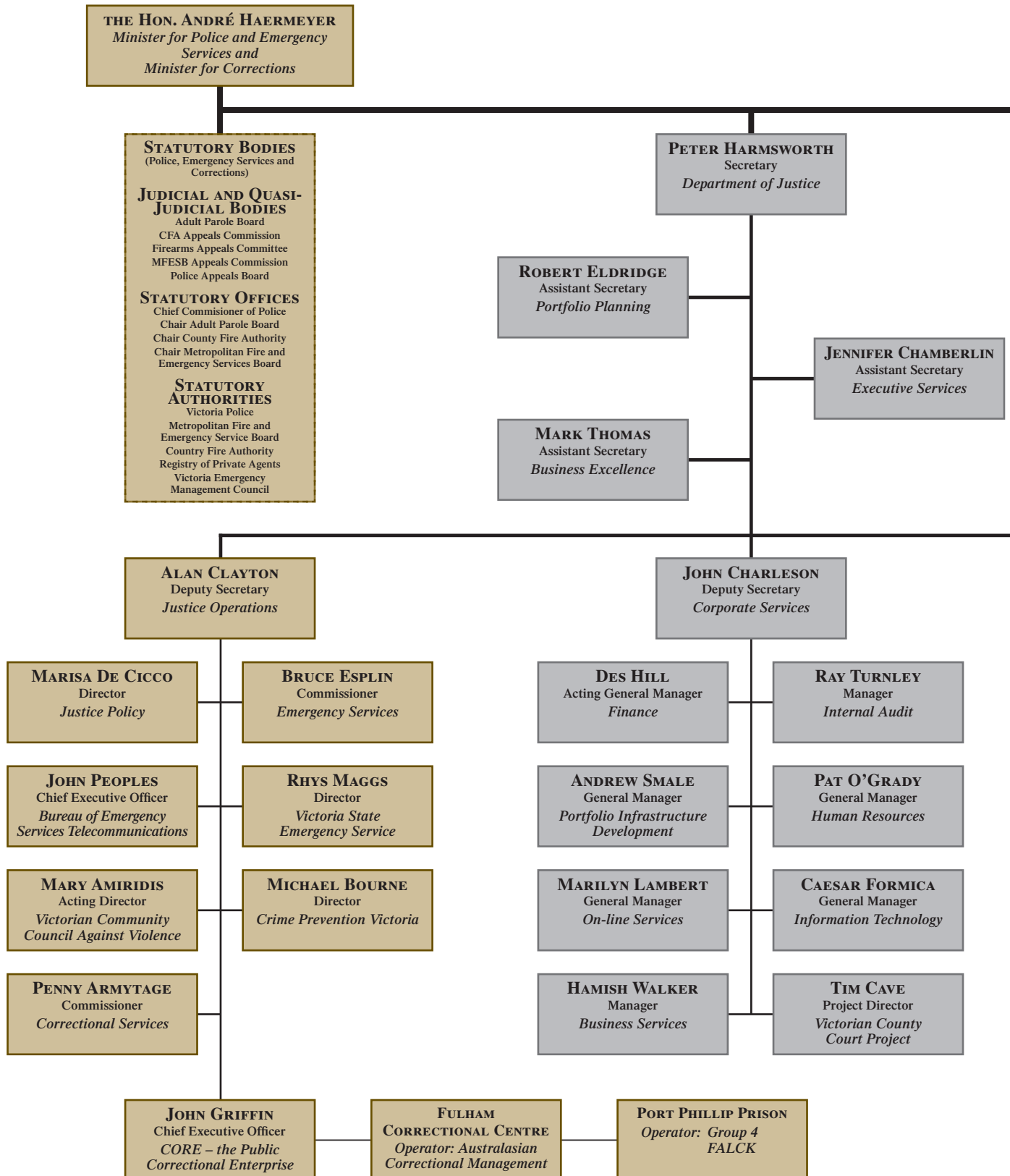


APPENDIX A: ORGANISATION CHART

AS AT 30 JUNE 2001



THE HON. MARSHA THOMSON
Minister for Consumer Affairs

THE HON. ROB HULLS
Attorney-General

STATUTORY BODIES
(Consumer Affairs)

STATUTORY AUTHORITIES

Business Licensing Authority
Residential Tenancies
Bond Authority
Defence Reserves
Re-employment Board
Estate Agents Council
Motor Car Traders Guarantee
Fund Claims Committee
Patriotic Funds Council
Prostitution Control
Advisory Committee

COURTS, BOARDS AND TRIBUNALS
(Attorney General)

Judicial and Quasi-Judicial Bodies

Supreme Court
– Court of Appeal
– Trial Division
County Court
Children's Court
Magistrates' Court
Victorian Civil and Administrative Tribunal
Appeal Costs Board
Municipal Electoral Tribunal
Judicial Remuneration Tribunal
Legal Profession Tribunal

STATUTORY BODIES
(Attorney General)

Statutory Offices

Solicitor General
Crown Counsel
Legal Ombudsman
Public Advocate
Electoral Commissioner
Chief Conciliator
Law Reform Commissioner
Privacy Commissioner
Director of Public Prosecution
Solicitor for Public Prosecution
Chair Victoria Legal Aid
Managing Director Victoria Legal Aid

Statutory Authorities

Legal Practice Board
Victorian Electoral Commission
Victorian Law Reform Commission
Equal Opportunity Commission
Judicial College
Office of Public Prosecutions
Victoria Legal Aid
Victorian Institute of Forensic
Medicine
Victorian Law Foundation

Administrative Offices

Victorian Government Solicitor

BERNADETTE STEELE

Deputy Secretary
Consumer Affairs and Equity

ELIZABETH ELDRIDGE

Deputy Secretary
Legal

BERNADETTE STEELE

Director
Consumer and Business Affairs

ANDREW LEVENS

General Manager
Registry of Births, Deaths and Marriages

JULIAN GARDNER

Public Advocate

DI SISELY

Chief Executive
Equal Opportunity Commission

DENIS HALL

Director
Legal Policy and Court Services

JUDY DIXON

Director
Victims Referral and Assistance Service

CHRIS HUMPHREYS

Director
Enforcement Management

JOHN CATLIN

Manager
Native Title Unit

JENNIFER SHAW

Director
Strategic Operations and Analysis

APPENDIX B: LEGISLATIVE RESPONSIBILITIES

B1: Acts administered by the Justice Portfolio as at 30 June 2001

Attorney-General

Accident Compensation Act 1985

Division 1 of Part III (the remaining provisions are administered by the Minister for WorkCover and the Treasurer)

Acts Enumeration and Revision Act 1958

Administration and Probate Act 1958

Administrative Law Act 1978

Adoption Act 1984

(The Act is jointly and separately administered with the Minister for Community Services)

