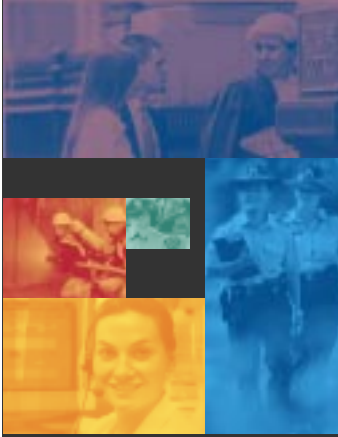


# 1998-99

DEPARTMENT OF JUSTICE *annual report*

*1998–99*

DEPARTMENT OF JUSTICE *annual report*



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October 1999

Attorney-General  
Minister for Consumer Affairs  
Minister for Women's Affairs  
55 St Andrew's Place  
Melbourne Vic 3002

Minister for Police and Emergency Services  
Minister for Corrections  
55 St Andrew's Place  
Melbourne Vic 3002

Dear Ministers

*Annual Report 1998-99*

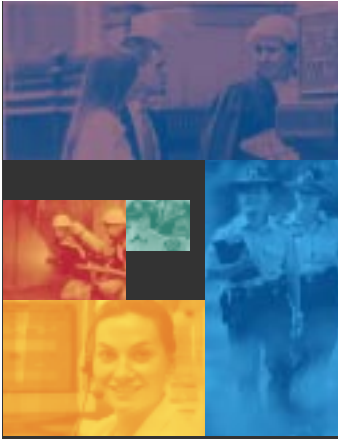
As required by the *Financial Management Act 1994*, I have much pleasure in submitting the Annual Report of the Department of Justice for the year ended 30 June 1999 for you to present to the Houses of Parliament.

Yours sincerely

**Peter Harmsworth**  
Secretary

1998-99

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## Justice Portfolio



*The Hon. Jan Wade MP  
Attorney-General, Minister for Fair Trading,  
Minister for Women's Affairs*



*The Hon. Bill McGrath MLA  
Minister for Police and Emergency Services,  
Minister for Corrections*



*Dr Robert Dean  
Parliamentary Secretary*

The Justice Portfolio comprises five separate portfolio responsibilities. For the financial year 1998–99, the Hon. Jan Wade is Attorney-General, Minister for Fair Trading and Minister for Women's Affairs and the Hon. Bill McGrath is Minister for Police and Emergency Services and Minister for Corrections.

The Portfolio comprises the Department of Justice and a large number of statutory authorities, statutory offices and judicial and quasi-judicial bodies. The objectives of the Portfolio are to:

- provide protection for the rights and freedoms of all people through a fair and just system of criminal justice, an accessible, equitable and responsive system of civil procedures, and a legislative and educative framework to protect and advance the equality of all Victorians;
- ensure civil order is preserved through the prevention and detection of crime, and ensure the protection of individuals and property through the prevention and suppression of fires and the provision of coordinated emergency services;
- provide a safe, secure, just and humane adult correctional system that incorporates the elements of protection, rehabilitation and reparation to the community;
- provide an effective framework for fair trading and business affairs; and
- advance the status of women in our society.

An overview of the extent of the Ministers' responsibilities is provided by the list of Acts contained in the appendix to this report. Each portfolio has been formally assigned these legislative responsibilities by the Premier.

In the exercise of their portfolio responsibilities the Ministers are assisted by Dr Robert Dean, Parliamentary Secretary to the Department of Justice.

## Secretary's Foreword

In my first 12 months as Secretary, I have come to appreciate that Victoria has both a national and international reputation in a variety of justice related areas:

- Victoria has provided leadership in law reform in such areas as sentencing, court processes, data privacy and equal opportunity;
- Victoria remains the safest State in Australia;
- our roads are among the safest in Australia and our road safety programs are recognised internationally as world's best practice;
- our firefighting and emergency services are at the forefront of their fields of endeavour;
- the Department boasts leading-edge developments in the application of technologies in such areas as court reporting, videolinks between courts and prisons and in our emergency services computer-aided despatch system;
- our correctional system is significantly more efficient, especially as a result of the introduction of private prison operations;
- there has been a major investment in new and upgraded capital infrastructure across the portfolio;
- there has been a concerted effort in building a strong policy and corporate service capability.

All these achievements have been accomplished in a time of necessary budgetary restraint and in the face of significant economic, social and political change.

Over the past year, initiatives that have been implemented aimed at building upon our recent achievements, included:

- establishing more effective management arrangements, especially at a portfolio level, to generate greater coherence in policy, planning and budgetary objectives;
- establishing portfolio groups of related functions directly responsible to a Deputy Secretary for the achievement of key Government objectives;
- creating a new Portfolio Planning Unit responsible for providing a longer term strategic planning focus across the Justice Portfolio;

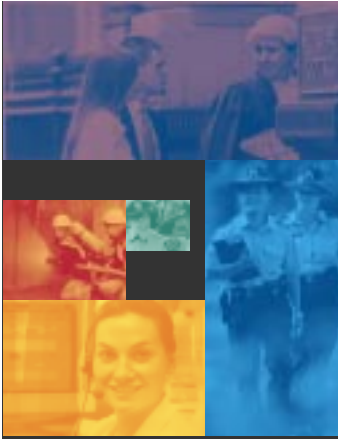


- committing the Department to annually evaluating its performance against the Australian Quality Council's Business Excellence Framework;
- recognising the growing importance of converging technologies for the delivery of services and the overall operation of the Department through the establishment of a new Online Services Unit with a principal role of facilitating the achievement within Justice of the Government's multi-media policy goals;
- building key capabilities in the areas of planning, financial management, change management, asset investment and supported by Justice's comprehensive training, development and reward and recognition programs.

Much of the success for the Department over the year is the result of the creative, innovative and energetic contribution of our staff. Their contribution deserves public recognition.

A handwritten signature in black ink, appearing to read 'Peter Harmsworth'.

**PETER HARMSWORTH**  
Secretary



## The Department in Profile

The Department provides the primary organisational, policy and management focus for the five Ministerial responsibilities (Attorney-General, Fair Trading, Women's Affairs, Police and Emergency Services and Corrections) and the various agencies that comprise the Justice Portfolio. To achieve this, the Department has been structured since 1 March 1999 around the five portfolio groups comprising three core

functional areas: Justice Operations, Legal, and Fair Trading and Equity, as well as a corporate support group which provides corporate services, planning and review strategies, business improvement strategies, and Ministerial services and coordination functions.

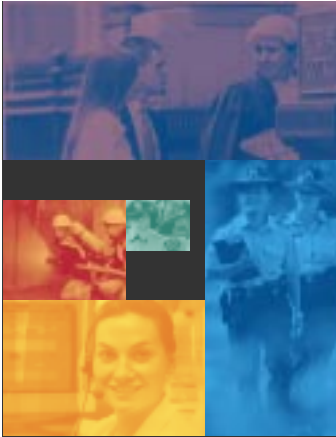
A complete organisational structure chart is included at appendix A.



*The Department Executive: left to right, Mr John Charleson, (Deputy Secretary, Corporate Services), Mr Peter Harmsworth, (Secretary), Ms Fiona Hanlon, (Deputy Secretary, Legal), Mr Tim Daly, (Deputy Secretary, Justice Operations), Ms Bernadette Steele, (Deputy Secretary, Fair Trading and Equity).*

# Justice Portfolio Organisation Overview





## Major Achievements

Performance for the year in review is set against the Government's long-term economic and social priority objectives and the Department's Vision for *A Safe and Fair Victoria* outlined in the 1998–99 Budget Papers. There are 10 output groups for the Justice Portfolio: four were primarily the responsibility of the Department to deliver, while the other six are the responsibility of Victoria Police.

The four output groups for the Department in 1998–99 were:

- Legal and Court Services;
- Equity and Information;
- Corrections; and
- Community Safety.

The achievements that follow are set against these output groups together with the achievements of the Corporate Services group.

Given the Department's organisational, policy and management role for the Portfolio, the Department will often have significant input at a strategic or developmental level into the programs and activities which are implemented by authorities in the Portfolio. Consequently, the activities of authorities which are relevant in this sense have also been included in the following material. It should be recognised, however, that a number of these authorities report their activities separately to Parliament under the *Financial Management Act 1994*, or by virtue of reporting requirements in individual Acts.

A range of statistical information is also provided in the appendix to the report on performance against targets wherever they are available. It should be noted that the development of performance indicators continues to evolve.

## Output Group: Legal and Court Services

### STRATEGIC DIRECTION

Maintenance of the rule of law and the protection of people's rights are the cornerstones of a stable society and are underpinned by the development and operation of modern legal structures and court processes that are responsive to community needs.

In Victoria, continuous improvement strategies of the Department of Justice have underpinned administrative and regulatory reforms aimed at making access to both criminal and civil justice simpler and more streamlined. Administrative reforms have been achieved through process re-engineering and the better use of technology.

The services relevant to these goals are provided through the Department and a number of related agencies, courts or tribunals.



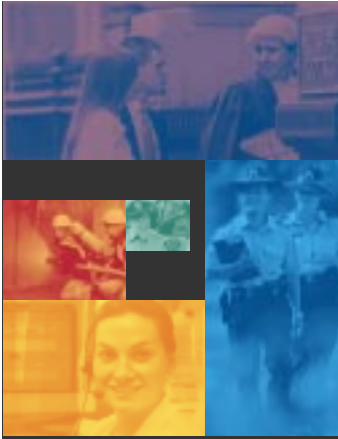
### SERVICES PROVIDED

*The Victorian Civil and Administrative Tribunal.*

- Policy advice on law reform and the development of legislative, statutory and regulatory frameworks that define people's legal rights and obligations.
- Legal advice and solicitor services to government and executive support to the Attorney-General as the State's first law officer.
- Investigatory processes by which the facts of matters are determined for the prosecution of alleged offenders.
- Administrative support for case processing in the jurisdictions of the various State courts, statutory boards and tribunals, including support for the provision of legal aid services and alternative processes for the resolution of civil disputes.
- Enforcement services that give effect to judgments and orders made by courts and tribunals, and assist the collection of other State and local government penalty payments, and the confiscation of the assets derived from criminal activity.

