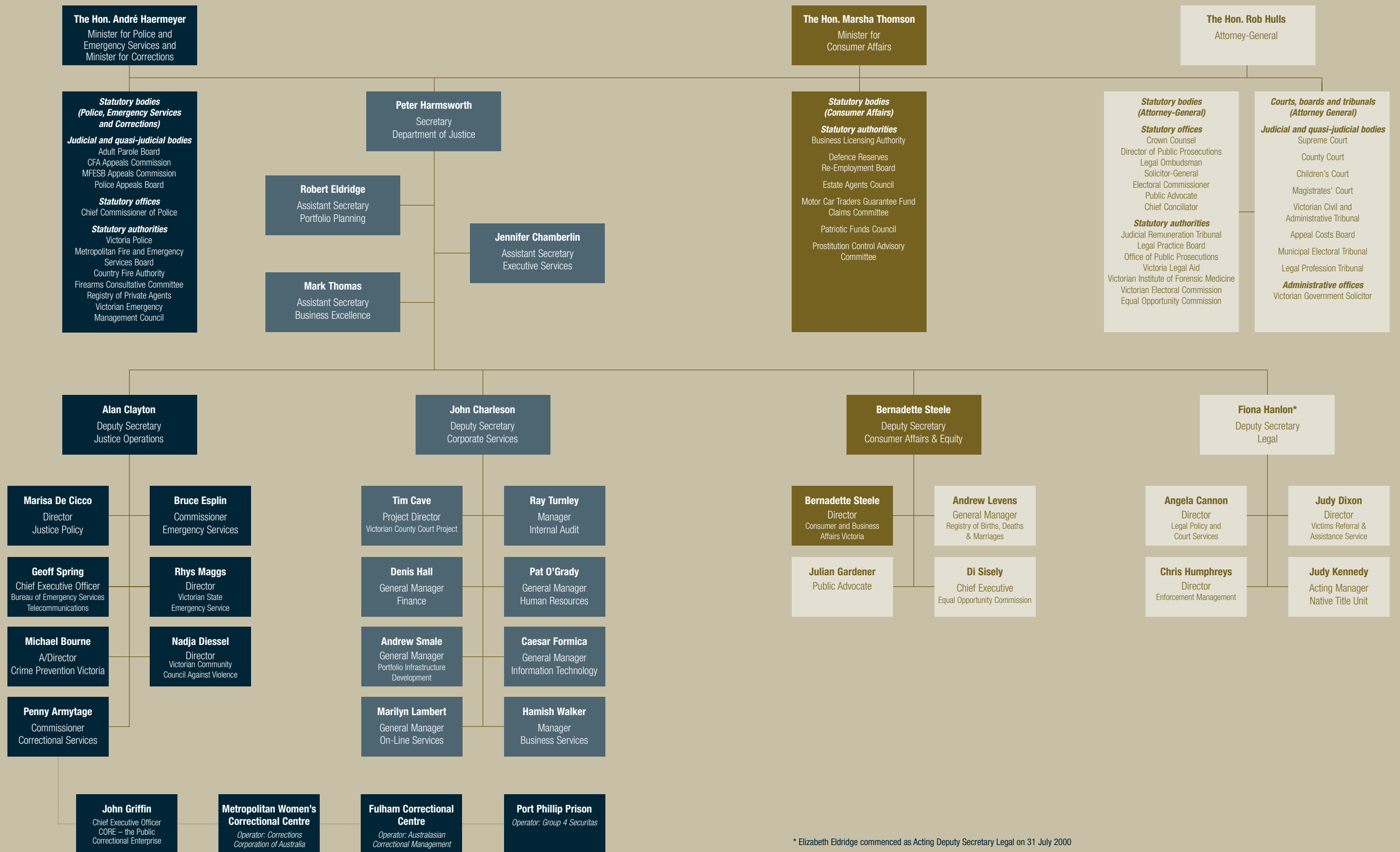




appendix a: organisation chart (as at 30 June 2000)



appendix b: legislative responsibilities

B1: Acts administered by the Justice Portfolio as at 30 June 2000

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

Benefit Associations Act 1958

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)

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 Queen's 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

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

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

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

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

– 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

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

Statute Law Revision Act 1995

Summary Offences Act 1966

Supreme Court Act 1986

Surveillance Devices Act 1999

Telecommunications (Interception) (State Provisions) Act 1988

Theatres Act 1958

Transfer of Land 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)

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 Administrative and 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
 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
 Corporations (Victoria) Act 1990*
 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
 Financial Institutions (Victoria) Act 1992
 Friendly Societies (Victoria) Act 1996
 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
 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 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)
 * The responsibility for the *Corporations (Victoria) Act 1990* was transferred to the Attorney-General effective 18 September 2000.

