



# Annual Report

*births, deaths and marriages*



2010/11

*court and tribunal  
services*



*trustee services*



*legal, legislative,  
policy and Aboriginal  
justice services*

*advocacy, guardianship  
and administration services*

# Annual Report 2010/11

## Department of the Attorney General

### Statement of Compliance

For the year ending 30 June 2011

### **Hon Christian Porter MLA Attorney General**

In accordance with section 63 of the *Financial Management Act 2006*, I hereby submit for your information and presentation to Parliament the Annual Report of the Department of the Attorney General for the financial year ending 30 June 2011.

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

*Cheryl Gwilliam*

Cheryl Gwilliam  
DIRECTOR GENERAL  
DEPARTMENT OF THE ATTORNEY GENERAL  
20 September 2011

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# Contents

<b>Statement of compliance</b>	<b>1</b>
<b>OVERVIEW OF AGENCY</b>	<b>3</b>
Executive Summary from the Director General	3
Operational Structure	6
Organisation Structure	8
Performance Management Framework	9
<b>AGENCY PERFORMANCE</b>	<b>11</b>
Financial Summary	11
Financial Targets	11
Key Performance Indicators	12
<b>Service 1: Courts and Tribunal Services</b>	13
<b>Service 2: Advocacy, Guardianship and Administration services</b>	20
<b>Service 3: Trustee Services</b>	23
<b>Service 4: Births, Deaths and Marriages</b>	24
<b>Service 5: Services to Government</b>	26
<b>Service 7: Native Title</b>	32
<b>Organisational Progress</b>	33
<b>SIGNIFICANT ISSUES</b>	<b>36</b>
<b>DISCLOSURES AND LEGAL COMPLIANCE</b>	<b>38</b>
Financial Statements	38
Key Performance Indicators	85
Other Financial Disclosures	101
▪ Pricing policies of services	101
▪ Capital Works	102
▪ Employment and industrial relations	102
Other Legal Requirements	104
Governance Disclosures	106
Government Policy Requirements	109
<b>APPENDICES</b>	<b>113</b>
Location Maps	113
Acts Administered by the Department of the Attorney General	115

# Overview

## Executive Summary

### Organisational improvements deliver better services

Throughout 2010/11 the Department continued to improve service to the community. An enhanced commitment to developing staff - and refining the systems and processes they work with - were key drivers of the advances made.

The Registry of Births, Deaths and Marriages reached a level whereby 99 per cent of birth certificates were issued from the registry's computer system rather than from stored documents. This is the direct product of several years converting paper records to digital files. The availability of electronic records has improved service to the regions as more certificates can be issued directly to customers in the country or despatched to them faster. Overall an 86 per cent time saving occurred in generating birth certificates.

Improvements in certificate production has also allowed the Registry to move more staff to the public counter and marriage ceremony areas, enabling increased demands for services to be met without increasing overall staff numbers. Better customer service has resulted in a significant reduction in turn-around times at the Perth Registry counter. Additionally, improvements in marriage ceremony booking services cut waiting times from about six weeks to just one week.

The operations of the Public Trustee further illustrate how the organisation can improve service delivery to clients through better business processes, staff training and development. A review of the operations and structure of the Public Trustee's Wills team, and the implementation of an automated wills writing system during the year, established a base for significantly improved timeliness in the delivery of its wills service.

Continuous improvement to technology available in the State's courts and other parts of the justice system means many users now have the benefit of sophisticated audio and audio-visual systems. From vulnerable witnesses to people in custody, TV links to and from courtrooms make proceedings safer and more efficient. In 2010/11 the Department invested almost \$2.5 million in this area in order to provide better services and user outcomes.

The Department also undertook a significant amount of work educating and engaging with the community. For example, changes to the *Guardianship and Administration Act 1990* in 2010, which introduced Enduring Powers of Guardianship and Advance Health Directives, have become the focus of much of the community education undertaken by the Office of the Public Advocate. The feedback from the 97 information and education sessions held

throughout the year, has been overwhelmingly positive and word-of-mouth continues to generate interest for information and training activities.

For the past five years the Public Advocate has run an innovative program which matches volunteers from the community with adults who are on guardianship orders appointing the Public Advocate. The aim of this matching is to have the volunteer eventually become the person's guardian, if a suitable relationship develops. When this occurs, the level of contact which is provided to the represented person is much closer and personal in nature. In December 2010, the program was recognised for its contribution to the community, when it won the Disability Services Commission's State Government category of the *Count Me In* Award and then secured the overall *Dr Louisa Alessandri Award for Excellence*.

The Aboriginal Justice Program also undertook extensive engagement with Aboriginal communities through its open day process. The open days provide a one-stop shop, designed around the schedule of the community, for people to access services such as obtaining birth certificates, driver's licence testing, fines enforcement and face-to-face dealings with other government agencies. During 2010/11 more than 10 open days were held in locations such as Bunbury, Leonora, Mullewa, Warmun and Wyndham and assisted more than 370 people link to a range of government services.

The timely and fair delivery of justice to all court users is a key concern for the agency. While the majority of the Key Performance Indicators for the court system were met, attention remained on reducing the backlog of cases in some courts. For example, time to trial in the Family Court stands at 105 weeks and the Department continued to work with the Commonwealth to secure additional resources to assist in reducing the backlog. Similarly, the Department provided additional resources to the Coroner's Office to cut the backlog of administrative files needing completion.

Security is also of paramount importance to court users. The Department worked with the Department of Corrective Services to re-tender the provision of court security and court custody services as the existing contract approached its expiration in July 2011. The Department was a major contributor to the project, responsible for the development of the new service specifications.

The Department continued to provide sound and comprehensive policy and legal advice to the Attorney General on a range of law reforms, coupled with legislative drafting to a high standard. Examples of policy advice included a refocussing of the Department's programs to reduce Aboriginal over-representation in the justice system and options for changed roles for Justices of the Peace.

Following legislative reforms to the jury system, the Department spent the year preparing for broader-based and more equitable jury composition, changes earmarked to come into effect at the start of the new 2011/12 financial year. Some age and occupational restrictions, which previously

reduced the pool of jurors, were removed while many of the reasons that potential jurors could offer to be excused were reduced. For the first time, people in certain circumstances would be able to apply to defer their jury duty for up to six months. As well, tougher penalties are to be applied for people who do not attend on a jury duty summons; and for employers who hinder or prevent their staff from being a juror.

A major achievement of the year was the introduction of the Department's first published Workforce Plan and its accompanying Strategic Learning and Development Framework for 2010/14. The framework sets out to lift the Department's workforce capability through a range of training and development programs made available to all staff. The suite included a new leadership and management program to help current and future managers grow and develop in their roles.

Significant advances occurred in staff training and development, especially a major rollout and uptake of online training packages. This delivery method provided training in ways flexible enough for regional staff to avoid the need to travel to Perth and for all participants to work at their own pace. Some key elements of the training centred around accountability, notably on subjects such as ethical decision-making and proper record-keeping.

Our Corporate Services division ably supported the agency, especially in the areas of human resources and capital works. Its HR transaction centre serviced the Department of the Attorney General and the Department of Corrective Services as well as a range of smaller organisations. Construction of a new Kalgoorlie Courthouse progressed, ready for the awarding of a building tender early in the 2011/12 financial year. Planning for courthouses at Kununurra and Carnarvon also advanced during the year.

I would like to thank the management and staff for their ongoing dedication and hard work in continuing to improve services and the Attorney General for his strategic direction and support of the Department.

Cheryl Gwilliam  
Director General

## Operational Structure

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

Each year its work touches hundreds of thousands of Western Australians, especially those engaged in the court system, life event registrations and legal responsibilities for decision making.

The Department, headed by Director General Cheryl Gwilliam, reports to the Attorney General Hon Christian Porter MLA.

The key services of the Department are:

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

### *Court and Tribunal Services*

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

### *Births, Deaths and Marriages*

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

### *Advocacy, Guardianship and Administration Services*

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

### *Trustee Services*

The Public Trustee is a statutory authority administered by the Department of the Attorney General. The Public Trustee provides a comprehensive range of affordable, professional and impartial will, deceased estate administration and trustee services to all Western Australians. It offers a range of free community services and fee-based services which include preparing and storing wills,

enduring powers of attorney, managing nominated deceased estates and overseeing the financial and legal affairs of vulnerable people.

*Legal, legislative, policy and agency co-ordination for government*

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

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

The Parliamentary Counsel's Office ensures policies are put into legislative form and the public is given access to, and information about, existing and historical legislation. It provides comprehensive drafting and related services to Government, its departments and agencies. The office also makes its legislative drafting services available to private members of Parliament and to facilitate the work of parliamentary committees. Compilations of consolidated texts of Acts and subsidiary legislation are maintained for internet publication and the reprint program and the office arranges for the tabling of subsidiary legislation in each House of Parliament.

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

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

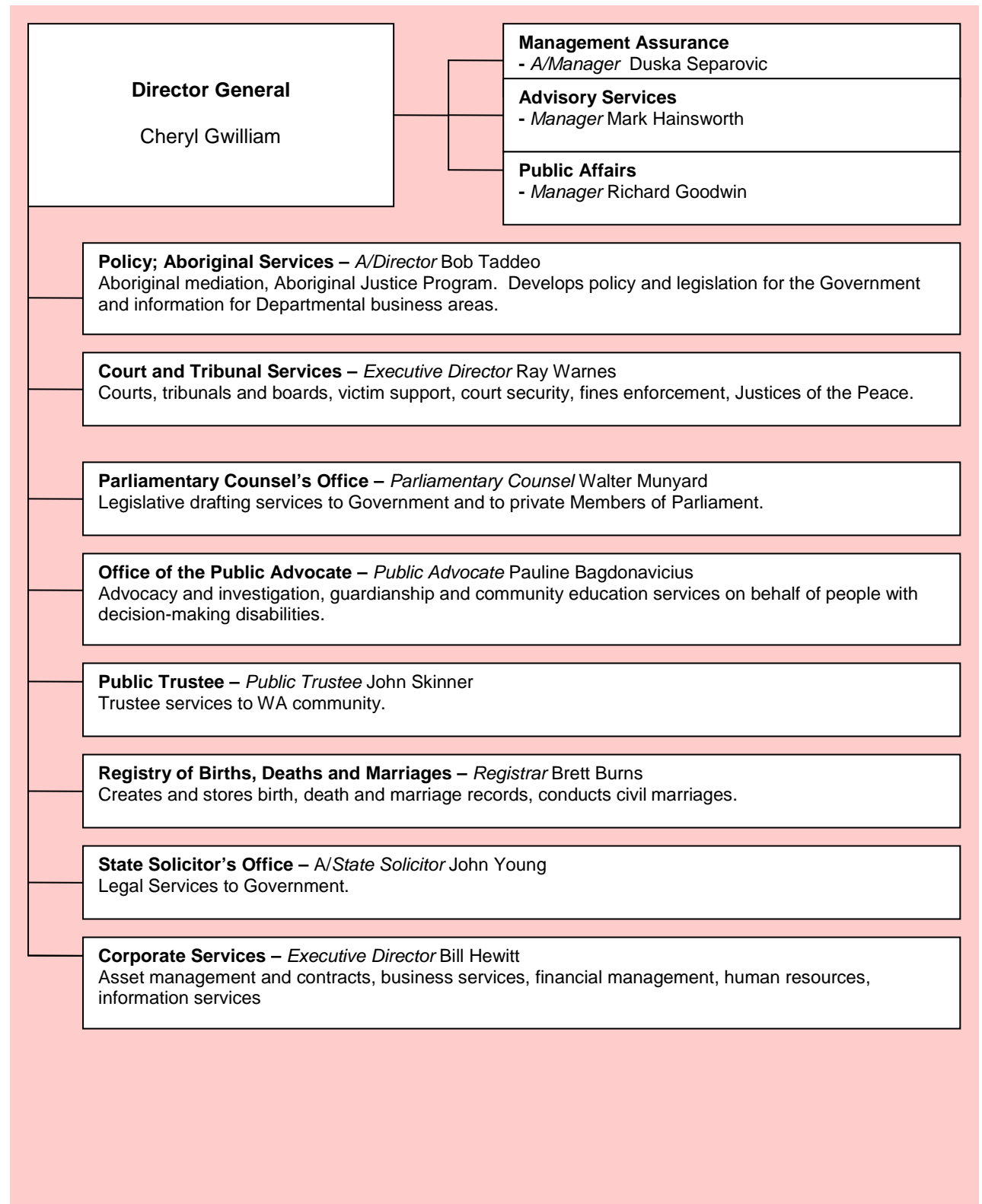
In accordance with a Strategic Framework, the Department values:

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



# Organisational Structure

As at 30 June 2011



## Performance Management Framework

### Government Goals

The work of the Department of the Attorney General reflects two goals of the State Government:

- Outcomes-based Service Delivery: a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.
- Social and Environmental Responsibility: ensuring that economic activity is managed in a socially and environmentally responsible manner for the long-term benefit of the State.

### Outcomes and services

Desired Outcomes of the Department	Services of the Department
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 *
6. Native Title matters are resolved in a timely manner **	7. Native Title policy development, implementation and negotiation **

- \* *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.*
- \*\* *This outcome and service were transferred to the Department of the Premier and cabinet on 1 April 2011 and ceased to be part of the Department's Outcome Based Management Framework.*

## **Changes to the Outcome Based Management Structure**

The Department's Outcome Based Management (OBM) structure was amended for this reporting period to make the agency level outcomes more relevant to the activities of the Department.

Previous high level agency-wide outcomes have been replaced by a set more closely aligned with the Department's organisational structure. The new outcomes better reflect the agency's activities. This enhances accountability for achievement of the Department's outcomes and facilitates performance measurement by way of Key Performance Indicators (KPIs).

The Department's KPIs were reviewed in light of the changed agency level outcomes and reduced in number, primarily in the Court and Tribunal Services area. While most of the 2010/11 KPIs have been reported on previously, there are some new ones too.

In addition to the changes to agency level outcomes, the OBM framework was amended to cater for the transfer of the Office of Native Title (ONT) from the Department of the Attorney General to the Department of the Premier and Cabinet on 1 April 2011. KPI results relating to ONT are for the nine months to 31 March 2011.

# Agency Performance

## Financial Summary

Services	Budget 2010/11 \$000	Actual Exp 2010/11 \$000
1. Court and Tribunal Services	309,450	358,169
2. Advocacy, Guardianship and Administration Services	3,804	4,597
3. Trustee Services	20,204	19,351
4. Births, Deaths and Marriages	7,514	6,664
5. Services to Government	69,369	81,433
6. Legal Aid Assistance	28,737	29,630
7. Native Title policy development, implementation and negotiation	58,122	50,718
Total	497,200	550,562

## Financial Targets

	Target 10/11 \$000	Actual 10/11 \$000	Variation	Comment
Total Cost of Services (ie endorsed expense limit)	497,200	550,562	11%	The expenditure result was due to increases in the actuarial assessment of judicial pensions, ex-gratia and mesothelioma payments, criminal injury compensation payments and accused costs increases.
Net Cost of Services (details in the Income Statement)	379,816	432,097	14%	The above target variance was mainly due to the expenditure explanations provided above.
Total Equity (details in the Balance Sheet)	451,918	393,435	-13%	The reduction in total equity is largely due to the transfer of the Office of Native Title to the Department of Premier and Cabinet and a downward revaluation of land and buildings.
Net Increase/(Decrease) in Cash Held (details in Cash Flow Statement)	10,091	(21,468)		The reduction in cash held is mainly due to the transfer of cash to the Department of Premier and Cabinet on the transfer of the Office of Native Title.
Full Time Equivalent (FTE) staff level (Excludes Legal Aid)	1952	1,788		DotAG is operating under its approved FTE target primarily due to management of staff vacancies. [The Office of Native Title FTE is included in the 2010/11 target]

## **Key performance indicators**

The Department's key performance indicators showed that it met or surpassed its targets in more than 80 per cent of cases in 2010/11.

This is particularly evident in the Court and Tribunal Services where the time between committal and the first trial date for the Supreme Court and District Court criminal jurisdictions was 18 and 22 per cent respectively better than target. This represents five weeks better than the Supreme Court's target of 28 weeks and seven weeks measured against the District Court target of 32.

The Registry of Births, Deaths and Marriages also delivered better than target results for both the accuracy of its source records and timeliness of the delivery of certificates. More than 112,000 certificates were issued during the year and about 109,000 or 97 per cent were issued within two days. This is a pleasing result and is seven per cent better than the target set in the 2010/11 budget statements.

Costs per case were generally higher in the Court and Tribunal area due to fewer matters being finalised and an increase in the actuarial assessment of judicial pensions.

The complete details of key performance indicators are provided in the section Disclosures and Legal Compliance starting on page 38.

## Court and Tribunal Services

*The provision of court facilities and services to the community, including court counselling, administration and judicial support staff that allow criminal and civil cases to be determined by a court or tribunal*

### Court performance

The Department's Key Performance Indicators strongly emphasise the effectiveness and efficiency of the State's court system. The Department works to ensure the timely and fair delivery of justice to all court users.

The Supreme Court's time to trial result for criminal cases in 2010/11 was 23 weeks, five weeks under the target. The median time to criminal trials in the District Court for committals was 25 weeks, although in circuit locations this extended to about 38 weeks. The court has implemented strategies to reduce this time gap. The standard time for civil matters to be finalised was 52 weeks.

The time between committal and the first trial date for the Supreme Court and District Court criminal jurisdictions in 2010/11 was 18 per cent and 22 per cent respectively better than target. This represents five weeks better than the target result for the Supreme Court and seven weeks for the District Court.

The time to trial in the Family Court, extending from 98 weeks two years ago, stands at 105 weeks, although the proportion of all applications (including divorce) that proceeds to trial is tiny – just 2.6 per cent. Measures pursued in 2010/11 to cut this time included extra Commonwealth funding for a temporary magistrate, implementation of a new support structure to assist the judges and the introduction of changes in the case management of trial listings. Those matters that do not proceed to trial and are finalised through other court processes were completed within 25 weeks.

Despite a continued increase in workload, the State Administrative Tribunal finalised 80 per cent of its core business, guardianship and administration matters, within eight weeks of lodgement. The median time to finalise other matters was 15 weeks.

The criminal and civil median time to trial in Magistrates Courts improved by three weeks (from 22 to 19 weeks) in 2010/11 over the previous year.

The Perth Children's Court started Saturday sittings in 2010/11 to deal with arrested juveniles who remained in custody at Rangeview. All appearances, averaging five a week, were conducted via video link between Rangeview and the court. Since June 2011 the Children's Court was also available via video link to regional courts on Saturday mornings to review any case where sitting Justices of the Peace refused bail for a juvenile. The aim is to cut juveniles' time in custody before their bail situation is considered by a magistrate.

## Caseloads

In May 2011, the Supreme Court introduced a new conference procedure for civil cases in its commercial and managed cases list. Where suitable, the managing judicial officer gets the parties together to try to agree at an early stage on how to ensure the case is finalised expeditiously and economically. For most of the year, staff of the Supreme Court worked on the development of a modern case management system for its criminal business.

The District Court has experienced significant growth in lodgements for civil debt recovery over the past 12 months. This increase has placed greater demand on the workload of the registry and judiciary of the court.

In the Family Court, there continued to be an upward trend in the number of applications received where risks and sensitivities were identified. These matters generally warrant and receive closer case management by the court. The number of matters awaiting trial in the court's defended list has grown by 45 per cent as of June 2011 prompting more emphasis on case management and mediation.

The State Administrative Tribunal received 6,325 new applications for hearings in 2010/11. In line with an ageing population, the number of guardianship and administration applications increased by six per cent to 3,745, being 60 per cent of all applications received.

The number of matters on hand at the tribunal rose by eight per cent as of 30 June 2011. It introduced a new case management model to make practices more efficient and to improve customer service. The tribunal also prepared for the transfer of building dispute matters to its jurisdiction from the Building Disputes Tribunal in the second half of 2011.

E-lodgement for commercial tenancy matters was introduced during the year and the tribunal's register of proceedings was made available so the public could search it without the need to attend in person and pay a fee.

In the Magistrates Court, the number of criminal lodgements dropped by 13 per cent in 2010/11. The decline came mainly from fewer traffic and vehicle regulatory offences, down 5,742 cases or 11.6 per cent. Offences against property and person also declined.

In the Children's Court, the number of criminal cases declined by 21 per cent from 10,795 in 2009/10 to 8,891 last year. Civil lodgements fell 17 per cent from 2,037 to 1,734 in 2010/11. The number of criminal cases in the Children's Court excludes all arrest warrant returns.

The Coroner's Court dealt with 2,745 reportable deaths in 2010/11 and finalised a total of 2,136 matters. The Coronial Counselling Service made 6,018 contacts with families, an increase of almost 16 per cent on the previous year. The Coroner's Court held 40 inquests and sat for 181 days.

The Government provided temporary additional funding to enable the court to continue addressing its backlog of files. The latter part of the year saw a substantial number of findings drafted for sign-off by coroners and this should make an impact on the backlog during 2011/12.

Overall, the number of reportable deaths continued to increase in line with Western Australia's population growth. The State Coroner also commenced the inquest into the Christmas Island refugee boat disaster which resulted in the loss of 50 lives.

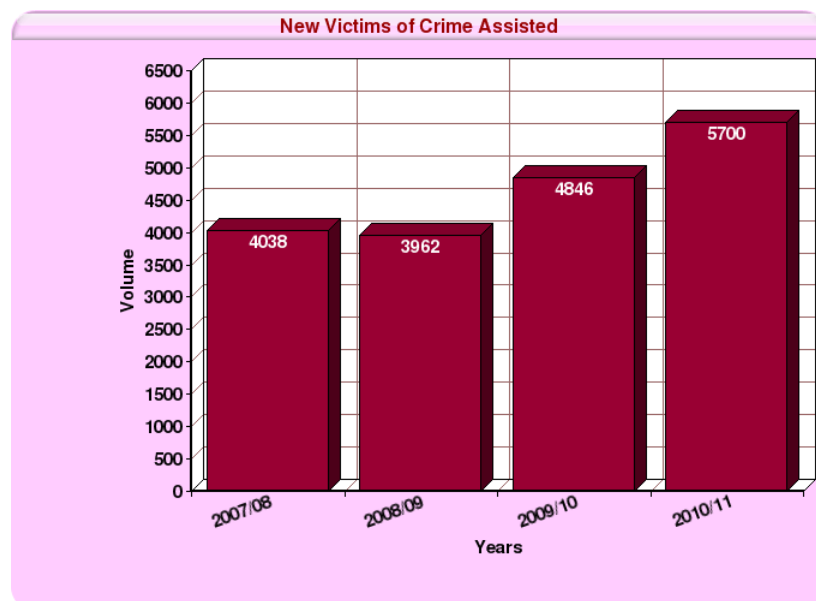
In 2010/11 approximately 1,350 offenders before the courts, who used illicit substances, accessed drug treatment programs. The Drug and Alcohol Office started to evaluate various aspects of the work for a report due to be released in late 2011.

## Victims of crime

### Compensation

The number of applications received by the Office of Criminal Injuries Compensation increased from 1,628 in 2009/10 to 1,669 in 2010/11. The office finalised 1,793 applications in the year, a rise of 27 per cent.

Increased resourcing of the recoveries area in the Office, which encourages payment from perpetrators, reduced the caseload by almost two-thirds over 12 months and, in the same period, regular payers increased by about 15 per cent from 1,105 to 1,274.





## **Counselling and support**

The Department's Victim Support Service provided counselling and support services to 5,700 new victims of crime across the State, an increase of 14 per cent from the previous year. About a fifth of the services were delivered to Aboriginal people.