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## MAJOR ACHIEVEMENTS

### Streamlined tribunals

The Victorian Civil and Administrative Tribunal (VCAT) became fully operational on 1 July 1998, amalgamating and streamlining the administration of 12 separate tribunals. VCAT now offers a one-stop shop for dealing with a range of civil disputes and claims. These include the following jurisdictions: civil claims, discrimination, domestic building works, guardianship and administration matters, planning and residential tenancy issues, and appeals against government decisions.

The creation of the VCAT structure has significantly increased the productivity of its legal members who are now able to hear cases across a greater variety of jurisdictions than was previously possible. Improved coordination of travel to rural locations means VCAT is also better servicing its rural clients. Further amendments to VCAT legislation during the year established a new jurisdiction to determine small claims disputes between traders. This assists small business in Victoria by providing a quick and inexpensive dispute resolution avenue.

These enhancements to the operation of the variety of boards and tribunals that have been established over the last two decades are a groundbreaking achievement within Australia and have generated much interest amongst other jurisdictions who are contemplating similar reforms.

### Improvements to fines enforcement

Following a comprehensive tender selection process, a contract to outsource administrative and IT functions for the Traffic Camera Office and Enforcement Management Unit (including the Sheriff's Office and the PERIN Court) was signed in September 1998 with LMT Australia, a consortium of Lockheed Martin and Tenix Defence Systems. The transfer of outsourced functions occurred in November 1998 and the shift to new accommodation, including more

accessible public counter and telephone services, occurred on 1 March 1999.

A key element of the contract is the building of a new information technology platform to support the entire infringements process from the capture of speed camera images to the execution of a warrant by the Sheriff. The first phase of the new IT systems was also completed in March 1999 and is already delivering higher levels of clearance of fines and improved levels of service to defendants.

In a related initiative, a comprehensive analysis and review of the infringements notices system has been undertaken with a view to modernising relevant legislation and making further improvements to enforcement administration to ensure that fines are paid within a reasonable time of the offence being detected and the penalty imposed.

### Court technology roll out

In recent years, Victoria has been a pioneer in the development and use of video conferencing in court situations. There is wide recognition of the benefits for case management using video conferencing, which allows access to remotely located witnesses and significantly reduces the costs of prisoner transport. Following successful pilot programs and the roll out of video conferencing facilities in the County Court and the Melbourne Magistrates' Court in 1997-98, the progressive installation program continued during 1998-99 including facilities at the Supreme Court, Coroners' Court, Children's Court, VCAT and seven regional locations. Compatible video conferencing facilities were also installed in correctional facilities at Melbourne Assessment Prison, Port Phillip Prison, Fulham Prison (Sale), Women's Correctional Centre (Deer Park) and Barwon Prison.

A milestone in video and audio recording technology was achieved with the provision of a real-time reporting capability to the Longford Royal Commission by the Victorian Government Reporting Service. Real-time reporting (voice to text in three seconds) was provided to 35 counsel

in the Commission and online to the Internet where it was globally accessible.

### **Longford Royal Commission**

The Victorian Government Solicitor's Office played an important role in the establishment of the Longford Royal Commission. This involved instructing counsel who assisted the commissioners and engaging technical and expert advisors and witnesses whose work underpinned the findings of the Commission.

The Commission's report was delivered on time and received wide publicity and critical support for its rigorous methodology and findings. The Office also assisted in the provision of advice to Government to enact urgent legislation to strengthen the evidence gathering powers of the Commission.

### **Criminal case streamlining**

A package of legislative amendments addressing systemic causes of delays and inefficiencies in the conduct of criminal cases was passed in the Autumn 1999 sitting of Parliament. The reforms deal with committals, trials and appeals processes. They will improve criminal proceedings by empowering the court to effectively manage cases, encouraging the parties to define the issues in dispute prior to proceedings commencing, and deterring applications for leave to appeal against sentence which are totally without merit. The greater certainty in case listing which will flow from these reforms will benefit the accused, witnesses, jurors and the legal profession at large.

### **Civil justice review**

Some significant opportunities for reform and process improvement in the civil justice system have been identified as a result of intensive consultation and research, including input from local judiciary, practitioners, and other interested parties including international contributions. The final report of the Civil Justice Review project contains recommendations aimed at simplifying procedures, reducing costs, and improving timeliness and general access to justice.



*The Dispute Settlement Centre provided dispute resolution advice and mediation to over 11,000 people in 1998-99.*

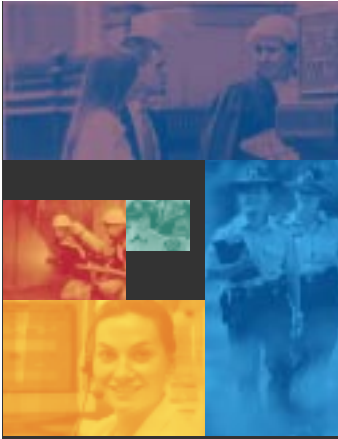
### **New sentencing options**

Amendments to sentencing legislation were passed to assist the rehabilitation of young offenders up to 25 years of age who have committed less serious offences, often in the context of a drug addiction. The amendments enable the Magistrates' Court to defer sentencing for up to six months to give offenders the opportunity to deal with the factors contributing to their criminal behaviour and demonstrate to the court that they are taking their own rehabilitation seriously.

### **Diversion programs**

Innovative responses are often required to address issues of particular concern in the community. During 1998-99, programs such as CREDIT (Court Referral and Evaluation for Drug Intervention and Treatment) were developed in collaboration with the Magistrates' Court and the Department of Human Services to provide drug treatment and rehabilitation services as a condition of bail. The CREDIT program provides a means of diverting offenders from ongoing involvement in the criminal justice system, and tackling the growing problem of drug addiction and offending under the philosophy commonly referred to as harm minimisation.

A further program involved Juvenile Justice Group conferencing. This has been piloted under the auspices of Anglicare Victoria with a steering committee including representatives from the Children's Court, Victoria Police, Victoria Legal Aid and the Department of Human Services. Group conferences bring



## MAJOR ACHIEVEMENTS

together the young offender, their family, the victim, the police, a legal representative of the offender and other community members to prepare a 'plan of action' which addresses the offending behaviour. It offers a mechanism through which young offenders can be diverted from entrenched involvement in the criminal justice system, and provides the opportunity for their rehabilitation through an agreed restorative plan.

### Courts governance

The Attorney-General and the Chief Magistrate signed a Courts Governance Memorandum of Understanding in September 1998. This memorandum sets out new administrative arrangements between the Court and the Department. The aim of Courts Governance is, as far as is practicable, to devolve to the Court control of the administrative functions supporting the discharge of its judicial functions. The administrative functions have traditionally been undertaken by the Department of Justice. Similar arrangements with the Supreme and County Courts and with the Victorian Civil and Administrative Tribunal are being considered.

### Comparative Performance

#### Performance against 1998-99 Budget estimates

Details of the output service levels achieved in the Legal and Court Services Group compared to budget estimates are included in appendix C. In general, the levels indicate that quality and timeliness standards were met or exceeded in most cases. There are seeming wide variances between actuals and targets, in the number of matters initiated, finalised and pending in the various courts and tribunals and other legal services. The variances are both over and under targets and reflect the difficulty of accurately predicting the level of demand and flow of matters. However, the data will form the basis of trend analysis over time and will also be utilised for policy and capacity planning purposes.

Additional notes on significant variances are also included in appendix C.

### Performance against interjurisdictional comparisons

The Council of Australian Governments (COAG) has reported on the efficiency of court administration and case processing outputs (1999). Key findings from interjurisdictional performance comparisons are:

- the unit cost of dealing with civil matters in Victoria is the lowest of all States and Territories, particularly in the Magistrates' Court;
- Victoria's performance is generally better than average against the agreed elapsed time standards for the finalisation of both criminal and civil cases, and the level of adjournments is low compared with the other States; and
- over the last two years, increases in criminal matters disposed within six months are evident in all Victorian jurisdictions (Magistrates' Court from 93 to 98 per cent; County Court from 60 to 70 per cent; Supreme Court from 42 to 44 per cent).

Other benchmarking activities indicate that:

- Victoria is approaching best practice for fines collection from the limited available international comparative performance data;
- under full-cost recovery budget arrangements the charge-out rate for the client services of the Office of the Victorian Government Solicitor are set on a fully commercially competitive basis;
- a benchmarking agreement with Queensland and NSW Offices of the Director of Public Prosecutions has been reached. Parameters and formats for data exchange are being developed and the finalisation of data definitions is imminent. Benchmarked material will include quantitative and financial data as well as quality and timeliness indicators; and
- Victoria Legal Aid is presently contributing to a Commonwealth initiative to develop an Australia-wide system of measurement of Legal Aid Commission outputs and outcomes.

## Output Group: Equity and Information Services

### STRATEGIC DIRECTION

A critical approach to preserving rights – whether those of individuals or businesses – is to ensure that all groups have a sophisticated understanding of their rights and responsibilities, and are aware of the government services that support them.

There is an onus on government to help all groups in the community to understand their rights and responsibilities. This applies whether the outcome is to achieve equality of opportunity for women, to ensure participation in the electoral process, to address consumer complaints, or to deal with situations involving highly personal affairs of an individual which require intervention.

Consequently, focused public information campaigns are key activities of this output group. This is based on the view that an informed public is a strong force for achievement of its own rights, for more equitable dealings between individuals, businesses and government, and for minimising government regulation to areas of critical need. The activities of the output group also recognise that breaches occur or problems arise, and maintenance of the ethical and equitable framework requires punitive or interventionist action in certain situations.

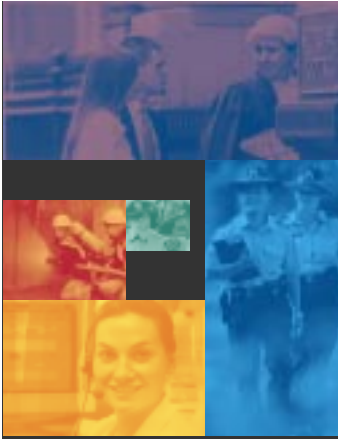
### SERVICES PROVIDED

- Policy advice and research on fair trading, equal opportunity, women's affairs, guardianship and electoral law.
- Maintenance of a confident and informed retail and service marketplace with ethical practices and effective mechanisms to get redress for consumers who are unfairly treated, the ensuring of trader compliance with necessary regulations, investigation of breaches of the legislation and, where appropriate, prosecution of offenders.
- Public information campaigns to inform people of their rights and responsibilities and generally educate the community to prevent discrimination and unfair trading, and to encourage participation in the electoral process.
- Health and counselling support services and injury compensation payments to victims of serious crime.
- Maintenance of statutory certification of births, deaths and marriages in Victoria.
- Administrative support to carry out all requirements for holding democratic elections.
- Receipt, investigation and conciliation of complaints of discrimination.
- Promotion of and support for the rights and interests of disabled persons in the Victorian community and management of investigatory, advocacy and guardianship services.