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

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 1999–00

Attorney-General

Administration and Probate (Dust Diseases) Act 2000
 Adoption (Amendment) Act 2000
 Children and Young Persons (Appointment of President) Act 2000
 Courts and Tribunals Legislation (Amendment) Act 2000
 Crimes at Sea Act 1999
 Equal Opportunity (Breastfeeding) Act 2000
 Federal Courts (State Jurisdiction) Act 1999
 Federal Courts (Consequential Amendments) Act 2000
 Freedom of Information (Miscellaneous Amendments) Act 1999
 Legal Practice (Amendment) Act 1999
 Public Prosecutions (Amendment) Act 1999
 Victorian Law Reform Commission Act 2000

Minister for Consumer Affairs

Business Registration Acts (Amendment) Act 2000
 Corporations (Victoria) (Amendment) Act 2000
 Domestic Buildings Contracts (Amendment) Act 2000
 Hire Purchase (Amendment) Act 2000
 Prostitution Control (Planning) Act 2000

Minister for Police and Emergency Services

Control of Weapons (Amendment) Act 2000
 Emergency Management (Amendment) Act 2000
 Police Regulation (Amendment) Act 1999
 Witness Protection (Amendment) Act 2000

appendix c: statement of compliance with the *building act 1993*

The Minister for Finance guidelines, 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 73 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.

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

New buildings conforming to standards

For the 1999–00 financial year, all works carried out on buildings controlled by the Department of Justice were required to be conducted in accordance with the Building Act's provisions, relevant building regulations, and other statutory requirements. The Department has established mechanisms to ensure compliance such as issuing building permits and occupancy certificates, and inspecting works. Agencies of 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 1999–00 financial year*

Building works	Total estimated investment \$'000	Building permit issued or works certified
Barwon Prison security upgrade: stage 2	2,020	Yes
Beechworth Prison security upgrade: stage 2	112	Yes
Beechworth Prison Y2K upgrade	257	Yes
Bendigo Prison security upgrade: stage 2	50	Yes
Bendigo Prison Y2K upgrade	313	Yes
Berwick Community Corrections fitout	55	Yes
Bureau of Emergency Services telecommunications fitout	112	Yes
Heidelberg Community Corrections fitout	200	Yes
Institute of Forensic Medicine construction†	3,521	Yes
Loddon Prison Security upgrade: stage 2	1,712	Yes
Loddon Prison Y2K upgrade	333	Yes
Lorne State Emergency Service	200	Yes
Melbourne Assessment Prison Security upgrade: stage 2	3,430	Yes
Melbourne Assessment Prison Y2K upgrade	130	Yes
Melbourne Supreme Court: Court 11 installation of video conferencing system	166	Yes
Melbourne Supreme Court: Courts 2,3 & 4 installation of video conferencing system	233	Yes
Melbourne Supreme Court: former High Court/Federal Court Building refurbishment	1,145	Yes
Melbourne Supreme Court: roof project	1,093	Yes
Melbourne Supreme Court: video conferencing theatre	58	Yes
Metropolitan Women's Correctional Centre: 16-bed unit construction	1,128	Yes

* Departmental works that have a construction contract in place.

† Includes \$1.5 million funds from other sources.

Major works that are in progress and commenced prior to the 1999–00 financial year*

Building works	Total estimated investment \$'000	Building permit issued or works certified
Metropolitan Women's Correctional Centre: 20-bed unit construction	339	Yes

* Departmental works that have a construction contract in place.

Major works completed throughout the 1999–00 financial year*

Building works	Total estimated investment \$'000	Occupancy/final inspection certificate issued for works
Ararat Prison perimeter security upgrade	1,406	Yes
Beechworth Prison Y2K upgrade	257	Yes
Bendigo Court upgrade/post office fitout	1,790	Yes
Bendigo Prison Y2K upgrade	313	Yes
Berwick Community Corrections fitout	55	Yes
Bureau of Emergency Services telecommunications fitout	112	Yes
Children's Court construction	19,000	Yes
Langi Kal Kal Prison upgrade: stage 1	1,786	Yes
Loddon Prison Y2K upgrade	333	Yes
Lorne State Emergency Service	200	Yes
Melbourne Assessment Prison Y2K upgrade	130	Yes
Melbourne Supreme Court: Court 11 installation of video conferencing system	166	Yes
Melbourne Supreme Court: Courts 10 and 13 refurbishment	921	Yes
Melbourne Supreme Court: Courts 2,3 & 4 installation of video conferencing system	233	Yes
Melbourne Supreme Court: roof upgrade	1,093	Yes
Melbourne Supreme Court: video-conferencing theatre	58	Yes
Metropolitan Women's Correctional Centre: 16-bed unit construction	1,128	Yes
Sunshine Police and Court's complex construction	21,880	Yes

* Departmental works that have a construction contract in place.

Ten-year liability cap

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

Buildings to be maintained in a safe and serviceable condition

The mechanisms in place within the Department of Justice to ensure buildings are maintained in a safe and serviceable condition include:

- A rolling program of building inspections and audits.
- The identification of works and their priority.
- The development of a departmental works program that forms part of the overall departmental investment strategy.
- An essential services maintenance plan.
- A program to monitor and review effectiveness.

These mechanisms are encompassed within the Department's risk management strategy for land and buildings. It addresses the identification and management of condition deficiencies, standards compliance and risk mitigation within an overall departmental planning framework.

All agencies, with the exception of legal and court services, provide for these mechanisms through departmental service providers' contracted requirements. All works carried out on legal and court services facilities are managed by the individual jurisdictions, and there is a requirement for the chief executive officer for each court to ensure appropriate mechanisms are in place and implemented in accordance with the Building Act.

Existing buildings conforming to standards

The building assessments in 1996–97 identified requirements to bring the construction, finishes and engineering services of buildings up to a standard consistent with the requirements of the Minister for Finance Guidelines. As a result of these assessments, and all work completed in 1998–99, all departmental buildings comply with the standard. The mechanisms established by the Department are intended to maintain compliance. Their effectiveness will be monitored.

