects.

The Parliamentary Counsel's Office continued to provide legislative drafting services to private members of Parliament, completing seven draft Bills for them.

The office also completed extensive drafting of subsidiary legislation with 492 drafted pieces of subsidiary legislation published in the Government Gazette in 2011/12.

LEGAL SERVICES

The State Solicitor's Office delivers quality legal services to government and its agencies. Significant legal matters dealt with by the State Solicitor's Office during 2011/12 included:

Land Information

The Office successfully defended Landgate, Western Australia's land information authority, which sells land information to various commercial users, in a *Trade Practices Act* case about claims by one reseller, RP Data. The firm had alleged that Landgate had misused its market power to try to eliminate or substantially damage it or restrict its competitiveness. The matter was dismissed by the Federal Court.

Stolen Generation

The State Solicitor's Office is acting on behalf of the State and one of its agencies in a test case over the "stolen generation" which began in the Supreme Court in 2010. Aboriginal plaintiffs are seeking damages and compensation for the alleged removal of children from their parents by the State in 1958 and 1961. Any settlement of the present proceedings is likely to have broad financial implications

for the State in relation to those placed in State care in the 1950s -1980s who may well have similar claims.

The State Solicitor's Office also supported State agencies in relation to inquiries arising out of the Kalamunda and Margaret River bushfires and allegations of sexual abuse at the Katanning students' hostel.

Commercial work undertaken by the State Solicitor's Office

The financial year represented an important period for social and economic infrastructure projects in WA. The State Solicitor's Office worked on a large number of matters including the NIB Stadium upgrade project, the new children's hospital project and the Eastern Goldfields regional prison project.

A State Development Agreement was negotiated with Chevron and its joint venture partners Apache, KUFPEC and Shell for the \$29 billion Wheatstone LNG Project which will deliver significant benefits for the local community in and around Onslow.

The Office worked with others on legal documentation for the redevelopment of Cathedral Square precinct in Perth into a boutique five-star hotel with an adjoining 33 storey office tower for the Supreme Court and the Department of the Attorney General.

The State Solicitor's Office collaborated on legal documentation for the development of a new 307 bed public hospital at Midland. It worked similarly on preparations for *Elizabeth Quay*, a \$440 million dollar project to transform 10 hectares of prime Perth riverfront land into a vibrant contemporary development.

Native Title Claims

Through the State's Solicitor's Office, the Department continued to assist government in the mediation of native title claims, providing legal advice, helping draft land use agreements and representing the State in the Federal Court, the National Native Title Tribunal and other stakeholder forums in native title claims.

The State Solicitor's Office represents the State in arbitration involving mining tenements and Land Administration Act grants. It advises on policies and possible law changes.

Significant matters in 2011/12 included:

- Federal Court consent determination in the Kimberley region in resolving the Nyangumarta-Karajarri Overlap Proceeding (Yawinya) in favour of the Nyangumarta and the Karajarri native title holders.
- Assisting government finalise agreements for establishing the multi-user Browse Liquefied National Gas Precinct at James Price Point.
- Representing government in a compensation application lodged by the traditional owners of the Gibson Desert Nature Reserve.

SERVICES TO ABORIGINAL COMMUNITIES AND INDIVIDUALS

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 service handled 130 enquiries during the year, which resulted in 11 matters being considered for pre-mediation, mediation or other alternative dispute resolution. For matters not suitable for mediation, referrals were made to other organisations to try to assist the parties in dispute. AMS also ran information and education activities for various community and government agencies.

Aboriginal Justice Program

The Aboriginal Justice Program targets the over-representation of Aboriginal people in the criminal justice system. Two of the most common reasons for this are trouble with motor driver licensing and unpaid fines and infringements.

The program concentrates on three high-priority regions, Derby-West Kimberley, Halls Creek and Laverton/Leonora, where there are significant Aboriginal populations, remoteness and high levels of drivers' licence suspensions and unpaid fines. A key response to these issues is a concept known as Open Days. It entails bringing government and non-government agencies face to face with local Aboriginal people in an accessible central location to run a "one-stop-shop". Agency representatives work with Aboriginal people to resolve matters such as identity documents like birth certificates, theory and practical driving tests, reissuing of licences, arrangements to pay fines, exploring employment opportunities and accessing family support services. During 2011/12, there were 37 Open Days state-wide but primarily in the priority locations. Approximately 1,400 community members attended.

COPYRIGHT

Copyright owners whose works have been copied by government agencies will benefit from a further 12 month extension to the State's Retrospective Remuneration Agreement with Copyright Agency.

Copyright Agency used to be known as Copyright Agency Limited (CAL) but recently entered into a service agreement to manage the business of Viscopy, a copyright collecting society for artists and users of images.

Through its membership of Copyright Agency, the State continued to receive revenue for the reproduction of copyright print works owned by the State.

Open Day achievements

During the year, 124 people passed their driving theory tests and 121 people passed their practical driving assessments. Completing the steps towards a full driver's licence boosts employment prospects and associated economic benefits for individuals and communities.

About 400 Open Day attendees, with a total of more than half a million dollars in outstanding fines, were able to sign up for time to pay arrangements or convert them to work orders.

Services relating to personal identification were popular. About 400 birth certificates, 500 confirmation of birth letters and almost 120 proof of age cards were issued. Holding valid formal identification increases a sense of identity, assists with job and tenancy applications and eligibility towards gaining a motor driver's licence.

Additionally, after birth registration checks were conducted, more than 200 previously unregistered births were recorded, a measure that will cut future obstacles to enrolling in school, opening a bank account, obtaining a driver's licence, accessing Centrelink benefits or a passport and securing employment. This will also increase the accuracy of records of Aboriginal people living in remote locations.

GRANTS AND AWARDS

The Department administers a grants program on behalf of the Attorney General, drawing on funds collected under the *Criminal Property Confiscation Act 2000*. Money and property is seized from criminals by the WA Police and the Director of Public Prosecutions, and after costs are met for these authorities, the balance of the funds is distributed to the community through grants. During 2011/12 grants worth \$1.7 million were awarded for 14 projects run by applicants such as local councils funding CCTV cameras, seniors' groups and organisations providing programs for young people at risk of offending.

The Attorney General's Community Service Law Award is presented annually to a local legal practitioner performing pro bono work for the community. This year it was won by Kylie Groves from law firm Squire Sanders. With more than 14 years experience in employment and workplace law, Ms Groves used her skills to provide pro bono legal services to individuals, charitable and not-for-profit organisations. The finalists for 2012 included Matthew Holgate of Holgate Legal and Richard Klimek from Klimek & Co Family Lawyers.

Managing Our Assets

INFRASTRUCTURE – NOTABLE OUTCOMES FOR 2011/12

CAPITAL WORKS

The Department is managing the Government's \$138 million investment in regional justice infrastructure. New courthouses are being built in four country towns.

Kalgoorlie

External restoration of the heritage Kalgoorlie Government Offices and Post Office buildings, which will be transformed into the region's new courthouse, was completed in late 2011. The main construction contract was awarded in July 2011 and work started in the second half of the year. The new courthouse will comprise a jury courtroom, two magistrates courtrooms, a community courtroom and provision for a future fifth courtroom. The project includes the upgrade of the adjacent police lockup for shared use as a court custody centre. The \$43 million project is due for completion in mid-2013.

Carnarvon

Design of the Carnarvon Police and Justice Complex progressed during 2011/12. Community stakeholder groups provided valuable input to the building's design which combines a new police station, youth justice office and courthouse on the corner of Robinson Street and Babbage Island Road. The single storey courthouse comprises one jury courtroom, one magistrates courtroom and associated facilities. It is anticipated that construction should start in early 2013 and be finished late 2014. The \$52 million project is partly drawn from the Royalties for Regions fund.

Kununurra

Following extensive consultation with community and Aboriginal stakeholders, plans were devised for a replacement courthouse for Kununurra on the existing courthouse site at the corner of Coolibah Drive and Messmate Way. The building will comprise a jury courtroom, magistrates courtroom and associated facilities. Following the awarding of a tendered contract, construction should begin in 2013. The \$43 million project is on schedule for completion by late 2014 and is funded by Royalties for Regions. A temporary courthouse is being constructed in the grounds of the local hospital for use in the interim.

Broome

A business case for a new courthouse in Broome was completed in 2011/12 using funds from Royalties for Regions. The business case examined the need and possible locations for a new courthouse and provides a basis for any future development of court facilities in Broome.

Fitzroy Crossing

Funding from Royalties for Regions was provided in 2011/12 for replacement of the court facility at Fitzroy Crossing. This will facilitate the building of a new courthouse alongside the town's new police station which has just been completed. The \$3.9 million project is due for completion in early 2014.

Cathedral Square Redevelopment

The Cathedral Square Redevelopment Project in Perth comprises two buildings being developed by the private sector where government will be the tenant.

A 33-storey office tower is proposed to be built behind the Old Treasury Building to accommodate the Supreme Court's civil functions and the Department of the Attorney General.

The other is an 11-storey building at 565 Hay Street to be extensively refurbished to accommodate the State Administrative Tribunal. Occupancy of both premises is scheduled for the end of 2015.

Multi-Function Police Facilities

Multi-function police facilities form part of the Department's commitment to provide justice facilities for court hearings, victim support and enforcement services in remote areas of the State. Two more of these facilities were opened at Blackstone and Looma in the first half of 2012.

TECHNOLOGY

Video-conferencing systems are installed in courts throughout WA, providing interactive and real-time video and audio between remote sites including Moora, Roebourne, Fitzroy Crossing, Meekatharra and Halls Creek. The systems are flexible enough to be used for other purposes, including receiving evidence from witnesses in other areas of WA, interstate or overseas. As well as being used in courtrooms, the systems also link in with WA's prisons, community-based services offices, juvenile detention and remand centres as well as some police stations.

In 2011, almost 3,800 hours of court hearings were conducted using the link between prison and courts, reducing the need for prisoner transport.

Courts throughout the State deployed about 17,000 video links during the year, including almost 2,000 by the Children's Court and more than 1,200 in the Pilbara and 1,000 in the Goldfields and Esperance.

How video systems are used in Courts

Video links are used for the case management of regional criminal and civil lists by judges and registrars in Perth, providing Perth-based interpreting services to people appearing in regional proceedings, and linking in prisoners appearing before the court for bench warrants, remand appearances and bail applications.

One of the most valuable aspects of the video-conference network is the remote witness facilities. These facilities are separate rooms within courthouses, fully equipped with audio-visual equipment for remote witness testimony.

The systems incorporate plasma and LCD screens connected to CCTV systems so vulnerable victims and witnesses can appear in court from a separate secure location within the court building. The technology is so advanced that it links with the court's computer system, VCR and DVD replay devices and a document camera so that evidence being viewed in the court can also be viewed in the remote witness room. All of the technology is controlled in court via a touch screen control panel in the hands of a judicial support officer.

The use of remote witness technology has significant benefits. It allows both child and vulnerable adult witnesses to give evidence to the court from a separate location within the complex so they do not have to be physically present in a trial room. International witnesses no longer need to travel to WA to give evidence and West Australians don't need to travel to give evidence overseas.

There are also benefits to prisoners and the justice system by allowing some prisoners to appear before a court via video-link, which reduces the risks associated with transport of prisoners, particularly over long distances. Almost 60 per cent of prisoners' appearances across all courts are today handled through video links.

Full upgrades of audio-visual systems were undertaken in courts at Albany, Midland and the Supreme Court in Perth.

Set-up and configuration of State owned digital court recording devices is complete, with 30 court locations now streaming and storing audio on the Department's network allowing almost instant access to the transcription services contractor.

The roll out of the new standardised AV touch screen software has been successfully deployed to all integrated courtrooms across the State.

Location	Video Links 2011	Location	Video Links 2011
Albany Court	515	Karratha Court	738
Armada Court	332	Katanning Court	231
Broome Court	619	Kununurra Court	234
Bunbury Court	680	Mandurah Court	274
Busselton Court	128	Manjimup Court	71
Carnarvon Court	501	Merredin Court	52
Perth Childrens Court	1,875	Midland Court	334
Collie Court	38	Moora Court	149
Derby Court	172	Narrogin Court	139
District Court	409	Northam Court	174
Esperance Court	239	Perth Central Law Courts	4,121
Family Court	110	Rockingham Court	1,410
Fremantle Court	225	Roebourne Court	180
Geraldton Court	556	South Hedland Court	337
Joondalup Court	343	State Administrative Tribunal	600
Kalgoorlie Court	725	Supreme Court	396
		TOTAL	16,907

Other forms of technology have brought improvements too. For instance, among the practical ways the Family Court is trying to deliver better services are the introduction of a system to streamline queues in its Perth premises, a better phone system that provides the court with a range of automated recorded information and voice mail services and e-filing of divorce applications via the Commonwealth courts portal. The court has also made all adoption records available electronically to its staff.

INFORMATION MANAGEMENT

Computing

The continued development and implementation of technology and related systems continued to enhance customer services in 2011/12. Through this enhanced technology the Department continued to deliver justice related services to the community and businesses more efficiently.

The Department continued work on its disaster recovery capability for information technology. Network redundancy tests were completed on the core network in the Perth CBD and testing provided reassurance that a failure of a core network device should not impact on overall agency operations.

During 2011/12 upgrades were made to various security hardware and software in different areas of the IT infrastructure and video trials conducted to help collaboration between teams. Work on extending criminal case management software for Magistrates Courts started in 2011/12. The project will entail eight separate software releases over a three year period.

Records and Compliance

The Department continued to update its record keeping policies, procedures and guidelines and to administer compliance with State Records Office requirements through regular monitoring, auditing and reporting on corporate records.

The Department continued to progressively implement electronic document and records management in business areas.

Currently the Department is reviewing its record keeping plan to reflect significant changes to its functions and practices as per Section 28 of the *State Records Act 2000*.

Library and Information Services

A re-negotiation of library resources contracts to ensure continuity of essential legal information for judicial and legal officers began in early 2012. During 2011/12 an agreement was renewed with the Supreme Court for the provision of library services to judges, master and registrars of the court. A client survey found satisfaction with the library services and online databases available to the users of the Department's library resources.

Managing Our People

STAFFING – NOTABLE OUTCOMES FOR 2011/12

Staff Development

More than 80 per cent of the Department's 1,800 staff participated in an Employee Development System (EDS) during 2011/12. The EDS program monitors performance and sets work goals and training objectives for each person each year.

About 90 per cent of staff completed corporate training programs in 2011/12 covering subjects such as accountable and ethical decision-making, health and safety, record keeping awareness and information security. Court staff were given a training package on subpoenas.

Among special initiatives for the year, the agency:

- ran a mentoring program for 28 staff for the second successive year;
- implemented a diploma-level management development program for 35 participants; and
- supported 14 graduates in advancing their careers.

Mental health training became a critical element of staff development during the year. More than 500 court workers engaged in training to gain a better understanding of mental health issues that may be experienced by people facing court. Staff of the Public Trustee and the Office of the Public Advocate also received similar training tailored to their specific needs to assist them in their duties.

Aboriginal Training

The Department commenced an Aboriginal traineeship program in 2010. Its program provides a 12 month structured workplace based traineeship at certificate level. In 2010/11, nine participants completed the traineeship out of an intake of 15 young people. In 2011/12, of 27 initial participants, 18 were progressing as at 30 June and five had successfully finished, with three securing permanent employment in the Department.

Reconciliation Action Plan

The Department's Reconciliation Action Plan is designed to ensure that its services are provided in a culturally appropriate manner. A working group monitors progress towards the goal of reconciliation through equitable, responsive and relevant service delivery. Initiatives include:

- improving cultural awareness of staff through formal and online training;
- news articles that promote positive outcomes for staff and Aboriginal people in the justice system;
- improving accessibility to justice websites (such as Prisoner Review Board);
- hosting annual NAIDOC celebrations; and
- developing training, employment and business opportunities for Aboriginal people.

Health, Fitness and Wellbeing

Almost 250 staff enrolled in a health and fitness program called Global Corporate Challenge which set daily physical activity targets for 35 teams of employees over a four-month period.

A counselling service to assist employees or their families was accessed by 116 people during 2011/12 accounting for a total of 334 clinical hours.

SIGNIFICANT ISSUES IMPACTING ON THE AGENCY

CURRENT AND EMERGING ISSUES INCLUDING ECONOMIC AND SOCIAL TRENDS OR LEGAL CHANGES

The Department continues to develop legislation to implement the Government's law and order policy agenda including reforms relating to truth in sentencing, anti-bullying, foetal homicide, treating juveniles as adults, victims of crime and dangerous sex offenders.

The focus of the Council of Australian Government on reforms and in particular reducing legislative impediments to the business sector will require substantial drafting resources to ensure timely progression of legislative changes.

The State Solicitor's Office is to expand its commercial section to undertake more legal work associated with the State's large number of major social and economic infrastructure development projects. This will allow the State Solicitor's Office, in partnership with the private sector, to take on a greater role in legal work to ensure better infrastructure is built at a reduced risk and cost to the State.

Increased awareness of mental illness is an emerging issue from both a service delivery and legislative perspective. In conjunction with the Mental Health Commission a mental health diversion and support program is to be introduced into the Perth Magistrates Court to provide sentencing options for mentally ill accused. Treatment for mentally ill accused often leads to improved clinical outcomes and reduced recidivism of individuals.

The Department continued work on the reform of the *Criminal Law (Mentally Impaired Accused) Act 1996* investigating options to ensure that an appropriate balance is maintained between protecting the community and safeguarding the individual rights of mentally impaired individuals. To this end, research and the development of a range of models in relation to executive decision-making for the detention, care and treatment of mentally impaired accused, and in particular, for vulnerable juveniles continued.

Changes in population profile including ageing, an increased prevalence of dementia and mental health issues, maintain significant impacts on the Public Advocate's work including investigation and guardianship services. Growth remains in referrals from the State Administrative Tribunal and the appointment of the Public Advocate as a guardian as last resort.