*Publications produced  
by OFTBA.*

1998-99

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## MAJOR ACHIEVEMENTS

### New Fair Trading legislation

The Fair Trading legislative program for 1998–99 further rationalised and minimised business regulation while addressing identified gaps in law and order and consumer protection including:

- the regulation of lay-by sales by retailers, the conduct of telemarketing and door-to-door sales, extensions to the prohibition on pyramid selling, and improving the powers of inspectors from the Office of Fair Trading and Business Affairs (OFTBA);
- increasing the effectiveness and clarity of regulations governing the prostitution industry; and
- introducing new certainty that publicly conducted fundraising appeals do not mislead donors.

A complete listing of fair trading legislation enacted during 1998–99 is at appendix B2.

### Business licensing

In a companion initiative to the creation of the Victorian Civil and Administrative Tribunal, the administrations of seven licensing boards were also streamlined through the creation of a single body, the Business Licensing Authority (BLA). This initiative has been supported by redeveloping the business licensing information technology platform in OFTBA.

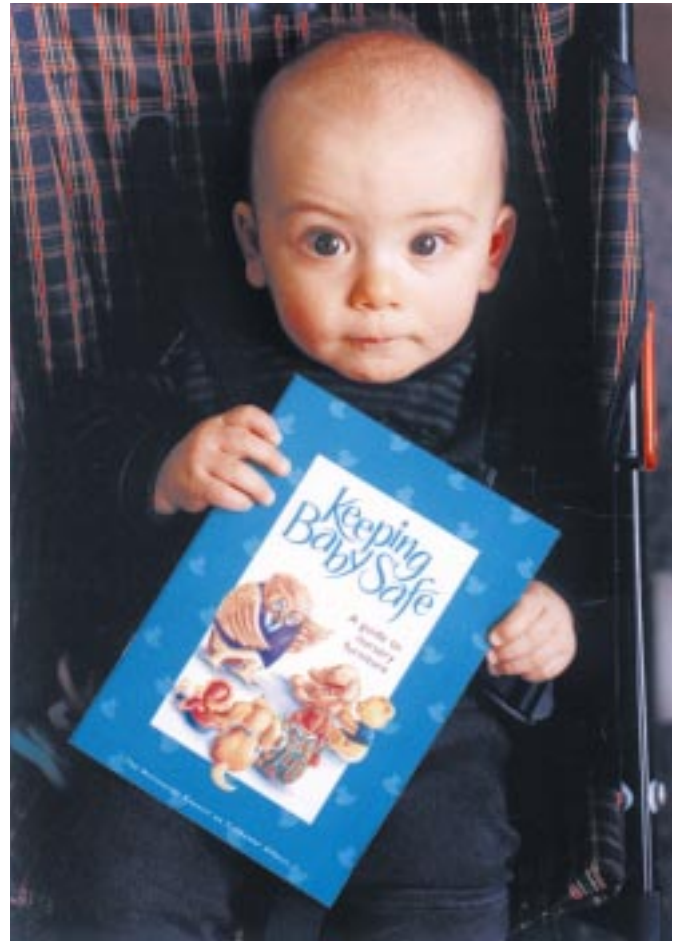
From 1 July 1998, the BLA took over the licensing arrangements for second-hand dealers and pawnbrokers that had previously been administered by local government. As at 30 June 1999, 5250 second-hand dealers and pawnbrokers had been registered under the provisions of the new Act. It is expected that a more efficient and streamlined approach to the regulation of this industry will reduce the trading of stolen goods.

### Market education initiatives

The catalogue of publications produced by OFTBA and targeted to specific high-need audiences now includes: *The Victorian Good Business Guide*, *Get A Life* (for school leavers), *Senior Power* (for older people), and *Keeping Baby Safe* (for new parents). Reader surveys indicate that such material is highly valued. For example, 96 per cent of respondents listed aspects of running their business that they would do differently after reading the *Good Business Guide*; and 98 per cent of respondents thought that the information in *Get a Life* would help them with future decisions.

*Renting: Statement of Rights and Duties* was translated into eight languages and distributed via more than 200 outlets. A range of other booklets, brochures and faxback sheets were produced on compliance issues, licensing requirements and individual rights and

*Keeping Baby Safe* was launched in August 1998.



responsibilities. More than three million such information items were distributed during the year.

In addition, a substantial marketing campaign using advertising on metropolitan and regional television, cinema, print media and the Internet was run from June 1998 through to January 1999 to raise public awareness of the new *Residential Tenancies Act 1997* and the establishment of the Residential Tenancies Bond Authority. Follow-up market research indicated that awareness of the fact that there had been changes to the law ranged from 62 per cent for landlords, 76 per cent for tenants and 92 per cent for estate agents.

Media liaison was also used to support special compliance-related campaigns such as crackdowns on illegal motor car traders, scam warnings, prosecutions and a Christmas product safety campaign which was a particular success. The metropolitan and regional Victorian Fair Trading Awards again attracted significant attention.

#### **Enforcement activities**

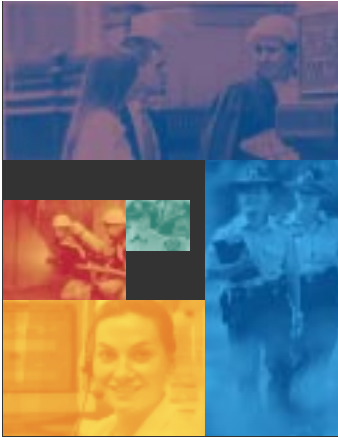
In addition to routine investigations, a range of special projects was undertaken in 1998–99 to ensure regulatory compliance by various industries. These included:

- investigation of funeral operators who had failed to invest pre-paid funds in the prescribed manner;
- an intensive program to reduce unlicensed motor car trading in a program supported by VicRoads and the Victorian Automobile Chamber of Commerce;
- an audit of all introduction agents to ensure compliance with the Act and Regulations; and
- a number of applications against credit providers under the *Credit Act 1984* and the Consumer Credit Code of 1996.

In a new area of concern, the developing online marketplace was monitored and OFTBA took part in an international Internet sweep day to identify and deal with suspected scams. OFTBA is working with other Australian consumer protection agencies on the jurisdictional issues arising in the borderless electronic marketplace.

#### **Two-year action plan for women 1998–2000**

A key mechanism for achieving the women's affairs objectives has been the development of a comprehensive action plan across the whole of government. Following the release of a draft two-year plan in May 1998, a further public consultation process was initiated in which a total of 35 official forums were held and attended by over 500 Victorians. The final product *Women on the Move*, incorporating feedback on the draft strategy, has been released in two volumes. Volume one, launched on 10 November 1998, outlines policies and programs which seek to improve Victorian women's economic independence and leadership. Volume two, launched in May 1999, outlines policies and programs in support of women's safety and wellbeing, as well as focusing on issues of concern to Koori women. The Office of Women's Affairs is monitoring the implementation of these policies and programs.



## MAJOR ACHIEVEMENTS

### Improved services for victims of crime

The Victims Assistance Program (VAP) is a component of the recently established Victims Referral and Assistance Service (VRAS). The VAP is now fully operational and encompasses a network of agencies throughout country and metropolitan Victoria, with qualified professional staff and networks of volunteers in these locations providing a range of support services including:

- immediate crisis response to victims of crime by telephone and referral to local outreach services and specialist support groups;
- information on access to free professional counselling and information about legal services and financial assistance; and

- support at court and every day practical support, including arranging improved security, contacting relatives, friends or employers, and assisting in the completion of forms.

Between December 1998 and June 1999, VRAS undertook a TV, radio and print media campaign which has significantly increased community awareness and usage of these services. During the year VRAS also coordinated a conference dealing with the specific needs of victims of crime from different cultural backgrounds and produced a range of resources to assist victims, case workers and volunteers.

In a related court-based pilot initiative, a support officer position has been appointed to the Melbourne Magistrates' Court who is able to refer family violence victims to available



*The Victims Referral and Assistance Service's media campaign screened between February and June 1999.*

counselling, support, and assistance with court processes. The information and support provided enables the victim to determine for themselves how to proceed and what intervention, if any, is required.

### Comparative Performance

#### Performance against 1998–99 Budget estimates

Analysis of the variances between Budget estimates and actual output service levels achieved in the Equity and Information Services Group indicate that:

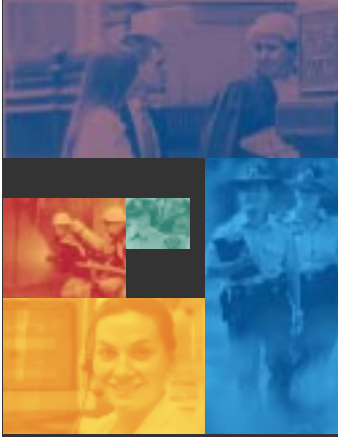
- there is a complex interplay of the activities that make up the Fair Trading Compliance Enhancement output. Overall quality and timeliness standards were maintained despite significant variances in demand for different types of services;
- overall service capacity has clearly satisfactorily met community demand for an equal opportunity and public advocacy service with activity variances reflecting the effectiveness and take-up rates of front-end services;
- although the dimensions of demand in the ‘information’ services were not always accurately estimated, the trend directions were correctly forecast, and actual demand in each case was able to be met within available service capacity.

Full details of Equity and Information Services output performance against budget targets with additional notes on significant variances are included in appendix C.