Registered building practitioners

The Department of Justice requires building practitioners carrying out building works to be registered, and for registration to be maintained throughout the course of the works.

The Department's infrastructure service agreements requires officers providing consultancy services under those agreements to be registered building practitioners in accordance with the Building Act's requirements. All works carried out on court services facilities are managed by the individual jurisdictions, and there is a requirement for the chief executive officer for each court to ensure works are carried out in accordance with the Building Act.

appendix d: people management

D1: Workforce data

Staffing numbers	As at 30 June 1999	As at 30 June 2000
Executive Management	61.9	52.4
Justice Operations*	1,251	1,378.2
Corporate Services	203	193.2
Consumer Affairs & Equity	358.5	346.8
Legal (includes courts, boards & tribunals)	1,498.8	1,495.3
Total	3,373.2	3,465.9

* 30 June 2000 figures include casual prison officers not previously reported.

Aggregate workforce data	As at 30 June 1999			As at 30 June 2000*		
	Male	Female	Total	Male	Female	Total
Ongoing (previously permanent)	1,586.1	1,085.8	2,671.9	1,493.6	1,123.0	2,616.6
Fixed term (previous temporary)	179.4	256.3	435.7	193.8	263.5	457.3
Casual	11.8	9.2	21.0	96.4	53.5	149.9
Statutory appointments	194.0	50.6	244.6	187.0	55.1	242.1
Total	1,971.3	1,401.9	3,373	1,970.8	1,495.1	3,465.9

* 30 June 2000 figures include casual prison officers not previously reported.

Profile of executive officers by gender as at 30 June

	Male		Variation	Female		Variation	Total staff		Variation
	1999	2000		1999	2000		1999	2000	
EO-1	1	1	-	0	0	-	1	1	-
EO-2	10	10	-	3	4	+1	13	14	+1
EO-3*	32	22	-10	9	10	+1	41	32	-9
Total	43	33	-10	12	14	+2	55	47	-8

*EO-3 officers as at 30 June 2000 include three officers employed prior to 30 June 1999 but whose contracts were not signed until July 1999.

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	161	210	371	0.5	14.3	14.8	1.0	2.5	3.5	162.5	226.8	389.3
Public Service 2	339	570	909	5.3	61.8	67.1	3.4	3.9	7.3	347.7	635.7	983.4
Public Service 3	260	209	469	0.7	18.5	19.2	0.1	0.2	0.3	260.8	227.7	488.5
Public Service 4	205	139	344	2.1	15.0	17.1	0.0	0.0	0.0	207.1	154.0	361.1
Public Service 5	121	35	156	0.5	4.0	4.5	0.0	0.0	0.0	121.5	39.0	160.5
Total	1,086	1,163	2,249	9.1	113.6	122.7	4.5	6.6	11.1	1,099.6	1,283.2	2,382.8
Custodial Officers*												
Custodial Officer COG5a	6	0	6	0	0	0	0	0	0	6	0	6
Custodial Officer COG4	19	2	21	0	0	0	0	0	0	19	2	21
Custodial Officer COG3	69	4	73	0	0	0	0	0	0	69	4	73
Custodial Officer COG2b	187	25	212	0	0	0	0	0	0	187	25	212
Custodial Officer COG2a	269	59	328	0	0	0	0	0	0	269	59	328
Casual Prison Officers	0	0	0	0	0	0	91.4	43.1	134.5	91.4	43.1	134.5
Total	550	90	640	0	0	0	91.4	43.1	134.5	641.4	133.1	774.5
Staff not part of five-level structure												
Other classifications†	227	71	298	2.3	4.0	6.3	0.5	3.8	4.3	229.8	78.8	308.6
Grand total	1,863	1,324	3,187	11.4	117.6	129.0	96.4	53.5	149.9	1,970.8	1,495.1	3,465.9

It should be noted that as at 30 June 2000 all prison officers are part of the five-level structure. Casual prison officers are also included in total staff numbers as at 30 June 2000. This classification was not included in previous annual reports.

* Includes casual prison officers not previously reported.

† Other classifications category includes executive officers and statutory appointees.

D3: Merit and equity programs

Selecting on merit

Forty-nine decisions were made to exempt vacancies from advertisement. This represents 78 vacancies.

These 49 appointments represented 22 per cent of all appointments made against vacancies during the period.

There were no exemptions relating to the 'disadvantaged group' criterion.

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.

Under the Directions on Public Sector Employment, employees may lodge a grievance in relation to selection processes, including exemptions from notification of vacancy. The only basis for lodging a grievance is that there were deficiencies in the process that prevented selection on merit. An employee intending to lodge a grievance in relation to selection processes must notify the grievance registrar of their intention to seek a review within two working days of receipt of this advice, and lodge their application within five working days of receipt of this advice.

To ensure consistency in decision making, the General Manager, Human Resources considers and makes recommendations on all requests for exemption from notification of vacancy, and then forwards requests for consideration and approval by the Secretary, Department of Justice.

Major factors that have contributed to the incidence of decisions to exempt vacancies from advertisement have been organisational restructures with merit-based processes applied to select staff.