Victims of sexual assaults received a better level of care, due to liaison with the police and the Office of the Director of Public Prosecutions. This work resulted in an 11 per cent increase in the number of victims of sexual assault aided this year.

The agency's Child Witness Service helped 1,162 people under the age of 18 during the year, a rise of five per cent.

The network of six metropolitan family violence courts is delivering services designed to hold perpetrators accountable and help victims and children to keep safe. Geraldton also has a family violence court, Barndimalgu, which provides culturally specific interventions for Aboriginal offenders and families affected by family violence. These courts offer offenders options to participate in a behaviour-change program before sentencing in an attempt to break the cycle of family violence.

More than 4,700 family violence victims were provided with direct assistance in 2010/11. The range of family violence services included help with Violence Restraining Order applications, victim impact statements, court support and referrals to other support agencies.

The number of services being provided to victims of crime has continued to grow with more volunteers in the city and country. More than 200 volunteers now help victims of crime and child witnesses.

## **Review boards**

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

The Prisoners Review Board considered 4,532 matters during the year. These 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. Parole was approved on 754 occasions and denied or cancelled on 2,229 occasions.

The Mentally Impaired Accused Review Board dealt with 66 matters while the Supervised Release Review Board dealt with 621 juveniles.

## Justice of the Peace

As at 30 June 2011 there were 3,009 Justices of the Peace (JPs) in Western Australia.

During the year, the Department put in place better training for JPs state-wide through 44 workshops. More than 700 JPs took part, about half of whom are rostered for court duties. Some attended more than one training session. In addition, 124 JPs enrolled in online training, again about a half of whom preside in court, often in remote parts of the state.

The Department put in place strategies to better supervise the quality and range of training provided to JPs. A training calendar, improved online handbook, training logbook, Aboriginal cultural awareness training via video and an overall emphasis on sound preparation of JPs for performing judicial duties figured in the major effort that marked the year.

At the request of the Attorney General, the Department produced a discussion paper on possible reforms to the system of JPs. This was used as the basis for community consultation. As a result of the report arising from the consultation, the Attorney asked the agency to do additional work on proposals for change.

## Aboriginal liaison

The Department has continued to provide guidance to Aboriginal people attending at courts. There are eight Aboriginal Liaison Officers based at Albany, Broome, Carnarvon, Kununurra, Roebourne, South Hedland and Perth. In March 2011 an independent evaluation began of this program. The aim is to measure the effectiveness and the extent to which the work helps Aboriginal people's access to, confidence in and use of court services and helps reduce their over-representation as offenders in the criminal justice system. The evaluation is due for completion later in 2011.

## Jury services

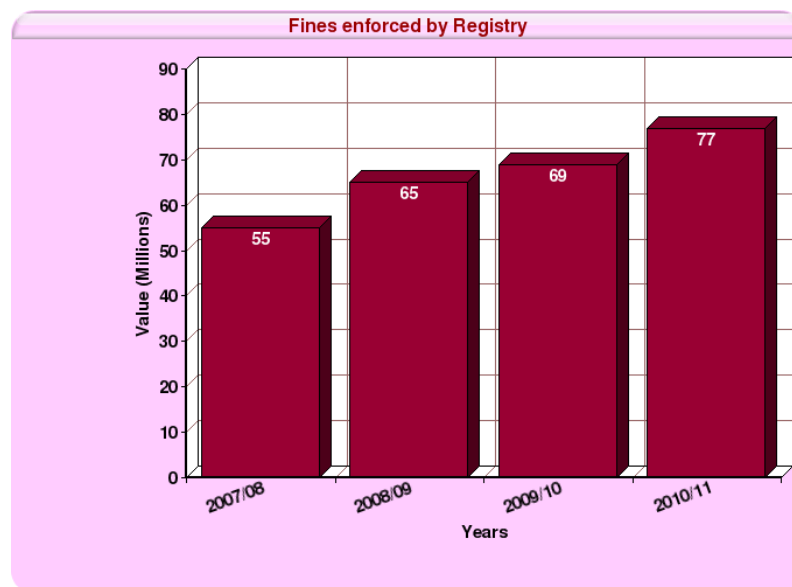
Much of the year was spent preparing for major changes to the State's jury system following Parliament's amendments to the *Juries Act 1957*. The reforms were designed to make jury duty a fairer system by curbing the grounds for excusal and removing some age and occupational restrictions. Under the changes, people with multiple criminal and traffic convictions are not eligible to serve as jurors. Tougher penalties target people who ignore a jury duty summons and employers who make it hard or prevent staff from serving. The new rules operate from 1 July 2011.

## Fines enforcement

The number of outstanding court-imposed and infringement fines registered at the Fines Enforcement Registry (FER) decreased by seven per cent. FER collected \$76.8 million this financial year, a rise of six per cent. The key

performance indicators for FER are the percentages of court fines and infringement notices finalised within 12 months of lodgement. FER finalised 56 per cent of infringements (one per cent below target) and 37 per cent of court fines, which was nine per cent above target.

Since the enforcement system began in 1995, almost 4.5 million fines worth \$1.1 billion have been registered with FER. More than 80 per cent, with a value of \$868 million, have been completed.



FER streamlined a direct bill paying service for customers receiving payments from Centrelink allowing these arrangements to be established over the telephone. More than 13,000 people now use this system, paying a total of almost \$850,000 a month, more than \$10 million this year.

### Civil and criminal enforcement

The Department's contractor, Baycorp (WA) Pty Ltd, which supplies civil and criminal enforcement services in the southwest of Western Australia, successfully completed its first year of operation.

Following the withdrawal of police bailiff services in several key bailiwicks in the State's north in 2008, expressions of interest were sought to attract new contractors to these positions. Most have now been filled, improving access to bailiff services in regional and remote WA.

### Court technology

The development and implementation of technology and related business systems continued to enhance customer services. Through this progress, the Department delivers justice related services in a more efficient and versatile manner than previously possible.

During the year, the criminal case system for the Supreme and District Courts was shifted into the more modern Integrated Courts Management System (ICMS) environment. The full development of ICMS will continue until 2013. A new Justice of the Peace management information system was also completed.

Ageing legacy information management systems were also moved to new infrastructure. Full upgrades of audio-visual systems were undertaken in courts at Derby, Armadale, Mandurah, Joondalup, Rockingham and Bunbury as well as in parts of the State Administrative Tribunal, Children's and Central Law Courts in Perth. Digital audio links were extended from 22 court locations and 52 individual courtrooms to a central location.

### Significant events

In May 2009, an appeal was lodged by the banks involved in the Bell Group litigation. It ranks as the largest and most significant commercial appeal in Western Australian legal history. Additional resources were provided by the State Government to the Department to facilitate the appeal hearing which began on 18 April 2011. The hearing of the appeal is finished and the judgment anticipated before the end of the year.

In June 2011, the Supreme Court celebrated the 150th anniversary of its establishment on 18 June 1861. Celebrations included an Open Day which allowed the public to view the inner workings of the court, including courtrooms and cells, and hear briefings from Judges.

## SERVICE 2

### Advocacy, guardianship and administration services

*Through the Office of the Public Advocate, the provision of access to advocacy, investigation and guardianship services which protect and promote the financial interests and welfare of adults with decision-making disabilities.*

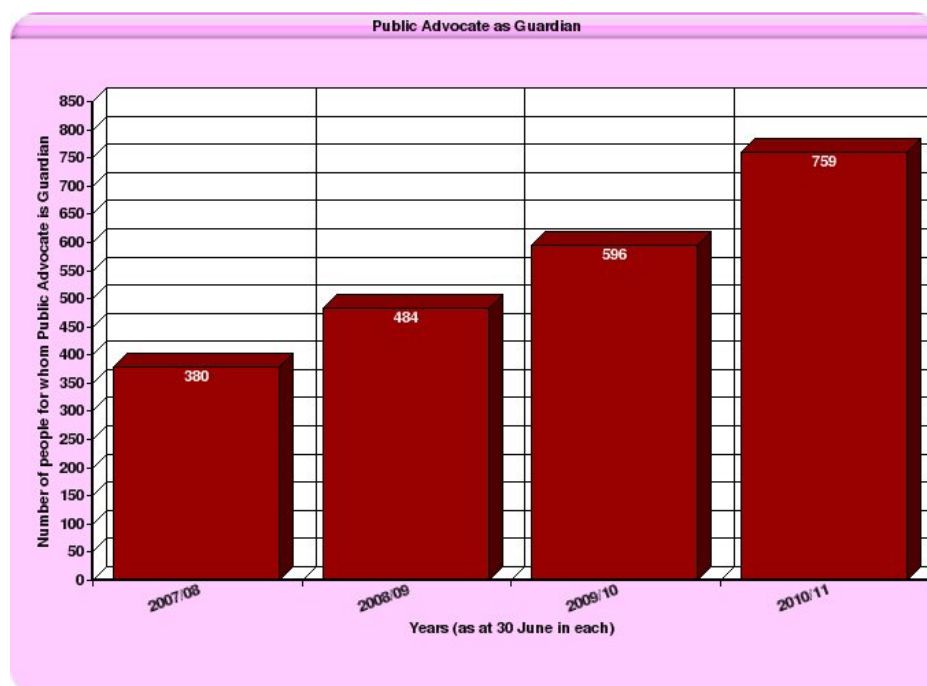
#### Guardianship services

The Public Advocate is appointed by the State Administrative Tribunal as 'guardian of last resort' for adults with a decision-making disability. New guardianship appointments jumped significantly - from 224 in 2009/10 to 330 in 2010/11, a rise of 47 per cent. At 30 June 2011, the Public Advocate was guardian for 759 people, compared to 596 people at the same time last year - an increase of 27 per cent. In 2010/11 the Public Advocate, acting as guardian, made personal, lifestyle and treatment decisions for a total of 1,011 people, compared to 723 in 2009/10.

#### Advocacy and investigation services

In 2010/11, investigator advocates and guardians attended 920 State Administrative Tribunal hearings. At these hearings they advocated in the best interests of adults for whom the Public Advocate had been appointed as, or was being proposed as, their guardian.

Investigations into the personal or financial welfare of people with a decision-making disability totalled 1,266, up by 22 per cent for the year. Investigations referred by the State Administrative Tribunal accounted for most. Of those investigations, 989 were new referrals, a rise of 18 per cent from 2009/10.



## Sustained increasing demand for statutory services

The rising prevalence of dementia in Australia's ageing population is a major factor for the continued increase in demand for the Public Advocate's statutory services, both in terms of new investigations and appointments of the Public Advocate as guardian.

The growing demand for the services of the Office of the Public Advocate (OPA) was recognised in 2010/11, with additional funding totalling more than \$5 million over four years being allocated in the 2011/12 State Budget. This new funding will allow for the employment of 14 full-time employees in the advocacy and investigation, and guardianship teams, with permanent funding for eight positions in 2011/12.

## Community Guardianship

In December 2010, five years after it was established, the Community Guardianship Program was recognised for the important role it plays in the Western Australian community.

The program, which matches volunteers from the community with adults who need a guardian and who are currently represented by the Public Advocate, won the State Government Category and the overall Dr Louisa Alessandri Award for Excellence, in the Disability Services Commission's *Count Me In* Awards for 2010.

At 30 June 2011, the program had 17 volunteer community guardians. Of these, nine had been appointed by the State Administrative Tribunal as their represented person's guardian – replacing the Public Advocate and providing a more personal level of involvement in their life.

## Community education: implementing legislative changes

Changes to the *Guardianship and Administration Act 1990*, triggered by the *Acts Amendment (Consent to Medical Treatment) Act 2008*, continued to affect the work of the Office of the Public Advocate through 2010/11.

Raising awareness in the community about the introduction of Enduring Powers of Guardianship (EPGs) and Advance Health Directives (AHDs) was the primary focus of OPA's education program. Community members and relevant service providers were guided on the proper use and execution of these initiatives. The Department of Health has the lead role in training medical and allied health professionals about Advance Health Directives.

In 2010/11, OPA conducted a total of 97 information sessions, most in the metropolitan area and a quarter in the country including Albany, Augusta, Bunbury, Busselton, Collie, Esperance, Geraldton, Kalgoorlie, Manjimup, Margaret River, Merredin, Moora, Peel and Wagin. The sessions targeted the needs of community members and/or service providers from the aged care, health, disability and other related sectors.

The prime focus of the community education strategy in 2010/11 was Enduring Powers of Guardianship, with most of the 97 sessions covering this topic. Of the other sessions, three were held in conjunction with the Public Trustee, specifically for private administrators. Presentations covering general guardianship and administration information, Enduring Powers of Attorney, elder abuse and the role of the Public Advocate were also delivered.

To mark World Elder Abuse Awareness Day 2011, the Public Advocate ran information sessions across the south-west. More than 100 people attended and gave positive feedback.

The Office of the Public Advocate handled a total of 4,120 enquiries via its advisory service in 2010/11.

## SERVICE 3

### Trustee Services

*Provision of funds management services, trustee and financial administrator services by the Public Trustee for individuals pursuant to orders from courts or tribunals, preparation of Wills and Enduring Powers of Attorney, and managing deceased estates.*

#### Client service delivery

The challenge continues for the Public Trustee to cope with an increasing demand for services. There was a record number of new Trust Management clients during 2010/11; many were appointments made by the State Administrative Tribunal, a trend increasing in volume and complexity.

Improving client awareness and access continued through activities such as:

- Information sessions to community groups, professional service providers and government agencies
- Wills education aimed at reducing intestacy and family conflict
- Regional visits funded by Royalties for Regions
- Research into the needs of other cultural and religious groups.

#### Developing business

Meeting growing demand by smart use of resources was demonstrated in several areas. To cater for will drafting services, the Public Trustee devised an automated will writing system. This innovation, alongside business process reforms and a planned restructure of its Wills team, offered scope for significantly improving timeliness in the delivery of its wills service. In similar vein, technology changes to the call centre enabled it to handle a 33 per cent increase in calls without the need for more staff.

#### Investment performance

As at June 2011, the Public Trustee's investment funds had 251 clients and a value of about \$141 million.

Buildings at 565 and 553 Hay Street in Perth are assets in the Public Trustee's Common Account. The Trustee is in the process of moving operations from one to the other. The first stage of relocating to new premises at 553 Hay Street occurred in March 2011. The final stage, due for completion in February 2012, will include purpose-built customer service facilities on the ground floor for Wills and Trust clients. Approval has been sought to sell the building at 565 Hay Street once the relocation has been completed.

#### Other achievements

The Public Trustee was recognised for the fourth consecutive year as a *Better Practice Agency* by the Office of the Auditor General for quality and timely financial statements and good financial practice.



## SERVICE 4

# Births, Deaths and Marriages

*Through the Registry of Births, Death and Marriages, provision of access by the government and community to accurate, permanent and confidential records of births, deaths and marriages.*

## Conversion services

### Electronic conversion of records

In March 2009 the Department started converting to electronic format two million paper-based records stored at the Registry of Births, Deaths and Marriages, dating back to when records began in Western Australia in 1841. Birth and adoption records from 1973 to 1930, and marriage records from 1983 to 1963, have been converted and are now available electronically to registry staff. The conversion of historical records will continue to provide more efficient certificate-issuing services for both the Perth Registry and key regional courts to issue certificates directly to customers.

Apart from streamlining the Department's retrieval process, it also preserves these vital records and allows the registry to participate in national identity security initiatives. The conversion project is expected to be completed in 2013/14.

### Online indexes

The range of historic birth, death and marriage index information available on the Department's website was extended during 2010/11. These indexes allow people to search for their relevant records and, from there, order full certificates from the registry. Birth indexes are available for 1841-1932, death indexes for 1841-1966 and marriage indexes for 1841-1936.

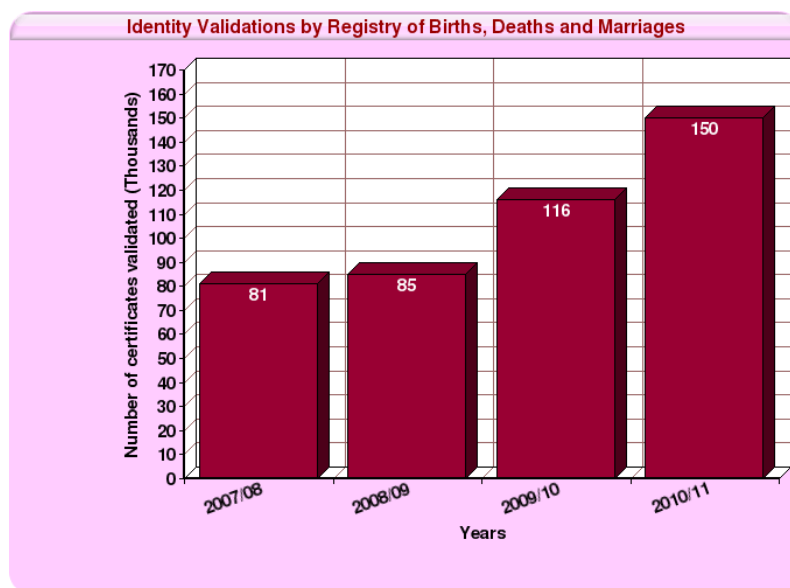
### Lodgement of death information

Online notification of deaths from funeral directors increased during 2010/11 with 82 per cent of registrations lodged electronically.

## Identity security

### Validation

The prevention and detection of identity fraud and theft is a growing priority that has a substantial impact on the Registry. More than 150,400 Western Australian birth, death and change-of-name certificates were validated against Registry information during the year. This is an increase of 30 per cent from last year. Public and private organisations use this service to underpin their verification processes.



## Verification

WA remains a key participant in the National Identity Security Strategy (NISS), a Council of Australian Governments' initiative to better protect the identities of Australians by strengthening the integrity and security of identity credentials such as birth certificates. The National Document Verification Service (DVS), a component of NISS, provides a secure online system where subscriber agencies verify the authenticity of government-issued identifying documents presented by applicants for benefits or services. The DVS allows government agencies across all jurisdictions to enhance the integrity of their registration procedures, to improve the quality of their identity data and better serve customers.

## Service delivery

### Registrations and certificates

The Department recorded a three per cent reduction in the number of standard certificates issued during 2010/11. Registrations dropped ever so slightly with 31,706 births (down just 48 from 2009/10), 12,871 deaths (down 104), 12,440 marriages (up 58) and 4,657 changes of name (351 fewer).

### Weddings

Wedding ceremonies officiated at the Perth Registry office increased by around ten per cent to 1,105 during 2010/11.

### Aboriginal assistance

The registry is contributing to the Department's Aboriginal Justice Program (see page 27). Registry staff visit regional and remote Aboriginal communities to help people obtain birth certificates and register births, often a precursor to obtaining their driver's licence from the Department of Transport.

## SERVICE 5

# Services to Government

*Legal, legislation and policy services provided by the Department to support justice outcomes and other activities of Government.*

## Policy and legislative advice to Government

### Law and order

The Department has led the development, implementation and co-ordination of policy, legal and legislative advice to the Government on a range of law and order initiatives.

New legislation was passed during the year to enable the courts to make Prohibited Behaviour Orders, banning serial anti-social offenders from activities related to their crime. The Department devised a website to record and publish prohibited behaviour orders.

Other laws passed included toughening legislation to protect the community against identified dangerous sex offenders and amending the *Criminal Code* to protect children and the community in Western Australia from child pornography.

### Law reform

The Department worked on other areas of law reform. Parliament amended the *Juries Act 1957* to broaden the range of people eligible for jury duty (see page 16). It also amended the *Children's Court Of Western Australia Act 1988* to enable youth offending data to be supplied to the Telethon Institute for Child Health Research.

In the latter part of the year the Attorney General introduced amendments to the *Restraining Orders Act 1997* into Parliament to give security to those protected by violence restraining orders, thereby addressing community concern about the number of breaches occurring.

Parliament's amendments to the *Charitable Trusts Act 1962* enabled a broader range of trusts to donate to government bodies including museums and art galleries.

The Department developed policy on regulating prostitution and, in conjunction with other agencies, drafted legislation subsequently released for public comment.

Proposed changes to double jeopardy laws and the imposition of a levy on crime to fund more assistance for victims were among reforms which progressed towards legislation and will be finalised in the forthcoming financial year.

The *Interpretation Act 1984* and the *Reprints Act 1984* were amended to ensure currency in the construction, application and interpretation of written law in Western Australia and in the reprinting of Acts of Parliament and subsidiary legislation.

### Reviews and evaluations

A statutory review of the *Sentencing Act 1995* was completed and a draft report submitted for Government's consideration.

The initial review of the *Bail Act 1982* was also completed, in line with the Government's response to the Coroner's findings into the death of Aboriginal elder, Mr Ward, with the work to continue in 2011/12.

The Department began a statutory review of the *Victims of Crime Act 1994*.

### Copyright

A retrospective remuneration agreement for photocopying and digital copying of third party copyright works was signed with Copyright Agency Limited (CAL) in January 2011.

In March 2011, the State, through the Department of the Attorney General, became a member of CAL, thereby allowing the State to receive revenue for the reproduction of copyright print works owned by the State.

## Services to Aboriginal communities and individuals

### Aboriginal Justice Program

Following an evaluation of the Aboriginal Justice Agreement, the Government made changes, deciding to adapt the work to a new Aboriginal Justice Program (AJP) administered by the Department. The essence of the program is a four-pronged approach to target key issues related to the disproportionate involvement of Aboriginal people in the criminal justice system:

- Motor driving licensing issues
- Fines and infringement defaults
- Offending by Aboriginal youth and
- Domestic violence

The focus of the AJP is to work strategically with communities and across government to achieve improvements in the four identified target areas. The primary delivery method is "open day" forums where members of Aboriginal communities do business with relevant government agencies and also non-government organisations. During 2010/11 more than 10 open days were held in locations such as Bunbury, Leonora, Mullewa, Warmun and Wyndham and helped more than 370 people transact a range of government services.

## Aboriginal Mediation Service

The Aboriginal Mediation Service (AMS) provides culturally appropriate conflict and dispute resolution services to help address inter and intra-family feuding. During the year, the service contracted a panel of qualified external mediators to undertake conflict resolution and mediation. The service received 161 enquiries. Following assessment 10 matters proceeded to formal mediation with agreements signed. There were 21 burial disputes considered.

A focus for the AMS this year has been whole of government strategies to provide specialist advice to help resolve community conflict. The AMS conducted two community information sessions and three government and agency workshops to discuss conflict resolution strategies with public sector workers. Using Commonwealth funds, the AMS is also trialling a partnership model to provide regular mediation and conflict resolution services in the East Kimberley.

## Legal and Parliamentary Drafting Services

### Parliamentary Counsel

The Parliamentary Counsel's Office continued to help publish legislation online and free of charge to the public.

This year the office further enhanced the legislative database. A project to scan reprints of certain important repealed Acts is in progress, a move welcomed by the judiciary, legal researchers and law librarians. The project has been made possible through continued collaboration with others across both government and private sectors.

The Parliamentary Counsel's Office was engaged on a number of large national scheme drafting projects to implement reform initiatives of the Council of Australian Governments. This saw a number of Bills introduced into Parliament including the *Health Practitioner Regulation National Law (WA) Act 2010* which provides for a national registration and accreditation scheme for health practitioners.

The Parliamentary Counsel's Office provided legislative drafting services to private members of Parliament, a recent development in its work program.

In 2010/11, the Parliamentary Counsel's Office completed a number of significant drafting tasks to give effect to Government policy. They included:

- The *Commonwealth Heads of Government Meeting (Special Powers) Bill 2011* to give police and authorised officers the powers needed to safeguard the security of people attending the Commonwealth Heads of Government Meeting in Perth in October 2011.