#### Performance against interjurisdictional comparisons

Significant work is being undertaken to establish interstate comparative benchmarks for the Equity and Information Services Outputs. For example:

- the Victorian OFTBA is in the process of comparing its service standards and outputs with the NSW Office of Fair Trading, notwithstanding the significant differences in the scale of operations in the two States;
- work has commenced to design and conduct a benchmark study which will establish the status of Victorian women in relation to key outcome areas in comparison with women interstate and overseas. The project is looking at key indices such as wealth and earnings, educational attainment, safety, leadership and access to services. The project will highlight best practice policies in the different areas and provide a long-term guide for measuring progress;
- the outputs of the Equal Opportunity Commission are consistent with draft national standards for complaint resolution for anti-discrimination bodies. Interjurisdictional comparisons based on common definitions developed by a national committee are expected to be available in 1999;
- no national benchmarks are available for Public Advocacy and Guardianship services; however, it appears Victoria appoints significantly fewer guardians than comparable jurisdictions in NSW and South Australia, reflecting the positive impact of alternative strategies introduced in Victoria to protect the interests of people with disabilities;
- data collection and benchmarking across all Australian and New Zealand Registries of Birth Deaths and Marriages are ongoing. Results (not available for publication under benchmarking partnership agreements) show that the Victorian Registry is a leader in both cost-efficiency and service quality, reflecting the significant investment in electronic data storage and retrieval that has been made over recent years;



## MAJOR ACHIEVEMENTS

- no further benchmarking of state electoral services has been undertaken since the 1997–98 national exercise that showed that the Victorian Electoral Commission provided a very cost-competitive election service and was a leader in continuous elector roll updates; and
- comparative evaluations with other Support for Victims of Crime Services are being undertaken. Available evidence is that the Victorian services now being provided will set new benchmarks standards for efficiency and effectiveness.

## Output Group: Correctional Services

### STRATEGIC DIRECTION

To ensure that prisoners are contained and offenders effectively supervised in a manner that meets community expectations of safety, reparation and encouragement to adopt a law-abiding lifestyle.

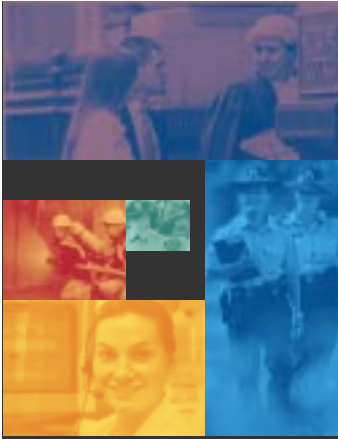
This output group ensures that correctional dispositions of the courts and orders of the Adult Parole Board are implemented. Whilst the principal focus of correctional orders of the courts is punishment, the focus of the output group is also to ensure the constructive treatment of offenders to encourage law-abiding lifestyles. Offenders in the system are afforded opportunities for education, employment and recreation along with encouragement of moral behaviour, positive values and meaningful relationships such as family linkages and mentors that will aid re-integration in the community. Intensive intervention programs are also provided to support rehabilitation amongst offenders showing a preparedness and commitment to rehabilitation, and to those sex offenders and random violence offenders who require a risk-management approach.



### SERVICES PROVIDED

*Work gang, Loddon Prison.*

- Policy and strategic program development advice and information to the Minister for Corrections.
- Administration and enforcement of custodial and community-based dispositions of the courts and orders of the Adult Parole Board.
- Administration of programs to address the offending behaviour of prisoners and the supervision of offenders.
- Leadership to the correctional services industry.
- Management of contractual arrangements with private sector service providers and a service level agreement with the public sector corrections service agency.



## MAJOR ACHIEVEMENTS

### Privatisation and contracting out of services

Forty-five per cent of prisoners in Victoria are now housed in three privately managed facilities. This is by far the highest proportion of privately managed prisoners anywhere in the world today. The 1998–99 financial year was the first complete financial year of full operations under the multi-provider model in which:

- CORE – the Public Correctional Enterprise (CORE) managed fifty-five per cent of the prisoner population in ten prisons, as well as the State Emergency Services Group (SESG). CORE also managed all Community Correctional Services in the State, comprising Combined Custody and Treatment Orders, Intensive Correction Orders, Community Based Orders, Custodial Community Permits and Parole Orders;
- The Corrections Corporation of Australia (CCA) managed the 125-bed Metropolitan Women's correctional facility. The company also had the contract for inter-prison transport and escorts from prisons to courts;
- Australasian Correctional Management (ACM) managed the 600-bed Fulham Correctional Centre, which opened in April 1997. The company also had the contract for prison health care services at nine CORE prisons through its subsidiary Pacific Shores Health Care. It has also been contracted by Victoria Police to manage the Melbourne Custody Centre effective from March 1999; and
- Group 4 Securitas managed the 600 bed Port Phillip Prison, which opened in September 1997. This prison also houses the system-wide medical services, including a prison hospital and long-term psychiatric unit. The company also had the contract for the Victoria Police aspect of prisoner transportation for movement between police cells and court.



*TAFE computer class – Port Phillip Prison.*

### System performance

There was broad overall improvement in key prison performance indicators during 1998–99. This year was the first year of full operation of the multi-provider system, and when compared with 1997–98, clearly reflects the gradual maturing of the multi-provider industry, and the ongoing service enhancement against service delivery outcomes being achieved by all providers. The initial implementation problems encountered by new providers have been addressed and there is now a high level of performance and accountability by all the providers, both public and private.

The positive direction in indicators included:

- sixteen escapes during 1998–99, compared with 22 in 1997–98. Only four of the escapes were from secure prisons. There were only two attempted escapes, compared with 10 in 1997–98;
- nine prisoner deaths in 1998–99, compared with 13 in 1997–98. Eight of the deaths were from other than apparent natural causes;
- the percentage of positive random drug tests declined significantly from 6.3 per cent in 1997–98 to 4.8 per cent in 1998–99; the lowest level recorded since 1995–96;
- a slight decline in self-mutilation, attempted suicide and prison assault rates in 1998–99, when compared with 1997–98; and
- a marginal increase in the prisoner employment rate, in 1998–99, when compared with 1997–98.

Data on system performance over the last four years are set out in the following table.

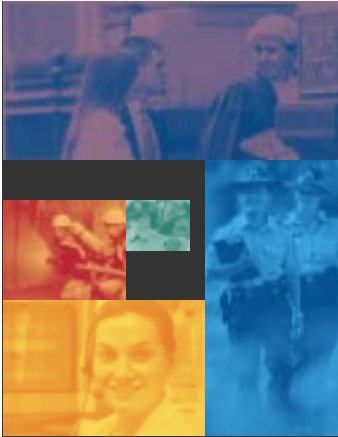
	1995-96	1996-97	1997-98	1998-99
<b>Containment and supervision – escapes</b>				
No. of escapes – total	13(a)	14	22	16
Number of escapes – secure prisons	0	2	2	4
Number of escapes – open prisons	13	12	20	12
Escape rate, total (per 100 prisoner years)	0.53	0.48	0.82	0.56
Escape rate, secure prisons (per 100 prisoner years)	0	0.05	0.08	0.16
Escape rate, open prisons (per 100 prisoner years)	2.80	2.42	6.10	3.67
Number of attempted escapes	9	8	10	2
<b>Containment and supervision – deaths (b)</b>				
Number of prisons deaths in custody	5	5	13	9
Number of prisoner deaths other than from apparent natural causes	2	1	10	8
Death rate (per 100 prisoner years)	0.21	0.20	0.48	0.32
Death rate other than from apparent natural causes (per 100 prisoner years)	0.08	0.04	0.37	0.28
Number of Aboriginal deaths in custody	0	0	0	0
<b>Containment and supervision – self harm</b>				
Self-mutilations – per prisoner year	0.058	0.041	0.055	0.053
Attempted suicides – per prisoner year	0.014	0.010	0.012	0.009
<b>Containment and supervision – assaults</b>				
Assaults on prisoners by other prisoners – per prisoner year	0.119	0.105	0.095	0.094
Assaults on staff or other persons – per prisoner year	0.019	0.024	0.029	0.025
<b>Containment and supervision – illicit drugs</b>				
Percentage of positive random drug tests	3.7%	5.6%	6.3%	4.8%
<b>Offender care</b>				
Average out-of-cell hours – per prisoner, per day	11.26 hrs	11.40 hrs	11.99 hrs	11.87 hrs
Average out-of-cell hours – per prisoner, per day – secure prisons	10.40 hrs	10.60 hrs	11.58 hrs	11.49 hrs
Average out-of-cell hours – per prisoner, per day – open prisons	14.77 hrs	14.90 hrs	14.86 hrs	14.80 hrs
Number of visits – per prisoner year	36.9	34.1	35.1	34.7
<b>Reparation – employment (c)</b>				
Employment rate – sentenced prisoners	85.7%	82.6%	79.8%	81.3%
Employment rate – all prisoners (d)	77.3%	74.9%	74.0%	74.3%

(a) The 1995-96 column does not include three 'escapes' of prisoners from unsupervised Custodial Community Permits. Such 'escapes' are, however, included in escape figures for 1996-97 onwards.

(b) The cause of all prisoner deaths is subject to confirmation by the Coroner.

(c) The employment rate is drawn from the monthly report required under contracts and agreements.

(d) Employment is optional for un-sentenced prisoners.



## MAJOR ACHIEVEMENTS

### Performance audit of Victoria's prison system

The performance of the private correctional service providers was recently independently assessed by Audit Victoria for the Office of the Auditor-General. The report, tabled in the Victorian Parliament in May 1999, was generally positive in nature and indicated that considerable progress had been made in overcoming problems inherent in the former single provider correctional system, which had suffered many long-standing deficiencies, including high operating costs, declining and inadequate infrastructure, poor productivity and low levels of accountability. In specific terms, it found that:

- the new multi-provider system had introduced new levels of accountability, defined performance standards and provided innovative infrastructure;
- the levels of performance monitoring by the Office of the Correctional Services Commissioner were over and above normal contractual requirements;
- the prison services agreements provide ample means of ensuring accountability; and
- the performance of the prison providers has been good and apart from the issuance of one default notice to Port Phillip Prison in March 1998 covering a range of service failures, adherence to correctional and accommodation services standards has been in accordance with contractual requirements. This notice to Port Phillip Prison was cured in March 1999. The report contained a number of recommended improvements which are being implemented by the Department.

