



Government of **Western Australia**
Department of the **Attorney General**

Department of the Attorney General Annual Report 2015/16



Statement of Compliance

Hon Michael Mischin MLC
Attorney General

In accordance with Section 61 of the *Financial Management Act 2006*, I hereby submit for your information and presentation to Parliament, the Annual Report of the Department of the Attorney General for the financial year ended 30 June 2016.

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

Pauline Bagdonavicius

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Cover photograph: David Malcolm Justice Centre

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Executive Summary

The Department of the Attorney General's role is to provide high quality and accessible justice, legal, registry, guardianship and trustee services to meet the needs of the community and the Western Australian Government.

This financial year was a busy one for the Department, particularly in terms of the capital works projects completed in this period, the continuing demand on the State's courts, as well as continuing to implement the Government's key law and order policy and law and order reforms.

This financial year saw the opening of the landmark \$103 million David Malcolm Justice Centre, which accommodates both the Supreme Court's civil functions as well as office accommodation for the Departments of the Attorney General and Treasury.

In terms of the Department of the Attorney General, the 33-storey building houses the Office of the Public Advocate, the Solicitor General, the Commissioner for Victims of Crime, the State Solicitor's Office and the Parliamentary Counsel's Office.

It is named after the former Chief Justice of Western Australia, the late David Malcolm AC QC.

Also opened after a significant \$25 million refit was the State Administrative Tribunal building. The building includes 22 hearing rooms, four special mediation rooms, public meeting rooms and audio-visual technology.

In regional Western Australia, Fitzroy Crossing residents now have a new \$5.1 million circuit courthouse.

The court replaces the outdated former court built in the 1970s.

The Sunday Court in the Perth Police Complex has continued to be well-used and has substantially reduced the number of accused held in custody for Monday's court list.

The Office of the Commissioner for Victims of Crime continued to advocate for victims of crime with Government agencies and in the community. The Victim Support and Child Witness Service continued its work counselling and supporting crime victims.

The State Solicitor's Office and Parliamentary Counsel's Office continued to provide legal services, advice, and parliamentary drafting services for the State Government and private Members of Parliament.

The State Solicitor's Office represented the State in matters including the Rayney defamation case, the Royal Commission into Institutional Responses to Child Sexual Abuse and the Bell litigation.

Parliamentary Counsel's Office drafted the Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015 and Land Administration (South West Native Title Settlement) Bill 2015 to provide the Noongar people with symbolic recognition as traditional owners of the south-west of Western Australia, and give effect to the South West Native Title Settlement Agreement entered into by the State Government and Noongar people to resolve all native title claims in the south-west of Western Australia.

The Department continued its policy development work, including work aimed at reducing Aboriginal over-representation in the criminal justice system.


Significant policy work on legislation amending the *Dangerous Sexual Offenders Act 2006*, the *Bail Act 1982*, *Restraining Orders Act 1997* and the *Criminal Law (Mentally Impaired Accused) Act 1996* took place.

Aboriginal over-representation was largely addressed through a system of regional "Open Days", which were also expanded into the metropolitan area.

In 2015/16 there were 73 Open Days delivered in priority locations. The locations were researched and identified from data at the Fines Enforcement Registry as being localities where many Aboriginal people were at risk of being incarcerated for unpaid fines and infringements, stay of warrants of executions and/or driving without a licence.

The Office of the Public Advocate continued to protect and promote the human rights of adults with a decision-making disability through the functions given to the Public Advocate under the *Guardianship and Administration Act 1990*.

Reflecting the ageing demographic of the State, the Public Advocate was newly appointed as the guardian of last resort for 468 people, compared to 423 in 2014/15, an increase of 11 per cent.



Similarly in 2015/16, the Public Trustee received 896 new trust clients (including 684 referred by the State Administrative Tribunal), an increase of 13 per cent in new clients compared to the previous year.

Wills education such as WA Wills Week and Royalties for Regions-funded visits to the Kimberley, Gascoyne and Peel regions continued.

This year marked the end of a seven-year project at the Registry of Births, Deaths and Marriages to convert the State's two million paper-based records into an electronic format. The records date back to 1841.

The conversion of historical records provides a faster, more efficient service for issuing birth, death and marriage certificates for Western Australians.

The Registry and other government agencies are now able to more accurately authenticate documents which are provided for the purpose of identity and other official purposes.

For the latter part of the financial year, it was my privilege to act in the role of Director General of the Department, following the departure of former Director General, Cheryl Gwilliam.

I would like to acknowledge the substantial and significant contribution made by Ms Gwilliam since joining the Department in 2007.

The Department has continued to work with the Attorney General, the Hon Michael Mischin MLC and I would like to thank him for his strategic direction and ongoing support of the Department.

It is also important that I thank the Department's staff, particularly those on the 'front lines' of customer service, for their continuing service to the State Government and the people of Western Australia.

Pauline Bagdonavicius

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A/Director General
Department of the Attorney General

Operating Locations

The Department of the Attorney General head office operates from 28 Barrack Street, Perth.
The Department provides court and tribunal services through 13 metropolitan and 21 regional locations throughout Western Australia.

Acts Administered

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



Strategic Framework

Our purpose

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

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

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

Our principles and values

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

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

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

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

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

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

Our roles and services

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

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

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

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

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

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

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

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

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

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

Our future

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

KEY RESULT AREAS

Service delivery

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

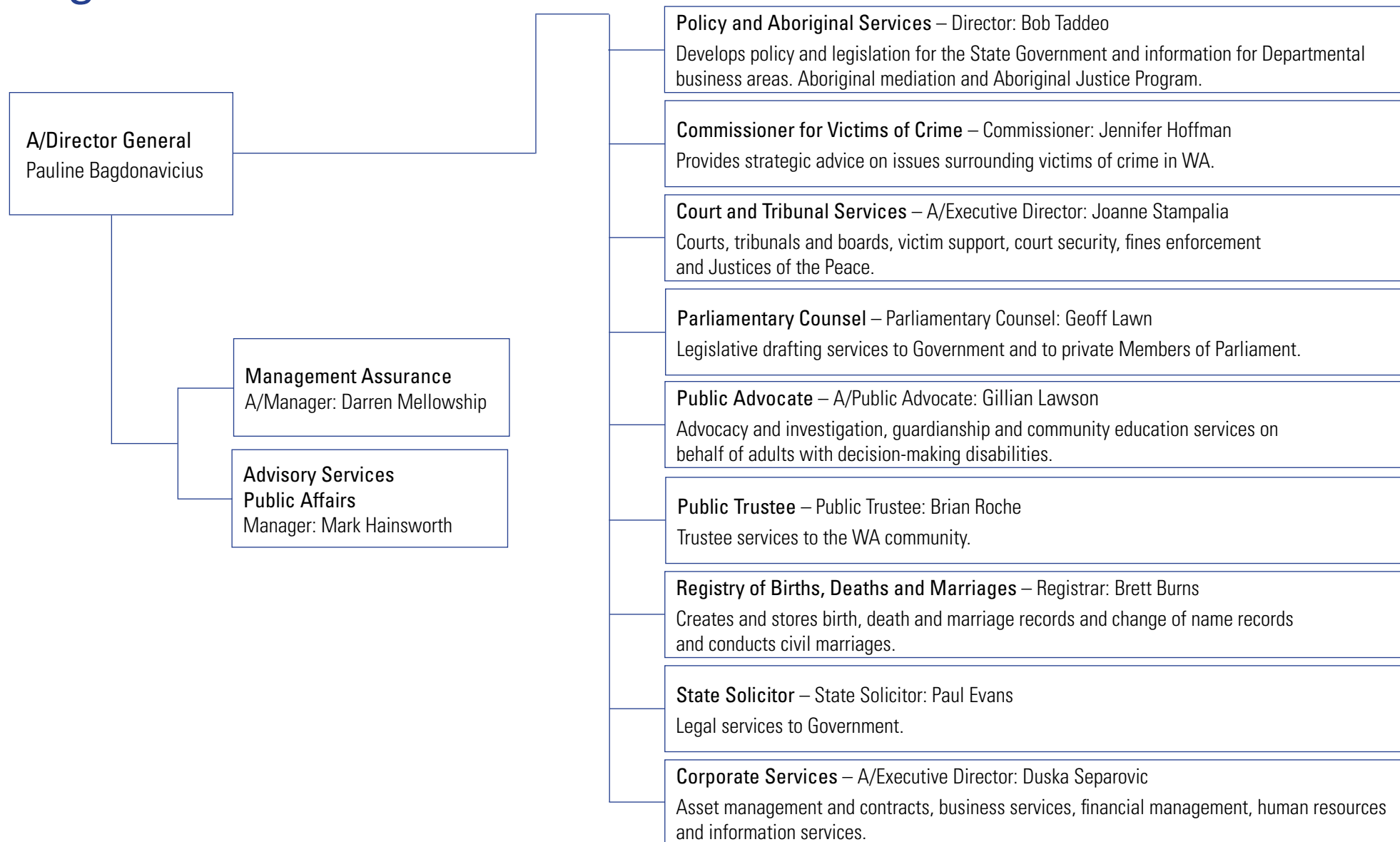
Strategic policy development and advice

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

Investing in people

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

Organisational Structure



Performance Management Framework

Government Goals

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

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

Outcomes and Services

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

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

Changes to the Department's Outcome Based Management Structure

There were no changes to the Department's Outcome Based Management framework for 2015/16.

Financial Summary

Expenses	Original Budget 2015/16 \$000	Revised Budget 2015/16 \$000	Actual Expenditure 2015/16 \$000
1. Court and Tribunal services	388,692	397,383	444,267
2. Advocacy, Guardianship and Administration services	7,427	6,765	6,904
3. Trustee Services	23,291	22,633	23,553
4. Births, Deaths and Marriages	7,894	7,690	7,035
5. Services to Government	85,921	87,248	88,608
6. Legal Aid Assistance	39,210	41,888	41,888
Total Cost of Services	552,435	563,607	612,255

Financial Targets

	Original Target 2015/16 \$000	Revised Target 2015/16 \$000	Actual 2015/16 \$000	Variation	Comment
Total Cost of Services (expense limit)	552,435	563,607	612,255	10.8%	The increase in total cost was mainly due to a higher actuarial assessment of the judges' pension-liability and higher grants and subsidies payments.
Net Cost of Services	404,870	412,414	465,758	15%	The variance was mainly due to cost increases explained above and lower receipts from services.
Total Equity	622,359	584,049	596,258	-4.2%	The decrease was mainly due to asset transfers to the WA Police and delays in various asset investment projects.
Cash Assets	26,156	23,051	20,958	19.9%	The decrease in cash assets was mainly a result of lower receipts from services and higher grants and subsidies payments in the period.

Key Performance Indicators

The key performance indicator (KPI) results showed the Department continued to work towards achieving the KPI targets set in the 2015/16 budget statements.

The Fines Enforcement Registry's positive results validated that appropriate systems, procedures and resources remain in place to enforce fines, costs and infringement penalties in a timely manner. The percentage of fines and costs satisfied within 12 months of referral to the registry was better than target by four per cent. Similarly, the percentage of infringements satisfied within the same period was also better than target by one per cent.

The time to finalise non-trial matters indicator is used in the Family Court to measure the capacity of the court to resolve applications for final order by methods other than by a formal trial. In 2015/16, the indicator's result was 11 weeks above target due in part to the reallocation of magistrates to trial work and the continued growth in volume and complexity of parenting applications finalised. Applications seeking parenting orders take longer to finalise and represent more than 60 per cent of the Family Court non-trial matters.

The Supreme Court civil continued to achieve positive results where the time to finalise non-trial matters was one week better than target. In the District Court criminal jurisdiction, the median time between initial committal and the first trial date achieved the target of 32 weeks.

In August 2015, the Registry of Births, Deaths and Marriages completed a significant data conversion project where more than two million paper-based records were converted into an electronic format. This project greatly improved certificate and registration services which is demonstrated by the registry performing better than target for both the accuracy of its source records and timeliness of the delivery of certificates.

The Parliamentary Counsel's Office continued its strong support to the Government's legislative and reform agenda by drafting 59 bills or 98 per cent of legislation in a timely manner. Twenty-four government agencies participated in a survey on the delivery of services by the State Solicitor's Office and the responses showed a 100 per cent satisfaction rating.

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

Court and Tribunal Services

Courts

Supreme Court

The Supreme Court is the State's highest court and is divided into two divisions - the General Division and the Court of Appeal.

The General Division hears the most serious criminal charges such as murder, armed robbery, arson and breaches of Commonwealth drug enforcement laws and civil cases involving complex issues or significant matters.

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

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

Outcomes 2015/16

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

The median time to criminal trial increased from 33 weeks in 2014/15 to 36 weeks during 2015/16, which is above the budgeted target of 28 weeks, due to the continuing demands within the criminal jurisdiction.

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

- finalised 2,964 civil cases and 307 criminal cases
- issued 6,831 grants of probate which enables deceased estates to be finalised
- conducted 80 criminal trials and 51 civil trials
- heard 4,401 judicial appointments for case management and interlocutory orders in civil matters. An interlocutory order is an order given in an intermediate stage between the commencement and termination of a cause of action, used to provide a temporary or provisional decision on an issue
- conducted 531 mediations in civil cases
- finalised 291 criminal appeals and 178 civil appeals
- managed 329 accused cases in the Stirling Gardens Magistrates Court to committal.

The Supreme Court (civil) began operations at the new David Malcolm Justice Centre on 11 July 2016.

The building includes a new registry serving both General Division and probate clients.

The new facilities will cater for continued growth of the Supreme Court's civil work well into the future and will offer improvements in service quality for its users.

The Court of Appeal will continue to be based in the Stirling Gardens courthouse.

Family Court of Western Australia

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

Outcomes 2015/16

During the financial year the Court continued to experience growth in initiating applications for final order.

3,101 such applications were lodged with the Court, an increase of 8.5 per cent. A corresponding 2,667 initiating applications for final order were finalised, an increase of five per cent.

Time to trial reduced by two weeks to 81 weeks. This indicator, in particular, benefited from the dedication of two magistrates to trial work for the full year and was further aided by the State Government's approval to appoint a temporary magistrate from March to December 2015, allowing the allocation of a third magistrate to trials for that duration.

District Court

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

Outcomes 2015/16

The criminal median time to trial in the District Court was at the budget target of 32 weeks.

Eighty-nine per cent of all cases were finalised within the budget target timeframe of 52 weeks. During 2015/16 the Court had:

- 2,463 criminal cases lodged
- 2,075 criminal cases finalised
- 4,987 civil cases lodged, 112 of which were appeals from lower courts
- 5,055 civil cases finalised, 107 of which were appeals from lower courts
- 511 criminal cases finalised by trial and 50 civil cases.

Magistrates Court

The Magistrates Court of Western Australia hears criminal and civil matters involving people aged 18 years and above. The Magistrates Court operates in more than 75 locations across the State. Criminal offences (known as simple offences) are heard in the Magistrates Court, in addition to 'either way' offences which can be heard in either a lower

or superior court, depending on a determination made by the court. The Magistrates Court also deals with civil matters for claims up to \$75,000, as well as restraining orders and extraordinary driver's licence applications.

Outcomes 2015/16

During 2015/16, the Magistrates Court had more than 100,000 criminal case lodgments, a three per cent (2,690 cases) increase from 2014/15. This increase was driven primarily by increases in lodgments of illicit drug and dangerous and negligent acts endangering persons offences.

During the same period, criminal charge lodgments increased five per cent, from an average of 1.9 charges per case to 2.0 charges per case.

A charge per case figure indicates the number of offences alleged against a defendant within a single case. A case represents any number of charges lodged at one registry on a single day against one defendant.

The offence which recorded the most significant change was in sexual assault and related offences (4.2 charges per case in 2014/15 to 5.0 charges per case in 2015/16). Charges relating to illicit drug offences, public order offences and offences against justice procedures, government security and government operations reported a 0.2 increase in charge per case.

The Magistrates Court experienced a three per cent increase in civil lodgments since 2014/15. The regions which recorded the largest increase was in the Kimberley and Pilbara (15 per cent, 364 cases) and Joondalup (10 per cent, 441 cases). This increase was mainly attributed to the growth in residential tenancies (16 per cent, 2,262 cases) and violence restraining order applications (5 per cent, 640 cases).

Mental Health Court (Start Court and Links)

The Start Court commenced on 18 March 2013 and is the first mental health court diversion program in Western Australia. The 2016/17 State Budget process saw the extension of the adult and children's programs for an additional three years at a total cost of \$13.1 million.

The Mental Health Court Diversion Program provides a tailored response to offending that is linked to mental illness. Program participants are supervised by a court while they receive holistic treatment and support that addresses the underlying causes of their offending behaviour. This approach aims to improve participants' health and wellbeing, break the cycle of offending and provide an alternative to prison.

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

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

Sunday Court

Sunday Court at the Perth Police Centre began on 6 July 2014. The Sunday Court deals with accused people held in custody at the complex.

This has resulted in the centre being largely cleared of persons in custody on Sunday.

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

Outcomes 2015/16

From 1 July 2015 until 30 June 2016, 1,874 accused persons appeared before the Sunday Court.

The Monday Court list for offenders in custody for the six months to June 2016 at the Central Law Courts has, on average, been reduced by 47.3 per cent as a result of the matters being dealt with in the Sunday Court.

This has given the court extra time to deal with the other matters (other than persons in custody) in the list.

During the past year, 183 Sunday Court matters have been dealt with via video-link to Western Australian police stations in areas such as Newman, South Hedland, Warakurna and Warburton.

Perth Drug Court and Diversion Programs

The Perth Drug Court diverts serious offenders who have complex substance use problems into highly intensive and supervised treatment responses.

Participants who successfully complete a Drug Court Program will have addressed their offending behaviour and

may avoid a term of imprisonment in order to continue their rehabilitation in the community.

A series of diversion programs are also delivered within the Magistrates Court, which specifically assist people with drug-related problems.

These programs are jointly delivered by the Mental Health Commission and the Department.

Participants in these programs are able to access treatment and counselling aimed at assisting them to break their cycle of drug-related problems and offending.

Since 2013, offenders in the broader metropolitan area who experience alcohol-related problems are now also able to access these programs.

In response to the increasingly complex needs of offenders, the diversion programs are also available within other case management regimes including the Family Violence List and the Start Court.

Outcomes 2015/16

Including the Drug Court, a total of 1,330 offenders throughout the State gained access to a diversion program.

Family Violence List

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

The Department worked with key State Government and non-Government agencies to establish a model which greater leverages the extensive knowledge and resources of domestic violence focused agencies in an effort to provide improved levels of support to the victims of domestic

violence offending. The new model, known as the Family Violence List, has been operating by way of a 'pilot' at the Fremantle Magistrates Court since December 2015. The pilot will be subject to review, the findings of which will inform the next steps.

The Family Violence List model includes a strong focus on the consideration of victim safety, including victim support pathways and seeking victim input at the earliest opportunity. Key aspects of the new model include:

- Dedicated court lists for family violence-related criminal charges. The Family Violence List model seeks to provide a greater level of collaboration between courts and other Government and non-Government domestic violence focused agencies. This promotes victim support by allowing service delivery agencies to work together around the specified court lists and for risk-relevant information to be exchanged between service delivery agencies which can be put before the courts.
- The integrated model includes a partnership between the Family Violence Service, the Department of Corrective Services and the Family and Domestic Violence Response Teams including WA Police, the Department for Child Protection and Family Support and specialised women's services working together to prioritise victim safety and perpetrator accountability in the courts.
- The availability of the Family Violence Service and Community Corrections Officers at court ensures that family and domestic violence cases are subjected to a specialist integrated response from a dedicated magistrate supported by professionals with specialist training in family and domestic violence.

Children's Court

The Children's Court of Western Australia deals with offences alleged to have been committed by young people aged 10 to 17 years. The Court hears protection and care applications for children under the age of 18.

The Mental Health Court Diversion Program (known as Links in the Children's Court), gives the President and magistrates of the Children's Court, access to a team of mental health specialists, including a clinical psychologist, a consultant psychiatrist, mental health nurses and support workers.

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

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

Outcomes 2015/16

- Finalisation of criminal cases declined slightly, with 6,406 finalisations in 2014/15 to 6,157 in 2015/16.
- Civil lodgments declined by 13 per cent from 2,084 in 2014/15 to 1,812 in 2015/16.
- The Links Clinical Assessment Team provided advice, assessment or assistance in 444 cases during 2015/16, a 43 per cent increase from the previous year.

Coroner's Court

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

The role of the Coroner is to ensure deaths reported to the Coroner are investigated and, where appropriate, an inquest is held. The hearing is usually open to the public. During an inquest, witnesses are called to give evidence to enable the Coroner to determine a cause of death.

A more comprehensive annual report on the deaths which have been investigated is provided each year to the Attorney General for State Parliament by the State Coroner under section 27 of the *Coroners Act 1996* (WA).

Outcomes 2015/16

The 113 recommendations made by the Law Reform Commission following its review of coronial practices in Western Australia were responded to by the Department and endorsed by the Minister. Many of the recommendations will require amendments to the *Coroners Act 1996* to improve service delivery to parties involved in coronial cases and the broader community. The amendments will also give the court greater powers to better manage cases and require public entities to respond to coronial recommendations.

It is anticipated that the amendments, once they are passed, will streamline operations for the Coroner's Court, the WA Police and the State Mortuary. Work has commenced to amend the Act.

The Coroner's Office continued to focus on a backlog of cases. At 30 June 2016 there had been a reduction in backlog cases from a record high of 938 in September 2011, to 466 cases. About 69 per cent of the backlog cases were

waiting on external agencies to supply information before a coroner can make a determination on the matters.

In 2015/16 the court dealt with 2,214 reportable deaths, in addition to 1,198 death certificates, and finalised a total of 2,049 matters.

The Coroner's Court sat for 119 days in 2015/16 and finalised 58 inquest cases.

Tribunal

State Administrative Tribunal

The State Administrative Tribunal hears a broad range of matters, from large planning and development disputes to safeguarding the rights of vulnerable members of the community in guardianship and administration matters.

The Tribunal uses less formal procedures than other jurisdictions and is designed to encourage self-represented litigants and to increase access to the justice system.

Outcomes 2015/16

The Tribunal received 8,102 applications in 2015/16, an increase of three per cent on 2014/15.

Key application trends included:

- A three per cent decrease in guardianship and administration applications, with 5,407 applications compared with 5,566 in the previous year. This accounted for 67 per cent of the applications received by the Tribunal. A process change relating to applications made under some sections of the *Guardianship and Administration Act 1990* allows a single application to be made in place of multiple applications in some instances. This has led to the decline, rather than representing a fall in demand.

- A three per cent decrease in commercial and civil applications, largely the result of a four per cent decrease in commercial tenancy matters, which represented a decrease of 60 applications from the previous year.
- A six per cent decrease in development and resource applications, with growth relating to the Planning and Development (Development Assessment Panels) Regulations 2011 and the Planning and Development (Local Planning Schemes) Regulations 2015.
- A 17 per cent decrease in vocational regulation applications, mainly the result of declines in applications under the *Health Practitioner Regulation National Law (WA) Act 2010* and the *Legal Profession Act 2008*.

The Tribunal finalised 8,303 matters during 2015/16 compared to 8,176 for the previous year.

On 20 July 2015, the Tribunal began operations at new premises located at 565 Hay Street, Perth.

The building includes a new registry and administration area, 22 hearing rooms, mediation rooms, and a large conference room. Open and accessible spaces and the latest in audio-visual technology add to the versatility, flexibility and efficiency of Tribunal operations.

Boards

The Department provides administrative support to four justice-related boards. These are:

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

Prisoners Review Board

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

During the year the Prisoners Review Board held 531 meetings, including Registrar and Deputy Chairperson meetings and considered 6,338 matters. These matters included, but were not limited to, first reviews for parole, requests to review decisions, re-applications for parole, breaches of parole and other statutory reviews.

The Prisoners Review Board made 947 orders to release offenders on discretionary parole. Parole was denied on 1,577 occasions in 2015/16, but excludes circumstances where prisoners chose not to take up release on parole. Parole was suspended or cancelled on 416 occasions.

Mentally Impaired Accused Review Board

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

In 2015/16 the Board held 23 meetings and considered 173 matters. Pursuant to section 33 of the *Criminal Law (Mentally Impaired Accused) Act 1996* (WA), the Board is required to provide the Minister with a written report about an accused at least once in every year. In 2015/16, the Board prepared 41 statutory reports.

Supervised Release Review Board

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

During 2015/16 the Board held 81 meetings and considered 537 matters.

Gender Reassignment Board

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

In 2015/16 the Board received 21 applications, representing a 17 per cent increase from the last financial year.

On 18 March 2015 the Gender Reassignment Amendment Bill 2015 was tabled in State Parliament, with proposed amendments to abolish the Gender Reassignment Board and confer gender reassignment applications upon the State Administrative Tribunal.

Criminal Injuries Compensation

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

Outcomes 2015/16

The number of criminal injuries compensation applications accepted this year slightly decreased from 2,765 in 2014/15 to 2,734 in 2015/16.

Finalisations increased by 10.3 per cent on last year.

In 2015/16 a total of \$40 million was awarded to 1,987 victims of crime.

To assist in compensating the State for this cost, a total of \$1.7 million was recovered from offenders, the same amount as the previous year.

A more comprehensive annual report on the operations of the Office of Criminal Injuries Compensation is provided each year to the Attorney General for State Parliament by the Chief Assessor under section 62 of the *Criminal Injuries Compensation Act 2003* (WA).

Justices of the Peace

The office of Justice of the Peace (JP) is a voluntary and statutory position involving a range of duties and responsibilities, most commonly including the witnessing of documents. At many justice facilities throughout Western Australia, JPs are also required to preside over Magistrates Courts, particularly in regional areas. The Department has responsibility for supporting Western Australian JPs.

Outcomes 2015/16

This year the Department continued to increase training opportunities for the State's 2,814 JPs.

In particular, training was targeted at the 261 JPs who are eligible and make themselves available for judicial duties.

The Department publishes a JP newsletter which is distributed quarterly to all JPs. The newsletter provides JPs with timely information about training opportunities and information relevant to their role as a JP in the community.

To facilitate ongoing improvement and appropriate training for JPs, the Department distributes an annual survey to JPs. The survey provides information in respect to the type and frequency of duties that JPs perform and assists the Department to review the training needs of JPs.

A total of 70 training seminars, workshops and online modules were conducted in the year, which included 12 in the metropolitan area, 34 in regional locations and 24 online modules. A total of 632 JPs participated in approved Departmental training seminars, workshops and online modules.

Court Counselling and Support Services

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

Following the introduction of a new database in early 2016, the way data is collected and counted for the Services changed and may not be directly comparable with previous years.

Victim Support Service

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

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

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

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



Outcomes 2015/16

During 2015/16, 7,655 victims of crime state-wide received more than 50,000 services. Of this number, 5,042 were new clients and 1,158 (23 per cent) were of Aboriginal descent. These figures are consistent with the previous year.

The VSS refined its service delivery model and developed an improved way of providing a more targeted service, using the professional skill set of counsellors. This change in professional practice resulted in a more sustainable use of resources.

In addition, the VSS continued to provide victim awareness training to all new recruits at the Western Australia Police Academy.

Child Witness Service

The Child Witness Service (CWS) provides services to children who give evidence in all criminal jurisdictions, in every court in the State and provides a specialist assessment, court preparation and support service to children under 18 years of age.

The CWS also provides advocacy to ensure children receive all their entitlements under the legislation, and assists with victim impact statements.

Outcomes 2015/16

There were 923 referrals in 2015/16, compared to the previous year of 898, a slight increase of 2.8 per cent from the previous year. The complexity of many cases required more intensive case management than previous years.

During the year the CWS provided advice and expertise to the review of legislation relevant to children giving evidence in court.

The Service also continued to provide valuable training to a range of key stakeholders including the Western Australia Police, Office of the Director of Public Prosecutions and other agencies about the impact on children giving evidence.

This training included appropriate ways to interact with children to ensure the best possible outcomes for them and to support children so they may provide the best evidence to the court.

The CWS presented at the International Victimology Symposium in July 2015 in regard to the pre-recording of children's evidence and the services provided by the Child Witness Service.

Family Violence Service

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

The service also provides support to judicial officers in the Family Violence List through the provision of Bail Risk Assessment Reports and victim support for judicially monitored offender case management.

Outcomes 2015/16

During 2015/16, 4,039 victims of family and domestic violence received support. The FVS staff provided 27,949 services including risk assessments, safety planning, court support, information and referrals.

The FVS provides a triage model for assessing needs to ensure victims in high risk situations are prioritised and receive professional services in a timely way. The use of an appointment service for a number of clients helped to manage workloads.