Age of Majority Act 1977

Alcoholics and Drug-dependent Persons Act 1968

Sections 11, 14 and 15 (the remaining provisions are administered by the Minister for Health)

Appeal Costs Act 1998

Attorney-General and Solicitor-General Act 1972

Bail Act 1977

Births, Deaths and Marriages Registration Act 1996

Charities Act 1978

Children and Young Persons Act 1989

(The Act is jointly and separately administered with the Minister for Community Services)

Children and Young Persons (Appointment of President) Act 2000

(The Act is jointly administered with the Minister for Community Services)

Choice of Law (Limitation Periods) Act 1993

Classification (Publications, Films and Computer Games) (Enforcement) Act 1995

Commercial Arbitration Act 1984

Commonwealth Places (Administration of Laws) Act 1970

Commonwealth Powers (Family Law-Children) Act 1986

Confiscation Act 1997

Constitution Act 1975

Part III Section 88 so far as it relates to the appointment of Senior Counsel, Crown Counsel and Crown Counsel (Advisings) (the remaining provisions are administered by the Premier)

Constitution Act Amendment Act 1958, The

Excluding: Sections 149(1), (2), (6) and (7), 153, 154A and 155 (these provisions are administered by the Premier)

Constitution (Supreme Court) Act 1989

Constitutional Powers (Coastal Waters) Act 1980

Constitutional Powers (Request) Act 1980

Coroners Act 1985

Corporations (Victoria) Act 1990

Council of Law Reporting in Victoria Act 1967

County Court Act 1958

Courts (Case Transfer) Act 1991

Court Security Act 1980

Crimes Act 1958

Crimes (Criminal Trials) Act 1999

Crimes (Family Violence) Act 1987

Crimes (Mental Impairment and Unfitness to be Tried) Act 1997

Except sections 48–55, 58, 60–63(1), 64–73 which are jointly administered with the Minister for Health and the Minister for Community Services

Crimes at Sea Act 1999

Crown Proceedings Act 1958

Cul-de-sac Applications Act 1965

Except in so far as it relates to the management of the Office of the Registrar-General and the Land Titles Office (this part of the Act is administered by the Minister for Environment and Conservation)

Domestic Building Contracts Act 1995

Part 5 (the remaining provisions are administered by the Minister for Consumer Affairs)

Domicile Act 1978

Electoral Boundaries Commission Act 1982

Equal Opportunity Act 1995

Evidence Act 1958

Evidence (Commissions) Act 1982

Federal Courts (State Jurisdiction) Act 1999

Fences Act 1968

Except section 19 (this provision is administered by the Minister for Environment and Conservation)

Foreign Judgments Act 1962

Freedom of Information Act 1982

Guardianship and Administration Act 1986

Housing Act 1983

Part VI

(the remaining provisions are administered by the Minister for Housing)

Imperial Acts Application Act 1980

Imprisonment of Fraudulent Debtors Act 1958

Information Privacy Act 2000

Instruments Act 1958

Except in so far as it relates to the management of the Office of the Registrar-General and the Land Titles Office (this part of the Act is administered by the Minister for Environment and Conservation)

Interpretation of Legislation Act 1984

Judgment Debt Recovery Act 1984

Judicial Proceedings Reports Act 1958

Judicial Remuneration Tribunal Act 1995

Juries Act 1967

Juries Act 2000

Jurisdiction of Courts (Cross-Vesting) Act 1987

Land Acquisition and Compensation Act 1986

Land Act 1958

Sections 22C to 22E (the remaining provisions are administered by the Minister for Environment and Conservation, the Minister for Corrections and the Minister for Finance)

In so far as it relates to the exercise of powers relating to leases and licences under subdivisions 1 and 2 of Division 9 of Part 1 in respect of:

– land described as Crown allotment 22A and 21C of section 30, Parish of Melbourne North being the site of the Victorian County Court; and

– land described as Crown allotment 22D of section 30, Parish of Melbourne North being the site of the Victorian County Court.

Land Titles Validation Act 1994

Legal Aid Act 1978

Legal Practice Act 1996

Leo Cussen Institute Act 1972

Limitation of Actions Act 1958

Local Government Act 1989

Sections 44–46, 48–49

Section 243 in so far as it relates to municipal electoral tribunals

Schedule 4 excluding clause 1(b)

(The Act is otherwise administered by the Minister for Local Government and the Minister for Transport)

Magistrates' Court Act 1989

Maintenance Act 1965

Marriage Act 1958

Penalty Interest Rates Act 1983

Perpetuities and Accumulations Act 1968

Property Law Act 1958

Except in so far as it relates to the management of the Office of the Registrar-General and the Land Titles Office (this part of the Act is administered by the Minister for Environment and Conservation)

Public Prosecutions Act 1994

APPENDIX B: LEGISLATIVE RESPONSIBILITIES

CONTINUED

Public Prosecutions Act 1994

Religious Successory and Charitable Trusts Act 1958

Residential Tenancies Act 1997

Sections 446–448, 452, 472, 473, 479 and 485

(The Act is otherwise administered by the Minister for Consumer Affairs, the Minister for Housing and the Minister for Planning)

Senate Elections Act 1958

Sentencing Act 1991

Part 3 (Subdivision 4 of Division 2 and Division 6) of the Act are jointly administered by the Attorney-General and the Minister for Community Services)

(Division 3 of Part 3 of the Act is jointly administered by the Attorney-General and the Minister for Corrections)

Settled Land Act 1958

Small Claims Act 1973

St Andrew's Foundation Act 1997

Status of Children Act 1974

Summary Offences Act 1966

Supreme Court Act 1986

Surveillance Devices Act 1999

Telecommunications (Interception)

(State Provisions) Act 1988

Theatres Act 1958

Unauthorised Documents Act 1958

Vagrancy Act 1966

Valuation of Land Act 1960

Divisions 1 and 2 of Part III, Divisions 4 and 5 of Part III where they relate to the determination of appeals by the Victorian Civil and Administrative Tribunal and Part IV in so far as it relates to the administration of the above provisions (the remaining provisions are administered by the Minister for Environment and Conservation)

Victims of Crime Assistance Act 1996

Victoria Law Foundation Act 1978

Victoria Park Land Act 1992

Victorian Civil and Administrative Tribunal Act 1998

Victorian Law Reform Commission Act 2000

Vital State Projects Act 1976

Sections 5–16 (the remaining provisions are administered by the Premier)

Warehousemen's Liens Act 1958

Western Metropolitan Market Act 1938

Whistleblowers Protection Act 2001

Wills Act 1997

Wrongs Act 1958

Minister for Consumer Affairs

Associations Incorporation Act 1981

Auction Sales Act 1958

Business Investigations Act 1958

Business Licensing Authority Act 1998

Business Names Act 1962

Carriers and Innkeepers Act 1958

Chattel Securities Act 1987

Except Part 3 (this part is administered by the Minister for Transport)