Reviewing personal grievances

In the 1999–00 reporting year, the total number of grievances was 30.

The following table shows the number of grievances by category.

Ineligible	0
Conciliated/mediated	6
Withdrawn	14
Heard: upheld	1
Heard: denied	4
Ongoing	5
Total	30
Male	18
Female	12
Total	30

Other information

Mediation services that were introduced last financial year as part of the Department's People Management Strategy provide an alternative and less formal avenue for staff to resolve issues. The number of formal grievances lodged by staff has remained constant this year. Of these applications, the majority related to performance management, and a high proportion of these were resolved through mediation or conciliation.

Managing and valuing diversity

During the 1999–00 year, the Department has continued to integrate both its managing diversity and merit and equity programs into its ongoing and project-based people management initiatives. This approach is used as an alternative to focusing solely on specific managing diversity initiatives. The Department's approach to managing diversity was publicly recognised when it received a Certificate of Commendation in Managing Diversity from the Office of Public Employment early in 2000.

However, where it was considered necessary, some specific diversity projects were continued. Details of the main programs and projects have been outlined below.

Employee survey

Early in 2000, the Department surveyed its entire staff in relation to how the organisation was performing at both departmental and business unit levels. Respondents were asked four specific questions relating to performance in merit and equity issues. In all, 46 questions were included in the survey.

Respondents indicated that the top eight aspects of business unit performance included all four of the merit and equity questions:

- Minimising the occurrence of workplace harassment.
- Understanding and adhering to equal opportunity principles.
- Valuing workforce diversity.
- Allowing employees to balance work and personal responsibilities.

This is an excellent result that indicates the continuing success of the Department's merit and equity program.

Information Summary Series

In August 1999, the Department released its Information Summary Series: a series of brochures designed to provide all employees with an overview of important work policies and initiatives. Topics covered in the series included four that related specifically to merit and equity issues:

- *Flexible Work Options.*
- *Resolving Workplace Harassment and Discrimination Issues.*
- *Employee Assistance Programs.*
- *Resolving Issues within the Workplace.*

The brochures were distributed to every departmental employee and continue to be handed out to new inductees.

Communication programs

The Department has made information relating to merit and equity within the organisation more accessible this year through two main communication mechanisms:

- The introduction of the Department's internal intranet, JustInfo. This contains copies of all departmental publications that cover merit and equity and the resolution of disputes.
- The continued publication of articles designed to inform and educate employees on managing diversity, harassment and discrimination in the newsletter *People at Justice*.

Youth Trainee Initiative

The Department continues to participate in the Youth Trainee Initiative. This program provides on-the-job training to 16–20 year olds. Participants are selected on merit and, where possible, are offered ongoing employment.

Equity/sexual harassment awareness training and contact officers

These training programs aim to raise awareness of general equity issues, and lead to a reduction in, and better handling of, unlawful discrimination and harassment issues. The results of this training can be directly seen in the dramatic reduction in formal discrimination and harassment complaints received by Human Resource Management.

In addition, equal opportunity contact officers have undertaken extensive training. Their role is to offer advice and support to staff with possible complaints. This program has also been very successful.

General training programs

An important aspect of the Department's ongoing merit and equity program is incorporating managing diversity into the general training program. Relevant courses include topics such as complaint handling, flexible working and awareness modules. The courses include:

- Front-line management.
- Government and the Public Service.
- Induction.

Employee Assistance Program

Under the banner of the Employee Assistance Program (EAP), the Department continues to make available a range of services designed to meet the diverse needs of individual employees. Broader than many other organisations' EAPs (which tend to have a narrow focus on personal counselling), the Department of Justice's program aims to assist employees:

- Personal life.
- Career management.
- Workplace issues.
- Employee relations.

Exit interviews

A continual analysis of the reasons for staff separations from the Department has assisted it to address specific managing diversity issues as they arise. The data gained from the process are used to develop and improve people management policies and strategies.

Upholding public sector conduct

Measures taken to uphold the principles of public sector conduct include:

- All policies pertaining to principles of public sector conduct are made available to all staff online through the Department's intranet.
- With the letter of offer, all new employees are given a copy of the code of conduct as part their induction, and a copy of the principles of public sector employment and conduct.
- The Department's Induction Program discusses public sector conduct issues and includes viewing a video on ethics titled *Conduct Becoming*.

D4: Employee relations statement 1999–00

During 1999–00, the industrial relations environment across the Department of Justice has been without major incident. Some issues arose from the implementation of the service-wide 170MX Award but this had little or no impact on service delivery. The emergence of the 170MX Award and the nominal ending of the Department's enterprise bargaining agreements will lead the way to the introduction of a partnership agreement that enhances the relationship between the Department and its staff.

One significant issue in relation to CORE should be noted.

In March 1999, the CPSU issued proceedings in the Federal Court alleging a breach of the federal award in relation to casual employees employed on the perimeter security of Barwon Prison. This action related to a decision implemented in January 1998 to employ a casual workforce to perform the perimeter security function. Previously, full-time, ongoing or fixed-term staff had performed this function. The court's decision, which determined that the staff were casual employees, was handed down in January 2000. The 170MX now contains provisions of the circumstances in which it is appropriate to employ casual employees.

There was no time lost due to industrial disputes in 1999–00.

appendix e: business management

E1: Financial and other information

Summary of significant changes in financial position

There has been no significant change in the Department's financial position in 1999–00.