People smuggling matters prosecuted by the Commonwealth continue to place considerable financial and operational pressure on Western Australian courts. The State is still working with the Commonwealth to ensure an equitable distribution of such matters across State and Territory jurisdictions and to argue for additional funds to address the financial impact of such cases.

The Family Court is experiencing increased complexity of cases and more matters proceeding to trial which continues to place pressure on time to trial. At 30 June 2012, time to trial for the Family Court stands at 96 weeks. The State Government continues to

engage with the Commonwealth Government in an attempt to secure additional resources for the Court to reduce both the backlog of cases and time to trial.

In tackling the over-representation of Aboriginal people in the justice system, the Department's Aboriginal Justice Program is currently targeting two of the most common reasons for Aboriginal people to come in contact with the justice system: motor vehicle drivers' licences and unpaid fines and infringements. The program is also examining two other causal factors, youth offending and family domestic violence.

The value and number of unpaid fines and infringements keeps rising as does the proportion of people with licence suspensions for non payment. In response the Government has legislated to enhance enforcement measures aimed at improving the collection of fines. The Department will run a three year pilot program in the metropolitan area that will target those people with unpaid fines and infringements with a value exceeding \$2,000.

The Registry of Births, Deaths and Marriages will continue to experience increased demand for certificates, given more stringent identification and enrolment requirements by organisations such as the Passport Office, banks and government agencies to prevent identity fraud. The Registry will be upgrading its computer systems to enable the provision of high quality and timely services to the community.

Increased demand for online lodgement services is resulting in enhancements to courts computer systems that will allow clients to track the progression of their documentation. Improvements in the Department's Integrated Courts Management System will increase the efficiency of the courts and provide a contemporary and improved quality of service to the community.

The Coroner's Court continues to deal with many complex and lengthy matters and an increasing number of cases. Additional coronial and administration resources have been provided to ensure an increase in the number of findings and inquests being finalised and a reduction of time taken to finalise these matters.



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 2012, 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 2012 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 2012.

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 2012.

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 2012.

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 2012.

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 2012 included on the Department's website. The Department's management are responsible for the integrity of the Department's website. I have not been engaged to report 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
11 September 2012



DISCLOSURES AND LEGAL COMPLIANCE

Financial Statements

Certification of Financial Statements

For the year ended 30 June 2012

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 2012 and the financial position as at 30 June 2012.

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.

Alan Andersson

Alan Andersson
Chief Finance Officer

5 September 2012

Cheryl Gwilliam

Cheryl Gwilliam
Accountable Authority

5 September 2012

DEPARTMENT OF THE ATTORNEY GENERAL
STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2012

	Note	2012 \$000	2011 \$000
COST OF SERVICES			
Expenses			
Employee benefits expense	6	329,250	240,542
Supplies and services	7	83,163	81,149
Depreciation and amortisation expense	8	18,783	18,565
Finance costs	9	17,296	17,787
Accommodation expenses	10	28,028	25,047
Grants and subsidies	11	75,974	118,833
Loss on disposal of non-current assets	12	-	52
Other expenses	13	43,529	48,587
Total cost of services		596,023	550,562
Income			
<i>Revenue</i>			
User charges and fees	14	76,456	72,563
Commonwealth grants and contributions	15	20,571	19,282
Other revenue	16	36,799	26,620
Total revenue		133,826	118,465
<i>Gains</i>			
Gain on disposal of non-current assets	12	11	-
Total gains		11	-
Total income other than income from State Government		133,837	118,465
NET COST OF SERVICES		462,186	432,097
Income from State Government	17		
Service appropriations		349,181	397,246
Liabilities assumed by the Treasurer		118,743	43,902
Resources received free of charge		6,547	4,732
Royalties for Regions Fund		512	201
Total income from State Government		474,983	446,081
SURPLUS / (DEFICIT) FOR THE PERIOD		12,797	13,984
OTHER COMPREHENSIVE INCOME			
Changes in asset revaluation surplus		(7,083)	(6,664)
Gains/losses recognised directly in equity		-	-
Total other comprehensive income		(7,083)	(6,664)
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		5,714	7,320

Refer to the 'Schedule of Income and Expenses by Service'.

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

DEPARTMENT OF THE ATTORNEY GENERAL

STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2012

	Note	2012 \$000	2011 \$000
ASSETS			
Current assets			
Cash and cash equivalents	29	3,257	1,584
Restricted cash and cash equivalents	18	1,904	145
Receivables	19	12,841	7,302
Amounts receivable for services	20	2,582	2,460
Other Current Assets	21	1,153	1,178
Total current assets		21,737	12,669
Non-current assets			
Restricted cash and cash equivalents	18	4,180	3,647
Amounts receivable for services	20	113,905	96,404
Property, plant and equipment	22	577,264	565,534
Intangible assets	23	9,976	15,286
Total non-current assets		705,325	680,871
TOTAL ASSETS		727,062	693,540
LIABILITIES			
Current liabilities			
Payables	25	25,363	27,384
Borrowings	26	3,196	2,542
Provisions	27	45,848	42,956
Total current liabilities		74,407	72,882
Non-current liabilities			
Borrowings	26	215,279	218,852
Provisions	27	8,782	8,371
Total non-current liabilities		224,061	227,223
TOTAL LIABILITIES		298,468	300,105
NET ASSETS		428,594	393,435
EQUITY			
	28		
Contributed equity		112,924	83,479
Reserves		245,953	253,036
Accumulated surplus		69,717	56,920
TOTAL EQUITY		428,594	393,435

Refer to the 'Schedule of Assets and Liabilities by Service'.

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

DEPARTMENT OF THE ATTORNEY GENERAL
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2012

	Note	Contributed equity \$000	Reserves \$000	Accumulated surplus/ (deficit) \$000	Total Equity \$000
Balance at 1 July 2010	28	105,049	259,700	42,936	407,685
Surplus/(deficit)		-	-	13,984	13,984
Other comprehensive income		-	(6,664)	-	(6,664)
Total comprehensive income for the period		-	(6,664)	13,984	7,320
Transactions with owners in their capacity as owners:					
Capital appropriations		8,197	-	-	8,197
Other contributions by owners		2,030	-	-	2,030
Distributions to owners (a)		(31,797)	-	-	(31,797)
Total		(21,570)	-	-	(21,570)
Balance at 30 June 2011		83,479	253,036	56,920	393,435
Balance at 1 July 2011		83,479	253,036	56,920	393,435
Surplus/(deficit)		-	-	12,797	12,797
Other comprehensive income		-	(7,083)	-	(7,083)
Total comprehensive income for the period		-	(7,083)	12,797	5,714
Transactions with owners in their capacity as owners:					
Capital appropriations		17,531	-	-	17,531
Other contributions by owners		11,914	-	-	11,914
Distributions to owners		-	-	-	-
Total		29,445	-	-	29,445
Balance at 30 June 2012		112,924	245,953	69,717	428,594

(a) This mainly reflects the transfer of the functions of Native Title policy development, implementation and negotiation (\$26.4 Million) to the Department of the Premier and Cabinet from 1 April 2011.

The Statement of Changes in Equity should be read in conjunction with the accompanying notes.

DEPARTMENT OF THE ATTORNEY GENERAL

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2012**

	Note	2012 \$000	2011 \$000
CASH FLOWS FROM STATE GOVERNMENT			
Service appropriation		329,098	375,824
Capital appropriations		17,531	8,197
Holding account drawdowns		2,460	2,431
Distributions to owner		-	(30,127)
Royalties for Regions Fund	29 (c)	9,656	2,231
Net cash provided by State Government		358,745	358,556
Utilised as follows:			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee benefits		(187,016)	(175,564)
Supplies and services		(218,326)	(264,733)
Accommodation		(28,028)	(25,047)
Finance costs		(17,299)	(17,812)
GST payments on purchases		(20,244)	(19,094)
GST payments to taxation authority		(2,667)	(2,461)
Receipts			
Receipts from services		108,110	101,358
Commonwealth grants and contributions		20,571	19,282
GST receipts on sales		3,081	2,840
GST receipts from taxation authority		19,463	19,318
Net cash provided by/(used in) operating activities	29 (d)	(322,355)	(361,913)
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments			
Purchase of non-current physical assets		(29,517)	(16,082)
Receipts			
Proceeds from sale of non-current physical assets		11	11
Net cash provided by/(used in) investing activities		(29,506)	(16,071)
CASH FLOWS FROM FINANCING ACTIVITIES			
Payments			
Finance lease payments		(2,919)	(2,040)
Net cash provided by/(used in) financing activities		(2,919)	(2,040)
Net increase/(decrease) in cash and cash equivalents		3,965	(21,468)
Cash and cash equivalents at the beginning of period		5,376	26,844
CASH AND CASH EQUIVALENTS AT THE END OF PERIOD	29 (a)	9,341	5,376

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

DEPARTMENT OF THE ATTORNEY GENERAL
SCHEDULE OF INCOME AND EXPENSES BY SERVICE
FOR THE YEAR ENDED 30 JUNE 2012

	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011
	Service 1		Service 2		Service 3		Service 4		Service 5		Service 6		Service 7		Overheads			
	Court and Tribunal Services		Advocacy, Guardianship and Administration Services		Trustee Services		Births, Deaths and Marriages		Services to Government		Legal Aid Assistance		Native Title Policy Development, Implementation and Negotiation		Corporate Overheads		Total	
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
COST OF SERVICES																		
Expenses																		
Employee benefits expense	254,027	166,649	4,009	3,125	13,456	12,158	3,097	2,852	28,931	39,749	-	-	-	2,353	25,730	13,656	329,250	240,542
Depreciation and amortisation expense	14,280	14,152	17	5	1,030	550	48	44	206	1,531	-	-	-	25	3,202	2,258	18,783	18,565
Finance costs	17,296	17,787	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17,296	17,787
Other expenses	138,983	130,567	859	786	6,084	4,222	3,188	2,788	8,343	36,483	35,516	29,630	-	47,321	37,721	21,819	230,694	273,616
Loss on sale of assets	-	35	-	-	-	-	-	-	-	20	-	-	-	-	-	(3)	-	52
Corporate overheads reallocated to services	24,997	28,979	597	681	1,989	2,421	854	980	38,216	3,650	-	-	-	1,019	(66,653)	(37,730)	-	-
Total cost of services	449,583	358,169	5,482	4,597	22,559	19,351	7,187	6,664	75,696	81,433	35,516	29,630	-	50,718	-	-	596,023	550,562
Income																		
Sales	77,665	70,364	13	2	20,360	14,687	8,008	7,901	5,519	19,536	-	-	-	100	22,261	5,875	133,826	118,465
Gain on sale of assets	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	11	-
Corporate overheads reallocated to services	4,530	4,144	159	130	627	561	186	172	16,759	801	-	-	-	67	(22,261)	(5,875)	-	-
Total income other than income from State Government	82,206	74,508	172	132	20,987	15,248	8,194	8,073	22,278	20,337	-	-	-	167	-	-	133,837	118,465
NET COST OF SERVICES	367,377	283,661	5,310	4,465	1,572	4,103	(1,007)	(1,409)	53,418	61,096	35,516	29,630	-	50,551	-	-	462,186	432,097
INCOME FROM STATE GOVERNMENT																		
Service appropriation	227,265	220,730	4,394	3,766	(572)	1,522	(727)	(819)	32,564	55,951	34,871	29,555	-	51,460	51,386	35,081	349,181	397,246
Liabilities assumed by the Treasurer	118,743	43,902	-	-	-	-	-	-	-	-	-	-	-	-	-	-	118,743	43,902
Royalties for Regions Fund	512	201	-	-	-	-	-	-	-	-	-	-	-	-	-	-	512	201
Resources received free of charge	5,567	3,940	6	6	14	10	8	6	60	162	-	-	-	226	892	382	6,547	4,732
Corporate overheads reallocated to services	21,874	26,477	629	689	1,714	1,857	955	1,085	27,106	4,663	-	-	-	692	(52,278)	(35,463)	-	-
Total income from State Government	373,961	295,250	5,029	4,461	1,156	3,389	236	272	59,730	60,776	34,871	29,555	-	52,378	-	-	474,983	446,081
SURPLUS/(DEFICIT) FOR PERIOD	6,584	11,589	(281)	(4)	(416)	(714)	1,243	1,681	6,312	(320)	(645)	(75)	-	1,827	-	-	12,797	13,984

Service 7: The functions of Native Title policy development, implementation and negotiation undertaken by the Office of Native Title were transferred to the Department of the Premier and Cabinet on the 1 April 2011.

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

DEPARTMENT OF THE ATTORNEY GENERAL
SCHEDULE OF ASSETS AND LIABILITIES BY SERVICE
AS AT 30 JUNE 2012

	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011
	Service 1		Service 2		Service 3		Service 4		Service 5			
	Court and Tribunal Services		Advocacy, Guardianship and Administration Services		Trustee Services		Births, Deaths and Marriages		Services to Government		Total	
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
ASSETS												
Current assets	10,031	6,912	18	-	6	11	236	189	11,446	5,557	21,737	12,669
Non-current assets	693,784	673,951	102	97	10,997	6,019	94	171	348	633	705,325	680,871
Total assets	703,815	680,863	120	97	11,003	6,030	330	360	11,794	6,190	727,062	693,540
LIABILITIES												
Current liabilities	58,446	58,277	978	782	4,191	3,669	1,101	898	9,691	9,256	74,407	72,882
Non-current liabilities	221,297	224,695	175	134	667	608	142	122	1,780	1,664	224,061	227,223
Total liabilities	279,743	282,972	1,153	916	4,858	4,277	1,243	1,020	11,471	10,920	298,468	300,105
NET ASSETS	424,072	397,891	(1,033)	(819)	6,145	1,753	(913)	(660)	323	(4,730)	428,594	393,435

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

DEPARTMENT OF THE ATTORNEY GENERAL
SUMMARY OF CONSOLIDATED ACCOUNT APPROPRIATIONS AND INCOME ESTIMATES
FOR THE YEAR ENDED 30 JUNE 2012

	2012 Estimate \$000	2012 Actual \$000	Variance \$000	2012 Actual \$000	2011 Actual \$000	Variance \$000
DELIVERY OF SERVICES						
Item 50 Net amount appropriated to deliver services	249,195	261,251	12,056	261,251	316,009	(54,758)
Amount Authorised by Other Statutes						
Salaries and Allowances Act 1975	26,846	27,230	384	27,230	25,834	1,396
District Court of Western Australia Act 1969	10,371	10,300	(71)	10,300	9,635	665
Judges' Salaries and Pensions Act 1950	10,105	11,700	1,595	11,700	10,592	1,108
Children's Court of Western Australia Act 1988	382	406	24	406	386	20
State Administrative Tribunal Act 2004	5,455	5,500	45	5,500	5,201	299
Criminal Injuries Compensation Act 2003	26,195	32,333	6,138	32,333	29,148	3,185
Solicitor General Act 1969	369	432	63	432	422	10
Suitors' Fund Act 1964	29	29	-	29	19	10
Total appropriations provided to deliver services	328,947	349,181	20,234	349,181	397,246	(48,065)
CAPITAL						
Item 132 Capital appropriation	40,682	17,531	(23,151)	17,531	8,197	9,334
GRAND TOTAL	369,629	366,712	(2,917)	366,712	405,443	(38,731)
Details of expenses by service						
Court and Tribunal Services	338,992	449,583	110,591	449,583	358,169	91,414
Advocacy, Guardianship and Administration Services	5,151	5,482	331	5,482	4,597	885
Trustee Services	21,304	22,559	1,255	22,559	19,351	3,208
Births, Deaths and Marriages	8,365	7,187	(1,178)	7,187	6,664	523
Services to Government	73,741	75,696	1,955	75,696	81,433	(5,737)
Legal Aid Assistance	32,812	35,516	2,704	35,516	29,630	5,886
Native Title Policy Development, Implementation and Negotiation ^(a)	-	-	-	-	50,718	(50,718)
Total cost of services	480,365	596,023	115,658	596,023	550,562	45,461
Less total income	(127,627)	(133,837)	(6,210)	(133,837)	(118,465)	(15,372)
Net cost of services	352,738	462,186	109,448	462,186	432,097	30,089
<i>Adjustments (b)</i>	<i>(23,791)</i>	<i>(113,005)</i>	<i>(89,214)</i>	<i>(113,005)</i>	<i>(34,851)</i>	<i>(78,154)</i>
Total appropriations provided to deliver services	328,947	349,181	20,234	349,181	397,246	(48,065)
Capital Expenditure						
Purchase of non-current physical assets	59,960	29,517	(30,443)	29,517	16,082	13,435
Adjustments for other funding sources	(40,682)	(11,986)	28,696	(11,986)	(7,885)	(4,101)
Capital appropriations	19,278	17,531	(1,747)	17,531	8,197	9,334
DETAILS OF INCOME ESTIMATES						
Income disclosed as Administered Income	85,329	70,191	(15,138)	70,191	72,092	(1,901)

(a) The functions of Native Title policy development, implementation and negotiation undertaken by the Office of Native Title were transferred to the Department of the Premier and Cabinet on 1 April 2011.

(b) Adjustments comprise movements in cash balances and other accrual items such as receivables, payables and superannuation.

Explanations of variations between the current year estimates and actual results are set out in Note 42.

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

1 Australian Accounting Standards

General

The Department's financial statements for the year ended 30 June 2012 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 adopt an Australian Accounting Standard unless specifically permitted by Treasurer's instruction (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 yet operative) by the Department for the annual reporting period ended 30 June 2012.

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* 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.

(c) Reporting entity

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

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
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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 predominantly 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 (a):

Service 1: Court and Tribunal Services

Service 2: Advocacy, Guardianship and Administration Services

Service 3: Trustee Services

Service 4: Births, Deaths and Marriages

Service 5: Services to Government

Service 6: Legal Aid Assistance

(a) The functions of Native Title policy development, implementation and negotiation undertaken by the Office of Native Title were transferred to the Department of the Premier and Cabinet from 1 April 2011.