Collusive Practices Act 1965

Companies (Administration) Act 1981

Consumer Credit (Victoria) Act 1995

Co-operatives Act 1996

Credit Act 1984

Credit (Administration) Act 1984

Credit Reporting Act 1978

Defence Reserves Re-Employment Act 1995

Discharged Servicemen's Preference Act 1943

Disposal of Uncollected Goods Act 1961

Domestic Building Contracts Act 1995

Excluding Part 5 (these provisions are administered by the Attorney-General)

Estate Agents Act 1980

Fair Trading Act 1999

Frustrated Contracts Act 1959

Fuel Prices Regulation Act 1981

Fundraising Appeals Act 1998

Funerals (Pre-paid Money) Act 1993

Goods Act 1958

Hire-Purchase Act 1959

Repealed 1 April 1998, in respect of hire-purchase agreements; except for section 24 and 25, applicable to hire purchase agreements for farm machinery until 30 June 2003.

House Contracts Guarantee Act 1987

Introduction Agents Act 1997

Landlord and Tenant Act 1958

Marketable Securities Act 1970

Motor Car Traders Act 1986

Partnership Act 1958

Patriotic Funds Act 1958

Petroleum Products (Terminal Gate Pricing) Act 2000

Petroleum Retail Selling Sites Act 1981

Prostitution Control Act 1994

Residential Tenancies Act 1997

Sections 24, 25, 27, 32, 33, 45–48, 74–77, 82, 90, 91, 102, 103, 104(1), 104(4), 104(5), 105(2), 105(3), 124, 128, 130–134, 141–212, 214, 215, 230, 232–234, 241, 277, 291–333, 335–341, 343–366, 373–376, 385, 388, 390, 395–398, 400–439, 486–504, 506–511.

Section 66(1) jointly with the Minister for Housing (The Act is otherwise administered by the Attorney-General, the Minister for Housing and the Minister for Planning)

Sale of Goods (Vienna Convention) Act 1987

Sale of Land Act 1962

Sea-Carriage Documents Act 1998

Second-Hand Dealers and Pawnbrokers Act 1989

Travel Agents Act 1986

Trustee Act 1958

Trustee Companies Act 1984

(this act is jointly administered with the Treasurer)

Minister for Corrections

Corrections Act 1986

International Transfer of Prisoners (Victoria) Act 1998

Land Act 1958

In so far as it relates to the exercise of powers relating to leases and licences under Subdivision 1 of Division 9 of Part 1 in respect of:

Land identified in Certified Plan 114680-A dated 8 February 1995

Land shown as Allotment 8B, section 13 on Certified Plan 116685 and Allotment 4A, section 17 on Certified Plan 116944 lodged in the Central Plan Office in the Department of Natural Resources and Environment

Land shown as hatched on the plan numbered LEGL/95-80 lodged in the Central Plan Office of the Department of Natural Resources and Environment

(the remaining provisions are administered by the Minister for Environment and Conservation, the Attorney-General, the Minister for Finance and the Minister for Health)

Parole Orders (Transfer) Act 1983

Prisoners (Interstate Transfer) Act 1983

Sentencing Act 1991

Division 3 of Part 3 of the Act is jointly administered by the Attorney-General and the Minister for Corrections

APPENDIX B: LEGISLATIVE RESPONSIBILITIES

CONTINUED

Minister for Police and Emergency Services

Control of Weapons Act 1990
Country Fire Authority Act 1958
Emergency Management Act 1986
Firearms Act 1996
Metropolitan Fire Brigades Act 1958
National Crime Authority (State Provisions) Act 1984
Police Assistance Compensation Act 1968
Police Regulation Act 1958
Excluding Part III (these provision are administered by the Minister for WorkCover)
Private Agents Act 1966
Seamen's Act 1958
Unlawful Assemblies and Processions Act 1958
Victoria State Emergency Service Act 1987
Witness Protection Act 1991

B2: Legislation enacted in 2000–01

Attorney-General

Benefit Associations (Repeal) Act 2001
Constitution (Supreme Court) Act 2001
Co-operative Schemes (Administrative Actions) Act 2001
Corporations (Administrative Actions) Act 2001
Corporations (Ancillary Powers) Act 2001
Corporations (Commonwealth Powers) Act 2001
Corporations (Consequential Amendments) Act 2001
Courts and Tribunals Legislation (Further Amendment) Act 2000

Courts and Tribunals (Miscellaneous Amendments) Act 2000

Crimes (Amendment) Act 2000

Crimes (Questioning of Suspects) Act 2000

Equal Opportunity (Gender Identity and Sexual Orientation) Act 2000

Information Privacy Act 2000

Judicial and Other Pensions Legislation (Amendment) Act 2001

Judicial College of Victoria Act 2000

Juries Act 2000

Magistrates' Court (Committal Proceedings) Act 2000

Magistrates' Court (Infringements) Act 2000

Statute Law Amendment (Relationships) Act 2001

Victims of Crime Assistance (Amendment) Act 2000

Whistleblowers Protection Act 2001

Wrongs (Amendment) Act 2000

Minister for Consumer Affairs

Prostitution Control (Proscribed Brothels) Act 2001

Associations Incorporation (Amendment) Act 2000

Minister for Police and Emergency Services

Police Regulation (Miscellaneous Amendments) Act 2001

Country Fire Authority (Amendment) Act 2000

Minister for Corrections

Corrections (Custody) Act 2001

APPENDIX C: STATEMENT OF COMPLIANCE

WITH THE BUILDING ACT 1993

Guidelines from the Minister for Finance, pursuant to Section 220 of the *Building Act 1993*, promote better standards for buildings owned by the Crown and public authorities, and require entities to report on achievements.

The Department of Justice controls and manages 75 properties on behalf of the Crown that are utilised for legal, court, prison, and emergency services. Other corporate entities within the Justice Portfolio, such as the Country Fire Authority, the Metropolitan Fire and Emergency Services Board, and Victoria Police, will report separately on building compliance issues for the properties they control and manage.

The following comments are made in relation to the Minister's guidelines.

New buildings conforming to standards

For the 2000–2001 financial year, all works carried out on buildings controlled by the Department of Justice were required to comply with the provisions of the *Building Act 1993*, relevant building regulations, and other statutory requirements. The Department has established appropriate ways of ensuring compliance, including the issue of building permits and occupancy certificates, and inspection of works. Agencies in the Justice Portfolio, including the Department of Justice are exempt from lodging plans with local councils.

The tables below provide the relevant project details.