The FVS will continue to review its assessment processes to ensure victims of family violence are helped to obtain the court's protection from further acts of abuse.

Additionally, strong partnerships with other service providers remains a priority to ensure safer outcomes for families at risk.

In December 2015 the Fremantle Family Violence Service began the trial of a new model of integrated justice responses to family violence. The implementation phase introduced an innovative Brief Risk Assessment Report for all first appearances involving criminal offences in the Magistrates Court.

In addition, the Family Violence List saw a process for earlier engagement with victims and improved collaboration with stakeholders such as WA Police, child protection and community response services from the Family and Domestic Violence Response Team.

The Service continued to provide training to Western Australia Police recruits to ensure professional knowledge is shared with the Academy. It also provided final placements to Masters of Social Work students from the University of Western Australia.

Family Court Counselling and Consultancy Service

The Counselling and Consultancy Service is staffed by fully qualified family consultants with specialist knowledge and expertise in working with children and families experiencing relationship difficulties after separation. Family consultants are also experienced alternate dispute resolution practitioners.

Each case involving child-related proceedings in the Family Court of WA is allocated a family consultant prior to the first court event, which is usually a Case Assessment Conference. The primary role of the family consultant is to assist the Court to individually case manage each and every child related case before the Court.

This will often involve making referrals to other agencies, gathering information and reporting back to the magistrate or judge who is responsible for the case.

The number of applications received by the Court continues to increase. Family Consultants provided 1,574 assessments in child-related proceedings and 1,053 Case Assessment Conferences involving complex risk assessments.

Case Assessment Conferences continued to be the Service's priority response and the number of families assisted was maintained at levels consistent with the previous financial year.

Court Security

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

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

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

The Directorate was also instrumental in planning the architectural design and testing of the security framework at the new Fitzroy Crossing Courthouse and the recently commissioned David Malcolm Justice Centre which deliver an enhanced level of safety and security for all court users.

Sheriff of Western Australia

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

Civil Enforcements

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

Outcomes 2015/16

During the year in review, Civil Enforcements recorded an increase of 13.95 per cent in the number of civil case lodgments and increased the number of civil cases finalised by 31.52 per cent, while continuing to deliver high quality services to the community.

Jury Services

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

Jury Services assists community members, who have been selected for jury duty, in meeting their civic responsibilities and manages the budget for this accordingly.

Outcomes 2015/16

A primary focus for the financial year was to provide jurors for trials as cost-effectively and efficiently as possible. A key strategy was the implementation of uniform procedures to standardise the reimbursement process for loss of earnings.

Jury Services has also provided regional courts, where jury trials are held, with tools and methodologies to ensure a consistent approach to the delivery of jury services was achieved. This improved service delivery to the courts without compromising the quality of service to the community.

Fines Enforcement Registry

The Fines Enforcement Registry (FER) is responsible for the collection of unpaid court fines and infringements registered by multiple prosecuting authorities throughout Western Australia.

Outcomes 2015/16

The enhanced enforcement sanctions implemented in August 2013 and the One Fines System which came into effect in November 2013 continue to impact on the operations of the Registry, in conjunction with the normal default enforcement process already undertaken by FER.

This resulted in a flow-on effect of increased collections and greater resolution of outstanding fines.

The Registry also focused on allowing debtors the opportunity of taking up options to convert their outstanding fines to work and development orders, thereby avoiding imposition of the final sanction of imprisonment in default of payment of their outstanding fines.

In the 2015/16 financial year, FER collected \$117 million, which is approximately a five per cent increase compared to the previous financial year.

Criminal Enforcement Team

Criminal enforcement in Western Australia consists of three areas:

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

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

Outcomes 2015/16

- 171 wheel clamps applied
- 227 registration plates removed
- 4,564 calling cards left at premises
- 56 warning stickers applied
- 2,078 time to pay and 2,431 stay of execution payment arrangements made
- 32 seizure actions performed
- 81 vehicle registrations detected through automatic number plate recognition technology.

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

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

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

Civil/criminal enforcement and delivery of driver demerit point and suitability notices in Western Australia contract

The contract for the delivery of services for civil, fines and infringement enforcement; and driver demerit point and suitability notices in Western Australia, represented by the Department of the Attorney General and the Department of Transport, was awarded to Baycorp (WA) Pty Ltd on 23 November 2015.

This coincided with the launch of the Department's Integrated Courts Management System into the Fines Enforcement Registry. The intent of this contract was to:

- produce a common enforcement regime
- ensure the continuation and viability of enforcement services
- tie together a number of disparate enforcement systems.

These initiatives benefit the wider community.

Court orders continued to be effectively enforced.

Commissioner for Victims of Crime

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

The Commissioner for Victims of Crime:

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

Outcomes 2015/16

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

Regular presentations were also made to raise awareness of the guidelines for treatment of victims under the *Victims of Crime Act 1994* (WA), and the availability of supports for victims of crime:

- The WA Government was the Platinum Sponsor of the 15th International Symposium of the World Society of Victimology held in Perth in 2015. The Commissioner for Victims of Crime presented on the topic of the availability to court decision-makers of “risk relevant” information about victims of crime.

- The Office of the Commissioner for Victims of Crime continued a strong work program regarding family violence reform in 2015/16. This included conducting extensive stakeholder consultation on the legislative drafting of the proposed new “Family Violence Restraining Orders”, attendance at Australia’s National Research Organisation for Women’s Safety (ANROWS) Conference in Melbourne, and a regional visit to Albany. The Commissioner is also a member of peak groups such as the Western Australian Family and Domestic Violence Governance Council.
- The Commissioner took up diverse opportunities to provide professional development on victim of crime issues, including to detectives at the Joondalup Police Academy, the Prisoners Review Board, the Office of the Director of Public Prosecutions, and the Australian Association of Social Workers.

Key achievements included:

- Significant work was undertaken to support the passage through State Parliament of the Dangerous Sexual Offenders Legislation Amendment Bill 2015. These amendments include important new legislative consideration of, and availability of protection for, victims of crime under the dangerous sexual offender regime.
- Intensive work occurred throughout 2015/16 on the drafting of a package of “victim safety focussed” family and anti-violence reform legislation, including an overhaul of the *Restraining Orders Act 1997* (WA). Victims are also proposed to have a new ‘voice’ in the

bail process under amendments to the *Bail Act 1982* (WA) introduced into State Parliament.

- The extension of the co-located Western Australia Police trial at the George Jones Child Advocacy Centre in Armadale, which involves collaborative work for child victims and their families between police, other Government and non-government child sexual abuse advocates.

As with each year since the establishment of this Office, it is the extensive work for, and collaboration with, individual victims of crime that is the most important effort for the Commissioner for Victims of Crime. Not only does it allow some tailored assistance for people who have experienced hardship, but it also allows the Office to experience the ‘system’ through the eyes of those who are living with harm as a result of crime, and to set its reform priorities accordingly.



Victims of Crime Reference Group

The Victims of Crime Reference Group was established in October 2006 to address victim-related issues and to help improve justice services to victims of crime in Western Australia. The group's terms of reference are to:

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

The group is chaired by the Commissioner for Victims of Crime, and comprises eight victims of crime, the manager of Victim Support and Child Witness Services in the Department of the Attorney General and representatives from the Office of the Director of Public Prosecutions, Western Australia Police, Department of Corrective Services, Department of Health, the Department for Child Protection and Family Support and the Office of the Attorney General.

There was a particular focus on victim safety, including family violence reform, during 2015/16.

Outcomes 2015/16

Key achievements in 2015/16 included:

- Building on the success of a similar event in 2015, the Commissioner hosted a public forum during Law Week 2016 to raise community awareness and build community capacity to support victims of crime. The forum included presentations from the Commissioner for Victims of Crime, and from Mr Rob Guthrie, an assessor from the Office of Criminal Injuries Compensation. Attendees then met with members of the Victims of Crime Reference Group and others involved in victim support and assistance over morning tea.
- A consultation meeting with Mr Sven Bluemmel, Information Commissioner for Western Australia, regarding information privacy and disclosure practices, and the relevance of this for victims of crime and their safety.
- Meeting to consider and provide feedback on the 'Family Violence Restraining Orders Drafting Options Paper' that had been released by the Department of the Attorney General. Comments from this session directly informed the drafting of the proposed legislation.
- Holding an end of year afternoon tea for group members, attended by the Attorney General. A meeting following this event commenced planning for the major work focus for 2016/17, which is cybercrime and technology facilitated abuse.

Advocacy, Guardianship and Administration Services

Office of the Public Advocate

The Office of the Public Advocate protects and promotes the human rights of adults with a decision-making disability through the functions given to the Public Advocate under the *Guardianship and Administration Act 1990*.

These vulnerable members of the community may face the risk of exploitation, abuse and neglect. The Office works to reduce these risks by providing services including:

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

Outcomes 2015/16

In 2015/16, the Office of the Public Advocate's main objectives were to:

- meet the growing demand for advocacy and investigation services
- meet the growing demand for guardianship services

- deliver community education regarding the guardianship and administration system and the planning documents – enduring powers of attorney, enduring powers of guardianship and advance health directives.

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

In 2015/16 the Office of the Public Advocate:

- Undertook 1,516 investigations into the personal or financial welfare of adults with a decision-making disability, representing an increase of five per cent from the previous year. These included new matters and matters carried over from 2014/15.
- Was newly appointed as guardian of last resort for 468 people, compared to 423 in 2014/15, an increase of 11 per cent.
- Made personal, lifestyle and treatment decisions for a total of 2,350 people, compared to 2,154 people in the previous financial year.
- Was guardian for 1,555 people at 30 June 2016, compared to 1,383 people at 30 June 2015. This is an increase of 12 per cent, consistent with a 13 per cent increase in the previous financial year.
- Delivered a total of 26 community education seminars across the State, regarding the guardianship and administration system, the legislation and the planning documents available to people under the legislation.
- Addressed 5,324 enquiries via its advisory service.

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

At 30 June 2016, 18 volunteers were engaged in the program, 14 of whom were appointed as guardian for their represented person.

Changes to the disability sector, brought about by the State Government's 2013 agreement to join the National Disability Insurance Scheme (NDIS), continued to impact the Office in 2015/16.

A number of the Office's clients who receive disability support, including accommodation and services, and are under 65 years of age, were affected by the scheme. Delegated guardians from the Office worked with NDIS staff throughout the year in the development and approval of NDIS support plans.

The scheme will be evaluated during the 2016/17 financial year and there are plans to expand the scheme beyond the initial trial sites.

Any expansion to the scheme will be negotiated between the State and Commonwealth Governments.

Trustee Services

The Public Trustee

The Public Trustee has the responsibility for managing the legal and financial affairs of many vulnerable people in our community. The statutory authority manages 5,595 trusts and assets valued at \$1.3 billion. The Public Trustee also provides affordable deceased estate administration and Will writing services to the general public.

Service Delivery

In 2015/16, the Public Trustee received 896 new trust clients (including 684 referred by the State Administrative Tribunal), a 13 per cent increase in new clients compared to the previous year (791).

The continuing high level of SAT appointments can be attributed to an increase in the number of people with decision-making disabilities who may have dementia, an intellectual disability, mental illness, an acquired brain injury or substance abuse issues, and who are susceptible to neglect, abuse or exploitation.

The Public Trustee continues to achieve self-funding and, in a challenging global financial environment, the Public Trustee's Common Account performed well against comparable benchmarks, such as other common funds and cash management accounts.

Business transformation was a key focus for 2015/16 with the Wills, Legal and Client Service Centres undergoing significant review and restructure to enhance performance, capacity and output.

Business improvement projects to accelerate probate applications and to enhance accessibility for trust clients were also initiated.

Activities to improve client awareness and access included presenting information and training sessions to community groups, service providers and Government agencies, Wills education such as WA Wills Week and Royalties for Regions-funded visits to the Kimberley, Gascoyne and Peel regions.

OAG Audit

The Office of the Auditor General conducted a performance audit of the Public Trustee's management of customer feedback from represented persons.

The Auditor General concluded in his report to State Parliament that the Public Trustee satisfactorily collects, manages and uses information from client complaints and client satisfaction surveys to improve services to represented persons.

The complaints reviewed also showed that the Public Trustee provided the complainants with timely and informed explanations in its responses.

Give2Good

The Public Trustee's Give2Good Foundation continued to attract bequests through Wills drafted by the Public Trustee. To date, approximately \$5 million in charitable gifts has been promised through Will bequests.

Give2Good is an easy, secure, cost-effective and convenient vehicle that enables Western Australians to make charitable gifts in the form of endowed funds, which accumulate and the investment returns are used to provide a steady and reliable stream of future income to community organisations and causes.

WA Will Bank

The past year saw strong growth in the number of testators choosing to deposit their Wills in the Public Trustee's WA Will Bank for safe storage.

Approximately 100,000 Wills are securely stored in the Public Trustee's purpose-built vault and are actively managed and forwarded to executors upon the death of the testator.

High utilisation rates and positive feedback continued to reflect the value of the WA Will Bank to the WA community.

Registry of Births, Deaths and Marriages

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

Outcomes 2015/16

In 2015/16, the Registry:

- Served more than 39,491 customers in person at the Perth Registry office, with an average of 3,291 customers per month
- Registered 4,663 changes of name, an average of 389 per month
- Registered 35,913 births, which equates to 2,993 per month
- Registered 12,387 marriages at a rate of 1,032 per month
- Registrations 14,771 deaths, equating to 1,231 per month
- Had 3.30 million page views on its website.

Accessibility, Security and Accuracy of Records

In March 2009 the Department started converting two million paper-based records into an electronic format.

These records date back to 1841, when records of life events were first kept in Western Australia.

This project was completed in September 2015, resulting in more than two million records being converted. Birth and

adoption records from 1973 to 1841, marriage records from 1983 to 1841 and death records from 1983 to 1841 have been converted and are now available electronically to Registry staff.

The conversion of historical records provides a faster, more efficient birth, death and marriage certificate issuing service for Western Australians.

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

Protection of Personal Information

The protection of personal information and the prevention and detection of identity fraud and theft is a growing priority for agencies responsible for issuing identity documents in the community. More than 370,000 Western Australian birth, death, marriage and change of name certificates were validated against Registry information during 2015/16.

This is an increase of 50 per cent from last year.

The Registry remains a key participant in the National Identity Security Strategy (NISS), a Council of Australian Governments' initiative to better protect the identities of Australians by strengthening the integrity and security of identity credentials such as birth certificates which can be authenticated through the Commonwealth Document Verification Service (DVS).

DVS checks, available to government agencies since 2009, are now being made available to the private sector, with an initial focus on organisations that have legislative obligations to identify their customers (for example, financial institutions which need to meet 'know your customer' requirements in anti-money laundering and counter-terrorism financing regulations).

The Commonwealth recently expanded DVS to a range of businesses that have a reasonable necessity to verify the individual for the organisation's activities and functions.

These functions may include pre-employment screening, property purchases, motor vehicle hire etc.

The Registry is currently working with the Commonwealth to fully participate in the extended service.

Registration and Certificates

The Registry recorded a slight decrease in the registrations of births, deaths, marriages and changes of name in 2015/16.

The Registry issued 134,974 certificates during 2015/16 which is a two per cent decrease in the overall number of certificates issued by the Registry from the previous year.

Births

In 2015/16 there were 86,359 birth certificates issued.

Marriages

There were 24,155 requests for marriage certificates, a decrease of five per cent from the previous financial year.

The Registry performed 1,599 marriage ceremonies during 2015/16. An analysis of birth places revealed some 119 countries were represented by the couples getting married.

Place of Birth	Total
Australia	993
China	325
England	196
Vietnam	128
Malaysia	124
New Zealand	100
Philippines	99
India	93
Indonesia	75
South Africa	74
Hong Kong	67
Taiwan	59
Brazil	51
South Korea	50
Ireland	47
Thailand	42
Mauritius	37
Scotland	32
Japan	30
Singapore	28

Deaths

In 2015/16 there were 23,365 requests for death certificates, an increase of nine per cent from the previous financial year.

Open Day Program

The Registry continued its involvement in the Department's Open Day program during 2015/16. This initiative, operating in partnership with the Department's Policy and Aboriginal Services and other key stakeholders, provides vastly improved services to disadvantaged or vulnerable people living in regional and remote Aboriginal communities. Registry staff help Aboriginal people register their birth and obtain birth certificates.

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

Since the Registry's involvement with the Open Day Program in 2011/12, the Registry has issued more than 3,005 birth certificates, registered 1,254 previously unregistered Aboriginal births and issued more than 1,653 confirmation of birth letters. Of the 1,254 previously unregistered births 215 relate to births pre-1980.

Approximately 17 per cent of births registered through the Open Day Program relate to births that occurred more than 30 years ago.

During the financial year the Registry issued more than 889 birth certificates, registered 335 previously unregistered births and issued over 403 confirmation of birth letters. The oldest birth registration recorded this year was 1938.

Baby Names

Most popular girls names as collated by the Registry in the 2015 calendar year

Position in 2015	Name	Occurrence	Position in 2014	Position in 2013	Position in 2012
1	Olivia	206	4	1	2
2	Ava	197	2	3	9
3	Charlotte	187	3	2	1
4	Mia	181	4	10	10
5	Isla	166	7	14	14
6	Sophie	162	8	8	5
7	Grace	155	10	11	11
8	Amelia	153	5	9	8
9	Ruby	151	12	5	3
10	Chloe	145	9	7	6

Most popular boys names as collated by the Registry in the 2015 calendar year

Position in 2015	Name	Occurrence	Position in 2014	Position in 2013	Position in 2012
1	Oliver	248	1	2	9
2	Jack	228	2	1	2
3	James	197	7	6	5
4	Noah	191	3	3	1
5	William	177	4	4	3
6	Thomas	174	6	11	10
7	Ethan	172	8	8	12
8	Mason	148	10	7	4
9	Liam	147	9	14	8
10	Lachlan	141	11	9	14

The State's top regional baby names are available on the Registry website www.bdm.dotag.wa.gov.au.

Services to Government

Policy and Aboriginal Services

Strategic Policy Development and Advice

The Department, through its Policy and Aboriginal Services Directorate, provides strategic policy advice and analysis to Government on key reforms in the justice system. It achieves this by:

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

In drafting and developing policy and undertaking Departmental reviews regarding victims of crime, extensive consultation was undertaken with key stakeholders. This was underpinned through the direct involvement of the Commissioner for Victims of Crime in guiding, consulting and drafting legislative and operational administrative amendments.

Legislation

During 2015/16 the Department guided the development of new and amending pieces of legislation. These included:

Bail Legislation Amendment Bill 2016

The Attorney General, the Hon Michael Mischin, introduced the Bail Legislation Amendment Bill 2016 to the Western Australian Parliament on Thursday 30 June 2016.

The Bill aims to:

- balance community safety with the granting of bail for less serious offences to reduce the risk of accused people unnecessarily being held in custody
- introduce a requirement for a court considering bail for serious offences to have regard to the views of any victim, or any family member of a victim, as to whether the accused poses a threat to safety
- reduce the number of warrants of arrest issued for non-appearance in court for those charged with simple offences
- improve the effectiveness and efficiency of the *Bail Act 1982* generally
- reduce the unnecessary transportation of children and young people from regional areas to Perth to be remanded in custody.

Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2016

The Attorney General introduced the Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2016 to the Western Australian Parliament on 7 April 2016. This Bill amends the *Classification (Publications, Films and Computer Games) Enforcement Act 1996* to reflect recent amendments to the Commonwealth legislation.

Highways (Liability for Straying Animals) Amendment Bill 2016

The Attorney General introduced the Highways (Liability for Straying Animals) Amendment Bill 2016 to the Western Australian Parliament on Thursday, 7 April 2016. The Bill aims to:

- update the current cap on damages recoverable for loss caused by animals which stray on to the roads under the *Highways (Liability for Straying Animals) Act 1983*
- provide for the cap to be prescribed in regulations
- provide for the indexation of the cap so that it can be varied annually in line with the wage price index.

The Sentencing Legislation Amendment Act 2015

The *Sentencing Legislation Amendment Act 2015* was assented to on 2 November 2015. The Act ensures that prisoners transferred to WA prisons from interstate jurisdictions are subject to the parole provisions of the sentencing jurisdiction.

Dangerous Sexual Offenders Legislation Amendment Bill 2015

Significant amendments to existing dangerous sex offender legislation were passed by State Parliament by the end of the financial year, with the final development of the bill being undertaken by the Commissioner for Victims of Crime. Changes made to the *Dangerous Sexual Offenders Act 2006* are designed to better protect the community and victims of crime from dangerous sex offenders once they have served their sentence and are released from custody.

Reviews

During the year the Department undertook a range of legislative reviews. In some instances these were statutory reviews (that is, reviews required by legislation) and in other cases they were as a result of a ministerial request.

During the year reviews of key pieces of legislation were undertaken. These included the:

Review of the *Guardianship and Administration Act 1990*

A statutory review of the *Guardianship and Administration Act 1990* was completed during the year. Forty-two submissions were received from the public and key stakeholders. The Review Report makes 86 recommendations and was tabled in the Western Australian Parliament on 2 December 2015.

Review of the *Prohibited Behaviour Orders Act 2010*

A statutory review of the operation and effectiveness of the *Prohibited Behaviour Orders Act 2010* was completed as required under section 40 of that Act. The Review Report was tabled in the Western Australian Parliament on 8 September 2015.

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

The review of the *Criminal Law (Mentally Impaired Accused) Act 1996* was finalised by the Department during the year. The final report makes 35 recommendations and was tabled in the Western Australian Parliament on 7 April 2016.

Copyright

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

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

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

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

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

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

Outcomes 2015/16

In March 2016, the State, through the Department, extended the Retrospective Remuneration Agreement with CAL, at a cost of \$1.699 million, for a further three year period, which concluded on 30 June 2016.

Negotiations for a new agreement with CAL are ongoing.

Law Reform Commission of Western Australia

The Law Reform Commission of Western Australia is an independent statutory authority for which the Department provides administrative and management support.

The Commission provided the Attorney General with its final report into the Representative Proceedings reference which was tabled in Parliament on 21 October 2015.

The Commission provided a recommendation to enact legislation to create a scheme in relation to the conduct of representative actions.

The final report provided seven recommendations in the hope that they will facilitate the conduct of representative actions in Western Australia and provide certainty to plaintiffs.

The Commission completed the final report into the Provisional Damages and Damages for Gratuitous Services reference. The Commission was requested to examine the law and make recommendations in relation to two areas:

1. whether the ‘once and for all’ rule under the common law should be modified through the introduction of ‘provisional damages’

- whether a specific head of damages for the value of gratuitous services (domestic or otherwise) provided by the plaintiff to others should be introduced.

The Commission has published a discussion paper into the Review of the *Firearms Act 1973* (WA) reference. The Commission requested submissions from stakeholders and the public to the 44 questions and 46 proposals listed in the discussion paper, receiving an unprecedented number of submissions, with more than 1,200 received. The final report is due to be published in the 2016/17 financial year.

Aboriginal Justice Program

The Department, through the Aboriginal Justice Program, proactively addresses the over-representation of Aboriginal people in the criminal justice system through a range of policy initiatives and targeted services.

Open Days

Aboriginal Open Days aim to improve social and justice outcomes and promote alternatives to incarceration for Aboriginal people with unpaid fines, driver's licence issues and stay of execution of warrants.

They provide a suite of easily accessible, targeted services, delivered in a culturally appropriate manner, on or close to country.

The Department delivers Open Days in a collaborative service delivery model with other agencies.

At Open Days, Aboriginal people can apply for a birth certificate, obtain a letter of birth confirmation or arrange to register their birth. Additionally, they can resolve their outstanding fines, apply for a driver's licence, register for Centrelink payments and, in some locations, obtain legal and financial guidance and assistance.

In 2015/16 there were 73 Open Days delivered in priority locations. The locations were researched and identified from data at the Fines Enforcement Registry as being localities where many Aboriginal people were at risk of being incarcerated for unpaid fines and infringements, stay of warrants of executions and/or driving without a licence.

Triple Action Strategy

In October 2014 the Premier of Western Australia, the Hon Colin Barnett MLA made a public commitment seeking to reduce the over-representation of Aboriginal people and Aboriginal deaths in custody.

Policy and Aboriginal Services Directorate subsequently enhanced the Aboriginal Justice Program and developed the Triple Action Strategy to address the State Government's Aboriginal Reform Agenda.

The Strategy has three platforms to strengthen family, social and cultural capital for Aboriginal people convicted of low level offences:

- affirmative and culturally appropriate engagement with Aboriginal people in the justice system.
- accessible justice services delivered, particularly in regional and remote areas of Western Australia.
- alternative and accountable options to the imprisonment of Aboriginal people with low level offences.

During the year the Department implemented the strategy to deliver meaningful outcomes for Aboriginal people.

The following table details the comparative analysis of outcomes from 2014 before the Strategy was adopted, and 2015, after its implementation.

Comparative analysis of Strategy achievement	2013/14	2014/15	2015/16
Number of Open Days held	38	39	73
Number of people attending Open Days	1,196	1,611	2,751
Conversion of fines	\$142,598	\$178,290	\$329,096
Amount of fines paid	\$438,491	\$464,853	\$662,094
Number of people entering into time to pay arrangements	171	204	339
Stay of warrant executions	67	93	138
Licence suspension lifted	267	384	684
Birth certificate application	480	710	925
Confirmation of birth letters Issued	193	233	424
Births registered	222	516	335
Practical driving assessments conducted	60	138	146
Theory tests conducted	82	325	232
Log books issued / re-issued	37	62	115
Suspended fines for motor vehicles driver's licence	126	123	151
Centrelink – applications for Medicare	36	95	155
Centrelink – concession cards issued	55	80	146

Aboriginal Mediation Service

The Aboriginal Mediation Service 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.

During the reporting period the Aboriginal Mediation Service handled 122 enquiries, resulting in 31 matters being considered for pre-mediation, mediation or other alternative dispute resolution processes.

The Aboriginal Mediation Service also provided three interagency meetings with other key Government stakeholders to assist clients and two external information sessions to assist the referring party to make effective referrals, and to deal with conflict in their communities using a culturally appropriate form of dispute resolution.

Grants

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

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

Outcomes 2015/16

During 2015/16, under the Criminal Property and Confiscation Grants Program, 21 grant offers totalling \$3.19 million were made to local government and non-profit community groups. These grants will support projects aimed at delivering better justice outcomes for at-risk young

people as well as providing support to a diverse range of community members from people with disabilities to victims of family violence and seniors.

Parliamentary Counsel's Office

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

Services provided by the Parliamentary Counsel's Office include:

- preparing drafts of Bills for Ministers so they can be introduced into State Parliament in accordance with the Government's legislative program.
- preparing drafts of subsidiary legislation for Ministers and Government agencies so the Acts they administer can be fully implemented and properly administered
- providing legislative drafting services to private Members of Parliament and facilitating the work of parliamentary committees
- compiling texts of Acts and subsidiary legislation with their amendments incorporated so the laws of the State can be made available in a variety of forms to those who must comply with them and those who must apply and enforce them
- maintaining and arranging publication of information about the legislation of Western Australia.

Outcomes 2015/16

During the year the Parliamentary Counsel's Office completed a number of significant drafting tasks to give effect to the State Government's legislative and policy priorities. These drafting tasks included:

- Perth Market Disposal Bill 2015, Pilbara Port Assets (Disposal) Bill 2015 and Fremantle Port Assets (Disposal) Bill 2016 to implement the Government's asset disposal programme.
- Health Services Bill 2016 to reform the governance of the Western Australian health system.
- Motor Vehicles (Catastrophic Injuries) Bill 2016 to establish a scheme to provide for the lifetime care and support of certain people catastrophically injured in motor vehicle accidents in Western Australia.
- Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015 and Land Administration (South West Native Title Settlement) Bill 2015 to provide the Noongar people with symbolic recognition as traditional owners of the south-west of Western Australia, and give effect to the South West Native Title Settlement Agreement entered into by the State Government and Noongar people to resolve all native title claims in the south-west of Western Australia.
- National Electricity (Western Australia) Bill 2016, National Gas Access (WA) Amendment Bill 2016 and Energy Legislation Amendment and Repeal Bill 2016 to implement reforms to the regulation of electricity networks and gas pipelines in Western Australia.
- Co-operatives Amendment Bill 2015 to achieve consistency with the Co-operatives National Law and allow Western Australian co-operatives to participate in a national regulatory scheme for the registration and regulation of co-operatives.
- Dangerous Sexual Offenders Legislation Amendment Bill 2015 to improve the ability of authorities to manage known dangerous sexual offenders.