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 1999–00 business plan, outputs and key performance data.

Events subsequent to balance date

On 3 October 2000, the Government appointed an administrator to carry out the functions of the general manager of the Metropolitan Women's Correctional Centre pursuant to section 8 of the *Corrections Act 1986* and section 27B of the prison contract.

Other information

Information on the following items in relation to the financial year has been prepared and is available on request:

- Details of shares held by a senior officer as nominee or held beneficially in a statutory authority or subsidiary.
- Details of the due completion of declarations of private interests by relevant officers as required by government guidelines.
- Details of publications produced by the Department about the Department, and the places where the publications can be obtained.
- Details in changes in prices, fees, charges, rates or levies charged.
- 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 to develop community awareness of the Department and the services it provides.
- Assessment and measures undertaken to improve the occupational health and safety of employees.
- 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.
- A general statement on industrial relations within the Department and details of time lost through industrial accidents and disputes.
- A list of major committees sponsored by the Department, the purpose of each committee and the extent to which the purposes have been achieved.

Summary of financial performance

	Actual 1999–00 \$'000	Actual 1998–99 \$'000	Actual 1997–98 \$'000	Actual 1996–97 \$'000	Actual 1995–96 \$'000
Total revenues	702,792	608,160	563,951	446,697	398,488
Total expenses	666,267	566,745	531,102	476,432	418,685
Operating result before abnormal items	36,525	41,415	32,849	(29,735)	(20,197)
Operating result	36,525	42,648	93,882	(10,097)	2,683

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

Legislation

Progress achieved

Attorney-General's portfolio

Legal Aid Act 1978
Council of Law Reporting in Victoria Act 1967
Adoption Act 1984
Benefit Associations Act 1958

Accident Compensation Act 1985
 (Division 7 of Part 4)
Property Law Act 1958

Report under consideration
 Review being undertaken
 Review completed. No amendment necessary
 Attorney-General has approved the repeal of the Act, subject to consultation with stakeholders, as the Act is now superseded
 Completed. Minor restriction addressed in incidental amendments made by the *State Trustees (Amendment) Act 1998*
 Removed from the schedule. The only competition policy issues relate to the registry function. This part and associated regulations has been added to the Department of Natural Resources and Environment's schedule

Consumer Affairs portfolio

Auction Sales Act 1958

Business Investigations Act 1958
Business Names Act 1962
Consumer Credit (Victoria) Act 1995
Credit (Administration) Act 1984
Defence Reserves Re-employment Act 1995
Discharged Servicemen's Preference Act 1943
Estate Agents Act 1980
Fuel Prices Regulation Act 1981
Funerals (Pre-paid Money) Act 1993
Landlord and Tenant 1958
Partnership Act 1958
Travel Agents Act 1986

Trustee Act 1958
Trustee Companies Act 1984

Joint review with Department of Natural Resources and Environment. Report received from consultants. Government response in preparation
 Removed from schedule by the Treasurer after further investigation
 Removed from schedule by the Treasurer after further investigation
 National review being undertaken by external consultant
 Removed from schedule by the Treasurer after further investigation
 Removed from schedule by the Treasurer after further investigation
 Removed from schedule by the Treasurer after further investigation
 Review being undertaken by external consultant
 Removed from schedule by the Treasurer after further investigation
 Removed from schedule by the Treasurer after further investigation
 Removed from schedule by the Treasurer after further investigation
 National review. Consultant's report released for public comment by Ministerial Council of Consumer Affairs ministers
 Review being undertaken
 Removed from schedule by the Treasurer after further investigation

Police and Emergency Services portfolio

Private Agents Act 1966

As part of the Government's response to National Competition Policy, the Department of Justice commissioned the Freehills Regulatory Group to undertake a competition policy review of the *Private Agents Act 1966* in early 1999. Following a public submission process, Freehills finalised its report in October 1999. In its report, Freehills made some specific recommendations for change and identified other issues requiring further consideration. With the change in government, the Department of Justice has now embarked on a comprehensive public consultation process aimed at addressing those issues and developing new legislation

Corrections portfolio

Nil

E3: Application of competitive neutrality (CN)

Significant government business activity	Status of application of CN
Attorney-General's portfolio	
Victorian Government Reporting Service	Panel of contractors implemented for the second time for 75 per cent of VGRS delayed transcription to be undertaken by the private sector Tender process undertaken in relation to the appointment of a private provider to manage the coordination, support and maintenance of video conferencing services
Consumer Affairs portfolio	
Nil	
Police and Emergency Services portfolio	
Victorian State Emergency Service	CN applied as required
Corrections portfolio	
Nil	

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 and the four deputy secretaries who comprise the Departmental Executive Committee. The deputy secretaries for the major part of 1999–00 were:

Fiona Hanlon	Deputy Secretary, Legal
Alan Clayton	Deputy Secretary, Justice Operations
John Charleson	Deputy Secretary, Corporate Services
Bernadette Steele	Deputy Secretary, Consumer Affairs and Equity

Audit Committee

Gordon Bryant	Audit Consultant
Neil Faulkner	Partner, KMPG
Fiona Hanlon	Deputy Secretary, Legal
Alan Clayton	Deputy Secretary, Justice Operations
John Charleson	Deputy Secretary, Corporate Services
Bernadette Steele	Deputy Secretary, Consumer Affairs and Equity

E5: Summary of consultancies

Less than \$100,000

There were 127 engagements during the financial year.