Major works commenced throughout the 2000–01 financial year.

Building works	Total estimated investment \$'000	Building permit issued or works certified
Ararat Prison – 60 Bed Unit	840	Yes
Ararat Prison – Relocatable Cellular Accommodation	4,666	Yes
Ararat Prison – Redevelopment	2,500	Yes
Barwon Prison – Relocatable Cellular Accommodation	4,666	Yes
Court House Cell Upgrade	261	Yes
Courts Security Upgrade	2,100	Yes
Dame Phyllis Frost Centre – Relocatable Cellular Accommodation	4,666	Yes
Dhurringile Prison – Relocatable Cellular Accommodation	4,666	Yes
Fulham Prison – Relocatable Cellular Accommodation	4,666	Yes
Langi Kal Kal Prison – Redevelopment	2,500	Yes
Melbourne Supreme Court, Former High Court – Roof Access System	83	Yes
Melbourne Supreme Court – Stonework Repairs	90	Yes
Morwell Court Upgrade	120	Yes
Port Phillip Prison – Relocatable Cellular Accommodation	4,666	Yes
Prison Expansion Program, Barwon Prison – 75 Bed Expansion (of 357)	11,300	Yes
Prison Expansion Program, Dame Phyllis Frost Centre – 50 Bed Expansion	10,500	Yes
Prison Expansion Program, Fulham Prison – 68 Beds (of 357)	3,800	Yes
Prison Expansion Program, Loddon Prison – 70 Bed Expansion (of 357)	9,000	Yes
Prison Expansion Program, Port Phillip Prison – 34 Bed Expansion (of 357)	1,700	Yes
Prison Expansion Program, Dame Phyllis Frost Centre – 20 Bed Expansion	2,981	Yes
Tarrengower Prison – Sewerage System Replacement	286	Yes
Victoria State Emergency Services Headquarters Construction	3,570	Yes

APPENDIX C: STATEMENT OF COMPLIANCE

WITH THE BUILDING ACT 1993 – CONTINUED

Major works that are in progress and commenced prior to the 2000–01 financial year.

Building works	Total estimated investment \$'000	Building permit issued or works certified
Heidelberg Police Station and Court House	13,200	Yes
Metropolitan Women's Correctional Centre (Dame Phyllis Frost Centre) – 20 Bed Units Construction	485	Yes
Wodonga Police Station and Court House	11,900	Yes

Major works completed throughout the 2000–01 financial year.

Building works	Total estimated investment \$'000	Occupancy/final inspection certificate issued for works
Barwon, Bendigo, Loddon, Beechworth Prisons Security Upgrade	4,875	Yes
Beechworth Prison Security Upgrade	112	Yes
Bendigo Prison Security Upgrade	104	Yes
Court House Cell Upgrade	261	Yes
Dame Phyllis Frost Centre – Relocatable Cellular Accommodation	1,113	Yes
Heidelberg Community Corrections Fitout	200	Yes
Institute of Forensic Medicine Construction ¹	3,521	Yes
Melbourne Assessment Prison Security Upgrade	3,430	Yes
Melbourne Supreme Court – Former High Court/ Federal Court Building Refurbishment	1,145	Yes
Melbourne Supreme Court – Former High Court – Air Conditioning Installation	572	Yes
Melbourne Supreme Court – Former High Court – Walkway	225	Yes
Melbourne Supreme Court – Stonework Repairs	90	Yes
Melbourne Supreme Court – Remote Recording and Video Conferencing	135	Yes
Melbourne Supreme Court – Air Conditioning Installation to Administration Areas	61	Yes
Metropolitan Women's Correctional Centre (Dame Phyllis Frost Centre) – 20 Bed Units Construction	339	Yes
Tarangower Prison – Relocatable Cellular Accommodation	1,334	Yes

1. Includes \$1,500,000 funds from other sources.

Ten-year liability cap

All completed Departmental building works which were subject to building permits or certification, have been issued with a certificate of occupancy or final inspection, to invoke the 10-year liability cap. The major Departmental building works are shown in the tables on pages 117 and 118. There have been no exemptions from invoking the 10-year liability cap. Where there is an exemption, it is identified as part of contract documentation for the works.

Buildings to be maintained in a safe and serviceable condition

To ensure that buildings are maintained in a safe and serviceable condition, the Department of Justice has implemented a number of mechanisms, including:

- a rolling program of building inspections and audits;
- the identification of works and their priority;
- the development of a Departmental works program, forming part of the overall Departmental investment strategy;
- an essential services maintenance plan; and
- a program to monitor and review effectiveness.

These mechanisms are included in the Department's land and buildings risk management strategy. The strategy aims to identify and manage condition deficiencies and addresses standards compliance and risk mitigation within the Department's overall planning framework.

All agencies (with the exception of courts), provide these mechanisms through the contract requirements of Departmental service providers. All works carried out on court facilities are managed by the individual jurisdictions. The Chief Executive Officer for each Court must ensure that appropriate mechanisms are in place and implemented in line with the *Building Act 1993*.

Existing buildings conforming to standards

Following an upgrade of the construction, finishes and engineering services of buildings in 1996–97, and the completion of all works in 1998–99, all Departmental buildings now comply with the standard. The mechanisms established by the Department aim to maintain compliance and the effectiveness of these mechanisms are continuously monitored.

Registered building practitioners

The Department of Justice requires all building practitioners to be registered throughout the entire course of works.

Officers providing consultancy services under the Department's infrastructure service agreements, must be registered building practitioners as required by the *Building Act 1993*. All works carried out on court facilities are managed by the individual jurisdictions and the Chief Executive Officer for each Court must ensure that works are carried out in line with the *Building Act 1993*.

APPENDIX D: PEOPLE MANAGEMENT

D1: Workforce data

2000–01 Annual report statistics

Staffing numbers (FTE)	As at 30 June 2000	As at 30 June 2001
Corporate Management	52.4	61.9
Justice Operations*	1,378.2	1,607.9
Corporate Services	193.2	176.59
Consumer Affairs ^{#§}	346.8	393.21
Legal & Equity (includes Courts, Boards & Tribunals) ^{†§}	1,495.3	1,588
Total	3,465.9	3,827.6

Figures include:

* Transfer of Metropolitan Women's Prison staff to CORE and additional staff for correctional funded programs.