- Graffiti Vandalism Bill 2015 to create new offences and penalties for graffiti damage and consolidate in one Act other graffiti-related offences and powers.
- Universities Legislation Amendment Bill 2016 to modernise Western Australian legislation relating to universities.
- Road Traffic Amendment (Impounding and Confiscation of Vehicles) Bill 2016 to provide additional powers to confiscate vehicles used to commit “hoon” offences.
- Misuse of Drugs Amendment (Search Powers) Bill 2016 to provide Western Australian Police with additional powers to conduct targeted searches for prohibited drugs.

The Parliamentary Counsel's Office continued to provide legislative drafting services to private Members of Parliament and six Bills drafted for private members were introduced during the year.

The Parliamentary Counsel's Office also completed the drafting and publishing of more than 350 items of subsidiary legislation. Significant items of subsidiary legislation included:

- Planning and Development (Local Planning Schemes) Regulations 2015
- Rail Safety National Law (WA) Regulations 2015
- Associations Incorporation Regulations 2016
- Retirement Villages Amendment Regulations 2016
- Electricity (Network Safety) Regulations 2015
- Motor Vehicle (Catastrophic Injuries) Regulations 2016
- On-demand Transport Regulations Amendment Regulations 2016
- Prisons (Prison Officers Drug and Alcohol Testing) Regulations 2016

- Young Offenders (Custodial Officers Drug and Alcohol Testing) Regulations 2016
- Health Services (Health Service Providers) Order 2016
- Attorney General Regulations Amendment (Fees) Regulations 2016.

State Solicitor's Office

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

These legal services include:

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

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

Outcomes 2015/16

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

Protection of the State's policy interests

Royal Commission

On 11 January 2013 the Commonwealth and State Governments issued Letters Patent appointing a Royal Commission to inquire into and report on institutional responses to child sexual abuse. The Royal Commission is operating in all States and Territories including Western Australia. SSO is assisting agencies by providing legal

representation to State officers, including preparing statements for officers who have been asked to prepare statements for the Commission, appearing as counsel at hearings and roundtables, assisting in the preparation of submissions and responses to issue papers and providing legal advice to Government about recommendations made by the Royal Commission in its published reports.

City of South Perth v Simpson

SSO successfully defended a challenge to the validity of steps taken by the State Government to achieve reductions in the numbers of metropolitan local governments by district amalgamations and boundary changes. The SSO represented the Minister for Local Government and the Local Government Advisory Board at the Supreme Court hearing.


Rayney v The State of Western Australia

In 2008, the plaintiff commenced a defamation action against the State in relation to words published at certain police media conferences given in August and September 2007. The action is being prepared for trial and is currently listed for hearing from late February to early April 2017.

Protection of the State's revenues

Placer and Alacer

SSO acted for the Commissioner of State Revenue in significant disputes arising from the acquisition in 2006 of Placer Dome Inc by Barrick Gold Corp (the Placer matter) and the 2011 merger of Avoca Resources and Anatolia Minerals (the Alacer matter). The disputes concerned valuation issues arising under the land rich provisions of the *Stamp Act 1921* and the landholder provision of the *Duties Act 2008* respectively. The duties in issue were significant.



Both matters were heard by the State Administrative Tribunal during the financial year and the Commissioner was successful in each case. Placer has appealed the adverse outcome and the appeal is pending.

Eclipse Resources

SSO represented the State, the Minister for the Environment and the Chief Executive Officer of the Department of Environment Regulation in legal proceedings against Eclipse Resources Pty Ltd, seeking a recovery of unpaid landfill levy and penalties. After a two-week trial in November 2015, the Government parties were successful, securing an order that Eclipse pay to the Minister \$21.4 million in unpaid levy and penalties. Eclipse is currently appealing the decision to the Court of Appeal. The appeal is yet to be listed for hearing. The decision has broader implications for the waste disposal industry with more than \$300 million in levies to be recovered over the forward estimates.

Significant commercial claims

The Bell Group Ltd (in Liquidation)

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

James Point Pty Ltd v WA

SSO represents the State and Ministers for Transport and Lands in defending proceedings brought by James Point Pty Ltd in November 2011 in relation to the development of a private port at James Point in Kwinana.

The litigation is highly complex, raising a number of contractual and statutory issues.

Planning and compensation matters

WA Pastoral Management Pty Ltd v Minister for Local Government

The Office successfully defended a judicial review challenge to a determination by the Minister for Local Government changing, for rating purposes, the method of valuation of land which is the subject of a mining tenement.

Kelliher

SSO successfully represented the Commissioner of Main Roads in relation to a compensation claim involving the acquisition of land for the Forrest Highway in which the valuers for the claimant asserted a compensation entitlement of approximately \$40 million. In December 2015, the Supreme Court awarded compensation in the sum of \$3.41 million, an amount less than the amount of the disputed original offer of compensation already paid to the claimant.

De Beazior

SSO acted for the Western Australian Planning Commission on an assessment of compensation for injurious affection to land attributable to a long-standing public purpose reservation in the Metropolitan Region Scheme. The proceedings commenced prior to the announcement of the Northlink project, for which the land is now required. The case raised a novel and significant legal issue as to whether land which is environmentally valuable and therefore constrained from development should be valued as if it had development potential because of the reservation predating the introduction of environmental protection laws in WA.

A decision favourable to the State was delivered in early 2016, but has since been the subject of a Supreme Court appeal, yet to be determined.

Native Title claims

SSO has continued to represent the State in the mediation and litigation of native title claims in the Federal Court and in the arbitration of future act matters involving the grant of mining tenements in the National Native Title Tribunal.

The SSO provides legal and policy advice to Government in all matters involving native title and Aboriginal heritage issues, including possible changes to State law, and assistance in drafting Indigenous Land Use Agreements.

Significant matters included:


The South West Settlement

This is an historic native title settlement, negotiated over a five year period, with the South West Aboriginal Land and Sea Council and the six south-west native title claim groups which culminated in this period.

The settlement, once approved by the Federal Court, involves the surrender of any native title rights and interests by the native title groups in exchange for a comprehensive package of benefits.

These benefits include, among other things, statutory recognition of the Noongar people as traditional owners of the South West Settlement area, the establishment of a Noongar Boodja Trust into which funding instalments of \$50 million will be paid yearly for 12 years, and land allocations of up to 320,000 hectares.

As part of the settlement, in 2016 State Parliament enacted the *Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Act 2016*, which recognises the



important relationship the Noongar people have with the Noongar lands, and the significant and unique contribution of Noongar people to the heritage, cultural identity, community and economy of WA. The Act symbolically commenced on Western Australia Day. SSO continues to act on the implementation of the settlement which is expected to commence in early 2017.

Gibson Desert

SSO represented the State in proceedings for compensation as a result of the creation of the Gibson Desert Nature Reserve in 1977. The case was considered a test case for the principles for assessing compensation for extinguishment of native title under the *Native Title Act 1993* (Commonwealth). However, the applicant discontinued the claim after Justice Barker found at a preliminary hearing that the reserve had extinguished non-exclusive native title only, and not exclusive possession native title.

Badimia People v State of Western Australia

SSO represented the State in an appeal brought by the Badimia people from the Court's May 2015 determination that native title does not exist in respect of the Badimia claim area (in the Mid-West region of Western Australia). In May 2016 a full court of five judges dismissed the appeal.

Banjima Appeal

SSO represented the State in an application for special leave to appeal to the High Court from aspects of the Full Court's final determination of native title and associated reasons for decisions given in June and December 2015. The application for leave to appeal is listed for hearing in July 2016.

Area 4 Compensation Case

SSO is continuing to act in a compensation claim under *Land Administration Act 1997* (WA) seeking approximately \$87 million for the Thalanyji native title holders, following the taking and extinguishment of the Thalanyji people's non-exclusive native title rights and interests over 64.8 hectares of land within Onslow. The interests in the land were compulsorily acquired by the Minister for Lands in 2013 to enable the land to be developed by Landcorp for residential and associated uses following significant industrial developments in the Onslow area.

Agreements

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

Land Administration Amendment Bill 2016 – Rangelands Reform

SSO also provided extensive advice to the Department of Lands on the Rangelands Reform Program designed to enable land tenure reform and diversification of activity on the Rangelands.

Commercial matters

In recent years the SSO has been responsible for delivering the State's legal resources on a number of key social and economic infrastructure projects. The Office either directly provides legal services or supervises the provision of services by outsourced commercial service providers.

These include the following key projects:

Energy Reform

SSO has been advising the Public Utilities Office in relation to far-reaching reforms of the electricity supply industry in Western Australia. These reforms, still under development and implementation include:

- a transfer of the operation of WA's wholesale electricity market from the Independent Market Operator of WA to the Australia Energy Market Operator
- a transfer of the regulation of electricity and gas networks from the Economic Regulation Authority under WA legislation to the Australia Energy Regulator under the national regimes for gas and electricity (application of the National Electricity Law and National Gas Law in WA)
- a transfer of responsibility for the security and reliability of the South West interconnected system (electricity network) from Western Power to the Australian Energy Market Operator
- numerous reforms to the WA Wholesale Electricity Market, including the introduction of constrained access for generators, extensive modifications to the 'reserve capacity mechanism' and new institution (governance arrangements)
- preparation for the introduction of full retail contestability and new arrangements for the relationships between Western Power, electricity retailers and retail customers.

The legal demand of this reform program has been extensive. SSO has co-ordinated and overseen the work of four different external advisers engaged on behalf of the Public Utilities Office to meet the needs of the State Government's reform agenda.



Government Asset Sales Program

SSO has been significantly involved in the State Government's Asset Sale program, which comprises:

- the sale of the Perth Market site for approximately \$135 million in February 2016. This project also included the winding up of the Perth Market Authority
- the proposed divestment of the Fremantle Port. This divestment is proposed to be in the form of a long term lease and has an expected value of \$2 billion
- the proposed divestment of the Utah Point Bulk Handling Facility. This divestment is proposed to be in the form of a long term lease and has an expected value of \$250-400 million
- the proposed divestment of part of the Keystart loan book, and ongoing Keystart operational funding
- a potential divestment of the Totalisator Agency Board (note that this divestment is at a preliminary stage and the State has not yet undertaken scoping or due diligence of the WA TAB).

The projects described above required solicitors from SSO to be members of the steering committees and subcommittees, provide detailed opinions and advice, draft and review procurement and transaction documents, prepare drafting instructions for, and review drafts of, divestment legislation, assist the Treasurer and other Ministers during State Parliament's consideration of the divestment legislation, while providing or arranging for and co-ordinating the full range of legal services to each project.

Forrestfield Airport Link Project

This project involves the 8.5 km extension of the metropolitan passenger rail network from Forrestfield in the Shire of Kalamunda to the Perth CBD. SSO acts in respect of the procurement and contractual documentation required for the project.

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

The Perth Children's Hospital, with an estimated budget of \$1.2 billion, is being delivered at the QEII site in Nedlands. The new Midland regional hospital in the eastern suburbs of Perth is being delivered by a private service provider under contract to the State. The SSO has worked with external service providers in all aspects of the contract and delivery, building on the success of the Fiona Stanley Hospital.

Karratha Health Campus

The SSO drafted the Karratha Health Campus Managing Contractor Agreement and supported the State in contract negotiations. The contract was successfully executed in July 2015. Support continued throughout 2015/16 as this \$207 million regional health facility proceeds through the design phase.

Melaleuca Remand and Re-integration Facility

This project delivers a new 254-bed women's remand and re-integration facility, to accommodate the State's increasing population of sentenced and remand women prisoners. The contract to construct the \$24.3 million stand-alone facility was awarded to ADCO Construction and Building Australia in November 2015 and is on track for completion in October 2016.

New Museum Project

The 24,000m² new structure in the Perth Cultural Centre, Northbridge will be built on the existing WA Museum site.

The project is considered one of the most significant museum redevelopments in the world with the State Government allocating some \$428 million for the redevelopment. The SSO has provided all of the legal advice to the State in respect of the procurement and contractual documentation required for the project. The State is currently in negotiations with its preferred respondent with a view to agreeing contractual terms to manage construction of the New Museum and an energy efficiency system upgrade for the Perth Culture Centre.

Eastern Goldfields Regional Prison Project

This \$232 million project involves the replacement of the existing Eastern Goldfields Regional Prison with a new facility to cater for both genders across minimum, medium and maximum security ratings.

Acacia Prison

SSO acted for the Department of Corrective Services in its negotiations with Serco around extension of the Acacia Prison Services Agreement. The contract was extended for a further five years. Estimated savings to Government arising from renegotiated pricing represents \$55 million over five years. Additional benefits include the installation of a further 75 beds in Acacia Prison, as well as some capital improvements to security and prisoner management, each at Serco's cost, and a commitment by the Department and Serco to implement performance benchmarks which will provide financial incentives to improve performance in areas such as recidivism rates and program completion by prisoners.



Northlink WA Project

The \$1.12 billion NorthLink WA project is a joint Federal and State Government-funded project that will provide a vital, state of the art transport link between Morley and Muchea.

It will reduce travel times and congestion, and provide significant productivity benefits to the economy, industry, motorists and local communities.

The project will link to Gateway WA, servicing regional traffic movements to commercial and industrial areas such as Malaga, Kewdale, Perth Airport and the Perth CBD.

New Perth Stadium

Built on the Burswood Peninsula, this project provides a 60,000-seat world class stadium designed for multi-discipline sporting and entertainment events, together with associated transport infrastructure. SSO has provided advice on the procurement process, including the Expression of Interest and Request for Proposal phases. In conjunction with an external services provider, the Office continues to provide support for the closing out of the design, build, finance and maintain Project Agreement and ongoing advice during the construction phase and Stadium operator and user agreements.

WA Schools PPP Project

This project delivers a package of four new primary schools and three new secondary schools as well as the second stage of an existing secondary school. The project uses a public private partnership model with the successful private sector proponent designing, constructing, financing and maintaining the schools over the next 25 years.

General operations of Government

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

During 2015/16 the SSO provided advice and representation to 85 departments and agencies. This work included:

- responding to 4,146 requests for advice
- assessing or undertaking 689 prosecutions
- representing agencies in 100 coronial inquests
- appearing in more than 148 superior court and Tribunal hearings for which judgements were published during the year
- supporting the State in 114 industrial relations matters
- delivering more than 4,800 other legal activities in support of the delivery by Government of policies and programs.

Managing our Assets

Asset Management

During the year the Department continued its Regional Courts Roll-out project with the completion of the \$5.1 million Fitzroy Crossing Courthouse facility which was officially opened on 10 September 2015.

Planning and design proceeded on the relocation of the Kununurra Temporary Court to Karratha with the exception of the custody facility which is planned for relocation to Broome. The contract for this \$5.7 million project was awarded in July 2016.

Following the opening of the State Administrative Tribunal Building in July 2015, the fit-out of the new Supreme Court (Civil) and new office accommodation for the Department in the Perth CBD was completed during 2015/16 and relocations commenced in June 2016.

These fit-outs were completed within a combined total budget of \$128 million.

State Building - Major Projects

Metropolitan

State Administrative Tribunal

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

The SAT commenced operations in the new location on 20 July 2015.

The SAT has five floors of hearing and mediation rooms and six floors of judicial, members and staff office accommodation.

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

The SAT building was the former Public Trust building at 565 Hay Street, Perth. The reconstruction and refurbishment to A-Grade office standard was completed in August 2014 by the Building Owner, the Perth Diocesan Trustee.

The SAT fit-out at a cost of \$25 million was funded by the State and commenced in September 2014. The lease is for 25 years and the total area is approximately 7,700m².

David Malcolm Justice Centre

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

The redevelopment project is now complete and the State Government has leased the premises within the office tower building. The lower floors of the tower have been fitted out to accommodate Supreme Court (Civil) and the upper floors accommodate offices for the Department of the Attorney General. Prior to completion of the fitout, the tower was named the David Malcolm Justice Centre at a ceremony on 11 March 2016 and the building was opened by the Attorney General the Hon Michael Mischin on 29 June 2016.

Regional

Fitzroy Crossing

Funding from Royalties for Regions was provided in 2011/12 for the replacement of the court facility at Fitzroy Crossing. This funding was to facilitate the building of a new courthouse adjacent and connected to the town's recently completed police station. The design has a magistrates courtroom and associated facilities for the public and the judiciary. This \$5.1 million courthouse was completed and opened on 10 September, 2015.

Kununurra Temporary Courthouse

Following the completion and opening of the Kununurra replacement courthouse, planning proceeded on options for relocation and reuse of the transportable temporary courthouse.

The temporary courthouse will be relocated to Karratha with the exception of the custody centre which will be relocated to Broome. During 2015/16, the availability of Royalties for Regions funds from savings on the replacement courthouse project was confirmed and a more detailed design progressed.

The building contract was awarded in early July 2016 and the works, including the remediation of the site in Kununurra, will be complete during the first half of 2017.

Audio-visual Systems

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

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

The AV systems enable the recording of audio for transcription as well as video links into the courtroom, reducing the need for persons in custody, witnesses and judicial officers to physically attend court. This makes accessing justice across Western Australia easier, safer, cheaper and faster.

Outcomes 2015/16

In 2015/16 there were 25,306 video link appearances between courts and prisons, totalling 4,133 hours of court hearing time. The total court appearances by persons in custody was 35,280 of which 72 per cent appeared by video conference, an eight per cent increase on the previous financial year.

During the year 8,901 video links were made to locations other than prisons, totalling a further 2,632 hours of court hearing time.

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

- Digital Audio Recording Upgrade Project - completed the installation of new digital court audio recording systems at the following locations:
 - Busselton Court
 - Central Law Courts
 - Derby Court
 - Esperance Court
 - Fremantle Court
 - Northam Court
 - South Hedland Court
- Installed new video recording devices into all regional jury courtrooms (except Karratha).
- Implemented new Electronic Evidence Standards in consultation with WA Police and DPP.
- Rolled out changes to the Department's Standard Operating Environment to ensure new Electronic Evidence formats can be played in all courtrooms, jury deliberation rooms and judicial officer chambers.
- Upgraded equipment in all jury deliberation rooms to accommodate new electronic evidence standards.
- Relocated Northam Court AV equipment to a dedicated communications room.
- Consulted in relation to the new Cathedral Square Precinct AV design and implementation consisting of listings displays, IP television systems and Audio-Visual solutions in 70 rooms including courtrooms.
- Implemented digital court recording 'Sealed Audio' functionality.

- Installed new listings screens in the Central Law Courts.
- Consulted in relation to the ongoing District Court Building Technical Services Review.
- Decommissioned the closed Roebourne Courthouse.
- Installed a new Integrated AV System in the new Fitzroy Crossing Courthouse.

Integrated Courts Management System

The primary focus of the Integrated Courts Management System (ICMS) is the replacement of the old and out-dated case management systems, critical to the operation of courts and tribunals in Western Australia. The replacement of these systems in all courts and tribunals creates the opportunity to make information used by courts and tribunals more efficient through the transfer of information across the whole justice system.

Outcomes 2015/16

Development of the Fines Enforcement System replacement is now completed (Release 7).

This was the final stage within the project to establish a single case management system for all jurisdictions through the continued replacement of business critical, legacy applications, and specifically:

- Magistrates and Children's Courts case management system (CHIPS)
- Courts Debtors and Payments (CDP)
- Fines Enforcement Registry (FER).

It delivered \$5 million net savings in addition to the following benefits:

- Decommission of nine legacy systems, which represented the greatest risk to business continuity across courts.
- Commencement of a fully electronic court process, through the electronic receipt and processing of prosecution notices from the WA Police (93 per cent of all criminal matters).
- Establishment of a single bail module across all justice agencies, providing a complete bail picture and enabling the decommissioning of duplicate functionality in WA Police and the Department of Corrective Services (DCS).
- Launch of a new court planning tool.
- Delivery of a new touch-screen 'Court Resulting' solution which enables simple and fast resulting in court, regardless of who is resulting.
- Completed the core Integrated Courts Management System (ICMS) enabling the management of matters and charges in all jurisdictions (State Administrative Tribunal, and Supreme, District, Magistrates and Children's Courts) and all divisions (civil, criminal and appellate).
- Increased potential to recover some of the State's investment through the sale of ICMS to other states and countries, and specifically resulted in the sale of ICMS to the ACT returning \$1 million in revenue to the State.
- Centralisation of courts fines management to the Fines Enforcement Registry (FER), providing economies of scale, potential for greater debt recovery with FER's expertise and resources, and additional payment

options for customers.

- Launch of the eCourts Portal enabling prosecuting authorities to lodge and withdraw infringements with the FER, check the status of the infringements and download fine payment details.
- Transition from a fully manual to an electronic process between the FER and the DCS for Orders to Attend and Work and Development Orders.
- Electronic Restraining Orders, FER Registrar's Warrants of Commitment and Committals from the lower to the higher courts.
- Throughout the year District Court personnel were involved in the implementation of a new civil eLodgment and eFile system. The new system commenced operation on 4 July 2016, enabling the filing of all civil District Court documents to be done electronically.

Next year the focus will be on developing a Public Portal, eFile, eDistribution, replacing the Judicial Workbench and replacing the Criminal Injuries Compensation systems.

Contracts

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

During the financial period from 1 July 2015 to 30 June 2016, the Contracts Branch assisted business units to establish a diverse range of contracts that support the Department's critical functions and services.

Contracts Awarded

Contracts Summary	
Value	Number
\$0 - \$19,999	3
\$20,000 - \$99,999	31
\$100,000 - \$499,999	34
\$500,000 - \$999,999	1
\$1 million +	5

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

Information and Communications Technology

The Shared Information Services Directorate (SISD) continued to work on maintaining and securing the Information and Communications Technology (ICT) environment provided to the Department of the Attorney General and the Department of Corrective Services, with availability of 99.88 per cent.

An ICT Programme of Work Steering Committee, chaired by the Director General, was established in the second quarter of the 2014/2015 financial year. This Committee reviewed the ICT Program of Work and re-prioritised essential work to align with the SISD budget. These essential ICT works were undertaken in order to mitigate potential and real disruptions to the department's business operations and service delivery. ICT systems that were upgraded included the department's operating, database and electronic mail systems.

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

Records and Compliance

The Knowledge Management and Compliance Branch (KMCB) has implemented a number of records management performance improvement initiatives and maintains progress towards established best practice records management benchmarks.

The Department's Electronic Document and Records Management System (EDRMS) Implementation Framework

was approved in late 2015. This framework defines the requirements for the staged deployment of the EDRMS throughout the Department. The implementation of the EDRMS will realise efficiencies and improvements in the use of electronic over hardcopy records.

The Department's EDRMS was upgraded from HP TRIM to HP Enterprise Records Manager in the last quarter of the 2015 / 2016 financial year. This upgrade provided further electronic document management functionality and enhancements including improvements to searching, email notifications and user interface. The upgrade also ensures future compatibility with Microsoft Office and Windows applications. Staff were consulted throughout the upgrade and offered training sessions and provided with updated training materials and information.

To assist KMCB in improving the efficiency and effectiveness of records management services, client survey results and staff feedback have been utilised in the branch's continuous improvement process, to enhance confidence and take up of the Department's corporate electronic records management system. During the year KMCB also continued its program of systems training and compliance audits to raise staff awareness of their recordkeeping obligations.

As part of the disaggregation of Human Resources and Financial Services for Department of Corrective Services delivered by the Department of the Attorney General, all records identified were transferred to the relevant department. A Memorandum of Understanding (MOU) was developed by KMCB to document requirements and responsibilities in the sharing of corporate records.

Throughout the year KMCB continued its program of Retention and Disposal projects to provide recordkeeping advice and assist business units in assessing corporate records for disposal in line with approved policies. The

outcome of these projects ensures KMCB has a greater understanding of the recordkeeping requirements of business units and improves recordkeeping processes and practices throughout the department.

Library and Information Services

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

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

The Department concluded negotiations with the three major suppliers of legal information resources for new three year contracts, commencing 1 July 2015. This resulted in significant savings in relation to paper and electronic library resources.

Work commenced on the physical integration of the Department's library collection with that of the Legal Practice Board's Law Library (previously at the Supreme Court). When completed in late 2017, the integration of these two collections will provide a single comprehensive legal library collection to meet the needs of the judiciary, government legal officers and legal practitioners from a single location in the new David Malcolm Justice Centre.

In May 2016 the relocation of the Department's library collection from Westralia Square to the David Malcolm Justice Centre commenced and was completed in early June 2016.

Managing our People

Human Resources

The Department is committed to delivering a high standard of services to the community and continues to focus on building a strong workforce, driven by the development of desired skills and expertise among its staff.

The decommissioning of the Office of Shared Services reached a significant milestone in May 2016 with the Department working closely with the Department of Corrective Services to hand back responsibility for the management of Corrective Services' finance, procurement and human resources functions.

Code of Conduct

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

The Department's Code of Conduct is the guiding source for all employees on ethical principles, obligations and workplace standards and behaviour.

The Code aims to encompass the values of excellent service, integrity and accountability, equity and fairness, collaboration and learning and professional autonomy that are expected of all staff.

The Code also outlines standards of behaviour and helps inform employees how to exercise judgement and accept personal responsibility in their professional roles and not bring their employer into disrepute.

During the year regular communication and education via the intranet, corporate induction sessions and team meetings between managers and team members about the

Code assisted the understanding by staff and reinforced the requirement for staff to undertake their work in an accountable, appropriate and transparent manner.

Employee Relations

The decommissioning of the shared services arrangement with DCS has resulted in a restructure of the Department's Corporate Services Division. The Department is consulting employees and the Community and Public Sector Union during this process, which is expected to continue throughout the majority of 2016/17.

Health and Wellness Program

Global Corporate Challenge

The Department performed well in the 2015 Global Corporate Challenge and achieved an average daily step count of 12,559 per participant.

Four hundred and six Departmental staff completed a total of 308,082 kilometres with a total weight loss of 238 kilograms. More than 72 per cent of those participating exceeded the recommended 10,000 steps per day.

Influenza Vaccinations

The Department continued the annual influenza vaccination program for staff. Many staff from all areas across the Department participated, including regional staff and members of the judiciary.

The total number of staff vaccinated this year was 663.

One Life Pledge

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

The Department had previously signed the One Life Gold Pledge on 11 February 2013.

The One Life Suicide Prevention Strategy has provided the Department of the Attorney General with a framework and governance structure that, during the past few years, has guided our initiatives and programs.

Mentoring Program

The Department's Mentoring Program assists in developing the capability and potential of its employees. It is a vehicle to encourage the transfer of knowledge from more experienced employees to less experienced employees within a structured model.

This model provides mentees with opportunities to address a range of development requirements. Such opportunities range from seeking assistance with developing career plans to enhanced capability within current roles. Program applicants complete an Expression of Interest in which they outline the professional areas they wish to develop (mentees) and the areas they are prepared to assist with development (mentors). Mentees are matched with suitable mentors. The 2016 program has 18 participants.

Recognition of Service

The Department holds Recognition of Service events to honour staff for their significant years of service to the public sector. During the year six staff received recognition for service for 20 (2), 30 (1) and 40 (3) years.

Staff Development and Performance

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

The EDS also assists staff and management to monitor outcomes against goals and objectives. During the financial year the vast majority of staff took part in the EDS.

Training and Development

The Department ensures that employees have opportunities to undertake training and this is achieved through a range of Corporate Workforce Development Programs.

In 2015/16 staff development programs, including those related to leadership and management, such as Management Principles, Coaching Skills for Managers and HR Essentials for Managers, were offered. Additionally, online learning programs enabled staff to complete training at their workstation and in their own time.

Programs available included Accountable and Ethical Decision Making, Health and Safety, Record Keeping Awareness, Information Security and Mental Health.

The Department's on-boarding program is also designed to assist the process of orienting, training, socialising and retaining new employees during the first year of employment. A step-by-step guide takes managers and new employees through the process of joining the Department. Since implementation in 2013, the On-boarding Program has been provided to 453 employees.

Traineeship

In the period 1 July 2015 to 30 June 2016, the Department employed a number of trainees through Public Sector Commission traineeship programs. Trainees undertook a structured workplace-based traineeship completing either a Certificate II or III in Government.

- Aboriginal Traineeship Program: 5 successfully completed the traineeship program and 4 continue to be employed by the Department.
- People With a Disability: 1.
- School Based Trainees: 5 including 3 African-Australian trainees who are approaching their graduation.

Employee Assistance Program

During 2015/16 the Department continued to engage the services from Optum for the provision of the Employee Assistance Program.

The Program received 104 new cases during the year and serviced 15 cases carried over from previous years. Clinical contact and service hours for the year were 279.25 accessed by 119 clients totalling 269.75 clinical hours.

	2015/16	2014/15	2013/14
Clients	119	119	102
Hours	269.75	291.25	297.5

Gender ratio of persons accessing the service continued to demonstrate a lower usage rate by males than females.

Volunteers

Volunteers perform an important role in supporting and augmenting the delivery of justice-related services across Western Australia.