(d) Administered transactions

Administered assets, liabilities, expenses and revenues are not integral to the Department in carrying out its functions and are disclosed in the notes to the financial statements, forming part of the general purpose financial report of the Department. The administered items are disclosed on the same basis as is described above for the financial statements of the Department. The administered assets, liabilities, expenses and revenues 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 expenses and revenues are not attributable to the Department.

As the administered assets, liabilities, expenses and incomes 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 transactions.

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

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

Outstanding fines and costs include:

(a) 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 2012; and

(b) Magistrates Courts criminal fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2012.

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.

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
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(e) Provision for unrecoverable debts - administered transactions

The provision in respect of Court fees and fines outstanding and referred to the FER is based on the recovery history of Court fees and fines managed by the FER.

(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 transfer 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 is recognised by reference to the stage of completion of the transaction.

Criminal injuries revenue is recognised at the time payment is received. Outstanding criminal injuries recoveries 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 for further commentary on Service Appropriations.

Net Appropriation Determination

Pursuant to section 23 of the *Financial Management Act*, 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.

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In accordance with the determination specified in the 2011-2012 Budget Statements, the Department retained \$133.826 million in 2012 (\$118.46 million in 2011) from the following:

- proceeds from fees and charges of \$76.456 million in 2012 (\$72.56 million in 2011);
- Commonwealth specific purpose grants and contributions of \$20.57 million in 2012 (\$19.28 million in 2011); and
- other departmental revenue of \$36.80 million in 2012 (\$26.62 million in 2011).

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 or 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/finance 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.

Initial recognition and measurement

All items of 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

After recognition as an asset, the Department uses the revaluation model for the measurement of land and buildings and the cost model 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 carried at historical cost less accumulated depreciation and accumulated impairment losses.

Where market-based evidence is available, the fair value of land and buildings is determined on the basis of current market buying values determined by reference to recent market transactions. When buildings are revalued by reference to recent market transactions, the accumulated depreciation is eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount.

Where market-based evidence is not available, the fair value of land and buildings is determined on the basis of existing use. This normally applies where buildings are specialised or where land use is restricted. Fair value for existing use assets is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, i.e. the depreciated replacement cost. Where the fair value of buildings is determined on the depreciated replacement cost basis, the gross carrying amount and the accumulated depreciation are restated proportionately.

DEPARTMENT OF THE ATTORNEY GENERAL
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Independent valuations of land and buildings are provided annually by the Western Australian Land Information Authority (Valuation Services) and recognised annually to ensure that the carrying amount does not differ materially from the asset's fair value at the end of the reporting period.

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 (see note 22 '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 which reflects the consumption of their future economic benefits.

Land is not depreciated. Depreciation on other assets is calculated using the straight line method, using rates which are reviewed annually. Estimated useful lives for each class of depreciable asset are:

- Buildings	50 years
- Leasehold improvements	10 years
- Information technology systems	5 years
- Plant, equipment and vehicles	4 - 15 years

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

Changes in accounting estimates

The Department reviews the estimated useful lives of photocopiers at the end of each reporting period. During the current year, the useful lives of the photocopiers have been reassessed from 10 to 5 years, due to developments in technology.

The financial effect of this reassessment, assuming the assets are held until the end of their estimated useful lives, is an increase in depreciation expense in the current financial year and for the next 4 years, by the following amounts

	\$000
2011-12	372
2012-13	180
2013-14	113
2014-15	92
2015-16	44

(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 life for intangible assets is:

DEPARTMENT OF THE ATTORNEY GENERAL
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- Software ^(a) 5 years

(a) 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. As the Department is a not-for-profit entity, unless an asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell, and the 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 with an indefinite useful life and 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) 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 and are depreciated over the period during which the Department is expected to benefit from their use. 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.

(m) Financial instruments

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

- Loans and receivables; and
- Financial liabilities measured at amortised cost.

These have been disaggregated into the following classes:

Financial assets

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

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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.

(n) Cash and cash equivalents

For the purpose of the Statement of Cash Flows, cash and cash equivalents includes cash and restricted cash equivalents.

(o) Accrued salaries

Accrued salaries (refer note 25) 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 2011-12 was 21 June 2012, therefore an accrual of 6 days was brought to account this financial year.

The accrued salaries suspense account (refer note 18) consists of amounts paid annually into a suspense account over a period of ten 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.

(p) 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) that is accessible on the emergence of the cash funding requirement to cover leave entitlements and asset replacement.

(q) Receivables

Receivables are recognised at the original invoice amount less an allowance for uncollectible amounts (i.e. impairment). The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written off against the allowance account. The allowance for uncollectible 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.

(r) 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.

(s) 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.

(t) Provisions

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

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NOTES TO THE FINANCIAL STATEMENTS
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(i) Provisions - employee benefits

Annual leave and long service leave

The liability for annual and long service leave expected to be settled within 12 months after the reporting period is recognised and measured at the undiscounted amounts expected to be paid when the liabilities are settled.

Long service leave expected to be settled more than 12 months after the reporting period is measured at the present value of amounts expected to be paid when the liabilities are settled. Leave liabilities are in respect of services provided by employees up to the end of the reporting period.

When assessing expected future long service leave payments, consideration is given to expected future wage and salary levels including non-salary components such as employer superannuation contributions. In addition, the long service leave liability also considers the experience of employee departures and periods of service.

The expected Long service leave 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.

All annual leave and 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 reporting period.

(ii) 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 nominal amounts expected to be paid when the liabilities are settled. This liability is measured on the same basis as annual leave.

(iii) Superannuation

The Government Employees Superannuation Board (GESB) and other funds in accordance with legislative requirements administer public sector superannuation arrangements in Western Australia. Eligibility criteria for membership in particular schemes for public sector employees varies 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 also closed to new members since 1995.

The GSS is a defined benefit scheme for the purposes 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 extinguish 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 due 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.

Employees commencing employment prior to 16 April 2007 who were not members of either the Pension 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 became able to choose their preferred superannuation fund. The Department makes concurrent contributions to GESB or other funds 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 charges in respect of employees who are not members of the Pension Scheme or GSS.

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.

DEPARTMENT OF THE ATTORNEY GENERAL
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(iv) Provisions - other

Employment 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 'Employee benefits expense'. The related liability is included in 'Employment on-cost provision'. Refer to Note 27.

(u) Superannuation expense

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

(v) 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 2012 was calculated by Price Waterhouse Coopers 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 reflects the increase in the liability at the Department of Treasury.

(w) Resources received free of charge or for nominal cost

Resources received free of charge or for nominal cost that can be reliably measured are recognised as income at fair value. Where the resource received represents a service that the Department would otherwise pay for, a corresponding expense is recognised. Receipts of assets are recognised in the Statement of Financial Position.

Assets or services received from other State Government agencies are separately disclosed under "Income from State Government" in the Statement of Comprehensive Income.

(x) Comparative figures

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

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 commitment

The Department has entered into commercial leases and has determined that the lessors retain all the significant risks and rewards of ownership of the properties. Accordingly, the leases have been classified as operating leases.

4 Key sources of estimation uncertainty

The Department makes key estimates and assumptions concerning the future. These estimates and assumptions 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.

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

Long service leave

In calculating the Department's long service leave provision, several estimations and assumptions have been made. These include expected future salary rates, salary inflation, discount rates, employee retention rates and expected future payments. Any changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision.

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 2011 that impacted on the Department:

AASB 1054

Australian Additional Disclosures

This Standard, in conjunction with AASB 2011-1 *Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project*, removes disclosure requirements from other Standards and incorporates them in a single Standard to achieve convergence between Australian and New Zealand Accounting Standards. There is no financial impact.

AASB 2009-12

Amendments to Australian Accounting Standards [AASB 5, 8, 108, 110, 112, 119, 133, 137, 139, 1023 & 1031 and Interpretation 2, 4, 16, 1039 & 1052]

This Standard makes editorial amendments to a range of Australian Accounting Standards and Interpretations. There is no financial impact.

AASB 2010-4

Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project [AASB 1, 7, 101 & 134 and Interpretation 13]

The amendments to AASB 7 clarify financial instrument disclosures in relation to credit risk. The carrying amount of financial assets that would otherwise be past due or impaired whose terms have been renegotiated is no longer required to be disclosed. There is no financial impact.

The amendments to AASB 101 clarify the presentation of the Statement of Changes in Equity. The disaggregation of other comprehensive income reconciling the carrying amount at the beginning and the end of the period for each component of equity can be presented in either the Statement of Changes in Equity or the Notes. There is no financial impact.

AASB 2010-5

Amendments to Australian Accounting Standards [AASB 1, 3, 4, 5, 101, 107, 112, 118, 119, 121, 132, 133, 134, 137, 139, 140, 1023 & 1038 and Interpretation 112, 115, 127, 132 & 1042]

This Standard makes editorial amendments to a range of Australian Accounting Standards and Interpretations. There is no financial impact.

AASB 2010-6

Amendments to Australian Accounting Standards - Disclosures on Transfers of Financial Assets [AASB 1 & 7]

This Standard introduces additional disclosures relating to transfers of financial assets in AASB 7. An entity shall disclose all transferred financial assets that are not derecognised and any continuing involvement in a transferred asset, existing at the reporting date, irrespective of when the related transfer transaction occurred. There is no financial impact.

AASB 2011 - 1

Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project [AASB 1, 5, 101, 107, 108, 121, 128, 132 & 134 and Interpretation 2, 112 & 113]

This Standard, in conjunction with AASB 1054, removes disclosure requirements from other Standards and incorporates them in a single Standard to achieve convergence between Australian and New Zealand Accounting Standards. There is no financial impact.

DEPARTMENT OF THE ATTORNEY GENERAL
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Future impact of Australian Accounting Standards not yet operative

The Department cannot adopt an Australian Accounting Standard earlier than the commencement date 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 and 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
AASB 9	1 January 2013
<i>Financial Instruments</i>	
This Standard supersedes AASB 139 <i>Financial Instruments: Recognition and Measurement</i> , introducing a number of changes to accounting treatments.	
The Standard was reissued in December 2010. The Department has not yet determined the application or the potential impact of the Standard.	
AASB 13	1 January 2013
<i>Fair Value Measurement</i>	
This Standard defines fair value, sets out a framework for measuring fair value and requires disclosures about fair value measurements. There is no financial impact.	
AASB 119	1 January 2013
<i>Employee Benefits</i>	
This Standard supersedes AASB 119 (October 2010). As the Commission does not operate a defined benefit plan, the impact of the change is limited to measuring annual leave as a long-term employee benefit. The resultant discounting of the annual leave benefit has an immaterial impact.	
AASB 1053	1 July 2013
<i>Application of Tiers of Australian Accounting Standards</i>	
This Standard establishes a differential financial reporting framework consisting of two tiers of reporting requirements for preparing general purpose financial statements. There is no financial impact.	
AASB 2009-11	1 July 2013
<i>Amendments to Australian Accounting Standards arising from AASB 9 [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 121, 127, 128, 131, 132, 136, 139, 1023 & 1038 and Interpretation 10 & 12]</i>	
[Modified by AASB 2010-7]	
AASB 2010-2	1 July 2013
<i>Amendments to Australian Accounting Standards arising from Reduced Disclosure Requirements [AASB 1, 2, 3, 5, 7, 8, 101, 102, 107, 108, 110, 111, 112, 116, 117, 119, 121, 123, 124, 127, 128, 131, 133, 134, 136, 137, 138, 140, 141, 1050 & 1052 and Interpretation 2, 4, 5, 15, 17, 127, 129 & 1052]</i>	
This Standard makes amendments to Australian Accounting Standards and Interpretations to introduce reduced disclosure requirements for certain types of entities. There is no financial impact.	
AASB 2010-7	1 January 2013
<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, 137, 139, 1023 & 1038 and Interpretation 2, 5, 10, 12, 19 & 127]</i>	

DEPARTMENT OF THE ATTORNEY GENERAL
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	Operative for reporting periods beginning on/after
<p>This Standard makes consequential amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 9 in December 2010. The Department has not yet determined the application or the potential impact of the Standard.</p>	
<p>AASB 2011-2</p> <p><i>Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project - Reduced Disclosure Requirements [AASB 101 & 1054]</i></p> <p>This Standard removes disclosure requirements from other Standards and incorporates them in a single Standard to achieve convergence between Australian and New Zealand Accounting Standards for reduced disclosure reporting. There is no financial impact.</p>	1 July 2013
<p>AASB 2011-8</p> <p><i>Amendments to Australian Accounting Standards arising from AASB 13 [AASB 1, 2, 3, 4, 5, 7, 9, 2009-11, 2010-7, 101, 102, 108, 110, 116, 117, 118, 119, 120, 121, 128, 131, 132, 133, 134, 136, 138, 139, 140, 141, 1004, 1023 & 1038 and Interpretation 2, 4, 12, 13, 14, 17, 19, 131 & 132]</i></p> <p>This Standard replaces the existing definition and fair value guidance in other Australian Accounting Standards and Interpretations as the result of issuing AASB 13 in September 2011. There is no financial impact.</p>	1 January 2013
<p>AASB 2011-10</p> <p><i>Amendments to Australian Accounting Standards arising from AASB 119 (September 2011) [AASB 1, 8, 101, 124, 134, 1049 & 2011-8 and Interpretation 14]</i></p> <p>This Standard makes amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 119 in September 2011. There is limited financial impact.</p>	1 January 2013
<p>AASB 2011-11</p> <p><i>Amendments to AASB 119 (September 2011) arising from Reduced Disclosure Requirements</i></p> <p>This Standard gives effect to Australian Accounting Standards – Reduced Disclosure Requirements for AASB 119 (September 2011). There is no financial impact.</p>	1 July 2013
<p>AASB 2012-1</p> <p><i>Amendments to Australian Accounting Standards - Fair Value Measurement - Reduced Disclosure Requirements [AASB 3, 7, 13, 140 & 141]</i></p> <p>This Standard establishes and amends reduced disclosure requirements for additional and amended disclosures arising from AASB 13 and the consequential amendments implemented through AASB 2011-8. There is no financial impact.</p>	1 July 2013

Changes in accounting estimates

The Department reviews the estimated useful lives of photocopiers at the end of each reporting period. During the current year, the useful lives of the photocopiers have been reassessed from 10 to 5 years, due to developments in technology.

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	2012	2011
	\$000	\$000
6 Employee benefits expense		
Wages and salaries ^(a)	169,803	159,695
Superannuation - defined contribution plans ^(b)	16,822	15,803
Long service leave	6,227	6,984
Annual leave	17,655	14,158
Judges' pensions - liability assumed by the Treasurer	118,743	43,902
	<u>329,250</u>	<u>240,542</u>
(a) Includes the value of the fringe benefit to the employee plus the fringe benefits tax component.		
(b) Defined contribution plans include West State, Gold State and GESB Super Scheme (contributions paid).		
Employment on-costs such as workers' compensation insurance are included at note 13 'Other expenses'. The employment on-costs liability is included at note 27 'Provisions'.		
7 Supplies and services		
Building maintenance contracts	2,122	1,963
Computing Services	17,087	16,560
Consultants and contractors	55,285	49,615
Consumables	2,054	1,936
Materials	2,727	2,554
Minor equipment	2,316	1,987
Resources free of charge	1,021	4,081
Other	551	2,453
	<u>83,163</u>	<u>81,149</u>
8 Depreciation and amortisation expense		
<u>Depreciation</u>		
Buildings	4,532	4,726
Plant, equipment and vehicles	1,436	1,223
Total depreciation	<u>5,968</u>	<u>5,949</u>
<u>Amortisation</u>		
Information technology systems	6,194	6,140
Leased buildings	4,506	4,690
Leasehold improvements	2,115	1,786
Total amortisation	<u>12,815</u>	<u>12,616</u>
Total depreciation and amortisation	<u>18,783</u>	<u>18,565</u>
9 Finance costs		
Finance lease charges	<u>17,296</u>	<u>17,787</u>
10 Accommodation expenses		
Lease rentals	<u>28,028</u>	<u>25,047</u>
11 Grants and subsidies		
<u>Recurrent</u>		
Criminal injuries	31,434	30,120
Legal Aid	35,516	29,630
Royalties for Regions Fund	-	-
Other grants and subsidies (a)	9,024	59,083
	<u>75,974</u>	<u>118,833</u>

(a) The decrease mainly reflects the transfer of the grants and subsidies function of Native Title Policy Development to the Department of the Premier and Cabinet on 1 April 2011.