Direct employment of staff previously engaged through employment agencies

† Establishment of the Law Reform Commission and Privacy Legislation

§ Improvements to methods for counting casual and sessional staff, which significantly increase reported staff numbers without increasing costs

Aggregate workforce data (FTE) Employee status	As at 30 June 2000			As at 30 June 2001		
	Male	Female	Total	Male	Female	Total
Ongoing	1,493.6	1,123.0	2,616.6	1,735.7	1,345.5	3,081.2
Fixed Term	193.8	263.5	457.3	151.5	249.0	400.5
Casual	96.4	53.5	149.9	53.4	37.7	91.1
Statutory Appointments	187.0	55.1	242.1	180.6	74.2	254.8
Total	1,970.8	1,495.1	3,465.9	2,121.2	1,706.4	3,827.6

D2: Major classifications by gender as at 30 June 2000 (FTE)

Classification	Full-time			Part-time			Casual/sessional			Totals by gender		Grand total
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	
VPS Levels												
Public Service 1	149	165	314	1.0	13.0	14	2.6	8.9	11.5	152.6	186.9	339.5
Public Service 2	363	660	1023	7.0	72.7	79.7	14.9	15.6	30.5	384.9	748.3	1,133.2
Public Service 3	281	234	515	3.1	24.7	27.8	0.9	1.9	2.8	285.0	260.6	545.6
Public Service 4	208	182	390	1.2	18.4	19.6	0.8	0.2	1	210.0	200.6	410.6
Public Service 5	130	43	173	0.6	5.7	6.3	0.0	0.0	0	130.6	48.7	179.3
Total	1,131	1,284	2,415	12.9	134.5	147.4	19.2	26.6	45.8	1,163.1	1,445.1	2,608.2
Custodial officers												
COG5a	7	0	7	0.0	0.0	0.0	0.0	0.0	0.0	7.0	0.0	7.0
COG4	20	1	21	0.0	0.0	0.0	0.0	0.0	0.0	20.0	1.0	21.0
COG3	76	7	83	0.0	0.0	0.0	0.0	0.0	0.0	76.0	7.0	83.0
COG2b	204	26	230	0.0	0.5	0.5	2.4	0.0	2.4	206.4	26.5	232.9
COG2a	384	120	504	2.0	2.5	4.5	30.6	9.8	40.4	416.6	132.3	548.9
COG1	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total	691.0	154.0	845.0	2.0	3.0	5.0	33.0	9.8	42.8	726.0	166.8	892.8
Staff not part of five-level structure												
Other classes [†]	217	75.6	292.6	9.6	19.0	28.6	2.4	2.5	4.9	229.0	97.1	326.1
Grand total	2,039.0	1,513.6	3,552.6	24.5	156.5	181.0	54.6	38.9	93.5	2,118.1	1,709.0	3,827.1[§]

[†] Other classifications includes Executive Officers, Statutory Appointees and other Ongoing and Fixed Term staff who are not part of the five level structure.

[§] Difference of 0.5 between totals shown earlier is attributable to rounding of more detailed data provided for the classification breakdown.

APPENDIX D: PEOPLE MANAGEMENT

CONTINUED

D3: Number of executives and executive vacancies at 30 June 2001

DEPARTMENT OF JUSTICE

	Continuing executive roles	Specified term roles	Total
Executives employed	42	2	44
Vacancies being filled	6	0	6
Total	48	2	50

AGENCIES

Office of Public Prosecutions

	Continuing executive roles	Specified term roles	Total
Executives employed	2	0	2
Vacancies being filled	0	0	0
Total	2	0	2

Office of the Chief Commissioner of Police

	Continuing executive roles	Specified term roles	Total
Executives employed	11	0	11
Vacancies being filled	1	0	1
Total	12	0	12

DECLARED AUTHORITIES

Victoria Legal Aid

	Continuing executive roles	Specified term roles	Total
Executives employed	7	0	7
Vacancies being filled	0	0	0
Total	7	0	7

Victorian Institute of Forensic Medicine

	Continuing executive roles	Specified term roles	Total
Executives employed	1	0	1
Vacancies being filled	0	0	0
Total	1	0	1

Victoria State Emergency Service

	Continuing executive roles	Specified term roles	Total
Executives employed	1	0	1
Vacancies being filled	0	0	0
Total	1	0	1

D4: Profile of Department of Justice executive officers as at 30 June 2001

Class	Continuing executive roles						Specified term roles						Total staff		
	Male			Female			Male			Female			2000	2001	Var
	2000	2001	Var	2000	2001	Var	2000	2001	Var	2000	2001	Var	2000	2001	Var
EO-1	*2	2	0	0	0	0	0	0	0	0	0	0	2	2	0
EO-2	9	8	-1	4	3	-1	1	2	1	0	0	0	14	13	-1
EO-3	21	20	-1	10	9	-1	0	0	0	0	0	0	31	29	-2
Total	32	30	-2	14	12	-2	1	2	1	0	0	0	47	44	-3

* Includes the Victorian Government Solicitor as a Victorian Public Service executive. The role was previously classified as a statutory appointee.

Total excludes six vacant executive roles at 30 June 2001.

Reconciliation with executive numbers at 30 June 2001

(with executive officers' remuneration note 15 in the Financial Statements)

	2000	2001
Total number of executives listed in the executive officers' remuneration note to the financial statements	59	54
<i>Add</i> Accountable Officers	1	1
<i>Less</i> Separations	-13	-11
Total executive numbers at 30 June 2001	47	44

AGENCIES & DECLARED AUTHORITIES

Class	Continuing executive roles						Specified term roles						Total staff		
	Male			Female			Male			Female			2000	2001	Var
	2000	2001	Var	2000	2001	Var	2000	2001	Var	2000	2001	Var	2000	2001	Var
EO-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EO-2	4	4	0	0	0	0	0	0	0	0	0	0	4	4	0
EO-3	15	15	0	4	3	-1	0	0	0	0	0	0	19	18	-1
Total	19	19	0	4	3	-1	0	0	0	0	0	0	23	22	-1

Definition of executive officers:

Department: a person employed as an executive under Part 3, Division 5 of the *Public Sector Management and Employment Act 1998*. For the year ending 30 June 2001 the minimum annual base remuneration is \$84,542; and

Agencies & Declared Authorities: a person employed as an executive at an annual remuneration rate (base salary) not less than an executive employed by a department.

Note: the definition of executive does not include Governor-in-Council appointments as statutory office holders.

Agencies are as follows:

- Office of Public Prosecutions
- Office of the Chief Commissioner of Police

Declared Authorities are as follows:

- Victoria Legal Aid
- Victorian Institute of Forensic Medicine
- Victoria State Emergency Service

APPENDIX D: PEOPLE MANAGEMENT

CONTINUED

Specified term roles relate to project management

To improve the information about executive numbers, changes have been made as to how such numbers are reported by the Department. These are detailed below.

Executive positions have been split into two segments, Continuing Executive Roles and Specified Term Roles:

- Continuing Executive Roles executives are those executives who are responsible for functions or outputs that are expected to be ongoing at the reported date; and
- Specified Term Roles executives are those executives that are employed on fixed term policy or project specific tasks. These are generally time bounded and relate to a specific Government priority.

