

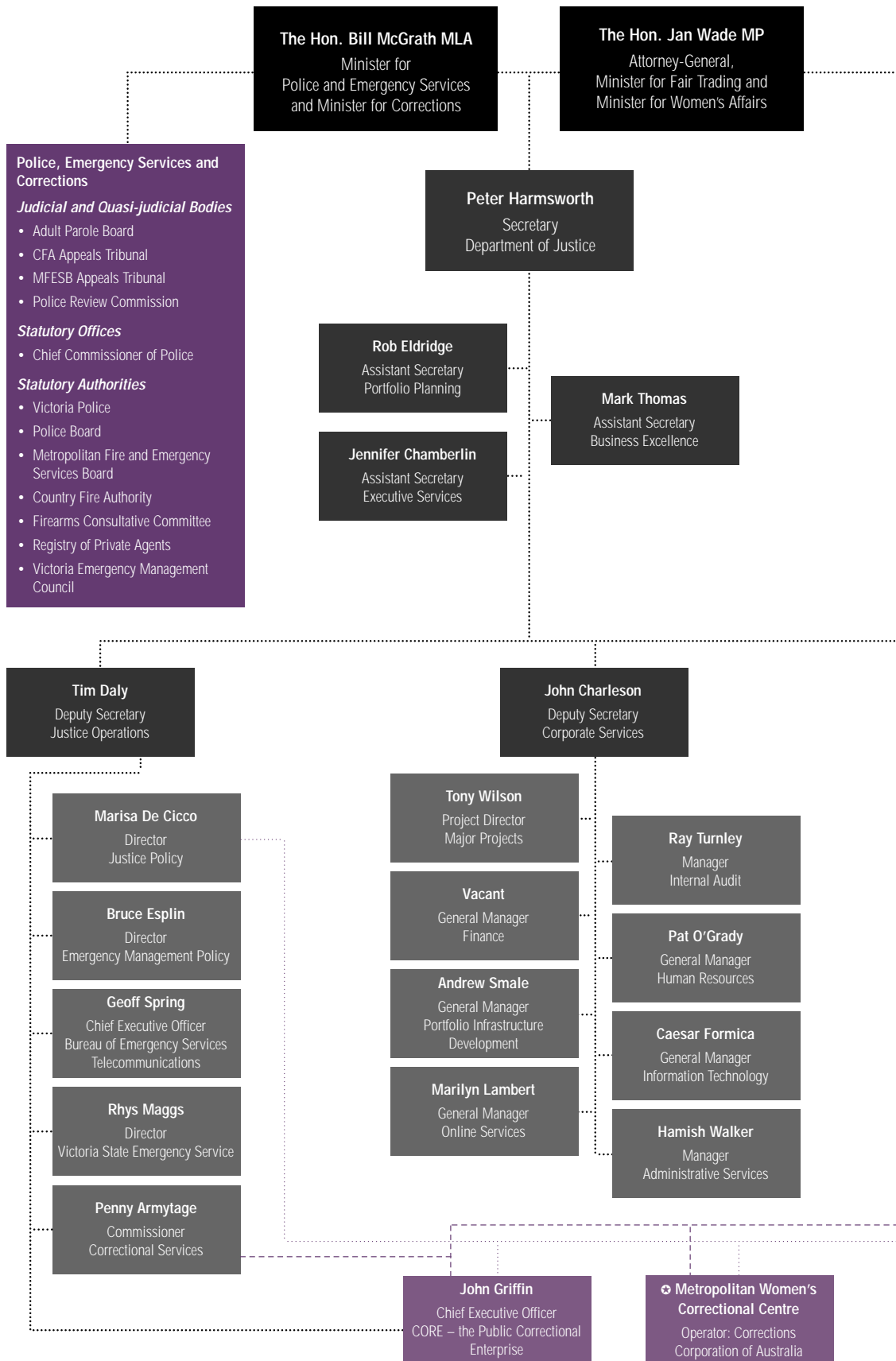
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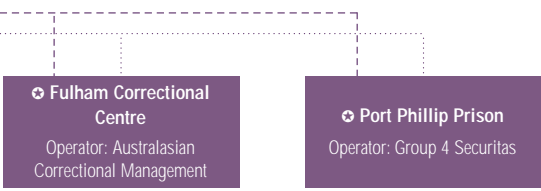
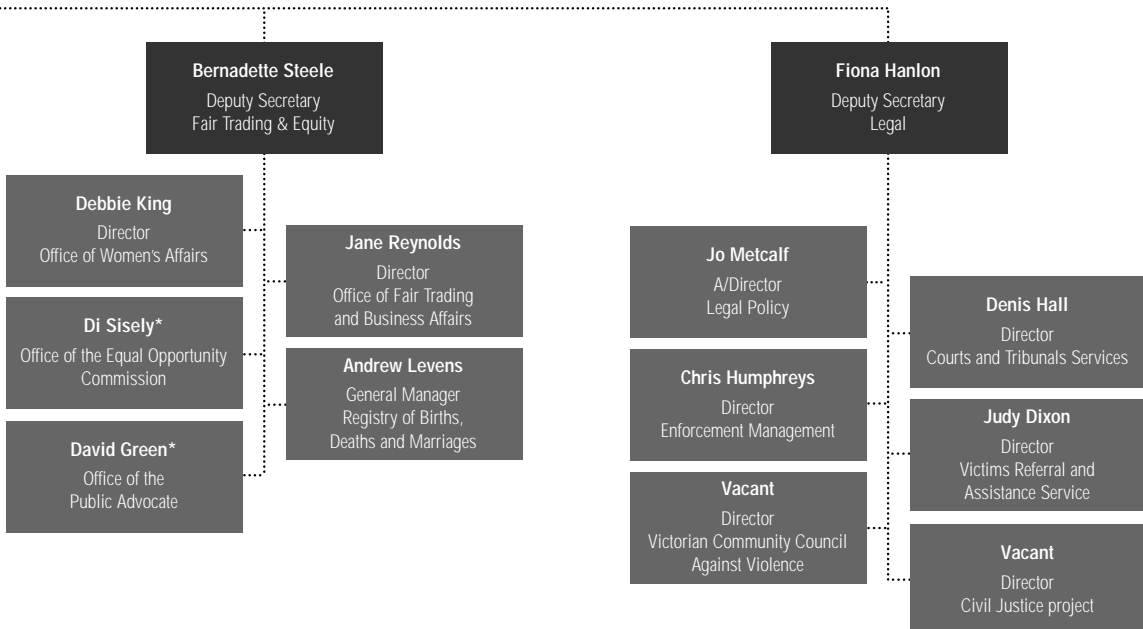
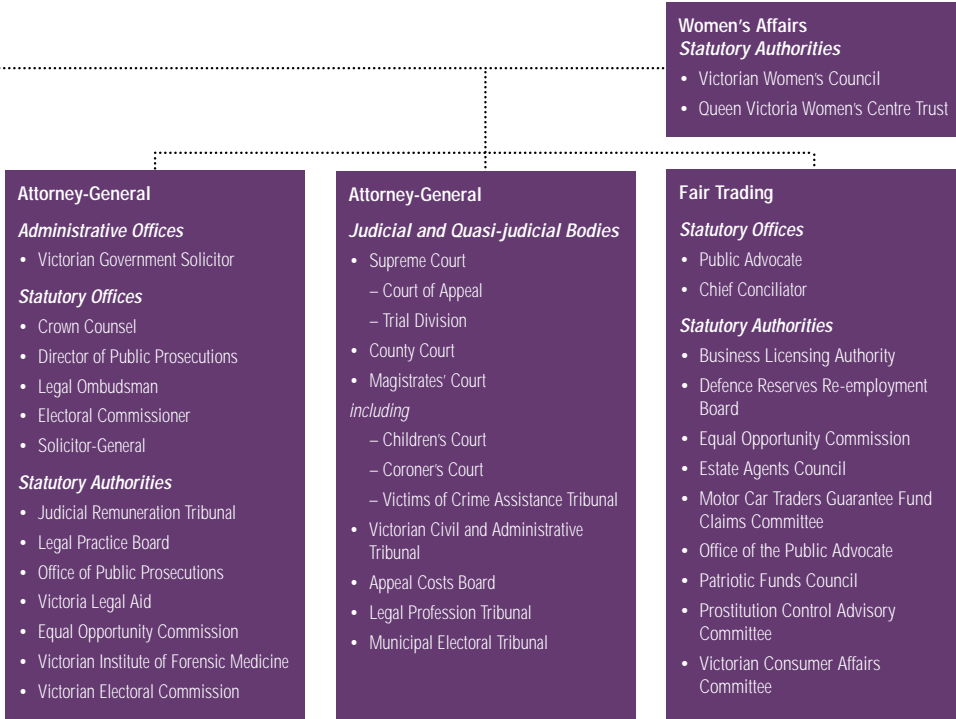
DEPARTMENT OF JUSTICE *annual report* SUPPLEMENTARY INFORMATION