DEPARTMENT OF THE ATTORNEY GENERAL
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	2012	2011
	\$000	\$000
12 Net gain/(loss) on disposal of non-current assets		
<u>Proceeds from disposal of non-current assets</u>		
Property, plant, equipment and vehicles	11	11
<u>Costs of disposal of non-current assets</u>		
Property, plant, equipment and vehicles	-	(63)
Net gain/(loss)	<u>11</u>	<u>(52)</u>
13 Other expenses		
Building repairs and maintenance	7,560	7,140
Electricity and water	3,781	3,210
Communication expenses	3,861	3,903
Plant, equipment and vehicle operating lease expenses	2,233	2,351
Plant, equipment and vehicle repairs and maintenance	414	372
Vehicle hire, fuel, registration and management fees	1,503	1,403
Insurance	843	821
Doubtful debts expense	21	8
Other staff costs	7,080	6,979
Jurors' expenses ^(a)	4,163	3,086
Computing licences	4,745	9,610
Copyright, communication, licence, etc. ^(b)	840	3,321
Other expenses	6,485	6,383
	<u>43,529</u>	<u>48,587</u>
(a) Includes travel and accommodation.		
(b) Retrospective Remuneration Agreement Between the State and Copyright Agency Ltd was extended to 30 June 2011.		
14 User charges and fees		
Legal services - State Solicitor's Office	4,221	4,200
Public Trustee fees	14,194	13,046
Births, deaths and marriage fees	7,992	7,892
Licences	118	125
Court fees	49,827	47,132
Miscellaneous fees and charges	104	168
	<u>76,456</u>	<u>72,563</u>
15 Commonwealth grants and contributions		
<u>Recurrent</u>		
Commonwealth recoup for Family Court and court fees	19,474	17,997
Commonwealth recoup other	1,097	1,285
	<u>20,571</u>	<u>19,282</u>
16 Other revenue		
Public Trustee - common fund surplus	8,786	4,244
Recoup of salaries and workers' compensation	1,273	1,440
Residential recoveries	2,145	1,967
Criminal injuries - recoups	1,700	1,346
Shared Information Services Technology revenue	15,436	14,512
Recoup insurance	-	1,120
Other miscellaneous revenue	7,459	1,991
	<u>36,799</u>	<u>26,620</u>

DEPARTMENT OF THE ATTORNEY GENERAL
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FOR THE YEAR ENDED 30 JUNE 2012

	2012	2011
	\$000	\$000
17 Income from State Government		
Appropriation received during the period:		
Service appropriations (a)	349,181	397,246
	<u>349,181</u>	<u>397,246</u>
Liabilities assumed by the Treasurer during the financial year:		
Judges' pensions	118,743	43,902
	<u>118,743</u>	<u>43,902</u>
An actuarial assessment of the defined benefits obligations of the Judges' Pension Scheme is undertaken on an annual basis, in accordance with AASB 119 Employee Benefits.		
Resources received free of charge (b)		
Determined on the basis of the following estimates provided by agencies.		
Western Australian Land Information Authority (Landgate)		
- services for valuation services, land registration and information	80	231
Department of Finance		
- provision of integrated procurement services	326	314
- notional management fee	121	132
- Building and Management Works	985	651
- Building and Management Works Maintenance Work	372	585
Department of Health		
- Forensic Pathology Services	50	1,439
Department of Corrective Services		
- provision of contract management services	4,613	1,380
	<u>6,547</u>	<u>4,732</u>
Royalties for Regions Fund:		
Regional Infrastructure and Headworks Account (c)	512	201
	<u>512</u>	<u>201</u>
Total Income from State Government	<u><u>474,983</u></u>	<u><u>446,081</u></u>

(a) Service appropriations are accrual amounts reflecting the full cost of services delivered. The appropriation revenue comprises a cash component and a receivable (asset). The receivable (holding account) comprises the depreciation expense for the year and any agreed increase in leave liability during the year.

(b) 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.

(c) This is a sub-fund within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in WA regional areas.

18 Restricted cash and cash equivalents

Current

Mental Health Commission	-	145
Cash received from Commonwealth in advance	1,314	-
Royalties for Regions Fund (a)	590	-
	<u>1,904</u>	<u>145</u>

Non-current

Accrued salaries suspense account (b)	4,180	3,647
	<u>4,180</u>	<u>3,647</u>
	<u>6,084</u>	<u>3,792</u>

(a) These unspent funds are committed to projects and programs in WA regional areas.

(b) Amounts held in the suspense account are only to be used for the purpose of meeting the 27th pay in a financial year that occurs every 11 years.

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
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	2012	2011
	\$000	\$000
19 Receivables		
<u>Current</u>		
Receivables	10,639	5,442
Allowance for impairment of receivables	(43)	(42)
GST receivable	2,245	1,902
	<u>12,841</u>	<u>7,302</u>

Reconciliation of changes in the allowance for impairment of receivables:

Balance at start of period	42	361
Doubtful debts expense	21	8
Amounts written off during the period	(4)	(37)
Amount recovered during the period	(16)	(290)
Balance at end of period	<u>43</u>	<u>42</u>

The Department does not hold any collateral as security or other credit enhancements relating to receivables.

20 Amounts receivable for services (Holding Account)

Current	2,582	2,460
Non-current	113,905	96,404
	<u>116,487</u>	<u>98,864</u>

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.

21 Other current assets

Prepayments	1,153	1,178
	<u>1,153</u>	<u>1,178</u>

22 Property, plant and equipment

<u>Land</u>		
At fair value ^(a)	97,172	82,011
	<u>97,172</u>	<u>82,011</u>
<u>Buildings</u>		
At fair value ^(a)	210,890	224,383
	<u>210,890</u>	<u>224,383</u>
<u>Leased land and buildings</u>		
At fair value ^(a)	217,158	230,313
	<u>217,158</u>	<u>230,313</u>

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
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	2012	2011
	\$000	\$000
<u>Leasehold improvements</u>		
At cost	33,723	28,541
Accumulated depreciation	(14,952)	(12,837)
	<u>18,771</u>	<u>15,704</u>
<u>Plant and equipment</u>		
At cost	17,470	15,327
Accumulated depreciation	(12,646)	(12,105)
	<u>4,824</u>	<u>3,222</u>
<u>Work in progress</u>		
Buildings	25,543	8,267
Information technology systems	2,906	1,634
	<u>28,449</u>	<u>9,901</u>
 Total property, plant and equipment	 <u>577,264</u>	 <u>565,534</u>

- (a) Land and buildings were revalued as at 1 July 2011 by the Western Australian Land Information Authority (Valuation Services). The valuations were performed during the year ended 30 June 2012 and recognised at 30 June 2012. In undertaking the revaluation, fair value was determined by reference to market values for land: \$2,182,763 and buildings: \$1,500,000. For the remaining balance, fair value was determined on the basis of depreciated replacement cost.

Reconciliations

Reconciliations of the carrying amounts of property, plant, equipment and vehicles at the beginning and end of the reporting period are set out below.

<u>Land</u>		
Carrying amount at beginning of period	82,011	75,516
Additions	2,353	-
Revaluation increment/(decrement)	12,808	6,495
Disposal of land	-	-
Transfer to other agencies	-	-
Carrying amount at end of period	<u>97,172</u>	<u>82,011</u>
<u>Buildings</u>		
Carrying amount at beginning of period	224,383	234,974
Additions	2,281	2,903
Revaluation increments/(decrement)	(11,242)	(8,662)
Depreciation	(4,532)	(4,726)
Disposal of property	-	-
Transfer to other agencies	-	(106)
Carrying amount at end of period	<u>210,890</u>	<u>224,383</u>

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	2012	2011
	\$000	\$000
<u>Leased land and buildings</u>		
Carrying amount at beginning of period	230,313	239,500
Revaluation increments/(decrement)	(8,649)	(4,497)
Depreciation	(4,506)	(4,690)
Carrying amount at end of period	<u>217,158</u>	<u>230,313</u>
<u>Leasehold improvements</u>		
Carrying amount at beginning of period	15,704	14,670
Additions	5,182	2,951
Depreciation	(2,115)	(1,786)
Disposal of property	-	-
Transfer to other agencies	-	(131)
Carrying amount at end of period	<u>18,771</u>	<u>15,704</u>
<u>Plant, equipment and vehicles</u>		
Carrying amount at beginning of period	3,222	3,578
Additions	3,049	957
Depreciation	(1,436)	(1,223)
Disposal of property	(11)	(63)
Transfer to other agencies	-	(27)
Carrying amount at end of period	<u>4,824</u>	<u>3,222</u>
<u>Work in progress</u>		
Carrying amount at beginning of period	9,901	4,484
Additions	20,169	9,656
Transfers to non-current assets	(1,057)	(2,685)
Impairment losses/reversals recognised in Statement of	(564)	(254)
Transfer to other agencies	-	(1,300)
Carrying amount at end of period	<u>28,449</u>	<u>9,901</u>
<u>Total</u>		
Carrying amount at beginning of period	565,534	572,722
Additions ^(a)	33,034	16,467
Revaluation increments/(decrement)	(7,083)	(6,664)
Depreciation	(12,589)	(12,425)
Disposals	(11)	(63)
Transfers to non-current assets ^(a)	(1,057)	(2,685)
Expensed to Statement of Comprehensive Income	(564)	(254)
Transfer to other agencies	-	(1,564)
Carrying amount at end of period	<u>577,264</u>	<u>565,534</u>

(a) Additions include transfers from work in progress.

23 Intangible assets

<u>Computer software</u>		
At cost	55,996	55,112
Accumulated amortisation	(46,020)	(39,826)
	<u>9,976</u>	<u>15,286</u>
Reconciliation		
<u>Computer software</u>		
Carrying amount at start of period	15,286	18,932
Additions	884	2,494
Amortisation	(6,194)	(6,140)
Carrying amount at end of period	<u>9,976</u>	<u>15,286</u>

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
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	2012	2011
	\$000	\$000

24 Impairment of assets

There were no indications of impairment to property, plant and equipment and intangible assets at 30 June 2012.

The Department held no goodwill or intangible assets with an indefinite useful life during the reporting period.

25 Payables

Current

Trade payables	20,637	22,944
Accrued interest	93	96
Accrued salaries	4,633	4,344
Total current	<u>25,363</u>	<u>27,384</u>

The last pay day of the 2011-2012 financial year was on 21 June 2012. A salary accrual of six 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.

26 Borrowings

Finance lease liabilities

Current	3,196	2,542
Non current	215,279	218,852
	<u>218,475</u>	<u>221,394</u>

Lease liabilities are effectively secured as the rights to the leased asset revert to the lessor in the event of default.

Assets pledged as security

The carrying amounts of non-current assets pledged as security are:

Finance leases

Leased land and buildings

At fair value	217,158	230,313
	<u>217,158</u>	<u>230,313</u>

27 Provisions

Current

Employee benefits provision

Annual leave ^(a)	13,219	12,406
Long service leave ^(b)	29,016	26,656
Superannuation	3,306	3,483
	<u>45,541</u>	<u>42,545</u>

Other provisions

Employment on-costs ^(c)

Carrying amount at start of period	411	394
Additional provisions recognised - other employee costs	(104)	17
Carrying amount at end of period	<u>307</u>	<u>411</u>

	<u>45,848</u>	<u>42,956</u>
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Non-current

Employee benefits provision

Long service leave ^(b)	7,892	7,633
Superannuation	810	656
	<u>8,702</u>	<u>8,289</u>

DEPARTMENT OF THE ATTORNEY GENERAL
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	2012	2011
	\$000	\$000
<u>Other provisions</u>		
<u>Employment on-costs</u>		
Carrying amount at start of period	82	89
Net amount used - other employee costs	(2)	(7)
Carrying amount at end of period	<u>80</u>	<u>82</u>
	<u>8,782</u>	<u>8,371</u>

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

Within 12 months of the end of the reporting period	13,219	12,406
More than 12 months after the end of the reporting period	-	-
	<u>13,219</u>	<u>12,406</u>

- (b) 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 end of the reporting period. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

Within 12 months of the end of the reporting period	29,016	26,656
More than 12 months after the end of the reporting period	7,892	7,633
	<u>36,908</u>	<u>34,289</u>

- (c) 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 is included in Note 13 "Other expenses".

28 Equity

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

Contributed equity

Balance at start of period	<u>83,479</u>	<u>105,049</u>
<u>Contributions by Owners</u>		
Capital appropriation	17,531	8,197
<u>Other contributions by owners</u>		
Royalties for Regions Fund – Regional Infrastructure and Headworks Account	9,144	2,030
<u>Transfer of net assets from other Agencies</u>		
Kununurra Courthouse	170	-
Kalgoorlie Public Building	2,600	-
Total contributions by owners	<u>29,445</u>	<u>10,227</u>

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	2012	2011
	\$000	\$000
<u>Distribution to owners</u>		
<u>Transfer of net assets to other agencies</u>		
Western Australia Police Department	-	(684)
Department of Housing	-	(491)
Department of Finance	-	(231)
Section 21 (3) transfer of Native Title Strategic policy development/facilitation service to the Department of Premier and Cabinet	-	(4,000)
The functions of Native Title policy development, implementation and negotiation undertaken by the Office of Native Title were transferred to the Department of the Premier and Cabinet from 1 April 2011.	-	(26,391)
Total distribution to owners	-	(31,797)
Balance at end of the period	112,924	83,479
Reserves		
<u>Asset revaluation surplus</u>		
<u>Land</u>		
Balance at start of period	78,816	72,322
Net revaluation increment/(decrement):	12,808	6,494
Balance at end of the period	91,624	78,816
<u>Buildings</u>		
Balance at start of period	174,220	187,378
Net revaluation increment/(decrement):	(19,891)	(13,158)
Balance at end of the period	154,329	174,220
	245,953	253,036
The asset revaluation surplus is used to record increments and decrements on the revaluation of non-current assets, as described in accounting policy note 2 (i).		
Accumulated surplus		
Balance at start of period	56,920	42,936
Result for the period	12,797	13,984
Balance at end of the period	69,717	56,920
Total equity at end of the period	428,594	393,435

29 Notes to the Statement of Cash Flows

(a) 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:

Cash and cash equivalents	3,257	1,584
Restricted cash and cash equivalents - current (note 18)	1,904	145
Restricted cash and cash equivalents - non current (note 18)	4,180	3,647
	9,341	5,376

(b) Non-cash financing and investing activities

During the financial year there were assets transferred from other Government agencies not reflected in the Statement of Cash Flows for the value of \$2,770,000 (refer note 28).

(c) Royalties for Regions Fund

Capital Funding	9,144	2,030
Recurrent Funding	512	201
	9,656	2,231

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
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	2012	2011
	\$000	\$000
(d) <u>Reconciliation of net cost of services to net cash flows provided by/(used in) operating activities</u>		
Net cost of services	(462,186)	(432,097)
Non-cash items:		
Depreciation and amortisation expense	18,783	18,565
Doubtful debts expense	21	8
Judges' Pensions expense	118,743	43,902
Resources received free of charge	6,547	4,732
Written down value of property, plant and equipment disposals	(11)	52
(Increase)/decrease in assets:		
Current receivables (a)	(5,216)	2,154
Other current assets	25	(127)
Increase/(decrease) in liabilities:		
Current payables (a)	(2,308)	(1,715)
Current provisions	3,303	59
Other current liabilities (b)	287	1,951
Change in GST in receivables/payables (c)	(343)	603
Net cash provided by/(used in) operating activities	(322,355)	(361,913)

a) Note that the Australian Taxation Office (ATO) receivable/payable in respect of GST and the receivable/payable in respect of the sale/purchase of non-current assets are not included in these items as they do not form part of the reconciling items.

b) This is the net GST paid/received, i.e. cash transactions.

c) This reverses out the GST in receivables and payables.

(e) At the end of the reporting period, the Department had fully drawn on all financing facilities, details of which are disclosed in the financial statements.

30 Resources provided free of charge

During the period the following resources were provided to other agencies free of charge for functions outside the normal operations of the Department:

Corporate support provided by the Department to:		
Department of Corrective Services	11,582	13,246
Law Reform Commission	81	56
Office of the Director of Public Prosecutions	592	1,037
Legal Costs Committee	48	46
Professional Standards Council	20	24
Legal Practice Board	1,108	891
Parliamentary Inspector of the Corruption and Crime Commission	71	22
Commissioner for Young People	140	87
Legal services provided by the State Solicitor's Office to:		
Other Government agencies	25,384	26,040
	39,026	41,449

31 Commitments

Summary of commitments as follows:-

Capital expenditure commitments (a)	1,200	1,323
Operating leases (b)	147,100	171,957
<u>Finance leases (c)</u>		
CBD Courts	207,337	209,900
Fremantle Justice Centre	11,138	11,494
Other expenditure commitments (d)	32,194	45,509
	398,969	440,183

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Detailed as follows:-

	2012	2011
	\$000	\$000
(a) Capital expenditure commitments		
Capital expenditure commitments, being contracted capital expenditure additional to the amounts reported in the financial statements, are payable as follows:		
Within 1 year	1,200	1,323
Later than 1 year and not later than 5 years	-	-
	<u>1,200</u>	<u>1,323</u>

The capital commitments are for land and buildings.

(b) Non-cancellable operating lease commitments

The Department leases certain premises, motor vehicles and items of plant and office equipment. The lease expenditure is expensed as it is incurred. At the reporting date the Department had obligations under operating leases payable as follows:

Within 1 year	23,909	30,163
Later than 1 year and not later than 5 years	74,287	78,780
Later than 5 years	48,904	63,014
	<u>147,100</u>	<u>171,957</u>

These commitments are all exclusive of GST.

(c) Finance lease commitments

(i) CBD Courts complex

The Department undertook a significant project involving the development of a new, purpose built District Court Building in Perth which was completed in June 2009.

Leasing costs are as follows:-

Within 1 year	18,693	18,583
Later than 1 year and not later than 5 years	77,029	76,509
Later than 5 years	323,358	349,397
Minimum finance lease payments	419,080	444,489
Less future finance charges	(211,743)	(234,589)
Finance lease liability	207,337	209,900
less amount excluded for asset not yet commissioned	-	-
Present value of finance lease liabilities	<u>207,337</u>	<u>209,900</u>

The present value of finance leases payable is as follows:

Within 1 year	2,801	2,186
Later than 1 year and not later than 5 years	16,169	13,109
Later than 5 years	188,367	194,605
Present value of finance lease liabilities	<u>207,337</u>	<u>209,900</u>

Included in the financial statements as:

Current liabilities (note 26)	2,801	2,186
Non-current liabilities (note 26)	204,536	207,714
	<u>207,337</u>	<u>209,900</u>

(ii) Fremantle Justice complex

The Department of Justice in March 2001, 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 State at the conclusion of the lease term for payment.