- Fair Trading legislation to provide for the Australian Consumer Law to govern fair trading practices, provide for a competitive and fair market, and protect the interests of consumers.
- Major drafting of four Bills to facilitate reform in the building industry.
- The *Iron Ore Agreements Legislation Amendment Act (No. 2) 2010*, which gives legislative effect to supplementary agreements to 10 existing commercial agreements between the State Government and various mining companies. At 861 pages, it is the largest Bill ever introduced into, and passed by, the State Parliament.
- The *Juries Legislation Amendment Act 2011* - which broadens community representation on juries.
- The *Cat Bill 2011* to provide for the control and management of cats and promote and encourage the responsible ownership of cats.

### State Solicitor's Office

Through the State Solicitor's Office (SSO), the Department continued to deliver quality legal services to a broad range of government clients.

Significant legal matters dealt with during 2010/11 included:

#### *McKay v Commissioner of Main Roads*

This matter involves a Supreme Court action for compensation for land compulsorily acquired by the State for the Perth-Bunbury Highway and a future recreation centre. The plaintiffs claimed compensation of about \$85 million but their approach to the land's valuation is disputed. The trial ran for 94 sitting days. Judgment is likely in August 2011.

#### *Hague Convention*

Australia is party to an international treaty, the *Hague Convention on the Civil Aspects of International Child Abduction*, governing arrangements for the return of children wrongfully removed from, or retained outside, the country of habitual residence. The Commonwealth Attorney General's Department is the central authority for the treaty in Australia and, by way of delegation, the WA Commissioner for Police deals with applications for the return of children brought to WA. The SSO acts for the Commissioner in bringing applications in the Family Court of Western Australia. Applications rose in the last year while issues became more complex.

#### *Roe v Director General of the Department of Environment and Conservation and others*

These matters involved challenges to permits which authorised Woodside Energy Limited and the Commissioner of Main Roads respectively to clear native vegetation to aid investigations for a proposed natural gas processing precinct at James Price Point in the Kimberley and a proposed road to the site. Mr Roe challenged the permits on several grounds including that they were illegal because the applications were related to a proposal which had been referred to the Environmental Protection Authority and the proposal was a significant proposal within the meaning of the Environmental Protection Act. The SSO represented both the Director General and the Commissioner of Main Roads in the proceedings. The Court of Appeal rejected Mr Roe's contentions and the permits therefore survived his challenge.

### Commercial work

State solicitors worked on significant matters for Government including a new contract for court security and custodial services, the Oakajee port and rail project and a public private partnership agreement for parking at Queen Elizabeth II Medical Centre. Of particular note are:

#### *Fiona Stanley Hospital - Facilities Management Contract*

A tender was drafted for a contract for the provision of non-clinical services at the State's major new tertiary hospital, Fiona Stanley Hospital. After it went to market, the State selected Serco Australia Pty Ltd as the preferred proponent. State solicitors worked with a team of external lawyers to provide legal support in the negotiation process with Serco. Complex negotiations are approaching conclusion.

#### *New Children's Hospital*

In line with an election commitment, the Government is to replace Princess Margaret Hospital with a new children's hospital on the QEII Medical Centre site in Crawley by 2014/15. A Departmental team of solicitors worked with the Office of Strategic Projects and the Department of Health to draft and edit documents such as tendering measures, evaluate bids, advise on the selection of a managing contractor and negotiate the terms of their contract.

### Native Title Claims

Through SSO, the Department has helped shape a new approach to the mediation of native title claims, providing legal advice, helping draft a Government Indigenous Land Use Agreement and representing the State in the Federal Court, the National Native Title Tribunal and other stakeholder forums as this new approach is applied to particular native title claims.

SSO represents the State in native title claim litigation in the Federal Court and in arbitrations involving the grant of mining tenements and Land

Administration Act grants. It advises government on policies and possible legislative changes.

Significant matters in 2010/11 included:

- Federal Court consent determinations in the Kimberley region in favour of the Uunguu and the Dambimangari native title holders
- Helping Government finalise agreements for the establishment of the multi-user Browse Liquefied Natural Gas (LNG) Precinct at James Price Point. (See page 31.) The State, the Goolarabooloo Jabirr Jabirr People and Woodside Energy Ltd entered into agreements on 30 June 2011.
- assisting with the implementation of major native title agreements such as the Ord Final Agreement and the Yawuru Agreement.

### **Grants administration**

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

Money and property is seized from criminals by the WA Police and the Director of Public Prosecutions, and after costs are met for these authorities, the balance of the funds is distributed to eligible not-for-profit community organisations and local governments through the criminal property confiscation grants program.

During the year, grants worth a total of \$5.4 million were awarded to 41 applicants throughout the State in funding rounds conducted in October 2010 and May 2011.

### **Law Award**

The Department conducted the annual Attorney General's Community Law Award during Law Week to recognise a practitioner who has made a sustained pro bono contribution for the benefit of the Western Australian community. Michael Cockram won the 2011 award for providing legal advice to disadvantaged people through the Citizen's Advice Bureau.



## Native Title

*Co-ordination of a whole of government response to the resolution of State native title matters.*

[Note: From 1 July 2009 until 31 March 2010 the Office of Native Title operated from within DotAG until its incorporation into the Department of Premier and Cabinet on 1 April 2011.]

### Negotiations

The State continued to seek to mediate to settle Native Title claims. Of 101 claims in Western Australia, more than half were involved to some degree in native title negotiations during 2010/11. Eleven of these claims are included in a proposed South West Settlement and eight are subject to Federal Court litigation.

During the year the Office of Native Title led work on the design of a template Government Indigenous Land Use Agreement (see previous page), likely to be a fundamental feature of the State's input to native title negotiations. The State believes more certainty about future management of lands, subject to native title determination, will help title holders and land users (government and third party interests) to use them more productively in the long run.

The Department took a lead role in negotiations between the Government, Woodside Petroleum and the Kimberley Land Council, acting on behalf of traditional owners, for the site of the proposed Browse LNG Precinct on the Dampier Peninsula. The Browse project represents an unprecedented investment in development in this region with an unparalleled potential return for Aboriginal people from compensation agreed between Woodside, Government and traditional owners in the East Kimberley.

Negotiations with the South West Aboriginal Land and Sea Council continued in line with a 2009 understanding on a framework for negotiations to resolve native title in WA's south west. An agreement would permit development projects in Perth and the south west to proceed unimpeded by native title processes. The content of a possible agreement is still under consideration.

### State Agreements

A wide range of benefits continued to arise out of Native Title Agreements, including those for the Burrup and Maitland industrial estates, the Ord, the Yawuru and radio astronomy in the Murchison.

### Policy Development

Work on the negotiation and settlement of Native Title and related issues included a study of native title compensation applications and their implications.

# Organisational Progress

## Staff Development

An employee development system, designed to maximise the performance and skills of staff, continued successfully in 2010/11. Staff participated in online training on almost 3,400 occasions during the year, with an emphasis on record-keeping and ethical decision-making, meeting a key thrust of the Public Sector Commission.

The Department introduced a greater range of electronic learning modules for training all employees. This makes training more accessible to regional and metropolitan staff alike and the modules are designed to provide a more detailed and interactive way of learning workplace process and procedure.

Among the key topics of face-to-face courses were Aboriginal Cultural Awareness, Leadership and Management and client insights for trust management staff at the Public Trustee.

The Department ran a pilot mentoring program with 28 employees participating. Other corporate initiatives included a guest speakers program, help for managers to deal effectively with challenging workplace issues and implementing a number of strategies to enhance the working environment at the Prisoners Review Board.

In June 2010, an intake of 14 Aboriginal business trainees began. Most completed their Certificate III qualification ahead of the June 2011 deadline. A new intake is currently in progress. The percentage representation of Aboriginal people in the Department's staffing ranks is 3.4, just above our target.

## Information Technology

The Department continued to improve its information and communications technology disaster recovery capability. The Department is upgrading and improving its network and improving overall security.

Data storage requirements were successfully capped and reduced, leading to significant savings.

## Management Assurance

Through its Management Assurance Branch, the Department conducts an innovative, responsive and effective value-added internal audit and risk management function. During 2010/11 this work helped the Department to achieve objectives, improve business performance and manage risk, using various tools.

During the year seven major audits were done including examination of a capital works program framework, IT security and procurement. Another six short-form audits were completed on topics as diverse as Government Regional Officers Housing and write-offs.

In partnership with *Riskcover*, the Department implemented the RiskBase system, facilitating 35 operational and six project risk assessments and providing training and support to 114 managers on its use.

### Records and Compliance

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

The Department progressively implemented electronic document and records management in business areas.

A new tracking system for ministerial correspondence was implemented during 2010/11. The system automatically saves information in the appropriate part of the Department's corporate records management database.

### Library and Information Services

The Department's library management system was upgraded with a new version of software. Library resources contracts were renewed and continued to deliver value for money in purchasing both hard copy and online legal publications.

### Capital works

#### *Kalgoorlie*

Restoration work on the exterior of the heritage-listed Warden's Court and Post Office on Hannan Street, as part of the new \$43 million Kalgoorlie Courthouse, is now complete.

The exterior of the building has been restored to its original condition. Stonework was cleaned and mortar joints re-pointed. Later additions, not part of the turn of last century buildings, were removed. The clockface was cleaned and repaired, and the decorative roof mounted vents were rebuilt. Structural work was also carried out to reinforce the clocktower.

Building of the rear annexe, timed to start in the second half of 2011, will advance the project as the Department aims to have the courthouse complex complete and ready for occupation in mid 2013.

### *Carnarvon*

Carnarvon's new \$52 million Police and Justice Complex on the corner of Robinson Street and Babbage Island Road will bring courts, police and community and youth justice services into one facility.

The site has also passed all preliminary testing and has proved suitable. Architects Cox Howlett and Bailey Woodland were appointed and started initial concept design work, after consultation with key stakeholders.

A community reference group has been formed and input from Aboriginal consultative groups is being sought so diverse community views can be communicated to the project. Community consultation will focus on the courthouse, which has the largest and most significant public spaces.

Construction is expected to start in 2013, with a view to completion in 2014.

### *Kununurra*

Design of a new \$43 million courthouse in Kununurra, funded through Royalties for Regions, has significantly advanced. The project team and architects have worked closely with the Kununurra community, including the Shire, police, legal, business and Aboriginal communities on planning the project.

An inspiring two-storey concept, which captures the distinct landscape of the Kimberley region, has been developed to fit on the prominent site of the current court, on the corner of Coolibah Drive and Messmate Way, expected to be completed in 2014.

### *Broome*

Planning for a similar redevelopment at Broome was also funded through Royalties for Regions starting in 2010/11. Planning will culminate in a business case which will include an assessment of alternative sites for the Broome Courthouse. The business case will target the 2012/13 State Budget.

### *Head Office*

The refurbishment of accommodation at the Department's head office in Westralia Square, Perth, was completed in December 2010 with the relocation of staff concluded by February 2011.

## **Purchasing Cards**

The Department has achieved the Government's target of 80 per cent for using purchasing cards for transactions under \$5,000. The cards are now used for printing and stationery purchases, utility charges, Australia Post expenses, telephone charges and the placement of job advertisements.

## Significant Issues

The Department continues to develop legislation to implement the Government's law and order policy agenda which includes proposed laws relating to organised criminal groups, prostitution, double jeopardy, increased penalties for manslaughter, restraining orders and enhanced fines enforcement.

The processing of Commonwealth people-smuggling matters placed considerable operational and financial pressures on Western Australian courts. Negotiations with the Commonwealth are ongoing to implement a longer-term solution to the present inequitable distribution of court cases, imprisonment and costs in the various states of Australia.

The high value and quantity of outstanding fines, as well as the significant proportion of persons whose licences have been suspended for non-payment of fines, continues to be of concern. Proposals for enhanced enforcement measures are being developed to facilitate improved fine collection and the legislation supporting these measures will be finalised shortly.

The Department has taken a more targeted approach to try to reduce the over-representation of Aboriginal people in Western Australia's criminal justice system, both in relation to offending rates and subsequent rates of incarceration. As outlined earlier in this report, its Aboriginal Justice Program will strategically work with local communities to contribute towards improvements in critical areas such as regional motor driving licence suspensions, fines and infringement defaults, offending by youth and domestic violence.

The Department is continuing to develop reform options for Government's consideration including the extent and scope of victims' support services and models for the funding of those services.

Changes in our population profile, including ageing and an increase in the prevalence of dementia, will continue to have significant impacts on the Public Advocate's advocacy and investigation, and guardianship services. Demand for the statutory services to vulnerable adults with a decision-making disability has been increasing, with a continued growth in investigation referrals from the State Administrative Tribunal and the appointment of the Public Advocate as guardian of last resort.

Population changes have also resulted in more Western Australians requiring the Public Trustee's Trust Management services. In addition, increased community education and marketing of the Public Trustee's Will services will result in growing demand for the drafting and storage of Wills.

Enhancements to computer systems and the increased use of online lodgement facilities will increase the efficiency of courts and enable the provision of contemporary, high quality services to the community.

The Registry of Births, Deaths and Marriages will continue to experience increased demand for certificates, given more stringent identification and enrolment requirements by organisations such as the Passport Office, banks and government agencies to prevent identity fraud.

Council of Australian Government reforms will require Parliamentary Counsel to supplement drafting resources to help achieve the timely progress of the substantial package of legislative changes.



## **Disclosures and Legal Compliance**

### **Financial Statements**

#### **Certification of Financial Statements**

**For the year ended 30 June 2011**

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 2011 and the financial position as at 30 June 2011.

At the date of signing we are not aware of any circumstances which would render the particulars included in the financial statements misleading or inaccurate.

*Alan Andersson*

Alan Andersson  
Chief Finance Officer

29 August 2011

*Cheryl Gwilliam*

Cheryl Gwilliam  
Accountable Authority

29 August 2011



## 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 2011, the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows, Schedule of Income and Expenses by Service, Schedule of Assets and Liabilities by Service, and Summary of Consolidated Account Appropriations and Income Estimates for the year then ended, and Notes comprising a summary of significant accounting policies and other explanatory information, including Administered transactions and balances.

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

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

#### *Auditor's Responsibility*

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

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

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

#### **Opinion**

In my opinion, the financial statements are based on proper accounts and present fairly, in all material respects, the financial position of the Department of the Attorney General at 30 June 2011 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.



## **Department of the Attorney General**

### **Report on Controls**

I have audited the controls exercised by the Department of the Attorney General. The Director General is responsible for ensuring that adequate control is maintained over the receipt, expenditure and investment of money, the acquisition and disposal of public and other property, and the incurring of liabilities in accordance with the Financial Management Act 2006 and the Treasurer's Instructions, and other relevant written law.

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

### ***Opinion***

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

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

I have audited the key performance indicators of the Department of the Attorney General. 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.

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 Standards.

### ***Opinion***

In my opinion, the key performance indicators of the Department of the Attorney General are relevant and appropriate to assist users to assess the Department's performance and fairly represent indicated performance for the year ended 30 June 2011.

### **Independence**

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



COLIN MURPHY  
AUDITOR GENERAL  
31 August 2011

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**STATEMENT OF COMPREHENSIVE INCOME**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	Note	2011 \$'000	2010 \$'000
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Employee benefits expense	6	240,542	198,488
Supplies and services	7	81,149	72,109
Depreciation and amortisation	8	18,565	17,190
Finance costs	9	17,787	17,951
Accommodation expenses	10	25,047	27,098
Grants and subsidies	11	118,833	79,757
Loss on disposal of non-current assets	12	52	195
Other expenses	13	48,587	40,452
<b>Total cost of services</b>		<b>550,562</b>	<b>453,240</b>
<b>Income</b>			
Revenue			
User charges and fees	14	72,563	67,025
Commonwealth grants and contributions	15	19,282	18,694
Other revenues	16	26,620	25,973
<b>Total income other than income from State Government</b>		<b>118,465</b>	<b>111,692</b>
<b>NET COST OF SERVICES</b>		<b>432,097</b>	<b>341,548</b>
<b>Income from State Government</b>			
	17		
Service appropriations		397,246	327,079
Liabilities assumed by the Treasurer		43,902	13,817
Resources received free of charge		4,732	1,752
Royalties for Regions Fund		201	-
<b>Total income from State Government</b>		<b>446,081</b>	<b>342,648</b>
<b>SURPLUS / (DEFICIT) FOR THE PERIOD</b>		<b>13,984</b>	<b>1,100</b>
<b>OTHER COMPREHENSIVE INCOME</b>			
Changes in asset revaluation surplus		(6,664)	407
Gains/losses recognised directly in equity		-	-
<b>Total other comprehensive income</b>		<b>(6,664)</b>	<b>407</b>
<b>TOTAL COMPREHENSIVE INCOME FOR THE PERIOD</b>		<b>7,320</b>	<b>1,507</b>

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

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

**DEPARTMENT OF THE ATTORNEY GENERAL**

**STATEMENT OF FINANCIAL POSITION**

**AS AT 30 JUNE 2011**

	Note	2011 \$000	2010 \$000
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	28	1,584	23,654
Restricted cash and cash equivalents	18	145	-
Receivables	19	8,480	11,130
Amounts receivable for services	20	2,460	2,431
<b>Total current assets</b>		<b>12,669</b>	<b>37,215</b>
<b>Non-current assets</b>			
Restricted cash and cash equivalents	18	3,647	3,190
Amounts receivable for services	20	96,404	78,395
Property, plant and equipment	21	565,534	572,722
Intangible assets	22	15,286	18,932
<b>Total non-current assets</b>		<b>680,871</b>	<b>673,239</b>
<b>TOTAL ASSETS</b>		<b>693,540</b>	<b>710,454</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	24	27,384	27,141
Borrowings	25	2,542	2,079
Provisions	26	42,956	42,632
<b>Total current liabilities</b>		<b>72,882</b>	<b>71,852</b>
<b>Non-current liabilities</b>			
Borrowings	25	218,852	221,411
Provisions	26	8,371	9,506
<b>Total non-current liabilities</b>		<b>227,223</b>	<b>230,917</b>
<b>TOTAL LIABILITIES</b>		<b>300,105</b>	<b>302,769</b>
<b>NET ASSETS</b>		<b>393,435</b>	<b>407,685</b>
<b>EQUITY</b>			
	27		
Contributed equity		83,479	105,049
Reserves		253,036	259,700
Accumulated surplus		56,920	42,936
<b>TOTAL EQUITY</b>		<b>393,435</b>	<b>407,685</b>

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

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

**DEPARTMENT OF THE ATTORNEY GENERAL**

**STATEMENT OF CHANGES IN EQUITY  
FOR THE YEAR ENDED 30 JUNE 2011**

	<b>Note</b>	<b>Contributed equity \$000</b>	<b>Reserves \$000</b>	<b>Accumulated surplus/ (deficit) \$000</b>	<b>Total Equity \$000</b>
<b>Balance at 1 July 2009</b>	27	68,768	259,293	41,836	369,897
Total comprehensive income for the year		-	407	1,100	1,507
Transactions with owners in their capacity as owners:					
Capital appropriations		10,754	-	-	10,754
Other contributions by owners		29,267	-	-	29,267
Distributions to owners		(3,740)	-	-	(3,740)
Total		36,281	-	-	36,281
<b>Balance at 30 June 2010</b>	27	<b>105,049</b>	<b>259,700</b>	<b>42,936</b>	<b>407,685</b>
<b>Balance at 1 July 2010</b>	27	105,049	259,700	42,936	407,685
Total comprehensive income for the year		-	(6,664)	13,984	7,320
Transactions with owners in their capacity as owners:					
Capital appropriations		8,197	-	-	8,197
Other contributions by owners		2,030	-	-	2,030
Distributions to owners (a)		(31,797)	-	-	(31,797)
Total		(21,570)	-	-	(21,570)
<b>Balance at 30 June 2011</b>	27	<b>83,479</b>	<b>253,036</b>	<b>56,920</b>	<b>393,435</b>

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

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

**DEPARTMENT OF THE ATTORNEY GENERAL**

**STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED 30 JUNE 2011**

	<b>Note</b>	<b>2011 \$000</b>	<b>2010 \$000</b>
<b>CASH FLOWS FROM STATE GOVERNMENT</b>			
Service appropriation		375,824	307,790
Capital appropriations		8,197	10,754
Holding account drawdowns		2,431	2,378
Contributions by owner		-	30,032
Distributions to owner		(30,127)	(2,000)
Royalties for Regions Fund	28 (c)	2,231	-
<b>Net cash provided by State Government</b>		<b>358,556</b>	<b>348,954</b>
<b>Utilised as follows:</b>			
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Payments</b>			
Employee benefits		(175,564)	(164,443)
Supplies and services		(264,733)	(210,005)
Accommodation		(25,047)	(27,098)
Finance costs		(17,812)	(17,968)
GST payments on purchases		(19,094)	(18,473)
GST payments to taxation authority		(2,461)	(3,016)
		-	-
<b>Receipts</b>			
Receipts from services		101,358	93,601
Commonwealth grants and contributions		19,282	18,694
GST receipts on sales		2,840	2,783
GST receipts from taxation authority		19,318	18,733
<b>Net cash provided by/(used in) operating activities</b>	28 (d)	<b>(361,913)</b>	<b>(307,192)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
<b>Payments</b>			
Purchase of non-current physical assets		(16,082)	(21,191)
<b>Receipts</b>			
Proceeds from sale of non-current physical assets		11	13
<b>Net cash provided by/(used in) investing activities</b>		<b>(16,071)</b>	<b>(21,178)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>			
<b>Payments</b>			
Finance lease payments		(2,040)	(1,665)
<b>Net cash provided by/(used in) financing activities</b>		<b>(2,040)</b>	<b>(1,665)</b>
<b>Net increase/(decrease) in cash and cash equivalents</b>		<b>(21,468)</b>	<b>18,919</b>
Cash and cash equivalents at the beginning of period		26,844	7,925
<b>CASH AND CASH EQUIVALENTS AT THE END OF PERIOD</b>	28 (a)	<b>5,376</b>	<b>26,844</b>