Appendix A: Organisation Chart (as at 30 June 1999)

(includes auspiced agencies)





*This role is separate from that as an independent statutory office holder.

Private Prison



Appendix B: Legislative Responsibilities

B1: Acts Administered by the Justice Portfolio

A. Attorney-General's Portfolio

Accident Compensation Act 1985, Division 1 of Part 3 and sections 99AA, 99AB, 99AC, 99AD (the remaining provisions are administered by the Minister for Finance and the Treasurer)

Acts Enumeration and Revision Act 1958

Administration and Probate Act 1958

Administrative Law Act 1978

Adoption Act 1984 (jointly and separately administered with the Minister for Youth and Community Services)

Age of Majority Act 1977

Alcoholics and Drug-dependent Persons Act 1968, sections 11, 14 and 15 (remaining provisions are administered by the Minister for Health)

Appeal Costs Act 1998

Attorney-General and Solicitor-General Act 1972

Bail Act 1977

Benefit Associations Act 1958

Births, Deaths and Marriages Registration Act 1996

Charities Act 1978

Children and Young Persons Act 1989 (jointly and separately administered with the Minister for Youth and Community Services)

Choice of Law (Limitation Periods) Act 1993

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

Commercial Arbitration Act 1984

Commonwealth Places (Administration of Laws) Act 1970

Commonwealth Powers (Family Law – Children) Act 1986

Confiscation Act 1997

Constitution (Supreme Court) Act 1989

Constitution Act 1975, Part 3 (the remaining provisions are administered by the Premier)

Constitutional Powers (Coastal Waters) Act 1980

Constitutional Powers (Request) Act 1980

Coroner's Act 1985

Council of Law Reporting in Victoria Act 1967

County Court Act 1958

Court Security Act 1980

Courts (Case Transfer) Act 1991

Crimes (Criminal Trials) Act 1999

Crimes (Family Violence) Act 1987

Crimes (Mental Impairment and Unfitness to be Tried) Act 1997, except sections 48–55, 58, 60–63(1), 64–73 which are jointly administered with the Minister for Health and the Minister for Youth and Community Services)

Crimes (Offences at Sea) Act 1978

Crimes Act 1958

Crown Proceedings Act 1958

Cul-de-sac Applications Act 1965 (except insofar as it relates to the management of the Office of the Registrar-General and the Land Titles Office (this part of the Act is administered by the Minister for Conservation and Land Management))

Domestic Building Contracts Act 1995 Part 5 (the remaining provisions are administered by the Minister for Fair Trading)

Domicile Act 1978

Electoral Boundaries Commission Act 1982

Equal Opportunity Act 1995

Evidence (Commissions) Act 1982

Evidence Act 1958

Fences Act 1968, excluding section 19 (this provision is administered by the Minister for Conservation and Land Management)

Foreign Judgements Act 1962

Freedom of Information Act 1982

Guardianship and Administration Board Act 1986

Housing Act 1983, Part 6 (the remaining provisions are administered by the Minister for Housing)

Imperial Acts Application Act 1980

Imprisonment of Fraudulent Debtors Act 1958

Instruments Act 1958 except insofar as it relates to the management of the Office of the Registrar-General and the Land Titles Office (this part of the Act is administered by the Minister for Conservation and Land Management)

Interpretation of Legislation Act 1984
 Judgment Debt Recovery Act 1984
 Judicial Proceedings Reports Act 1958
 Judicial Remuneration Tribunal Act 1995
 Juries Act 1967
 Jurisdiction of Courts (Cross-Vesting) Act 1987
 Land Act 1958, sections 22C to 22E (the remaining provisions are administered by the Minister for Conservation and Land Management, the Minister for Corrections and the Minister for Finance and the Minister for Health)
 Land Acquisition and Compensation Act 1986
 Legal Aid Act 1978
 Legal Practice Act 1996
 Leo Cussen Institute Act 1972
 Limitation of Actions Act 1958
 Listening Devices Act 1969
 Local Government Act 1989, sections 44–46, 48–49; section 243 insofar as it relates to municipal electoral tribunals; Schedule 4 excluding clause 1(b) (the Act is otherwise administered by the Minister for Planning and Local Government or the Minister for Roads and Ports)
 Magistrates' Court Act 1989
 Maintenance Act 1965
 Marriage Act 1958
 Penalty Interest Rates Act 1983
 Perpetuities and Accumulations Act 1968
 Printers and Newspapers (Repeal) Act 1998
 Property Law Act 1958 except insofar as it relates to the management of the Office of the Registrar-General and the Land Titles Office (this part of the Act is administered by the Minister for Conservation and Land Management)
 Public Prosecutions Act 1994
 Religious Successory and Charitable Trusts Act 1958
 Residential Tenancies Act 1997 (sections 440–446, 447(2)–474(1), 474(3)–485. The Act is otherwise administered by the Minister for Fair Trading, the Minister for Housing and the Minister for Planning and Local Government). (Note: Act effective 1 July 1998, replacing the Residential Tenancies Act 1980, the Rooming Act 1990 and the Caravan Parks and Movable Dwellings Act 1988)
 Senate Elections Act 1958
 Sentencing Act 1991, Part 3 (subdivision 4 of Division 2 and Division 6 of Part 3 are jointly administered by the Attorney-General and the Minister for Youth and Community Services; (Division 3 of Part 3 of the Act is jointly administered by the Attorney-General and the Minister for Corrections)
 Settled Land Act 1958
 Small Claims Act 1973
 St Andrew's Foundation Act 1997
 Status of Children Act 1974
 Statute Law Revision Act 1995
 Summary Offences Act 1966
 Supreme Court Act 1986
 Surveillance Devices Act 1999
 Telecommunications (Interception) (State Provisions) Act 1988
 The Constitution Act Amendment Act 1958, excluding sections 149(1), (2), (6) and (7), 153, 154A and 155 (these provisions are administered by the Premier)
 Theatres Act 1958
 Transfer of Land Act 1958 except insofar as it relates to the management of the Office of the Registrar-General and the Land Titles Office (this part of the Act is administered by the Minister for Conservation and Land Management)
 Unauthorised Documents Act 1958
 Vagrancy Act 1966
 Valuation of Land Act 1960, Divisions 1 and 2 of Part 3 and Divisions 4 and 5 of Part 3 where they relate to the determination of appeals by VCAT and Part 4 insofar as it relates to the administration of the above provisions (the remaining provisions are administered by the Minister for Conservation and Land Management)
 Victims of Crime Assistance Act 1996