DEPARTMENT OF THE ATTORNEY GENERAL
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Leasing costs are as follows:-

	2012	2011
	\$000	\$000
Within 1 year	1,561	1,561
Later than 1 year and not later than 5 years	6,245	6,245
Later than 5 years	13,271	14,832
Minimum finance lease payments	21,077	22,638
Less future finance charges	(9,939)	(11,144)
Finance lease liability	<u>11,138</u>	<u>11,494</u>

The present value of finance leases payable is as follows:

Within 1 year	395	356
Later than 1 year and not later than 5 years	2,069	1,863
Later than 5 years	8,674	9,275
Present value of finance lease liabilities	<u>11,138</u>	<u>11,494</u>

Included in the financial statements as:

Current liabilities (note 26)	395	356
Non-current liabilities (note 26)	10,743	11,138
	<u>11,138</u>	<u>11,494</u>

(d) Other expenditure commitments

Operational service contracts contracted for at the end of the reporting period but not recognised as liabilities, are payable as follows:

Within 1 year	15,662	14,284
Later than 1 year and not later than 5 years	16,532	31,225
Later than 5 years	-	-
	<u>32,194</u>	<u>45,509</u>

32 Contingent liabilities and contingent assets

Contingent liabilities

In addition to the liabilities included in the financial statements the Department has the following contingent liabilities:

Litigations in progress

Claims against the Department from the general public and offenders

<u>1,150</u>	<u>1,157</u>
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Disclosure regarding criminal injuries compensation

Claims yet to be assessed

<u>16,135</u>	<u>15,370</u>
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DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

Contaminated sites

Carnarvon Police and Justice Complex
 Lots 557, 567 and 1059 Robinson Street, Morgantown, Carnarvon.

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

During the year the Department reported three suspected contaminated sites to DEC. These will form a single Title Site. These sites have been classified as 'Remediated for Restricted Use'.

The Department is unable to assess the likely outcome of the 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.

There may be a possibility of reimbursement of any future expenses that may be incurred in the remediation of these sites.

Contingent assets

In addition to the assets included in the financial statements, there are the following contingent assets:

Recovery of incorrect payment to Supplier	457	52
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33 Remuneration of senior officers

The number of senior officers whose total fees, salaries, accrued salaries, leave liability, superannuation, non-monetary benefits and other benefits for the financial year fall within the following bands are:

\$	2012	2011
40,001 - 50,000	1	1
70,001 - 80,000	-	1
80,001 - 90,000	-	1
120,001 - 130,000	1	-
130,001 - 140,000	1	-
140,001 - 150,000	1	3
160,001 - 170,000	-	3
170,001 - 180,000	1	-
180,001 - 190,000	1	1
190,001 - 200,000	1	-
200,001 - 210,000	1	-
230,001 - 240,000	1	1
290,001 - 300,000	-	1
320,001 - 330,000	-	1
340,001 - 350,000	1	-
390,001 - 400,000	1	-
440,001 - 450,000	-	1
500,001 - 510,000	-	1
520,001 - 530,000	1	-
	12	15

The total remuneration of senior officers for 2011-2012 was \$2,704,919 (2010-11 was \$3,124,265).

Senior officers are those who take part in the management of the organisation and are deemed to be the Director General, Executive Directors and other Divisional Heads.

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

The superannuation included represents 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).

34 Related bodies

The Department had no related bodies during the financial year.

35 Affiliated bodies

The Department provided more than 55% (2011: 49%) of the total operational funds of the Legal Aid Commission of Western Australia during the 2011-2012 financial year. The Commission is not subject to operational control by the Department and is therefore considered to be an affiliated body under the Financial Management Act 2006.

	2012	2011
	\$000	\$000

36 Supplementary financial information

Write-offs

Revenue and debts to the State written off in accordance with Section 48 of the Financial Management Act 2006

Accountable Authority	8,315	9,065
Total losses and write offs	<u>8,315</u>	<u>9,065</u>

Criminal Injuries Compensation Act

Write-offs

Accountable Authority	305	1,487
Criminal Injuries Compensation Close-offs (these are the amounts written off where a reimbursement order was not issued)	2,972	2,609
	<u>3,277</u>	<u>4,096</u>

The write offs pertain primarily to court fines which are Administered items.

Losses through theft, defaults and other causes

Losses of public moneys and property through theft, default or otherwise not covered by insurance	-	15
Total losses through theft, defaults and other causes	<u>-</u>	<u>15</u>
Amount recovered	-	5
Total amount recovered	<u>-</u>	<u>5</u>

37 Remuneration of Auditor

Remuneration payable to the Auditor General in respect of the audit for the current financial year is as follows:

Auditing the accounts, financial statements and performance indicators	178	170
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DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

38 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, finance leases, Treasurer's advances and receivables and payables. 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.

The maximum exposure to credit risk at 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 Note 19 and Note 38(c).

Credit risk associated with the Department's financial assets is minimal because the main receivable is the amount receivable for services (holding account). For receivables other than government, the Department trades only with recognised, creditworthy third parties. The Department has policies in place to ensure that sales of products and services are made to customers with an appropriate credit history. In addition, receivable balances are monitored on an ongoing basis with the result that the Department's exposure to bad debts is minimal. At the end of the reporting period, there were no significant concentrations of credit risk.

Liquidity risk

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

The Department has appropriate procedures to manage cash flows including drawdowns of appropriations by monitoring forecast cash flows to ensure that sufficient funds are available to meet its commitments.

Market risk

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates will affect the Department's income or the value of its holdings of financial instruments. The Department does not trade in foreign currency and is not materially exposed to other price risks. Other than as detailed in the Interest rate sensitivity analysis table at Note 38(c), the Department is not exposed to interest rate risk because apart from minor amounts of restricted cash, all other cash and cash equivalents and restricted cash are non-interest bearing, and has no borrowings other than finance leases.

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

	2012	2011
	\$000	\$000
(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:		
<u>Financial Assets</u>		
Cash and cash equivalents	3,257	1,584
Restricted cash and cash equivalents	6,084	3,792
Receivables	10,596	5,400
Amounts receivable for services	116,487	98,864
<u>Financial Liabilities</u>		
Financial liabilities measured at amortised cost	218,475	221,394
Payables	25,270	27,288

The amount of receivables excludes GST recoverable from the Australian Taxation Office (statutory receivable).

(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 table discloses the ageing of financial assets that are past due but not impaired and impaired financial assets. The table is based on information provided to senior management of the Department.

The Department does not hold any collateral as security or other credit enhancements relating to the financial assets it holds.

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

Ageing analysis of financial assets

	Carrying Amount	Not past due and not impaired	<u>Past due but not impaired</u>					Impaired financial assets
			Up to 1 month	1-3 months	3 months to 1 year	1 - 5 years	More than 5 years	
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
2012								
Cash and cash equivalents	3,257	3,257	-	-	-	-	-	-
Restricted cash and cash equivalents	6,084	6,084	-	-	-	-	-	-
Receivables ^(a)	10,596	10,596	9,997	407	145	47	-	43
Amounts receivable for services	116,487	116,487	-	-	-	-	-	-
	136,424	136,424	9,997	407	145	47	-	43
2011								
Cash and cash equivalents	1,584	1,584	-	-	-	-	-	-
Restricted cash and cash equivalents	3,792	3,792	-	-	-	-	-	-
Receivables ^(a)	5,400	5,400	4,463	599	296	42	-	42
Amounts receivable for services	98,864	98,864	-	-	-	-	-	-
	109,640	109,640	4,463	599	296	42	-	42

(a) The amount of receivables excludes the GST recoverable from the Australian Taxation Office (statutory receivable).

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

Liquidity risk and interest rate exposure

The following table details the Department's interest rate exposure and the contractual maturity analysis of financial assets and financial liabilities. The maturity analysis section includes interest and principal cash flows. The interest rate exposure section analyses only the carrying amounts of each item.

Interest rate exposure and maturity analysis of financial assets and financial liabilities

	<u>Interest rate exposure</u>					<u>Nominal Amount</u>	<u>Maturity dates</u>				
	Weighted average interest rate	Carrying Amount	Fixed Interest Rate	Variable Interest Rate	Non-interest bearing		Up to 1 month	1-3 months	3 months to 1 year	1 - 5 years	More than 5 years
	%	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
2012											
<u>Financial Assets</u>											
Cash and cash equivalents	-	3,257	-	-	3,257	3,257	-	-	-	-	-
Restricted cash and cash equivalents	-	6,084	-	-	6,084	6,084	-	-	-	-	-
Receivables ^(a)	-	10,596	-	-	10,596	10,596	10,596	-	-	-	-
Amounts receivable for services	-	116,487	-	-	116,487	116,487	-	-	-	-	-
		136,424	-	-	136,424	136,424	10,596	-	-	-	-
<u>Financial Liabilities</u>											
Payables	-	25,270	-	-	25,270	25,270	25,270	-	-	-	-
Finance lease liabilities	8	218,475	218,475	-	-	218,475	-	-	3,196	18,238	197,041
		243,745	218,475	-	25,270	243,745	25,270	-	3,196	18,238	197,041

(a) The amounts of receivables excludes the GST recoverable from the Australian Taxation Office (statutory receivable).

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

Interest rate exposure and maturity analysis of financial assets and financial liabilities

	Interest rate exposure					Nominal Amount	Maturity dates				
	Weighted average interest rate	Carrying Amount	Fixed Interest Rate	Variable Interest Rate	Non-interest bearing		Up to 1 month	1-3 months	3 months to 1 year	1 - 5 years	More than 5 years
	%	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
2011											
<u>Financial Assets</u>											
Cash and cash equivalents	-	1,584	-	-	1,584	1,584	-	-	-	-	-
Restricted cash and cash equivalents	-	3,792	-	-	3,792	3,792	-	-	-	-	-
Receivables ^(a)	-	5,400	-	-	5,400	5,400	5,400	-	-	-	-
Amounts receivable for services	-	98,864	-	-	98,864	98,864	-	-	-	-	-
		109,640	-	-	109,640	109,640	5,400	-	-	-	-
<u>Financial Liabilities</u>											
Payables	-	27,288	-	-	27,288	27,288	27,288	-	-	-	-
Finance lease liabilities	8	221,394	221,394	-	-	221,394	-	-	2,542	14,972	203,880
		248,682	221,394	-	27,288	248,682	27,288	-	2,542	14,972	203,880

(a) The amounts of receivables excludes the GST recoverable from the Australian Taxation Office (statutory receivable).

Interest rate sensitivity analysis

The Department is not exposed to interest rate risk because cash and cash equivalents and restricted cash are non-interest bearing and the finance lease liabilities have a fixed interest rate.

Fair values

All financial assets and liabilities recognised in the Statement of Financial Position, whether they are carried at cost or fair value, are recognised at amounts that represent a reasonable approximation of fair value unless otherwise stated in the applicable notes.

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

Liquidity risk and interest rate exposure

The following table details the Department's interest rate exposure and the contractual maturity analysis of financial assets and financial liabilities. The maturity analysis section includes interest and principal cash flows. The interest rate exposure section analyses only the carrying amounts of each item.

Interest rate exposure and maturity analysis of financial assets and financial liabilities

	<u>Interest rate exposure</u>					<u>Nominal Amount</u>	<u>Maturity dates</u>				
	Weighted average interest rate	Carrying Amount	Fixed Interest Rate	Variable Interest Rate	Non-interest bearing		Up to 1 month	1-3 months	3 months to 1 year	1 - 5 years	More than 5 years
	%	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
2012											
<u>Financial Assets</u>											
Cash and cash equivalents	-	3,257	-	-	3,257	3,257	-	-	-	-	-
Restricted cash and cash equivalents	-	6,084	-	-	6,084	6,084	-	-	-	-	-
Receivables ^(a)	-	10,596	-	-	10,596	10,596	10,596	-	-	-	-
Amounts receivable for services	-	116,487	-	-	116,487	116,487	-	-	-	-	-
		136,424	-	-	136,424	136,424	10,596	-	-	-	-
<u>Financial Liabilities</u>											
Payables	-	25,270	-	-	25,270	25,270	25,270	-	-	-	-
Finance lease liabilities	8	218,475	218,475	-	-	218,475	-	-	3,196	18,238	197,041
		243,745	218,475	-	25,270	243,745	25,270	-	3,196	18,238	197,041

(a) The amounts of receivables excludes the GST recoverable from the Australian Taxation Office (statutory receivable).

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

Interest rate exposure and maturity analysis of financial assets and financial liabilities

	Interest rate exposure					Nominal Amount	Maturity dates				
	Weighted average interest rate	Carrying Amount	Fixed Interest Rate	Variable Interest Rate	Non-interest bearing		Up to 1 month	1-3 months	3 months to 1 year	1 - 5 years	More than 5 years
	%	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
2011											
<u>Financial Assets</u>											
Cash and cash equivalents	-	1,584	-	-	1,584	1,584	-	-	-	-	-
Restricted cash and cash equivalents	-	3,792	-	-	3,792	3,792	-	-	-	-	-
Receivables ^(a)	-	5,400	-	-	5,400	5,400	5,400	-	-	-	-
Amounts receivable for services	-	98,864	-	-	98,864	98,864	-	-	-	-	-
		109,640	-	-	109,640	109,640	5,400	-	-	-	-
<u>Financial Liabilities</u>											
Payables	-	27,288	-	-	27,288	27,288	27,288	-	-	-	-
Finance lease liabilities	8	221,394	221,394	-	-	221,394	-	-	2,542	14,972	203,880
		248,682	221,394	-	27,288	248,682	27,288	-	2,542	14,972	203,880

(a) The amounts of receivables excludes the GST recoverable from the Australian Taxation Office (statutory receivable).

Interest rate sensitivity analysis

The Department is not exposed to interest rate risk because cash and cash equivalents and restricted cash are non-interest bearing and the finance lease liabilities have a fixed interest rate.

Fair values

All financial assets and liabilities recognised in the Statement of Financial Position, whether they are carried at cost or fair value, are recognised at amounts that represent a reasonable approximation of fair value unless otherwise stated in the applicable notes.

DEPARTMENT OF THE ATTORNEY GENERAL
ADMINISTERED SCHEDULE OF INCOME AND EXPENSES BY SERVICE
FOR THE YEAR ENDED 30 JUNE 2012

39 Disclosure of Administered income and expenses by Service

	2012	2011	2012	2011	2012	2011	2012	2011
	Court and Tribunal Services		Services to Government		General - Not attributed		Total	
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
COST OF SERVICES								
Expenses								
Payments to the Consolidated Account	52,097	52,342	-	-	-	-	52,097	52,342
Transfer payments - other Government agencies	-	-	-	-	-	12,181	-	12,181
Criminal property confiscations - grants	-	-	4,933	533	-	-	4,933	533
Criminal property confiscations - supplies and services	-	-	5,973	8,369	-	-	5,973	8,369
Payment to Road Trauma Trust Account	-	-	9,008	-	-	-	9,008	-
Provision for doubtful debts ^(a)	-	-	-	-	(525)	(2,489)	(525)	(2,489)
Other	1,227	577	-	-	1,108	696	2,335	1,273
Total administered expenses	53,324	52,919	19,914	8,902	583	10,388	73,821	72,209
Income								
Judicial fines and penalties	36,065	34,691	-	-	-	-	36,065	34,691
Infringement penalties	-	-	1,593	1,694	-	-	1,593	1,694
Copyright income received on behalf of the State	-	-	-	-	124	641	124	641
Revenue for transfer - other Government agencies	-	-	-	-	10,234	12,061	10,234	12,061
Criminal property confiscations	-	-	7,572	7,333	-	-	7,572	7,333
Other paid into Consolidated Account	29	322	-	-	14,574	15,350	14,603	15,672
Total administered income	36,094	35,013	9,165	9,027	24,932	28,052	70,191	72,092

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

(a) Comparatives have been restated to conform to current year presentation. There was a reduction in the provision for the Financial year 2011.

DEPARTMENT OF THE ATTORNEY GENERAL
ADMINISTERED SCHEDULE OF ASSETS AND LIABILITIES
AS AT 30 JUNE 2012

	2012	2011
	\$000	\$000
40 Administered assets and liabilities		
Assets		
Cash and restricted cash assets		
- Suitors' fund	280	251
- Departmental receipts in suspense	70	73
- Judicial fines and penalties	-	-
- Criminal Property Confiscations	15,992	19,325
 Receivables		
- Magistrates Court - fines and costs	12,515	13,288
- Fines Enforcement Registry	149,807	150,368
- Children's Court	144	182
- Criminal Property Confiscations	-	-
	-	-
Less: allowance for impairment of receivables	-	-
- Unrecoverable fees and fines - note 2 (e)	(87,514)	(88,039)
 Total administered current assets	<u>91,294</u>	<u>95,448</u>
 Total administered assets	<u>91,294</u>	<u>95,448</u>
 Liabilities		
- Payables	-	-
- Amounts due to the Treasurer (Appeals Cost Board)	1,800	1,800
 Total administered liabilities	<u>1,800</u>	<u>1,800</u>
 Net administered assets	<u><u>89,494</u></u>	<u><u>93,648</u></u>

41 Events occurring after the end of the reporting period

There were no events occurring after the balance sheet date.

42 Explanatory statement

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

Total service expenses

	2012 Estimate \$000	2012 Actual \$000	Variation \$000
<u>Court and Tribunal Services</u>	338,992	449,583	110,591

Service 1 - Court and Tribunal Services

Increased expenditure is mainly due to an increase in the actuarial assessment of judicial pensions, of \$101.1 million. In addition there were increases in accused cost payments, criminal injuries payments, forensic pathology and court security costs.

<u>Advocacy, Guardianship and Administration Services</u>	5,151	5,482	331
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Service 2 - Advocacy, Guardianship and Administration Services

Increased expenditure is largely due to an increase in staff and accommodation lease costs due to an increase in demand for services.

<u>Trustee Services</u>	21,304	22,559	1,255
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Service 3 - Trustee Services

Increased expenditure is mainly due to increased office accommodation costs.

<u>Births, Deaths and Marriages</u>	8,365	7,187	(1,178)
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Service 4 - Births Deaths and Marriages

Lower expenditure is mainly due to delays in expenditure on the data conversion of paper based records to an electronic format.

<u>Services to Government</u>	73,741	75,696	1,955
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Service 5 - Services to Government

Increased expenditure mainly relates to increased accommodation costs, ex-gratia and mesothelioma payments and increased information technology costs.