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**SCHEDULE OF INCOME AND EXPENSES BY SERVICE**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	2011 Service 1	2010	2011 Service 2	2010	2011 Service 3	2010	2011 Service 4	2010	2011 Service 5	2010	2011 Service 6	2010	2011 Service 7	2010	2011 Overheads	2010	2011	2010
	Court and Tribunal Services		Advocacy, Guardianship and Administration Services		Trustee Services		Births, Deaths and Marriages		Services to Government		Legal Aid Assistance		Native Title Policy Development, Implementation and Negotiation		Corporate Overheads		Total	
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>COST OF SERVICES</b>																		
<b>Expenses</b>																		
Employee benefits expense	166,649	127,619	3,125	2,748	12,158	11,921	2,852	2,786	39,749	38,646	-	-	2,353	3,081	13,656	11,687	240,542	198,488
Depreciation and amortisation expense	14,152	13,343	5	3	550	336	44	43	1,531	1,657	-	-	25	13	2,258	1,795	18,565	17,190
Finance costs	17,787	17,951	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17,787	17,951
Other expenses	130,567	117,722	786	1,040	4,222	4,109	2,788	3,291	36,483	32,582	29,630	27,084	47,321	19,217	21,819	14,371	273,616	219,416
Loss on sale of assets	35	187	-	-	-	-	-	-	20	7	-	-	-	-	(3)	1	52	195
Corporate overheads reallocated to services	28,979	21,569	681	489	2,421	1,694	980	825	3,650	2,480	-	-	1,019	797	(37,730)	(27,854)	-	-
<b>Total cost of services</b>	<b>358,169</b>	<b>298,391</b>	<b>4,597</b>	<b>4,280</b>	<b>19,351</b>	<b>18,060</b>	<b>6,664</b>	<b>6,945</b>	<b>81,433</b>	<b>75,372</b>	<b>29,630</b>	<b>27,084</b>	<b>50,718</b>	<b>23,108</b>	<b>-</b>	<b>-</b>	<b>550,562</b>	<b>453,240</b>
<b>Income</b>																		
Sales	70,364	65,343	2	7	14,687	12,588	7,901	8,097	19,536	18,564	-	-	100	3,794	5,875	3,299	118,465	111,692
Corporate overheads reallocated to services	4,144	2,279	130	65	561	322	172	97	801	452	-	-	67	84	(5,875)	(3,299)	-	-
<b>Total income other than income from State Government</b>	<b>74,508</b>	<b>67,622</b>	<b>132</b>	<b>72</b>	<b>15,248</b>	<b>12,910</b>	<b>8,073</b>	<b>8,194</b>	<b>20,337</b>	<b>19,016</b>	<b>-</b>	<b>-</b>	<b>167</b>	<b>3,878</b>	<b>-</b>	<b>-</b>	<b>118,465</b>	<b>111,692</b>
<b>NET COST OF SERVICES</b>	<b>283,661</b>	<b>230,769</b>	<b>4,465</b>	<b>4,208</b>	<b>4,103</b>	<b>5,150</b>	<b>(1,409)</b>	<b>(1,249)</b>	<b>61,096</b>	<b>56,356</b>	<b>29,630</b>	<b>27,084</b>	<b>50,551</b>	<b>19,230</b>	<b>-</b>	<b>-</b>	<b>432,097</b>	<b>341,548</b>
<b>INCOME FROM STATE GOVERNMENT</b>																		
Service appropriation	220,730	195,917	3,766	3,474	1,522	2,691	(819)	(923)	55,951	52,156	29,555	27,211	51,460	19,174	35,081	27,379	397,246	327,079
Liabilities assumed by the Treasurer	43,902	13,817	-	-	-	-	-	-	-	-	-	-	-	-	-	-	43,902	13,817
Royalties for Regions Fund	201	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	201	-
Resources received free of charge	3,940	1,283	6	6	10	11	6	10	162	95	-	-	226	305	382	42	4,732	1,752
Corporate overheads reallocated to services	26,477	20,948	689	523	1,857	1,434	1,085	947	4,663	3,077	-	-	692	492	(35,463)	(27,421)	-	-
<b>Total income from State Government</b>	<b>295,250</b>	<b>231,965</b>	<b>4,461</b>	<b>4,003</b>	<b>3,389</b>	<b>4,136</b>	<b>272</b>	<b>34</b>	<b>60,776</b>	<b>55,328</b>	<b>29,555</b>	<b>27,211</b>	<b>52,378</b>	<b>19,971</b>	<b>-</b>	<b>-</b>	<b>446,081</b>	<b>342,648</b>
<b>SURPLUS/(DEFICIT) FOR PERIOD</b>	<b>11,589</b>	<b>1,196</b>	<b>(4)</b>	<b>(205)</b>	<b>(714)</b>	<b>(1,014)</b>	<b>1,681</b>	<b>1,283</b>	<b>(320)</b>	<b>(1,028)</b>	<b>(75)</b>	<b>127</b>	<b>1,827</b>	<b>741</b>	<b>-</b>	<b>-</b>	<b>13,984</b>	<b>1,100</b>

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

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**SCHEDULE OF ASSETS AND LIABILITIES BY SERVICE**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011	2010
	Service 1		Service 2		Service 3		Service 4		Service 5		Service 6		Service 7		Total	
	Court and Tribunal Services		Advocacy, Guardianship and Administration Services		Trustee Services		Births, Deaths and Marriages		Services to Government		Legal Aid Assistance		Native Title Policy Development, Implementation and Negotiation			
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>ASSETS</b>																
Current assets	6,912	5,863	-	-	11	24	189	137	5,557	31,140	-	-	-	51	12,669	37,215
Non-current assets	673,951	669,260	97	18	6,019	2,984	171	219	633	612	-	-	-	145	680,871	673,238
<b>Total assets</b>	<b>680,863</b>	<b>675,123</b>	<b>97</b>	<b>18</b>	<b>6,030</b>	<b>3,008</b>	<b>360</b>	<b>356</b>	<b>6,190</b>	<b>31,752</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>196</b>	<b>693,540</b>	<b>710,453</b>
<b>LIABILITIES</b>																
Current liabilities	58,277	58,009	782	984	3,669	2,966	898	719	9,256	7,869	-	-	-	1,304	72,882	71,851
Non-current liabilities	224,695	227,760	134	134	608	684	122	158	1,664	1,985	-	-	-	195	227,223	230,917
<b>Total liabilities</b>	<b>282,972</b>	<b>285,769</b>	<b>916</b>	<b>1,118</b>	<b>4,277</b>	<b>3,650</b>	<b>1,020</b>	<b>877</b>	<b>10,920</b>	<b>9,854</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,499</b>	<b>300,105</b>	<b>302,768</b>
<b>NET ASSETS</b>	<b>397,891</b>	<b>389,354</b>	<b>(819)</b>	<b>(1,100)</b>	<b>1,753</b>	<b>(642)</b>	<b>(660)</b>	<b>(521)</b>	<b>(4,730)</b>	<b>21,898</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(1,303)</b>	<b>393,435</b>	<b>407,685</b>

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

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**SUMMARY OF CONSOLIDATED ACCOUNT APPROPRIATIONS AND INCOME ESTIMATES**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011 Estimate \$000</b>	<b>2011 Actual \$000</b>	<b>Variance \$000</b>	<b>2011 Actual \$000</b>	<b>2010 Actual \$000</b>	<b>Variance \$000</b>
<b>DELIVERY OF SERVICES</b>						
Item 84 Net amount appropriated to deliver services	304,339	316,009	11,670	316,009	255,180	60,829
Amount Authorised by Other Statutes						
Salaries and Allowances Act 1975	24,456	25,834	1,378	25,834	23,969	1,865
District Court of Western Australia Act 1969	9,410	9,635	225	9,635	9,192	443
Judges' Salaries and Pensions Act 1950	10,670	10,592	(78)	10,592	9,034	1,558
Children's Court of Western Australia Act 1988	349	386	37	386	360	26
State Administrative Tribunal Act 2004	5,124	5,201	77	5,201	4,704	497
Criminal Injuries Compensation Act 2003	19,487	29,148	9,661	29,148	24,236	4,912
Solicitor-General Act 1969	356	422	66	422	377	45
Suitors' Fund Act 1964	29	19	(10)	19	27	(8)
<b>Total appropriations provided to deliver services</b>	<b>374,220</b>	<b>397,246</b>	<b>23,026</b>	<b>397,246</b>	<b>327,079</b>	<b>70,167</b>
<b>CAPITAL</b>						
Item 151 Capital appropriations	16,545	8,197	(8,348)	8,197	10,754	(2,557)
<b>GRAND TOTAL</b>	<b>390,765</b>	<b>405,443</b>	<b>14,678</b>	<b>405,443</b>	<b>337,833</b>	<b>67,610</b>
<b>Details of Expenses by Service</b>						
Court and Tribunal Services	309,450	358,169	48,719	358,169	298,391	59,778
Advocacy, Guardianship and Administration Services	3,804	4,597	793	4,597	4,280	317
Trustee Services	20,204	19,351	(853)	19,351	18,060	1,291
Births, Deaths and Marriages	7,514	6,664	(850)	6,664	6,945	(281)
Services to Government	69,369	81,433	12,064	81,433	75,372	6,061
Legal Aid Assistance	28,737	29,630	893	29,630	27,084	2,546
Native Title Policy Development, Implementation & Negotiation <sup>(a)</sup>	58,122	50,718	(7,404)	50,718	23,108	27,610
<b>Total Cost of Services</b>	<b>497,200</b>	<b>550,562</b>	<b>53,362</b>	<b>550,562</b>	<b>453,240</b>	<b>97,322</b>
<b>Less total income</b>	<b>(117,384)</b>	<b>(118,465)</b>	<b>(1,081)</b>	<b>(118,465)</b>	<b>(111,692)</b>	<b>(6,773)</b>
<b>Net Cost of Services</b>	<b>379,816</b>	<b>432,097</b>	<b>52,281</b>	<b>432,097</b>	<b>341,548</b>	<b>90,549</b>
<i>Adjustments (b)</i>	<i>(5,596)</i>	<i>(34,851)</i>	<i>(29,255)</i>	<i>(34,851)</i>	<i>(14,469)</i>	<i>(20,382)</i>
<b>Total appropriations provided to deliver services</b>	<b>374,220</b>	<b>397,246</b>	<b>23,026</b>	<b>397,246</b>	<b>327,079</b>	<b>70,167</b>
<b>Capital Expenditure</b>						
Purchase of non-current physical assets	33,059	16,082	(16,977)	16,082	21,191	(5,109)
Adjustments for other funding sources	(16,514)	(7,885)	8,629	(7,885)	(10,437)	2,552
<b>Capital appropriations</b>	<b>16,545</b>	<b>8,197</b>	<b>(8,348)</b>	<b>8,197</b>	<b>10,754</b>	<b>(2,557)</b>
<b>DETAILS OF INCOME ESTIMATES</b>						
Income disclosed as Administered Income	84,287	72,092	(12,195)	72,092	96,493	(24,401)

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

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

Explanations of variations between the current year estimates and actual results are set out in Note 41.



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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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**1 Australian Accounting Standards**

**General**

The Department's financial statements for the year ended 30 June 2011 have been prepared in accordance with Australian Accounting Standards. The term 'Australian Accounting Standards' refers to Standards and Interpretations issued by the Australian Accounting Standards Board (AASB).

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

**Early adoption of standards**

The Department cannot adopt an Australian Accounting Standard earlier than the commencement date unless specifically permitted by Treasurer's instruction (TI) 1101 Application of Australian Accounting Standards and Other Pronouncements. There has been no early adoption of Australian Accounting Standards that have been issued or amended (but not yet operative) by the Department for the annual reporting period ended 30 June 2011.

**2 Summary of significant accounting policies**

**(a) General statement**

The financial statements constitute general purpose financial statements that have been prepared in accordance with Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB as applied by the Treasurer's instructions. Several of these are modified by the Treasurer's instructions to vary application, disclosure, format and wording.

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

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

**(b) Basis of preparation**

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

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

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

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

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

**(c) Reporting entity**

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

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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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Mission

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

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

Services

The Department provides the following services:

Service 1: Court and Tribunal Services

Service 2: Advocacy, Guardianship and Administration Services

Service 3: Trustee Services

Service 4: Births, Deaths and Marriages

Service 5: Services to Government

Service 6: Legal Aid Assistance

Service 7: Native Title policy development, implementation and negotiation (a)

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

**(d) Administered transactions**

Administered assets, liabilities, expenses and revenues are not integral to the Department in carrying out its functions and are disclosed in the notes to the financial statements, forming part of the general purpose financial report of the Department. The administered items are disclosed on the same basis as is described above for the financial statements of the Department. The administered assets, liabilities, expenses and revenues are those which the Government requires the Department to administer on its behalf. The assets do not render any service potential or future economic benefits to the Department. The liabilities do not require any future sacrifice of service potential or future economic benefits of the Department. The expenses and revenues are not attributable to the Department.

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

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

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

Outstanding fines and costs include:

- (a) District and Supreme Court fines and costs and those which are referred to the Fines Enforcement Registry (FER) for action and are outstanding as at 30 June 2011; and
- (b) Magistrates Courts criminal fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2011.

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 ordered the offender to pay the penalty.

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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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**(e) Provision for unrecoverable debts - administered transactions**

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

**(f) Contributed equity**

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

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

**(g) Income**

*Revenue recognition*

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

Revenue is recognised for the major business activities as follows:

*Provision of services*

Revenue is recognised on delivery of the service to the client or by reference to the stage of completion of the transaction.

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

*Interest*

Revenue is recognised as the interest accrues.

*Service appropriations*

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

*Net Appropriation Determination*

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

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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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In accordance with the determination specified in the 2010-2011 Budget Statements, the Department retained \$118.46 million in 2011 (\$111.69 million in 2010) from the following:

- proceeds from fees and charges \$72.56 million in 2011 (\$67.03 million in 2010);
- Commonwealth specific purpose grants and contributions \$19.28 million in 2011 (\$18.69 million in 2010); and
- other departmental revenue. \$26.62 million in 2011 (\$25.97 million in 2010)

*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/finance costs**

Borrowing costs are expensed when incurred.

**(i) Property, plant and equipment**

*Capitalisation/expensing of assets*

Items of property, plant and equipment costing \$5,000 or more are recognised as assets and the cost of utilising assets is expensed (depreciated) over their useful lives. Items of property, plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of Comprehensive Income.

*Initial recognition and measurement*

All items of property, plant and equipment are initially recognised at cost.

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

*Subsequent measurement*

After recognition as an asset, the Department uses the revaluation model for the measurement of land and buildings and the cost model for all other property, plant and equipment. Land and buildings are carried at fair value less accumulated depreciation on buildings and accumulated impairment losses. All other items of property, plant and equipment are carried at historical cost less accumulated depreciation and accumulated impairment losses.

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

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

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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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

*Derecognition*

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

*Asset revaluation surplus*

The asset revaluation surplus is used to record increments and decrements on the revaluation of non-current assets (see note 21 'Property, plant and equipment').

*Depreciation*

All non-current assets having a limited useful life are systematically depreciated over their estimated useful lives in a manner which reflects the consumption of their future economic benefits.

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

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

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

**(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 life. Costs incurred below these thresholds are immediately expensed directly to the Statement of Comprehensive Income.

All acquired and internally developed intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal cost, the cost is their fair value at the date of acquisition.

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

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

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

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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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**(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 written down to the recoverable amount and an impairment loss is recognised. As the Department is a not-for-profit entity, unless an asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell, and the depreciated replacement cost.

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

Intangible assets with an indefinite useful life and intangible assets not yet available for use are tested for impairment at the end of each reporting period irrespective of whether there is any indication of impairment.

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

**(l) Leases**

Finance lease rights and obligations are initially recognised, at the commencement of the lease term, as assets and liabilities equal in amount to the fair value of the leased item or, if lower, the present value of the minimum lease payments, determined at the inception of the lease. The assets are disclosed as leased buildings and are depreciated over the period during which the Department is expected to benefit from their use. Minimum lease payments are apportioned between the finance charge and the reduction of the outstanding lease liability, according to the interest rate implicit in the lease.

The Department has entered into a number of operating lease arrangements for buildings through the Department of Housing and Works, for passenger and light commercial motor vehicles through the State Supply Commission and for office equipment where the lessors effectively retain all of the risks and benefits incidental to ownership of the items held under the operating leases. Equal instalments of the lease payments are expensed over the lease term as this is representative of the pattern of benefits to be derived from the leased property.

**(m) Financial instruments**

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

- Loans and receivables
- Financial liabilities measured at amortised cost

These have been disaggregated into the following classes:

Financial assets

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

Financial liabilities

- Payables
- Finance lease liabilities

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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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

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

**(n) Cash and cash equivalents**

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

**(o) Accrued salaries**

Accrued salaries (refer note 24) 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 net fair value. The last pay day in 2010-11 was 23 June 2011, therefore an accrual of 5 days was brought to account this financial year.

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

**(p) Amounts receivable for services (holding account)**

The Department receives funding on an accrual basis. The appropriations are paid partly in cash and partly as an asset (holding account receivable) that is accessible on the emergence of the cash funding requirement to cover leave entitlements and asset replacement.

**(q) Receivables**

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

**(r) Payables**

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

**(s) Borrowings**

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

**(t) Provisions**

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

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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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***(i) Provisions - employee benefits***

*Annual leave and long service leave*

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

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

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

The expected Long service leave future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

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

***(ii) Superannuation***

The Government Employees Superannuation Board (GESB) in accordance with legislative requirements administers public sector superannuation arrangements in Western Australia.

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

The GSS is a defined benefit scheme for the purposes of employees and whole-of-government reporting. However, it is a defined contribution plan for agency purposes because the concurrent contributions (defined contributions) made by the Department to GESB 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 due to members who transferred from the Pension Scheme, are assumed by the Treasurer. All other GSS obligations are funded by concurrent contributions made by the Department to the GESB.

Employees commencing employment prior to 16 April 2007 who were not members of either the Pension or the GSS became non-contributory members of the West State Superannuation Scheme (WSS). Employees commencing employment on or after 16 April 2007 became members of the GESB Super Scheme (GESBS). Both of these schemes are accumulation schemes. The Department makes concurrent contributions to GESB on behalf of employees in compliance with the Commonwealth Government's Superannuation Guarantee (Administration) Act 1992. These contributions extinguish the liability for superannuation charges in respect of the WSS and GESBS.

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.

***(iii) Provisions - other***

*Employment on-costs*

Employment on-costs, including workers' compensation insurance, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses' and are not included as part of the 'Employee benefits expense'. The related liability is included in 'Employment on-cost provision'. Refer to Note 26.



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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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**(u) Superannuation expense**

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

**(v) Judges' pensions**

All Judges' pension benefits are met by the Treasurer. Judges are entitled to pensions of 60% of their final salary after ten years of service and proportionate pensions for lesser service. Spouses of Judges are entitled to pensions of five-eighths of the Judge's pension entitlement on the Judge's death. The liability for Judges' pensions as at 30 June 2011 was calculated by Price Waterhouse Coopers actuaries.

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

The expense reflects the increase in the liability at the Department of Treasury and Finance.

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

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

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

**(x) Comparative figures**

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

**3 Judgements made by management in applying accounting policies**

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

**Operating lease commitment**

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

**4 Key sources of estimation uncertainty**

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

**Long service leave**

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

**5 Disclosure of changes in accounting policy and estimates**

**Initial application of an Australian Accounting Standard**

The Department has applied the following Australian Accounting Standards effective for annual reporting periods beginning on or after 1 July 2010 that impacted on the Department:

*2009-5*

Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project [AASB 5, 8, 101, 107, 117, 118, 136 & 139].

Under amendments to AASB 117, the classification of land elements of all existing leases has been reassessed to determine whether they are in the nature of operating or finance leases. As leases of land & buildings recognised in the financial statements have not been found to significantly expose the Department to the risks/rewards attributable to control of land, no changes to accounting estimates have been included in the Financial Statements and Notes to the Financial Statements.

Under amendments to AASB 107, only expenditures that result in a recognised asset are eligible for classification as investing activities in the Statement of Cash Flows. All investing cashflows reported in the Department's Statement of Cash Flows relate to increases in recognised assets.

**Future impact of Australian Accounting Standards not yet operative**

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

	Operative for reporting periods beginning on/after
<i>AASB 2009-11</i>	1 January 2013
<i>Amendments to Australian Accounting Standards arising from AASB 9 [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 121, 127, 128, 131, 132, 136, 139, 1023 &amp; 1038 and Interpretations 10 &amp; 12]</i>	
The amendment to AASB 7 Financial Instruments: Disclosures requires modification to the disclosure of categories of financial assets. The Department does not expect any financial impact when the Standard is first applied. The disclosure of categories of financial assets in the notes will change.	
<i>AASB 2009-12</i>	1 January 2011
<i>Amendments to Australian Accounting Standards [AASBs 5, 8, 108, 110, 112, 119, 133, 137, 139, 1023 &amp; 1031 and Interpretations 2, 4, 16, 1039 &amp; 1052]</i>	
This Standard introduces a number of terminology changes. There is no financial impact resulting from the application of this revised Standard.	
<i>AASB 1053</i>	1 July 2013
<i>Application of Tiers of Australian Accounting Standards</i>	
This Standard establishes a differential financial reporting framework consisting of two tiers of reporting requirements for preparing general purpose financial statements.	
The Standard does not have any financial impact on the Department. However it may affect disclosures in the financial statements of the Department if the reduced disclosure requirements apply. Department of Treasury and Finance has not yet determined the application or the potential impact of the new Standard for agencies.	

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	Operative for reporting periods beginning on/after
<p><b>AASB 2010-2</b>  <i>Amendments to Australian Accounting Standards arising from Reduced Disclosure Requirements</i></p> <p>This Standard makes amendments to many Australian Accounting Standards, including Interpretations, to introduce reduced disclosure requirements into these pronouncements for application by certain types of entities.</p> <p>The Standard is not expected to have any financial impact on the Department. However this Standard may reduce some note disclosures in the financial statements of the Department. DTF has not yet determined the application or the potential impact of the amendments to these Standards for agencies.</p>	1 July 2013
<p><b>AASB 2011-2</b>  <i>Amendments to Australian Accounting Standards arising from the Trans- Tasman Convergence Project – Reduced Disclosure Requirements [AASB 101 &amp; AASB 1054]</i></p> <p>This Amending Standard removes disclosure requirements from other Standards and incorporates them in a single Standard to achieve convergence between Australian and New Zealand Accounting Standards for reduced disclosure reporting. DTF has not yet determined the application or the potential impact of the amendments to these Standards for agencies.</p>	1 July 2011
<p><b>AASB 2010-5</b>  <i>Amendments to Australian Accounting Standards [AASB 1, 3, 4, 5, 101, 107, 112, 118, 119, 121, 132, 133, 134, 137, 139, 140, 1023 &amp; 1038 and Interpretations 112, 115, 127, 132 &amp; 1042] (October 2010)</i></p> <p>This Standard introduces a number of terminology changes as well as minor presentation changes to the Notes to the Financial Statements. There is no financial impact resulting from the application of this revised Standard.</p>	1 January 2011
<p><b>AASB 2010-6</b>  <i>Amendments to Australian Accounting Standards - Disclosures on Transfers of Financial Assets [AASB 1 &amp; AASB 7]</i></p> <p>This Standard makes amendments to Australian Accounting Standards, introducing additional presentation and disclosure requirements for Financial Assets.</p> <p>The Standard is not expected to have any financial impact on the Department. DTF has not yet determined the application or the potential impact of the amendments to these Standards for agencies.</p>	1 July 2011
<p><b>AASB 9</b>  <i>Financial Instruments</i></p> <p>This Standard supersedes <i>AASB 139 Financial Instruments: Recognition and Measurement</i>, introducing a number of changes to accounting treatments.</p> <p>The Standard was reissued on 6 Dec 2010 and the Department is currently determining the impact of the Standard. DTF has not yet determined the application or the potential impact of the Standard for agencies.</p>	1 January 2013
<p><b>AASB 2010 - 7</b>  <i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 &amp; 1038 and Interpretations 2, 5, 10, 12, 19 &amp; 127]</i></p> <p>This Amending Standard makes consequential adjustments to other Standards as a result of issuing AASB 9 Financial Instruments in December 2010. DTF has not yet determined the application or the potential impact of the Standard for agencies.</p>	1 January 2013

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

Operative for  
reporting periods  
beginning on/after

*AASB 1054* 1 July 2011  
*Australian Additional Disclosures*

This Standard, in conjunction with *AASB 2011-1 Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project*, removes disclosure requirements from other Standards and incorporates them in a single Standard to achieve convergence between Australian and New Zealand Accounting Standards.

*AASB 2011 - 1* 1 July 2011  
*Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project [AASB 1, 5, 101, 107, 108, 121, 128, 132 & 134 and Interpretations 2, 112 & 113]*

This Amending Standard, in conjunction with *AASB 1054 Australian Additional Disclosures*, removes disclosure requirements from other Standards and incorporates them in a single Standard to achieve convergence between Australian and New Zealand Accounting Standards.