Victoria Law Foundation Act 1978
 Victoria Park Land Act 1992
 Victorian Civil and Administrative Tribunal Act 1998
 Vital State Projects Act 1976, sections 5 to 16 (the remaining provisions are administered by the Premier)
 Warehousemen's Liens Act 1958
 Western Metropolitan Market Act 1938
 Wills Act 1997
 Workers Compensation Act 1958, Division 8 of Part 1 (the remaining provisions are administered by the Minister for Finance)
 Wrongs Act 1958

B. Minister for Fair Trading

Associations Incorporation Act 1981
 Auctions Sales Act 1958
 Business Investigations Act 1958
 Business Licensing Authority Act 1998
 Business Names Act 1962
 Carriers & Innkeepers Act 1958
 Chattel Securities Act 1987
 Collusive Practices Act 1965
 Companies (Administration) Act 1981
 Consumer Credit (Victoria) Act 1995
 Co-operatives Act 1996
 Corporations (Victoria) Act 1990
 Credit Act 1984
 Credit (Administration) Act 1984
 Credit Reporting Act 1978
 Defence Reserves Re-employment Act 1995
 Discharged Servicemen's Preference Act 1943
 Disposal of Uncollected Goods Act 1961
 Domestic Building Contracts Act 1995 (Except Part 5 which is administered by the Attorney-General)
 Estate Agents Act 1980
 Fair Trading Act 1999
 Financial Institutions (Victoria) Act 1992
 Financial Sector Reform (Victoria) Act 1999
 Friendly Societies (Victoria) Act 1996
 Frustrated Contracts Act 1959
 Fuel Prices Regulation Act 1998

Fundraising Appeals Act 1998
 Funerals (Pre-Paid Money) Act 1993
 Goods Act 1958
 Hire-Purchase Act 1959
 House Contracts Guarantee Act 1987
 Introduction Agents Act 1997
 Landlord and Tenant Act 1958
 Marketable Securities Act 1970
 Motor Car Traders Act 1986
 Partnership Act 1958
 Patriotic Funds Act 1958
 Petroleum Retail Selling Sites Act 1981
 Prostitution Control Act 1994
 Residential Tenancies Act 1997 (ss. 24, 25, 27, 32, 33, 45-48, 74-77, 82, 90, 91, 102, 103, 104(1), 104(4), 104(5), 105(2), 105(3), 124, 128, 130-134, 141-212, 214, 215, 230, 232-234, 241, 277, 291-333, 335-341, 343-366, 373-376, 385, 388, 390, 395-398, 400-439, 474(2), 483, 486-504, 506-511; s.66(1) jointly with the Minister for Housing; the Act is otherwise administered by the Attorney-General, the Minister for Housing and the Minister for Planning and Local Government)
 Retirement Villages Act 1986
 Sale of Goods (Vienna Convention) Act 1987
 Sale of Land Act 1962
 Sea Carriage Documents Act 1998
 Secondhand Dealers and Pawnbrokers Act 1989
 Travel Agents Act 1986
 Trustee Act 1958
 Trustee Companies Act 1984 jointly with the Treasurer

C. Minister for Corrections

Corrections Act 1986
 Crimes (Amendment) Act 1986 – Part 3
 Intellectually Disabled Person's Services Act 1986 – Part 4, Division 4 and Part 5, Division 2
 Land Act 1958 insofar as it relates to the exercise of powers relating to leases and licences under Subdivision 1 of Division 9 of Part 1 in respect of:

- land identified in Certified Plan 114680-A dated 8 February 1995;

- land shown as Allotment 8B, Section 13 on Certified Plan 116685 and Allotment 4A, Section 17 on Certified Plan 116944 lodged in the Central Plan Office in the Department of Natural Resources and Environment;
- land shown as hatched on the plan numbered LEGL/95-80 lodged in the Central Plan Office of the Department of Treasury and Finance (the remaining provisions are administered by the Minister for Conservation and Land Management, the Attorney-General, the Minister for Finance and the Minister for Health)

Mental Health Act 1986 Part 3 and Part 4, Division 4

Parole Orders (Transfer) Act 1983

Prisoners (Interstate Transfer) Act 1983 except Part VI (Attorney-General)

International Transfer of Prisoners (Victoria) Act 1998

D. Minister for Police and Emergency Services

Control of Weapons Act 1990

Country Fire Authority Act 1958

Emergency Management Act 1986

Firearms Act 1996

Metropolitan Fire Brigade Act 1958

National Crime Authority (State provisions) Act 1984

Police Assistance Compensation Act 1968

Police Regulation Act 1958

Private Agents Act 1966

Seamen's Act 1958

Unlawful Assemblies and Processions Act 1958

Victoria State Emergency Service Act 1987

Witness Protection Act 1991

E. Minister for Women's Affairs

Queen Victoria Women's Centre Act 1994

B2: Legislation Enacted and Amended in 1998-99

Legal Policy

Appeal Costs Act 1998

Bail (Amendment) Act 1998

Classification (Publications, Films & Computer Games) (Enforcement) (Amendment) Act 1998

Coroners (Amendment) Act 1999

Crimes (Amendment) Act 1998

Crimes (Criminal Trials) Act 1999

Crimes, Confiscation and Evidence Acts (Amendment) Act 1998

Freedom of Information (Amendment) Act 1999

Guardianship and Administration (Amendment) Act 1999

Legal Aid (Amendment) Act 1998

Legal Practice (Amendment) Act 1998

Legal Practice (Practising Certificates) Act 1999

Licensing and Tribunal (Amendment) Act 1998

Magistrates' Court (Amendment) Act 1999

Printers and Newspapers (Repeal) Act 1998

Sentencing (Amendment) Act 1999

Surveillance Devices Act 1999

The Constitution Act Amendment (Amendment) Act 1999

Justice Policy

Firearms (Amendment) Act 1998

Fire and Emergency Services Acts (Amendment) Act 1998

International Transfer of Prisoners (Victoria) Act 1998

Law and Justice (Further Amendments) Act 1997

Police Regulation and Firearms (Amendment) Act 1999

Fair Trading and Equity

Chattel Securities (Amendment) Act 1998

Consumer Credit (Finance Brokers) Act 1999

Fair Trading Act 1999

Financial Sector Reform (Victoria) Act 1999

Fundraising Appeals Act 1998

Patriotic Funds (Amendment) Act 1998

Prostitution Control (Amendment) Act 1999



Appendix C: Output Performance Results

Output Group: Legal and Court Services

Major outputs and performance measures	Unit of measure	1998–99 Target	1998–99 Actual	Variation
Services to the Attorney-General				
Policy and implementation briefs/ issues addressed	Number	1,600	1,370	-14% (1)
Legislative program matters (Approval in Principle, Bill at Cabinet submissions)	Number	40 to 50	47	–
Ministerial and general correspondence responded to	Number	3,000	3,597	+20% (2)
Committees and task forces supported	Number	17	41	+141% (3)
Minister's satisfaction with the quality and timeliness of services provided	Level	High	High	–
Completion of reviews and proposals identified for parliamentary sessions	Percent	100	95	-5%