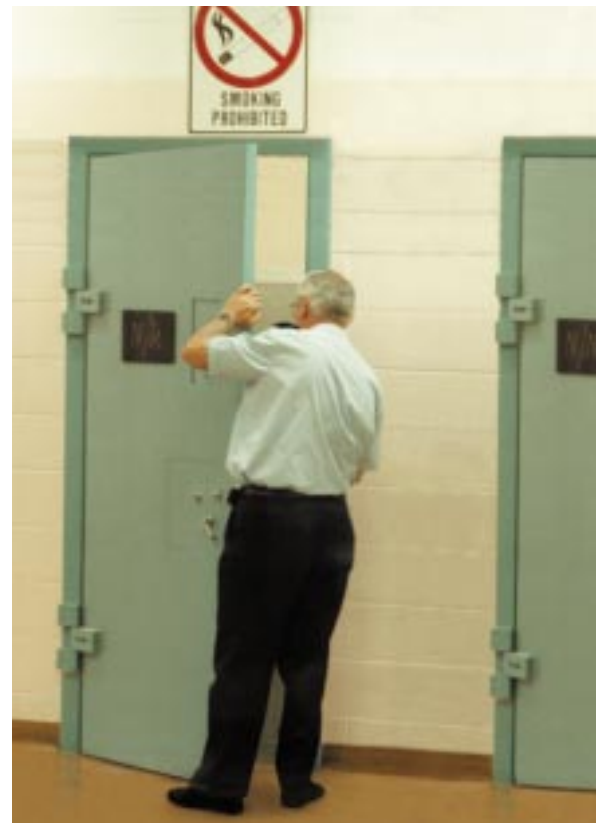
### Prisoner and offender numbers

1998 was the fourth consecutive year in which Victoria's overall crime rate was the lowest of all State and Territory jurisdictions in Australia. Reflecting this outcome, Victoria's imprisonment rates are also consistently the lowest in Australia. Nevertheless, there has been a substantial increase in the Victorian prison

population over the last three years (see figure 1). Factors influencing the increasing prisoner numbers have included:

- increased police activity in relation to drug-related crimes;
- changes to the Victorian Sentencing Act beginning to have a long-term impact in relation to longer sentences for more serious offenders; and
- sentencing attitudes of judges and magistrates, with more short-term custodial sentences (one to 12 months) being given because of the increasingly serious nature of offences being dealt with by courts.

The increase in average daily prisoner numbers and continuing pressure on accommodation for remand prisoners and prisoners with health and psychiatric issues has been successfully accommodated within budgeted resources.



Melbourne Assessment Prison.

However, the prison system is now operating near to 100 per cent of its accommodation design capacity.

The numbers in police cells commenced the year at a similar level to previous years at approximately 100 prisoners on any day. Previous trends, however, were not reflected during the year. Whilst there was a September peak and a January decline, the normal April peak was maintained through the balance of the year. Consequently, the year ended with double the number held at the start of the year

At the same time as the increase was evidenced in police cells, the prison population also increased from 2858 to 2923 in the same period, an increase of 2.3 per cent.

Action taken by the Office of the Correctional Services Commissioner (OCSC) to relieve pressure on the police cells included provision of an additional 101 temporary beds in both public and privately managed prisons, achieved by conversion of single occupancy cells to dual occupancy by the installation of bunk beds and wider range of prisoner types being accommodated at some prisons. Additional accommodation units were constructed at the Metropolitan Women's Correctional Centre to meet this demand. Occupancy levels of prisons have grown to an average of 102 per cent of design capacity at 30 June 1999.

A Priority Transfer Protocol was developed in July 1998 between OCSC, Victoria Police and CORE to determine the prisoners to be transferred to prison each day. This provides for the priority setting between placement of remand and sentenced prisoners in a complex system where demand exceeds supply.

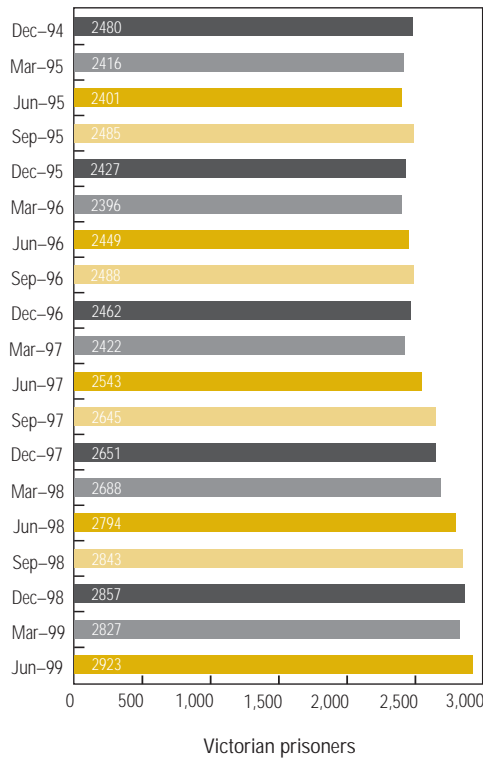
Approximately 70 prisoners per week were transferred to prison from police cells.

The community corrections program has not experienced the same growth pressure as is evident in prisons. There has in fact been a marginal decline (0.6 per cent) over the last year in the total number of orders being administered

due, at least in part, to the introduction of cautioning programs by Victoria Police for young early users of drugs.

In view of these outcomes, additional resources were committed in the 1999-2000 State Budget to expand existing facilities to meet projected further increases, and for the introduction and expansion of diversionary programs which will provide the courts with alternative non-custodial sentencing options.

Figure 1: Prisoner numbers: average daily prisoner numbers in Victoria



Underlying trend increase of 4.7 per cent.

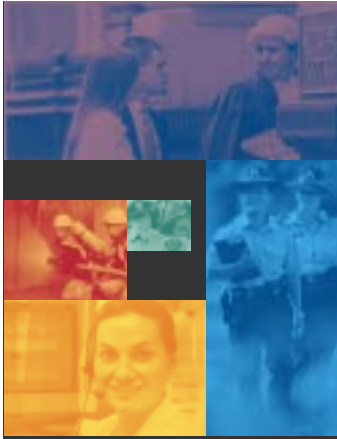
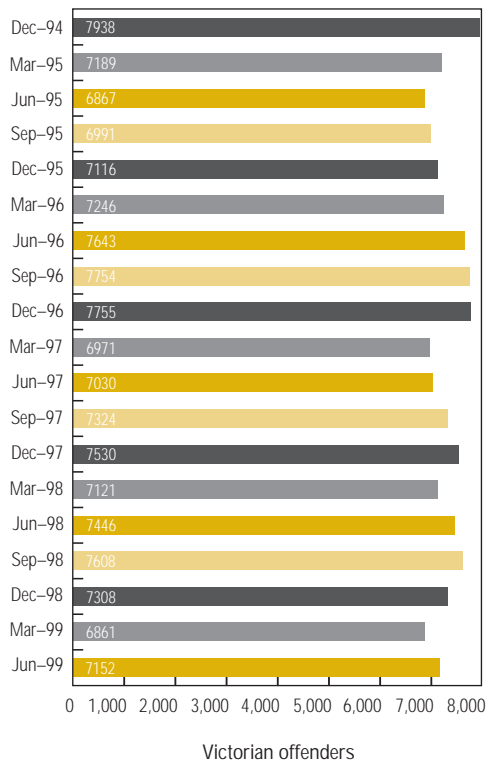


Figure 2: Community Corrections: average daily offender numbers in Victoria



1. Whilst in June 1999 there were 7,152 offenders under supervision of CCS, many offenders had more than 10 orders. As at 30 June 1999, 10,007 orders were in effect.
2. Does not include Custodial Community Permits or Combined Custody Treatment Orders.

**Community Correctional Services' activities**

Throughout 1998-99, Community Correctional Services undertook an organisational review to reposition itself within the Victorian Criminal Justice System. Community Correctional Services has been active in implementing the outcomes of this organisational review, which included the structuring of four areas that included both metropolitan and rural locations.

Community Correctional Services has also sought to redevelop its relationship with the courts and

the Adult Parole Board through a range of initiatives to gain a better understanding of the needs of these key stakeholders. Community Correctional Services has been instrumental in the improvement of information technology resources as well as the development of a case management service delivery model being piloted across Community Correctional Services locations and CORE Prisons.

**Community Correctional Services' deaths research**

In July 1998, CORE successfully sought funding from the Victorian Task Force on Suicide Prevention to conduct research into offender deaths in Community Correctional Services. Professors David Biles and Richard Harding, and criminologist John Walker were engaged to conduct the research.

The final report was completed in December 1998 and made 12 recommendations which, once implemented, will ensure Community Correctional Services is better able to address the needs of 'at risk' offenders including improved identification of those 'at risk' of suicide or self-harm.

**Offenders in Community Correctional Services**

In any given day in Victoria, there are approximately 7,300 offenders on a range of Community Correctional Orders.

The Community Correctional Services offender profile currently revolves around young offenders aged between 17 and 24 years of age with drug-related issues who have completed part secondary schooling and, at the time of registration of their orders, were unemployed.

There is an increasing number of offenders with diverse and challenging needs (such as drug and alcohol and psychiatric/psychological needs) receiving court orders. The complexity and intensity of existing orders did not on all occasions satisfy these needs. To meet these needs, the Community and Custodial Treatment Order (CCTO) was introduced.

### Drug treatment programs

The Government's Turning the Tide on Drugs strategy has made available \$6.3 million for Correctional Services Programs between 1996–97 and 1999–2000. Within the Victorian prison system there has been a three-pronged approach to the management of prisoners with drug-related offences incorporating detection, deterrence and treatment including education. The results have been encouraging.

Urinalysis in community corrections allows the regular monitoring of the drug-taking behaviours of offenders on parole or on community based orders. Turning the Tide funding has been provided to purchase urinalysis services from an accredited pathology service and 21,361 tests were conducted in the 1998–99 financial year. The results of the urinalysis confirm that many offenders have well-established problems of drug use by the time they are placed by the courts on a Community Based Order. The testing also confirms that drug use is a chronically relapsing condition and offenders may need to be encouraged to attend drug treatment programs on several occasions before they are able to successfully manage their drug use.

The level of illicit drug usage in prisons across the State is monitored through random drug tests of prisoners. Based on sampling of 5 per cent of the prison population each month, the rate of prisoners returning positive test results has reduced from 6.3 per cent during 1997–98 to 4.8 per cent during 1998–99.

The prison system now has 108 intensive drug treatment places in addition to various other functioning drug-related education programs. These programs are being fully evaluated to identify the most successful approaches where continued or additional investment might be warranted.



*Drug counselling – Metropolitan Women's Correctional Centre.*

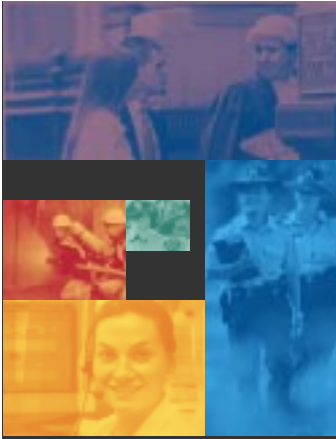
### Deaths in custody

Harm minimisation strategies were extensively reviewed during 1998–99.