Volunteers provide a range of services including information related to courts, in-court support, assisting with violence restraining order applications and liaison with specialist external agencies to support the referral of people to other necessary services.

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

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

Significant Issues Impacting on the Agency

The Department faced a range of issues over the past financial year which affected its operations in various ways.

The Department will continue to support the State Government's streamlining justice initiative and its law reform agenda, including, as a priority, introducing family violence restraining orders, improvements to sentencing legislation and the introduction of post-sentence supervision orders.

The Department continues to support the outcomes of the Premier's Taskforce on Aboriginal Deaths in Custody and over-representation in the justice system through the introduction of a range of initiatives including the development of a central database on deaths in custody, enhancing the use of work and development orders and expansion of the Aboriginal Justice Open Days Program.

The Office of the Public Advocate continues to experience increasing demand for statutory services to vulnerable adults with decision-making disabilities as a result of the ageing population and an increasing number of people with dementia and mental illness who require a guardian.

The rapid growth of the number of clients with little or no capacity to pay for services referred to the Public Trustee by the State Administrative Tribunal has further increased the proportion of Public Trustee clients whose fees are rebated under an operating subsidy.

The State Solicitor's Office will continue to respond to the legal issues that arise from the Commonwealth's Royal Commission into Institutional Responses to Child Sexual Abuse.

The Registry of Births, Deaths and Marriages will implement legislative changes to the *Births, Deaths and Marriages Registration Act 1998* to improve change of name processes and to strengthen identification and enrolment processes as part of the national identity management and security strategy.

The enhanced measures for the enforcement of fines and infringements, including the use of mobile licence plate recognition in Perth and the South West region, have continued to have a positive impact on payments and are a valuable tool in managing the outstanding debt currently registered with the Fines Enforcement Registry.

A number of major assets projects were completed in the 2015/16 financial year. These included the construction of the \$5.1 million Fitzroy Crossing Courthouse, funded through Royalties for Regions, which commenced operations on 9 September 2015, and the development and implementation of the Fines and Enforcement component of the Integrated Courts Management System which was completed in November 2015.

The Department continues to invest in audio-visual facilities in court locations across the metropolitan and regional areas, which are aimed at improving service delivery to regional sites, as well as reducing the risks associated with transporting people in custody over long distances.

The Department will continue to work on maintaining and securing the shared information and communications technology (ICT) environment which supports both the Department of Corrective Services and the Department.

Over the next two years, the Registry of Births, Deaths and Marriages will undertake system upgrades to complete the modernisation of the Western Australian Registration System (WARS). The initial phase comprising of planning and analysis has been completed.

Remaining funding from the Kununurra Courthouse redevelopment will be used to dismantle, relocate and reassemble the temporary Kununurra Courthouse structures to Broome and Karratha.

Independent Auditor's Report



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 2016, 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.

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 2016 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.

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 for the Audit of the Financial Statements

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial statements 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.

Report on Controls

I have audited the controls exercised by the Department of the Attorney General during the year ended 30 June 2016.

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.

Opinion

In my opinion, in all material respects, 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 2016.

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 for the Audit of Controls

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.

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 2016.

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

Opinion

In my opinion, in all material respects, 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 2016.

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 for the Audit of Key Performance Indicators

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.

Independence

In conducting the above audits, 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 2016 included on the Department's website. The Department's management is responsible for the integrity of the Department's website. This audit does not provide assurance on the

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



COLIN MURPHY
AUDITOR GENERAL
FOR WESTERN AUSTRALIA
Perth, Western Australia

24 August 2016

Certification of Financial Statements

For the year ended 30 June 2016

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 2016 and the financial position as at 30 June 2016.

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.

Pauline Bagdonavicius

Pauline Bagdonavicius
Accountable Authority
23 August 2016

A. Andersson

Alan Andersson
Chief Finance Officer
23 August 2016

Statement of Comprehensive Income

For the year ended 30 June 2016

	Notes	2016 \$'000	2015 \$'000
COST OF SERVICES			
Expenses			
Employee benefits expense	6	296,001	250,134
Supplies and services	7	101,688	101,311
Depreciation and amortisation expense	8	21,278	18,817
Finance costs	9	16,290	16,736
Accommodation expenses	10	67,049	49,576
Grants and subsidies	11	92,803	82,657
Other expenses	12	17,146	21,213
Total cost of services		612,255	540,444
Income			
Revenue			
User charges and fees	13	98,150	92,362
Commonwealth grants and contributions	14	18,433	18,240
Other revenue	15	29,900	29,893
Total Revenue		146,483	140,495
Gains/(Loss)			
Net gain/(loss) on disposal of non-current assets	16	12	(1,018)
Total Gains/(Loss)		12	(1,018)
Total income other than income from State Government		146,495	139,477
NET COST OF SERVICES		465,760	400,967

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

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

Statement of Comprehensive Income

For the year ended 30 June 2016

	Notes	2016 \$'000	2015 \$'000
Income from State Government	17		
Service appropriation		371,727	346,268
Liabilities assumed by the Treasurer		70,305	24,646
Resources received free of charge		23,573	22,447
Royalties for Regions Fund		1,972	2,001
Total income from State Government		467,577	395,362
SURPLUS/(DEFICIT) FOR THE PERIOD		1,817	(5,605)
OTHER COMPREHENSIVE INCOME			
Items not reclassified subsequently to profit or loss			
Changes in asset revaluation surplus/(deficit)	29	(344)	7,365
Total other comprehensive income		(344)	7,365
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		1,473	1,760

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

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

Statement of Financial Position

For the year ended 30 June 2016

ASSETS

Current Assets

	Notes	2016 \$'000	2015 \$'000
Cash and cash equivalents	30	2,979	13,249
Restricted cash and cash equivalents	18, 30	17,979	25,627
Receivables	19	13,125	8,754
Amounts receivable for services	20	2,396	2,557
Other current assets	21	4,951	1,994
Total Current Assets		41,430	52,181

Non-Current Assets

Amounts receivable for services	20	172,725	155,632
Property, plant and equipment	22	652,206	648,775
Intangible assets	24	9,703	8,597
Total Non-Current Assets		834,634	813,004
TOTAL ASSETS		876,064	865,185

LIABILITIES

Current Liabilities

Payables	26	19,823	27,395
Borrowings	27	5,404	4,801
Provisions	28	43,765	44,939
Total Current Liabilities		68,992	77,135

See also the 'Schedule of Assets and Liabilities by Service'.
The Statement of Financial Position should be read in
conjunction with the accompanying notes.

Statement of Financial Position

For the year ended 30 June 2016

	Notes	2016 \$'000	2015 \$'000
Non-Current Liabilities			
Borrowings	27	202,271	207,420
Provisions	28	8,543	8,896
Total Non-Current Liabilities		210,814	216,316
TOTAL LIABILITIES		279,806	293,451
NET ASSETS		596,258	571,734
EQUITY	29		
Contributed equity		248,007	224,956
Reserves		284,138	284,482
Accumulated surplus		64,113	62,296
TOTAL EQUITY		596,258	571,734

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

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

Statement of Changes in Equity

For the year ended 30 June 2016

	Note	Contributed equity \$'000	Reserves \$'000	Accumulated surplus \$'000	Total equity \$'000
Balance at 1 July 2014	29	234,214	277,117	67,901	579,232
Surplus for the period		-	-	(5,605)	(5,605)
Other comprehensive income		-	7,365	-	7,365
Total comprehensive income for the period		-	7,365	(5,605)	1,760
Transactions with owners in their capacity as owners:					
Capital appropriations		11,182	-	-	11,182
Equity contribution		2,550	-	-	2,550
Other contributions by owners		919	-	-	919
Distribution to owners		(23,909)	-	-	(23,909)
Total		(9,258)	-	-	(9,258)
Balance at 30 June 2015		224,956	284,482	62,296	571,734
Balance at 1 July 2015	29	224,956	284,482	62,296	571,734
Surplus for the period		-	-	1,817	1,817
Other comprehensive income		-	(344)	-	(344)
Total comprehensive income for the period		-	(344)	1,817	1,473
Transactions with owners in their capacity as owners:					
Capital appropriations		3,467	-	-	3,467
Equity contribution		2,805	-	-	2,805
Other contributions by owners		24,799	-	-	24,799
Distribution to owners		(8,020)	-	-	(8,020)
Total		23,051	-	-	23,051
Balance at 30 June 2016		248,007	284,138	64,113	596,258

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

Statement of Cash Flows

For the year ended 30 June 2016

CASH FLOWS FROM STATE GOVERNMENT

	Notes	2016 \$'000	2015 \$'000
Service appropriation		352,238	329,312
Capital appropriation		3,467	11,182
Equity contribution		2,805	2,550
Holding account drawdown		2,557	2,781
Royalties for Regions Fund	30	4,853	2,920
Net cash provided by State Government		365,920	348,745

Utilised as follows:

CASH FLOWS FROM OPERATING ACTIVITIES

Payments

Employees benefits	(233,268)	(224,118)
Grants and Subsidies	(92,803)	(82,657)
Supplies and services	(99,654)	(97,910)
Accommodation	(62,558)	(45,168)
Finance costs	(15,918)	(16,409)
GST payments on purchases	(20,992)	(20,200)
GST payments to taxation authority	(3,481)	(2,707)

Receipts

Receipts from services	124,331	120,573
Commonwealth grants and contributions	13,942	13,832
GST receipts on sales	3,420	3,165
GST receipts from taxation authority	20,310	20,257
Net cash used in operating activities	(366,671)	(331,342)

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

Statement of Cash Flows

For the year ended 30 June 2016

CASH FLOW FROM INVESTING ACTIVITIES

Payments

Purchase of non-current physical assets

Receipts

Proceeds from sale of non-current physical assets

Net cash used in investing activities

CASH FLOW FROM FINANCING ACTIVITIES

Payments

Finance lease payments

Equity distribution

Net cash used in financing activities

Net increase/(decrease) in cash and cash equivalents

Cash and cash equivalents at the beginning of the period

CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD

Notes	2016 \$'000	2015 \$'000
	(9,053)	(31,842)
	12	4
	(9,041)	(31,838)
	(4,918)	(4,256)
	(3,208)	-
	(8,126)	(4,256)
	(17,918)	(18,691)
	38,876	57,567
30	20,958	38,876

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

Schedule of Income and Expenses by Service

For the year ended 30 June 2016

	Court and Tribunal Services		Trustee Services		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Services		Legal Aid Assistance		Services to Government		Total	
	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000
COST OF SERVICES														
Expenses														
Employee benefits expense	222,330	175,687	15,599	15,450	3,847	3,823	5,299	5,164	-	-	48,927	50,010	296,002	250,134
Supplies and services	79,493	76,364	2,735	2,598	1,328	2,086	321	242	-	-	17,810	20,021	101,687	101,311
Depreciation and amortisation expense	19,403	16,419	1,319	1,314	124	74	138	132	-	-	294	878	21,278	18,817
Finance costs	16,290	16,736	-	-	-	-	-	-	-	-	-	-	16,290	16,736
Accommodation expenses	46,110	33,490	3,155	3,032	1,588	1,411	1,003	662	-	-	15,193	10,981	67,049	49,576
Grants and subsidies	46,650	30,580	18	28	6	11	5	9	41,888	39,219	4,237	12,810	92,804	82,657
Other expenses	13,991	17,222	727	1,547	142	152	138	151	-	-	2,147	2,141	17,145	21,213
Total cost of services	444,267	366,498	23,553	23,969	7,035	7,557	6,904	6,360	41,888	39,219	88,608	96,841	612,255	540,444
Income														
User charges and fees	65,243	62,137	18,260	16,600	7,800	7,470	1	3	-	-	6,846	6,152	98,150	92,362
Commonwealth grants and contributions	18,433	18,240	-	-	-	-	-	-	-	-	-	-	18,433	18,240
Other revenue	10,145	8,710	5,281	6,747	39	34	37	33	-	-	14,398	14,369	29,900	29,893
Gain/(Loss) on disposal of non-current assets	4	(1,021)	-	-	-	-	-	-	-	-	8	3	12	(1,018)
Total income other than income from State Government	93,825	88,066	23,541	23,347	7,839	7,504	38	36	-	-	21,252	20,524	146,495	139,477
NET COST OF SERVICES	350,442	278,432	12	622	(804)	53	6,866	6,324	41,888	39,219	67,356	76,317	465,760	400,967
Income from State Government														
Service appropriations	257,851	234,111	-	-	-	-	6,640	5,532	41,888	39,219	65,348	67,406	371,727	346,268
Liabilities assumed by the Treasurer	70,305	24,646	-	-	-	-	-	-	-	-	-	-	70,305	24,646
Resources received free of charge	23,131	22,072	16	26	22	29	27	32	-	-	377	288	23,573	22,447
Royalties for Regions Fund	191	348	-	-	-	-	-	-	-	-	1,781	1,653	1,972	2,001
Total Income from State Government	351,478	281,177	16	26	22	29	6,667	5,564	41,888	39,219	67,506	69,347	467,577	395,362
SURPLUS/(DEFICIT) FOR THE PERIOD	1,036	2,745	4	(596)	826	(24)	(199)	(760)	-	-	150	(6,970)	1,817	(5,605)

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

Schedule of Assets and Liabilities by Service

For the year ended 30 June 2016

	Court and Tribunal Services		Trustee Services		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Services		Legal Aid Assistance		Services to Government		Total	
	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000
Assets														
Current assets	20,838	41,469	299	2,486	2,075	845	46	673	-	-	18,172	6,708	41,430	52,181
Non-current assets	828,845	806,032	5,283	6,369	43	29	21	25	-	-	442	549	834,634	813,004
Total assets	849,683	847,501	5,582	8,855	2,118	874	67	698	-	-	18,614	7,257	876,064	865,185
Liabilities														
Current liabilities	54,861	61,552	3,469	4,041	794	901	792	983	-	-	9,076	9,658	68,992	77,135
Non-current liabilities	208,054	213,487	663	710	148	146	149	183	-	-	1,800	1,790	210,814	216,316
Total liabilities	262,915	275,039	4,132	4,751	942	1,047	941	1,166	-	-	10,876	11,448	279,806	293,451
NET ASSETS/ (LIABILITIES)	586,768	572,462	1,450	4,104	1,176	(173)	(874)	(468)	-	-	7,738	(4,191)	596,258	571,734

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

Summary of Consolidated Account Appropriations and Income Estimates

For the year ended 30 June 2016

	2016 Estimate \$'000	2016 Actual '000	Variance \$'000	2016 Actual '000	2015 Actual \$'000	Variance \$'000
Delivery of Services						
Net amount appropriated to deliver services	246,296	257,071	10,775	257,071	261,225	(4,154)
Amount Authorised by Other Statutes						
<i>Salaries and Allowances Act 1975</i>	32,841	30,518	(2,323)	30,518	30,740	(222)
<i>District Court of Western Australia Act 1969</i>	12,122	11,560	(562)	11,560	11,350	210
<i>Judges' Salaries and Pensions Act 1950</i>	10,836	10,416	(420)	10,416	10,956	(540)
<i>Children's Court of Western Australia Act 1988</i>	438	242	(196)	242	466	(224)
<i>State Administrative Tribunal Act 2004</i>	5,872	4,982	(890)	4,982	4,724	258
<i>Criminal Injuries Compensation Act 2003</i>	31,817	42,143	10,326	42,143	26,200	15,943
<i>Solicitor General Act 1969</i>	590	655	65	655	576	79
<i>Suitor's Fund Act 1964</i>	31	36	5	36	31	5
Administered Appropriations	19,450	14,104	(5,346)	14,104	-	14,104
Total appropriations provided to deliver services	360,293	371,727	11,434	371,727	346,268	25,459
Capital						
Capital appropriations	3,467	3,467	-	3,467	11,183	(7,716)
Equity contribution	2,805	2,805	-	2,805	2,550	255
GRAND TOTAL	366,565	377,999	11,434	377,999	360,001	17,998

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

Summary of Consolidated Account Appropriations and Income Estimates

For the year ended 30 June 2016

	2016 Estimate \$'000	2016 Actual '000	Variance \$'000	2016 Actual '000	2015 Actual \$'000	Variance \$'000
Details of Expenses by Service						
Court and Tribunal Services	388,692	444,267	55,575	444,267	366,498	77,769
Advocacy, Guardianship and Administration Services	7,427	6,904	(523)	6,904	6,360	544
Trustee Services	23,291	23,553	262	23,553	23,969	(416)
Births, Deaths and Marriages	7,894	7,035	(859)	7,035	7,557	(522)
Services to Government	85,921	88,608	2,687	88,608	96,841	(8,233)
Legal Aid Assistance	39,210	41,888	2,678	41,888	39,219	2,669
Total Cost of Services	552,435	612,255	59,820	612,255	540,444	71,811
Less Total income	(153,206)	(146,495)	6,711	(146,495)	(139,477)	(7,018)
Net Cost of Services	399,229	465,760	66,531	465,760	400,967	64,793
Adjustments ^(a)	(38,936)	(94,033)	(55,097)	(94,033)	(54,699)	(39,334)
Total appropriations provided to deliver services	360,293	371,727	11,434	371,727	346,268	25,459
Capital Expenditure						
Purchase of non-current physical assets	16,555	9,066	(7,489)	9,066	32,083	(23,017)
Adjustments for other funding sources	(13,088)	(5,599)	7,489	(5,599)	(20,900)	15,301
Capital appropriations	3,467	3,467	-	3,467	11,183	(7,716)
Details of Income Estimates						
Income disclosed as Administered Income	72,292	85,517	13,225	85,517	77,828	7,689

^(a) Adjustments comprise of other funding sources and movements in cash balances and other accrual items such as receivables, payables and provisions.

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 1. Australian Accounting Standards

General

The Department's financial statements for the year ended 30 June 2016 have been prepared in accordance with Australian Accounting Standards.

The term 'Australian Accounting Standards' refers to Standards and Interpretations issued by the Australian Accounting Standards Board (AASB).

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

Early adoption of standards

The Department cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 Application of Australian Accounting Standards and Other Pronouncements. Partial exemption permitting early adoption of AASB 2015-7 Amendments to Australian Accounting Standards – Fair Value Disclosures of Not-for-Profit Public Sector Entities has been granted. Aside from AASB 2015-7, there has been no early adoption of any other Australian Accounting Standards that have been issued or amended (but not operative) by the Department for the annual reporting period ended 30 June 2016.

Note 2. Summary of significant accounting policies

(a) General statement

The Department is a not-for-profit reporting entity that prepares general purpose financial statements in accordance with Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB as applied by the Treasurer's instructions. Several of these are modified by the Treasurer's instructions to vary application, disclosure, format and wording.

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

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

(b) Basis of preparation

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

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

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

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

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

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

(c) Reporting entity

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

Mission

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

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

Services

The Department provides the following services:

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

(d) Administered items

The Department administers assets, liabilities, income and expenses on behalf of Government which are neither controlled by, nor integral to the Department in carrying out its functions and are disclosed in the notes to the financial statements (Note 43 'Disclosure of administered income and expenses by service' and Note 45 'Administered assets and liabilities'), forming part of the general purposes financial report of the Department. The administered items are disclosed on the same basis as is described above for the

financial statement of the Department.

The administered assets, liability, income and expenses are those which the Government requires the Department to administer on its behalf. The assets do not render any service potential or future economic benefits to the Department.

The liabilities do not require any future sacrifice of service potential or future economic benefits of the Department. The income and expenses are not attributable to the Department.

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

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

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

Outstanding fines and costs include:

- District and Supreme Court fines and costs and those which are referred to the Fines Enforcement Registry (FER) for action and are outstanding as at 30 June 2016; and
- Magistrates Courts criminal fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2016.

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

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

(e) Provision for unrecoverable debts - administered items

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

(f) Contributed equity

AASB Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, to be designated by the Government (the owner) as contributions by owners (at the time of, or prior to transfer) before such transfers can be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by TI 955 *Contributions by Owners made to Wholly Owned Public Sector Entities* and have been credited directly to Contributed equity.

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

(g) Income

Revenue recognition

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

Provision of services

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

Criminal injuries revenue

Criminal injuries revenue is recognised at the time payment is received. Outstanding criminal injuries are not recognised as debts, as the future economic benefits are minimal and cannot be reliably measured. Criminal injuries recoveries include awards pursuant to the *Criminal Injuries Compensation Acts of 1970, 1982 and 1985* together with amounts recorded under the *Criminal Injuries Compensation Act 2003*.

Interest

Revenue is recognised as the interest accrues.

Service appropriations

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

Net Appropriation Determination

Pursuant to section 23 of the *Financial Management Act 2006*, the Department has entered into a net appropriation arrangement with the Treasurer, where the proceeds from services are retained by the Department.

Items covered by the agreement include Commonwealth recoups, court fees, births deaths and marriage registration fees, proceeds from Public Trustee fees, Public Trustee common fund interest revenues, legal services, workers' compensation recoups and other miscellaneous revenues.

The Treasurer may make a determination providing for prescribed receipts to be retained for services under the control of the Department. In accordance with this determination, the Department retained \$146.483 million in 2016 (\$140.495 million in 2015) from the following:

- Proceeds from fees and charges of \$98.150 million in 2016 (\$92.362 million in 2015);
- Commonwealth specific purpose grants and contributions of \$18.433 million in 2016 (\$18.240 million in 2015); and
- Other departmental revenue of \$29.900 million in 2016 (\$29.893 million in 2015).

Grants, donations, gifts and other non-reciprocal contributions

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

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

Royalties for Regions funds are recognised as revenue at fair value in the period in which the Department obtains control over the funds. The Department obtains control of the funds at the time the funds are deposited into the Department's bank account.

Gains

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

(h) Borrowing costs

Borrowing costs are expensed when incurred.

(i) Property, plant and equipment

Capitalisation/expensing of assets

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

Initial recognition and measurement

Property, plant and equipment are initially recognised at cost.

For items of property, plant and equipment acquired at no cost or for nominal cost, the cost is the fair value at the date of acquisition.

Subsequent measurement

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

Where market-based evidence is available, the fair value of land and buildings is determined on the basis of current market values determined by reference to recent market transactions.

When buildings are revalued by reference to recent market transactions, the accumulated depreciation is eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount.

In the absence of market-based evidence, fair value of land and buildings is determined on the basis of existing use. This normally applies where the buildings are specialised or where land use is restricted.

Fair value for existing use buildings is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, i.e. the depreciated replacement cost.

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

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

Land and buildings are independently valued annually by the Western Australian Land Information Authority (Valuation Services) and recognised annually to ensure that the carrying amount does not differ materially from the asset's fair value at the end of the reporting period.

The most significant assumptions and judgements in estimating fair value are made in assessing whether to apply the existing use basis to assets and in determining estimated economic life.

Professional judgement by the valuer is required where the evidence does not provide a clear distinction between market type assets and existing use assets.

Derecognition

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

Asset revaluation surplus

The asset revaluation surplus is used to record increments and decrements on the revaluation of non-current assets as described in Note 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 that reflects the consumption of their future economic benefits.

Depreciation is calculated using the straight line method,

using rates which are reviewed annually. Estimated useful lives for each class of depreciable assets are:

- Buildings - 50 years
- Leasehold improvements - 5 to 15 years or remaining lease term, whichever is lower
- Furniture, fittings and equipment - 5 to 10 years

Buildings and information technology projects are reported as 'Works In Progress' until commissioned. Land is not depreciated.

(j) Intangible assets

Capitalisation/expensing of assets

Acquisitions of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$50,000 or more are capitalised. The cost of utilising the assets is expensed (amortised) over their useful lives. Costs incurred below these thresholds are immediately expensed directly to the Statement of Comprehensive Income. Intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal cost, the cost is their fair value at the date of acquisition.

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

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

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

Software ^(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. Where an asset measured at cost is written down to recoverable amount, an impairment loss is recognised in profit or loss. Where a previously revalued asset is written down to recoverable amount, the loss is recognised as a revaluation decrement in other comprehensive income. As the Department is a not-for-profit entity, unless a specialised asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell and depreciated replacement cost.

The risk of impairment is generally limited to circumstances where an asset's depreciation is materially understated, where the replacement cost is falling or where there is a significant change in useful life. Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption

or expiration of the asset's future economic benefits and to evaluate any impairment risk from falling replacement costs. Intangible assets not yet available for use are tested for impairment at the end of each reporting period irrespective of whether there is any indication of impairment.

The recoverable amount of assets identified as surplus assets is the higher of fair value less costs to sell and the present value of future cash flows expected to be derived from the asset.

Surplus assets carried at fair value have no risk of material impairment where fair value is determined by reference to market-based evidence. Where fair value is determined by reference to depreciated replacement cost, surplus assets are at risk of impairment and the recoverable amount is measured. Surplus assets at cost are tested for indications of impairment at the end of each reporting period.

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

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

Non-current assets held for distribution to owner are recognised at the lower of carrying amount and fair value less costs to distribute, and are disclosed separately from other assets in the Statement of Financial Position. Assets held for distribution to owner are not depreciated or amortised.

All Crown land holdings are vested in the Department by the state Government (the Owner). The Department of Lands is the only agency with the power to sell Crown land. The

Department transfers the Crown land and any attached buildings to the Department of Lands when the land becomes available for sale.

(m) Leases

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

Leased buildings are depreciated over the period during which the Department is expected to benefit from their use. Leased land is not depreciated as the ownership will transfer to the State at the end of the lease term. The assets are disclosed in Note 22.

Minimum lease payments are apportioned between the finance charge and the reduction of the outstanding lease liability, according to the interest rate implicit in the lease.

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

(n) Financial instruments

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

- Loans and receivables
- Financial liabilities measured at amortised cost

Financial instruments have been disaggregated into the following classes:

- **Financial Assets**
 - Cash and cash equivalents
 - Restricted cash and cash equivalents

- Receivables
- Amounts receivable for services
- **Financial Liabilities**
 - Payables
 - Finance lease liabilities

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

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

(o) Cash and cash equivalents

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

(p) Accrued salaries

Accrued salaries (see Note 26 'Payables') represent the amount due to staff but unpaid at the end of the financial year. Accrued salaries are settled within a fortnight of the financial year end. The Department considers the carrying amount of accrued salaries to be equivalent to its fair value. The last pay day in 2015-2016 was 30 June 2016, therefore no accrual was brought to account this financial year.

The accrued salaries suspense account (see Note 18 'Restricted cash and cash equivalents') consists of amounts

paid annually into a suspense account over a period of 10 financial years to largely meet the additional cash outflow in each eleventh year when 27 pay days occur instead of the normal 26. No interest is received on this account. The 27th pay occurred in 2015-2016.

(q) Amounts receivable for services (holding account)

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

(r) Receivables

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

(s) Payables

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

(t) Borrowings

All loans payable are initially recognised at fair value, being the net proceeds received. Subsequent measurement is at amortised cost using the effective interest method.

(u) Provisions

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


Provisions – employee benefits

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

Annual leave

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

When assessing expected future payments consideration is given to expected future wage and salary levels including non-salary components such as employer superannuation contributions, as well as the experience of employee departures and periods of service. The expected future payments are discounted using market yields at the end of the reporting period on national government bonds with



terms to maturity that match, as closely as possible, the estimated future cash outflows.

The provision for annual leave is classified as a current liability as the Department does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period.

Long service leave

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

When assessing expected future payments consideration is given to expected future wage and salary levels including non-salary components such as employer superannuation contributions, as well as the experience of employee departures and periods of service. The expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

Unconditional long service leave provisions are classified as current liabilities as the Department does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of the reporting period.

Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the Department has an unconditional right to defer settlement of the liability until the employee has completed the requisite years of service.

Purchased leave

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

Superannuation

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

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

Employees commencing employment prior to 16 April 2007 who were not members of either the Pension Scheme or the GSS became non-contributory members of the West State Superannuation Scheme (WSS). Employees commencing employment on or after 16 April 2007 became members of the GESB Super Scheme (GESBS). From 30 March 2012, existing members of the WSS or GESBS and new employees have been able to choose their preferred superannuation fund provider.

The Department makes contributions to GESB or other fund provider on behalf of employees in compliance with the *Commonwealth Government's Superannuation Guarantee (Administration) Act 1992*. Contributions to these

accumulation schemes extinguish the Department's liability for superannuation changes in respect of employees who are not members of the Pension Scheme or GSS.

The GSS is a defined benefit scheme for the purpose of employees and whole-of-government reporting. However, it is a defined contribution plan for agency purposes because the concurrent contributions (defined contributions) made by the Department to GESB extinguishes the agency's obligations to the related superannuation liability.

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

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

Provisions – other

Employee on-costs

Employment on-costs, including workers' compensation insurance, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses' and are not included as part of the Department's 'Employee benefits expense'. The related liability is included in 'Employee on-costs provision'. Refer to Note 28 'Provisions'.