Notes on variances:

1. This category includes briefings on legislative proposals generated by other Departments, briefings for the Standing Committee of Attorneys-General (SCAG) and briefings on issues highlighted in the media relevant to the Attorney-General's portfolio. The SCAG agenda has been streamlined, reducing the number of briefings required for the Attorney-General.
2. Additional correspondence from members of the community generated by petitions to the Attorney-General.
3. The variation reflects an increased focus on consultative and proactive law reform.

Legal advice to government

Client Services (Victorian Government Solicitor's Office)	Hours	41,400	35,577	-14% (1)
Client satisfaction with quality and timeliness of advice provided	Level	High	High	–

Notes on variances:

1. The office experienced a softening in the demand for its general legal services owing to increased competition for government work by the private legal firms.

Output Group: Legal and Court Services (continued)

Major outputs and performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
Criminal prosecutions				
Proceedings prepared and disposed of on behalf of the Crown	Number	7,250	7,917	+9% (1)
Presentments filed within 6 months of committal in non-sex matters and within 3 months for sex offences	Percent	95	99	+4%

Notes on variances:

- The variance is within normal range of the number of matters referred to the Office of Public Prosecutions from Victoria Police.

Support for Legal Aid services				
• New applications for grants of assistance approved	Number	31,500	34,743	+10% (1)
• Duty lawyer services provided in Magistrates' and Children's Courts	Number	38,000	39,796	+5% (2)
• Legal advices given	Number	35,000	32,646	-7% (3)
• Telephone information enquiries	Number	68,000	57,098	-16% (4)
• Education and information workshops conducted	Number	750	618	-18% (5)
• Elapsed time to process applications for assistance:				
Processed same or following day	Percent	50	76	+52% (6)
Processed within 5 days	Percent	75	91	+21%
Processed within 10 days	Percent	85	96	+13%
Processed within 15 days	Percent	95	97	+2%

Notes on variances:

- Use of a new computer system has improved tracking of grants of assistance applications to include approvals given after an initial decision to defer a decision or refuse a grant which were not included in the 1998-99 performance target.
- In addition, VLA provided 549 duty lawyer services at the Mental Health Review Board (new service) and 27 duty lawyer services in the County Court. VLA also provided 1,057 duty lawyer services in the Family Court of Australia. The total number of duty lawyer services provided during the year in all jurisdictions was 43,225.
- The decrease in the number of legal advices provided during the year is largely attributable to the increase in duty lawyer services over the period (as duty lawyer services often replace the need for an advice service).
- Technological problems associated with introduction of new computer system at the start of the year that resulted in slower processing of information records have now been substantially addressed and monthly targets are now being met.



Output Group: Legal and Court Services (continued)

Major outputs and performance measures	Unit of measure	1998–99 Target	1998–99 Actual	Variation
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5. The reported figure represents the number of attendees at information and education workshops conducted by VLA during the year. The trend in community legal education has been towards seminars or information sessions rather workshops. In 1998–99, VLA provided seminars, general information sessions and child support forums for a total of 2,223 attendees in addition to the 618 attendees at information and education workshops.
6. Variance reflects general improvements in timeliness of processing arising from introduction of the new computer system.

Case processing in the Supreme Court

Matters initiated	Number	5,300	5,355	+1%
Matters finalised	Number	3,700	3,395	-8%
Matters pending	Number	1,600	1,446	-10%
Court user satisfaction rating	Level	High	High	–
Criminal matters finalised (from committal to disposition) within 12 months	Percent	90	90	–
Civil matters finalised within agreed elapsed time benchmarks	Percent	80	n/a	–

Notes on variances:

The targets included in the Budget papers represent administrative estimates of the flow of matters before the court and are not intended as performance measures of the judicial system. More complete details of the number and nature of matters disposed and the timeliness of disposal are included in the Supreme Court's separate annual report to Parliament.

Case processing in the County Court

Matters initiated	Number	12,250	10,799	-12%
Matters finalised	Number	10,050	12,142	+21%
Matters pending	Number	18,900	13,056	-31%
Court user satisfaction rating	Level	High	High	–
Criminal matters finalised within 12 months	Percent	70	80.5	+15%
Civil matters finalised within 12 months	Percent	46	n/a	–

Notes on variances:

The targets included in the Budget papers represent administrative estimates of the flow of matters before the court and are not intended as performance measures of the judicial system. More complete details of the number and nature of matters disposed and the timeliness of disposals are included in the County Court's separate annual report to Parliament.

Variances reported here are largely attributable to the concentration of judges hearing WorkCover matters and improved case management systems.

Output Group: Legal and Court Services (continued)

Major outputs and performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
Case processing in the Magistrates' Court				
Matters initiated	Number	311,000	257,272	-17%
Matters finalised	Number	279,900	230,471	-18%
Matters pending	Number	31,100	39,092	+26%
Court user satisfaction rating	Level	High	n/a	-
Civil matters processed from readiness to hearing within 12 weeks	Percent	90	n/a	-
Criminal matters finalised within agreed elapsed time benchmarks:				
Contest mention to hearings within 12 weeks	Percent	90	60	-33%
Committals arrest to hearing within 18 weeks	Percent	90	21.5	-76%

Notes on variances:

The targets included in the Budget papers represent administrative estimates of the flow of matters before the court and are not intended as performance measures of the judicial system. More complete details of the number and nature of matters disposed and the timeliness of disposals are included in the separate annual report to Parliament of the Magistrates' Court.

Significant variances reported here are largely attributable to:

- the large number of drunk driving matters adjourned as a result of a decision appealed to the Court of Appeal; and
- cases listed for the new Sunshine Court complex being further adjourned because of the delayed opening.

Case processing in the Coroner's Court				
Deaths reported	Number	3,600	3,927	+9%
Inquests held	Number	300	321	+7%
Matters pending	Number	600	n/a	-
Court user satisfaction rating	Level	High	Very high	-
Matters finalised within agreed elapsed time standards:				
Report to determination of natural cause within 18 weeks	Percent	>45	96	-
Report to determination of unnatural cause/ non-inquest within 18 weeks	Percent	>33	35	-
Report to finalisation of inquest within 42 weeks	Percent	>35	46	-

Notes on variances:

The higher than estimated number of reportable deaths gave rise to additional inquests held.