An independent task force, headed by Mr Peter Kirby, was commissioned to examine the events surrounding all the attempted suicides and deaths in custody that occurred from August 1997 to September 1998. The task force report *Review of Suicides and Self-Harm in Victorian Prisons* was tabled in the Victorian Parliament in May 1999 and has resulted in a number of changes to prisoner reception and assessment processes, the case management of prisoners across the system, and the management of information between health professionals and correctional services staff concerning 'at risk' prisoners.

Action commenced by 30 June 1999 included:

- the establishment of a high level Corrections Health Board;
- a total of \$1.5 million allocated in the 1999–2000 Department of Justice Budget for the creation of an additional ten beds to manage prisoners with acute psychiatric needs; and
- some \$650,000 allocated in 1998–99 to prison providers to augment their suicide and self-harm prevention initiatives.



All prisoner deaths are subject to investigation by the Victorian State Coroner. There were 9 prisoner deaths in 1998–99, compared with 13 in 1997–98 and 8 of the deaths were from other than apparent natural causes. In June 1999 the Coroner commenced a specific investigation of five deaths by suicide at the Port Phillip Prison which may well result in further reforms to help minimise the incidence of self harm in custody.

#### **Statistical Profile of the Victorian Prison System**

*A Statistical Profile of the Victorian Prison System* was released by the Correctional Services Commissioner in May 1999. The publication contains comprehensive information on prisoner numbers by classification and location and system performance, for the years 1995–96 to 1997–98. This is the first issue of what is intended to be a regular annual publication.

#### **Comparative Performance**

##### **Performance against 1998–99 Budget estimates**

Analysis of the variances between Budget estimates and actual output service levels achieved in Correctional Services Group indicate that:

- whilst the overall growth in prisoner numbers was forecast and accommodated with temporary capacity arrangements, the breakdown by prisoner classification was not accurately estimated in terms of designed prison capacity;
- relatively minor variances on prison service quality measures reflect the impact of high occupancy levels and attendant difficulties of meeting appropriate prisoner separation; and other prisoner management requirements; and
- there were no significant variations in estimated versus actual performance in community corrections.

Full details of Correctional Services output performance against Budget targets with additional notes on significant variances are included in appendix C.

##### **Performance against interjurisdictional comparisons**

National Corrections Advisory Group data indicate that:

- Victoria's imprisonment rate is the lowest of the mainland States at 79 per 100,000 adult population compared to the national average of 139; and
- cost per prisoner, including education and health costs, is \$130 per day which is the second lowest cost of all jurisdictions and lower than the national average of \$140, yet Victoria performs favourably with other States on all key comparative service quality and effectiveness indicators for both prison service and community corrections.

## Output Group: Community Safety

### STRATEGIC DIRECTION

The aim of this group is to increase public safety and protection for individuals and property by reducing the actual incidence of crime and other emergency situations, and by limiting the levels of trauma suffered and damage to property caused as a result of situations that do occur.

The overarching goal of 'people feeling safe in their day-to-day lives' has many strategic dimensions across the whole of government, not the least of which are crime prevention and readiness for fire and other emergencies. The three priorities of this output group are 'prevention', 'risk management' and the 'building of associated partnerships with and capacity in the community'.



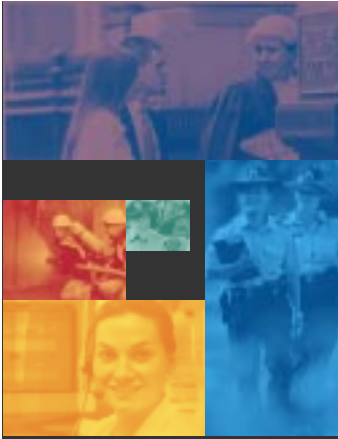
SERVICES PROVIDED

- Policy development and the coordination of services provided by the statutory authorities that are under the auspices of the Minister for Police and Emergency Services.
- Administration of mechanisms through which community-based crime prevention initiatives are stimulated, and operational funding support is provided to the State's fire and emergency services organisations.
- Executive support, policy development and research for the Minister for Police and Emergency Services in his role as Coordinator-in-Chief of Emergency Management and Chairman of the Victorian Emergency Management Council.
- Development of telecommunications for the emergency services and, through a contract with a private sector provider, the operation of computer-aided call-taking and dispatch functions for Victoria Police, the fire services, the ambulance service and the Victoria State Emergency Services.

Safer Cities and Shires:  
Students from St Joseph's  
Primary School paint kerbing  
near the school.  
(Photo compliments of the  
Warrnambool Standard)

DEPARTMENT OF JUSTICE *annual report*

1998-99



## MAJOR ACHIEVEMENTS

### Community safety and crime prevention partnerships

VicSafe has been the Government's umbrella strategy for building partnerships between the Department of Justice, Victoria Police, other government departments, local councils, community agencies and the private sector to improve safety and prevent crime. Major continuing program elements and achievements have included:

- Victoria Police's Local Priority Policing program, in which a new statewide regional management model has been established to ensure closer operational links with other agencies and local government, ensuring that the community can influence policing decisions which may impact on matters of specific local concern; and
- the Safer Cities and Shires program, whereby the Department of Justice directly encourages and assists municipal councils to develop and implement community safety plans. Since the launch of the program in September 1997, 20 councils have received seed funding to establish management teams (with representatives from local government, police and the departments of Justice, Human Services and Education) and have commenced community safety planning and consultation with their local communities to determine priority issues for action.

Other VicSafe initiatives continued in 1998-99 included:

- twenty Student Action Teams were managed by the Department of Education and funded by VicSafe to provide opportunities for secondary students to work with local government, teachers and community groups to investigate, identify and implement strategies for promoting safer communities;
- the VicSafe Crime Prevention Bursaries program provides opportunities for crime prevention officers, police, and employees of State and local government with an interest in



*Partnerships against crime.*

- crime prevention to undertake crime prevention training. Forty-two people participated in the program;
- the VicSafe Community Safety and Crime Prevention Awards reward exemplary and innovative best practice in community safety and crime prevention and encourage initiatives which effectively reduce crime in our community. The Gold Award recognised the work of the Melbourne Safe City Licensees' Accord in addressing anti-social behaviour, violence and inappropriate security practices in the management of licensed premises;
- the START Role Model and Small Grants program provided further opportunities to minimise the potential for offending and other anti-social behaviour by encouraging involvement in active sport and recreational activities. The program utilises leading sports men and women to provide positive role models for young people and develops local relationships between young people and police; and
- funding provided by the Commonwealth and the Department of Human Services totalling \$1,026,800 was disbursed through the Victorian Law Enforcement Drug Fund. It seeded a wide range of significant programs proposed by justice and community agencies aimed at reducing drug- and alcohol-related crime within a harm minimisation and partnership framework.



Safer Cities and Shires: Senior Sergeant Ian Armstrong with students from Warrnambool College and Emmanuel College discuss a new alcohol campaign targeting young drinkers. (Photo compliments of the Warrnambool Standard)

#### **National Motor Vehicle Theft Reduction Council**

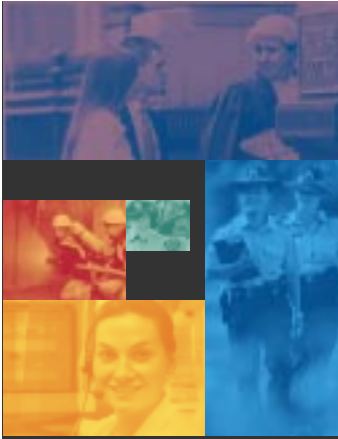
The National Task Force established to develop coordinated approaches to reduce motor vehicle theft submitted its final report in September 1997 and its recommendations were agreed by all Lead Ministers of the National Anti-Crime Strategy. Central to proposed implementation strategies was the establishment of a National Motor Vehicle Theft Reduction Council to oversee the implementation of the report's 41 recommendations. Victoria is hosting the Council which commenced operations in February 1999. The Council has attracted a financial contribution of \$4.7 million shared proportionately between all State and Territory governments and a matching \$4.7 million from the insurance industry to fund its work over a five-year period. Specific proposals for action include:

- improving national information exchange;
- improving identification of motor vehicles and their parts;

- enhancing police and insurance investigation;
- applying effective security to new and existing vehicles;
- identifying and addressing factors which lead young people into offending lifestyles; and
- promoting security practices to the motoring public.

#### **Crime victimisation survey**

A further crime victimisation survey sponsored by the Department of Justice was conducted during the third quarter of 1998–99. These biennial surveys obtain information about sample individuals' perceptions of whether they have been the victim of an offence in the past year. Such surveys are an important adjunct to recorded crime statistics in that they identify offences that have a low reporting level (such as family violence or sexual assault), why people do not report offences, and the comparative incidence of unreported crime in different areas. The findings are currently under analysis.



## MAJOR ACHIEVEMENTS

### Emergency Services telecommunications

The Department of Justice's Bureau of Emergency Services Telecommunications (BEST) has achieved outstanding results in promoting cooperation between emergency organisations to establish an integrated computer-aided call-taking and dispatch system. BEST has also played a major role in charting future possibilities with respect to other leading-edge technologies such as a mobile data network, Personal Alerting Systems (to aid the turnout of volunteers), Automatic Vehicle Location (to enhance the management of resources in the field) and Digital Trunked Radio services (to replace the current ageing radio systems infrastructure). BEST has also been active in addressing other key telecommunications issues such as the future of replacement of Telecom's 000 emergency service line with Direct Call-Taking and the use of VicMap for digital data mining and management information.

The individual strands of this research and development work are being drawn together in the development of a Statewide Integrated Public Safety Communication Strategy (SIPSCS), and a detailed needs analysis of the current and future communications requirements of Victoria's Public Safety Organisations will be undertaken. Registrations of interest for the SIPSCS Phase 1 consultancy brief which closed on 22 June 1999 are currently being considered.

### CFA community support facilitators

The Community Support Facilitators program was established in 1997-98 to enhance volunteer recruitment and community awareness of fire prevention and risk management, and to address the growth in the demands on the Country Fire Authority's services to Melbourne's outer metropolitan areas. Further investment in the provision of community support facilitators was made in 1998-99.