(v) Superannuation expense

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

(w) Judges' pensions

All Judges' pension benefits are met by the Treasurer. Judges are entitled to pensions of 60% of their final salary after ten years of service and proportionate pensions for lesser service. Spouses of Judges are entitled to pensions of five-eighths of the Judge's pension entitlement on the Judge's death. The liability for Judges' pensions as at 30 June 2016 was calculated by independent external actuaries.

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

The expense recorded in the Department's financial statements at the end of the reporting period, reflects the net increase in the liability at the Department of Treasury.

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

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

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

(y) Comparative figures

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

(z) Grants and subsidy payments

The Department administers a number of grant and subsidy payments on behalf of the Government. Grant and subsidy liabilities are recognised to the extent that payments are in pursuance of the law (payable under legal liability) and the grant criteria have been satisfied but payments due have not been made. A commitment is recorded when the Government enters into a binding agreement to make a grant but criteria for payment has not been satisfied.

Note 3. Judgements made by management in applying accounting policies

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

Operating lease commitments

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

Note 4. Key sources of estimation uncertainty

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

Long service leave

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

Judges' Pension

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

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

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 5. Disclosure of changes in accounting policy and estimates

Initial application of an Australian Accounting Standard

The Department has applied the following Australian Accounting Standards effective for annual reporting periods beginning on or after 1 July 2015 that impact on the Department.

AASB 2013-9	<i>Amendments to Australian Accounting Standards Conceptual Framework, Materiality and Financial Instruments</i> Part C of this Standard defers the application of AASB 9 to 1 January 2017 (Part C). The application date of AASB 9 was subsequently deferred to 1 January 2018 by AASB 2014-1. The Department has not yet determined the application or the potential impact of AASB 9.
AASB 2014-8	<i>Amendments to Accounting Standards arising from AASB 9 (December 2014) – Application of AASB 9 (December 2009) and AASB 9 (December 2010) [AASB 9 (2009 & 2010)]</i> This Standard makes amendments to AASB 9 Financial Instruments (December 2009) and AASB 9 Financial Instruments (December 2010) arising from the issuance of AASB 9 Financial Instruments in December 2014. The Department has not yet determined the application or the potential impact of AASB 9.
AASB 2015-3	<i>Amendments to Australian Accounting Standards arising from the Withdrawal of AASB 1031 Materiality</i> This Standard completes the withdrawal of references to AASB 1031 in all Australian Accounting Standards and Interpretations, allowing that Standard to effectively be withdrawn. There is no financial impact.
AASB 2015-7	<i>Amendments to Australian Accounting Standards – Fair Value Disclosures of Not-for-Profit Public Sector Entities [AASB 13]</i> This Standard relieves not-for-profit public sector entities from the reporting burden associated with various disclosures required by AASB 13 for assets within the scope of AASB 116 that are held primarily for their current service potential rather than to generate future net cash inflows. It has no financial impact.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 5. Disclosure of changes in accounting policy and estimates

Future impact on Australian Accounting Standards not yet operative

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

		Operative for reporting periods beginning on/after
AASB 9	<i>Financial Instruments</i> This Standard supersedes AASB 139 Financial Instruments: Recognition and Measurement, introducing a number of changes to accounting treatments. The mandatory application date of this Standard is currently 1 January 2018 after being amended by AASB 2012-6, AASB 2013-9 and AASB 2014-1 <i>Amendments to Australian Accounting Standards</i> . The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2018
AASB 15	<i>Revenue from Contracts with Customers</i> This Standard establishes the principles that the Department shall apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2018
AASB 16	<i>Leases</i> This Standard introduces a single lessee accounting model and requires a lessee to recognise assets and liabilities for all leases with a term of more than 12 months, unless the underlying asset is of low value. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2019

Notes to the Financial Statements

For the year ended 30 June 2016

		Operative for reporting periods beginning on/after
AASB 1057	<p><i>Application of Australian Accounting Standards</i></p> <p>This Standard lists the application paragraphs for each other Standard (and Interpretation), grouped where they are the same. There is no financial impact.</p>	1 Jan 2016
AASB 2010-7	<p><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 and 1038 and Int 2, 5, 10, 12, 19 & 127]</i></p> <p>This Standard makes consequential amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 9 in December 2010.</p> <p>The mandatory application date of this Standard has been amended by AASB 2012-6 and AASB 2014-1 to 1 January 2018. The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2018
AASB 2014-1	<p><i>Amendments to Australian Accounting Standards</i></p> <p>Part E of this Standard makes amendments to AASB 9 and consequential amendments to other Standards. It has not yet been assessed by the Department to determine the application or potential impact of the Standard.</p>	1 Jan 2018
AASB 2014-4	<p><i>Amendments to Australian Accounting Standards – Clarification of Acceptable Methods of Depreciation and Amortisation [AASB 116 & 138]</i></p> <p>The adoption of the new Standard has no financial impact for the Department as depreciation and amortisation is not determined by reference to revenue generation, but by reference to consumption of future economic benefits.</p>	1 Jan 2016
AASB 2014-5	<p><i>Amendments to Australian Accounting Standards arising from AASB 15</i></p> <p>This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 15. The mandatory application date of this Standard has been amended by AASB 2015-8 to 1 January 2018. The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2018

Notes to the Financial Statements

For the year ended 30 June 2016

		Operative for reporting periods beginning on/after
AASB 2014-7	<i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)</i> This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 9 (December 2014). The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2018
AASB 2015-1	<i>Amendments to Australian Accounting Standards – Annual Improvements to Australian Accounting Standards 2012-2014 Cycle [AASB 1, 2, 3, 5, 7, 11, 110, 119, 121, 133, 134, 137 & 140]</i> The amendments arise from the issuance of International Financial Reporting Standard Annual Improvements to IFRSs 2012-2014 Cycle in September 2014, and editorial corrections. The Department has not yet determined the application or the potential impact of the Standard.	1 Jan 2016
AASB 2015-2	<i>Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 101 [AASB 7, 101, 134 & 1049]</i> This Standard amends AASB 101 to provide clarification regarding the disclosure requirements in AASB 101. Specifically, the Standard proposes narrow-focus amendments to address some of the concern expressed about existing presentation and disclosure requirements and to ensure entities are able to use judgement when applying a Standard in determining what information to disclose in their financial statements. There is no financial impact.	1 Jan 2016
AASB 2015-6	<i>Amendments to Australian Accounting Standards – Extending Related Party Disclosures to Not-for-Profit Public Sector Entities [AASB 10, 124 & 1049]</i> The amendments extend the scope of AASB 124 to include application by not-for-profit public sector entities. Implementation guidance is included to assist application of the Standard by not-for-profit public sector entities. The Department has not yet determined the application of the Standard, though there is no financial impact.	1 Jul 2016

Notes to the Financial Statements

For the year ended 30 June 2016

		Operative for reporting periods beginning on/after
AASB 2015-8	<i>Amendments to Australian Accounting Standards – Effective Date of AASB 15</i> The Standard amends the mandatory effective date of AASB 15 Revenue from Contracts with Customers so that AASB 15 is required to be applied for annual reporting periods beginning on or after 1 January 2018 instead of 1 January 2017. The Department has not yet determined the application or the potential impact of AASB 15.	1 Jan 2017
AASB 2015-10	<i>Amendments to Australian Accounting Standards – Effective Date of Amendments to AASB 10 & 128</i> This Standard defers the mandatory effective date (application date) of amendments to AASB 10 & 128 that were originally made in AASB 2014-10 so that the amendments are required to be applied for annual reporting periods beginning on or after 1 January 2018 instead of 1 January 2016. The Department has not yet determined the application or the potential impact of AASB 2014-10.	1 Jan 2016
AASB 2016-2	<i>Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 107</i> This Standard amends AASB 107 Statement of Cash Flows (August 2015) to require disclosures that enable users of financial statements to evaluate changes in liabilities arising from financing activities, including both changes arising from cash flows and non-cash changes. There is no financial impact.	1 Jan 2017
AASB 2016-3	<i>Amendments to Australian Accounting Standards – Clarifications to AASB 15</i> This Standard clarifies identifying performance obligations, principal versus agent considerations, timing of recognising revenue from granting a licence, and, provides further transitional provisions to AASB 15. The Department has not yet determined the application or the potential impact.	1 Jan 2018
AASB 2016-4	<i>Amendments to Australian Accounting Standards – Recoverable Amount of Non-Cash-Generating Specialised Assets of Not-for-Profit Entities</i> This Standard clarifies that the recoverable amount of primarily non-cash- generating assets of not-for-profit entities, which are typically specialised in nature and held for continuing use of their service capacity, is expected to be materially the same as fair value determined under AASB 13 Fair Value Measurement. The Department has not yet determined the application or the potential impact.	1 Jan 2017

Notes to the Financial Statements

For the year ended 30 June 2016

Note 6. Employee benefits expense

	2016 \$'000	2015 \$'000
Wages and salaries ^(a)	181,398	180,782
Annual leave	18,292	24,145
Superannuation - defined contribution plans ^(b)	19,115	18,605
Long service leave	6,891	1,956
Judges' pension-liability assumed by the Treasurer ^(c)	70,305	24,646
Total employee benefits	296,001	250,134

^(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 GESBS (contributions paid).

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

Employment on-costs such as workers' compensation insurance are included at Note 12 'Other expenses'. Employment on-costs liability is included at Note 28 'Provisions'.

Changes in the actuarial assumptions impact the carrying amount of the Judges' Pension liability (See Note 4 'Key sources of estimation uncertainty'). At the end of 2016, the decrease in the discount rate resulted in a net increase in the Judges' pension liability.

Note 7. Supplies and services

	2016 \$'000	2015 \$'000
Consultants and contractors	65,178	64,140
Computing services	17,802	21,192
Computing licences	5,243	5,126
Communication expenses	4,414	3,945
Materials	2,934	2,855
Minor equipment	746	1,076
Consumables	1,225	1,371
Copyright, communication and licence	1,964	267
Other	2,182	1,339
	101,688	101,311

Notes to the Financial Statements

For the year ended 30 June 2016

Note 8. Depreciation and amortisation expense

	2016 \$'000	2015 \$'000
Depreciation		
Buildings	6,098	5,715
Furniture, fittings and equipment	3,408	3,433
Leased buildings	4,031	4,053
Leasehold improvement	5,009	2,776
Total depreciation	18,546	15,977
Amortisation		
Information technology systems	2,732	2,840
Total amortisation	2,732	2,840
Total depreciation and amortisation	21,278	18,817

Note 9. Finance costs

	2016 \$'000	2015 \$'000
Finance lease charges	16,290	16,736
	16,290	16,736

Note 10. Accommodation expenses

	2016 \$'000	2015 \$'000
Lease rentals ^(a)	52,131	34,162
Building maintenance	10,319	10,086
Electricity, gas and water usage	3,466	4,193
Council and sewage rates	1,133	1,135
	67,049	49,576

^(a) Includes \$4,491,478 (2015: \$4,408,000) of accommodation provided free of charge by the commonwealth as non-cash contribution for the Family Court of Western Australia (See Note 14 'Commonwealth grants and contributions').

Note 11. Grants and subsidies

	2016 \$'000	2015 \$'000
Recurrent		
Legal Aid	41,888	39,219
Criminal Injuries	42,131	25,727
Other grants and subsidies ^(a)	8,784	17,711
	92,803	82,657

^(a) Includes annual contribution of \$65,000 (2015: \$65,000) paid to the Legal Costs Committee.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 12. Other expenses

	2016 \$'000	2015 \$'000
Other staff costs ^(a)	6,772	7,948
Jurors' expense	1,845	4,177
Doubtful debts expense	91	24
Motor vehicle and office equipment lease expenses	2,061	2,043
Vehicle hire, fuel, registration and management fees	1,119	1,160
Insurance	1,128	1,065
Printing, binding and photocopying charges	865	838
State pay-roll tax	282	815
Other expenses	2,983	3,143
	17,146	21,213

^(a) Includes travel and accommodation, rental subsidies and workers compensation insurance.

Note 13. User charges and fees

	2016 \$'000	2015 \$'000
Court fees	65,013	61,923
Public Trustee fees	18,260	16,600
Births, deaths and marriages fees	7,800	7,470
Legal services - State Solicitor's Office	6,846	6,151
Licences	107	109
Miscellaneous fees and charges	124	109
	98,150	92,362

Note 14. Commonwealth grants and contributions

	2016 \$'000	2015 \$'000
Recurrent		
Commonwealth recoup for Family Court and court fees	13,748	13,602
Commonwealth accommodation for Family Court (non-cash contribution)	4,491	4,408
Commonwealth recoup for Christmas and Cocos Island	194	230
	18,433	18,240

Note 15. Other revenue

	2016 \$'000	2015 \$'000
Shared Information Services Technology revenue	13,157	13,760
Public Trustee - common fund surplus	5,100	6,204
Recoup of costs - Building Disputes Tribunal	2,454	2,394
Residential recoveries	2,697	2,912
Criminal injuries - recoups	1,710	1,717
Recoup of salaries and workers' compensation	525	441
Other miscellaneous revenue ^(a)	4,257	2,465
	29,900	29,893

^(a) Includes unclaimed moneys and other miscellaneous Income.

Notes to the Financial Statements

For the year ended 30 June 2016

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

	2016 \$'000	2015 \$'000
Net proceeds from disposal of non-current assets		
Land	-	908
Plant and equipment	12	5
Carrying amount of non-current assets disposed		
Buildings	-	(990)
Land	-	(940)
Plant and equipment	-	(1)
Net gain/(loss) on sale of non-current assets	12	(1,018)
Net gain/(loss)	12	(1,018)

Note 17. Income from State Government

	2016 \$'000	2015 \$'000
Appropriation received during the period:		
Service appropriation ^(a)	371,727	346,268
	371,727	346,268
Liabilities assumed by the Treasurer during the period:		
Judges' pensions ^(b)	70,305	24,646
Total liabilities assumed	70,305	24,646

Resources received free of charge from other state government agencies during the period: ^(c)

Western Australian Land Information Authority (Landgate):

- Services for valuation services, land registration and information

Department of Finance:

- Provision of integrated procurement services
- Notional management fee
- Building and Management Works Maintenance Work
- Government Accommodation

Department of Corrective Services:

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

Royalties for Regions Fund:

- Regional infrastructure and headworks account ^(d)

Total Income from State Government

- ^(a) Service appropriations fund the net cost of services delivered. Appropriation revenue comprises a cash component and a receivable (asset). The receivable (holding account) comprises the budgeted depreciation expense for the year and any agreed increase in leave liabilities during the year.
- ^(b) An actuarial assessment of the defined benefits obligations of the Judges' Pension Scheme is undertaken on an annual basis, in accordance with AASB119 Employee Benefits.
- ^(c) Where assets or services have been received free of charge or for nominal cost, the Department recognises revenues equivalent to the fair value of the assets and/or the fair value of those services that can be reliably measured and which would have been purchased if they were not donated, and those fair values shall be recognised as assets or expenses, as applicable. The value of resources received free of charge recognised during the period was calculated based on estimates and information provided by agencies.
- ^(d) This is a sub-fund within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in Western Australian regional areas.

2016 \$'000	2015 \$'000
167	131
206	376
111	176
730	715
1,427	-
20,932	21,049
23,573	22,447
1,972	2,001
1,972	2,001
467,577	395,362

Notes to the Financial Statements

For the year ended 30 June 2016

Note 18. Restricted cash and cash equivalents

	2016 \$'000	2015 \$'000
Current		
Unclaimed Monies ^(a)	5,648	6,097
Royalties for Regions Fund ^(b)	282	729
Systems upgrade for registry of births, deaths and marriages	1,674	862
Asset Investment Program ^(c)	4,875	11,148
Ex-gratia payment on behalf of the State	5,500	-
Accrued salaries suspense account ^(d)	-	6,791
	17,979	25,627

^(a) Represents stale and unpresented cheques; rejected EFT payments and moneys held in suspense as the owners cannot be found. 2015 figure restated for comparative purpose.

^(b) Funds provided for projects and programs in Western Australian regional areas.

^(c) Funds provided for Asset Investment.

^(d) Funds held in the suspense account for the purpose of meeting the 27th pay in the financial year that occurs every 11-year, which was in 2015-2016.

Note 19. Receivables

	2016 \$'000	2015 \$'000
Current		
Receivables	13,811	10,190
Allowance for impairment of receivables	(3,096)	(3,103)
GST receivable	2,410	1,667
	13,125	8,754
Movements in the allowance for impairment of receivables:		
Balance at start of period	3,103	3,114
Doubtful debts expense recognised during the period	91	21
Receivables written off during the period as uncollectable	(93)	(24)
Amount settled during the year	(5)	(8)
Balance at end of period	3,096	3,103

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 20. Amounts receivable for services (Holding Account)

	2016 \$'000	2015 \$'000
Current	2,396	2,557
Non-current	172,725	155,632
	175,121	158,189

Represents the non-cash component of service appropriations. It is restricted in that it can only be used for asset replacement or payment of leave liability.

Note 21. Other current assets

	2016 \$'000	2015 \$'000
Prepayments	4,951	1,994
Total current	4,951	1,994

Note 22. Property plant and equipment

	2016 \$'000	2015 \$'000
Land		
At fair value ^(a)	99,604	103,329
	99,604	103,329
Buildings		
At fair value ^(a)	297,737	304,915
	297,737	304,915
Leased buildings		
At fair value ^(a)	206,824	206,394
	206,824	206,394
Leasehold improvements		
At cost	55,573	34,984
Accumulated depreciation	(26,191)	(22,501)
	29,382	12,483
Furniture, fittings and equipment		
At cost	44,065	39,160
Accumulated depreciation	(26,099)	(23,469)
	17,966	15,691
Work in progress		
Buildings	676	3,393
Information technology systems	17	2,570
	693	5,963
	652,206	648,775

^(a) Land and buildings were revalued as at 1 July 2015 by the Western Australian Land Information Authority (Valuation Services). The valuations were performed during the year ended 30 June 2016 and recognised at 30 June 2016. In undertaking the revaluation, fair value was determined on the basis of depreciated replacement cost and fair value of land was determined on the basis of comparison with market evidence for land with low level utility (high restricted use land).

Notes to the Financial Statements

For the year ended 30 June 2016

Note 22. Property plant and equipment (continued)

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

	Land	Buildings	Leased buildings	Leasehold improvements	Furniture fittings and equipment	Work in progress	Total
2016	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at start of period	103,329	304,915	206,394	12,483	15,691	5,963	648,775
Additions	-	-	-	9	5,295	2,492	7,796
Transfers ^(a)	-	-	-	(19)	388	(2,937)	(2,568)
Classified as held for distribution to owner ^(b)	-	-	-	-	-	(4,812)	(4,812)
Contribution by owner ^(c)	-	-	-	21,918	-	-	21,918
Revaluation Increments	(3,725)	(1,080)	4,461	-	-	-	(344)
Expensed work in progress	-	-	-	-	-	(13)	(13)
Depreciation	-	(6,098)	(4,031)	(5,009)	(3,408)	-	(18,546)
Carrying amount at end of period	99,604	297,737	206,824	29,382	17,966	693	652,206
2015	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at start of period	99,940	261,790	207,491	15,213	10,789	53,901	649,124
Additions	-	20,139	-	46	6,073	5,600	31,858
Transfers ^(a)	-	27,681	-	-	2,263	(30,297)	(353)
Disposal of property	-	-	-	-	(1)	-	(1)
Classified as held for distribution to owner ^(b)	-	-	-	-	-	(23,000)	(23,000)
Revaluation Increments	3,389	1,020	2,956	-	-	-	7,365
Expensed work in progress	-	-	-	-	-	(241)	(241)
Depreciation	-	(5,715)	(4,053)	(2,776)	(3,433)	-	(15,977)
Carrying amount at end of period	103,329	304,915	206,394	12,483	15,691	5,963	648,775

^(a) An amount of \$2,568,000, (2015: \$353,000) was transferred to intangible assets.

^(b) At 30 June 2016 Work in progress included \$4.812 million for Fitzroy Crossing Courthouse which was transferred out to WA Police Department in 2015/16. (The Carnarvon Police and Justice Complex building component for WA Police Department (\$17.5 million) and Department of Corrective Services (\$5.5 million) were transferred out in 2014-15).

^(c) State Administrative Tribunal fit out was transferred from the Department of Treasury.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 23. Fair value measurements

Assets measured at fair value	Level 1	Level 2	Level 3	Fair value at end of period
2016	\$'000	\$'000	\$'000	\$'000
Land	-	-	99,604	99,604
Buildings	-	-	297,737	297,737
Leased buildings	-	-	206,824	206,824
	-	-	604,165	604,165

	Level 1	Level 2	Level 3	Fair value at end of period
2015	\$'000	\$'000	\$'000	\$'000
Land	-	-	103,329	103,329
Buildings	-	-	304,915	304,915
Leased buildings	-	-	206,394	206,394
	-	-	614,638	614,638

Notes to the Financial Statements

For the year ended 30 June 2016

Note 23. Fair value measurements (continued)

Fair value measurements using significant unobservable inputs (Level 3)

	Land	Buildings	Leased Buildings
2016	\$'000	\$'000	\$'000
Fair Value at start of period	103,329	304,915	206,394
Additions	-	-	-
Revaluation increments recognised in Other Comprehensive Income	(3,725)	(1,080)	4,461
Transfers from Level 2	-	-	-
Depreciation Expense	-	(6,098)	(4,031)
Fair Value at end of period	99,064	297,737	206,824

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

Valuation processes

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

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

Current replacement cost is generally determined by reference to the market observable replacement cost of a substitute asset of comparable utility and the gross project size specifications.

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

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

Basis of Valuation

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 24. Intangible assets

	2016 \$'000	2015 \$'000
Computer Software		
At cost	61,871	58,368
Accumulated amortisation	(52,168)	(49,771)
	9,703	8,597
Reconciliations:		
Computer Software		
Carrying amount at start of period	8,597	10,859
Additions	1,270	225
Transfers	2,568	353
Retirements	-	-
Amortisation	(2,732)	(2,840)
Carrying amount at end of period	9,703	8,597

Note 25. Impairment of assets

There were no indicators of impairment to property, plant and equipment or intangible assets at 30 June 2016.

The Department held no goodwill or intangible assets with an indefinite useful life during the reporting period. At the end of the reporting period there were no intangible assets not yet available for use.

All intangible assets not yet available for use are tested for impairment at the end of each reporting period.

All surplus assets at 30 June 2016 have either been classified as assets held for sale or written off.

Note 26. Payables

	2016 \$'000	2015 \$'000
Current		
Trade payables	14,175	14,901
Unclaimed monies ^(a)	5,648	6,097
Accrued salaries ^(b)	-	6,397
Total current	19,823	27,395

^(a) 2015 figure restated for comparative purpose.

^(b) The last pay day of the 2015-16 financial year was on 30 June 2016 so no accrual was necessary. (A salary accrual of 8 working days was taken up in 2014-15).

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

See also Note 2(s) 'Payables' and Note 36 'Financial instruments'.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 27. Borrowings

	2016 \$'000	2015 \$'000
Current		
Finance lease liabilities (secured) ^(a)	5,404	4,801
Total current	5,404	4,801
Non-current		
Finance lease liabilities (secured) ^(a)	202,271	207,420
Total non-current	202,271	207,420

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

	2016 \$'000	2015 \$'000
Assets pledged as security		
The carrying amounts of non-current assets pledged as security are:	206,824	206,394
Leased land and building	206,824	206,394

Note 28. Provisions

	2016 \$'000	2015 \$'000
Current		
Employee benefits provision		
Annual leave ^(a)	9,984	9,783
Long service leave ^(b)	30,813	31,288
Superannuation	2,699	3,317
	43,496	44,388
Other provisions		
Employment on-costs ^(d)	269	551
	269	551
	43,765	44,939
Non-current		
Employee benefits provision		
Long service leave ^{(b) (c)}	7,765	8,061
Superannuation	727	714
	8,492	8,775
Other provisions		
Employment on-costs ^(d)	51	121
	51	121
	8,543	8,896

^(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 reporting period. Assessments indicate that actual settlement of the liabilities will occur as follows:

Notes to the Financial Statements

For the year ended 30 June 2016

Note 28. Provisions (continued)

	2016 \$'000	2015 \$'000
Within 12 months of the end of the reporting period	8,329	7,594
More than 12 months after the end of the reporting period	1,655	2,189
	9,984	9,783

^(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 reporting period. Assessments indicate that actual settlement of the liabilities will occur as follows:

	2016 \$'000	2015 \$'000
Within 12 months of the end of the reporting period	11,100	10,793
More than 12 months after the end of the reporting period	27,478	28,556
	38,578	39,349

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

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

Movements in other provisions

Employment on-cost provision

Carrying amount at start of period

Additional provisions recognised

Net amounts used

Carrying amount at end of period

2016 \$'000	2015 \$'000
672	656
343	326
(695)	(310)
320	672

Notes to the Financial Statements

For the year ended 30 June 2016

Note 29. Equity The Government holds the equity interest in the Department on behalf of the community. Equity represents the residual interest in the net assets of the Department. The asset revaluation surplus represents that portion of equity resulting from the revaluation of non-current assets.

Contributed equity

	2016 \$'000	2015 \$'000
Balance at start of period	224,956	234,214
Contributions by owners		
Capital appropriation	3,467	11,182
Equity contribution	2,805	2,550
Other contributions by owners		
Royalties for Regions Fund - Regional Infrastructure and Headwork Account	2,881	919
Transfer of Assets - State Administrative Tribunal fit out	21,918	-
Total contributions by owners	31,071	14,651
Distributions to owners		
Transfer of net assets to other agencies:		
WA Police - Fitzroy Crossing Courthouse	(4,812)	-
WA Police - Carnarvon Complex building component	-	(17,500)
Dept of Corrective Services - Carnarvon Complex building component	-	(5,500)
Net assets transferred to Government:		
Dept of Treasury - Kalgoorlie Courthouse unspent funds	(1,520)	-
Dept of Treasury - Mt Magnet Courthouse unspent funds	(1,688)	-
Proceeds for disposal of assets paid to Consolidated Account	-	(909)
Total distributions to owners	(8,020)	(23,909)
Balance at end of period	248,007	224,956

Reserves

Asset revaluation surplus

Land

	2016 \$'000	2015 \$'000
Balance at start of period	97,765	94,376
Net revaluation increments	(3,725)	3,389
Balance at end of period	94,040	97,765

Buildings

	2016 \$'000	2015 \$'000
Balance at start of period	186,717	182,741
Net revaluation increments	3,381	3,976
Balance at end of period	190,098	186,717
Balance at end of period	284,138	284,482

Accumulated surplus

	2016 \$'000	2015 \$'000
Balance at start of period	62,296	67,901
Result for the period	1,817	(5,605)
Balance at end of period	64,113	62,296
Total Equity at end of period	596,258	571,734

Notes to the Financial Statements

For the year ended 30 June 2016

Note 30. Notes to the Statement of Cash Flows

Reconciliation of cash

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

	2016 \$'000	2015 \$'000
Cash and cash equivalents	2,979	13,249
Restricted cash and cash equivalents - current (Note 18 'Restricted cash and cash equivalents')	17,979	25,627
	20,958	38,876

	2016 \$'000	2015 \$'000
Royalties for Regions Fund		
Capital Funding	2,881	919
Recurrent Funding	1,972	2,001
	4,853	2,920

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

	2016 \$'000	2015 \$'000
Net cost of services	(465,760)	(400,967)
Non-cash Items		
Depreciation and amortisation expense (Note 8 'Depreciation and amortisation expense')	21,278	18,817
Movement in the allowance for impairment of receivables (Note 19 'Receivables')	(7)	(11)
Judges' Pensions expense - Liability assumed by the treasurer	70,305	24,646
Resources received free of charge (Note 17 'Income from State Government')	23,573	22,447
Net (gain) / loss on disposal of property, plant and equipment	(12)	1,018
(Increase)/decrease in assets		
Current receivables ^(a)	(3,621)	(1,647)
Other current assets	(2,957)	(736)
Increase/(decrease) in liabilities		
Current payables ^(a)	(7,200)	3,920
Provisions	(1,527)	656
Change in GST in receivables/payables ^(b)	(743)	515
Net cash used in operating activities	(366,671)	(331,342)

^(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 reverses out the GST in receivables and payables.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 31. Resources provided free of charge

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

	2016 \$'000	2015 \$'000
Legal services provided by the State Solicitor's Office to:		
Other Government agencies	31,786	29,086
Corporate support provided by the Department to:		
Department of Corrective Services	9,436	14,118
Legal Practice Board	1,017	1,246
Office of the Director of Public Prosecutions	1,060	994
Law Reform Commission	203	307
Commissioner for Children and Young People	149	144
Parliamentary Inspector of the Corruption and Crime Commission	154	181
Legal Costs Committee	53	55
Professional Standards Council	39	35
	43,897	46,166

Notes to the Financial Statements

For the year ended 30 June 2016

Note 32. Commitments

Finance lease commitments

	As at 30 June 2016			As at 30 June 2015		
	CBD Courts Complex \$'000	Fremantle Justice Complex \$'000	Total \$'000	CBD Courts Complex \$'000	Fremantle Justice Complex \$'000	Total \$'000
Minimum lease payments in relation to finance leases are as follows:						
Within 1 year	19,359	1,638	20,997	19,295	1,643	20,938
Later than 1 year and not later than 5 years	79,907	6,245	86,152	79,337	6,245	85,582
Later than 5 years	258,787	7,026	265,813	280,467	8,587	289,054
Minimum lease payments	358,053	14,909	372,962	379,099	16,475	395,574
Less future finance charges	(159,730)	(5,557)	(165,287)	(176,776)	(6,577)	(183,353)
Present value of finance lease liability	198,323	9,352	207,675	202,323	9,898	212,221
The present value of the finance lease liability is as follows:						
Within 1 year	4,803	601	5,404	4,260	541	4,801
Later than 1 year and not later than 5 years	26,082	3,222	29,304	23,104	2,914	26,018
Later than 5 years	167,437	5,530	172,967	174,959	6,443	181,402
Present value of finance lease liability	198,322	9,353	207,675	202,323	9,898	212,221
Included in the financial statements as:						
Current liabilities (Note 28 'Borrowings')	4,803	601	5,404	4,260	541	4,801
Non-current liabilities (Note 28 'Borrowings')	193,519	8,752	202,271	198,063	9,357	207,420
	198,322	9,353	207,675	202,323	9,898	212,221

CBD Courts Complex: In December 2004, the Department entered into an agreement to finance the development of a new purpose built District Court Building in Perth. Construction was completed in June 2009. Under this agreement ownership of the facility will transfer to the Department at the conclusion of the lease term.