<u>Legal Aid Assistance</u>	32,812	35,516	2,704
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Service 6 - Legal Aid Assistance

The State grant provided to the Legal Aid Commission was increased to provide additional funding for changes to district allowances, not for profit sustainability payments and expensive legal cases.

	2012 Actual \$000	2011 Actual \$000	Variance \$000
Significant variances between actuals for 2012 and 2011			
Total appropriation provided to deliver services and total income			
Total appropriation provided to deliver services for the year	349,181	397,246	(48,065)
Total income	133,837	118,465	15,372
<u>Total appropriation provided to deliver services for the year</u>			
The decreased appropriation in 2011-12 is mainly due to Office of Native Title transferring to the Department of Premier and Cabinet from 1 April 2011. This is offset by increases in funding for accommodation lease payments, criminal injuries payments, accused costs and information technology costs.			
<u>Total income</u>			
The increased income is mainly due to collection of additional fines enforcement court fees, public trust fees, Commonwealth family court grants, recoups of corporate shared services costs from the Department of Corrective Services and contributions from the Public Trust Common Fund Reserve.			
Service expenses			
<u>Court and Tribunal Services</u>	449,583	358,169	91,414
Service 1 - Court and Tribunal Services			
Increased expenditure is mainly due to an increase in the actuarial assessment of judicial pensions, of \$74.8 million. In addition there were increases in accused cost payments, criminal injuries payments, forensic pathology and court security costs.			
<u>Advocacy, Guardianship and Administration Services</u>	5,482	4,597	885
Service 2 - Advocacy, Guardianship and Administration Services			
Increased expenditure is mainly due to increases in staff costs and accommodation lease costs.			
<u>Trustee Services</u>	22,559	19,351	3,208
Service 3 - Trustee Services			
Increased expenditure is due to increases in staff costs, depreciation of core systems and accommodation lease costs.			
<u>Births, Deaths and Marriages</u>	7,187	6,664	523
Service 4 - Births Deaths and Marriages			
The increased expenditure is mainly due to the level of expenditure on data conversion of paper based records.			
<u>Services to Government</u>	75,696	81,433	(5,737)
Service 5 - Services to Government			
The decrease largely relates to staff costs, ex-gratia and mesothelioma payments, and computer licence costs savings due to a change in the payment schedule.			
<u>Legal Aid Assistance</u>	35,516	29,630	5,886
Service 6 - Legal Aid Assistance			
Increased grant paid to the Legal Aid Commission largely relates to increases in staff costs and supplementary funding for expensive cases and not for profit sustainability funding.			

	2012 Actual \$000	2011 Actual \$000	Variance \$000
<u>Native Title Policy Development, Implementation and Negotiation^(a)</u>	-	50,718	(50,718)

Service 7 - Native Title Policy Development, Implementation and Negotiation

The Office of Native Title was transferred to the Department of the Premier and Cabinet on 1 April 2011.

Significant variances between estimate and actual for 2012

	2012 Estimate \$000	2012 Actual \$000	Variance \$000
Capital contribution			
Capital contribution	19,278	17,531	(1,747)

The reduction in the capital contribution is largely due to delays in the Kalgoorlie Courthouse upgrade and funds have been re-flowed to future years. This is partly offset by additional expenditure on Public Trustee office fit out.

Significant variances between actuals for 2011 and 2012

	2012 Actual \$000	2011 Actual \$000	Variance \$000
Capital contribution			
Capital contribution	17,531	8,197	9,334

Increased expenditure was incurred in 2011-12 for the Kalgoorlie Courthouse project, e-Courts computer systems upgrade and Public Trustee office fit out.

Significant variances between estimate and actual for 2012

	2012 Estimate \$000	2012 Actual \$000	Variance \$000
Administered revenues			
Total income disclosed as administered income	85,329	70,191	(15,138)

Stamp duty receipts were lower than estimated due to the on-line collection of revenue by the Office of State Revenue rather than being collected by courts.

Significant variances between actuals for 2011 and 2012

	2012 Actual \$000	2011 Actual \$000	Variance \$000
Administered revenues			
Revenue on behalf of other agencies	10,234	12,061	(1,827)
This mainly reflects the decrease in Stamp Duty collections by courts from the increased use of on-line services by State Revenue.			
Judicial fines and penalties	36,065	34,691	1,374
Additional revenue reflects an increase in the number and value of fines imposed by the courts for the year.			
Criminal Property Confiscations	7,572	7,333	239

(a) The Office of Native Title was transferred to the Department of The Premier and Cabinet on 1 April 2011.

DEPARTMENT OF THE ATTORNEY GENERAL

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012**

43 Special Purpose Accounts and Treasurer's Advance Accounts

Account	2011-2012				2010-2011			
	Opening Balance	Receipts	Payments	Closing Balance	Opening Balance	Receipts	Payments	Closing Balance
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
1 Civil Court Judgement - Government Account	4	630	606	28	493	1,180	1,669	4
2 Land Acquisition Account	4,612	140,840	141,023	4,429	10,102	115,433	120,923	4,612
3 Suitor's Fund Account	276	29	-	305	231	322	277	276
4 Courts Trust Account ^(a)	5,507	31,292	28,403	8,396	5,431	40,896	40,820	5,507
5 Departmental Receipts in Suspense	73	24,808	24,811	70	187	28,051	28,165	73
6 Sheriff's and District Court Bailiff's Trust Account	95	1,786	1,581	300	177	466	548	95
7 Department of the Attorney General - Settlement Payments Account	2	-	2	-	2	-	-	2
8 Appeal Costs Board - Treasurer's Advance Account	1,800	-	-	1,800	1,500	300	-	1,800
9 Criminal Property Confiscations Account	19,325	7,573	10,906	15,992	20,894	7,333	8,902	19,325
10 Murchison Radio-Astronomy Observatory ILUA - Benefits Package ^(b)	-	-	-	-	8,125	-	8,125	-

Departmental receipts in suspense balances are included in the Department's controlled cash and cash equivalents balance.

^(a) 'Clerk of Courts Trust Account' and 'Civil Action - Supreme and District Courts Account' have been amalgamated to form the 'Courts Trust Account'. Prior year balances reflect this.

^(b) The Murchison Radio-Astronomy Observatory ILUA-Benefits Package Trust Statement was approved March 2010. The purpose of this account is to hold moneys on behalf of the WY Claim Group pending execution of a Trust Deed under the Murchison Radio-Astronomy Indigenous Land Use Agreement.

This account was transferred as part of the Office of Native Title transfer to the Department of the Premier and Cabinet on 1 April 2011.

DEPARTMENT OF THE ATTORNEY GENERAL

NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

1 Civil Court Judgements - 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 *Suitors' Fund Act* (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 Court activities at Local Courts throughout the State, for disbursement to other parties.

5 Departmental Receipts in Suspense

To hold funds pending identification of the purpose for which those monies were received pursuant to section 9 (2) (c) (iv) of the *Financial Management Act*.

6 Sheriff and District Court Bailiff's Trust Account

To hold monies collected or realised from the Execution by the Sheriff, Supreme Court or Bailiff District Court of Writs of fieri facias against Judgement Debtors in Civil Actions in the Supreme or District Courts of Western Australia.

7 Department of Attorney General - Settlement Payments Account

To hold monies received by the Department of the Attorney General and Small Claims Tribunal as a consequence of actions to resolve disputes.

8 Appeal Costs Board - Treasurer's Advance Account

An expenditure advance was approved by the Treasurer to provide a temporary advance for funding of the *Suitor's Fund Act*. The expenditures are subject to reimbursement from the Consolidated Account via the Suitor's Fund Account.

9 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.

10 Murchison Radio-Astronomy Observatory ILUA - Benefits Package

The purpose of this account is to hold moneys on behalf of the WY Claim Group pending execution of a Trust Deed under the Murchison Radio-Astronomy Indigenous Land Use Agreement.

This account was transferred as part of the Office of Native Title transfer to the Department of the Premier and Cabinet on the 1 April 2011.

DEPARTMENT OF THE ATTORNEY GENERAL

COURTS TRUST STATEMENT

NAME	An account titled the Courts Trust Account (the Account) shall be established and maintained as an agency special purpose account pursuant to section 16(1)(c) of the <i>Financial Management Act 2006</i> by the Department of the Attorney General (the Department).
PURPOSE	To hold moneys paid into the Supreme and District Courts in civil actions, as ordered by those Courts; and to hold moneys collected in the course of Court activities at Local Courts throughout the State, for disbursement to other parties.
RECEIPTS	<p>There shall be credited to the Account such moneys as are received by the Department for the purposes being:</p> <ol style="list-style-type: none">1. payments of maintenance orders pursuant to the Family Law Act;2. collections pursuant to Warrants of Execution or Commitment, on behalf of other Courts;3. recognisances paid in accordance with a Court Order;4. money received from Judgement Debtors in accordance with Local Court Judgements;5. any monies pursuant to the enforcement and executions of judgements and orders of Local Courts;6. payments into Courts in civil matters, on orders of the Supreme Court or District Court;7. payments into Courts by offenders of voluntary compensation for victims; and8. any other payments received by a Court the purpose of which cannot be immediately identified, ie, transactions of a suspense nature.

PAYMENTS

Moneys standing to the credit of the Account may be applied as:

1. payments for maintenance orders in accordance with Family Law Act;
2. a transfer to various Courts pursuant to a Warrant of Execution or Commitment;
3. a refund of recognisances;
4. transfer of forfeited recognisances to Consolidated Fund;
5. payments to Judgement Creditors pursuant to Local Court Judgements;
6. disbursements of moneys held pursuant to the enforcement and execution of the judgements and orders of Local Courts.
7. Payments in accordance with Court Orders;
8. disbursements of voluntary compensation, paid by offenders, to victims; and
9. disbursement of unidentified receipts of a suspense nature on identification of the purpose for their payment into a Court.

ADMINISTRATION OF ACCOUNT

The Account shall be administered by the Director General of the Department in accordance with the *Financial Management Act 2006*, Financial Management Regulations 2007 and Treasurer's instructions.

ACCOUNTING RECORDS

There shall be maintained a detailed record of transactions processed through the Account, together with such other accounting records and procedures as are prescribed in the Department's accounting manual.

FINANCIAL STATEMENTS

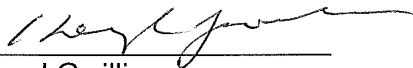
There shall be prepared financial statements, together with supplementary information in accordance with the provisions of the *Financial Management Act 2006*, Financial Management Regulations 2007 and the Treasurer's instructions.


DISPOSAL OF FUNDS ON CESSATION

Any balance standing to the credit of the Account upon cessation of operations for which the Account was created shall be disbursed in accordance with legislative requirements or reimbursed to the Consolidated Fund as appropriate.

I have examined and agree to the provisions of this special purpose statement

Approved


Cheryl Gwilliam
Director General
Department of the Attorney General


Michael Jolob
Director Financial Policy
Department of Treasury

Date: 15/6/12

Date: 20 June 2012

DEPARTMENT OF THE ATTORNEY GENERAL
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2012

44 Commonwealth grant - Christmas and Cocos Island

	2012	2011
	\$	\$
Opening balance	123,318	16,696
Income		
Commonwealth reimbursements	696,649	885,968
Court fees	2,843	1,032
Total receipts	<u>699,492</u>	<u>887,000</u>
Expenses		
Operating costs	<u>828,262</u>	<u>780,378</u>
Total payments	<u>828,262</u>	<u>780,378</u>
Closing balance	<u><u>(5,452)</u></u>	<u><u>123,318</u></u>

Operating costs are based on actuals 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 Ending 30 June 2012

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 2012.

Cheryl Gwilliam

Cheryl Gwilliam

DIRECTOR GENERAL

5 September 2012

KEY PERFORMANCE INDICATORS 2011-12

OUR PURPOSE

To provide high quality and accessible justice, legal, registry, guardianship and trustee services that meet the needs of the community and Government.

RELATIONSHIPS TO GOVERNMENT GOALS

Broad, high-level government goals are supported at agency level by more specific agency level desired outcomes. Agencies deliver services to achieve these desired outcomes that ultimately contribute to meeting the higher level government goals. The following table illustrates the relationship between the Department of the Attorney General's agency level desired outcomes, services delivered by the Department and the Government's goals.

Government Goals	DotAG-Desired Outcomes	Services
Results-Based Service Delivery: Greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.	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 2011-12.

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 2011–12 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 i.e. 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

Key Effectiveness Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Supreme Court – Criminal – Time to trial 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.	26 weeks	24 weeks	23 weeks	28 weeks	26 weeks	
Supreme Court – Civil – Time to finalise non-trial matters 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.	16 weeks	17 weeks	20 weeks	19 weeks	21 weeks	1
District Court – Criminal – Time to trial 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.	33 weeks	23 weeks	25 weeks	32 weeks	26 weeks	2
State Administrative Tribunal – Time to finalise This indicator is measured by calculating the median time to finalise a matter from its lodgement to when a judgement is made.	13 weeks	13 weeks	15 weeks	15 weeks	12 weeks	3

Key Effectiveness Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Family Court of Western Australia – Time to finalise non-trial matters 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.	25 weeks	22 weeks	25 weeks	27 weeks	35 weeks	4
Magistrates Court – Criminal and Civil – Time to trial 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.	19 weeks	22 weeks	19 weeks	19 weeks	19 weeks	
Coroner's Court – Time to trial 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.	112 weeks	105 weeks	87 weeks	128 weeks	21 weeks	5
Fines Enforcement Registry - Percentage Of Fines Satisfied Within 12 Months: <ul style="list-style-type: none"> Fines And Costs Infringements 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.	28% 58%	35% 57%	37% 56%	30% 57%	39% 61%	

Comment on significant variation

1. The higher than target result is due to the finalisation of a greater number of possession of property actions, many of which were discontinued or completed by consent. Generally, actions completed in this manner take longer to finalise. The 21% increase in possession of property lodgements this financial year contributed to this increase.
2. The better than target result is due to the continued effectiveness of the Court's trial listing procedures.
3. The better than target result is primarily due to the rate at which the Tribunal finalised referrals from the Building Commissioner. This includes clearing a large backlog of building dispute matters since its inception in August 2011.
4. The higher than target result is primarily due to the Court's continued focus on finalising older matters.
5. The better than target result is due to the finalisation of 50 backlog inquest cases following the conclusion of the Christmas Island inquest. A large proportion of inquests held related to the Christmas Island boating tragedy contributed to this result.

SERVICE 1: COURT AND TRIBUNAL SERVICES

This service is delivered by Court and Tribunal Services.

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

Cost per case

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.

Key Efficiency Indicators

Key Efficiency Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Supreme Court - Criminal – Cost per case	\$31,389	\$20,313	\$39,245	\$28,377	\$48,733	1
Supreme Court Civil – Cost per case	\$6,767	\$4,194	\$7,983	\$6,838	\$11,506	2
Court of Appeal – Criminal – Cost per case	\$24,941	\$20,842	\$29,757	\$25,988	\$41,760	3
Court of Appeal – Civil – Cost per case	\$34,295	\$22,858	\$45,745	\$61,808	\$70,524	4
District Court – Criminal – Cost per case	\$11,417	\$9,974	\$13,539	\$13,152	\$29,423	5
District Court – Civil – Cost per case	\$6,750	\$4,992	\$5,807	\$5,491	\$5,143	
State Administrative Tribunal – Cost per case	\$2,925	\$2,962	\$3,244	\$3,241	\$3,975	6
Family Court of Western Australia – Cost per case	\$1,796	\$1,877	\$1,640	\$1,916	\$1,741	
Magistrates Court – Criminal – Cost per case	\$484	\$566	\$815	\$753	\$905	7
Magistrates Court – Civil – Cost per case	\$387	\$272	\$376	\$338	\$323	
Coroner's Court – Cost per case	\$4,658	\$4,191	\$6,675	\$4,826	\$4,518	
Children's Court – Criminal – Cost per case	\$271	\$320	\$582	\$564	\$773	8
Children's Court – Civil – Cost per case	\$408	\$261	\$466	\$411	\$843	9
Fines Enforcement Registry – Cost per enforcement	\$24	\$25	\$29	\$23	\$23	

Comment on significant variation

- The higher than target cost per case is predominantly due to higher than expected costs from the actuarial assessment for Judicial pensions.
- The higher than target cost per case is predominantly due to higher than expected costs from the actuarial assessment for Judicial pensions. This is partially offset by a higher number of matters finalised due to from increase in lodgements involving possession of property matters and legal act admissions.
- The higher than target cost per case is predominantly due to higher than expected costs from the actuarial assessment for Judicial pensions. This is partially offset by a higher number of matters finalised from an increase in the number of leave applications listed and heard in the Court of Appeal.
- The higher than target cost per case is predominantly due to higher than expected costs from the actuarial assessment for Judicial pensions. This is partially offset by higher finalisations due to an increase in the number of matters discontinued by parties and the early disposal of matters by the Court that have no merit and/or have not complied with the Rules of the Court of Appeal.

5. The higher than target cost per case is predominantly due to higher than expected costs from the actuarial assessment for Judicial pensions and a decrease in the number of matters finalised. Finalisations were lower due to a reduction in the number of criminal lodgements and an increase in the average length of trials from more complex cases such as people smuggling.
6. The higher than target cost per case is predominantly due to higher than expected costs from the actuarial assessment for Judicial pensions.
7. The higher than target cost per case is due to a reduced number of criminal cases finalised. The decrease in finalisations is attributed to a reduction in lodgements in the areas of traffic and regulatory offences and offences against person and property.
8. The higher than target cost per case is due to a lower than anticipated number of criminal cases finalised. Fewer matters than expected were finalised due to a reduction in the number of lodgements mainly in the areas of theft and burglary offences.
9. The higher than target cost per case is largely due to an increase in expenditure. The increase in expenditure is due to increase contract costs for court security and custodial services and recording and transcribing. In addition, the Children's Court operated with a less than full complement of judicial officers due to outstanding leave taken by Magistrates which reduced the Court's capacity to finalise cases.