The enhanced disclosure of executive numbers and the reconciliation between the Report of Operations and the Financial Statements is based on the need to improve transparency and completeness of information about executive numbers.

As part of the process of making more transparent executive numbers across the VPS, this reporting period is the first time the Department has included executive numbers for declared entities within the Portfolio. These entities have been determined by the Portfolio Minister based on a recommendation from the Accountable Officer of the Department.

D5: Merit and equity programs

SELECTING ON MERIT: July 2000–June 2001

Total number of decisions to exempt vacancies from advertisement:

274 vacancies were exempted from advertisement. This represents 43% of all appointments made against vacancies during the period.

Number of exemptions relating to ‘disadvantaged group’ criterion:

There was one exemption in this category.

Processes that inform employees who may be affected by decisions as they are made:

Once an exemption has been certified by the Secretary, notification of the exemption appears in the Department of Justice Employment Bulletin with the following text: *The Secretary to the Department of Justice has certified that there has been no breach of the merit and equity principles and has exempted the vacancy from advertisement.*

Processes that ensure consistency of decision making:

To ensure decisions are consistent, the General Manager, Human Resources considers and makes recommendations, on all requests for exemption from notification of vacancy, before forwarding requests for consideration and approval by the Secretary to the Department of Justice.

Under the Directions on Public Sector Employment, employees may lodge a grievance about selection processes, including exemptions from notification of vacancy. Grievances can only be lodged if there were deficiencies in the process which prevented selection on merit. An employee intending to lodge a grievance must notify the Grievance Registrar of their intention within two working days of receiving this advice and lodge their application within five working days.

Major factors that have contributed to the incidence of decisions to exempt vacancies from advertisement:

The number of exemptions during the year reflect the conversion of many casual and fixed term employees to ongoing status (in accordance with the provisions of the VPS Non-Executive Staff – Victoria Agreement 2000). Other factors that have contributed to decisions to exempt vacancies from advertisement, have been organisational restructures with merit based processes applied to select staff.

REVIEWING PERSONAL GRIEVANCES

Total number of grievances lodged during the 2000–01 reporting year: 29

Number of grievances by category:	
Ineligible	0
Conciliated/mediated	5
Withdrawn	11
Heard – upheld	1
Heard – denied	2
Ongoing*	10
Total	29

Gender of those lodging grievances	
Male	61
Female	19
Total*	80

*Includes 52 identical grievances which have been counted as one in the number of grievances by category.

MANAGING AND VALUING DIVERSITY

This year, the Department continued with its award winning approach to diversity management which has seen diversity management principles adopted in everyday operations and projects of the human resource function.

Significant merit and equity projects have also been undertaken to address specific needs, particularly in the area of indigenous employment. These projects are outlined below.

Awareness and contact officer training

The Department continues to run training programs which aim to raise awareness of general equity issues and lead to a reduction in, and better handling of, unlawful harassment and discrimination issues. This includes Equity Awareness, Indigenous Awareness, Vietnamese Awareness and Sexual Harassment Awareness programs.

Specific equity awareness and contact officer programs for both management and staff, have also been conducted in some Business Units as part of their local people management programs.

Cross Cultural Awareness Training (CCAT) review and needs study

The Department has been conducting Indigenous Awareness programs for over 10 years. The past year saw a major review of the current training program and an extensive analysis of the Department's future needs in relation to CCAT. The analysis included interviews with Justice staff at all levels of the organisation, including Justice staff at all levels of the organisation, including Koori employees, as well as Victorian indigenous communities and associations. This has resulted in the development of a new CCAT program which better meets the requirements of Justice, its staff and customers.

Policy review

During this year, Human Resource Management undertook an extensive review of all departmental HR policies. The result is updated policies which better reflect the changing needs of the Department and its staff. This review included equity related policies.

Exit surveys

A continual analysis of the reasons why staff leave the Department, has helped HRM address specific diversity management issues as they arise. The data gained from the process is used to develop and improve people management policies and strategies.

Youth employment scheme

This year, the Department has coordinated the intake of 130 Youth Trainees across the Justice Portfolio. The Youth Employment Scheme (YES), provides on-the-job training to 16–24 year olds. Participants are selected on merit. A major focus of this year's intake is extensive consultation with Victorian Aboriginal communities to target and recruit indigenous Youth Trainees.

UPHOLDING PUBLIC SECTOR CONDUCT

Measures taken to uphold the principles of public sector conduct:

- all policies relating to principles of public sector conduct are available to all staff on-line, through the Departments Intranet;
- all new employees are given a copy of the code of conduct at induction and a copy of the principles of public sector employment and conduct with the letter of offer; and
- during the Department's Induction Program, new employees discuss public sector conduct issues and watch an ethics video titled 'Conduct Becoming'.

D6: Employee relations statement 2000–01

During 2000–01, there were no major industrial relations incidents across the Department of Justice.

The most significant industrial issue centred on an enterprise bargaining agreement which was negotiated between the Government and the Community and Public Sector Union for non-executive staff. This agreement was successfully implemented within the Department.

There was no time lost due to industrial disputes in 2000–01.

APPENDIX E: BUSINESS MANAGEMENT

E1: Financial and other information

Summary of significant changes in financial position

There has been no significant change in the financial position of the Department for 2000–01.

Major changes or factors affecting the achievement of objectives

There have been no major changes or factors affecting the achievement of operational objectives for the year, or which have impacted on the 2000–01 business plan, outputs and key performance data.

Events subsequent to balance date

No events have occurred subsequent to 30 June 2001 that would require adjustments to, or disclosure in, the Financial Statements.

Summary of financial performance

	Actual 2000–01 \$'000	Actual 1999–00 \$'000	Actual 1998–99 \$'000	Actual 1997–98 \$'000	Actual 1996–97 \$'000
Total revenues	1,759,307	699,928	608,160	563,951	446,697
Total expenses	1,712,232	662,961	566,745	531,102	476,432
Net result for the reporting period	47,075	36,967	41,415	32,849	(29,735)
Total changes in equity	47,078	71,681	42,648	93,882	(10,097)

E2: Implementation of National Competition Policy (NCP) scheduled legislative reviews