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 32. Commitments (continued)

Non-cancellable operating lease commitments

Commitments for minimum lease payments are payable as follows:

	2016 \$'000	2015 \$'000
Within 1 year	55,011	32,612
Later than 1 year and not later than 5 years	218,715	138,253
Later than 5 years	305,809	205,145
	579,535	376,010

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

Capital expenditure commitments

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

	2016 \$'000	2015 \$'000
Within 1 year	5,325	7,382
Later than 1 year and not later than 5 years	243	11
Later than 5 years	-	-
	5,568	7,393

The Capital expenditure commitments were reported by the Department of Finance at the end of the reporting period 30 June 2015.

Other expenditure commitments

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

	2016 \$'000	2015 \$'000
Within 1 year	18,873	17,419
Later than 1 year and not later than 5 years	37	23,517
Later than 5 years	-	-
	18,910	40,936

Notes to the Financial Statements

For the year ended 30 June 2016

Note 33. Contingent liabilities and contingent assets

Contingent liabilities

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

	2016 \$'000	2015 \$'000
Litigation in progress		
Criminal injuries compensation court appeals	1,950	2,550
	2016 \$'000	2015 \$'000
Disclosure regarding criminal injuries		
Claims yet to be assessed	48,705	36,893

Contaminated sites

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

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

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

The Department of Environment Regulation in consultation with the Department of Health has classified the site as “Remediated for Restricted use” with restrictions on the abstraction of groundwater and site management requirements. Currently there is a Memorial, which the current land titles are affected by.

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

The results of the groundwater monitoring have been submitted to DER, these reports indicate that the groundwater underlying the site remains contaminated and there is no conclusive evidence that natural attenuation is occurring in the site. Groundwater monitoring bore holes were replaced during the construction works and will be used for future assessments and reporting of findings will be carried out and submitted to DER for reclassification. Issues related to the attenuation cannot be granted as outside influences can affect monitoring results, There is a fuel station within 150 metres of the complex site which is not within the monitoring boundaries which may influence actual test readings. Recent results of the site land parcel in-ground testing sees the site reducing its contamination level to an acceptable level, but would not be able to attain a 100% clearance.

There will be additional costs to progress further testing for the removal of the memorial, which has not been quantified nor approved at this stage as further tests will be required.

The Department is unable to assess the likely outcome of any re-classification process, and accordingly, it is not practicable to estimate the potential financial effect or to identify the uncertainties relating to the amount or timing of any outflows.

Contingent assets

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

	2016 \$'000	2015 \$'000
Recovery of court costs	-	657

Note 34. Events occurring after the end of the reporting period

There were no events occurring after the balance sheet date

Notes to the Financial Statements

For the year ended 30 June 2016

Note 35. Explanatory statement

All variances between estimates (original budget) and actual results for 2016, and between the actual results for 2016 and 2015 are shown below. Narratives are provided for key variations selected from observed major variances, which are generally greater than:

- 5% and \$10.8 million for the Statements of Comprehensive Income and Cash Flows; and
- 5% and \$17.3 million for the Statement of Financial Position.

Statement of Comprehensive Income

	Variance note	Original budget 2016 ^(*) \$'000	Actual 2016 \$'000	Actual 2015 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2016 and 2015 \$'000
COST OF SERVICES						
Expenses						
Employee benefits expense	1, A	254,116	296,001	250,134	41,885	45,867
Supplies and services		95,550	101,688	101,311	6,138	377
Depreciation and amortisation expense		19,489	21,278	18,817	1,789	2,461
Finance costs		16,481	16,290	16,736	(191)	(446)
Accommodation expenses	B	68,806	67,049	49,576	(1,757)	17,473
Grants and subsidies	2	75,789	92,803	82,657	17,014	10,146
Other expenses		22,204	17,146	21,213	(5,058)	(4,067)
Total cost of services		552,435	612,255	540,444	59,820	71,811
Income						
Revenue						
User charges and fees		104,252	98,150	92,362	(6,102)	5,788
Commonwealth grants and contributions		19,653	18,433	18,240	(1,220)	193
Other revenue		29,301	29,900	29,893	599	7
Total Revenue		153,206	146,483	140,495	(6,723)	5,988

Notes to the Financial Statements

For the year ended 30 June 2016

Note 35. Explanatory statement (continued)

Statement of Comprehensive Income

	Variance note	Original budget 2016 ^(*) \$'000	Actual 2016 \$'000	Actual 2015 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2016 and 2015 \$'000
Gains						
Net gain on disposal of non-current assets		-	12	(1,018)	12	1,030
Total Gains		-	12	(1,018)	12	1,030
Total income other than income from State Government		153,206	146,495	139,477	(6,711)	7,018
NET COST OF SERVICES		399,229	465,760	400,967	66,531	64,793
Income from State Government						
Service appropriation	C	360,293	371,727	346,268	11,434	25,459
Liabilities assumed by the Treasurer	3, D	16,450	70,305	24,646	53,855	45,659
Resources received free of charge		21,131	23,573	22,447	2,442	1,126
Royalties for Regions Fund		3,154	1,972	2,001	(1,182)	(29)
Total income from State Government		401,028	467,577	395,362	66,549	72,215
SURPLUS/(DEFICIT) FOR THE PERIOD		1,799	1,817	(5,605)	18	7,422
OTHER COMPREHENSIVE INCOME						
Items not reclassified subsequently to profit or loss						
Changes in asset revaluation surplus		-	(344)	7,365	-	(7,709)
Total other comprehensive income		-	(344)	7,365	-	(7,709)
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		-	1,473	1,760	-	(287)

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 35. Explanatory statement (continued)

Statement of Financial Position

	Variance note	Original budget 2016 (*) \$'000	Actual 2016 \$'000	Actual 2015 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2016 and 2015 \$'000
ASSETS						
Current Assets						
Cash and cash equivalents		22,829	2,979	19,346	(19,850)	(16,367)
Restricted cash and cash equivalents		2,722	17,979	19,530	15,257	(1,551)
Receivables		7,111	13,125	8,754	6,014	4,371
Amounts receivable for services		2,599	2,396	2,557	(203)	(161)
Other current assets		1,257	4,951	1,994	3,694	2,957
Non-current assets held for distribution to owner		1,931	-	-	(1,931)	-
Total Current Assets		38,449	41,430	52,181	2,981	(10,751)
Non-Current Assets						
Restricted cash and cash equivalents		605	-	-	(605)	-
Amounts receivable for services		174,523	172,725	155,632	(1,798)	17,093
Property, plant and equipment	4	680,443	652,206	648,775	(28,237)	3,431
Intangible assets		8,020	9,703	8,597	1,683	1,106
Total Non-Current Assets		863,591	834,634	813,004	(28,957)	21,630
TOTAL ASSETS		902,040	876,064	865,185	(25,976)	10,879

Notes to the Financial Statements

For the year ended 30 June 2016

Note 35. Explanatory statement (continued)

Statement of Financial Position

	Variance note	Original budget 2016 ^(*) \$'000	Actual 2016 \$'000	Actual 2015 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2016 and 2015 \$'000
LIABILITIES						
Current Liabilities						
Payables		24,301	19,823	27,395	(4,478)	(7,572)
Borrowings		5,403	5,404	4,801	1	603
Provisions		44,192	43,765	44,939	(427)	(1,174)
Total Current Liabilities		73,896	68,992	77,135	(4,904)	(8,143)
Non-Current Liabilities						
Borrowings		196,797	202,271	207,420	5,474	(5,149)
Provisions		8,988	8,543	8,896	(445)	(353)
Total Non-Current Liabilities		205,785	210,814	216,316	5,029	(5,502)
TOTAL LIABILITIES		279,681	279,806	293,451	125	(13,645)
NET ASSETS		622,359	596,258	571,734	(26,101)	24,524
EQUITY						
Contributed equity		244,173	248,007	224,956	3,834	23,051
Reserves		307,212	284,138	284,482	(23,074)	(344)
Accumulated surplus		70,974	64,113	62,296	(6,861)	1,817
TOTAL EQUITY		622,359	596,258	571,734	(26,101)	24,524

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 35. Explanatory statement (continued)

Statement of Cash Flows

	Variance note	Original budget 2016 ^(*) \$'000	Actual 2016 \$'000	Actual 2015 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2016 and 2015 \$'000
CASH FLOWS FROM STATE GOVERNMENT						
Service appropriation	E	340,804	352,238	329,312	11,434	22,926
Capital appropriation		3,467	3,467	11,182	-	(7,715)
Equity contribution		2,805	2,805	2,550	-	255
Holding account drawdown		2,557	2,557	2,781	-	(224)
Royalties for Regions Fund		10,835	4,853	2,920	(5,982)	1,933
Net cash provided by State Government		360,468	365,920	348,745	5,452	17,175
Utilised as follows:						
CASH FLOWS FROM OPERATING ACTIVITIES						
Payments						
Employees benefits		(237,666)	(233,268)	(224,118)	4,398	(9,150)
Grants and subsidies	5	(75,789)	(92,803)	(82,657)	(17,014)	(10,146)
Supplies and services		(95,547)	(99,654)	(97,910)	(4,107)	(1,744)
Accommodation	F	(62,605)	(62,558)	(45,168)	47	(17,390)
Finance costs		(16,481)	(15,918)	(16,409)	563	491
GST payments on purchases		(21,513)	(20,992)	(20,200)	521	(792)
GST payments to taxation authority		(1,300)	(3,481)	(2,707)	(2,181)	(774)
Receipts						
Receipts from services		133,553	124,331	120,573	(9,222)	3,758
Commonwealth grants and contributions		14,012	13,942	13,832	(70)	110
GST receipts on sales		1,300	3,420	3,165	2,120	255
GST receipts from taxation authority		21,513	20,310	20,257	(1,203)	53
Net cash used in operating activities		(340,523)	(366,671)	(331,342)	(26,148)	(35,329)

Notes to the Financial Statements

For the year ended 30 June 2016

Note 35. Explanatory statement (continued)

Statement of Cash Flows

	Variance note	Original budget 2016 ^(*) \$'000	Actual 2016 \$'000	Actual 2015 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2016 and 2015 \$'000
CASH FLOW FROM INVESTING ACTIVITIES						
Payments						
Purchase of non-current physical assets	G	(16,555)	(9,053)	(31,842)	7,502	22,789
Receipts						
Proceeds from sale of non-current physical assets		-	12	4	12	8
Net cash used in investing activities		(16,555)	(9,041)	(31,838)	7,514	22,797
CASH FLOW FROM FINANCING ACTIVITIES						
Payments						
Finance lease payments		(4,441)	(4,918)	(4,256)	(477)	(662)
Net cash used in financing activities		(4,441)	(4,918)	(4,256)	(477)	(662)
Net increase in cash and cash equivalents		(1,051)	(14,710)	(18,691)	(13,659)	3,981
Cash and cash equivalents at the beginning of the period		27,207	38,876	57,567	11,669	(18,691)
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD		26,156	24,166	38,876	(1,990)	(14,710)

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

Notes to the Financial Statements

For the year ended 30 June 2016

Major Variance Narratives

Variances between estimate and actual for 2016

1. Employee benefits expense exceeded estimates by \$41.9 million (16.5%) mainly due to higher actuarial assessment of the Judges' pension-liability. The higher pension-liability is a result of lower discount rate which led to higher value of the liability.
2. Grants and subsidies exceeded estimates by \$17 million (22.4%) mainly due to higher criminal injuries compensation, accused costs and other payments on behalf of the State.
3. Liabilities assumed by the Treasurer exceeded estimates by \$53.9 million (327%) due to higher actuarial assessment of the Judges' pension-liability at the Department of Treasury. The higher pension-liability is a result of lower discount rate which led to higher value of the liability.
4. Property, plant and equipment was lower than estimate by \$28.2 million (4.2%) mainly due to asset transfers to the Western Australia Police and changes in various asset investment projects.
5. Grants and subsidies were higher than estimate by \$17 million (22.4%) mainly due to an increase in criminal injuries compensation, accused costs and other payments on behalf of the state.

Variances between actual results for 2016 and 2015

- A. Employee benefits expense increased by \$45.9 million (18%) mainly due to higher actuarial assessment of the Judges' pension-liability in 2016.
- B. Accommodation expenses increased by \$17.5 million (35.2%) due to higher costs associated with the relocation of the Supreme Court Civil and the Department offices to the David Malcolm Justice Centre.
- C. Service appropriation increased by \$25.5 million (7.4%) mainly due to supplementary funding received for grants and subsidies payments and increased appropriations for higher accommodation costs in 2015/16.
- D. Liabilities assumed by the Treasurer increased by \$45.7 million (185%) due to higher actuarial assessment of the Judges' pension-liability in 2016.
- E. Service appropriation receipts increased by 22.9 million (6.9%) mainly due to supplementary funding received for grants and subsidies payments and increased appropriations for higher accommodation costs in 2015/16.
- F. Accommodation payments increased by \$17.4 million (38.5%) due to higher costs associated with the relocation of the Supreme Court Civil and the Department offices to the David Malcolm Justice Centre.
- G. Purchases of non-current assets decreased by \$22.8 million (72%) due to completion of various asset projects in 2014/15.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 36. Financial Instruments

(a) Financial risk management objectives and policies

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

Credit risk

Credit risk arises when there is the possibility of the Department's receivables defaulting on their contractual obligations resulting in financial loss to the Department. Credit risk also arises from cash and cash equivalents held at banks and financial institutions.

The maximum exposure to credit risk at the end of the reporting period in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any allowance for impairment as shown in the table at Note 37(c) 'Financial instrument disclosures' and Note 19 'Receivables'.

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

Liquidity risk

Liquidity risk arises when the Department is unable to meet its financial obligations as they fall due. The Department is exposed to liquidity risk through its trading in the normal course of business. The Department has appropriate procedures to manage cash flows including drawdowns of appropriations by monitoring forecast cash flows and keeping regular

communications with the Departments of Treasury and Finance to ensure that sufficient funds are available to meet its commitments.

Market risk

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates will affect the Department's income or the value of its holdings of financial instruments. The Department does not trade in foreign currency and is not materially exposed to other price risks because it does not hold investments in securities or bonds.

The majority of the cash and cash equivalents and restricted cash balances are deposited in non-interest bearing accounts. All of the finance lease liabilities have fixed interest rates and are carried at amortised cost. They are therefore not subject to interest rate risk as defined in AASB 7: *Financial Instruments: Disclosures*, since neither the carrying amount nor the future cash flows will fluctuate because of a change in market interest rates.

(b) Categories of financial instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are as follows:

	2016 \$'000	2015 \$'000
Financial assets at amortised cost		
Cash and cash equivalents	2,979	19,346
Restricted cash and cash equivalents	17,979	19,530
Receivables ^(a)	10,715	7,087
Amounts receivable for services	175,121	158,189
Financial liabilities at amortised cost		
Finance lease liabilities	207,675	212,221
Payables	19,823	27,395

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 36. Financial Instruments (continued)

(c) Financial instrument disclosures

Credit risk

The following table discloses the Department's maximum exposure to credit risk and the ageing analysis of financial assets. The Department's maximum exposure to credit risk at the end of the reporting period is the carrying amount of financial assets as shown below.

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

Interest Rate Exposure and Maturity Analysis of Financial Assets and Financial Liabilities

Ageing analysis of financial assets

	Carrying amount \$'000	Not past due and not Impaired \$'000	Past due but not impaired					Impaired financial assets \$'000
			Up to 1 month \$'000	1 - 3 months \$'000	3 months to 1 year \$'000	1 - 5 years \$'000	More than 5 years \$'000	
2016								
Cash and cash equivalents	2,979	2,979	-	-	-	-	-	-
Restricted cash and cash equivalents	17,979	17,979	-	-	-	-	-	-
Receivables ^(a)	10,715	6,092	4,120	146	5	352	-	3,096
Amounts receivable for services	175,121	175,121	-	-	-	-	-	-
	206,794	202,171	4,120	146	5	352	-	3,096
2015								
Cash and cash equivalents	19,346	19,346	-	-	-	-	-	-
Restricted cash and cash equivalents	19,530	19,530	-	-	-	-	-	-
Receivables ^(a)	7,087	6,509	128	36	43	366	6	3,103
Amounts receivable for services	158,189	158,189	-	-	-	-	-	-
	204,152	203,574	128	36	43	366	6	3,103

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

Notes to the Financial Statements

For the year ended 30 June 2016

Note 36. Financial Instruments (continued)

Liquidity risk

The following table details the contractual maturity analysis of financial assets and financial liabilities. The amounts disclosed in the table are the contractual undiscounted cash flows (interest and principal). Balances due within 12 months equal their carrying balances as the impact of discounting is not significant.

	Carrying amount \$'000	Total contractual cash flows \$'000	Up to 1 month \$'000	1 - 3 months \$'000	3 months to 1 year \$'000	1 - 5 years \$'000	More than 5 years \$'000
2016							
Financial Assets							
Cash and cash equivalents	2,979	2,979	2,979	-	-	-	-
Restricted cash and cash equivalents	17,979	17,979	17,979	-	-	-	-
Receivables ^(a)	6,181	6,181	6,181	-	-	-	-
Amounts receivable for services	175,121	175,121	175,121	-	-	-	-
	202,260	202,260	202,260	-	-	-	-
Financial Liabilities							
Payables	19,823	19,823	-	-	-	-	-
Finance lease liabilities	207,675	372,962	1,634	3,610	15,753	86,152	265,813
	227,498	392,785	1,634	3,610	15,753	86,152	265,813

^(a) The amount of receivables excludes GST recoverable to the Australian Taxation Office (statutory receivable). Impaired receivables have also been excluded.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 36. Financial Instruments (continued)

	Carrying amount \$'000	Total contractual cash flows \$'000	Up to 1 month \$'000	1 - 3 months \$'000	3 months to 1 year \$'000	1 - 5 years \$'000	More than 5 years \$'000
2015							
Financial Assets							
Cash and cash equivalents	19,346	19,346	19,346	-	-	-	-
Restricted cash and cash equivalents	19,530	19,530	19,530	-	-	-	-
Receivables ^(a)	7,087	7,087	7,087	-	-	-	-
Amounts receivable for services	158,189	158,189	285	380	1,892	11,232	144,400
	204,152	204,152	46,248	380	1,892	11,232	144,400
Financial Liabilities							
Payables	27,395	27,395	-	-	-	-	-
Finance lease liabilities	212,221	395,574	1,627	3,597	15,715	85,582	289,053
	239,616	422,969	1,627	3,597	15,715	85,582	289,053

^(a) The amount of receivables excludes GST recoverable to the Australian Taxation Office (statutory receivable). Impaired receivables have also been excluded.

Fair values

The carrying amounts of receivables and payables are assumed to approximate their fair values due to their short-term nature.

Unless otherwise stated in the applicable notes, all other sub-categories of financial assets and liabilities are recognised at amounts that represent a reasonable approximation of fair value.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 37. Remuneration of senior officers

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

		2016	2015
\$			
40,001 - 50,000		1	-
60,001 - 70,000		1	-
90,001 - 100,000		2	-
130,001 - 140,000		1	-
150,001 - 160,000		-	1
160,001 - 170,000		-	1
170,001 - 180,000		-	1
190,001 - 200,000		1	-
200,001 - 210,000		2	2
210,001 - 220,000		1	1
230,001 - 240,000		1	-
280,001 - 290,000		-	2
290,001 - 300,000		1	-
410,001 - 420,000		1	1
550,001 - 560,000		-	1
590,001 - 600,000		1	1
680,001 - 690,000		1	-
		\$'000	\$'000
Total remuneration of senior officers		3,494	3,237

The total remuneration includes the superannuation expense incurred by the Department in respect of senior officers. No Senior officers are members of the Superannuation and Family Benefits Act Scheme (Pension Scheme). Senior officers are those who take part in the management of the organisation and are deemed to be the Director General, the Public Trustee, the State Solicitor, the Parliamentary Counsel, Executive Directors and other Divisional Heads.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 38. Remuneration of auditor

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

	2016 \$'000	2015 \$'000
Auditing the accounts, financial statements and key performance indicators	191	187

Note 39. Related bodies

A related body is a body that receives more than half of its funding and resources from an agency and is subject to operational control by that agency. The Department has no related bodies during the financial year.

Note 40. Affiliated bodies

An affiliated body is a body that receives more than half its funding and resources from an agency but is not subject to operational control by that agency. The Department provided 55% (2015: 58%) of the total operational funds of the Legal Aid Commission of Western Australia during the 2015/16 financial year. The Commission is not subject to operational control by the Department and is therefore considered to be affiliated body under the *Financial Management Act 2006*.

Note 41. Supplementary financial information

(a) Department's revenue and debts write-offs

During the financial year, revenue and outstanding debts to the state were written off under the authority of:

	2016 \$'000	2015 \$'000
The Accountable Authority ^(a)		
Fines Enforcement Registry	5,531	9,604
Bad Debts	93	29
Other revenue write-offs	13	-
	5,637	9,633

^(a) Excludes Criminal Injuries Compensation Act write-offs.

As explained in Note 2(d) outstanding infringements are not included in administered items.

Criminal Injuries Compensation Act write-offs

During the financial year, outstanding criminal injuries recoveries were written off under the authority of:

	2016 \$'000	2015 \$'000
The Accountable Authority ^(b)	880	961
Criminal injuries Compensation Close-offs ^{(b)(c)}	1,797	2,606
	2,677	3,567

^(b) As explained in Note 2 (g) criminal injuries debtors are not recognised as debts in the controlled accounts of the Department.

^(c) Amounts written-off where a reimbursement order was not issued.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 42. Special Purpose accounts

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

Account name	2015-2016				2014-2015			
	Opening balance \$'000	Receipts \$'000	Payments \$'000	Closing balance \$'000	Opening balance \$'000	Receipts \$'000	Payments \$'000	Closing balance \$'000
1. Land Acquisition Account	4,708	235,281	216,656	23,333	2,213	122,700	120,205	4,708
2. Suitor's Fund Account	214	40	146	108	285	271	342	214
3. Courts Trust Account	10,924	115,320	115,502	10,742	11,758	76,203	77,037	10,924
4. Departmental Receipts in Suspense	63	28,592	28,630	25	371	24,957	25,265	63
5. Sheriff's and District Court Bailiff's Trust Account	101	835	829	107	91	1,026	1,016	101
6. Criminal Property Confiscations Account	19,134	13,019	9,264	22,889	15,902	10,141	6,909	19,134

The following table summarises the purpose of the special purpose accounts maintained by the Department:

Account name	Purpose of the Special Purpose Account
1. Land Acquisition Account	To hold moneys for and on behalf of Government departments and authorities pending settlement of land acquisition.
2. Suitor's Fund Account	To hold funds, in accordance with section 4 of the <i>Suitor's Fund Act</i> (The Act), to meet the liability for costs of certain litigation and for incidental and other purposes pursuant to the Act.
3. Courts Trust Account	To hold moneys paid into the Supreme and District Courts in civil actions, as ordered by those Courts; and to hold monies collected in the course of the Court activities at Local Courts throughout the State, for disbursement to other parties.
4. Departmental Receipts in Suspense	To hold funds pending identification of the purpose for which those monies were received pursuant to Section 9(2)(c)(iv) of the <i>Financial Management Act</i> .
5. Sheriff's and District Court Bailiff's Trust Account	To hold monies collected from the Execution by the Sheriff, Supreme Court or Bailiff District Courts of Western Australia.
6. Criminal Property Confiscations Account	The purpose of this account is to hold moneys and proceeds of property recovered or confiscated by the State in accordance with the Act, and to distribute such moneys in accordance with the Act.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 43. Disclosure of administered income and expenses by service

	Court and Tribunal Services		Services to Government		General - Not Attributed ^(a)		Total	
	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000
COST OF SERVICES								
Income								
Judicial fines and penalties	42,988	40,978	-	-	-	-	42,988	40,978
Infringement penalties	-	-	818	1,223	-	-	818	1,223
Copyright income received on behalf of the State	-	-	-	-	83	259	83	259
Revenue for transfer - other Government agencies	-	-	-	-	19,883	16,853	19,883	16,853
Criminal property confiscations	-	-	13,019	10,141	-	-	13,019	10,141
Other paid into Consolidated Account	40	246	-	-	8,686	8,128	8,726	8,374
Total administered Income	43,028	41,224	13,837	11,364	28,652	25,240	85,517	77,828
Expenses								
Payments to the Consolidated Account	40,900	41,599	-	-	-	-	40,900	41,599
Criminal property confiscations - grants	-	-	1,785	1,688	-	-	1,785	1,688
Criminal property confiscations - supplies and services	-	-	7,479	5,221	-	-	7,479	5,221
Payment to Road Trauma Trust Account	-	-	19,883	16,295	-	-	19,883	16,295
Other	547	900	-	-	191	800	738	1,700
Total administered expenses	41,447	42,499	29,147	23,204	191	800	70,785	66,503

^(a) Relates to administered costs' receipts in suspense.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 44. Explanatory Statement for Administered Items

All variances between estimates (original budget) and actual results for 2016, and between the actual results for 2016 and 2015 are shown below. Narratives are provided for key variations selected from observed major variances, which are generally greater than 5 % and \$1.330 million for the statement of administered income and expenses.

	Variance note	Original budget 2016 \$'000	Actual 2016 \$'000	Actual 2015 \$'000	Variance between estimate and actual \$'000	Variance between actual results for 2016 and 2015 \$'000
COST OF SERVICES						
Income						
Judicial fines and penalties	1, A	33,646	42,988	40,978	9,342	2,010
Infringement penalties		1,304	818	1,223	(486)	(405)
Copyright income received on behalf of the State		227	83	259	(144)	(176)
Revenue for transfer - other Government agencies	2, B	18,262	19,883	16,853	1,621	3,030
Criminal property confiscations	3, C	7,500	13,019	10,141	5,519	2,878
Other paid into Consolidated Account	4	11,353	8,726	8,374	(2,627)	352
Total administered Income		72,292	85,517	77,828	13,225	7,689
Expenses						
Payments to the Consolidated Account	5	44,411	40,900	41,599	(3,511)	(699)
Criminal property confiscations - grants		1,900	1,785	1,688	(115)	97
Criminal property confiscations - supplies and services	6, D	5,600	7,479	5,221	1,879	2,258
Payment to Road Trauma Trust Account	7, E	18,262	19,883	16,295	1,621	3,588
Other	8	2,119	738	1,700	(1,381)	(962)
Total administered expenses		72,292	70,785	66,503	(1,507)	4,282

Notes to the Financial Statements

For the year ended 30 June 2016

Note 44. Explanatory Statement for Administered Items (continued)

Major Variance Narratives (Administered Items)

Variances between estimate and actual for 2016

1. Judicial fines and penalties collection exceeded estimates by \$9.3 million (28%) mainly due to an increase in fines and infringements registered at the Fines Enforcement Registry.
2. Revenue for transfer is collected on behalf of the Main Roads WA for speed and red light camera fines. Collection of revenue exceeded estimates by \$1.6 million (9%) due to increasing penalties for a number of offences and the expansion of WA Police's speed and camera fleet.
3. Criminal property confiscations exceeded estimates by \$5.5 million (74%) due to a growth in the criminal money and property seized by the WA Police and the Office of the Director of Public Prosecutions.
4. The reduction in other revenue was mainly attributed by lower infringement fines and state tax stamp duty collected on behalf of the Department of Transport and the Department of Finance (State Revenue office). These collections are not controlled or managed by the Department of the Attorney General.
5. Payments to Consolidated Account reduced by \$3.5 million mainly due to lower cash receipts of judicial fines and penalties and infringements collected on behalf of the Department of Transport.
6. Criminal property confiscations - supplies and services refer to funds distributed from the collection under the *Criminal Property Confiscation Act 2000*. Payments to the WA Police and the Office of the Director of Public Prosecutions exceeded estimates by \$1.9 million (34%) due to additional payments made in 2016 to meet previous year's funding commitments.