Output Group: Legal and Court Services (continued)

Major outputs and performance measures	Unit of measure	1998–99 Target	1998–99 Actual	Variation
Boards and tribunals				
Matters initiated	Number	68,300	70,792	+4%
Matters finalised	Number	61,300	72,273	+18% (1)
Matters pending	Number	8,100	9,592	+18% (2)
Tribunal user satisfaction	Level	High	High	Nil
Matters finalised within agreed elapsed time benchmarks:				
AAT Planning (from lodgement to completion within 14 weeks)	Percent	70	45	-50%
AAT General and Taxation:				
(Matters other than Traffic Accident Compensation from lodgement to hearing 80% within 20 weeks)	Percent	80	75	-6%
(Traffic Accident Compensation matters from the time they advise tribunal ready to proceed within 30 weeks)	Percent	80	70	-13%
AAT Land Valuation Division (within 10 weeks)	Percent	100	100	–
Residential Tenancies Tribunal (from lodgement to hearing within 4 weeks)	Percent	95	89	-6%
Small Claims Tribunal (from lodgement to hearing within 12 weeks)	Percent	95	95	–
Domestic Buildings Tribunal (from lodgement to completion within 16 weeks)	Percent	95	85	-10%

Notes on variances:

1. Improved overall finalisation rate reflects the increased efficiency of the VCAT system.
2. The backlog of matters pending is largely attributable to significantly increased demand for Planning List matters and marginally increased demand in all other divisions. The tribunal's capacity to meet such needs as they occur has recently been improved by increasing the number of sessional and full-time members appointed to VCAT and greater flexibility in listing matters across all Divisions.

Output Group: Legal and Court Services (continued)

Major outputs and performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
Alternative dispute resolution				
General and Dispute Resolution Advisory Service enquiries responded to	Number	8,150	11,091	+36% (1)
Disputes received for resolution	Number	1,500	1,779	+19%
Public education activities conducted	Number	210	324	+54%
Resolution rate for mediation options that are activated / conducted	Percent	37	32	-14% (2)
Client satisfaction rate (by survey)	Percent	75	88	+17%
Files closed within 30 days	Percent	67	81	+21%

Notes on variances:

1. Increased publicity by the Dispute Settlement Centre of Victoria and the introduction of mediation for incorporated associations (arising from legislative changes) has resulted in an increased demand for advisory services and flow-on activities.
2. While a decrease in the resolution rate for mediation options accompanied the loss of the Melbourne Magistrates Court Portals Pilot Project from March 1999, overall client satisfaction and file closure performance continues to improve.

Enforcement of court orders

Court orders issued for service	Number	360,000	463,871	+28% (1)
Warrants processed	Number	262,000	323,479	+23% (2)
Net revenue to government	\$m	35	31.98	+2% (3)
Client satisfaction rating	Level	High	n/a	(4)
Warrants finalised / orders served within 21 days of receipt by Sheriff's Office	Percent	100	n/a	(5)

Notes on variances:

1. A significant increase in PERIN lodgements by local councils has been experienced.
2. Reflects targeted execution activities and methods of enforcement designed to maximise officer productivity.
3. The BP3 revenue target of \$35 million was revised during the year to \$32 million to allow for changes to the warrant issue fee. The fee only attaches to warrants issued after August 1998, not pre-existing existing warrants as was initially assumed.
4. Client satisfaction ratings and survey methodology are still under development.
5. The use of this measure was discontinued as a result of an agreement with LMT Australia that it was not a useful indicator of the effectiveness of Sheriff's field operations and should not be a contractual indicator of performance. Field operations effectiveness continues to be measured across a range of measures including the numbers of warrants satisfied and the productivity of officers in the field.



Output Group: Legal and Court Services (continued)

Major outputs and performance measures	Unit of measure	1998–99 Target	1998–99 Actual	Variation
Asset confiscation				
Cases in which ACO plays direct role in ongoing management of real property for benefit of State	Number	200	83	-58%
Cases in which ACO plays direct role in ongoing management of real property for benefit of victims	Number	30	0	-
Confiscation orders resulting in sale of real property	Number	16	9	-44%
Restraining orders in respect of non-real property	Number	120	79	-34%
Ratio of cost of administration to proceeds generated in same financial year	Ratio	4:3	1:3.3	+340%
Revenue	\$m	1.45	2.91	+101%
Median elapsed times:				
From receipt of delegation to approval for disposal within 5 days	Percent	90	90.5	-
From receipt of caveat from DPP to lodgement of caveat with Titles Office within 24 hours	Percent	98	100	+2%
From receipt of no appeal to disposal of real property within 180 days	Percent	70	80	+14%

Notes on variances:

Performance against targets generally reflects the lack of opportunities for the management of confiscated assets arising from persons being charged, the reporting of seized property to the ACO and/or the dependence on cases being resolved in the courts. However, new processes introduced for the disposal of property forfeited and protracted negotiations and investigative work on higher order debts have enabled the scheme to further improve its 'return on investment' performance ratio of administration costs to revenue generated.

Output Group: Equity and Information Services

Major outputs and performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
Fair trading compliance enhancement				
Business names registered	Number	56,000	56,155	-
Occupational licence registrations issued	Number	13,300	6,688	-50% (1)
Annual statement renewals examined	Number	11,600	11,363	-2%
Telephone enquiries	Number	500,000	734,970	+47% (2)
Written complaint resolution activities conducted	Number	13,000	9,866	-24% (3)
Compliance enhancement and enforcement activities	Number	3,371	3,198	-5% (3)
Trust funds administered	Number	6	6	-
Minister's satisfaction rating with timeliness and quality of advice and other services	Level	High	70%	(4)
Matters resolved satisfactorily	Percent	80	80	-
Trust Fund investments at agreed rate of return benchmarks	Percent	100	100	-
Response to telephone enquiries within customer service benchmark standards	Percent	85	72	-15% (2)
Written complaints finalised within 10 weeks	Percent	80	85	+6%
Same day processing of registrations/updates of business names	Percent	95	92.5	-3%
Occupational licences issued within agreed time frames	Percent	100	100	-
Investigations resolved within elapsed time benchmarks	Percent	80	89	11% (3)

Notes on variances:

1. The target for occupational licence registrations included the estimated number of outstanding second-hand dealers as at 30 June 1998 based upon police and municipal council information provided during 1997-98. It appears that this information was outdated and incorrect. Action has been taken to improve the database for assessing levels of compliance in this area.
2. Reflects the high number of enquiries and complexity of information required concerning changes to legislation, particularly the establishment of the Residential Tenancy Bond Authority, new co-operatives and second-hand dealers laws.
3. Enforcement plans have shifted to a targeted and strategic approach resulting in marginally fewer actions but improved impact (that is, more investigations being resolved within the agreed benchmarks; activities concentrated on systemic breaches).
4. Minister's satisfaction rating included community education and information, operational services, management of events and projects. Areas identified for improvement included correspondence handling and policy advice.



Output Group: Equity and Information Services (continued)

Major outputs and performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
Advancing the status of women				
Policy briefs/issues addressed	Number	220	154 briefs 22 issues	(1)
Minister's satisfaction with quality and timeliness of services provided	Level	High	High	-
Victoria Women's Council satisfaction with quality and timeliness of services provided	Level	High	High	-
Achievement of strategic project milestone targets	Percent	100	100	-

Note on variances:

Variance is within normal quantity range of subject matter provided in response to client demand.