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<b>6 Employee benefits expense</b>		
Wages and salaries <sup>(a)</sup>	159,695	148,567
Superannuation - defined contribution plans <sup>(b)</sup>	15,803	14,730
Long service leave	6,984	6,412
Annual leave	14,158	14,962
Judges' pensions - liability assumed by the Treasurer	43,902	13,817
	<u>240,542</u>	<u>198,488</u>

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

(b) Defined contribution plans include West State and Gold State (contributions paid).

Employment on-costs such as workers' compensation insurance are included at note 13 'Other expenses'. The employment on-costs liability is included at note 26 'Provisions'.

**7 Supplies and services**

Building maintenance contracts	1,963	1,692
Computing Services	16,560	16,533
Consultants and contractors	49,615	43,790
Consumables	1,936	2,055
Materials	2,554	2,473
Minor equipment	1,987	1,951
Resources free of charge	4,081	1,743
Other	2,453	1,872
	<u>81,149</u>	<u>72,109</u>

**8 Depreciation and amortisation expense**

<u>Depreciation</u>		
Buildings	4,726	4,165
Plant, equipment and vehicles	1,223	1,231
<b>Total depreciation</b>	<u>5,949</u>	<u>5,396</u>

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<u>Amortisation</u>		
Information technology systems	6,140	5,615
Leased buildings	4,690	4,779
Leasehold improvements	1,786	1,400
<b>Total amortisation</b>	<b>12,616</b>	<b>11,794</b>
<b>Total depreciations and amortisation</b>	<b>18,565</b>	<b>17,190</b>
 <b>9 Finance costs</b>		
Finance lease charges	17,787	17,951
 <b>10 Accommodation expenses</b>		
Building rental operating lease expenses	25,047	27,098
 <b>11 Grants and subsidies</b>		
<u>Recurrent</u>		
Criminal injuries	30,120	25,246
Legal Aid	29,630	27,084
Other grants and subsidies	59,083	27,427
	<b>118,833</b>	<b>79,757</b>
 <b>12 Net gain/(loss) on disposal of non-current assets</b>		
<u>Proceeds from disposal of non-current assets</u>		
Gross proceeds on disposal	11	13
 <u>Costs of disposal of non-current assets</u>		
Property, plant, equipment and vehicles	(63)	(208)
Net gain/(loss)	<b>(52)</b>	<b>(195)</b>
 <b>13 Other expenses</b>		
Building repairs and maintenance	7,140	6,684
Electricity and water	3,210	3,205
Communication expenses	3,903	3,762
Plant, equipment and vehicle operating lease expenses	2,351	2,687
Plant, equipment and vehicle repairs and maintenance	372	402
Vehicle hire, fuel, registration and management fees	1,403	1,459
Insurance	821	708
Doubtful debts expense	8	174
Other staff costs	6,979	6,462
Jurors' expenses <sup>(a)</sup>	3,086	3,160
Computing licences	9,610	5,364
Copyright, communication licence etc <sup>(b)</sup>	3,321	33
Other expenses	6,383	6,352
	<b>48,587</b>	<b>40,452</b>

(a) Includes travel and accommodation

(b) Retrospective Remuneration Agreement Between State and Copyright Agency Ltd between 1/7/2001 to 30/6/2010

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<b>14 User charges and fees</b>		
Legal services - State Solicitor's Office	4,200	3,768
Public Trustee fees	13,046	10,936
Births, deaths and marriage fees	7,892	8,085
Licences	125	125
Sale of goods	-	1
Court fees	47,132	43,976
Miscellaneous fees and charges	168	134
	<u>72,563</u>	<u>67,025</u>
<b>15 Commonwealth grants and contributions</b>		
<u>Recurrent</u>		
Commonwealth recoup for Family Court and court fees	17,997	17,395
Commonwealth recoup other	1,285	1,299
	<u>19,282</u>	<u>18,694</u>
<b>16 Other revenue</b>		
Public Trustee - common fund surplus	4,244	2,198
Recoup of salaries and workers compensation	1,440	569
Residential recoveries	1,967	1,681
Criminal injuries - recoups	1,346	1,263
Recoups legal costs	250	1,375
Recoup of information technology services	14,512	12,684
Recoup Insurance	1,120	-
Other miscellaneous revenue	1,741	6,203
	<u>26,620</u>	<u>25,973</u>
<b>17 Income from State Government</b>		
Appropriation received during the year:		
Service appropriations (a)	397,246	327,079
	<u>397,246</u>	<u>327,079</u>
Liabilities assumed by the Treasurer during the financial year		
Judges' pensions	43,902	13,817
	<u>43,902</u>	<u>13,817</u>
An actuarial assessment of the defined benefits obligations of the Judges' Pension Scheme is undertaken on an annual basis, in accordance with AASB 119 Employee Benefits.		
Resources received free of charge (b)		
Determined on the basis of the following estimates provided by agencies.		
Western Australian Land Information Authority (Landgate)		
- services for valuation services, land registration and information	231	442
Department of Treasury and Finance		
- provision of integrated procurement services	314	300
- notional management fee	132	162
- Building and Management Works	651	9
- Building and Management Works Maintenance Work	585	-
Department of Health		
- Forensic Pathology Services	1,439	-
Department of Corrective Services		
- provision of contract management services	1,380	839
	<u>4,732</u>	<u>1,752</u>
Royalties for Regions Fund:		
Regional Infrastructure and Headworks Account (c)	201	-
<b>Total Income from State Government</b>	<u>446,081</u>	<u>342,648</u>

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

- (a) Service appropriations are accrual amounts reflecting the full cost of services delivered. The appropriation revenue comprises a cash component and a receivable (asset).
- (b) Where assets or services have been received free of charge or for nominal cost, the Department recognises revenues equivalent to the fair value of the assets and/or the fair value of those services that can be reliably measured and which would have been purchased if they were not donated, and those fair values shall be recognised as assets or expenses, as applicable.
- (c) This is a sub-fund within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in WA regional areas.

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<b>18 Restricted cash and cash equivalents</b>		
<u>Current</u>		
Mental Health Commission (a)	145	-
	<u>145</u>	<u>-</u>
<u>Non-current</u>		
Accrued salaries suspense account (b)	3,647	3,190
	<u>3,647</u>	<u>3,190</u>
	<u>3,792</u>	<u>3,190</u>

- (a) These unspent funds are committed to projects and programs in WA regional areas.
- (b) Amount held in the suspense account are only to be used for the purpose of meeting the 27th pay in a financial year that occurs every 11 years.

**19 Receivables**

<u>Current</u>		
Receivables	5,442	7,935
Allowance for impairment of receivables	(42)	(361)
GST receivable	1,902	2,505
	<u>7,302</u>	<u>10,079</u>
Prepayments	1,178	1,051
Total current	<u>8,480</u>	<u>11,130</u>

Reconciliation of changes in the allowance for impairment of receivables:

Balance at start of year	361	339
Doubtful debts expense recognised in the Statement of Comprehensive Income	8	174
Amounts written off during the year	(37)	(57)
Amount recovered during the year	(290)	(95)
Balance at end of year	<u>42</u>	<u>361</u>

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

**20 Amounts receivable for services (Holding Account)**

Current	2,460	2,431
Non-current	96,404	78,395
	<u>98,864</u>	<u>80,826</u>

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<b>21 Property, plant and equipment</b>		
<u>Land</u>		
At fair value <sup>(a)</sup>	82,011	75,516
	<u>82,011</u>	<u>75,516</u>
<u>Buildings</u>		
At fair value <sup>(a)</sup>	224,383	234,974
	<u>224,383</u>	<u>234,974</u>
<u>Leased land and buildings</u>		
At fair value <sup>(a)</sup>	230,313	239,500
	<u>230,313</u>	<u>239,500</u>
<u>Leasehold improvements</u>		
At cost	28,541	25,753
Accumulated depreciation	<u>(12,837)</u>	<u>(11,083)</u>
	<u>15,704</u>	<u>14,670</u>
<u>Plant and equipment</u>		
At cost	15,327	15,037
Accumulated depreciation	<u>(12,105)</u>	<u>(11,459)</u>
	<u>3,222</u>	<u>3,578</u>
<u>Work in progress</u>		
Buildings	8,267	2,398
Information technology systems	1,634	2,086
	<u>9,901</u>	<u>4,484</u>
Total property, plant and equipment	<u><u>565,534</u></u>	<u><u>572,722</u></u>

- (a) Land and buildings were revalued as at 1 July 2010 by the Western Australian Land Information Authority (Valuation Services). The valuations were performed during the year ended 30 June 2011 and recognised at 30 June 2011. In undertaking the revaluation, fair value was determined on the basis of depreciated replacement cost.

**Reconciliations**

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

<u>Land</u>		
Carrying amount at beginning of year	75,516	79,470
Additions	-	1,000
Revaluation increment/(decrement)	6,495	(3,212)
Disposal of land	-	(2)
Transfer to other agencies	-	(1,740)
Carrying amount at end of year	<u>82,011</u>	<u>75,516</u>
<u>Buildings</u>		
Carrying amount at beginning of year	234,974	180,760
Additions	2,903	55,290
Revaluation increments/(decrement)	(8,662)	3,275
Depreciation	(4,726)	(4,165)
Disposal of property	-	(186)
Transfer to other agencies	(106)	-
Carrying amount at end of year	<u>224,383</u>	<u>234,974</u>



**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<u>Leased land and buildings</u>		
Carrying amount at beginning of year	239,500	243,935
Revaluation increments/(decrement)	(4,497)	344
Depreciation	(4,690)	(4,779)
Carrying amount at end of year	<u>230,313</u>	<u>239,500</u>
<u>Leasehold improvements</u>		
Carrying amount at beginning of year	14,670	12,282
Additions	2,951	3,788
Depreciation	(1,786)	(1,400)
Transfer to other agencies	(131)	-
Carrying amount at end of year	<u>15,704</u>	<u>14,670</u>
<u>Plant, equipment and vehicles</u>		
Carrying amount at beginning of year	3,578	3,942
Additions	957	888
Depreciation	(1,223)	(1,231)
Disposal of property	(63)	(21)
Transfer to other agencies	(27)	-
Carrying amount at end of year	<u>3,222</u>	<u>3,578</u>
<u>Work in progress</u>		
Carrying amount at beginning of year	4,484	48,318
Additions	9,656	20,845
Transfers to non-current assets	(2,685)	(63,803)
Expensed to Statement of Comprehensive Income	(254)	(876)
Transfer to other agencies	(1,300)	-
Carrying amount at end of year	<u>9,901</u>	<u>4,484</u>
<u>Total</u>		
Carrying amount at beginning of year	572,722	568,707
Additions <sup>(a)</sup>	16,467	81,811
Revaluation increments/(decrement)	(6,664)	407
Depreciation	(12,425)	(11,575)
Disposals	(63)	(209)
Transfers to non-current assets <sup>(a)</sup>	(2,685)	(63,803)
Expensed to Statement of Comprehensive Income	(254)	(876)
Transfer to other agencies	(1,564)	(1,740)
Carrying amount at end of year	<u>565,534</u>	<u>572,722</u>
(a) Additions include transfers from work in progress.		

**22 Intangible assets**

<u>Computer software</u>		
At cost	55,112	52,618
Accumulated amortisation	(39,826)	(33,686)
	<u>15,286</u>	<u>18,932</u>
<b>Reconciliation</b>		
<u>Computer software</u>		
Carrying amount at start of year	18,932	20,363
Additions	2,494	4,184
Amortisation	(6,140)	(5,615)
Carrying amount at end of year	<u>15,286</u>	<u>18,932</u>

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

**23 Impairment of assets**

There were no indications of impairment to property, plant and equipment and intangible assets at 30 June 2011.

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

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<b>24 Payables</b>		
<u>Current</u>		
Trade payables	22,944	24,652
Accrued interest	96	99
Accrued salaries	4,344	2,390
Total current	<u>27,384</u>	<u>27,141</u>

The last pay day of the 2010-2011 financial year was on 23 June 2011. A salary accrual of five working days was taken up.

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

**25 Borrowings**

<u>Finance lease liabilities</u>		
Current	2,542	2,079
Non current	218,852	221,411
	<u>221,394</u>	<u>223,490</u>

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

Assets pledged as security

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

*Finance leases*

*Leased land and buildings*

At fair value	230,313	239,500
	<u>230,313</u>	<u>239,500</u>

**26 Provisions**

<u>Current</u>		
<u>Employee benefits provision</u>		
Annual leave <sup>(a)</sup>	12,406	11,612
Long service leave <sup>(b)</sup>	26,656	26,125
Superannuation	3,483	4,501
	<u>42,545</u>	<u>42,238</u>
<u>Other provisions</u>		
<u>Employment on-costs</u> <sup>(c)</sup>		
Carrying amount at start of year	394	317
Additional provisions recognised - other employee costs	17	77
Carrying amount at end of year	<u>411</u>	<u>394</u>
	<u>42,956</u>	<u>42,632</u>
<u>Non-current</u>		
<u>Employee benefits provision</u>		
Long service leave <sup>(b)</sup>	7,633	8,322
Superannuation	656	1,095
	<u>8,289</u>	<u>9,417</u>

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<u>Other provisions</u>		
<u>Employment on-costs</u>		
Carrying amount at start of year	89	151
Net amount used - other employee costs	(7)	(62)
Carrying amount at end of year	<u>82</u>	<u>89</u>
	<u>8,371</u>	<u>9,506</u>

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

Within 12 months of the reporting period date	12,406	11,612
More than 12 months after the reporting period date	-	-
	<u>12,406</u>	<u>11,612</u>

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

Within 12 months of the reporting period date	26,656	26,125
More than 12 months after the reporting period date	7,633	8,322
	<u>34,289</u>	<u>34,447</u>

- (c) The settlement of annual and long service leave liabilities gives rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments. The associated expense is included in Note 13 "Other expenses".

## 27 Equity

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

### **Contributed equity**

Balance at start of year	<u>105,049</u>	<u>68,768</u>
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### Contributions by Owners

Capital contributions	8,197	10,754
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### Other contributions by owners

Royalties for Regions Fund – Regional Infrastructure and Headworks Account	2,030	-
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### Transfer of net assets from other Agencies

The functions of Native Title policy development, implementation and negotiation undertaken by the Office of Native Title were transferred to the Department of the Attorney General on 1 July 2010.	-	29,267
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<b>Total contributions by owners</b>	<u>10,227</u>	<u>40,021</u>
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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<b><u>Distribution to owners</u></b>		
<b><u>Transfer of net assets to other agencies</u></b>		
Western Australia Police Department	(684)	(1,740)
Department of Housing	(491)	-
Department of Treasury and Finance - BMW	(231)	-
Section 21 (3) transfer of Native Title Strategic policy development/facilitation service to the Department of Premier and Cabinet	(4,000)	(2,000)
The functions of Native Title policy development, implementation and negotiation undertaken by the Office of Native Title were transferred to the Department of the Premier and Cabinet from 1 April 2011.	(26,391)	-
<b>Total Distribution to owners</b>	<b>(31,797)</b>	<b>(3,740)</b>
<b>Balance at end of the year</b>	<b>83,479</b>	<b>105,049</b>
<b><u>Reserves</u></b>		
<b><u>Asset revaluation surplus</u></b>		
<b><u>Land</u></b>		
Balance at start of year	72,322	75,534
Net revaluation increment/(decrement):	6,494	(3,212)
<b>Balance at end of the year</b>	<b>78,816</b>	<b>72,322</b>
<b><u>Buildings</u></b>		
Balance at start of year	187,378	183,759
Net revaluation increment/(decrement):	(13,158)	3,619
<b>Balance at end of the year</b>	<b>174,220</b>	<b>187,378</b>
	<b>253,036</b>	<b>259,700</b>
The asset revaluation reserve is used to record increments and decrements on the revaluation of non-current assets, as described in accounting policy note 2 (i).		
<b><u>Accumulated surplus</u></b>		
Balance at start of year	42,936	41,836
Result for the year	13,984	1,100
<b>Balance at end of the year</b>	<b>56,920</b>	<b>42,936</b>
<b>Total equity at end of the year</b>	<b>393,435</b>	<b>407,685</b>

**28 Notes to the Statement of Cash Flows**

(a) Reconciliation of cash

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

Cash and cash equivalents	1,584	23,654
Restricted cash and cash equivalents (current - note 18)	145	-
Restricted cash and cash equivalents (non current - note 18)	3,647	3,190
	<b>5,376</b>	<b>26,844</b>

(b) Non-cash financing and investing activities

During the financial year there were no assets/liabilities transferred/assumed to/from other Government agencies not reflected in the Statement of Cash Flows.

(c) Royalties for Regions Fund

Capital Funding	2,030	-
Recurrent Funding	201	-
	<b>2,231</b>	<b>-</b>

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
(d) <u>Reconciliation of net cost of services to net cash flows provided by/(used in) operating activities</u>		
Net cost of services	(432,097)	(341,548)
Non-cash items:		
Depreciation and amortisation expense	18,565	17,190
Doubtful debts expense	8	173
Judges' Pensions expense	43,902	13,817
Resources received free of charge	4,732	1,752
Written down value of property, plant and equipment disposals	52	195
(Increase)/decrease in assets:		
Current receivables (a)	2,154	397
Other current assets	(127)	(604)
Increase/(decrease) in liabilities:		
Current payables (a)	(1,715)	(611)
Current provisions	59	1,438
Other current liabilities (b)	1,951	559
Change in GST in receivables/payables (c)	603	50
<b>Net cash provided by/(used in) operating activities</b>	<b>(361,913)</b>	<b>(307,192)</b>

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

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

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

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

## 29 Resources provided free of charge

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

Corporate support provided by the Department to:		
Department of Corrective Services	13,246	13,260
Law Reform Commission	56	97
Office of the Director of Public Prosecutions <sup>(a)</sup>	1,037	1,337
Legal Costs Committee	46	46
Professional Standards Council	24	26
Legal Practice Board	891	773
Parliamentary Inspector of the Corruption and Crime Commission	22	45
Commissioner for Young People	87	84
Legal services provided by the State Solicitor's Office to:		
Other Government agencies	26,040	24,649
	<b>41,449</b>	<b>40,317</b>

(a) The Office of the Director of Public Prosecution transferred to the Office of Shared Services in February 2010.

## 30 Commitments

Summary of commitments as follows:-

Capital expenditure commitments (a)	1,323	940
Operating leases (b)	171,957	185,976
<u>Finance leases (c)</u>		
CBD Courts	209,900	211,675
Fremantle Justice Centre	11,494	11,815
Other expenditure commitments (d)	45,509	37,161
	<b>440,183</b>	<b>447,567</b>

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

Detailed as follows:-

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
<b>(a) Capital expenditure commitments</b>		
Within 1 year	1,323	940
Later than 1 year and not later than 5 years	-	-
	<u>1,323</u>	<u>940</u>

The capital commitments are for land and buildings.

**(b) Non-cancellable operating lease commitments**

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

Within 1 year	30,163	28,493
Later than 1 year and not later than 5 years	78,780	80,633
Later than 5 years	63,014	76,850
	<u>171,957</u>	<u>185,976</u>

These commitments are all exclusive of GST.

**(c) Finance lease commitments**

**(i) CBD Courts complex**

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

Leasing costs are as follows:-

Within 1 year	18,583	18,319
Later than 1 year and not later than 5 years	76,509	75,595
Later than 5 years	349,397	369,111
Minimum finance lease payments	444,489	463,025
Less future finance charges	(234,589)	(251,350)
Finance lease liability	209,900	211,675
less amount excluded for asset not yet commissioned	-	-
Present value of finance lease liabilities	<u>209,900</u>	<u>211,675</u>

The present value of finance leases payable is as follows:

Within 1 year	2,186	1,758
Later than 1 year and not later than 5 years	13,109	11,200
Later than 5 years	194,605	198,717
Present value of finance lease liabilities	<u>209,900</u>	<u>211,675</u>

*Included in the financial statements as:*

Current liabilities (note 25)	2,186	1,758
Non-current liabilities (note 25)	207,714	209,917
	<u>209,900</u>	<u>211,675</u>

**(ii) Fremantle Justice complex**

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

Leasing costs are as follows:-

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
Within 1 year	1,561	1,561
Later than 1 year and not later than 5 years	6,245	6,245
Later than 5 years	14,832	16,393
Minimum finance lease payments	22,638	24,199
Less future finance charges	(11,144)	(12,384)
Finance lease liability	<u>11,494</u>	<u>11,815</u>

The present value of finance leases payable is as follows:

Within 1 year	356	321
Later than 1 year and not later than 5 years	1,863	1,677
Later than 5 years	9,275	9,817
Present value of finance lease liabilities	<u>11,494</u>	<u>11,815</u>

*Included in the financial statements as:*

Current liabilities (note 25)	356	321
Non-current liabilities (note 25)	11,138	11,494
	<u>11,494</u>	<u>11,815</u>

**(d) Other expenditure commitments**

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

Within 1 year	14,284	13,275
Later than 1 year and not later than 5 years	31,225	23,886
Later than 5 years	<u>45,509</u>	<u>37,161</u>

**31 Contingent liabilities and contingent assets**

**Contingent liabilities**

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

Litigations in progress

Claims against the Department from the general public and offenders.

1,157	-
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Disclosure regarding criminal injuries compensation.

Claims yet to be assessed	<u>15,370</u>	<u>17,096</u>
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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

Contaminated sites

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

The Department has no known or suspected contaminated sites that are required to be reported under the Contaminated Sites Act 2003.

**Contingent assets**

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

Recovery of incorrect payment to Supplier	52	80
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**32 Remuneration of senior officers**

The number of senior officers whose total of fees, salaries, superannuation and other benefits received, or due and receivable, for the financial year, falls within the following bands:

\$	2011	2010
0 - 40,000	-	2
40,001 - 50,000	1	1
60,001 - 70,000	-	1
70,001 - 80,000	1	-
80,001 - 90,000	1	-
140,001 - 150,000	3	1
160,001 - 170,000	3	3
170,001 - 180,000	-	1
180,001 - 190,000	1	-
220,001 - 230,000	-	1
230,001 - 240,000	1	-
280,001 - 290,000	-	1
290,001 - 300,000	1	-
320,001 - 330,000	1	-
430,001 - 440,000	-	1
440,001 - 450,000	1	-
480,001 - 490,000	-	1
500,001 - 510,000	1	-
	15	13

The total remuneration of senior officers for 2010-2011 was \$3,124,265 (2009-10 was \$2,404,047).

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

The superannuation included represents the superannuation expense incurred by the Department in respect of senior officers.

No senior officers are members of the Superannuation and Family Benefits Act Scheme (Pension Scheme).



**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

**33 Related bodies**

The Department had no related bodies during the financial year.

**34 Affiliated bodies**

The Department provided more than 49% (2010: 52%) of the total operational funds to the Legal Aid Commission of Western Australia during the 2011 financial year. The Commission is not subject to operational control by the Department and is therefore considered to be an affiliated body under the Financial Management Act 2006.

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>

**35 Supplementary financial information**

Write-offs

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

Accountable Authority	10,552	7,363
Total losses and write offs	<u>10,552</u>	<u>7,363</u>

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

Losses through theft, defaults and other causes

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

Gifts of Public Property

Gifts of public property provided by the Department	-	-
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**36 Remuneration of Auditor**

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

Auditing the accounts, financial statements and performance indicators	170	170
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**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

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**37 Financial instruments**

(a) Financial risk management objectives and policies

Financial instruments held by the Department are cash and cash equivalents, restricted cash and cash equivalents, finance leases, Treasurer's advances and receivables and payables. The Department's overall risk management program focuses on managing the risks identified below.

*Credit risk*

Credit risk arises when there is the possibility of the Department's receivables defaulting on their contractual obligations resulting in financial loss to the Department.

The maximum exposure to credit risk at end of the reporting period in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any provisions for impairment, as shown in Note 19 and Note 37(c).