7. The higher than estimates payment to the Road Trauma Trust Account was a result of higher speed and red light camera fine revenue collected.
8. Other payments reduced by \$1.4 million (65%) due to lower funds available for distribution as a result of lower state tax stamp duty and miscellaneous receipts collected.

Variances between actual results for 2016 and 2015

- A Judicial fines and penalties increased by \$2 million (5%) due to the growth in the fines and infringements registered at the Fines Enforcement Registry in 2016.
- B Revenue for transfer is collected on behalf of the Main Roads WA for speed and red light camera fines. These collections exceeded actual result for 2015 by \$3 million (18%) as a result of increasing penalties for a number of offences and the expansion of WA Police's speed and camera fleet.
- C Criminal property confiscations increased by \$2.9 million (28%) due to a growth in the criminal money and property seized by the WA Police and the Office of the Director of Public Prosecutions.
- D Criminal property confiscations - supplies and services refer to funds distributed from the collection under the *Criminal Property Confiscation Act 2000*. Payments to the WA Police and the Office of the Director of Public Prosecutions increased by \$2.3 million (43%) due to additional payments made in 2016 to meet 2015 funding commitments.
- E Payment to Road Trauma Trust Account increased by \$3.6 million (22%) due to higher funds available for payment as a result of higher speed and red light camera fine revenue collected.

Notes to the Financial Statements

For the year ended 30 June 2016

Note 45. Administered assets and liabilities

	2016 \$'000	2015 \$'000
Assets		
Cash and restricted cash assets		
Suitors' fund	108	214
Departmental receipts in suspense	25	63
Criminal Property Confiscations	22,889	19,134
Receivables		
Magistrates Court - fines and costs	-	1,263
Fines Enforcement Registry	177,313	159,379
Children's Court	-	17
Less: allowance for impairment of receivables - Unrecoverable fees and fines - Note 2 (e)	(91,161)	(85,651)
Total administered current assets	109,174	94,419
Total administered assets	109,174	94,419
Liabilities		
Amounts due to the Treasurer (Appeals Cost Board) ^(a)	2,000	2,000
Total administered liabilities	2,000	2,000
Net administered assets	107,174	92,419

^(a) Expenditure advance approved by the State Treasurer to provide a temporary advance for funding of the Suitors' Fund Act. The funds advanced by the State Treasurer are subject to reimbursement.

Note 46. Commonwealth grant – Christmas and Cocos Island

	2016 \$	2015 \$
Opening balance	(48,956)	26,080
Income		
Commonwealth reimbursements	295,751	127,502
Court fees	585	1,133
Total receipts	296,336	128,635
Expenses		
Operating costs	195,658	203,671
Total payments	195,658	203,671
Closing balance	51,722	(48,956)

Operating costs are based on actual plus identified estimated services as agreed in the 'Standard Delivery Service Agreement' signed by the Commonwealth and the State.

Key Performance Indicators

Certification of Key Performance Indicators for the Year Ended 30 June 2016

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 2016.

Pauline Bagdonavicius

Pauline Bagdonavicius
A/Director General
Department of the Attorney General
23 August 2016

Key Performance Indicators

Our Purpose

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

Relationships to Government goals

Broad, high-level government goals are supported at agency level by more specific agency level desired outcomes. Agencies deliver services to achieve these desired outcomes that ultimately contribute to meeting the higher level government goals.

The following table illustrates the relationship between the Department of the Attorney General's agency level desired outcomes, services delivered by the Department and the Government's goals.

Government Goals	Department of the Attorney General Desired Outcomes	Services
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 2015/16.

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 2015/16 budget targets and actual results.

Outcome 1: An efficient, accessible court and tribunal system

The Department aims to provide a court system that is responsive to community needs for access to justice.

This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

To be accessible, the court system must be available to resolve disputes in a timely manner. Accessibility is diminished if there are lengthy delays in bringing matters to trial or finalising matters brought before the courts. The time taken to achieve an outcome in the courts is considered a

primary indicator of the accessibility of the court system and therefore the extent to which the agency level outcome is achieved. The timely resolution of matters brought before the courts is also a measure of the efficiency of the courts system.

Effectiveness indicators are measured separately for key jurisdictions and the Fines Enforcement Registry. The jurisdictions measured are considered key indicators because, combined, they represent the majority of the workload and/or expenditure for the courts.

The key effectiveness indicators comprise measures of time to trial, time to finalise matters and time to finalise non trial matters. The measure used is dependent on the type of matter and the jurisdiction. In criminal jurisdictions, the majority of matters may go to trial therefore time to trial is an appropriate measure whereas in civil jurisdictions most matters may be finalised without going to trial and time to finalise non trial matters is used.

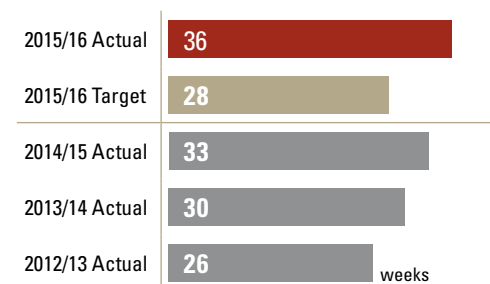
Key Effectiveness Indicators

Supreme Court – Criminal – Time to trial

What does this indicator measure? Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, lodgment) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated? This measure is calculated by taking the median time from date of committal to first trial date. The information for this indicator has been derived from the Integrated Courts Management System (ICMS).

What does this indicator show? The criminal median time to trial remained above target due to an increase in the volume of committals for trial.

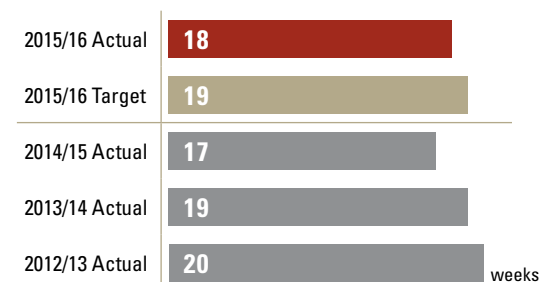


Supreme Court – Civil – Time to finalise non-trial matters

What does this indicator measure? This indicator measures the median time to finalise cases that are heard by a Registrar or Judge at conferences or hearings, before proceeding to trial and is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

How is this indicator calculated? This measure is calculated by taking the median time from date of lodgment to first date of finalisation, excluding matters finalised by trial and matters finalised administratively. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show? No significant variation.

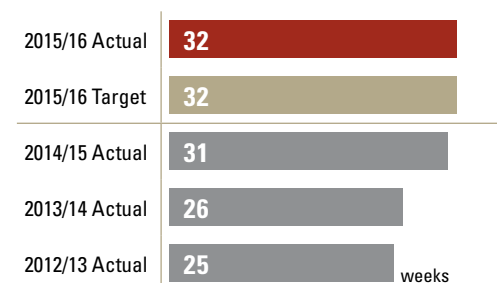


District Court – Criminal – Time to trial

What does this indicator measure? Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, lodgment) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated? This measure is calculated by taking the median time from date of committal to the first trial date. The information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show? No significant variation.

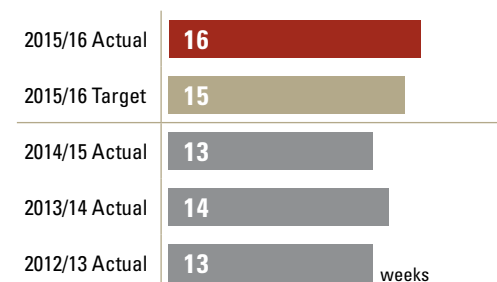


State Administrative Tribunal – Time to finalise

What does this indicator measure? This indicator is measured by calculating the median time to finalise a matter from its lodgment to when a judgement is made.

How is this indicator calculated? This measure is calculated by taking the median time to finalise a matter from date of lodgment to when a judgement is made (excludes all guardianship administration matters). Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show? No significant variation.



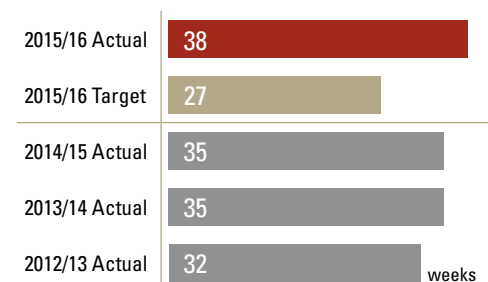
Family Court of Western Australia – Time to finalise non-trial matters

What does this indicator measure? This indicator measures the median time to finalise final order applications by court order, before proceeding to trial. This is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

How is this indicator calculated? This measure is calculated by taking the median time from the date of lodgment 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).

From 1 July 2015, the Court changed its data extraction process and now includes first finalisations only. The change provides a more accurate reflection of the court's service delivery. Comparative results of the past three years are restated using the revised counting rule. The previously reported results were 44 weeks (2014/15), 57 weeks (2013/14) and 47 weeks (2012/13).

What does this indicator show? The higher than target result is due to the continued growth in the complexity and volume of final order parenting applications finalised; and the reallocation of magistrates to trial work to help address the delay to trial, thereby reducing the Court's capacity to hear non-trial matters.

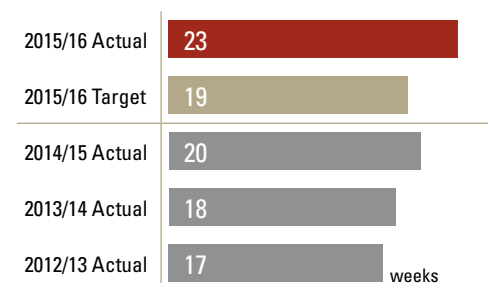


Magistrates Court – Criminal and Civil – Time to trial

What does this indicator measure? Time to trial is a measure of the median time taken from a specified initial date (e.g. lodgment) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated? This measure is calculated by taking the median time from the date of lodgment to the first trial date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show? The higher than target result is due to the growth in criminal case lodgments and increase in charges per case in 2015/16.

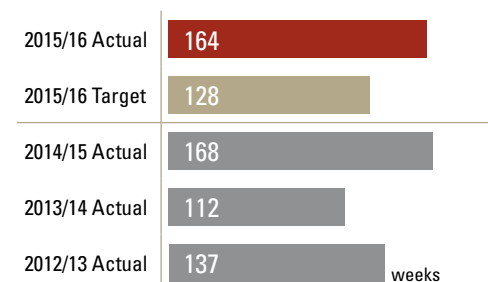


Coroner's Court – Time to trial

What does this indicator measure? Time to trial is a measure of the median time taken from the date of death to the first inquest hearing. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated? This measure is calculated by taking the median time from death to the first inquest hearing (for those cases where an inquest is held). In the Coroner's Court a trial is defined as an inquest. Information for this indicator is derived from the National Coroners Information System (NCIS) database.

What does this indicator show? The result is higher than target due to the Coroner's Court focusing on older and more complex inquest cases. More than 77% of cases heard in 2015-16 were older than 128 weeks.



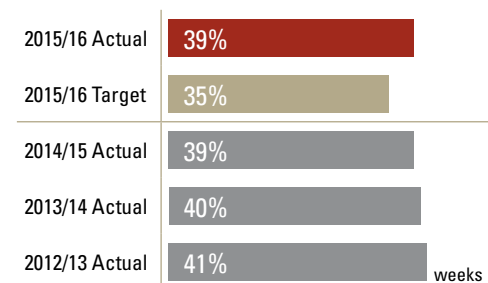
Fines Enforcement Registry - Percentage of Fines Satisfied Within 12 Months

What does this indicator measure? The Fines Enforcement Registry effectiveness indicators demonstrate to the community that the appropriate systems, procedures and resources are in place to enforce fines, costs and infringement penalties in a timely manner. It also demonstrates to the community that a court fine is a viable sentencing option.

Fines and Costs

How is this indicator calculated? This indicator measures the number of fines satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is calculated by expressing the number of fines satisfied within 12 months of referral as a percentage of the total number of fines referred to FER. Information is extracted from the ICMS database.

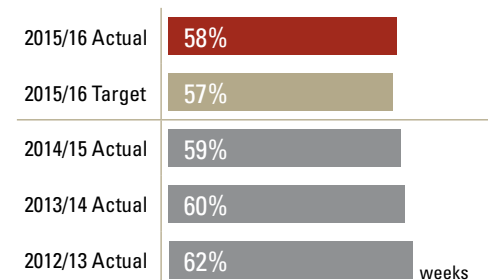
What does this indicator show? No significant variation.



Infringements

How is this indicator calculated? This indicator measures the number of infringements satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is derived by expressing the number of infringements satisfied within 12 months of referral as a percentage of the total number of infringements referred to FER. Information is extracted from the ICMS database.

What does this indicator show? No significant variation.



Service 1: Court and Tribunal Services

This service is delivered by Court and Tribunal Services.

Two distinct groups administer courts in Western Australia: the independent judicial officers who preside over the various courts and the Department of the Attorney General that provides court facilities, administrative support and judicial support staff to enable the determination of cases brought before a court or tribunal. Part of this function also involves the delivery of court counselling services and a range of civil and criminal enforcement services.

Key Efficiency Indicators

What does this indicator measure? The following indicators measure the average cost per case for all matters finalised within each jurisdiction (including matters finalised without trial and those finalised administratively), and the cost per enforcement action to finalise outstanding fines and infringements.

The cost per case is calculated by dividing the total cost of the jurisdiction by the number of cases finalised.

How are the cost per case indicators calculated? The cost per case indicators are calculated by dividing the total cost of processing cases by the number of finalisations.

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

The number of finalisations is obtained from various in house case management and tracking systems maintained by the jurisdictions.

Supreme Court – Criminal – Cost per case

No significant variation.

2015/16 Actual	\$37,688
2015/16 Target	\$40,042
2014/15 Actual	\$34,674
2013/14 Actual	\$36,466
2012/13 Actual	\$30,327

Supreme Court – Civil – Cost per case

No significant variation.

2015/16 Actual	\$13,381
2015/16 Target	\$12,750
2014/15 Actual	\$10,573
2013/14 Actual	\$9,869
2012/13 Actual	\$7,363

Court of Appeal – Cost per case

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

2015/16 Actual	\$35,851
2015/16 Target	\$23,249
2014/15 Actual	\$25,829
2013/14 Actual	\$23,688
2012/13 Actual	N/A

State Administrative Tribunal – Cost per case

No significant variation.

2015/16 Actual	\$3,862
2015/16 Target	\$3,932
2014/15 Actual	\$3,413
2013/14 Actual	\$3,290
2012/13 Actual	\$3,265

District Court – Criminal – Cost per case

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

2015/16 Actual	\$21,395
2015/16 Target	\$19,361
2014/15 Actual	\$22,428
2013/14 Actual	\$21,636
2012/13 Actual	\$18,170

Family Court of Western Australia – Cost per case

No significant variation.

2015/16 Actual	\$1,905
2015/16 Target	\$2,015
2014/15 Actual	\$1,894
2013/14 Actual	\$1,748
2012/13 Actual	\$2,052

District Court – Civil – Cost per case

No significant variation.

2015/16 Actual	\$6,798
2015/16 Target	\$6,534
2014/15 Actual	\$6,457
2013/14 Actual	\$6,501
2012/13 Actual	\$6,381

Magistrates Court – Criminal – Cost per case

No significant variation.

2015/16 Actual	\$918
2015/16 Target	\$984
2014/15 Actual	\$912
2013/14 Actual	\$945
2012/13 Actual	\$961

**Magistrates Court –
Civil – Cost per case**
No significant variation.

2015/16 Actual	\$354
2015/16 Target	\$364
2014/15 Actual	\$370
2013/14 Actual	\$327
2012/13 Actual	\$339

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

The higher than expected cost per case is due to an increase in complex Protection and Care matters requiring case management as well as the higher than anticipated judicial leave commitments in 2015/16.

2015/16 Actual	\$768
2015/16 Target	\$568
2014/15 Actual	\$604
2013/14 Actual	\$500
2012/13 Actual	\$488

**Coroner's Court –
Cost per case**
No significant variation.

2015/16 Actual	\$5,252
2015/16 Target	\$5,612
2014/15 Actual	\$5,666
2013/14 Actual	\$5,128
2012/13 Actual	\$5,485

**Fines Enforcement Registry –
Cost per enforcement**

How is the cost per enforcement indicator calculated? The total cost of processing fines and infringements is divided by the number of lodgments where a lodgment represents an individual enforcement registered with the Fines Enforcement Registry for enforcement. The data sources for this Key Performance Indicator are Hyperion and the departmental information management system (COGNOS) for the number of lodgments.
What does this indicator show? No significant variation.

2015/16 Actual	\$26
2015/16 Target	\$24
2014/15 Actual	\$27
2013/14 Actual	\$25
2012/13 Actual	\$22

**Children's Court –
Criminal – Cost per case**
No significant variation.

2015/16 Actual	\$1,024
2015/16 Target	\$939
2014/15 Actual	\$972
2013/14 Actual	\$907
2012/13 Actual	\$862

Outcome 2: Trustee, guardianship and administration services are accessible to all Western Australians

The Department, through the operations of the Public Advocate safeguards the rights of adults with decision-making disabilities, and reduces the incidence of risk, neglect and exploitation while the Public Trustee ensures equitable access to trustee services for all Western Australians.

This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

The following indicators show the extent to which the Department has achieved this outcome. The indicators measure the accessibility of trustee, guardianship and administration services to all Western Australians.

Key Effectiveness Indicators

Percentage of Guardians of last resort allocated in one day

What does this indicator measure? This indicator measures the timeliness of the Public Advocate in allocating a guardian to a represented person in order to make decisions on their behalf and protect them from neglect, abuse or exploitation. A guardian is appointed only when considered necessary, and when there is no one else suitable or available to take on the role.

How is this indicator calculated? The indicator is based on the Public Advocate's best practice to ensure the needs of the represented person are met immediately. It is measured by the number of appointments of Guardians of Last Resort made by the State Administrative Tribunal at the hearing and accepted by the Public Advocate's delegate within one working day of receipt of the guardianship order.

The Public Advocate is appointed as guardian of last resort only when considered necessary and when there is no one else suitable, available or willing to take on the role. The information for this indicator is extracted from the Public Advocate Case Management System (PACMAN).

What does this indicator show? No significant variation.

2015/16 Actual	98%
2015/16 Target	95%
2014/15 Actual	96%
2013/14 Actual	94%
2012/13 Actual	96%

Percentage of Western Australian deceased estates administered by the Public Trustee

What does this indicator measure? The Public Trustee offers a secure value for money alternative for administration of deceased estates in Western Australia. This ensures that trustee services are accessible to people in the state. The percentage of deceased estates administered by the Public Trustee indicates the use being made of the service and therefore the overall accessibility of trustee services to Western Australians.

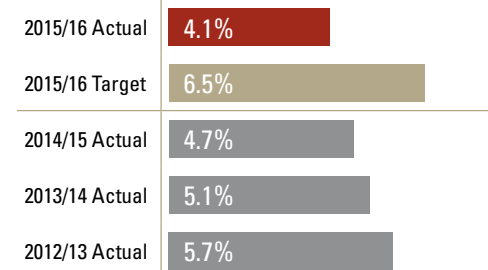
The indicator represents the number of deceased estate files reported as a percentage of the number of adult deaths in Western Australia.

How is this indicator calculated? The Public Trustee operates in a commercial environment offering services that can be provided by numerous professional service providers.

The Public Trustee administers the estates where it has been appointed as executor. Some estates may not require formal administration but still require work to be undertaken in order that assets may be registered in the survivor or beneficiaries' name.

Data for this indicator is sourced from the Registry of births, deaths and marriages and the Public Trustee's Management Accounting and Trust Environment (MATE) system.

What does this indicator show? No significant variation.



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

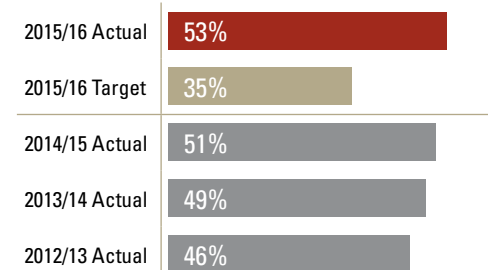
What does this indicator measure? In addition to providing affordable services thereby making trustee services more accessible, the Public Trustee provides services free of charge, or at a reduced cost, to clients who cannot afford them. This further increases the accessibility of trustee services by ensuring that all Western Australians have access to trustee services.

The indicator represents the proportion of services provided free of charge or at a reduced cost under the Public Trustee's community service.

How is this indicator calculated? This indicator measures the proportion of clients provided with services by the Public Trustee under the operating subsidy. The fees raised are rebated back to the clients who meet the minimum requirements under the operating subsidy.

The indicator is calculated using the number of operating subsidy clients compared to the total trust clients administered.

What does this indicator show? The higher than target result is due to continuing increase in the number of appointments from the State Administration Tribunal where the Public Trustee provides services at a subsidised cost to vulnerable persons.



Service 2: Advocacy, guardianship and administration services

This service is delivered by the Public Advocate.

Advocacy, guardianship and administration services protect and promote the financial interests and welfare of people with decision-making disabilities by providing:

- access to investigation and advocacy services;
- appropriate appointment of guardians and administrators and appropriate interventions in relation to Enduring Powers of Attorney and Enduring Powers of Guardianship;

- guardianship and administration community education services; and
- guardianship and administration services provided by the Public Advocate.

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

Key Efficiency Indicators

Average cost of providing advocacy and guardianship services

What does this indicator measure? This indicator measures the average cost per case of providing advocacy and guardianship services on behalf of people with decision-making disabilities.

How is this indicator calculated? This indicator is calculated by dividing the total cost of providing advocacy, guardianship and administration services by the number of advocacy and guardianship services provided. The information for this indicator is extracted from Department's activity based cost management system (Hyperion) and the Public Advocate Case Management System (PACMAN).

What does this indicator show? No significant variation.

2015/16 Actual	\$1,744
2015/16 Target	\$1,860
2014/15 Actual	\$1,649
2013/14 Actual	\$1,820
2012/13 Actual	\$1,776

Service 3: Trustee Services

This service is delivered by the Public Trustee.

The Public Trustee is a statutory authority within the provisions of the *Financial Management Act 2006*.

It provides a funds management and investment service and acts as trustee or financial administrator pursuant to the orders of courts or tribunals.

It also administers the estates of people who die with or without a will, in accordance with the terms of the will or the relevant law and under the authority of the Supreme Court.

The Public Trustee offers high quality, personalised trustee services to meet the needs of all sectors of the Western Australian community.

The following efficiency indicators measure the cost of delivering the service.

Key Efficiency Indicators

Average cost per deceased estate administered

What does this indicator measure? This indicator measures the average cost per deceased estate administered.

How is this indicator calculated? This indicator is calculated by dividing the total cost of administration services by the number of deceased estates administered during the year. The total number of deceased estates administered is held in the Public Trustee's internal information system and the total cost of administration services is derived from the Department's activity based cost management system (Hyperion).

What does this indicator show? No significant variation.

2015/16 Actual	\$2,664
2015/16 Target	\$2,687
2014/15 Actual	\$2,914
2013/14 Actual	\$2,898
2012/13 Actual	\$2,810

Average cost per trust managed

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

How is this indicator calculated? This indicator is calculated by dividing the total cost to manage trusts by the number of trusts under management during the year. The number of trusts under management is held in Public Trustee's internal information system and the total cost of providing trust management services is derived from the Department's activity based cost management system (Hyperion).

What does this indicator show? No significant variation.

2015/16 Actual	\$1,870
2015/16 Target	\$1,912
2014/15 Actual	\$1,919
2013/14 Actual	\$1,983
2012/13 Actual	\$1,998

Average cost per will prepared

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

How is this indicator calculated? This indicator is calculated by dividing the total cost of preparing wills by the number of wills prepared during the year. The total number of wills prepared is held in Public Trustee's internal information system and the total cost of preparing wills is derived from the Department's activity based cost management system (Hyperion).

What does this indicator show? No significant variation.

2015/16 Actual	\$797
2015/16 Target	\$746
2014/15 Actual	\$751
2013/14 Actual	\$825
2012/13 Actual	\$780



Outcome 3: Western Australian birth, death and marriage certificates are accurate and accessible

The Department seeks to ensure eligible people are able to obtain accurate documentary proof of key life events and approved organisations can obtain accurate information for research, statistical and planning purposes in a timely manner.

This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

The following effectiveness indicators show the extent to which the Department, through the activities of the Registry of Births, Deaths and Marriages, has achieved this outcome.

The indicators measure the accuracy and accessibility of certificates of birth, death and marriage to all Western Australians.

Key Effectiveness Indicators

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

What does this indicator measure? The growing need for people to access certificates for identification in a timely manner means that time taken to obtain a certificate of birth death or marriage is a major determiner of accessibility.

This indicator measures the extent to which certificates of birth, death and marriage are issued in a timely manner. This directly measures the extent to which the agency level outcome has been achieved.

How is this indicator calculated? The Western Australian Registration System (WARS) keeps track of the date customers request certificates and the date the certificates are issued. For the purposes of this KPI issued means printed.

The KPI result is calculated by dividing the number of certified certificates issued within two days by the total number of certified certificates issued with the result expressed as a percentage. The WARS management report "Service Requested and Delivery Times" is used to provide the output for the KPI.

What does this indicator show? No significant variation.

2015/16 Actual	97%
2015/16 Target	90%
2014/15 Actual	95%
2013/14 Actual	95%
2012/13 Actual	96%



Extent to which births, deaths and marriages source information is recorded error free

What does this indicator measure? This indicator measures the percentage of new registrations accurately recorded by the registry, excluding incorrect source information provided by customers.

How is this indicator calculated? This indicator is a Key Performance Indicator because the registry is the creator and custodian of vital records and the public must have confidence that records are accurate and reliable.

The number of registry errors in death registrations is used to calculate this indicator because immediate feedback is provided if an error is evident in the death certificate, which is always needed for estate settlement. Any errors made on birth or marriage certificates are not immediately detected, as these certificates may not be requested for many years after registration. As the processes for recording births, deaths and marriages are nearly identical; the number of errors in death registrations is considered representative of all three registration types.

The computerised Western Australian Registration System counts the number of death registrations corrected as a result of staff data entry errors and divides this count by the total number of deaths registered for the year. The result (i.e. erroneous registrations) is expressed as a percentage.

What does this indicator show? No significant variation.

2015/16 Actual	97%
2015/16 Target	97%
2014/15 Actual	97%
2013/14 Actual	97%
2012/13 Actual	97%

Service 4: Births, Deaths and Marriages

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

The purpose of the Registry is to create and permanently store birth, death and marriage records to enable the public to obtain documentary proof of key life events for legal, personal and historical purposes and also to enable approved organisations to obtain information for research, statistical and planning purposes.

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

Key Efficiency Indicators

Average cost of registration services

What does this indicator measure? This indicator measures the unit cost of creating, amending and issuing information and storing records indefinitely.

How is this indicator calculated? The registry has maintained a database of birth, death and marriage records since it was established in 1841. These are either in paper registers, on microfilm or computer.

To obtain this measure, the total cost of registration services is divided by the total number of registration services provided, including records held in storage. The total cost of registration services is derived from the Department's activity based cost management system (Hyperion).

What does this indicator show? The lower average cost per registration services is due to lower than expected operating costs, and from a reduction in Registry services.

2015/16 Actual	\$1.76
2015/16 Target	\$1.99
2014/15 Actual	\$1.92
2013/14 Actual	\$1.87
2012/13 Actual	\$1.99

Outcome 4: Government receives quality, timely legal and legislative drafting services

The Department delivers services to Government to support justice outcomes and activities of other Government agencies.