Implementation of equal opportunity legislation				
Complaint files finalised	Number	1,300	1,567	+20.5% (1)
Public enquiries responded to	Number	33,925	28,217	-17% (2)
Legal advices provided	Number	660	374	-43% (2)
'Public Voice' information and education	Number	300	378	+26% (2)
Customer satisfaction ratings of services provided	Level	High	High	-
Formal complaints investigated and determined within statutory time frames	Percent	100	99.3	-

Note on variances:

- The implementation of new work practices following review of complaints handling function has assisted in substantially increasing productivity in this area.*
- All requests for advice and information have been met. Reduced level of demand probably reflects the 'preventive' impact of increasingly targeted 'Public Voice' information and education activities.*

Output Group: Equity and Information Services (continued)

Major outputs and performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
Public advocacy and guardianship services				
Public information services provided	Number	10,000	10,005	-
Volunteers supported and trained	Number	700	701	-
Advocacy investigations	Number	850	1,419	+67% (1)
Advice/reports on independent investigations and enquiries provided to Guardianship and Administration Board	Number	600	706	+18% (2)
Guardianship Services total case load	Number	750	827	+10 % (2)
Enquiries resolved	Percent	95	97	+2%
Client satisfaction with services provided	Level	High	High	-
Formal matters processed within legislative requirements	Percent	100	100	-

Note on variances:

1. Reflects an increased commitment to 'front end' advocacy interventions through the Telephone Advice Service or subsequent referral to the Advocacy program for problem resolution without recourse to the Guardianship List of the VCAT.
2. Variance attributable to the emerging need for advocacy interventions involving residential units and multiple clients (an area in which no such investigations were conducted the previous year), in combination with other unforeseen trends such as increases in emergency applications to VCAT requiring immediate investigation and reporting, and an increasing number of applications for guardianship where diversion was previously considered a possibility.

Support for victims of crime				
Calls received	Number	15,000	35,846	+139% (1)
Clients accessing Victims Counselling Scheme	Number	5,000	5,160	+3% (1)
Grants made to victim support networks	Number	15	15	-
Public education activities conducted	Number	250	850	+240% (1)
Client satisfaction rate	Percent	85	n/a	-
Criminal Injuries Compensation payments made	Number	2,000	2,193	+10% (2)
Helpline telephone enquiries responded to within benchmarks	Percent	100	100	-
Follow-up material to victims issued within one day	Percent	100	100	-

Notes on variance:

1. As a result of improved public awareness, VRAS is now meeting the demand levels projected for a mature scheme in the initial 1996-97 establishment proposals.



Output Group: Equity and Information Services (continued)

Major outputs and performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
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2. Figures represent the estimated and actual continuing flow of applications finalised and awarded under the former Criminal Injuries Compensation Act 1983. (Note that in addition 656 applications were finalised and awarded under the Victims of Crimes Assistance Act 1996.)

State electoral services

Elections, by-elections and polls conducted:

State Parliamentary	Number	1	1	-
Municipal	Number	20	21	+5%
Non-government	Number	40	18	-55% (1)
Elector enrolment changes	Number	500,000	539,968	+8 (2)
Training programs conducted for election officials	Number	21	38	+81% (2)
Elector lists dispatched to Members of Parliament	Number	1,452	1,496	+3% (2)
Jury lists provided for use by the courts	Number	14	11	-21% (3)
Election results contested in the Courts	Number	0	0	-

Note on variances

1. Reflects a post-Budget estimates shift in policy focus towards consolidation of the VEC's government client base rather than increasing the number of non-government clients.
2. Federal election during the year led to increased activity in updating enrolment details.
3. Lesser demand than expected.

Registration of births, deaths and marriages

Registration transactions	Number	126,100	125,330	-1%
Certificate transactions (statutory and non-statutory products)	Number	351,000	383,853	+9% (1)
Registration error rate	Percent	0.8	0.7	-13%
Certificate turnaround times:				
Mail (same day)	Percent	50	58.28	+17 (2)
Counter (1.5 minutes)	Percent	70	73.86	+6% (2)

Notes on variances:

1. Growth trend in public demand for commercial products continues to exceed expectation.
2. 'Imaging' of early registrations is enabling increase in percentage of certificates issued same day or over the counter.

Output Group: Correctional Services

Major outputs and Performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
Services to the Minister for Corrections				
Policy briefs provided and completed instructions	Number	600	304	-49% (1)
Ministerial and other executive matters	Number	530	370	-30% (1)
Minister's satisfaction with the quality and timeliness of services provided	Level	High	High	-

Notes on variances:

1. Demand lower than predicted based on previous year trends probably reflecting the 'settling in' of the competitive correctional services system.

Correctional services contract management and service monitoring				
Number of service agreements and contracts managed	Number	5	5	-
Proportion of providers/contractors assessed as complying with their contractual or service requirements as at the end of each service period	Percent	100	100	-
Proportion of performance reports provided on time by corrections contractors and correctional services monitor	Percent	90	100	+11% (1)
Proportion of payments acquitted by purchaser within timelines	Percent	100	100	-

Notes on variances:

1. Reflects improvements made to contractual and reporting relationship.



Output Group: Correctional Services (continued)

Major outputs and performance measures	Unit of measure	1998–99 Target	1998–99 Actual	Variation
Prison services				
Daily number of prisoners by security classification:				
Maximum	Number	1,150	657	-43%
Medium	Number	1,250	1,872	+50%
Minimum	Number	300	327	+9%
Average daily prison capacity utilisation rate	Percent	90	99.3	+10% (1)
Proportion of prison services agreements benchmark measures achieved	Percent	90	81	-10% (2)
Average prisoner 'out of cell hours' by classification:				
Maximum	Number	9.4	10.9	+16%
Medium	Number	12.6	12.0	-5%
Minimum	Number	14.9	14.8	-
Proportion of sentenced prisoners working	Percent	86.4	81.3	-5.9% (3)
Proportion of prisoners participating in education	Percent	90	56.6	(4)
Proportion of prisoners classified within benchmark timelines	Percent	90	100	+11%

Notes on variances:

1. While initial estimates were based on 'design plus additional temporary capacity', the figures reported are based on a standardised 'design only' capacity.
2. The methodology for this aggregate measure is under review as it does not appear to appropriately reflect actual performance on a unit basis.
3. Variance reflects impact of high occupancy levels and attendant difficulties of meeting appropriate prisoner management requirements.
4. The counting methodology for this measure has been changed to bring data in line with national statistics collection. The reported actual represents participants enrolled as a percentage of the total prison population.

Output Group: Correctional Services (continued)

Major outputs and performance measures	Unit of measure	1998-99 Target	1998-99 Actual	Variation
Community Correctional Services				
Average community supervision orders managed per month	Number	1,833	1,770	-4%
Average daily offenders under community – based supervision	Number	8,000	7,246	-9% (1)
Community supervision orders successfully completed	Percent	75	70.9	+5.5%
Offenders inducted within 7 working days of the commencement of their order	Percent	95	93.2	-2%

Notes on variances:

1. The budget estimate assumed an increasing of use of community based orders by the courts which did not eventuate in the reporting period.