Evaluations of the first full year of the program indicate there has been:

- significant progress towards a community outcomes focus for brigade activities and increased viability of the 26 participating volunteer brigades;
- widespread support for the concept of community support plans with significant increases in the number of hazard management plans developed and the number of community safety programs delivered; and
- continuous widespread improvements achieved in brigade performance.

Achievement highlights directly attributable to the program include:

- 360 groups involved in the Bushfire Blitz, and Community Fireguard community preparation campaigns;
- the preparation of 799 operational response plans;
- emergency management and safety planning delivered for 324 premises; and
- 157 relationships developed via community networks, inter-agency liaison and committees.

### MFESB Community Safety Model and emergency medical response

Key initiatives of the Metropolitan Fire and Emergency Services Board (MFESB) for 1998-99 included the adoption of a Community Safety Model across the Metropolitan Fire District to more effectively utilise firefighter discretionary time, and the piloting of a First Responder program to use MFESB resources in time critical medical emergencies in support of the Metropolitan Ambulance Service (MAS).

Implementation of the Community Safety Model has been reliant on acceptance of an enterprise bargaining agreement which was finalised in May 1999. The organisation is now in a position to progressively implement the program. Examples of prevention and preparedness activities that have been identified and developed include evacuation and emergency procedures and safety audits of facilities used by community agencies, the inspection of high-risk buildings and industrial facilities, and the

provision of community hazard removal and poisons collections. The Community Safety Model also incorporates more general community awareness and education programs including Fire Ed (focusing on primary grade children), Retire Ed (taught by retired firefighters to their peers) and FLAMES (part of a program for new migrants).

The emergency medical response partnership concept is increasingly recognised as a key element of world's best practice emergency medical services. Under a continuing pilot study, MFESB firefighters in the south-eastern zone have been trained and equipped to deal with cardiac arrest and are regularly responding to such time-critical emergencies in support of the MAS. Analysis of the pilot study was completed by the Monash University Epidemiology Department (Professor John McNeil) and the recommendations of the Ministerial Steering Committee chaired by Professor McNeil on the future expansion of the program are to go to government for consideration.

#### **VicSES Risk Management and Rescue Services**

Victoria State Emergency Service (VicSES) carries primary responsibility for auditing the emergency management plans that municipal councils are legislatively required to develop and maintain. The inclusion of a 'risk management' approach to municipal emergency management planning is on target with all municipalities having been formally introduced to the concept. Many municipalities have already amended their plans and the audit process in VicSES has been streamlined to facilitate completion of biennial audits by the end of 1999.

A major rescue and response operation was mounted by VicSES in response to a request from the NSWSES for assistance with storm damage and flood clean-up operations in Sydney during April 1999. This large multi-agency operation visibly confirmed the effectiveness of VicSES Operational Management System and the professionalism of Victorian staff and volunteers. The VicSES

contribution earned considerable praise from the NSW police and other agencies.

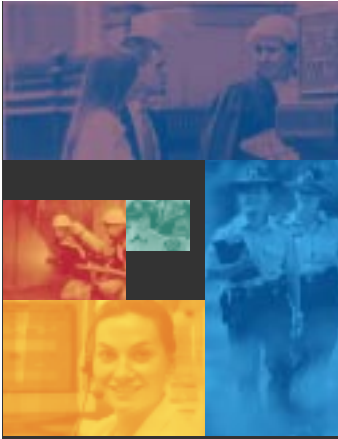
#### **Review of emergency management arrangements**

Following the 1998 gas crisis, Victoria's emergency management arrangements were thoroughly reviewed to ensure that the lessons of Longford were reflected in those arrangements. The review was undertaken by the Department of Justice with significant input from the Department of Human Services. The Government has approved the implementation of the broad recommendations of the review.

#### **Y2K emergency management preparations**

Strategy preparations for managing the possible impacts on the community as a result of Year 2000 (Y2K) related disruptions to essential services have been led by the Department of Justice in tandem with emergency management agencies with a focus on:

- Y2K management issues;
- emergency management system preparedness;
- community awareness; and
- integration of Department and agency contingency plans.



## MAJOR ACHIEVEMENTS

### Comparative Performance

#### Performance against 1998–99 Budget estimates

Variances between Budget targets and actual performance for the Community Safety group of outputs were within normal 'demand-driven' ranges and largely reflect changes in Ministerial policy implementation priorities. Full details of the output performance with additional notes on significant variances and the associated services delivered by the Victoria Police are included in appendix C.

#### Performance against interjurisdictional comparisons

No specific interjurisdictional performance benchmarks are available for the policy development and administrative coordination outputs in this group. However the overall effectiveness of Victoria's Community Safety system, including the performance of law enforcement and emergency services agencies, is reflected in the performance data for comparative analysis that are collated for and reported on annually by the Council of Australian Government (COAG).

Victoria consistently achieves the status of the 'Safest State' as measured by the key indicators of the overall crime rate and levels of road trauma, and, on emerging data, is also a leader in fire prevention and suppression service efficiency and effectiveness.

Specifically, the 1999 COAG report indicated that the overall crime rate in Victoria in 1998–99 was some 23 per cent less than the national average, with the lowest incidence of reported crimes against the person and below the national average in 11 of the 12 categories of crime victimisation surveyed annually by the Australian Bureau of Statistics. However, Victorians generally 'feel' no safer than their interstate counterparts and the proportion of Victorian's feeling 'unsafe or very unsafe' remains significant at around 40 per cent.

Victoria Police uses the extensive range of efficiency and effectiveness indicators that have been developed on the basis of national consensus, through the processes established by the Productivity Commission and with the involvement of the Australasian Centre for Policing Research. In addition, the Police Board also conducts annual community satisfaction surveys on a national basis. Victoria Police's performance against these indicators has been consistently equal to or above the national average and, in many instances, is the national leader. For example:

- Victorians and South Australians are the most satisfied with their policing services;
- Victorians are the most satisfied of all jurisdictions with recent police contacts;
- Victoria performed at or above the national average for finalisation of investigations; and
- Victoria performs better than the national average for road safety indicators.

The data indicate that these comparative performance levels are achieved in Victoria with an expenditure on policing services that is below the national average.

Similarly the MFESB consistently meets or exceeds its international best practice benchmark targets by:

- responding to every call for assistance within eight minutes on an average of 90 per cent of occasions (1998–99 actual performance was 7.5 minutes); and
- containing 85 per cent of structural fires attended to the object or room of origin (1998–99 actual performance was 90.9 per cent).

# Corporate Initiatives



## STRATEGIC DIRECTION

Providing critical corporate services assists in achieving the Department's policy and program outcomes, and promoting an environment built upon excellence.

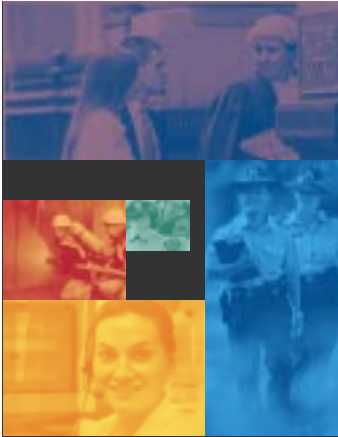
There is a range of programs and activities that operate across the entire Department and, in some cases, across the Justice Portfolio. These programs and activities are instrumental to achieving key departmental outputs as they integrate and coordinate the activities occurring in separate areas of the Department. These programs provide a technological platform and physical environment to facilitate service delivery. They also provide an environment and mechanisms for change to replace or streamline existing practices in response to changing government and community expectations.

- Business, budget, corporate and strategic planning.
- Business improvement and business excellence strategies.
- Facilities planning.
- Human resource management.
- Information services and systems.
- Ministerial services and portfolio coordination.

*Construction of the new Children's Court in Little Lonsdale Street was progressing well in June 1999.*

DEPARTMENT OF JUSTICE *annual report*

1998-99



## MAJOR ACHIEVEMENTS

### Departmental restructure

The Department's structure was reviewed by the Secretary during the first part of the financial year. New management and organisational arrangements were established from 1 March 1999.

The objective of the restructure was to improve the Department's capacity to respond to identified, rapidly changing external demands. The new arrangements give greater clarity to roles and functions, facilitate a stronger sense of collaboration with our key stakeholders, and promote a greater understanding of, and involvement in, decision making across the Portfolio.

A five-tiered management committee structure has been established to provide effective coordination of our business at all levels of management. Reporting relationships have been streamlined, related activities have been better linked, and accountabilities have been strengthened to enable decision making to be devolved through the organisation.

The structure has been designed around the three core delivery areas:

- Justice Operations (police, fire, emergency services, corrections);
- Legal (courts, tribunals, enforcement management); and
- Fair Trading and Equity (fair trading, public advocacy, equal opportunity, women's affairs).

The three core delivery areas are supported by four key support service activities:

- Corporate Services;
- Portfolio Planning;
- Business Excellence; and
- Executive Services.

The changes have helped advance a culture of excellence and innovation in leadership, and have promoted more effective cross-portfolio dialogue, consultation and information sharing.

### Portfolio Planning

Enhanced portfolio planning arrangements were established to promote cross-portfolio policy and planning discussion to ensure that the Department has a clear view of its future directions that is fully communicated to staff and clients, it is responding effectively to government priorities, and it is strategically positioning itself to deal with current and future challenges.

Significant steps have been taken to develop a 'whole of Justice' perspective to strategic issues, backed by a stronger research and statistical analysis capacity. Corporate planning processes are being extensively redeveloped with a more robust focus on measurable outcomes, and leadership strategies to drive internal business planning and influencing strategies with other contributors. A strategic information infrastructure is also being constructed to enable Ministers and executive management to monitor the overall operation and performance of the justice system.

### Business Excellence

Business Excellence is an overarching activity to promote major change management across the Department. Its first priority initiative is to assist in building and sustaining superior organisation performance within a customer-driven and quality-based culture of continual improvement. To this end the Department launched its Business Excellence initiative in March 1999. The Australian Business Excellence Framework was selected as the framework against which organisational performance would be assessed by teams comprising staff.

After a Department-wide self-assessment process, 10 projects were identified as critical to improve the overall performance of the Department. In addition to these corporate-wide projects, business units have commenced a program of individual self-assessment. The various corporate-wide and business unit projects will provide the basis on which the cycle of continual improvement operates.



Staff of the Office of Women's Affairs receive a Partnership Award from the Secretary.

A major challenge in achieving business excellence is to strengthen the development of networks and systems to facilitate effective management and rapid exchange of knowledge, including benchmarking and best practice information, with internal and external groups.