Legislation	Progress achieved
Attorney-General's portfolio	
<i>Council of Law Reporting in Victoria Act 1967</i>	The review recommended that no legislative amendments are necessary. The Attorney-General advised the Treasurer of the outcome.
Consumer Affairs portfolio	
<i>Auction Sales Act 1958</i>	Introduced legislation to repeal the Act in Autumn 2001. Record-keeping requirements for livestock auctioneers will continue under the Livestock Disease Control Act, administered by the Department of Natural Resources and Environment.
<i>Consumer Credit (Victoria) Act 1995</i>	Report of national review of Consumer Credit Code received from consultants and referred to Commonwealth Committee on Regulatory Reform for confirmation of compliance with Competition Policy review requirements.
<i>Travel Agents Act 1986</i>	National review. Joint Ministerial Council response being developed. WA is lead jurisdiction.
<i>Trustee Act 1958</i>	Review being undertaken.
Police and Emergency Services portfolio	
Private Agents Act 1966	Act is being reviewed together with an examination of the currently unregulated segments of the private security industry.
Corrections portfolio	Nil

Review of professional indemnity insurance

Review of Professional Indemnity Insurance – the NCP Second Tranche Assessment, raised concerns about the level of consultation undertaken by the Legal Practice Board, in reaching its final recommendation in a 1998 review, to retain the Legal Practitioners Liability Committee ('LPLC'), as the monopoly insurer of solicitors in private practice in Victoria. In response to those concerns, the Victorian Government agreed that further consultation should be carried out with stakeholders and interested members of the community.

The consultation process was conducted by the Department of Justice during November–December 2000. The consultation process provided for written submissions in response to both the Legal Practice

Board's three-volume report and a preliminary response paper prepared by the Government to the Board's report. Twenty-two submissions were received from

a cross-section of city, suburban and rural organisations and individuals. All submissions supported the continuation of the mutual monopoly scheme.

Following this further consultation, a final Supplementary Report was prepared by officers from the Department of Justice, in consultation with officers from the Department of Treasury and Finance, and submitted to the NCP Third Tranche Assessment. The Supplementary Report recommends that the current mutual monopoly scheme run by the LPLC be retained. The Attorney-General submitted the Report to the Treasurer to be forwarded to the NCC.

E3: Application of Competitive Neutrality (CN)

Significant government business activity	Status of CN applied
Attorney-General's portfolio	Nil
Consumer Affairs portfolio	Nil
Police and Emergency Services Portfolio	Nil
Corrections portfolio	Nil

APPENDIX E: BUSINESS MANAGEMENT

CONTINUED

E4: Chief executive officer, senior office holders and Audit Committee as at 30 June 2000

Chief executive officer

Peter Harmsworth, Secretary

Senior office holders

The senior office holders within the Department are the Secretary, four deputy secretaries and the Assistant Secretary Portfolio Planning who comprise the Departmental Executive Committee. The deputy secretaries for the major part of 2000–01 were:

Elizabeth Eldridge Deputy Secretary, Legal

Alan Clayton Deputy Secretary, Justice
Operations

John Charleson Deputy Secretary, Corporate
Services

Bernadette Steele Deputy Secretary, Consumer
Affairs and Equity

For more information about the Department Executive Committee please see page 3.

Audit Committee

Gordon Bryant Audit Consultant

Neil Faulkner Partner KPMG

Elizabeth Eldridge Deputy Secretary, Legal

Alan Clayton Deputy Secretary, Justice
Operations

John Charleson Deputy Secretary, Corporate
Services

Bernadette Steele Deputy Secretary, Consumer
Affairs and Equity

E5: Disclosure of major contract compliance

The Department of Justice has disclosed all contracts greater than \$10 million in value which it entered into in 2000/01.

In the Department's view, the contractual material excluded from disclosure falls within one or more of the criteria contained in the *Freedom of Information Act 1982*.

The disclosed contracts can be viewed on www.tenders.vic.gov.au/contracts.

E6: Summary of consultancies

Consultancies with an approved value greater than \$100,000

Division	Contract title	Consultant	Original contract date	Total approved amount (See Note 1)	Actual completion date	Expenditure 2000-01	Future commitments	Selection process
BEST	Provision of Consulting Services for the Statewide Integrated Public Safety Communications Strategy (SIPSaCS)	Ferrier Hodgeson Corporate Advisory	26/11/99	\$1,304,750	N/A	\$721,831	\$293	Public Tender
VCCP	Victorian County Court Project – Legal Adviser	Minter Ellison Lawyers	31/10/97	\$686,184	N/A	\$219,468	\$28,922	Selective Tender
OCSC	Review of CCS	Arthur Andersen	19/07/00	\$544,500	31/10/00	\$544,500	\$0	Public Tender
BEST	Technical Contract	The Ambidji Group	09/06/98	\$526,204	N/A	\$249,595	\$25,121	Selective Tender
Business Excellence	CJEP Project Mobilisation & SRS	PriceWaterhouse Coopers	01/06/00	\$500,000	02/11/00	\$272,020	\$0	Public Tender
BEST	Provision of Consulting Services for the Customer Project Manager for the Mobile Data Network Project	Linc Solutions	16/03/00	\$426,400	N/A	\$250,741	\$0	Public Tender
BEST	Financial and Commercial Consultancy – MDN RFP	PriceWaterhouse Coopers	30/11/99	\$441,782	N/A	\$373,315	\$13,968	Selective Tender
VCCP	Victorian County Court Project – Financial Adviser	Dresdner Benson Kleinwort	31/10/97	\$345,560	N/A	\$36,575	\$87,252	Selective Tender
Corporate Services – IT	To Design a DOJ Information Technology Strategic Plan for next five years	KPMG Consulting Australia	04/06/01	\$319,000	N/A	\$0	\$319,000	Public Tender
BEST	Legal Advice on Mobile Data Network Project	Blake Dawson Waldron	04/02/98	\$285,000	N/A	\$72,420	\$94,348	Panel Contract
BEST	Consulting Assistance re the MAS Royal Commission	Standezy Solutions Pty Ltd	07/09/00	\$241,271	28/02/01	\$241,271	\$0	Selective tender
BEST	Systems Integration	Internet Data Management (formerly Noojee Software)	24/08/98	\$229,609	N/A	\$0	\$199,946	Public Tender
BEST	Provision of Probity Services – MDN	Ernst & Young	01/02/99	\$220,050	N/A	\$99,449	\$58,861	Selective Tender
VCCP	Victorian County Court Project – Design & Construction Consultant	John Wertheimer & Co	10/07/00	\$216,000	N/A	\$132,436	\$83,564	Selective Tender
BEST	CAD End of Contract Industrial Relations Advice	Change Management Systems Pty Ltd	26/02/01	\$192,000	N/A	\$119,576	\$72,424	Selective Tender
Corporate Services – HRM	Construction of a Robust Leadership Assessment Centre	Saville & Holdsworth Aust P/L	01/01/00	\$377,310	07/03/01	\$303,415	\$0	Public Tender

APPENDIX F: FREEDOM OF INFORMATION

Freedom of Information Act 1982

What is the main aim of the FOI Act?