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

*Liquidity risk*

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

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

*Market risk*

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates will affect the Department's income or the value of its holdings of financial instruments. The Department does not trade in foreign currency and is not materially exposed to other price risks. Other than as detailed in the Interest rate sensitivity analysis table at Note 37(c), the Department is not exposed to interest rate risk because apart from minor amounts of restricted cash, all other cash and cash equivalents and restricted cash are non-interest bearing, and have no borrowings other than finance leases (fixed interest rate).

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

	<b>2011</b>	<b>2010</b>
	<b>\$000</b>	<b>\$000</b>
(b) <u>Categories of financial instruments</u>		
In addition to cash and bank overdraft, 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:		
<b>Financial assets</b>		
Cash and cash equivalents	1,584	23,654
Restricted cash and cash equivalents	3,792	3,190
Receivables	5,400	7,574
Amounts receivable for services	98,864	80,826
<b>Financial liabilities</b>		
Financial liabilities measured at amortised cost	221,394	223,490
Payables	27,288	27,042

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

(c) Financial instrument disclosures

*Credit risk and interest rate risk exposures*

The following table discloses the Department's maximum exposure to credit risk, interest rate exposures and the ageing analysis of financial assets. The Department's maximum exposure to credit risk at the end of the reporting period is the carrying amount of financial assets as shown below. The table discloses the ageing of financial assets that are past due but not impaired and impaired financial assets. The table is based on information provided to senior management of the Department.

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

The Department does not hold any financial assets that had to have their terms renegotiated that would have otherwise resulted in them being past due or impaired.

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

Interest rate exposures and ageing analysis of financial assets												
	Weighted average interest rate	Interest rate exposure				Current	Past due but not impaired					Impaired financial assets
		Carrying Amount	Fixed Interest Rate	Variable Interest Rate	Non- Interest Bearing		1 to 3 months	3-12 months	1-2 years	2-5 years	More than 5 years	
Financial assets	%	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2011</b>												
Cash and cash equivalent assets	-	1,584	-	-	1,584	-	-	-	-	-	-	-
Restricted cash and cash equivalent assets	-	3,792	-	-	3,792	-	-	-	-	-	-	-
Receivables (i)	-	5,400	-	-	5,400	4,463	599	296	26	16	-	42
Amounts receivable for services	-	98,864	-	-	98,864	-	-	-	-	-	-	-
Total financial assets		109,640	-	-	109,640	4,463	599	296	26	16	-	42
<b>2010</b>												
Cash and cash equivalent assets	-	23,654	-	-	23,654	-	-	-	-	-	-	-
Restricted cash and cash equivalent assets	-	3,190	-	-	3,190	-	-	-	-	-	-	-
Receivables (i)	-	7,574	-	-	7,574	6,378	396	336	315	149	-	361
Amounts receivable for services	-	80,826	-	-	80,826	-	-	-	-	-	-	-
Total financial assets		115,244	-	-	115,244	6,378	396	336	315	149	-	361

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

Liquidity risk

The following table details the contractual maturity analysis for financial liabilities. The contractual maturity amounts are representative of the undiscounted amounts at the end of the reporting period. The table includes interest and principal cash flows. An adjustment has been made where material.

**Interest rate exposures and maturity analysis of financial liabilities**

	<u>Interest rate exposure</u>					<u>Maturity dates</u>					
	Weighted average interest rate	Carrying Amount	Fixed Interest Rate	Variable Interest Rate	Non- Interest Bearing	Within 1 Year	1-2 years	2 - 3 years	3 - 4 years	4 - 5 years	Over 5 years
<b>Financial liabilities</b>	%	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2011</b>											
Payables	-	27,288	-	-	27,288	-	-	-	-	-	-
Finance lease liabilities	8.00	221,394	221,394	-	-	2,542	2,942	3,434	3,974	4,622	203,880
<b>Total financial liabilities</b>		<b>248,682</b>	<b>221,394</b>	<b>-</b>	<b>27,288</b>	<b>2,542</b>	<b>2,942</b>	<b>3,434</b>	<b>3,974</b>	<b>4,622</b>	<b>203,880</b>
<b>2010</b>											
Payables	-	27,042	-	-	27,042	-	-	-	-	-	-
Finance lease liabilities	8.00	223,490	223,490	-	-	2,079	2,538	2,938	3,431	3,971	208,533
<b>Total financial liabilities</b>		<b>250,532</b>	<b>223,490</b>	<b>-</b>	<b>27,042</b>	<b>2,079</b>	<b>2,538</b>	<b>2,938</b>	<b>3,431</b>	<b>3,971</b>	<b>208,533</b>

Interest rate sensitivity analysis

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

Fair values

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**ADMINISTERED SCHEDULE OF INCOME AND EXPENSES BY SERVICE**  
**FOR THE YEAR ENDED 30 JUNE 2011**

**38 Administered income and expenses**

	2011	2010	2011	2010	2011	2010	2011	2010
	Court and Tribunal Services		Services to Government		General - Not attributed		Total	
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
<b>COST OF SERVICES</b>								
<b>Expenses</b>								
Payments to the Consolidated Account	52,342	38,885	-	-	-	-	52,342	38,885
Transfer payments - other Government agencies	-	-	-	-	12,181	37,531	12,181	37,531
Criminal property confiscations - grants	-	-	533	4,617	-	-	533	4,617
Criminal property confiscations - supplies and services	-	-	8,369	1,618	-	-	8,369	1,618
Provision for doubtful debts <sup>(a)</sup>	-	-	-	-	(2,489)	5,622	(2,489)	5,622
Other	577	264	-	-	696	1,226	1,273	1,490
<b>Total administered expenses</b>	<b>52,919</b>	<b>39,149</b>	<b>8,902</b>	<b>6,235</b>	<b>10,388</b>	<b>44,379</b>	<b>72,209</b>	<b>89,763</b>
<b>Income</b>								
Judicial fines and penalties	34,691	41,834	-	-	-	-	34,691	41,834
Infringement penalties	-	-	1,694	2,037	-	-	1,694	2,037
Revenue for transfer - other Government agencies	-	-	-	-	12,061	23,028	12,061	23,028
Criminal property confiscations	-	-	7,333	13,438	-	-	7,333	13,438
Other paid into Consolidated Account	322	419	-	-	15,991	15,737	16,313	16,156
<b>Total administered income</b>	<b>35,013</b>	<b>42,253</b>	<b>9,027</b>	<b>15,475</b>	<b>28,052</b>	<b>38,765</b>	<b>72,092</b>	<b>96,493</b>

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**ADMINISTERED SCHEDULE OF ASSETS AND LIABILITIES BY SERVICE**  
**AS AT 30 JUNE 2011**

**39 Administered assets and liabilities**

	2011	2010	2011	2010	2011	2010	2011	2010
	Court and Tribunal Services		Services to Government		General - Not attributed		Total	
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
<b>Assets</b>								
Cash and restricted cash assets								
- Suitors fund	251	206	-	-	-	-	251	206
- Departmental receipts in suspense	-	-	-	-	73	187	73	187
- Judicial fines and penalties	-	-	-	-	-	-	-	-
- Criminal Property Confiscations	-	-	19,325	20,894	-	-	19,325	20,894
Receivables								
- Magistrates Court - fines and costs	13,288	14,287	-	-	-	-	13,288	14,287
- Fines Enforcement Registry	150,368	152,520	-	-	-	-	150,368	152,520
- Children's Court	182	189	-	-	-	-	182	189
- Criminal Property Confiscations	-	-	-	-	-	-	-	-
Less: allowance for impairment of receivables								
- Unrecoverable fees and fines - note 2 (d)	(88,039)	(90,528)	-	-	-	-	(88,039)	(90,528)
Total administered current assets	76,050	76,674	19,325	20,894	73	187	95,448	97,755
<b>Total administered assets</b>	76,050	76,674	19,325	20,894	73	187	95,448	97,755
<b>Liabilities</b>								
- Payables	-	-	-	-	-	-	-	-
- Amounts due to the Treasurer (Appeals Cost Board)	1,800	1,500	-	-	-	-	1,800	1,500
<b>Total administered liabilities</b>	1,800	1,500	-	-	-	-	1,800	1,500
<b>Net administered assets</b>	74,250	75,174	19,325	20,894	73	187	93,648	96,255

#### 40 Events occurring after the balance sheet date

There were no events occurring after the balance sheet date.

#### 41 Explanatory statement

Significant variations between estimates and actual results for income and expense as presented in the financial statement titled 'Summary of Consolidated Account Appropriations and Income Estimates' are shown below. Significant variations are considered

##### Total service expenses

	2011 Estimate \$000	2011 Actual \$000	Variation \$000
<u>Court and Tribunal Services</u>	309,450	358,169	48,719

##### Service 1 - Court and Tribunal Services

Increased expenditure is mainly due to a large increase in the actuarial assessment of judicial pensions, accused cost payments, criminal injuries payments and court security costs. Many of these items received supplementary funding during the year to offset some of the cost pressures.

<u>Advocacy, Guardianship and Administration Services</u>	3,804	4,597	793
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##### Service 2 - Advocacy, Guardianship and Administration Services

Increased expenditure is largely due to a significant increase in demand for Public Advocate services.

<u>Trustee Services</u>	20,204	19,351	(853)
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##### Service 3 - Trustee Services

Expenditure was less than budget as there were delays in the Public Trustee's office relocation.

<u>Births, Deaths and Marriages</u>	7,514	6,664	(850)
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##### Service 4 - Births Deaths and Marriages

Lower expenditure is mainly due to delays on the data conversion project (paper based records to an electronic format).

<u>Services to Government</u>	69,369	81,433	12,064
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##### Service 5 - Services to Government

Increased expenditure mainly relates to accommodation costs, running a shared service and ex-gratia payments.

<u>Legal Aid Assistance</u>	28,737	29,630	893
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##### Service 6 - Legal Aid Assistance

The State grant provided to the Legal Aid Commission was increased to provide additional funding for changes to district allowances and expensive legal cases.

##### Native Title Policy Development, Implementation and Negotiation

Service 7 - Native Title policy development, implementation and negotiation	58,122	50,718	(7,404)
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The Office of Native Title transferred to the Department of Premier and Cabinet on 1 April 2011, while the estimate was based on twelve months' expenditure.



	2011 Actual \$000	2010 Actual \$000	Variance \$000
<b>Significant variances between actuals for 2010 and 2011</b>			

**Total appropriation provided to deliver services and total income**

Total appropriation provided to deliver services for the year	397,246	327,079	70,167
Total income	118,465	111,692	6,773

Total appropriation provided to deliver services for the year

The increased appropriation in 2010-11 is mainly due to increases in funding for ex-gratia payments, higher staff costs, criminal injuries payments, court security and custodial services and running a shared service. This was partially offset by a reduction in appropriation for Office of Native Title which was transferred to the Department of Premier and Cabinet on 1 April 2011.

Total income

The increased income is mainly due to the collection of additional civil court fees, public trust fees and recoups for providing a shared service.

**Service expenses**

<u>Court and Tribunal Services</u>	358,169	298,391	59,778
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Service 1 - Court and Tribunal Services

Increased expenditure is mainly due to a significantly higher actuarial assessment of Judicial Pensions and criminal injuries payments.

<u>Advocacy, Guardianship and Administration Services</u>	4,597	4,280	317
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Service 2 - Advocacy, Guardianship and Administration Services

Increased expenditure is mainly due to increases in demand for Public Advocate services.

<u>Trustee Services</u>	19,351	18,060	1,291
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Service 3 - Trustee Services

Increased expenditure is due to increases in staff costs, depreciation of core systems, relocation and accommodation costs.

<u>Births, Deaths and Marriages</u>	6,664	6,945	(281)
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Service 4 - Births Deaths and Marriages

Decreased expenditure is mainly due to delays in the conversion of the historic paper based records to an electronic format.

<u>Services to Government</u>	81,433	75,372	6,061
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Service 5 - Services to Government

The increase largely relates to staff costs, ex-gratia payments and expenses associated with running a shared service.

<u>Legal Aid Assistance</u>	29,630	27,084	2,546
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Service 6 - Legal Aid Assistance

The increase in costs largely reflects an increase in the base funding paid to the Legal Aid Commission.

	<b>2011 Actual \$000</b>	<b>2010 Actual \$000</b>	<b>Variance \$000</b>
<u>Native Title Policy Development, Implementation and Negotiation <sup>(a)</sup></u>	50,718	23,108	27,610

Service 7 - Native Title Policy Development, Implementation and Negotiation

The Office of Native Title was transferred to the Department of the Premier and Cabinet on 1 April 2011. The increase in actual expenditure from 2010 to 2011 was largely due to increased Native Title Grants for the Yawuru Native Title Claim.

**Significant variances between estimate and actual for 2011**

	<b>2011 Estimate \$000</b>	<b>2011 Actual \$000</b>	<b>Variance \$000</b>
<b>Capital contribution</b>			
Capital contribution	16,545	8,197	(8,348)

The reduction in the Capital Contribution is largely due to delays in the Kalgoorlie Courthouse upgrade and funds have been re-flowed to future years..

**Significant variances between actuals for 2010 and 2011**

	<b>2011 Actual \$000</b>	<b>2010 Actual \$000</b>	<b>Variance \$000</b>
<b>Capital contribution</b>			
Capital contribution	8,197	10,754	(2,557)

Significant expenditure was incurred in 2009-10 in relation to the Central Law Courts refurbishment as compared to 2010-11.

**Significant variances between estimate and actual for 2011**

	<b>2011 Estimate \$000</b>	<b>2011 Actual \$000</b>	<b>Variance \$000</b>
<b>Administered revenues</b>			
Total income disclosed as administered income	84,287	72,092	(12,195)

Revenues were less than expected mainly due to a reduction in Stamp Duty collections due to subdued economic conditions. Criminal Property Confiscations were also below budget.

**Significant variances between actuals for 2010 and 2011**

	<b>2011 Actual \$000</b>	<b>2010 Actual \$000</b>	<b>Variance \$000</b>
<b>Administered revenues</b>			
Revenue on behalf of other agencies	12,061	23,028	(10,967)

Revenues were less than last year mainly due to a reduction in Stamp Duty collections due to subdued economic conditions.

Judicial fines and penalties	34,691	41,834	(7,143)
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Decrease in revenue due to less fines and penalties imposed by the courts during the year

Criminal Property Confiscations	7,333	13,438	(6,105)
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Decrease in revenue reflects the actual collections by the Office of the Director of Public Prosecutions and Western Australian Police.

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

**DEPARTMENT OF THE ATTORNEY GENERAL**

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2011**

**42 Special Purpose Accounts and Treasurer's Advance Accounts**

Account	2010-2011				2009-2010			
	Opening Balance	Receipts	Payments	Closing Balance	Opening Balance	Receipts	Payments	Closing Balance
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
1 Civil Court Judgement - Government Account	493	1,180	1,669	4	47	1,411	965	493
2 Land Acquisition Account	10,102	115,433	120,923	4,612	7,009	128,717	125,624	10,102
3 Suitor's Fund Account	231	322	277	276	75	419	263	231
4 Clerk of Courts Trust Account	1,916	39,098	39,052	1,962	3,426	41,511	43,022	1,916
5 Departmental Receipts in Suspense	187	28,051	28,165	73	177	38,764	38,754	187
6 Sheriff's and District Court Bailiff's Trust Account	177	466	548	95	88	918	829	177
7 Civil Action - Supreme and District Courts Account	3,515	1,798	1,768	3,545	5,141	4,461	6,087	3,515
8 Department of the Attorney General - Settlement Payments Account	2	-	-	2	2	-	-	2
9 Appeal Costs Board - Treasurer's Advance Account	1,500	300	-	1,800	1,100	400	-	1,500
10 Criminal Property Confiscations Account	20,894	7,333	8,902	19,325	13,691	13,438	6,235	20,894
11 Murchison Radio-Astronomy Observatory ILUA - Benefits Package <sup>(a)</sup>	8,125	-	8,125	-	-	8,125	-	8,125

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

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

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

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DEPARTMENT OF THE ATTORNEY GENERAL

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2011

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**1 Civil Court Judgements - Government Account**

To hold moneys arising from Civil Court Judgements made in favour of Government departments and authorities.

**2 Land Acquisition Account**

To hold moneys for and on behalf of Government departments and authorities pending settlement of land acquisition.

**3 Suitor's Fund Account**

To hold funds, in accordance with section 4 of the *Suitors' Fund Act* (The Act), to meet the liability for costs of certain litigation and for incidental and other purposes pursuant to the Act.

**4 Clerk of Courts Trust Account**

To hold moneys, collected in the course of court activities at courts of petty sessions and local courts throughout the State, for the disbursement to other parties.

**5 Departmental Receipts in Suspense**

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

**6 Sheriff and District Court Bailiff's Trust Account**

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

**7 Civil Action - Supreme and District Courts Account**

To hold monies paid into the Supreme and District Courts in civil actions as ordered by the Supreme Court of Western Australia or District Court.

**8 Department of Attorney General - Settlement Payments Account**

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

**9 Appeal Costs Board - Treasurer's Advance Account**

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

**10 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.

**11 Murchison Radio-Astronomy Observatory ILUA - Benefits Package**

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

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

**DEPARTMENT OF THE ATTORNEY GENERAL**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2011**

**43 Commonwealth grant - Christmas and Cocos Island**

	<b>2011</b>	<b>2010</b>
<b>Opening balance</b>	16,696	(35,600)
<b>Income</b>		
Commonwealth reimbursements	885,968	224,471
Court fees	1,032	1,125
Total receipts	<u>887,000</u>	<u>225,596</u>
<b>Expenses</b>		
Operating costs	<u>780,378</u>	<u>173,300</u>
Total payments	<u>780,378</u>	<u>173,300</u>
<b>Closing balance</b>	123,318	16,696

Operating costs are based on actuals plus identified estimated services as agreed in the 'Standard Delivery Service Agreement' signed by the Commonwealth and the State.



## **Key Performance Indicators**

### **Certification of Key Performance Indicators for the Year Ending 30 June 2011**

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 2011.

*Cheryl Gwilliam*

**Cheryl Gwilliam**

DIRECTOR GENERAL

29 August 2011

## KEY PERFORMANCE INDICATORS 2010-11

### OUR PURPOSE

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

### RELATIONSHIPS TO GOVERNMENT GOALS

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

Government Goals	DotAG-Desired Outcomes	Services
<b>Results-Based Service Delivery:</b> 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 *
<b>Social and Environmental Responsibility:</b> Ensuring that economic activity is managed in a socially and environmentally responsible manner for the long-term benefit of the State	6. Native Title matters are resolved in a timely manner **	7. Native Title Policy Development, Implementation and Negotiation **

\* 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.

\*\* This outcome and service were transferred to the Department of the Premier and Cabinet on 1 April 2011 and ceased to be part of the Department's Outcome Based Management framework. Key Performance Indicators reported for this outcome and service are for the period 1 July 2010 to 31 March 2011 only.

## **CHANGES TO THE DEPARTMENT'S OUTCOME BASED MANAGEMENT STRUCTURE**

Treasurer's Instruction 904 - Key Performance Indicators, requires disclosure of all changes in agency level government desired outcomes, services and key performance indicators in the agency's annual report.

The Department's Outcome Based Management (OBM) structure was amended for this reporting period to make the agency level outcomes more relevant to the activities of the Department and ensure that only key indicators of performance are reported. This has resulted in a more streamlined report focussing on the Department's key activity areas.

The previous high level agency wide outcomes have been replaced by a number of outcomes more closely aligned with the Department's organisational structure. The new agency level outcomes better reflect the varied activities carried out by the Department. This enhances accountability for achievement of the Department's outcomes and facilitates performance measurement by way of Key Performance Indicators.

The number of Key Performance Indicators has been reduced, primarily in the Court and Tribunal Services area, and some other minor amendments have been made to ensure that key effectiveness indicators relate to the new agency level outcomes and that only key indicators are reported.

In addition to the changes to agency level outcomes and Key Performance Indicators, the OBM framework was amended to cater for the transfer of the Office of Native Title (ONT) from the Department of the Attorney General to the Department of the Premier and Cabinet. The transfer became effective on 1 April 2011 and results for Key Performance Indicators for ONT relate to the period 1 July 2010 to 31 March 2011.

## **KEY PERFORMANCE INDICATORS**

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 team.

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 2010–11 budget targets and actual results.



## OUTCOME 1: AN EFFICIENT, ACCESSIBLE COURT AND TRIBUNAL SYSTEM

The Department aims to provide a court system that is responsive to community needs for access to justice. This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

To be accessible, the court system must be available to resolve disputes in a timely manner. Accessibility is diminished if there are lengthy delays in bringing matters to trial or finalising matters brought before the courts. The time taken to achieve an outcome in the courts is considered a primary indicator of the accessibility of the court system and therefore the extent to which the agency level outcome is achieved. The timely resolution of matters brought before the courts is also a measure of the efficiency of the courts system.

Effectiveness indicators are measured separately for key jurisdictions and the Fines Enforcement Registry. The jurisdictions measured are considered key indicators because, combined, they represent the majority of the workload and/or expenditure for the courts.

The key effectiveness indicators comprise measures of time to trial, time to finalise matters and time to finalise non trial matters. The measure used is dependent on the type of matter and the jurisdiction ie. in criminal jurisdictions, the majority of matters may go to trial therefore time to trial is an appropriate measure whereas in civil jurisdictions most matters may be finalised without going to trial and time to finalise non trial matters is used.

### Key Effectiveness Indicators

Key Effectiveness Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Supreme Court – Criminal – Time to trial</b> Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, lodgement) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.	33 weeks	26 weeks	24 weeks	23 weeks	28 weeks	1
<b>Supreme Court – Civil – Time to finalise non-trial matters</b> This indicator measures the median time to finalise cases that are heard by a Registrar or Judge at conferences or hearings, before proceeding to trial and is an indicator of the capacity of the court to resolve matters by methods other than formal trial.	16 weeks	16 weeks	17 weeks	20 weeks	19 weeks	
<b>District Court – Criminal – Time to trial</b> Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, lodgement) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.	47 weeks	33 weeks	23 weeks	25 weeks	32 weeks	2
<b>State Administrative Tribunal – Time to finalise</b> This indicator is measured by calculating the median time to finalise a matter from its lodgement to when a judgement is made.	13 weeks	13 weeks	13 weeks	15 weeks	15 weeks	

Key Effectiveness Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Family Court of Western Australia – Time to finalise non-trial matters</b> 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.	23 weeks	25 weeks	22 weeks	25 weeks	27 weeks	
<b>Magistrates Court – Criminal and Civil – Time to trial</b> Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, lodgement) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.	20 weeks	19 weeks	22 weeks	19 weeks	19 weeks	
<b>Coroner's Court – Time to trial</b> Time to trial is a measure of the median time taken from a specified initial date (e.g. committal, lodgement) to the first trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.	126 weeks	112 weeks	105 weeks	87 weeks	128 weeks	3
<b>Fines Enforcement Registry - Percentage Of Fines Satisfied Within 12 Months:</b> <ul style="list-style-type: none"> <li><b>Fines And Costs</b></li> <li><b>Infringements</b></li> </ul> The Fines Enforcement Registry effectiveness indicators demonstrate to the community that the appropriate systems, procedures and resources are in place to enforce fines, costs and infringement penalties in a timely manner. It also demonstrates to the community that a court fine is a viable sentencing option.	28% 55%	28% 58%	35% 57%	37% 56%	28% 57%	

#### Comment on significant variation

1. The better than target result is primarily due to the ongoing operation of the Magistrates Court Stirling Gardens and the Voluntary Criminal Case Conferencing list. The Magistrate Court Stirling Gardens is operated by two Supreme Court Registrars serving as Magistrates. This process allows every Supreme Court criminal case to be seamlessly managed between Jurisdictions from the one Supreme Court site thereby, improving the time to trial.
2. The better than target result is primarily due to the improvements in Court processes and procedures following the implementation of the Criminal Listings Project in 2007. The median time to trial has increased in comparison to last year due to an increase in the number of long trials (including people smuggling trials) and the Office of the Director of Public Prosecutions' continuing to lodge indictments more than 42 days after the date on which the accused is committed for trial or sentence.
3. The improved result is primarily due to the application of additional resources within the Coroners Court. The impact of dealing with the large number of deaths (50) as a result of the Christmas Island disaster inside a period of approximately 8 months has also contributed to overall decrease in time to trial.