The approved amount was \$4,309,996.

Greater than \$100,000

Division	Contract title	Consultant	Selection process	Original contract date	Approved amount	Total expenditure to date	Future commitments
BEST	Legal Advice on Mobile Data Network Project	Blake Dawson Waldron	Panel contract	04/02/98	\$285,000	\$118,232	\$166,768
BEST	Provision of Consulting Services for the Statewide Integrated Public Safety Communications Strategy (SIPsACS)	Ferrier Hodgson Corporate Advisory	Public tender	26/11/99	\$1,254,750	\$447,709	\$807,041
BEST	Systems Integration	Internet Data Management (formerly Noojee Software)	Public tender	24/08/98	\$211,505	\$29,663	\$181,842
BEST	Provision of Consulting Services for the Customer Project Manager for the Mobile Data Network Project	Linc Solutions	Public tender	16/03/00	\$426,400	\$71,069	\$355,331
BEST	Financial and Commercial Consultancy – MDN RFP	Pricewaterhouse Coopers	Selective tender	30/11/99	\$331,500	\$54,500	\$277,000
BEST	Consultancy Services for the Development of Project Brief for SIPsACS	Sinclair Knight Merz	DTF outsourcing Panel contract	24/03/99	\$158,100	\$158,043	\$0
BEST	Technical Contract	The Ambidji Group	Selective tender	09/06/98	\$361,700	\$251,488	\$110,212
Business Excellence	CJEP Project Mobilisation & SRS	Pricewaterhouse Coopers	Public tender	01/06/00	\$500,000	\$182,827	\$317,173
Business Excellence	IT Applications Architecture Study	SMS Consulting	Selective tender	31/03/99	\$225,000	\$213,965	\$11,035
CBAV	BA Restructure	Simsion Bowles & Associates	Exemption Certificate – exempt from PT and 3 written quotations	08/07/96	\$172,650	\$152,915	\$19,735

Division	Contract title	Consultant	Selection process	Original contract date	Approved amount	Total expenditure to date	Future commitments
Corporate Services (HRM)	Construction of a Robust Leadership Assessment Centre	Saville & Holdsworth Aust P/L	Public tender	01/01/00	\$181,630	\$0	\$181,630
Corporate Services (PID)	Common Applications Infrastructure Project	Tooher Gale & Associates	Public tender	01/06/98	\$386,400	\$284,040	\$102,360
Justice Policy	Admin Review into Vic Police Resourcing	John C Johnson and Stebbins CSI	Selective tender	10/04/00	\$235,000	\$60,546	\$174,454
Justice Policy	VICsafe Safer Cities & Shires Program Consultancy	McMillan Management Consulting Pty Ltd	Public tender	06/05/98	\$248,560	\$173,992	\$74,568
Justice Policy	Local Safety Survey	Wallis Consulting Group	Public tender	09/03/00	\$122,720	\$122,720	\$0
VCAT	VCAT Business Redesign Project	Stanton Consulting Partners	Public tender	01/07/98	\$330,000	\$328,712	\$0
VCCP	Victorian County Court Project – Financial Adviser	Dresdner Benson Kleinwort	Selective tender	31/10/97	\$345,560	\$221,733	\$123,827
VCCP	Victorian County Court Project – Legal Adviser	Minter Ellison Lawyers	Selective tender	31/10/97	\$539,184	\$437,794	\$101,390
VRAS	VRAS Services Evaluation Project	SMS Consulting	Public tender	13/05/99	\$243,300	\$243,300	\$0

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 persons to apply for access to all documents held by an agency, irrespective of how such 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 cover personal documents and documents relating to the activities of government.

The Department of Justice maintains an extensive filing system based on the functions set out in this report and required under various Acts for which each Justice Portfolio Minister is responsible. The categories of files created are personal or case files, operational and policy 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 the suitability of release of documents, the FOI Manager will consider whether any material requested is considered exempted from release under the FOI Act.

The FOI Act outlines general categories of information considered exempt; for example, 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 accordance with arrangements made by the Secretary from time to time 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.

How does an individual lodge a FOI request?

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

FOI Manager
Department of Justice
55 St Andrews Place
MELBOURNE 3002

Telephone enquiries can be made on 9651 0765.

- 2 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.
- 3 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?

In an attempt to better assist FOI applicants in lodging requests, the Department of Justice has provided general information on how to make FOI requests available on its homepage via the Internet. The FOI annual reports from 1998–99 onward are also available on the Department's homepage. The Department's homepage is located at <http://www.justice.vic.gov.au> (please refer to the index link for FOI section) and <http://www.justice.vic.gov.au/foireport>

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 0765).

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

The Department of Justice homepage via the Internet <http://www.justice.vic.gov.au> provides information relating to all aspects of the Department's responsibilities 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.