Output Group: Community Safety**Services to Minister for Police and Emergency Services**

Estimates of demand for policy briefs, completed instructions and Ministerial correspondence concerning:

Policing matters and the strategic development of community safety and crime prevention services	Number	850	820	-4%
Emergency management arrangements	Number	195	208	+7% (1)
Minister's satisfaction with the quality and timeliness of the services provided	Level	High	High	-
Grant applications received:				
Safer Cities and Shires Program	Number	30	12	-60% (2)
START (includes Youth Sports Role Model)	Number	210	229	+9% (3)
Vic Law Enforcement Drug Foundation	Number	130	74	-43% (4)
Crime Prevention and Victims Aid fund	Number	3	3	-
Achievement of milestone targets for grant processing	Percent	100	100	-

Notes on variances:

1. Variances are within normal 'demand-driven' ranges.
2. Minister determined that funds would be offered to specific councils according to funds available, rather than call for applications.
3. Higher than expected numbers of applications for Role Model component of program.
4. One funding round only in 1998-99 due to fewer funds available for new projects resulting from commitments to second-year funding for several major projects.



Output Group: Community Safety (continued)

Major outputs and performance measures	Unit of measure	1998–99 Target	1998–99 Actual	Variation
Support for emergency readiness				
VICSES audited municipal emergency management plans meeting Ministerial guidelines	Percent	100	100	–
VICSES participants completing emergency management training courses/workshops	Number	1,500	1,764	+17% (1)
Proportion of responses to emergency calls meeting benchmark times:				
VICSES – road accident rescue calls	Percent	95	100	+5%
MFESB – fire suppression	Percent	90	90	–

Notes on variances:

- Greater than expected take-up of 'Introduction to Emergency Management' courses attributable to increased community awareness of potential problems associated with the 'Year 2000' period.

Appendix D: Portfolio Infrastructure Management

D1: Capital Projects

Major New Works Commenced in 1998–99

Project	Total end cost \$, 000
Institute of Forensic Medicine	2,000
Wodonga Police & Court Complex	11,400
Bendigo Court expansion and refurbishment	1,790
Ararat Prison perimeter security upgrade	1,400
Langi Kal Kal Prison Accommodation upgrade	730
Barwon/Beechworth Bendigo/Loddon Prisons security upgrades	1,714
Melbourne Assessment Prison security upgrade	2,401
Ararat Prison natural gas conversion	99
Barwon video conferencing installation	318
Beechworth Prison Medical Program upgrade	185
Melbourne Assessment Prison video conferencing installation	118
Barwon Prison – Y2K upgrade	368
Beechworth Prison – Y2K upgrade	190
Bendigo Prison – Y2K upgrade	192
Loddon Prison – Y2K Upgrade	436
Melbourne Assessment Prison – Y2K upgrade	598
Major projects completed during 1998–99	
Supreme Court Library – refurbishment	2,500
Supreme Court Roof upgrade – stage 1	375
Victorian Civil and Administrative Tribunal fit out works – 55 King Street	3,300
County Court – new court room construction – 436 Lonsdale Street	350
Supreme Court – chamber works	198
Barwon Prison banksia industry building construction	328
Barwon Prison perimeter security upgrade	68
Barwon Prison video conferencing installation	318
Dhurringile refurbishment – stage 2	111
Melbourne Assessment prison video conferencing installation	118
Barwon Prison – Y2K upgrade	368
Beechworth Prison – Y2K upgrade	190
Bendigo Prison – Y2K upgrade	192
Loddon Prison – Y2K upgrade	436
Melbourne Assessment Prison – Y2K upgrade	598

Ongoing major projects

Project	\$, 000
Children's Court relocation	19,000
Sunshine 24-Hour Police and Courts complex – construction	23,400

During 1998–99, the Department of Justice continued implementation of a program of works, which was formulated at the completion of building assessments in 1996–97. The works included requirements to bring the construction, finishes and engineering services of buildings up to a standard consistent with the requirements of the Minister for Finance Guidelines.



D2: Statement of Compliance with the Building Act 1993

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

The Department of Justice controls and manages 68 properties on behalf of the Crown that are utilised for courts and tribunals, prison, and State emergency services purposes. Other corporate entities within the Justice Portfolio, such as the Country Fire Authority, the Metropolitan Fire and Emergency Services Board, and Victoria Police will report separately on building compliance issues.

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

New and Existing Buildings

For the 1998–99 financial year, major and minor works carried out on buildings controlled by the Department of Justice, with the exception of the courts and tribunals, were managed by the Department's infrastructure service providers. The service contracts require all works to be conducted in accordance with the provisions of the *Building Act 1993*, relevant building regulations, and other statutory requirements, including the issue of building and occupancy permits for the works where required. All works carried out on court and tribunals facilities are managed by the individual jurisdictions and there is a requirement for the chief executive officer for each court to ensure works are carried out in accordance with the Building Act.

Major new works commenced in 1998–99

Project	Total End Cost \$,000
Institute of Forensic Medicine	2,000
Wodonga Police & Court Complex	9,400
Melbourne Supreme Court – Refurbishment of Courts 10 & 13	821
Bendigo Court expansion and refurbishment	1,790
Ararat Prison Perimeter security upgrade	1,400
Langi Kal Kal Prison accommodation upgrade	730
Barwon/Beechworth Bendigo/Loddon Prisons security upgrades	1,714
Melbourne Assessment Prison security upgrade	2,401
Ararat Prison natural gas conversion	99
Barwon video conferencing installation	318
Beechworth Prison Medical Program upgrade	185
Melbourne Assessment Prison video conferencing installation	118
Barwon Prison – Y2K upgrade	368
Beechworth Prison – Y2K upgrade	190
Bendigo Prison – Y2K upgrade	192
Loddon Prison – Y2K upgrade	436
Melbourne Assessment Prison – Y2K upgrade	598
Metropolitan Women's Correctional Centre	313

Major projects completed during 1998-99

Project	Total End Cost \$,000
Supreme Court Library – refurbishment	2,500
Supreme Court roof upgrade – stage 1	375
Victorian Civil and Administrative Tribunal fit out works – 55 King Street	3,300
County Court – New court room construction – 436 Lonsdale Street	350
Supreme Court – chamber works	198
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Bendigo Prison – Y2K upgrade	192
Loddon Prison – Y2K upgrade	436
Melbourne Assessment Prison – Y2K upgrade	598
Metropolitan Women’s Correctional Centre	313

Ongoing major projects

Project	\$,000
Children’s Court relocation	19,000
Sunshine 24 Hour Police and Courts complex – construction	23,400

During 1998-99, the Department of Justice continued implementation of a program of works, which was formulated at the completion of building assessments in 1996-97. The works included requirements to bring the construction, finishes and engineering services of buildings up to a standard consistent with the requirements of the Minister for Finance Guidelines. The programmed target was to complete these works by the year 2000; however, all works have now been completed. Accordingly, all departmental buildings now comply with the standard. The table below shows the number of works identified in the assessments, those completed as at 30 June 1999, and the number of buildings now in conformance.

Facility use	Number of facilities	Number of works identified ¹	Number of works carried out 96-97	Number of works carried out 97-98	Number of works carried out 98-99	Total works carried out	No. of buildings conforming with standard
Courts & tribunals	57	366	101	131	134	366	57
State Emergency Services	1	2	2	–	–	2	1
Prison	10	54	17	25	12	54	10
Totals	68	422	120	156	146	422	68

1. The number of works identified and carried out refers to those classified as compliance works in the condition assessments.