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

Key Effectiveness Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Percentage of Guardians of last resort allocated in one day 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.	91%	94%	90.3%	95%	95%	
Percentage of Western Australian deceased estates administered by the Public Trustee ⁽¹⁾ 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.	n/a	n/a	6.9%	8.5%	5.4%	
Percentage of clients who have services provided by the Public Trustee under a community service obligation 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 proportion of services provided free of charge or at a reduced cost under the Public Trustee's community service obligation program is a measure of the extent to which the Public Trustee supports the accessibility of trustee services.	n/a	n/a	43.3%	35%	43%	

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

Key Efficiency Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Average cost of providing advocacy and guardianship services This indicator measures the average cost per case of providing advocacy and guardianship services on behalf of people with decision-making disabilities.	\$2,229	\$1,851	\$1,610	\$1,950	\$1,744	1

Comment on significant variation

1. The lower than target result is due to a greater than expected increase in the number of investigations and represented persons on guardianship orders.

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

Key Efficiency Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Average cost per deceased estate administered This indicator measures the average cost per deceased estate administered. It is calculated by dividing the full cost of the deceased estate service by the number of estates for the year.	\$2,090	\$2,168	\$2,458	\$2,509	\$2,920	1
Average cost per trust managed This indicator measures the average cost of managing a trust. It is calculated by dividing the full cost of providing trust	\$1,515	\$1,707	\$1,788	\$1,991	\$2,008	

Key Efficiency Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
management services by the number of trusts under management.						
Average cost per will prepared This indicator measures the average cost per will prepared. It is calculated by dividing the full cost of the wills service by the number of wills prepared for the year.	\$356	\$426	\$505	\$498	\$715	2

Comment on significant variation

1. The higher than target result is due to a decline in the number of deceased estates administered in the past two financial years and an increase in expenditure. The decline in the number of deceased estates is largely due an increase in threshold to \$20,000 to allow beneficiaries to informally administer the estates themselves. The increase in expenditure is partly due to higher depreciation costs for leasehold improvements.
2. The higher than target result is due to additional resources being used to implement the Wills review system. This meant staffing and technological resources were used to meet the needs of the modern day client and resulted in a lower number of appointments during the implementation.

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 Registrar 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 Indicator

Key Effectiveness Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Percentage of certificates of birth, death or marriage issued within two days 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.	n/a	n/a	97%	90%	96%	
Extent to which births, deaths and marriages source information is recorded error free This indicator measures the percentage of new registrations accurately recorded by the registry, excluding incorrect source information provided by customers.	95%	97%	98%	97%	98%	

SERVICE 4: BIRTHS, DEATHS AND MARRIAGES

This service is delivered by the Registrar of Births, Deaths and Marriages.

The purpose of the Registrar of Births, Deaths and Marriages 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

Key Efficiency Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Average cost of registration services This indicator measures the unit cost of creating, amending and issuing information and storing records indefinitely.	\$1.60	\$1.92	\$1.82	\$2.00	\$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 Solicitors Office and the Parliamentary Counsel's Office, has achieved this outcome. The indicators measure the satisfaction of recipients of legal services and the timeliness of drafting legislation.

Key Effectiveness Indicator

Key Effectiveness Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Extent to which government departments are satisfied with the legal services 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.	100%	100%	100%	90%	100%	1
Extent to which legislation was drafted in a timely manner to effect the Government's legislative program 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.	91%	98%	95%	90%	97%	

Comment on significant variation

1. The variation from the budget target is a result of the delivery of better than expected levels of client service in 2011-2012, as rated by the State Solicitor's Office's clients.

SERVICE 5: SERVICES TO GOVERNMENT

This service is delivered by the State Solicitor's Office and the Parliamentary Counsel's Office.

The State Solicitor's Office provides a broad-based legal service to Government and its agencies and the Parliamentary Counsel's Office provides comprehensive legislative drafting services and access to up to date Western Australia legislation.

The following efficiency indicator measures the cost of delivering the service.

Key Efficiency Indicators

Key Efficiency Indicators	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Target	2011-12 Actual	Comment
Average cost per legal matter 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.	\$3,158	\$3,348	\$3,388	\$3,500	\$3,270	
Average cost per page of output 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.	\$226	\$191	\$189	\$212	\$174	1

Comment on significant variation

1. The lower than target result is due to seasonal variation of the outputs. There was an unanticipated demand from Government for large pieces of legislation which the office completed while observing budgetary constraints.

NOTES TO THE KEY PERFORMANCE INDICATORS

The notes to the key performance indicators provide the reader with a more detailed description of the indicator, the calculation methodology and data source used in the calculation.

Key effectiveness indicators

Effectiveness Indicator	Description
Supreme Court – Criminal – Time to trial	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).
Supreme Court – Civil – Time to finalise non-trial matters	This measure is calculated by taking the median time from date of lodgement to the first trial date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).
District Court – Criminal – Time to trial	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).
State Administrative Tribunal – Time to finalise	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).
Family Court of Western Australia – Time to finalise non-trial matters	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).
Magistrates Court – Criminal and Civil – Time to trial	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 Lower Courts Criminal Management System (CHIPS 3) and Integrated Courts Management System (ICMS).
Coroner's Court – Time to trial	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 Coroners Court a trial is defined as an inquest. Information for this indicator is derived from the National Coroners Information System (NCIS) database.
Fines Enforcement Registry Percentage Of Fines Satisfied Within 12 Months - Fines And Costs	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.
Fines Enforcement Registry Percentage Of Fines Satisfied Within 12 Months - Infringements	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.
Percentage of Guardians of last resort allocated in one day	<p>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.</p> <p>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).</p>
Percentage of Western Australian deceased estates administered by the Public Trustee	<p>The Public Trustee operates in a commercial environment offering services that can be provided by numerous professional service providers.</p> <p>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.</p> <p>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.</p>
Percentage of clients who have services provided by the Public Trustee under a community service obligation	This indicator measures the proportion of clients provided with services by the Public Trustee under the community service obligation (CSO). The fees raised are rebated back to the clients who meet the minimum requirements under the CSO. The indicator is calculated using the number of CSO clients compared to the total trust clients administered.

Effectiveness Indicator	Description
Percentage of certificates of birth, death or marriage issued within two days	<p>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.</p> <p>The KPI result is calculated by dividing the number of certified certificates issued within 2 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.</p>
Extent to which births, deaths and marriages source information is recorded error free	<p>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.</p> <p>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.</p> <p>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.</p>
Extent to which Government departments are satisfied with the legal services provided	<p>24 client agencies were surveyed.</p> <p>The number of agencies surveyed represents approximately 90% of the chargeable work of the State Solicitor's Office.</p> <p>The criteria used to assess satisfaction with service included:</p> <ul style="list-style-type: none"> • the technical quality of work; • the relevance of information provided to client's needs; • the timeliness of information provided; and • overall, the extent to which Government departments are satisfied with legal services.
Extent to which legislation was drafted in a timely manner to effect the Government's legislative program	<p>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.</p> <p>This calculation excludes matters which were not completed on time due to circumstances beyond the control of the Parliamentary Counsel's Office, such as:</p> <ul style="list-style-type: none"> • lack of action on the part of the instructing agency to progress a Bill; or • deferral of a Bill by the instructing agency.

Services and Key Efficiency Indicators

Court and Tribunal Services

Efficiency Indicator	Description
Cost per case	The cost per case indicator is 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.
Cost per enforcement	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.

Advocacy, Guardianship and Administration Services

Efficiency Indicator	Description
Average cost per case of providing Advocacy and Guardianship services	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).

Trustee Services

Efficiency Indicator	Description
Average cost per trust managed	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).
Average cost per deceased estate administered	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).
Average cost per will prepared	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).

Births, Deaths and Marriages

Efficiency Indicator	Description
Average cost of registration services	<p>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.</p> <p>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).</p>

Services to Government

Efficiency Indicator	Description
Average cost per legal matter	<p>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.</p> <p>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).</p>
Average cost per page of output	<p>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).</p>

Ministerial Directives

No ministerial directives were made in 2011/12.

Other Financial Disclosures

PRICING POLICY OF SERVICES

The pricing policy adopted across the Department conforms with Treasury guidelines.

Court and Tribunal Services

Fees are collected for a variety of services across the court system, which range from the provision of civil court hearing time and enforcement of civil and criminal court orders to the provision of court transcripts. Broadly, the court system has adopted a policy of partial cost recovery, largely confined to the civil jurisdiction (with the exception of some criminal enforcement activities). In setting court fees, the Department aims to strike an appropriate balance between:

- access to justice;
- incentives to settle; and
- user pays contributions.

In achieving this balance, a staged civil fee structure is used, whereby users of the court system make contributions towards the cost as they progress through the court system. This encourages parties to settle before taking a matter to the next stage. In this way, the pricing structure aims to regulate demand and discourage frivolous use of the civil court system. This must be balanced against the need to ensure that access to justice is not compromised by making it prohibitively expensive.

A review of court fees is conducted each year to ensure they are achieving the appropriate balance between the above three criteria. The assessment includes a comparison with fees charged in other State jurisdictions.

In 2011 all court fees were increased by three per cent except for probate, photocopying services, extraordinary drivers licence fees and fees set under the fines recovery regulations which recoup 100 per cent or more of their costs. The rise was applied as an average increase across the jurisdictions consistent with the policy of “relative parity” which requires fees in the District Court to be lower than the Supreme Court, but higher than the Magistrates Court.

As part of the Government’s legislation to enhance fines enforcement measures the Department sought approval to set fees beyond costs for recovery of unpaid fines so as to act as an incentive for people to pay fines earlier in the process.

Court fees in operation during 2011/12 were published in the *Government Gazette* on 20 December 2011 and began the next day.

Registry of Births, Deaths and Marriages

The fees applied by the Registry of Births, Deaths and Marriages to its products and services are determined by reference to the Department of Treasury instructions on full

cost recovery and an annual review which takes into account the Consumer Price Index, the cost of providing services and like fees charged by other Australian registries. Fees and charges were not increased for 2011/12.

Public Trustee

The Public Trustee collects fees for a variety of services. In 2009/10 it implemented a new fee structure which moved from a commission-based structure to a user pays system while recognising the Public Trustee's operating subsidy obligations as well as the client's ability to pay. This year the Public Trustee completed a comprehensive review of its fees and charges as part of its strategy to achieve full cost recovery and self funding but only increased its fees by CPI for the 2011/12 year. The Public Trustee will provide services which are in line with this strategy and continue to offer value to the public of Western Australia.

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 did not change in 2011/12.

MAJOR CAPITAL WORKS

Major Capital Works (Projects > \$5m.) 2011/12				
Works in Progress	Estimated Total Cost (\$'000)	Life to Date Expenditure (\$'000)	Remaining Expenditure (\$'000)	Estimated Year of Completion
Central Law Courts refurbishment	59,372	58,128	1,244	2012
Kalgoorlie Courthouse	43,434	17,762	25,672	2013
Carnarvon Police and Justice Complex	52,500	4,675	47,825	2014
Kununurra Courthouse	43,000	6,564	36,436	2014
Public Trustee office re-location	7,291	7,434	Nil	2012

EMPLOYMENT AND INDUSTRIAL RELATIONS

Summary of Employee Numbers										
Employees by Award / Occupational Grouping	2010/11					2011/12				
	Numbers			Percentage		Numbers			Percentage	
	F	M	Total	F	M	F	M	Total	F	M
Miscellaneous Awards*	0	0	0	0	0	0	0	0	0	0
Catering Employees & Tea Attendants	3	0	3	100	0	3	0	3	100	0
Child Care Workers	1	0	1	100	0	1	0	0	100	0
Cleaners & Caretakers	13	1	14	92.86	7.14	13	1	14	92.8	7.14
Govt Officers (GOSAC/GOSGA Award)	77	62	139	55.40	44.6	80	59	139	57.5	42.4
Public Service Employees	1,067	538	1,605	66.48	33.5	1114	547	1,661	67	32.9
State Review Board **	3	1	4	75	25	2	1	3	66.6	33.3
Salaries & Allowances Tribunal	4	14	18	22.22	77.7	4	14	18	22.2	77.7
State Administrative Tribunal	5	9	14	35.71	64.2	10	10	20	50	50
TOTAL	1,173	625	1,798	65.24	34.7	1,227	632	1,859	66	34

* Miscellaneous includes Workers Compensation Carer Contract Employee.

** State Review Board includes Prisoner Review Board, Supervised Release Board, Life and Indefinite Term Board and the Mentally Impaired Accused Review Board.

The headcount figures in the table above are for those employees paid on the last pay date of the financial year. The number has been established, using Workforce Analysis and Comparison Application tool.

The Department has a volunteer workforce of more than 3,600 people including victim support volunteers, Justices of the Peace and community guardians.

The Department is a respondent to a number of public sector awards and agreements. The main one, the *Public Service and Government Officers General Agreement*, was registered in the WA Industrial Relations Commission on 28 June 2011. The Department continues to comply with conditions and entitlements of each of the relevant instruments as registered. The Department had pre-negotiation discussions on a replacement agreement covering industrial areas associated with the union United Voice.

BREACH OF HUMAN RESOURCE MANAGEMENT STANDARDS

In 2011/12, the Department maintained a good record in limiting breaches against the nine Public Sector Standards in Human Resource Management. A total of 16 claims were lodged by either employees or prospective employees. Eight referred to the Public Sector Commission were dismissed and six withdrawn by the complainant. One was resolved internally and the outcome of another one was unresolved at 30 June 2012.

	Withdrawn in agency	Resolved internally	Pending internally	Referred to PSC	Dismissed at PSC	All
Recruitment, selection & appointment	6	1	1	6	6	14
Grievance resolution				1	1	1
Transfer				1	1	1
Claims handled 2011/12	6	1	1	8	8	16

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. Five payments were made in 2011/12 totalling \$740,466. This included a payment of \$425,000 to Darryl Beamish over his wrongful conviction and imprisonment and also a payment of nearly \$230,000 to David Matthews, a former police officer, in recognition of his suffering. The Department paid seven mesothelioma claims on behalf of Government that totalled \$564,175 in 2011/12.

Governance Disclosures

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 2011/12

Advertising and Marketing Expenditure	
Advertising Agencies	\$310,788
Adcorp	\$310,788 ¹
Market Research Organisations	\$16,950
Patterson Market Research	\$16,950
Media Advertising Organisations	\$20,428
West Australian Newspapers	\$1,722
Optimum Media Decisions	\$18,706
Direct Mail Organisations	Nil
Polling Organisations	Nil
TOTAL	\$348,166

¹ Corresponding expenditure in 2010/11 was \$300,000.

CONTRACTS AWARDED

The Department of the Attorney General awarded contracts between 1 July 2011 and 30 June 2012 to the following value:

Contracts Awarded*	
Value	Number
\$0 - \$19,999	4
\$20,000 - \$99,999	25
\$100,000 - \$499,999	16
\$500,000 - \$999,999	4
\$1 million +	4

*The data reported in the table is only for formally executed contracts, awarded through a public tender or quotation process.

Contracts valued at more than \$100,000		
Description	Supplier	Value
Printing, preparation and dispatch of enforcement notices and jury summons	Zipform Pty Ltd	\$5,636,364
Interpreting and Translation Services	ONCALL Language Services Pty Ltd	\$2,059,364
eCourts ICMS developer/s	Trilogy Resources Pty Ltd	\$1,597,440
eCourts ICMS data migrator/s	ASG (ASIA Pacific) Pty Ltd	\$1,291,680
ICT Project Manager (under CUA14008)	Callio Consulting	\$876,818
eCourts ICMS senior developer	Trilogy Resources Pty Ltd	\$861,120
Air charter services for the Broome Magistrate	Pearl Aviation Australia Pty Ltd	\$604,545
eCourts ICMS developer/s	Agile Computing Pty Ltd	\$583,709
Forecast Demand Analysis	Data Analysis Australia Pty Ltd	\$454,545
Cleaning services for South Hedland	Delron Cleaning Pty Ltd	\$316,500
Sun server maintenance services	CSC Australia Pty Ltd	\$282,406
Trend Micro Enterprise Security Gateway/Messaging support and maintenance	Silverfern IT	\$220,642
Removal of Bodies to Morgues in Country Areas	Pilbara Funeral Services	\$219,037
Removal of Bodies to Morgues in Country Areas	Purslowe Tinetti Funerals	\$193,268
eCourts ICMS technical consultant (under CUA14008)	Agile Computing Pty Ltd	\$192,920
Audit Assignments for Quarter 3 (under CUA 23706)	Ernst & Young	\$149,514
Removal of Bodies to Morgues in Country Areas	B D Coventry & Sons	\$141,730
Removal of Bodies to Morgues in Country Areas	Ubique (WA) Pty Ltd	\$141,730
Support and maintenance of Business Objects Planning (BCP)-Planning and Reporting Tool	SAP Australia Pty Ltd	\$136,364
Legislative Drafting Services PCO	Anthony James Dowling	\$131,818
Removal of Bodies to Morgues in Country Areas	Dawsons Funeral Home	\$128,845
Removal of Bodies to Morgues in Country Areas	Cintra Contracting	\$128,845
Printing of certificates, brochures, forms and posters	GEON Bassendean	\$123,500
Redevelopment of Report of Government Services (ROGS) Financial Model	Deloitte Touche Tohmatsu	\$118,440

DISABILITY ACCESS AND INCLUSION PLAN – OUTCOMES

Outcome 1: People with disabilities have the same opportunities as other people to access the services of, and any events organised by, a public authority.

The Department consulted with the Ethnic Disability Advocacy Centre on how to promote opportunities for meeting the needs of culturally and linguistically diverse (CaLD) people with a disability. Our agency gained new insights into issues of CaLD people with a disability, particularly new and emerging communities, and Indigenous people with a disability, and their families.

The Department twice reviewed its Disability Access and Inclusion Plan in 2011/12. The first review resulted in minor amendments to meet the needs of all its customers. The Disability Services Commission was advised accordingly in September 2011. A second review in February 2012 started work on a future plan to begin in 2013.