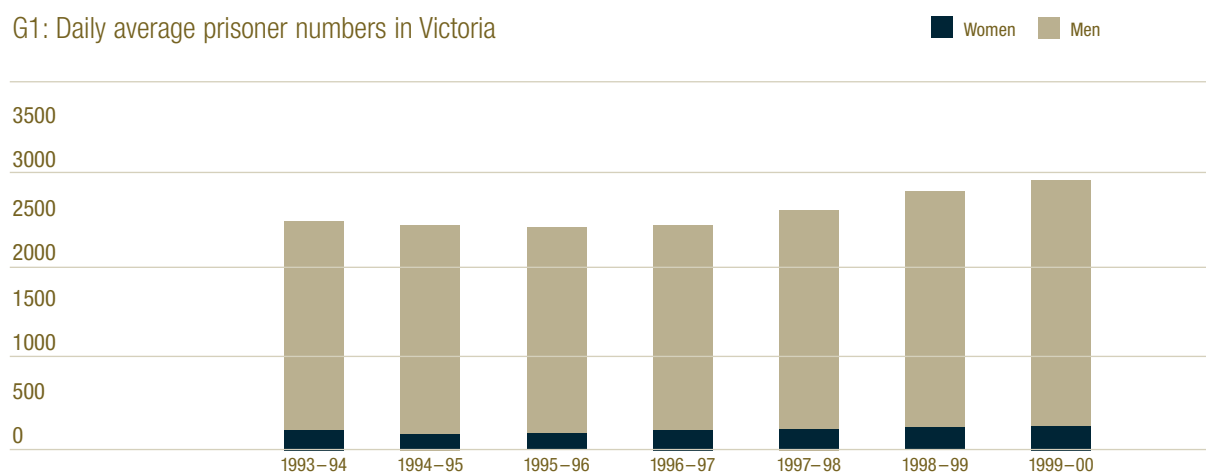
In addition, the Resource Centre in the Office of the Correctional Services Commissioner on Level 6 at 452 Flinders Street Melbourne maintains a comprehensive collection of publications and other materials concerning adult corrections and related areas.

Information relating to consumer rights and the services offered by Consumer and Business Affairs can be obtained from 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: correctional services statistics

G1: Daily average prisoner numbers in Victoria



Daily average prisoner numbers

	Males	Females	Total
1993-94	2,389	132	2,521
1994-95	2,339	117	2,456
1995-96	2,309	123	2,432
1996-97	2,346	132	2,478
1997-98	2,545	147	2,692
1998-99	2,689	167	2,856
1999-00	2,877	185	3,062

G2: Profile of offenders in Community Correctional Services

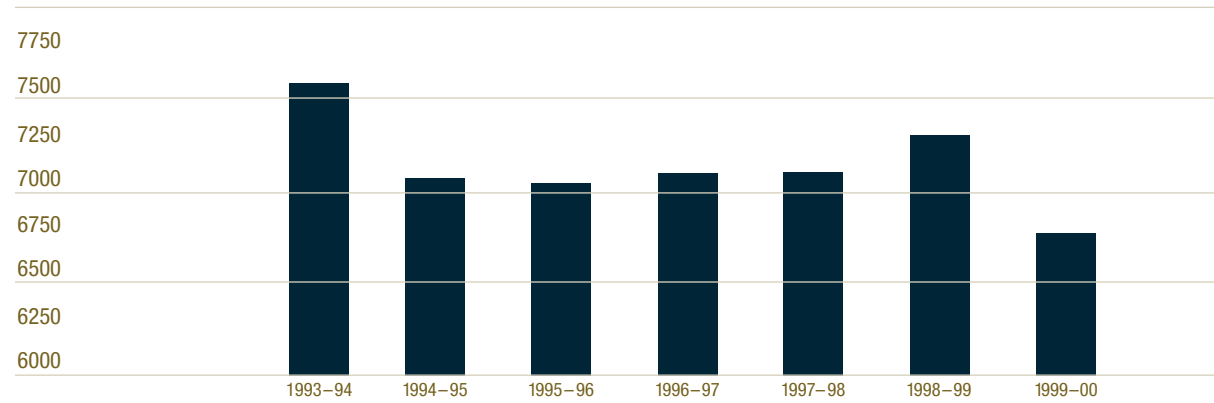
On any given day in Victoria, there are approximately 6,700 offenders serving a range of community correctional orders.

The Community Correctional Services' offender profile had the following key characteristics at 30 June 2000:

- 83 per cent of offenders were male.
- 56 per cent were under 30 years of age.
- 4 per cent were Aboriginal or Torres Strait Islander.
- 77 per cent had completed only part of their secondary schooling at the time of registration of their orders.
- 52 per cent were unemployed at the time of registration of their orders.

G3: Community Correctional Services statistics

Average number of offenders



Daily average number of Community Corrections offenders in Victoria

1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00
7,463	7,030	6,952	7,063	7,069	7,246	6,693

Number of Community Corrections Services offenders at 30 June 2000 by order type*

Order type	Male	Female	Total
Parole	710	66	776
CCTO†	49	6	55
Intensive Correction Order	528	56	584
Community Based Order	2,244	623	2,867
CBO: Imprisonment	10	3	13
CBO: Community Work Only	770	171	941
CBO: Fine Default	897	173	1,070
Other‡	219	34	253
Total	5,427	1,132	6,559

* If an offender is serving more than one order of the same type, they are counted once in the relevant order type. If an offender is serving more than one type of order, they will be counted once in each order type.

† Combined Custody and Treatment Order.

‡ Includes Commonwealth and interstate orders supervised in Victoria.