## SERVICE 1: COURT AND TRIBUNAL SERVICES

This service is delivered by Court and Tribunal Services.

Two distinct groups administer courts in Western Australia: the independent judicial officers who preside over the various courts and the Department of the Attorney General that provides court facilities, administrative support and judicial support staff to enable the determination of cases brought before a court or tribunal. Part of this function also involves the delivery of court counselling services and a range of civil and criminal enforcement services.

## Cost per case

The following indicators measure the average cost per case for all matters finalised within each jurisdiction (including matters finalised without trial and those finalised administratively), and the cost per enforcement action to finalise outstanding fines and infringements. The cost per case is calculated by dividing the total cost of the jurisdiction by the number of cases finalised.

## Key Efficiency Indicators

Key Efficiency Indicators	2008	2009	2010	2011	Target 2011	Comment
Supreme Court - Criminal – Cost per case	\$27,847	\$31,389	\$20,313	\$39,245	\$27,841	1
Supreme Court Civil – Cost per case	\$7,643	\$6,767	\$4,194	\$7,983	\$6,086	2
Court of Appeal – Criminal – Cost per case	\$23,145	\$24,941	\$20,842	\$29,757	\$30,359	
Court of Appeal – Civil – Cost per case	\$26,733	\$34,295	\$22,858	\$45,745	\$57,867	3
District Court – Criminal – Cost per case	\$8,171	\$11,417	\$9,974	\$13,539	\$11,482	4
District Court – Civil – Cost per case	\$5,015	\$6,750	\$4,992	\$5,807	\$7,583	5
State Administrative Tribunal – Cost per case	\$2,758	\$2,925	\$2,962	\$3,244	\$3,094	
Family Court of Western Australia – Cost per case	\$2,050	\$1,796	\$1,877	\$1,640	\$1,756	
Magistrates Court – Criminal – Cost per case	\$460	\$484	\$566	\$815	\$626	6
Magistrates Court – Civil – Cost per case	\$315	\$387	\$272	\$376	\$341	7
Coroner's Court – Cost per case	\$4,603	\$4,658	\$4,191	\$6,675	\$4,199	8
Children's Court – Criminal – Cost per case	\$268	\$271	\$320	\$582	\$408	9
Children's Court – Civil – Cost per case	\$355	\$408	\$261	\$466	\$371	10
Fines Enforcement Registry – Cost per enforcement	\$22	\$24	\$25	\$29	\$25	11

### Comment on significant variation

1. The higher than target cost per case is primarily due to fewer than anticipated matters (18% lower) being finalised during the year and higher than expected costs due to an increase in the actuarial assessment for Judicial pensions.
2. The higher than target cost per case is primarily due to fewer than anticipated matters being finalised during the year and higher than expected costs due to an increase in the actuarial assessment for Judicial pensions.
3. The lower than target cost per case is due to lower than anticipated expenditure as a result of delays in the commencement of the Bell trial appeal.
4. The higher than target cost per case is due to fewer than anticipated matters being finalised during the year and higher than expected costs due to an increase in the actuarial assessment for Judicial pensions. Fewer matters than expected were finalised due to a reduction in lodgements and an increase in the length of trials.
5. The lower than target cost per case is the result of higher than expected number of matters finalised and partially offset by higher than anticipated costs. Finalisations were higher due to an increase in the general civil lodgements and a change in District Court classification procedures while costs increased due to an increase in the actuarial assessment for Judicial pensions.
6. The higher than target cost per case is due to fewer than anticipated matters being finalised during the year and higher than anticipated annual expenditure. The decrease in finalisations is attributed to a reduction in cases lodged, particularly in relation to Traffic and Vehicular offences and Public Order offences. Expenditure has increased most notably in the areas of court security, payments of accused costs, and computer software and telecommunication licences.
7. The higher than target cost per case is due to fewer than expected matters being finalised during the year and higher than anticipated costs. Finalisations were lower due to an increase in the complexity of trials while costs increased due to an increase in court security and computer software and telecommunication licences.
8. The higher than target cost per case is due to a large number of cases being completed but not signed off by the Coroner (and hence finalised) before period end. Expenditure for the year was higher due to increased forensic pathology services and inquest costs in relation to recent events on Christmas Island.
9. The higher than target cost per case is due to fewer than anticipated matters being finalised during the year. This was due to an 11% fall in lodgements and a shift in judicial resources to the civil jurisdiction in order to cater for longer trials. Increased payments for accused costs have also been a contributing factor.
10. The higher than target cost per case is due to fewer than anticipated matters being finalised during the year. This was due to a 22% fall in lodgements and a larger proportion of trials being of a type that take longer to finalise such as protection and care cases.
11. The higher than target cost per enforcement is due to a lower than expected growth in traffic infringements lodged by WA Police.

## OUTCOME 2: TRUSTEE, GUARDIANSHIP AND ADMINISTRATION SERVICES ARE ACCESSIBLE TO ALL WESTERN AUSTRALIANS

The Department, through the operations of the Public Advocate safeguards the rights of adults with decision-making disabilities, and reduces the incidence of risk, neglect and exploitation while the Public Trustee ensures equitable access to trustee services for all Western Australians. This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

The following indicators show the extent to which the Department has achieved this outcome. The indicators measure the accessibility of trustee, guardianship and administration services to all Western Australians.

### Key Effectiveness Indicators

Key Effectiveness Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Percentage of Guardians of last resort allocated in one day</b> 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.	93%	91%	94%	90.3%	95%	
<b>Percentage of Western Australian deceased estates administered by the Public Trustee <sup>(1)</sup></b> 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 estates/deaths reported as a percentage of the number of adult deaths in Western Australia.	n/a	n/a	n/a	6.9%	8.5%	
<b>Percentage of clients who have services provided by the Public Trustee under a community service obligation <sup>(1)</sup></b> In addition to providing affordable services thereby making trustee services more accessible, the Public Trustee provides services free of charge, or at a reduced cost, to clients who cannot afford them. This further increases the accessibility of trustee services by ensuring that all Western Australians have access to trustee services. The proportion of services provided free of charge or at a reduced cost under the Public Trustee's community service obligation program is a measure of the extent to which the Public Trustee supports the accessibility of trustee services.	n/a	n/a	n/a	43.3%	35%	

- (1) This is a new indicator reported for the first time this year and therefore no comparative information from previous years is available.

## SERVICE 2: ADVOCACY GUARDIANSHIP AND ADMINISTRATION SERVICES

This service is delivered by the Public Advocate.

Advocacy, guardianship and administration services protect and promote the financial interests and welfare of people with decision-making disabilities by providing:

- access to investigation and advocacy services;
- appropriate appointment of guardians and administrators and appropriate interventions in relation to Enduring Powers of Attorney and Enduring Powers of Guardianship;
- guardianship and administration community education services; and
- guardianship and administration services provided by the Public Advocate.

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

### Key Efficiency Indicators

Key Efficiency Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Average cost of providing advocacy and guardianship services</b>  This indicator measures the average cost per case of providing advocacy and guardianship services on behalf of people with decision-making disabilities.	\$2,287	\$2,229	\$1,851	\$1,610	\$1,900	1

#### Comment on significant variation

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

## SERVICE 3: TRUSTEE SERVICES

This service is delivered by the Public Trustee.

The Public Trustee is a statutory authority within the provisions of the *Financial Management Act 2006*. It provides a funds management and investment service and acts as trustee or financial administrator pursuant to the orders of courts or tribunals. It also administers the estates of people who die with or without a will, in accordance with the terms of the will or the relevant law and under the authority of the Supreme Court. The Public Trustee offers high quality, personalised trustee services to meet the needs of all sectors of the Western Australian community.

The following efficiency indicators measure the cost of delivering the service.

### Key Efficiency Indicators

Key Efficiency Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Average cost per deceased estate administered</b>  This indicator measures the average cost per deceased estate administered. It is calculated by dividing the full cost of the deceased estate service by the number of estates for the year.	\$1,814	\$2,090	\$2,168	\$2,458	\$2,391	
<b>Average cost per trust managed</b>  This indicator measures the average cost of managing a trust. It is calculated by dividing the full cost of providing trust management services by the number of trusts under management.	\$1,402	\$1,515	\$1,707	\$1,788	\$1,931	

Key Efficiency Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Average cost per will prepared</b> This indicator measures the average cost per will prepared. It is calculated by dividing the full cost of the wills service by the number of wills prepared for the year.	\$301	\$356	\$426	\$505	\$426	1

**Comment on significant variation**

1. The higher than target result is due to a reduction of 14% in Wills drawn. This is primarily due to the increasing complexity of preparing a Will including issues with blended families, superannuation, taxation, trusts and generally more complicated family and financial affairs.

### **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 purposes in a timely manner. This supports the Government's strategic goal of a greater focus on achieving results in key service delivery areas for the benefit of all Western Australians.

The following effectiveness indicators show the extent to which the Department, through the activities of the Registrar of Births, Deaths and Marriages, has achieved this outcome. The indicators measure the accuracy and accessibility of certificates of birth, death and marriage to all Western Australians.

#### **Key Effectiveness Indicator**

Key Effectiveness Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Percentage of certificates of birth, death or marriage issued within two days <sup>(1)</sup></b> The growing need for people to access certificates for identification in a timely manner means that time taken to obtain a certificate of birth death or marriage is a major determiner of accessibility. This indicator measures the extent to which certificates of birth, death and marriage are issued in a timely manner. This directly measures the extent to which the agency level outcome has been achieved.	n/a	n/a	n/a	97%	90%	
<b>Extent to which births, deaths and marriages source information is recorded error free</b> This indicator measures the percentage of new registrations accurately recorded by the registry, excluding incorrect source information provided by customers.	95%	95%	97%	98%	97%	

- (1) This is a new indicator reported for the first time this year and therefore no comparative information from previous years is available.

## SERVICE 4: BIRTHS, DEATHS AND MARRIAGES

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

The purpose of the Registrar of Births, Deaths and Marriages is to create and permanently store birth, death and marriage records to enable the public to obtain documentary proof of key life events for legal, personal and historical purposes and also to enable approved organisations to obtain information for research and statistical purposes.

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

### Key Efficiency Indicator

Key Efficiency Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Average cost of registration services</b> This indicator measures the unit cost of creating, amending and issuing information and storing records indefinitely.	\$1.37	\$1.60	\$1.92	\$1.82	\$2.04	1

#### Comment on significant variation

1. The lower than target result is due to delays in the project to convert paper based records to electronic format. Delays were caused by a slow start to the conversion of marriages data and technical issues associated with the project.

## 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 Department, through the activities of the State Solicitors Office and the Parliamentary Counsel's Office, has achieved this outcome. The indicators measure the satisfaction of recipients of legal services and the timeliness of drafting legislation.

### Key Effectiveness Indicator

Key Effectiveness Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Extent to which government departments are satisfied with the legal services</b> This indicator measures client satisfaction with the quality of legal services provided by the State Solicitor's Office. It is measured through a client survey and targets Chief Executive Officers (CEOs) of Government departments and agencies. Details of areas to be canvassed are forwarded in advance to CEOs and are followed by an interview conducted by the State Solicitor.	100%	100%	100%	100%	90%	1
<b>Extent to which legislation was drafted in a timely manner to effect the Government's legislative program</b> 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.	89%	91%	98%	95%	90%	

#### Comment on significant variation

1. The variation from the budget target is a result of the delivery of better than expected levels of client service in 2010-2011, as rated by the State Solicitor's Office's clients.



## SERVICE 5: SERVICES TO GOVERNMENT

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

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

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

### Key Efficiency Indicators

Key Efficiency Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Average cost per legal matter</b>  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.	\$2,814	\$3,158	\$3,348	\$3,388	\$3,300	
<b>Average cost per page of output</b>  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.	\$154	\$226	\$191	\$189	\$204	

## OUTCOME 5: NATIVE TITLE MATTERS ARE RESOLVED IN A TIMELY MANNER

The Office of Native Title is responsible for the implementation of the State Government's native title policy. The Office represents the State's interests in every native title determination application over land and water and takes the lead in the negotiation and implementation of major projects on land under native title claim. This supports the Government's strategic goal of ensuring that economic activity is managed in a socially and environmentally responsible manner for the benefit of all Western Australians.

The following effectiveness indicators provide information on the extent to which native title matters have been resolved in accordance with Government policy relating to timeliness.

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



## Key Effectiveness Indicators

Key Effectiveness Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Percentage change in number of outstanding Native Title claims awaiting resolution</b>  This indicator expresses the change in the number of outstanding native title claims awaiting resolution from the National Native Title Tribunal (NNTT) as a percentage of claims outstanding at the beginning of the year. Claims lodged and resolved during the year are counted as both claims outstanding and claims resolved.	0%	-16%	3%	5%	-5%	1

### Comment on significant variation

1. Because the Office of Native Title was transferred to the Department of the Premier and Cabinet on 1 April 2011 the result for this indicator is for the period 1 July 2010 to 31 March 2011 and no meaningful comparison can be made to the budget target.

## SERVICE 7: NATIVE TITLE POLICY DEVELOPMENT, IMPLEMENTATION AND NEGOTIATION

This service is delivered by the Office of Native Title.

The Office of Native Title implements the Government's Native Title objective by:

- resolving Native Title determination applications and other matters by agreement and in accordance with the requirements of the Native Title Act 1993 (Commonwealth) and relevant case law;
- ensuring all 'future acts' are valid;
- ensuring extinguishment and impairment of Native Title is minimised;
- ensuring certainty for all parties with an interest in claimed and determined Native Title land;
- ensuring Native Title matters are administered efficiently and consistently across all government agencies; and
- raising the level of understanding of Native Title issues within Western Australia.

The following efficiency indicators measure the cost and timeliness of delivering the service. The Office of Native Title was transferred to the Department of the Premier and Cabinet on 1 April 2011.

## Key Efficiency Indicators

Key Efficiency Indicators	2008	2009	2010	2011	Target 2011	Comment
<b>Average cost per Native Title application managed</b>  This indicator measures the average cost per native title application under active management by the Office of Native Title.	\$91,368	\$74,266	\$56,008	\$67,642	\$80,804	1
<b>Average time taken to achieve resolution of prioritised Native Title applications</b>  This indicator measures the amount of time aggregated from the date that a native title claim is classified as actively managed to determination.	2.02 years	3.61 years	3.23 years	3.23 years	4.1 years	1

### Comment on significant variation

1. Because the Office of Native Title was transferred to the Department of the Premier and Cabinet on 1 April 2011 the result for this indicator is for the period 1 July 2010 to 31 March 2011 and no meaningful comparison can be made to the budget target.

## NOTES TO THE KEY PERFORMANCE INDICATORS

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

### Key effectiveness indicators

Effectiveness Indicator	Description
Supreme Court – Criminal – Time to trial	This measure is calculated by taking the median time from date of committal to first trial date. The information for this indicator has been derived from the Higher Courts Criminal Case Management System (SRCASE).
Supreme Court – Civil – Time to finalise non-trial matters	This measure is calculated by taking the median time from date of lodgement to the first trial date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).
District Court – Criminal – Time to trial	This measure is calculated by taking the median time from date of committal to the first trial date. The information for this indicator is derived from Higher Courts Criminal Case Management System (SRCASE).
State Administrative Tribunal – Time to finalise	This measure is calculated by taking the median time to finalise a matter from date of lodgement to when a judgement is made (excludes all guardianship administration matters). Information for this indicator is derived from the Integrated Courts Management System (ICMS).
Family Court of Western Australia – Time to finalise non-trial matters	This measure is calculated by taking the median time from the date of lodgement to the date of finalisation, excluding matters finalised by trial and matters finalised administratively. Information for this indicator is derived from a national cases database (CASETRACK).
Magistrates Court – Criminal and Civil – Time to trial	This measure is calculated by taking the median time from the date of lodgement to the first trial date. Information for this indicator is derived from the Lower Courts Criminal Management System (CHIPS 3) and Integrated Courts Management System (ICMS).
Coroner's Court – Time to trial	This measure is calculated by taking the median time from death to the first inquest hearing (for those cases where an inquest is held). In the Coroners Court a trial is defined as an inquest. Information for this indicator is derived from the National Coroners Information System (NCIS) database.
Fines Enforcement Registry Percentage Of Fines Satisfied Within 12 Months - Fines And Costs	This indicator measures the number of fines satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is calculated by expressing the number of fines satisfied within 12 months of referral as a percentage of the total number of fines referred to FER. Information is extracted from the FER database.
Fines Enforcement Registry Percentage Of Fines Satisfied Within 12 Months - Infringements	This indicator measures the number of infringements satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is derived by expressing the number of infringements satisfied within 12 months of referral as a percentage of the total number of infringements referred to FER. Information is extracted from the FER database.
Percentage of Guardians of last resort allocated in one day	<p>The indicator is based on the Public Advocate's best practice to ensure the needs of the represented person are met immediately. It is measured by the number of appointments of Guardians of Last Resort made by the State Administrative Tribunal at the hearing and accepted by the Public Advocate's delegate within one working day of receipt of the guardianship order.</p> <p>The Public Advocate is appointed as guardian of last resort only when considered necessary and when there is no one else suitable, available or willing to take on the role. The information for this indicator is extracted from the Public Advocate Case Management System (PACMAN).</p>
Percentage of Western Australian deceased estates administered by the Public Trustee	<p>The Public Trustee operates in a commercial environment offering services that can be provided by numerous professional service providers.</p> <p>The Public Trustee administers the estates where it has been appointed as executor. Some estates may not require formal administration but still require work to be undertaken in order that assets may be registered in the survivor or beneficiaries' name.</p> <p>Data for this indicator is sourced from the Registry of births, deaths and marriages and the Public Trustee's Management Accounting &amp; Trust Environment (MATE) system.</p>
Percentage of clients who have services provided by the Public Trustee under a community service obligation	This indicator measures the proportion of clients provided with services by the Public Trustee under the community service obligation (CSO). The fees raised are rebated back to the clients who meet the minimum requirements under the CSO. The indicator is calculated using the number of CSO clients compared to the total trust clients administered.

Effectiveness Indicator	Description
Percentage of certificates of birth, death or marriage issued within two days	<p>The Western Australian Registration System (WARS) keeps track of the date customers request certificates and the date the certificates are issued. For the purposes of this KPI issued means printed.</p> <p>The KPI result is calculated by dividing the number of certified certificates issued within 2 days by the total number of certified certificates issued with the result expressed as a percentage. The WARS management report "Service Requested and Delivery Times" is used to provide the output for the KPI</p>
Extent to which births, deaths and marriages source information is recorded error free	<p>This indicator is a Key Performance Indicator because the registry is the creator and custodian of vital records and the public must have confidence that records are accurate and reliable.</p> <p>The number of registry errors in death registrations is used to calculate this indicator because immediate feedback is provided if an error is evident in the death certificate, which is always needed for estate settlement. Any errors made on birth or marriage certificates are not immediately detected, as these certificates may not be requested for many years after registration. As the processes for recording births, deaths and marriages are nearly identical; the number of errors in death registrations is considered representative of all three registration types.</p> <p>The computerised Western Australian Registration System counts the number of death registrations corrected as a result of staff data entry errors and divides this count by the total number of deaths registered for the year. The result (i.e. erroneous registrations) is expressed as a percentage.</p>
Extent to which Government departments are satisfied with the legal services provided	<p>24 client agencies were surveyed.</p> <p>The number of agencies surveyed represents approximately 90% of the chargeable work of the State Solicitor's Office.</p> <p>The criteria used to assess satisfaction with service included:</p> <ul style="list-style-type: none"> <li>• the technical quality of work;</li> <li>• the relevance of information provided to client's needs;</li> <li>• the timeliness of information provided; and</li> <li>• overall, the extent to which Government departments are satisfied with legal services.</li> </ul>
Extent to which legislation was drafted in a timely manner to effect the Government's legislative program	<p>The indicator represents the total number of Cabinet authorities of various priorities, for which legislation was completed by the relevant cut-off dates in a Parliamentary year. It is expressed as a percentage of the total number of Cabinet authorities to which the legislative program relates. The information is recorded in databases located within the Parliamentary Counsel's Office.</p> <p>This calculation excludes matters which were not completed on time due to circumstances beyond the control of the Parliamentary Counsel's Office, such as:</p> <ul style="list-style-type: none"> <li>• lack of action on the part of the instructing agency to progress a Bill; or</li> <li>• deferral of a Bill by the instructing agency.</li> </ul>
Percentage change in number of outstanding Native Title claims awaiting resolution	<p>This indicator expresses the change in the number of outstanding native title claims awaiting resolution from the National Native Title Tribunal as a percentage of claims outstanding at the beginning of the year. Claims lodged and resolved during the year are counted as both claims outstanding and claims resolved.</p> <p>New claims are excluded from the number of claims outstanding; therefore this indicator reflects the percentage change in historical claims and is not distorted by new claims that may negate any reductions achieved.</p> <p>The indicator includes both registered and unregistered claims ie. Applications recorded on the Schedule of Native Title Determination Applications (NTDAs) and the Register of NTDAs. The Office of Native Title collects and maintains statistics of the number of outstanding native title claims awaiting resolution.</p>

## Services and Key Efficiency Indicators

### *Court and Tribunal Services*

Efficiency Indicator	Description
Cost per case	The cost per case indicator is calculated by dividing the total cost of processing cases by the number of finalisations. The efficiency indicators for Court and Tribunal Services are calculated from the Department's Cost Allocation Model in the Financial Management Information System. Total operating costs used to calculate the efficiency measure are extracted from the Department's jurisdiction based cost management system (Business Objects). The number of finalisations is obtained from various in house case management and tracking systems maintained by the jurisdictions.
Cost per enforcement	The total cost of processing fines and infringements is divided by the number of lodgements where a lodgement represents an individual enforcement registered with the Fines Enforcement Registry for enforcement. The data sources for this Key Performance Indicator are Business Objects and the departmental information management system (COGNOS) for the number of lodgements.

### *Advocacy, Guardianship and Administration Services*

Efficiency Indicator	Description
Average cost per case of providing Advocacy and Guardianship services	This indicator is calculated by dividing the total cost of providing advocacy, guardianship and administration services by the number of advocacy and guardianship services provided. The information for this indicator is extracted from Department's activity based cost management system (Business Objects) and the Public Advocate Case Management System (PACMAN).

### *Trustee Services*

Efficiency Indicator	Description
Average cost per trust managed	This indicator is calculated by dividing the total cost to manage trusts by the number of trusts under management during the year. The number of trusts under management is held in Public Trustee's internal information system and the total cost of providing trust management services is derived from the Department's activity based cost management system (Business Objects).
Average cost per deceased estate administered	This indicator is calculated by dividing the total cost of administration services by the number of deceased estates administered during the year. The total number of deceased estates administered is held in the Public Trustee's internal information system and the total cost of administration services is derived from the Department's activity based cost management system (Business Objects).
Average cost per will prepared	This indicator is calculated by dividing the total cost of preparing wills by the number of wills prepared during the year. The total number of wills prepared is held in Public Trustee's internal information system and the total cost of preparing wills is derived from the Department's activity based cost management system (Business Objects).