This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

The following effectiveness indicators show the extent to which the Department, through the activities of the State Solicitor's Office and the Parliamentary Counsel's Office, has achieved this outcome.

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

Key Effectiveness Indicators

Extent to which government departments are satisfied with the legal services

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

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

The number of agencies surveyed represents approximately 86% of the chargeable work of the State Solicitor's Office.

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

What does this indicator show? The variation from the budget target is a result of the delivery of better than expected levels of client service in 2015/16, as rated by the State Solicitor's Office's clients.

2015/16 Actual	100%
2015/16 Target	90%
2014/15 Actual	100%
2013/14 Actual	100%
2012/13 Actual	100%

Extent to which legislation was drafted in a timely manner to effect the Government's legislative program

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

How is this indicator calculated? The indicator represents the total number of Cabinet authorities of various priorities, for which legislation was completed by the relevant cut-off dates in a Parliamentary year. It is expressed as a percentage of the total number of Cabinet authorities to which the legislative program relates. The information is recorded in databases located within the Parliamentary Counsel's Office.

This calculation excludes matters which were not completed on time due to circumstances beyond the control of the Parliamentary Counsel's Office, such as:

- lack of action on the part of the instructing agency to progress a Bill; or
- deferral of a Bill by the instructing agency.

What does this indicator show? No significant variation.

2015/16 Actual	98%
2015/16 Target	90%
2014/15 Actual	100%
2013/14 Actual	100%
2012/13 Actual	98%

Service 5: Services to Government

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

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

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

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

Key Efficiency Indicators

Average cost per legal matter

What does this indicator measure? This indicator measures the average cost of a legal matter, which is defined as an initiating instruction received from a client in the reporting year, plus any other matter active during the reporting year and upon which some legal work was conducted. It also includes work in progress. The indicator is calculated by dividing the State Solicitor's Office total cost of service by the number of recorded matters.

How is this indicator calculated? This indicator measures the average cost of a legal matter, which is defined as an initiating instruction received from a client in the reporting year, plus any other matter active during the reporting year and upon which some legal work was conducted. It also includes work in progress.

The cost per matter is calculated by dividing the total cost of providing legal services by the number of matters dealt with during the financial year. Number of matters is extracted from the Time and Matter Costing System and the total cost of service is derived from the Department's activity based cost management system (Hyperion).

What does this indicator show? No significant variation.

2015/16 Actual	\$4,313
2015/16 Target	\$4,100
2014/15 Actual	\$3,962
2013/14 Actual	\$3,635
2012/13 Actual	\$3,462

Average cost per page of output

What does this indicator measure? This indicator is calculated by dividing the Parliamentary Counsel's Office total operating expenses, by the number of pages of bills, subsidiary legislation and reprinted texts produced each financial year.

How is this indicator calculated? The average cost per drafting service is calculated by dividing the total cost of the Parliamentary Counsel's Office by the number of pages of bills, subsidiary legislation and reprinted texts produced by the office each financial year.

The information is recorded in Access databases located within the Parliamentary Counsel's Office. The total cost of service is derived from the Department's activity based cost management system (Hyperion).

What does this indicator show? The lower average cost per page is due to higher number of legislation pages produced and lower than expected operating costs.

2015/16 Actual	\$190
2015/16 Target	\$233
2014/15 Actual	\$214
2013/14 Actual	\$203
2012/13 Actual	\$229

Other Financial Disclosures

Ministerial Directives

No ministerial directives.

Pricing Policy of Services

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

Court and Tribunal Services

Fees are collected for a variety of services. This includes court hearing time, transcripts and the enforcement of orders including infringements lodged at the Fines Enforcement Registry for enforcement by various Prosecuting Authorities.

The cost recovery is largely confined to the civil jurisdictions.

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

Court fees were increased in 2015/16 by an average of 12 per cent.

This was published in the Government Gazette on 19 June 2015 and came into effect on 1 July 2015.

Registry of Births, Deaths and Marriages

The fees charged by the Registry of Births, Deaths and Marriages are reviewed annually.

The pricing aims to achieve full cost recovery and takes into account the Consumer Price Index, the cost of providing and maintaining services and the level of fees charged by other Australian registries for similar services.

Six fees charged by the Registry of Births, Deaths and Marriages were increased on 1 July 2015 by an average of 6 per cent to maintain full cost recovery.

Public Trustee

The Public Trustee collects fees for a variety of services.

The fees are based on a user pays system adopting a work effort methodology, whilst recognising the Public Trustee's operating subsidy obligations in terms of a client's ability to pay.

The Public Trustee's hourly rate was increased by 9 per cent in 2015/16.

State Solicitor's Office

The State Solicitor's Office charges client agencies for various legal services that are non-core in nature. These fees are based on hourly rate charges and are struck to reflect no more than cost recovery.

The fees were increased by 2 per cent in 2015/16.

Major Capital Works

Capital project in progress

No major capital projects valued over \$5 million were in progress in 2015/16.

Capital projects completed

Fitzroy Crossing Courthouse

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

This \$5.1 million courthouse commenced operations on 15 September 2015.

The replacement Courthouse has a direct connection to, and complements the replacement police station, completing a justice precinct within the township.

Employee and Industrial Relations

Summary of Employee Numbers

The Department has 1,595 full time employees (excluding judicial officers and including trainees).

Summary of Employee Numbers by Occupational Group and Gender

Row Labels	2014/15					2015/16				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Catering Employees and Tea Attendants	2	0	2	100.00	0.00	2	0	2	100.00	0.00
Child Care Workers	1	0	1	100.00	0.00	1	0	1	100.00	0.00
Cleaners and Caretakers	11	1	12	91.67	8.33	10	0	10	100.00	0.00
Govt Officers (GOSAC/GOSGA Award)	74	56	130	56.92	43.08	82	54	136	60.29	39.71
Public Service Employees	1,124	528	1,652	68.04	31.96	1,059	495	1,554	68.15	31.85
State Review Board *	1	0	1	100.00	0.00	1	0	1	100.00	0.00
Salaries and Allowances Tribunals	7	12	19	36.84	63.16	8	8	16	50.00	50.00
State Administrative Tribunal	9	6	15	60.00	40.00	10	8	18	55.56	44.44
Total	1,229	603	1,832	67.09	32.91	1,173	565	1,738	67.49	32.51

The headcount figures in the Summary of Employee Numbers table are for those employees paid on the last pay date of the financial year.

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

Breach of Human Resource Management Standards

There were three breach claims lodged with the Department during the 2015/16 reporting year.

In addition to a grievance claim, there was one claim each from employment and termination standard.

There were no claims reported against performance, redeployment or discipline management standard.

Act of Grace and Ex Gratia Payments

The Department from time to time processes Act of Grace and ex gratia payments on behalf of Government.

Two ex gratia payments were made in 2015/16 that totalled six thousand dollars.

In addition, the Department paid twelve mesothelioma claims on behalf of Government that totalled \$1.939 million in 2015/16.

Governance Disclosures

Unauthorised Use of Credit Cards

Purchase cards provide an efficient mechanism for the purchase of goods and services.

Officers of the Department hold a Departmental purchase card where their functions warrant usage of this facility.

Despite of having an obligation to utilise the card facility in accordance with policy, only for business purposes, during 2015/16 six employees utilised the purchase cards for private purposes.

The matters were referred to the Chief Finance Officer and the accountable authority in line with Departmental policies.

A summary of the aggregated amounts of personal use expenditure is as follows:

Amount	2016 \$
Settled within 5 working days	71
Settled after 5 working days	214
Outstanding	-
Aggregate amount of personal use expenditure	285

Governance Disclosures

Compliance with Sector Standards and Ethical Codes

The Department complied with the Public Sector Standards in Human Resource Management, the Code of Ethics and the Department's Code of Conduct.

The Code of Conduct outlines the ethical principles, obligations and standards applying to staff. It aims to instill the values of "respect, integrity, unity and diversity, justice and collaboration" in all staff.

The code specifies standards of behaviour and helps inform employees how to exercise judgement and accept personal responsibility in their professional roles.

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

By 2015/16, 87 per cent of staff enrolled in training on ethical conduct and public sector standards, an online assessment course, completed the training.

This training informs and serves to remind staff of the importance placed upon ethical behaviour.

Additionally, regular items on the Department's intranet news page provide examples, topical stories and links to other key sources of information in the field of corruption prevention.

Corruption Prevention

The Department emphasises effective corruption prevention. Training of the workforce about the potential for corruption is given priority and a range of practical measures support the vigilance.

The 2011-2016 Fraud and Corruption Control Plan identifies key strategies, actions and responsibilities for managing fraud and corruption risks within the Department. The Plan is reinforced by policies on corruption prevention, gifts and conflict of interest in employment. The Department reports quarterly on the offer and acceptance of gifts, benefits and other rewards.

During 2015/16 offers of 199 gifts, including hospitality, were registered. 149 gifts were accepted and most were under \$50 in value. A record is also maintained of staff registering conflicts of interest and secondary employment. In 2015/16 a total of 287 registrations were received, with 286 approved.

Social Media Policy

The Department implemented the Social Media Policy which established a clear set of requirements for the use of social media. The Department recognises that staff may choose to use social media in their personal life. Social media may also be used for official interests and professional interests. The policy does not intend to discourage nor unduly limit the personal interests of staff or their undertaking of online activities.

Financial Interests

At the date of reporting, other than normal contracts of employment of service, no senior officers had any interests in existing or proposed contracts with the Department.

Other Legal Requirements

Advertising and Allied Expenditure

In compliance with section 175ZE of the *Electoral Act 1907*, the Department reports on expenditure incurred for advertising, market research, polling, direct mail and media during 2015/16.

Advertising Agencies	\$281,928
Adcorp	\$278,665
Sensis	\$3,263
Market Research Organisations	Nil
Polling Organisations	Nil
Direct Mail Organisations	Nil
Media Advertising	34,046
DPS Publishing	\$6,646
Dragonfly Media	\$2,703
Morningstar Australia	\$10,300
Optima Press	\$7,133
State Law Publisher (Government Gazette)	\$7,264
Total	\$315,974

Disability Access and Inclusion Planning

The Department's Disability Access and Inclusion Plan (DAIP) complies with the *Disability Services Act 1993* (WA) and ensures that professional and appropriate services are provided to customers with a disability, their carers and families. During 2015/16 the Department achieved the following:

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

As part of the International Day of People with Disability, in December 2015, a quiz was circulated through the DAIP Committee to staff to increase their understanding of DAIP, disability awareness and achievements for the Department. Staff recorded at least a 90 per cent result for the quiz.

A display as part of International Day of People with Disability was set up at Perth Magistrates Court Registry Office, accessible to people with a disability. This was publicly promoted on the www.idpwd.com.au website and several queries were received from the public regarding this.

The opening of the David Malcolm Justice Centre, comprising the Supreme Court's civil functions and office accommodation for the Department, was held in its new accessible venue, considering people with a disability.

The Office of the Public Advocate participated in several accessible events, including:

- Three training sessions tailored specifically for Justices of the Peace.
 - Three sessions for private administrators, held jointly with the Public Trustee.
 - Five large sessions in the metropolitan area for community members to learn about planning for their future including a session on World Elder Abuse Awareness Day in Rockingham.
 - Four sessions with a specific focus on carers within the guardianship and administration system, for both community members and service providers.
 - Eleven sessions for service providers regarding various aspects of the guardianship and administration system. Five of these sessions were held in regional areas and/or accessible to regional audiences via video conference links.
 - Seniors Week 'Have a Go Day' at Burswood Park on 11 November 2015 to discuss with the public enduring powers of guardianship and advance health directives.
- The Public Trustee Office conducted the following accessible events:
- WA Will Week seminars – conducted in both the fully accessible Perth office with lift, hearing loops, accessible toilets and parking and suitable venues across the metropolitan area that accommodate seniors with mobility issues in Hillarys, Falcon and Bentley.
 - Royalties for Regions talks in regional Western Australia including Shark Bay, Carnarvon and the Shire of Upper Gascoyne – all new accessible venues.

- Elder Abuse Awareness Prevention talk as part of Law Week in May in the Perth office.

Strategic Human Resources ensures all training and information sessions are conducted in an accessible manner by requesting the information during the registration process.

The Registry of Births, Deaths and Marriages participated in Homeless Connect on 11 November 2015 where more than 100 certificates were issued free of charge.

The accessible events checklist on the Department's intranet has been updated to be easier to follow to ensure events are planned accessibly.

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

- Planning of the future Mount Magnet Courthouse has complied with accessibility requirements.
- Construction of the David Malcolm Justice Centre building ensured mandatory building codes were adhered to and the building was compliant with accessibility guidelines.
The interior fitouts were completed in June 2016. The reception floor includes an automatic toilet door to assist staff and the public and hearing augmentation in seven meeting rooms and the collaboration area.
- Kununurra's temporary courthouse was assessed during recent tender documentation and has met accessible disability access requirements. No further improvements are required to current layouts.

The relocation project has gone to public tender and works will start in July 2016.

A post-occupancy evaluation has been completed for Kalgoorlie Courthouse to assess its accessibility, no issues were identified.

- A post-occupancy evaluation is programmed for Kununurra and Carnarvon Courthouses later in 2016 and will assess accessibility services.

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

In addition to the new Department feedback brochure being updated in larger font, the new JP recruitment brochure is being drafted in 12-point font, consistent with State accessibility guidelines.

The Mental Health (Start) Court produced two new publications in an accessible format. A brochure specifically designed for participants who may benefit from mental health assistance through the court and one aimed at practitioners including lawyers. This court aims to reduce future contact with the justice system and help connect clients with the most appropriate treatment to manage their mental health.

Articles on the Department's intranet have promoted DAIP achievements, such as:

- A former disability trainee being a runner up finalist in the WA Training Awards under category Trainee of the Year

- The International Day of People with Disability, including celebrating 10 years of the Office of the Public Advocate's community guardianship program
- Completing the Department website accessibility project including modifying 1,850 web pages
- An R U OK article and World Suicide Prevention Day promoting the Department's mental health training.

The last of the Department's websites were updated to accessible templates, including:

- Department of the Attorney General – www.dotag.wa.gov.au
- About the Department – www.department.dotag.wa.gov.au
- Births, Deaths and Marriages – www.bdm.dotag.wa.gov.au
- Court and Tribunal Services – upgraded to assist people with a disability at www.courts.dotag.wa.gov.au

The Office of the Public Advocate provided their annual report in Word format for the first time last year to aid accessibility. Some clients with visual impairments use reader technology which cannot access PDF documents.

The format ensures more clients and the public are able to view the report online. The Office of the Public Advocate has again planned for its 2015/16 report to be available in Word and PDF forms.

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

In Westralia Square and International House, two key locations for Departmental staff, disability awareness training was held for some fire wardens, OSH representatives and other staff. Information on emergency procedures was included to assist staff and clients with a disability from the building.

The Public Trustee Office conducted Deaf Awareness training in March 2016 in its accessible venue.

The Office of the Public Advocate conducted the following sessions:

- inducted two new volunteers and provided disability awareness training for them
- bi-annual training for community guardianship program volunteers in November 2015 and May 2016, including providing care and support for families and friends of people who have a mental illness, and on the impact of the National Disability Insurance Scheme
- case consultation for volunteers who are guardians for people transitioning from Disability Services Commission accommodation to private providers. This included the provision of assistance and support in making applications to the State Administrative Tribunal to obtain the appropriate guardianship orders and authorities.

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

The new We Welcome Your Feedback brochure has been printed in a more accessible 12 point font size.

The addition of a feedback banner advertisement on the Office of the Public Advocate home page directs users to service standards for feedback.

The online feedback system was enhanced in accessible templates to assist people with a disability, including people with vision impairment and English difficulties.

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

The Department's Policy and Aboriginal Services Directorate continues to ensure people with a disability are able to participate in the Open Days and other events which it holds in regional and metropolitan areas throughout the year.

The Public Trustee conducted accessible events and consultations as part of its regional visits to the Kimberley and the Peel region. Auslan interpreters were engaged for the Wills public talk in Broome.

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

A disability trainee who completed his traineeship at the Registry of Births, Deaths and Marriages has had another contract extension in the Registry Office.

A trainee recruited within the Courts and Tribunal Services Division for a 12-month traineeship is progressing well.

An employee who was a former trainee and now a permanent staff member was a finalist in the WA State Training Awards (in the top four out of 170) and whose story was used as a notable example in the 2014/15 Disability Services Commission DAIP Progress Report released by the Minister for Disability Services on 15 March 2016.

A former trainee successfully obtained permanency as a level one officer in the Knowledge Management and Compliance Branch.

Strategic Human Resources updated the Department's learning management system. The new provider meets website accessibility requirements, allowing staff with a disability to better able to complete online courses.

A workplace assessment with a support provider was completed for a new trainee in October 2015.

An investigation into the emergency response requirements of staff with a disability was conducted to ensure any issues for staff exiting a high-rise building in a wheelchair or other physical disability are accounted for.

Compliance with Public Sector Standards and Ethical Codes

The Department complied with the Public Sector Standards in Human Resource Management, the Code of Ethics and the Department's Code of Conduct.

The Code of Conduct outlines the ethical principles, obligations and standards applying to staff. It aims to instil the values of "Excellent Service, Integrity and Accountability, Equality, Collaboration and Learning and Professional Autonomy" in all staff.

The code specifies standards of behaviour and helps inform employees how to exercise judgement and accept personal responsibility in their professional roles.

In 2015/16, 90 staff attended Corporate Induction Program which provides information on ethical conduct and raises participant's awareness on this topic.

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

The Department is addressing various consolidated records projects to conform to all requirements as is required under the *State Records Act 2000*. The State Records Commission's minimum compliance requirements are:

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

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

2. The organisation conducts a recordkeeping training program.

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

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

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

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

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

Substantive Equality

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

The State Government's Policy Framework for Substantive Equality previously only aimed at identifying and eliminating racial discrimination. The Policy Framework was updated in February 2015 to include all forms of systemic discrimination where it may exist in the policies and practices of public sector services.

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

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

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

The Department conducts traineeship programs to increase diversity including Aboriginal people, African people, people with a disability and school-based trainees.

To continue the Department's commitment and progression in implementing the other levels of the Policy Framework, work started on assessing the Needs and Impact Assessments for the Carnarvon, Kalgoorlie and Kununurra Courthouses.

The current focus is on identifying a means of capturing and reporting on data for culturally and linguistically diverse people and Aboriginal and Torres Strait Islander people. This involves working with other agencies to obtain relevant demographic data to ensure future substantive equality work achieves a tangible outcome and assist service delivery throughout justice complexes in Western Australia.

OSH and Injury Management

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

- A statement of the agency's commitment to occupational safety and health and injury
- management with an emphasis on executive commitment
- A description of the formal mechanism for consultation with employees on occupational safety and health matters
- A statement of compliance with injury management requirements of the *Workers' Compensation and Injury*

Management Act 1981, including the development of return to work plans

- A statement confirming that an assessment of the occupational safety and health management system has been completed (within the past five years or sooner depending on the risk profile of the agency) using a recognised assessment tool including the percentage of agreed actions completed. A report of annual performance for 2015/16 against the following:

A report of performance against the following targets:

Measure	Actual Results			Target	Comments ⁽¹⁾
	2013/14 ⁽¹⁾	2014/15	2015/16 ⁽²⁾		
Number of fatalities	0	0	0	0	
Lost time injury and/or disease incidence rate	0.376	0.655	0.935	0 or 10% reduction (actual target can be stated)	An increase from the 2013/14 year
Lost time injury and/or disease severity rate	28.57	33.33	35.71	0 or 10% reduction (actual target can be stated)	A 7% increase over the 2013/14
Percentage of injured workers returned to work: (i) within 13 weeks (ii) within 26 weeks	100% within 13 weeks	66% within 13 weeks 20% within 26 weeks	60% within 13 weeks 20% within 26 weeks	Greater than or equal to 80%	% of injured workers returned within 26 weeks which exceeds target
Percentage of managers trained in occupational safety, health and injury management responsibilities	75%	75%	92%	Greater than or equal to 80%	Achieved result above

Note ⁽¹⁾ this is a three-year trend and as such the year is to be three years prior to current reporting year (ie current year is 2015/16 and comparison year is 2013/14).

Note ⁽²⁾ the current year ie 2015/16.

Freedom of Information

The Department received 73 Freedom of Information (FOI) applications in 2015/16. Five applications from the previous period were also processed in this period.

During this time, 32 applications were completed and 29 transferred to other agencies.

There were 14 applications withdrawn and three were in the process of being completed. In this period, there was one request for external review by the Information Commissioner and this is currently outstanding.

One review from the previous period was conciliated and finalised by the Information Commissioner.

Two decisions were reviewed internally on request by the applicants with the decision being upheld on both occasions.

Summary of FOI applications for 2015/16

Applications Processed	
Personal information requests	17
Non-personal information requests	15
Amendment of personal information	0
Applications transferred in full	29
Total	61
Outcomes	
Applications completed	32
Applications withdrawn	14
Internal reviews completed	2
External reviews completed	1
Applications being processed	1

The Office of the Public Advocate, the Public Trustee and the State Administrative Tribunal are not listed as part of the Department in the *Freedom of Information Regulations 1993* and compile separate FOI statistics.

Customer Feedback Management System

The Department's Customer Feedback Management System (CFMS) records and tracks complaints, compliments and suggestions from customers. Feedback can be provided in various formats including:

- online
- CFMS brochure We Welcome Your Feedback
- letter
- telephone
- fax
- in person
- email.

During 2015/16 the Department received 285 complaints, 81 compliments and 39 suggestions. More than 86 per cent of feedback was answered within 10 working days. Court and Tribunal Services received the most feedback, accounting for 60 per cent of all feedback.

Various business improvements have been implemented as a result of the feedback received. Resultant improvements include enhanced business processes and procedures, updated website information and publications and further staff training in relevant areas.

The Customer Service Charter and CFMS brochure has been updated to better meet accessibility guidelines and to ensure the information provided reflects modern, corporate practice. In addition, the online feedback system has been updated to meet web accessibility guidelines to assist people with visual impairments.

Acts Administered through the Department of the Attorney General

Acts Amendment (Equality of Status) Act 2003

Acts Amendment and Repeal (Courts and Legal Practice) Act 2003

Administration Act 1903

Age of Majority Act 1972

Anglican Church of Australia (Diocesan Trustees) Act 1888

Anglican Church of Australia (Diocese of North West Australia) Act 1961

Anglican Church of Australia (Swanleigh land and endowments) Act 1979

Anglican Church of Australia Act 1976

Anglican Church of Australia Constitution Act 1960

Anglican Church of Australia Lands Act 1914

Artificial Conception Act 1985

Australia Acts (Request) Act 1985

Bail Act 1982

Bail Amendment Act 2008

Baptist Union of Western Australia Lands Act 1941

Bills of Exchange (day for payment) (1836) (Imp)

Bills of exchange (non-payment) (1832) (Imp)

Births, Deaths and Marriages Registration Act 1998

Charitable Trusts Act 1962

Child Support (Adoption of Laws) Act 1990

Children's Court of Western Australia Act 1988

Choice of Law (Limitation Periods) Act 1994

Civil Judgments Enforcement Act 2004

Civil Liability Act 2002

Civil Procedure Act 1833 (Imp)

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

Commercial Arbitration Act 2012

Commissioner for Children and Young People Act 2006

Commonwealth Places (Administration of Laws) Act 1970

Commonwealth Powers (De Facto Relationships) Act 2006

Companies (Administration) Act 1982

Constitutional Powers (Coastal Waters) Act 1979

Co-operative Schemes (Administrative Actions) Act 2001

Coroners Act 1996

Corporations (Administrative Actions) Act 2001

Corporations (Ancillary Provisions) Act 2001

Corporations (Commonwealth Powers) Act 2001

Corporations (Consequential Amendments) Act (No. 3) 2003

Corporations (Taxing) Act 1990

Corporations (Western Australia) Act 1990

Courts and Tribunals (Electronic Processes Facilitation) Act 2013

Crimes at Sea Act 2000

Criminal Appeals Act 2004

Criminal Code Act Compilation Act 1913

Criminal Injuries Compensation Act 2003
Criminal Investigation (Extra-territorial Offences) Act 1987
Criminal Law (Mentally Impaired Accused) Act 1996
Criminal Organisations Control Act 2012
Criminal Procedure Act 2004
Criminal Property Confiscation (Consequential Provisions) Act 2000
Criminal Property Confiscation Act 2000
Cross-border Justice Act 2008
Crown Suits Act 1947
Dangerous Sexual Offenders Act 2006 (except s. 18, 19A-19C, 21 & 32 & Pt. 2 Div. 3 & 5 & Pt. 5, which are administered by the Department of Corrective Services)
Debts Recovery Act 1830 (Imp)
Debts Recovery Act 1839 (Imp)
Defamation Act 2005
District Court of Western Australia Act 1969
Domicile Act 1981
Electronic Transactions Act 2011
Escheat (Procedure) Act 1940
Escheat and forfeiture of real and personal property (1834) (Imp)
Evidence Act 1906
Executors Act 1830 (Imp)
Factors (1823) (Imp)
Factors (1825) (Imp)
Factors (1842) (Imp)
Factors Acts Amendment Act 1878
Family Court (Orders of Registrars) Act 1997
Family Court Act 1997
Family Legislation Amendment Act 2006

Family Provision Act 1972
Fatal Accidents Act 1959
Federal Courts (State Jurisdiction) Act 1999
Financial Transaction Reports Act 1995
Fines, Penalties and Infringement Notices Enforcement Act 1994
Freemasons' Property Act 1956
Gender Reassignment Act 2000
Guardianship and Administration Act 1990
Highways (Liability for Straying Animals) Act 1983
Imperial Act Adopting Ordinance 1847
Imperial Acts Adopting Act 1836
Imperial Acts Adopting Act 1844
Imperial Acts Adopting Ordinance 1849
Imperial Acts Adopting Ordinance 1867
Infants' Property Act 1830 (Imp)
Interpretation Act 1984
Judges' Retirement Act 1937
Judgments Act 1839 (Imp)
Judgments Act 1855 (Imp)
Juries Act 1957
Jurisdiction of Courts (Cross-vesting) Act 1987
Justices of the Peace Act 2004
Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947
Law Reform (Miscellaneous Provisions) Act 1941
Law Reform (Statute of Frauds) Act 1962
Law Reporting Act 1981
Law Society Public Purposes Trust Act 1985
Legal Profession Act 2008



Legal Representation of Infants Act 1977
Limitation Act 1935
Limitation Act 2005
Magistrates Court (Civil Proceedings) Act 2004
Magistrates Court Act 2004
Mercantile Law Amendment Act 1856 (Imp)
Native Title (State Provisions) Act 1999
Oaths, Affidavits and Statutory Declarations Act 2005
Occupiers' Liability Act 1985
Offenders (Legal Action) Act 2000
Official Prosecutions (Accused's Costs) Act 1973
Off-shore (Application of Laws) Act 1982
Parole Orders (Transfer) Act 1984
Partnership Act 1895
Perth Anglican Church of Australia Collegiate School Act 1885
Perth Diocesan Trustees (Special Fund) Act 1944
Perth Hebrew Congregation Lands Act 1921
Presbyterian Church Act 1908
Presbyterian Church Act 1976
Presbyterian Church Act Amendment Act 1919
Presbyterian Church Act Amendment Act 1924
Presbyterian Church of Australia Act 1901
Presbyterian Church of Australia Act 1970
Prescription Act 1832 (Imp)
Prisoners (Release for Deportation) Act 1989
Professional Standards Act 1997
Prohibited Behaviour Orders Act 2010
Property Law Act 1969

Prostitution Act 2000 (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 (except Pt. 3 Div. 3 & 5, Pt. 3A, 9, 10, 11 & 12 & Pt. 18 Div. 2, 3 & 4 which are principally administered by the Department of Corrective Services)
Sentencing Legislation Amendment and Repeal Act 2003
Solicitor-General Act 1969
Spent Convictions Act 1988



State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004
State Administrative Tribunal Act 2004
Statute of Frauds (1677) (Imp)
Statutory Corporations (Liability of Directors) Act 1996
Suitors' Fund Act 1964
Supreme Court Act 1935
The Salvation Army (Western Australia) Property Trust Act 1931
Titles (Validation) and Native Title (Effect of Past Acts) Act 1995
Trustee Companies Act 1987
Trustees Act 1962
Trustees of Western Australia Limited (Transfer of Business) Act 2003
Unauthorised Documents Act 1961
Uniting Church in Australia Act 1976
Vexatious Proceedings Restriction Act 2002
Victims of Crime Act 1994
Warehousemen's Liens Act 1952
Warrants for Goods Indorsement Act 1898
West Australian Trustees Limited (Merger) Act 1989
Wills Act 1970
Yallingup Foreshore Land Act 2006