Victoria's Freedom of Information Act 1982 (FOI Act), gives members of the public the right to apply for access to information held by Ministers, State government departments, local councils, public hospitals, most semi-government agencies and statutory authorities.

What documentation does the FOI Act cover?

The FOI Act allows people to apply for access to all documents held by an agency, irrespective of how the documentation is stored. This includes, but is not limited to, paper and electronic documents.

The two main categories of information normally requested under the FOI Act include personal documents and documents relating to the activities of government.

The Department of Justice maintains an extensive filing system. Files are separated into the categories of personal or case files, operational and policy files (including files on legislation or particular aspects of legislation administered by the respective Ministers), files on general operational and administrative responsibilities, and correspondence files. Assistance in determining the categories of documents relevant to a request can be provided by the FOI Manager.

It should be noted that certain documents are destroyed or transferred to the Public Records Office in accordance with the *Public Records Act 1973*.

Are documents requested under FOI automatically released?

In assessing whether it is suitable to release documents, the FOI Manager will consider whether any material requested is exempt from release under the FOI Act.

The FOI Act outlines general categories of information which are exempt. This includes information relating to the personal affairs of third parties, information provided in confidence, information which if released may endanger the lives or physical safety of individuals, cabinet documents, commercial-in-confidence information, internal working documents whose release would be contrary to the public interest, and so on.

Who are the decision makers under the FOI Act?

Decisions are made under the FOI Act by the Secretary of the Department, or in line with arrangements made by the Secretary as required under sections 26 and 51 of the FOI Act.

Decision-making powers and other powers affecting members of the public, are found in the legislation administered by the Justice Portfolio Ministers. Acts administered by the Justice Portfolio Ministers are listed in the appendices. Reference can be made to the above Acts via Parliament's website at www.parliament.vic.gov.au. Acts are found in the legislation section on the site.

How does an individual lodge a FOI request?

A request must be made in writing and should be addressed to:

FOI Manager
Department of Justice
55 St Andrews Place
Melbourne 3002
Telephone: (03) 9651 0520

All FOI requests are subject to a \$20 application fee. This fee may be waived in cases where payment would cause an applicant financial hardship. Where an applicant seeks a waiver of this fee, the request should indicate the grounds on which a waiver is being sought (for example, low income, or holder of Commonwealth Health Care Card). Access charges may also apply once documents have been processed and a decision on access made; for example, 20c per A4 page photocopying charge and a \$20 per hour search and retrieval charge. It should be noted that, under certain circumstances, these charges might also be waived.

A FOI request must also be specific enough to allow an agency to identify documents considered relevant to a request. Where the terms of a request are vague, assistance will be provided to applicants to help determine the type of documentation being sought.

Where can the general public find out more about FOI?

To provide more assistance to FOI applicants, the Department of Justice has provided general information about making FOI requests on the Department of Justice website. The FOI annual reports, from 1998–99

APPENDIX F: FREEDOM OF INFORMATION

CONTINUED

onwards, are also available on the Department's website, located at www.justice.vic.gov.au. Please look under the 'About the Department' section, then select Freedom of Information.

Information on FOI and information prepared in accordance with section 7 and Part II of the FOI Act are also available from the FOI Manager (telephone 9651 0520).

Where can the general public access information about specific areas of responsibility of the Department?

The Department of Justice website located at www.justice.vic.gov.au, provides information about all areas of the Department, including Legal Policy and Court Services, Corrections, Births Deaths and Marriages, Consumer and Business Affairs Victoria, Police and Emergency Services, Enforcement Management and Freedom of Information.

The Resource Centre in the Office of the Correctional Services Commissioner, on Level 6 at 452 Flinders Street Melbourne, also maintains a comprehensive collection of publications and other materials about adult corrections and related areas.

Information relating to consumer rights and the services offered by Consumer and Business Affairs is available at the public counter on Level 2 at 452 Flinders Street Melbourne.

Members of the general public can also write directly to the Department seeking information on any aspect of its operations. The correspondence can be addressed to either the Secretary of the Department or the director of the relevant business unit. Guidance on the relevant business unit can be taken from the Department's organisation chart contained in the appendices of this report.

APPENDIX G: ADDITIONAL INFORMATION

The following information, where it relates to the Department of Justice and is relevant to the financial year 2000–01, is available to the Minister, Members of Parliament and the public on request (telephone (03) 9651 0308):

- a statement that declarations of pecuniary interests have been duly completed by all relevant officers;
- details of shares held by a senior officer as nominee, or held beneficial in a statutory authority or subsidiary;
- details of publications produced by the entity about the entity and the places where the publication can be obtained;
- details of changes in prices, fees, charges, rates and levies charged by the entity;
- details of any major external reviews carried out on the entity;
- details of major research and development activities undertaken by the entity;
- details of overseas visits undertaken, including a summary of the objectives and outcomes of each visit;
- details of major promotional, public relations and marketing activities undertaken by the entity to develop community awareness of the entity and the services it provides;
- details of assessment and measures undertaken to improve the occupational health and safety of employees;
- a general statement on industrial relations within the entity and details of time lost through industrial accidents and disputes; and
- a list of major committees sponsored by the entity, the purposes of each committee and the extent to which the purposes have been achieved.

APPENDIX H: ACRONYMS LIST

BDM	Registry of Births Deaths and Marriages	MAS	Melbourne Ambulance Service
BEST	Bureau of Emergency Services Telecommunications	OCSC	Office of the Correctional Services Commissioner
CBAV	Consumer and Business Affairs	OESC	Office of the Emergency Services Commissioner
CCS	Community Correctional Services	OLS	Online Services
CFA	Country Fire Authority	OPA	Office of the Public Advocate
CORE	The Public Correctional Enterprise	OPP	Office of Public Prosecutions
CPV	Crime Prevention Victoria	PID	Portfolio Infrastructure Development
DEET	Department of Education, Employment and Training	SOAS	Strategic Operations and Analysis
DHS	Department of Human Services	VCAT	Victorian Civil and Administrative Tribunal
DNRE	Department of Natural Resources and Environment	VCCAV	Victorian Community Council Against Violence
DOI	Department of Infrastructure	VCCP	Victorian County Court Project
DOJ	Department of Justice	VGRS	Victorian Government Reporting Service
DPC	Department of Premier and Cabinet	VGSO	Victorian Government Solicitors Office
DPP	Director of Public Prosecutions	VICPOL	Victoria Police
DTF	Department of Treasury and Finance	VICSES	Victoria State Emergency Service
EMU	Enforcement Management Unit	VIFM	Victorian Institute of Forensic Medicine
EOC	Equal Opportunity Commission	VLA	Victorian Legal Aid
MFESB	Metropolitan Fire and Emergency Services Board	VRAS	Victims Referral and Assistance Service