### *Births, Deaths and Marriages*

Efficiency Indicator	Description
Average cost of registration services	<p>The registry has maintained a database of birth, death and marriage records since it was established in 1841. These are either in paper registers, on microfilm or computer.</p> <p>To obtain this measure, the total cost of registration services is divided by the total number of registration services provided, including records held in storage. The total cost of registration services is derived from the Department's activity based cost management system (Business Objects).</p>

## Services to Government

Efficiency Indicator	Description
Average cost per legal matter	<p>This indicator measures the average cost of a legal matter, which is defined as an initiating instruction received from a client in the reporting year, plus any other matter active during the reporting year and upon which some legal work was conducted. It also includes work in progress.</p> <p>The cost per matter is calculated by dividing the total cost of providing legal services by the number of matters dealt with during the financial year. Number of matters is extracted from the Time and Matter Costing System and the total cost of service is derived from the Department's activity based cost management system (Business Objects).</p>
Average cost per page of output	<p>The average cost per drafting service is calculated by dividing the total cost of the Parliamentary Counsel's Office by the number of pages of bills, subsidiary legislation and reprinted texts produced by the office each financial year. The information is recorded in Access databases located within the Parliamentary Counsel's Office. The total cost of service is derived from the Department's activity based cost management system (Business Objects).</p>

## Native Title Policy Development, Implementation and Negotiation

Efficiency Indicator	Description
Average cost per Native Title application managed	<p>The average cost per native title application managed is the total operational expenses (excluding grants) apportioned across business units and then further apportioned based on the percentage time each business unit spends on active management of a claim. This is divided by the number of applications being managed to produce the average cost.</p> <p>An application is actively managed if the Office of Native Title anticipates that a connection report will be received or if there is active litigation by the Office of Native Title within 12 months or if for reason of increase in the level of the Office of Native Title activity triggers a decision to classify the application "actively managed". The Executive Director provides approval on whether an application is actively managed or suspended. A claim may be suspended from the Office of Native Title active management and also recommenced. Any of the Office of Native Title's suspended periods are not included in the Office of Native Title active management for Key Performance Indicators purposes.</p> <p>The total cost of service is derived from the Department's activity based cost management system (Business Objects) and the number of claims under management is derived from a list of claims under active management maintained by the Office of Native Title.</p>
Average time taken to achieve resolution of prioritised Native Title applications	<p>This indicator measures the amount of time aggregated from the date that a native title claim is classified as actively managed (not including any periods of the Office of Native Title suspension) to determination and also the associated Office of Native Title average cost for each claim managed. The time is an aggregation of the number of years to determine prioritised applications for the current financial year.</p>

## Ministerial Directives

No ministerial directives were issued in 2010/11.

## Other Financial Disclosures

### Pricing policy of services

The pricing policy adopted in setting fees and charges varies across the Department, conforming in all instances with Treasury guidelines.

#### *Court and Tribunal Services*

Fees are collected for a variety of services throughout courts ranging from the provision of civil court hearing time and enforcement of civil and criminal court orders to the provision of transcripts.

Broadly, the court system has adopted a policy of partial cost recovery, largely confined to the civil jurisdiction (with the exception of some criminal enforcement activities). In setting court fees, the Department aims to strike an appropriate balance between:

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

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

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

The court fees in operation at the end of the 2010/11 year were published in the *Government Gazette* on 8 March 2011 and began the next day.

#### *Registry of Births, Deaths and Marriages*

The fees applied by the Registry of Births, Deaths and Marriages to its products and services are determined by Department of Treasury and Finance instructions on full cost recovery and an annual review which takes into account the Consumer Price Index, the cost of providing services and like fees charged by other Australian registries. Fees and charges were not increased for 2010/11.

### Public Trustee

The Public Trustee collects fees for a variety of Trustee services. In 2008/09 it implemented a new fee structure which moved from a commission-based structure to a user pays system while recognising the Public Trustee's community service obligations as well as the client's ability to pay. In January 2011, the Public Trustee completed its annual review of its fees and charges, with the revised schedule included in the 2011/12 Annual Agreement that is forwarded to the Attorney General. The fees charged by the Public Trustee were gazetted on 29 June 2011.

### State Solicitors 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.

## Capital Works

Major Capital Works (Projects > \$5 million) 2010-11				
Works in Progress	Estimated Total Cost (\$'000)	Life to Date Expenditure (\$'000)	Remaining Expenditure (\$'000)	Estimated Year of Completion
Central Law Courts refurbishment	59,372	58,049	1,323	2011
Kalgoorlie Courthouse	43,434	7,814	35,620	2013
Carnarvon Police /Justice Complex	52,500	556	51,944	2014
Kununurra Courthouse	43,000	2,388	40,612	2014
Public Trustee re-location	6,360	2,492	3,868	2012

## Act of Grace and ex-gratia payments

The Department from time to time makes *Act of Grace* and ex-gratia payments on behalf of Government. Six payments were made in 2010/11 totalling \$6.3 million. This included the final payment to Mr Ward's family (\$3 million) and a payment to Constable Butcher (\$3.3 million). Five payments were made in 2009/10 for \$250,000. In addition to the above, the Department paid six mesothelioma claims on behalf of Government that totalled \$500,000 in 2010/11. Twenty four mesothelioma payments were made in 2009/10 totalling \$4.3 million.

## Employment and Industrial Relations

Summary of Employee Numbers										
Employees by Award / Occupational Grouping	2009/10					2010/11				
	Numbers			%		Numbers			%	
	F	M	Total	F	M	F	M	Total	F	M
Catering & Tea Attendants	3	0	3	100	0	3	0	3	100	0
Child Care Workers	1	0	1	100	0	1	0	1	100	0
Cleaners & Caretakers	13	1	14	92.86	7.14	13	1	14	92.86	7.14
Govt Officers (GOSAC/GOSGA Award)	67	59	126	53.17	46.83	77	62	139	55.40	44.60
Public Service Employees	1089	548	1637	66.56	33.44	1067	538	1605	66.48	33.52
State Review Board *	1	1	2	50.00	50.00	3	1	4	75	25
Salaries & Allowances Tribunal	5	17	22	22.73	77.27	4	14	18	22.22	77.78
State Admin Tribunal	5	9	14	35.71	64.29	5	9	14	35.71	64.29
TOTAL	1184	635	1819	65.09	34.91	1173	625	1798	65.24	34.76

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

The headcount figures in the table above are for those employees paid on the last pay date of the financial year, using an official government definition known as the *Workforce Analysis and Comparison Application*.

### Breach of HR Management Standards

In 2010/11, nine claims of breaches against Public Sector Standards in Human Resource Management were lodged with the Department. Two were withdrawn by the complainant and six dismissed by the Office of the Public Sector Standards Commissioner. One was still pending as at 30 June 2011.

	Withdrawn in agency	Resolved or pending in agency	Referred to OPSSC	Dismissed at OPSSC	Upheld at OPSSC	Pending at OPSSC	All
Recruitment, selection & appointment	2		5	5			7
Grievance resolution			2	1		1	2
Transfer							
Secondment							
Performance management							
Redeployment							
Termination							
Discipline							
Acting							
Total Claims							9

### Volunteer Workforce

The Department has a large volunteer workforce of 3,232 people, including victim support workers, Justices of the Peace and community guardians.

### Employee Assistance Program

The Employee Assistance Program was accessed by 105 clients during 2010/11 totalling 247 clinical hours.



## Disclosures & Legal Compliance – Other Legal Requirements

### Contracts awarded

The Department of the Attorney General awarded contracts between 1 July 2010 and 30 June 2011 to the following value:

Contracts Awarded*	
Value	Number
\$0-\$19,999	4
\$20,000 - \$99,999	22
\$100,000 - \$499,999	12
\$500,000 - \$999,999	0
\$1 million +	4

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

Contracts : Valued at more than \$100,000			
<i>Number</i>	<i>Description</i>	<i>Recommended Vendors</i>	<i>Value \$</i>
2011/00593	Trend Micro antivirus licences, support and maintenance	DATA #3 Ltd	\$129,658
2010/02753	Body removal in East Kimberley	Trustee for The Wild Family Trust	\$135,000
2010/02422	PABX for the Supreme Court Bell Appeal	NEC Australia Pty Ltd	\$139,518
2010/00761	eLearning modules	The CyberInstitute P/L	\$150,000
2011/01163	Supreme Court mediators	<i>Panel suppliers</i> Retired judges Kevin Hammond and Henry Hall Jackson	\$150,000
2010/01977 <sup>(1)</sup>	Body Corporate under the Murchison Radio-Astronomy Observatory Agreement for the Office of Native Title	RPM Project Management Pty Ltd	\$172,941
2009/03486	Security systems for judicial residences	Bullant Security Pty Ltd	\$240,000
2011/01285	McAfee Endpoint security software licences/ support	Kinetic IT	\$303,097
2010/01099	Support for Organisational Performance Directorate DMS for the State Solicitors Office	Open Practice Solutions Pty Ltd	\$305,000

39409 <sup>(2)</sup>	Automated Wills Drawing application software and support for Public Trustee	Documents Plus Limited	\$375,000
2010/02619	Air charter services for the Kununurra Magistrate	Slingair Pty Ltd	\$450,000
2010/00450	Supply & installation of copper-fibre cable	<i>Panel suppliers</i> SEME Electrical Engineering Co. Cable Logic Pty Ltd O'Donnell Griffin P/L	\$2,000,000
41510	Provision of servers and associated software and warranty services	Dell Australia Pty Ltd	\$2,500,000
2009/01097	Maintenance and support for Court AV and VC systems	Rutledge Engineering (QNW) Pty Ltd	\$3,600,000
2011/01635	Microsoft Enterprise Agreement	Insight Enterprises Australia Pty Ltd	\$7,300,000
2009/03706	Aboriginal Mediators	<i>Panel suppliers</i> Solutions for Conflict Byrne Consulting P/L, Greyspace Strategic Engagement Solutions, Australian Mediation Association Pty Ltd, Halsmith Consulting & Mediation Professionals	\$300,000

#### Notes

- Office of Native Title transferred to the Department of Premier and Cabinet on 1 April 2011. Contract 2010/01977 is now administered by the Department of the Premier and Cabinet.
- The Public Trustee establishes contracts as Principal in its own right under the terms and conditions of a Partial Exemption granted to the Public Trustee under the State Supply Commission Act 1991 as amended ("Act").

## Governance Disclosures

### Financial interests

At the date of reporting, other than normal contracts of employment of service, no senior officers had any interests in existing or proposed contracts with the Department.

### Other Legal Requirements

#### Expenditure on advertising, market research, polling and direct mail

<b>Adverting and Marketing Expenditure</b>	
<b>Advertising Agencies</b>	<b>\$204,912</b>
Adcorp	204,912
<b>Market Research Organisations</b>	<b>\$13,955</b>
Patterson Market Research	13,955
<b>Media Advertising Organisations</b>	<b>\$17,475</b>
West Australian Newspapers	12,144
Yellow Pages	3,721
The Australian Newspaper	1,413
Kalgoorlie Miner	197
<b>Direct Mail Organisations</b>	<b>\$0</b>
Nil	0
<b>Polling Organisations</b>	<b>\$0</b>
Nil	0
<b>TOTAL</b>	<b>\$236,342</b>

### Disability Access and Inclusion Plan outcomes

The Disability Access and Inclusion Plan complies with the *Disability Services Act 1993* (WA) and ensures that professional and appropriate services are provided to customers with disabilities, their carers and families. During 2010/11 a range of achievements occurred:

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

Staff organising an event now have access to published information which will help them make the event accessible to people with disabilities.

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

Accommodation improvements continued across the Department. The Central Law Courts have added access ramps for witnesses in courtrooms, purpose-built access points at public counters, wheelchair access at drinking fountains, improved signage and increased passage width to accommodate access requirements.

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

All publications are available, upon request, in alternative formats and are reviewed regularly to ensure that they meet State Government access guidelines. Courts produced brochures in five languages that comply with the appropriate guidelines for accessibility and some small publications have been customised specifically for Aboriginal people with cultural artwork included.

Service areas continued to utilise Auslan interpreters in accordance with the Language Services Policy.

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

The Office of the Public Advocate won the Disability Services Commission's Count Me In Awards in both the State Government division and the Dr Louisa Alessandri prize for excellence for its Community Guardianship Program.

Staff working at the Offices of the Public Advocate and the Public Trustee and in court counselling and support did specialist training in mental health awareness for their clients.

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

The Department is proud to offer clients the opportunity to provide feedback in a number of formats.

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

The Department's DAIP is issued in a variety of accessible formats and together with the Department's Disability Services Policy is available on the Department's website.

An Access Resource Kit is now available to all staff to ensure that consultative processes run by the department improve access for people with disabilities.

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

The Department has sought to incorporate inclusive recruitment practice information into guidelines for managers. The Attraction and Selection Guide has been updated to incorporate manager requirements under Equal Employment Opportunity legislation in the recruitment of people with a disability. Additional resources have been developed and rolled out in the Attraction and Selection pilot training for managers. These initiatives have been promoted to staff via Department news and also via the regular HR forums.

### **Compliance with Public Sector Standards and Ethical Codes**

The Department complied with the Public Sector Standards, the WA Code of Ethics and the agency's code of conduct. The code of conduct outlines the ethical principles, obligations and standards applying to staff. It aims to instil the values of "respect, integrity, unity and diversity, justice and collaboration" in all our people. The code specifies standards of behaviour and helps inform employees about how to exercise judgement and accept personal responsibility in their professional roles.

During the year about 1,500 staff participated in awareness-raising on ethical conduct and public sector standards. The Department's organisational culture includes a commitment to effective corruption prevention.

### **Compliance with *State Records Act 2000***

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

The State Records Commission's minimum compliance requirements are:

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

The Department is auditing its recordkeeping system, reporting on data authenticity, integrity and security. The Department's recordkeeping policy has been reviewed and work is progressing to prepare a new recordkeeping plan for submission to the SRO in June 2012.

### ***The organisation conducts record keeping training***

To date 88 per cent of employees have completed or are progressing through the Department's records awareness training course.

*The efficiency and effectiveness of the recordkeeping training program is reviewed periodically*

The effectiveness and efficiency of the Department's online recordkeeping training program is monitored through the results of surveys that staff are asked to complete on completion of the course. The Department plans to refresh users' awareness through the deployment of an updated online records awareness training course in 2011/12 that will be compulsory for all users.

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

In 2010/11 the Department deployed a compulsory online course called *Accountable and Ethical Decision Making*, which incorporates a thirty minute module called *Recordkeeping and Use of Information*. It outlines important aspects such as definition of a record, individual responsibility with records and the benefits of appropriate recordkeeping practices. The Department's induction includes a records training component. This course outlines individual obligations arising from the departmental recordkeeping plan.

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

## Government Policy Requirements

### Substantive Equality

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

In 2010/11, the Registry of Births, Deaths and Marriages' birth registration service was the subject of a needs and impact assessment and the Perth Drug Court assessment was completed. Recommendations are currently being reviewed for implementation.

The Department is also committed to its involvement in the Equal Opportunity Commission's Police and Justice Substantive Equality Inter-Government Partners and the Substantive Equality Unit Pilot for New Initiatives and Policies. This membership brings together colleagues from all participating departments in Western Australia to report on the implementation of substantive equality, share knowledge across similar jurisdictions and discuss relevant matters and issues associated with substantive equality.

## Corruption Prevention

The Department has built an organisational culture that emphasises effective corruption prevention. Education of the workforce about the potential for corruption is given priority and a range of practical measures support the vigilance. The agency's corruption prevention policy is reinforced by policies on gifts and conflict of interest in employment.

The Department has quarterly reporting on the offer and acceptance of gifts, benefits and other rewards. During 2010/11, offers of 237 gifts, including hospitality, were registered. The total number declined was 91 while 146 were accepted, most under \$50 in value.

A record is also maintained of staff who register conflicts of interest and secondary employment. In 2010/11 registrations and approvals totalled 125.

Completion of the training program, *Accountable and Ethical Decision Making*, became mandatory for all employees in 2010/11. This measure both informs and serves to remind staff of the importance placed upon ethical behaviour.

Regular items on the Department's intranet news page provide examples, topical stories and links to other key sources of information in the field of corruption prevention.

## Occupational Safety, Health and Injury Management

The Department recognises its duty of care obligations for occupational safety, health and injury management and is committed to providing a productive, safe and healthy work environment. The Department supports the work of managers and employees in identifying and managing safety and health issues in the workplace.

In August 2010 an internal audit, by the Department's Management Assurance Branch, did not identify any critical areas of concern.

In conformance with legislated Occupational Safety and Health (OSH) criteria for consultative processes, all divisions are aware of the requirement to establish, maintain, train and support OSH reps and committees. The majority of divisions across the Department have operational safety committees. The remaining areas will progress the establishment of their committees with a projected completion for all areas by December 2011.

The Department complies with the injury management requirements of the *Workers' Compensation and Injury Management Act 1981*. During 2010/11 the Department began a review of its Injury Management System. A new system is being developed that will focus on OSH initiatives and practices.

<b>Report of annual performance against targets</b>		
<b>Indicator</b>	<b>Target 2010/11</b>	<b>Actual 2010/11</b>
Number of fatalities	Nil	Nil
Lost time injury/disease (LTI/D) incidence rate	Nil or 10% reduction in the previous year's rate (2009/10 rate: 0.38)	0.67 (76% rise on previous year)
Lost time injury severity rate	Nil or 10% improvement on previous year's actual (2009/10 rate: 57.1)	40 (30% improvement on previous year)
Percentage of injured workers returned to work within 28 weeks	Actual percentage result to be reported	90% of injured workers resumed work within 28 weeks
Percentage of managers trained in OSH and injury management responsibilities	Greater than or equal to 50%	75%

### Freedom of Information

The Department received 102 Freedom of Information (FOI) applications in 2010/11. During this time, 45 applications were completed and 49 transferred to other agencies. Two were withdrawn and six remained outstanding.

Three FOI decisions were reviewed externally by the Information Commissioner and another three reviewed internally on request of the applicant with the decision being upheld on all occasions.

<b>Summary of FOI applications for 2010/11</b>	
<b>Applications handled</b>	
Personal information requests	42
Non-personal information requests	11
Amendment of personal information	0
Applications transferred in full	49
Total	102
<b>Outcomes</b>	
Applications completed	45
Applications withdrawn	2
Internal reviews completed	3
External reviews completed	3
Applications outstanding	6

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



## Customer Feedback

The Department invites and readily facilitates feedback from clients. Its customer feedback system records and tracks complaints, compliments and suggestions from customers across all operating areas. A feedback form is available on the website and the Department issues brochures with a reply paid form attached and an outline of feedback processes.

With the ease of access, each year produces more feedback. During 2010/11 the Department received 351 complaints, 90 compliments and 80 suggestions. Complaints and suggestions covered a range of service areas. Regular reviews of feedback enabled the Department to examine internal processes and procedures within a number of business areas.

# APPENDICES

## APPENDIX 1

### Location maps

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

Numerous service locations exist throughout Western Australia.

### Metropolitan locations



Regional locations



## APPENDIX 2

### **Acts Administered by the Department of the Attorney General (as at 1 July 2011)**

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  
Co-operative Schemes (Administrative Actions) Act 2001  
Commercial Arbitration Act 1985  
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  
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  
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 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 (Act other than s. 18, 21 & 32 & Pt. 2 Div. 3 & 5 & Pt. 5)  
Debts Recovery Act 1830 (Imp)  
Debts Recovery Act 1839 (Imp)  
Defamation Act 2005  
Deodands abolition (1846) (Imp)  
District Court of Western Australia Act 1969  
Domicile Act 1981  
Dower amendment (1833) (Imp)  
Electronic Transactions Act 2003  
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  
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)  
Inheritance (Family and Dependants Provision) Act 1972  
Inheritance amendment (1833) (Imp)  
Interpretation Act 1984  
Judges' Retirement Act 1937  
Judgments Act 1839 (Imp)  
Judgments Act 1855 (Imp)  
Juries Act 1957  
Jurisdiction of Courts (Cross-vesting) Act 1987  
Justices of the Peace Act 2004

*Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947*  
*Law Reform (Miscellaneous Provisions) Act 1941*  
*Law Reform (Statute of Frauds) Act 1962*  
*Law Reporting Act 1981*  
*Law Society Public Purposes Trust Act 1985*  
*Legal Profession Act 2008*  
*Legal Representation of Infants Act 1977*  
*Limitation Act 1935*  
*Limitation Act 2005*  
*Magistrates Court (Civil Proceedings) Act 2004*  
*Magistrates Court Act 2004*  
*Marriage Act 1835 (Imp)*  
*Mercantile Law Amendment Act 1856 (Imp)*  
*Miscellaneous Repeals Act 1991*  
*Native Title (State Provisions) Act 1999*  
*Oaths, Affidavits and Statutory Declarations Act 2005*  
*Occupiers' Liability Act 1985*  
*Off-shore (Application of Laws) Act 1982*  
*Offenders (Legal Action) Act 2000*  
*Official Prosecutions (Accused's Costs) Act 1973*  
*Parole Orders (Transfer) Act 1984*  
*Partnership Act 1895*  
*Perpetuation of Testimony Act 1842 (Imp)*  
*Perth Anglican Church of Australia Collegiate School Act 1885*  
*Perth Diocesan Trustees (Special Fund) Act 1944*  
*Perth Hebrew Congregation Lands Act 1921*  
*Presbyterian Church Act 1908*  
*Presbyterian Church Act 1976*  
*Presbyterian Church Act Amendment Act 1919*  
*Presbyterian Church Act Amendment Act 1924*  
*Presbyterian Church of Australia Act 1901*  
*Presbyterian Church of Australia Act 1970*  
*Prescription Act 1832 (Imp)*  
*Prisoners (Release for Deportation) Act 1989*  
*Professional Standards Act 1997*  
*Prohibited Behaviour Orders Act 2010*  
*Property Law Act 1969*  
*Prostitution Act 2000 (s. 62 & Part 5 only)*  
*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)*  
*Sentencing (Consequential Provisions) Act 1995*  
*Sentencing Act 1995 (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of Pt. 3 Div. 3 & 5, Pt. 3A, 9, 10, 11 & 12 & Pt. 18 Div. 2, 3 & 4 of this Act)*  
*Sentencing Legislation Amendment and Repeal Act 2003*  
*Service and Execution of Process (Harbours) Ordinance 1855*  
*Solicitor-General Act 1969*  
*Special Investigation (Coal Contract) Act 1994*  
*Spent Convictions Act 1988*  
*State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004*  
*State Administrative Tribunal Act 2004*  
*Statute of Frauds (1677) (Imp)*  
*Statutory Corporations (Liability of Directors) Act 1996*  
*Stock Jobbing (Application) Act 1969*  
*Suitors' Fund Act 1964*  
*Supreme Court Act 1935*  
*The Salvation Army (Western Australia) Property Trust Act 1931*  
*Titles (Validation) and Native Title (Effect of Past Acts) Act 1995*  
*Trustee Companies Act 1987*  
*Trustees Act 1962*  
*Trustees of Western Australia Limited (Transfer of Business) Act 2003*  
*Unauthorised Documents Act 1961*  
*Uniting Church in Australia Act 1976*  
*Vexatious Proceedings Restriction Act 2002*  
*Victims of Crime Act 1994*  
*Warehousemen's Liens Act 1952*  
*Warrants for Goods Indorsement Act 1898*  
*West Australian Trustees Limited (Merger) Act 1989*  
*Wills Act 1970*  
*Yallingup Foreshore Land Act 2006*