Community Corrections Orders registered in Victoria 1999-00 by order type and sex

Order type	Males		Females		Total	
	No. of orders	No. of offenders*	No. of orders	No. of offenders*	No. of orders	No. of offenders*
Parole	889	858	70	68	959	926
Pre-Release Permit	1	1	0	0	1	1
CCTO†	139	134	15	14	154	148
Intensive Correction Order	1,543	1,403	193	173	1,736	1,576
Community Based Order	3,136	2,936	940	858	4,076	3,794
CBO: Community Work Only	1,845	1,758	420	398	2,265	2,156
CBO: Fine Default	6,745	3,710	1,626	875	8,371	4,585
CBO: Imprisonment	13	13	4	4	17	17
CBO: Post Breach	58	55	18	18	76	73
Commonwealth Orders	12	12	1	1	13	13
Interstate Orders	242	242	39	37	281	279
Total	14,623	10,367	3,326	2,291	17,949	12,658

* The total number of offenders does not equal the sum of the number of offenders on each order type. Offenders who receive multiple orders of different types are counted once in each order type but only once in the offender total.

† Recording of Combined Custody and Treatment Orders on the computer system commenced in February 2000. Of the orders commenced prior to that date, only those orders that were breached have been recorded on the computer system to date.

Community Corrections Orders successfully completed as a percentage of all orders discharged*

Order types	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00
Parole Orders	78.03%	74.00%	74.30%	69.01%	65.60%	61.50%
Intensive Corrections Orders	66.50%	65.90%	68.30%	66.02%	63.30%	62.10%
Community Based Orders	61.80%	57.80%	54.40%	52.00%	54.20%	54.20%
CBO: Community Work Only	75.60%	71.90%	70.50%	71.08%	72.50%	71.00%
CBO: Fine Default	88.40%	89.50%	84.20%	83.09%	82.40%	77.30%
Total	79.00%	77.80%	75.20%	73.60%	73.30%	69.90%

* Orders discharged because of pending breach action where the outcome is not yet known are excluded from the calculations.

G4: Prison Services statistics

Five-year trend

	1995–96	1996–97	1997–98	1998–99	1999–00
Containment and supervision: escapes*					
Number of escapes: total	17	16	22	17	14
Number of escapes: secure prisons	0	1	1	2	0
Number of escapes: open prisons	12	10	20	12	10
Number of escapes: other	5	5	1	3	4
Escape rate: total (per 100 prisoner years)	0.7	0.65	0.82	0.6	0.46
Escape rate: secure prisons (per 100 prisoner years)	0.0	0.05	0.04	0.08	0.0
Escape rate: open prisons (per 100 prisoner years)	2.58	2.2	6.1	3.67	2.93
Number of attempted escapes	9	8	10	24	
Containment and supervision: deaths†					
Total number of deaths in custody	5	5	13	9	3
Death rate (per 100 prisoner years)	0.21	0.2	0.48	0.32	0.1
Number of deaths other than from apparent natural causes	2	1	10	8	2
Death rate other than from apparent natural causes (per 100 prisoner years)	0.08	0.04	0.37	0.28	0.07
Number of Aboriginal deaths in custody	0	0	0	0	0
Containment and supervision: self-harm					
Self-mutilations (per 100 prisoner years)	5.8	4.1	5.5	5.3	8.5
Attempted suicides (per 100 prisoner years)	1.4	1.0	1.2	0.9	0.7
Containment and supervision: assaults‡					
Assault rate: assaults on prisoners by other prisoners	11.8	12.2	14.3	10.6	13.1
Assault rate: assaults on staff or other persons by prisoners	2.1	2.3	3.4	2.5	4.1
Containment and supervision: illicit drugs					
Percentage of positive random drug tests	3.7%	5.6%	6.3%	4.8%	4.5%
Offender care					
Average out-of-cell hours per prisoner, per day: total	11.3 hrs	11.4 hrs	12.0 hrs	11.9 hrs	12.2 hrs
Average out-of-cell hours per prisoner, per day: secure prisons	10.4 hrs	10.6 hrs	11.6 hrs	11.5 hrs	11.9 hrs
Average out-of-cell hours per prisoner, per day: open prisons	14.8 hrs	14.9 hrs	14.9 hrs	14.8 hrs	14.8 hrs
Number of visits (per 100 prisoner years)	36.9	34.1	35.1	34.7	33.5
Reparation: employment §					
Employment rate: all prisoners	77.3%	74.9%	74.0%	74.3%	86.9%

* The escape categories have been revised to conform with the definition in the Report on Government Services for the Productivity Commission. Escapes from outside the prison during escorted or unescorted absences from a prison are classified as 'other'. All other escapes are classified according to the security level of the prison. All escape data in this table have been revised in accordance with the new counting rule.

† The cause of all prisoner deaths is subject to confirmation by the Coroner.

‡ The assault rate is based on the number of victims of assaults. This definition is used in the Report on Government Services for the Productivity Commission and applies to all assault data in this table. The 1998–99 Department of Justice Annual Report reported numbers of assault incidents rather than victims.

§ Prior to 1999–00, the prisoner employment rate was calculated as a proportion of all prisoners except those in full-time education or programs and remandees who chose not to work. The definition has been revised to also exclude prisoners whose situation precludes their participation in work, (for example, hospital patients, aged prisoners and prisoners in transit). Both the current and previous definitions accord with the Report on Government Services in the corresponding years.