A second key initiative of the Business Excellence Unit is project management of the Criminal Justice Enhancement Program. The program aims to achieve cost, quality and time improvements across the criminal justice system. During 1998-99 five key improvement projects were developed:

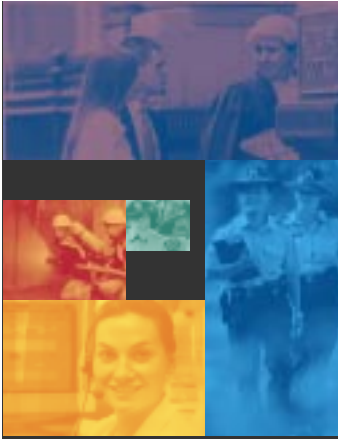
- The Accused Management Project redesigns what information is collected, stored and shared about accused persons across the criminal justice system. The information includes identifiers which are unique to the person (including biometric data); a person's prior criminal record, current sentences and orders; the location of the reporting centre (if the person is on a Community Based Order); and any special management information about the person;
- The Electronic Brief/Disclosure Project enables the police brief and the prosecutor's brief to be provided electronically to the

defendant's legal representatives. This will disclose the case against the defendant at an early stage, and may enable key decisions by the defendant to be made earlier;

- The Case Flow Improvement (Magistrates' Court) Project is aimed at improving the flow of cases through the court by enhanced case listing practices and by developing integrated diversion programs;
- The Case and List Management (County Court) Project is aimed at improving judicial supervision, especially of more complex cases in the County Court; and
- The Justice Knowledge Bank/Exchange Project is a systems development initiative. It is aimed at building the infrastructure to interface with existing legal information systems to enable the sharing of criminal justice information between agreed users.

#### **Accrual accounting**

Accrual accounting was introduced during the year to enable the full cost of services to be understood and brought to account. It will enable program outputs to be better monitored and will assist in resource allocation decisions in the Portfolio.



## MAJOR ACHIEVEMENTS

In the past, while some accrual accounting concepts were applied to end of year annual reporting, cash accounting was the predominant methodology. The financial statements contained in this annual report are based on accrual accounting practices.

The introduction of full accrual accounting required a major upgrade of the Department's financial management system and a complete overhaul of its chart of accounts.

### People Management Strategy

The Department recognises that a key asset is its staff, and the skills and experience they bring to the Department's business. The People Management Strategy actively promotes consultation with staff, rewards staff for high performance and special achievements, and provides for the future skill needs of the Department.

The strategies adopted to build an effective partnership between the Department and its staff included:

- implementation of a Staff Consultative Network. The network is used as an agreed set of processes to promote staff consultation on a range of issues which impact upon staff while working in the Department. The network components involve regular business unit staff consultative processes and the establishment of special issue reference groups to contribute to the development of new policy initiatives. All forums report back to the Departmental Management Committee;
- improvements to the Performance Management System. The system was reviewed again during 1998–99, after having been implemented in 1994, as part of the Department's commitment to continual improvement of its systems and processes. After extensive staff consultation a number of changes have been implemented aimed at improving how performance management

- operates in the Department; and
- introduction of a new Rewards and Recognition Program. This program was introduced during the year and operates independently of the Performance Management System. Known as the Partnership Awards Program, it is designed to reward staff who make a significant contribution to the 'partnership' approach in the way they do their job, either individually or as part of a team. Eighteen awards were made to 61 people, either staff as individuals or as members of teams. The program also recognises the work of people who are not employees of the Department but who work in a departmental program or activity on a voluntary basis.

### Executive leadership and management development

A key departmental priority is to maximise the skills and potential of staff to ensure the Department is well positioned to meet both the work needs of today and the future. Analysis of the workforce of both the Department and the Victorian Public Service indicates that in the next five to 10 years there will be a major loss of experience and skills as the 'baby boomer' generation retires. The Department's response is a comprehensive strategy which will develop existing senior and middle managers, and identify those staff with potential to move up to more senior levels in the organisation.

The initial critical components of the strategy have been put in place. The first element was to consult widely with executive and non-executive staff across the Department to identify key leadership competencies.

A subsequent activity has been to undertake a series of assessments of executive staff against the competencies. The assessments are undertaken on a 360-degree basis, with each executive being assessed not only by their manager, but by staff who report to the person and by peers. These assessments are in the process of being implemented. The results will

be confidential to individual executives and will be used as input to their development plans.

It is recognised that to be effective in the longer term the leadership and management development strategy will not only need to be integrated into existing people management systems, such as performance management, but it will also require recruitment to be targeted against the agreed competency set. While there is a strong focus on developing existing staff resources, the agreed competency set will enable us to target recruitment to meet the emerging needs of the Department.

#### **A safe and healthy work environment**

A safe and healthy working environment is provided for in the Department through the occupational health and safety (OH&S) program and a package of flexible working arrangements.

An important feature of the OH&S program during the year was the introduction of a range of referral services, resources, and targeted training and awareness initiatives. Office ergonomics was given greater importance, with increasing numbers attending training, and/or accessing information in relation to the subject. Under the umbrella of the Department's Employee Assistance Program (EAP), information on drugs, childcare, carers and bereavement kits were also made available and publicised through the HRM Newsletter *People at Justice*.

Flexible working hours arrangements ensure that each employees is given maximum assistance in balancing their work and personal lives. The wide diversity of arrangements available enable the different needs of individual employees to be accommodated. The options available include variable working arrangements, job sharing, telecommuting and flexible leave.

#### **Technology and infrastructure**

Advancements in the Department's technology and infrastructure base will provide not only new types of facilities to better support how we carry out our business, but will enable us to redesign our business processes to provide a better service to the community. Consequently, there is a growing interdependence between technology and infrastructure, business and people management within the Department. It is likely that this convergence of people, technology and processes will strengthen in coming years.

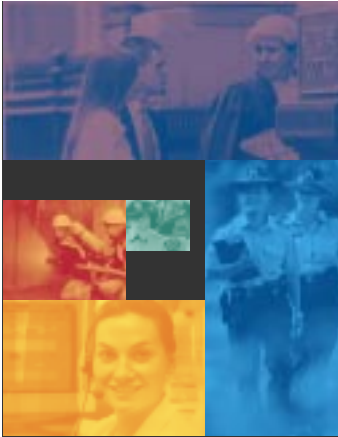
#### **Global Victoria Strategy**

This whole of Victorian Government strategy requires all Government agencies to rethink how they do business, and to use the opportunities that technology provides for enhanced service and information delivery. Two of the key objectives of the Global Victoria Strategy are to improve customer services and provide wider access to government services.

The Department is committed to meeting these objectives and, during the year in review, identified which services should be available online and the timetable for these services to be moved to the online environment. Current online services include:

- transactions now available from the Registry of Births, Deaths and Marriages;
- court transcripts, along with facilities for their purchase;
- a range of forms used by members of the public in dealings with the Department; and
- key publications providing information on rights and services.

In 1999-2000, the Department will expand the range of services available online and will provide information in areas ranging from legal policy, dispute settlement procedures, contacts for prison locations, to Year 2000 emergency management information. Planning is also under way for the development of community customer-focused sites, or Internet 'channels' around the themes of 'Community Safety' and 'Legal'.



## MAJOR ACHIEVEMENTS

### Y2K remediation

Overall direction to the Justice Portfolio's Year 2000 (Y2K) remediation program was provided by a steering committee chaired by the Secretary and attended by chief executives of portfolio agencies. The steering committee was supported by a Y2K Project Group established within the Department, and by Y2K coordinators in each of the Department's business units and Portfolio agencies.

The Y2K program was a resource-intensive exercise that required input from all parts of the Portfolio. It involved reviewing, testing and remediating critical business systems to ensure sustainability of Portfolio programs and services into the new millennium. A business systems review included computer systems, building support systems, telecommunications and a range of equipment containing embedded chips. Key external suppliers were also contacted to seek assurances about their ability to continue to supply goods and services to the Portfolio after 1 January 2000.

Extensive audits of the Portfolio Y2K program, using both internal and external auditors, confirmed the effectiveness of the Y2K remediation and testing processes. The Department utilised the Australasian Standard SAA/SNZMP77:98:A Definition of Year 2000



conformity requirement to assess the compliance with the business processes.

In addition to testing and remediation of critical processes, all departmental business units and portfolio agencies developed contingency plans to ensure continuity of business in the event of any systems failure. Transition plans for the initial days of the new millennium were also developed.

### Energy management

In 1998-99, the Department continued its successful energy management program. As a result, energy costs have fallen by 12 per cent, actual energy consumption has fallen by 6.8 per cent and greenhouse gas emissions have reduced by 1056 tonnes of CO<sub>2</sub>.

The highlight of the year was winning the 1999 Energy Smart Award for Best Government Agency, reinforcing the Department's position as an energy management leader in the Victorian Government.

Most energy management activities were undertaken in the larger prisons and courts and concerned the implementation of works with a return on investment of less than three years. Some examples of the various works completed during the year are:

- conversion of Ararat Prison to natural gas from LPG;
- installation of direct digital plant controls at Barwon and Loddon prisons; and
- installation of occupancy sensors and daylight controls at the Coronial Services Centre.

### Information technology facilities and systems

Throughout the year in review, a range of projects occurred which added significantly to the Department's information technology infrastructure. These included:

- the Data Improvement Project which provided for data sharing between police, courts and corrections;
- case management systems for tribunals, the Assets Confiscation Office and the Office of the Public Advocate;

- a new licensing system for the Office of Fair Trading and Business Affairs;
- video-conferencing extended across court and prison sites; and
- a computer-aided despatch system fully implemented for police, the fire services, emergency services and ambulance services.

#### **Infrastructure investment**

Infrastructure investment is a key component in ensuring achievement of corporate and Portfolio objectives. The asset renewal and maintenance programs are coordinated by the Department with primary involvement from Portfolio agencies and the courts. During 1998–99, the Department’s assets strategy and annual investment program included:

- development of major projects, including the Children’s Court relocation, as well as the Ballarat and Sunshine police and court complexes;
- upgrading of various court facilities (Bendigo, Supreme and County Court upgrades) and public sector prisons (through a program of security and building system upgrades at Barwon, Beechworth, Bendigo, Loddon and Melbourne Assessment prisons);
- rationalising assets as part of the overall asset management strategy; and
- managing facility utilisation and performance through the annual maintenance program.