Outcome 2: People with disabilities have the same opportunities as other people to access the buildings and other facilities of a public authority.

New premises occupied by the Public Trustee are now complete, designed to incorporate access standards greater than required by law to assist the specific needs of their clients.

Courthouses at Kalgoorlie, Kununurra and Carnarvon are being designed or built to comply with access standards except where additional duty of care factors over-rule the requirement. These instances are always documented and substantiated.

Outcome 3: People with disabilities receive information for a public authority in a format that will enable them to access the information as readily as other people are able to access it.

The Department is improving aspects of its website accessibility as per Public Sector Commission guidelines. Software that reads aloud written text is being installed to assist customers with limited written English proficiency or a cognitive disability.

Outcome 4: People with disabilities receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

The Office of the Public Advocate (OPA) won a Community Excellence Award from the Centre for Cerebral Palsy for its ongoing assistance. OPA helps the centre, individuals and families to protect, promote and ensure the rights and inclusion of individuals with decision making disabilities.

Court and Tribunal Services division, Office of the Public Advocate and the Public Trustee Office developed and provided mental health training packages for staff and in the case of courts judicial officers. The training provides an appreciation of the hardships, prejudices and issues faced by someone living with a mental illness. It includes information about monitoring client safety and assisting multi-risk clients who face additional challenges including family violence, substance abuse and other disabilities.

Outcome 5: People with disabilities have the same opportunities as other people to make complaints to a public authority.

The Department consulted with the Ethnic Disability Advocacy Centre (EDAC) regarding our agency's disability complaint process. The disability feedback form is now available in additional formats. EDAC also assisted customers in courts as a result of disability feedback.

Outcome 6: People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.

The Department used a new *Engaging Culturally and Linguistically Diverse Communities* guide to assist its consultations in developing a new DAIP.

Outcome 7: People with disabilities have the same opportunities as other people to participate fully in the workplace of a public authority.

The Department continues to assist both new and current staff with a disability and update managers on how to provide an accessible workplace.

The Department has developed disability awareness training manuals for all staff including a specific guide for customer service staff to assist in meeting the needs of all customers.

COMPLIANCE WITH SECTOR STANDARDS AND ETHICAL CODES

Department management was satisfied that staff complied with public sector standards and code of ethics and the Department's own 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 our people. The code specifies standards of behaviour and helps inform employees how to exercise judgement and accept personal responsibility in their professional roles.

During the year more than 300 staff participated in awareness-raising on ethical conduct and public sector standards. The Department's organisational culture includes a commitment to effective corruption prevention. See more detail under heading Corruption Prevention on page 121.

COMPLIANCE WITH STATE RECORDS ACT 2000

All standards issued by the State Records Office have compliance checklists; the Department is working on various consolidated records projects to conform to all such requirements under the *State Records Act 2000*.

The State Records Commission's minimum compliance requirements are:

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

The Department's record keeping policy was reviewed. A new record keeping plan was due for submission to the State Records Office by the end of August 2012.

The organisation conducts a record keeping training program

To date more than 95 per cent of employees have completed or are progressing through the Department's online course for records awareness training.

The efficiency and effectiveness of the record keeping training program is reviewed periodically

The Department ensures that all staff receive training and information about their record keeping responsibilities; feedback and statistical data are gathered from the training courses. A new online course called *Good Records Information Practices* was deployed to supplement the compulsory record keeping awareness. The new course is designed specifically to manage business records and explains record keeping, retention and disposal practices in the Department.

The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's record keeping plan

The Department's induction program includes an overview of record keeping roles and responsibilities. A targeted session that covers topics including records management practices, policies and guidelines, including the records management system is also provided.

The State Solicitor's Office staff continued implementation of its record keeping plan through training and induction.

Government Policy Requirements

SUBSTANTIVE EQUALITY

The Government's substantive equality framework aims to identify and eliminate systemic racial discrimination where it may exist in the policies and practices of public sector services. It also promotes sensitivity to the different needs of client groups. The Department honours the framework, which informs a range of its policies and has completed the first of the five levels of outcomes.

In 2011/12, the Registry of Births, Deaths and Marriages agreed to work with the Equal Opportunity Commission and Monash University on research in the year ahead into overcoming barriers to Aboriginal Australians obtaining a birth certificate.

CORRUPTION PREVENTION

The Department has built an organisational culture that 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 Department's corruption prevention policy is reinforced by policies on gifts and conflict of interest in employment.

The Department has quarterly reporting of the offer and acceptance of gifts, benefits and other rewards. During 2011/12, offers of 359 gifts, including hospitality, were registered. Of the total received, 220 were accepted, most under \$50 in value.

A record is also maintained of staff who register conflicts of interest and secondary employment. In 2011/12 a total of 123 registrations were approved.

Completion of a training program on ethics and accountability became mandatory for all employees in 2010/11. This measure both 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.

OCCUPATIONAL SAFETY, HEALTH AND INJURY MANAGEMENT

The Department is committed to providing and maintaining a safe and healthy workplace for all employees, volunteers, contractors and visitors. Through the implementation and effective operation of occupational safety and health (OSH) policies and procedures, the Department endeavours for all Departmental workplaces to, as far as practicable, be free of work-related harm, disease and injury. The Department implemented a new policy and set of procedures which emphasise responsibilities according to levels of seniority.

The Department acknowledges its responsibility for consultation on OSH matters in the workplace. Safety and health representatives have been appointed across the organisation, committees established and procedures agreed for resolving safety and health issues. Four safety and health committees operate and several other forums have OSH as a standing agenda item. Such groupings provide a formal mechanism for management and employees to identify and resolve OSH issues and lift safety and health standards.

The Department is committed to managing employees who sustain an injury or illness at work or elsewhere. The Department takes a systematic approach to get absent employees back to work, hopefully resuming the position and status they enjoyed previously. Early intervention is critical during this process, with individual return to work programs devised in consultation with the injured employee, their treating medical practitioners and line managers in accordance with the Act. This process sometimes includes finding alternate duties where appropriate.

The Department's OSH system is now mature enough to be subjected to external assessment in the latter half of 2012 and be reported on in the 2012/13 reporting year.

Report of Annual Performance Against Targets		
MEASURE	TARGET 2011/12	ACTUAL 2011/12
Number of fatalities	Zero (0)	Zero (0)
Lost time injury/diseases (LTI/D) incidence rate	Zero (0) or 10% improvement (2008/09 rate: 1.23)	1.11 (9.75% improvement on 2008/09 rate)
Lost time injury severity rate	Zero (0) or 10% improvement (2008/09 rate: 16.6)	47 (183.1% rise on 2008/09 rate)*
Percentage of injured workers returned to work within (i) 13 weeks and (ii) 26 weeks	Greater than or equal to 80% return to work within 26 weeks	i) 65% returned within 13 weeks ii) 5% returned within 26 weeks 70% of injured workers returned to work within 26 weeks*
Percentage of managers and supervisors trained in OSH and injury management responsibilities	Greater than or equal to 80%	91% (13.75% above target rate)

**Note: the variance in the lost time injury severity rate and in the percentage of injured workers returned to full duties and work hours is due to medical complications in a small number of workers compensation claims. Early intervention has reduced the number of claims being lodged, thus resulting in the lost time severity rate being spread across a smaller sample size.*

FREEDOM OF INFORMATION

The Department received 87 Freedom of Information (FOI) applications in 2011/12. During this time, 50 applications were completed and 28 transferred to other agencies. Five were withdrawn and eight remained outstanding.

Three FOI decisions were being reviewed externally by the Information Commissioner, but were not finalised during this period. Seven decisions were reviewed internally on request by the applicant, with the decision being upheld on six occasions.

Summary of FOI applications for 2011/12	
Applications handled	
Personal information requests	44
Non-personal information requests	15
Amendment of personal information	0
Applications transferred in full	28
Total	87
Outcomes	
Applications completed	50
Applications withdrawn	5
Internal reviews completed	7
External reviews completed	0
Applications outstanding	8*

**This includes four applications which were received but not finalised during 2010/11.*

The Office of the Public Advocate, the Public Trustee and the State Administrative Tribunal compile separate FOI statistics and provide them in their annual reports to Parliament.

CUSTOMER FEEDBACK

The Department runs a feedback system that records and tracks complaints, compliments and suggestions from customers across all operating areas. An online feedback form is available on our websites and the Department issues brochures with a reply paid form attached and an outline of feedback processes.

During 2011/12 the Department received 358 complaints, 114 compliments and 61 suggestions. Complaints and suggestions covered a range of service areas. Business areas used the feedback to examine their internal processes and procedures to ascertain if improvements can be made.

APPENDICES

Appendix 1

LOCATION MAPS

The Department of the Attorney General's head office operates from 141 St Georges Terrace, Perth.
Numerous service locations exist throughout Western Australia.

Metropolitan Locations



Regional Locations



Appendix 2

ACTS ADMINISTERED BY THE DEPARTMENT OF THE ATTORNEY GENERAL

(as at 1 July 2012)

<i>Acts Amendment (Equality of Status) Act 2003</i>	<i>Crimes at Sea Act 2000</i>
<i>Acts Amendment and Repeal (Courts and Legal Practice) Act 2003</i>	<i>Criminal Appeals Act 2004</i>
<i>Administration Act 1903</i>	<i>Criminal Code Act Compilation Act 1913</i>
<i>Age of Majority Act 1972</i>	<i>Criminal Injuries Compensation Act 2003</i>
<i>Anglican Church of Australia (Diocesan Trustees) Act 1888</i>	<i>Criminal Investigation (Extra-territorial Offences) Act 1987</i>
<i>Anglican Church of Australia (Diocese of North West Australia) Act 1961</i>	<i>Criminal Law (Mentally Impaired Accused) Act 1996</i>
<i>Anglican Church of Australia (Swanleigh land and endowments) Act 1979</i>	<i>Criminal Procedure Act 2004</i>
<i>Anglican Church of Australia Act 1976</i>	<i>Criminal Property Confiscation (Consequential Provisions) Act 2000</i>
<i>Anglican Church of Australia Constitution Act 1960</i>	<i>Criminal Property Confiscation Act 2000</i>
<i>Anglican Church of Australia Lands Act 1914</i>	<i>Cross-border Justice Act 2008</i>
<i>Artificial Conception Act 1985</i>	<i>Crown Suits Act 1947</i>
<i>Australia Acts (Request) Act 1985</i>	<i>Dangerous Sexual Offenders Act 2006</i>
<i>Bail Act 1982</i>	<i>(except s. 18, 21 & 32 & Pt. 2 Div. 3 & 5 & Pt. 5, which are administered by the Department of Corrective Services)*</i>
<i>Bail Amendment Act 2008</i>	<i>Debts Recovery Act 1830 (Imp)</i>
<i>Baptist Union of Western Australia Lands Act 1941</i>	<i>Debts Recovery Act 1839 (Imp)</i>
<i>Bills of Exchange (day for payment) (1836) (Imp)</i>	<i>Defamation Act 2005</i>
<i>Bills of exchange (non-payment) (1832) (Imp)</i>	<i>Deodands abolition (1846) (Imp)</i>
<i>Births, Deaths and Marriages Registration Act 1998</i>	<i>District Court of Western Australia Act 1969</i>
<i>Charitable Trusts Act 1962</i>	<i>Domicile Act 1981</i>
<i>Child Support (Adoption of Laws) Act 1990</i>	<i>Dower amendment (1833) (Imp)</i>
<i>Children's Court of Western Australia Act 1988</i>	<i>Electronic Transactions Act 2011</i>
<i>Choice of Law (Limitation Periods) Act 1994</i>	<i>Escheat (Procedure) Act 1940</i>
<i>Civil Judgments Enforcement Act 2004</i>	<i>Escheat and forfeiture of real and personal property (1834) (Imp)</i>
<i>Civil Liability Act 2002</i>	<i>Evidence Act 1906</i>
<i>Civil Procedure Act 1833 (Imp)</i>	<i>Executors Act 1830 (Imp)</i>
<i>Classification (Publications, Films and Computer Games) Enforcement Act 1996</i>	<i>Factors (1823) (Imp)</i>
<i>Commercial Arbitration Act 1985</i>	<i>Factors (1825) (Imp)</i>
<i>Commissioner for Children and Young People Act 2006</i>	<i>Factors (1842) (Imp)</i>
<i>Commonwealth Places (Administration of Laws) Act 1970</i>	<i>Factors Acts Amendment Act 1878</i>
<i>Commonwealth Powers (De Facto Relationships) Act 2006</i>	<i>Family Court (Orders of Registrars) Act 1997</i>
<i>Companies (Administration) Act 1982</i>	<i>Family Court Act 1997</i>
<i>Constitutional Powers (Coastal Waters) Act 1979</i>	<i>Family Legislation Amendment Act 2006</i>
<i>Co-operative Schemes (Administrative Actions) Act 2001</i>	<i>Fatal Accidents Act 1959</i>
<i>Coroners Act 1996</i>	<i>Federal Courts (State Jurisdiction) Act 1999</i>
<i>Corporations (Administrative Actions) Act 2001</i>	<i>Financial Transaction Reports Act 1995</i>
<i>Corporations (Ancillary Provisions) Act 2001</i>	<i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>
<i>Corporations (Commonwealth Powers) Act 2001</i>	<i>Freemasons' Property Act 1956</i>
<i>Corporations (Consequential Amendments) Act (No. 3) 2003</i>	<i>Gender Reassignment Act 2000</i>
<i>Corporations (Taxing) Act 1990</i>	<i>Guardianship and Administration Act 1990</i>
<i>Corporations (Western Australia) Act 1990</i>	<i>Highways (Liability for Straying Animals) Act 1983</i>
	<i>Imperial Act Adopting Ordinance 1847</i>
	<i>Imperial Acts Adopting Act 1836</i>
	<i>Imperial Acts Adopting Act 1844</i>
	<i>Imperial Acts Adopting Ordinance 1849</i>
	<i>Imperial Acts Adopting Ordinance 1867</i>
	<i>Infants' Property Act 1830 (Imp)</i>
	<i>Inheritance (Family and Dependants Provision) Act 1972</i>
	<i>Inheritance amendment (1833) (Imp)</i>

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
Marriage Act 1835 (Imp)
Mercantile Law Amendment Act 1856 (Imp)
Miscellaneous Repeals Act 1991
Native Title (State Provisions) Act 1999
Oaths, Affidavits and Statutory Declarations Act 2005
Occupiers' Liability Act 1985
Offenders (Legal Action) Act 2000
Official Prosecutions (Accused's Costs) Act 1973
Off-shore (Application of Laws) Act 1982
Parole Orders (Transfer) Act 1984
Partnership Act 1895
Perpetuation of Testimony Act 1842 (Imp)
Perth Anglican Church of Australia Collegiate School Act 1885
Perth Diocesan Trustees (Special Fund) Act 1944
Perth Hebrew Congregation Lands Act 1921
Presbyterian Church Act 1908
Presbyterian Church Act 1976
Presbyterian Church Act Amendment Act 1919
Presbyterian Church Act Amendment Act 1924
Presbyterian Church of Australia Act 1901
Presbyterian Church of Australia Act 1970
Prescription Act 1832 (Imp)
Prisoners (Release for Deportation) Act 1989
Professional Standards Act 1997
Prohibited Behaviour Orders Act 2010
Property Law Act 1969
*Prostitution Act 2000 (s. 62 & Part 5 only; remainder of Act administered by the Health Department)**
Prostitution Amendment Act 2008
Public Notaries Act 1979
Public Trustee Act 1941
Reprints Act 1984
Restraining Orders Act 1997
Restraint of Debtors Act 1984
Roman Catholic Bishop of Broome Property Act 1957
Roman Catholic Bunbury Church Property Act 1955

Roman Catholic Church Lands Act 1895
Roman Catholic Church Lands Amendment Act 1902
Roman Catholic Church Lands Ordinance 1858
Roman Catholic Church Property Act 1911
Roman Catholic Church Property Act Amendment Act 1912
Roman Catholic Church Property Acts Amendment Act 1916
Roman Catholic Geraldton Church Property Act 1925
Royal Commission (Police) Act 2002
Sea-Carriage Documents Act 1997
*Sentence Administration Act 2003 (Pt. 2 Div. 1, 3 & 4, Pt. 3, Pt. 4, Pt. 5 Div. 4, Pt. 9, s. 114, 115, 115A, 119 & 122, Sch. 1 & 2. Remainder of Act administered by the Department of Corrective Services)**
Sentencing (Consequential Provisions) Act 1995
*Sentencing Act 1995 (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of Pt. 3 Div. 3 & 5, Pt. 3A, 9, 10, 11 & 12 & Pt. 18 Div. 2, 3 & 4 of this Act)**
Sentencing Legislation Amendment and Repeal Act 2003
Service and Execution of Process (Harbours) Ordinance 1855
Solicitor-General Act 1969
Special Investigation (Coal Contract) Act 1994
Spent Convictions Act 1988
State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004
State Administrative Tribunal Act 2004
Statute of Frauds (1677) (Imp)
Statutory Corporations (Liability of Directors) Act 1996
Stock Jobbing (Application) Act 1969
Suitors' Fund Act 1964
Supreme Court Act 1935
The Salvation Army (Western Australia) Property Trust Act 1931
Titles (Validation) and Native Title (Effect of Past Acts) Act 1995
Trustee Companies Act 1987
Trustees Act 1962
Trustees of Western Australia Limited (Transfer of Business) Act 2003
Unauthorised Documents Act 1961
Uniting Church in Australia Act 1976
Vexatious Proceedings Restriction Act 2002
Victims of Crime Act 1994
Warehousemen's Liens Act 1952
Warrants for Goods Indorsement Act 1898
West Australian Trustees Limited (Merger) Act 1989
Wills Act 1970
Yallingup Foreshore Land Act 2006

**These acts are jointly administered by the Department of the Attorney General and other departments.*