Ten-year liability cap

All building works carried out for the Department of Justice, and which were subject to building permits, will have an occupancy certificate or certificate of final inspection issued so that the 10-year liability cap is invoked. In some circumstances, documents were subject to certification rather than a building permit, which is in accordance with the guidelines issued by the Minister for Finance.

Maintenance of buildings in a safe and serviceable condition

Building assessments conducted in 1996–97 by the Department of Justice identified a program of maintenance requirements focusing on a five-year plan. The program identifies works:

- required to bring the built assets up to parity with private sector owned buildings; and
- for ongoing maintenance requirements of the built assets.

The program is being monitored to ensure objectives are being met.

In 1999–2000, the Department will commence an inspection program aimed at reviewing the current program and further implementing the Department's risk management framework for land and buildings. The implementation of this framework will result in a program which combines works required to address condition deficiencies, standards compliance and risk mitigation.

Registered building practitioners

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

The Department's infrastructure service agreements requires officers providing consultancy services under those agreements to be registered building practitioners in accordance with requirements of the *Building Act* 1993. All works carried out on court and tribunals facilities are managed by the

individual jurisdictions and there is a requirement for the chief executive officer for each court to ensure works are carried out in accordance with the Building Act.

D3: Year 2000 Compliance

Over a period of three years, the Department of Justice has invested significant human and financial resources into its Year 2000 compliance program in preparing for the new millennium. A Year 2000 Project Team was created specifically so this important issue received the focus necessary to achieve success. The functions of the Year 2000 Project Team include:

- educating staff and the public and raising awareness of Year 2000 issues;
- identifying and managing the assessment of Year 2000 risks;
- reporting to Cabinet and the Victorian public as to progress towards Year 2000 readiness;
- monitoring the remediation effort with respect to business critical systems;
- coordinating assessments of external suppliers; and
- coordinating departmental planning and the preparation of contingency plans.

The focus of the Department's Year 2000 efforts has not been based solely on computer systems. Rather, it has included a review of external suppliers, assessments of buildings (both owned and leased) and other services which may contain embedded chip technology, and the preparation of contingency plans to cater for unexpected occurrences. The progress of the Department as at July 1999 with regard to Year 2000 is shown in the table below.

Agency	% Readiness ¹ complete	% Contingency plans complete
Corporate	99.63%	100.00%
Courts and tribunals	100.00%	98.33%
Enforcement management	100.00%	100.00%
Office of Public Prosecutions	100.00%	100.00%
Registries	100.00%	100.00%
Victoria Legal Aid	99.17%	100.00%
Victorian Electoral Commission	100.00%	100.00%
Prisoner Information Systems	100.00%	100.00%
Prisoner Security Operations	98.04%	100.00%
Fair Trading and Business Affairs	97.50%	100.00%
Bureau of Emergency Services Telecommunications	96.00%	100.00%
Fire and Emergency Services Operations	100.00%	100.00%
Police	100.00%	100.00%

As with all organisations, the Department relies to an extent on supplies from external providers and is not in a position to control such providers. However, the results set out above indicate that the Department is well on track to achieve its Year 2000 objectives early in the new financial year.

¹ 'Readiness' is an objective assessment of the four key elements of year 2000 remediation averaged for presentation. The key elements are; Management Commitment; Risk Analysis of Business Critical Systems/Processes; Allocation of Resources; Remedial Activity and Testing.



Appendix E: People Management

E1: Workforce Data

Staffing numbers

Executive management	61.9
Justice operations	1,251
Corporate services	203
Fair trading & equity	358.5
Legal (includes courts, boards & tribunals)	1,498.8
Total	3,373.2

Aggregate workforce data as at 30 June 1999

Employee status	Male	Female	Total
Permanent	1,586.1	1,085.8	2,671.9
Temporary	179.4	256.3	435.7
Casual	11.8	9.2	21
Statutory appointments	194	50.6	2,44.6
Total	1,971.3	1,401.9	3,373.2

Profile of executive officers by gender as at 30 June 1999

	Male			Female			Total staff		
	1998	1999	Variation	1998	1999	Variation	1998	1999	Variation
EO-1	0	1	1	0	0	0	0	1	1
EO-2	10	10	0	2	3	1	12	13	1
EO-3	31	32	1	12	9	-3	43	41	-2
Total	41	43	2	14	12	-2	55	55	0

E1: Workforce Data (continued)

Major classifications by gender as at 30 June 1999 (FTE)

Classification	Full-time			Part-time			Casual Sessional			Grand total
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
VPS Levels										
Public Service 1	174	215	389	1.4	15.4	16.8	1.0	2.4	3.4	409.2
Public Service 2	352	567	919	1.7	56.3	58.0	1.9	2.0	3.9	980.9
Public Service 3	270	208	478	1.3	16.8	18.1	0	3.0	3.0	499.1
Public Service 4	223	126	349	2.3	11.6	13.9	0	0.4	0.4	363.3
Public Service 5	118	31	149	0	4.4	4.4	0	0	0	153.4
Total	1,137	1,147	2,284	6.7	104.5	111.2	2.9	7.8	10.7	2,405.9
Custodial officers										
Custodial Officer COG5a	7	0	7	0	0	0	0	0	0	7
Custodial Officer COG4	17	2	19	0	0	0	0	0	0	19
Custodial Officer COG3	59	3	62	0	0	0	0	0	0	62
Custodial Officer COG2b	149	16	165	0	0	0	0	0	0	165
Custodial Officer COG2a	167	38	205	0	0	0	0	0	0	205
Total	399	59	458	0	0	0	0	0	0	458
Staff not part of five-level Structure										
Prison officers	152	26	178	0	0	0	0	0	0	178.0
Other classifications	252	69	321	2	2.9	4.9	4.3	1.1	5.4	331.3
Grand total	1,940	1,301	3,241	8.7	107.4	116.1	7.2	8.9	16.1	3,373.2



E2: Merit and Equity Programs

Selecting on merit

The number of decisions to exempt vacancies from advertisement numbered 49. These 49 appointments represented 18.5% of all appointments made against vacancies during the period. There was one exemption relating to the 'disadvantaged group' criterion.

Once an exemption has been certified by the Secretary, notification of the exemption appears in the Department of Justice Employment Bulletin with the following text:

The Secretary to the Department of Justice has certified that there has been no breach of merit and equity and has exempted the following vacancy from advertisement.

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

To ensure consistency in decision making, the General Manager considers and makes recommendations on all requests for exemption from notification of vacancy, before forwarding all requests for consideration and approval by the Secretary to the Department of Justice. In other locations within the Portfolio, such as the Victorian Electoral Commission and the Office of the Victorian Government Solicitor's Office, the office holder with Department Head powers exercises this function.

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

Managing and valuing diversity

In line with the objectives of its People Management Strategy, the Department has this year shifted its emphasis for valuing and managing diversity issues from 'pure' diversity programs to those which are generally included as a component of 'mainstream' people management initiatives and projects. This has been a successful change in focus.

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

Recruitment project

The Department is currently undertaking a major review of its recruitment policies and practices. One major outcome of the project is to ensure that the merit and equity issues associated with the recruitment process are conducted in compliance with the Commissioner for Public Employment's Directions, thereby ensuring that the principle of merit selection is enforced throughout all recruitment processes, and eliminating potential discrimination.

Exit interviews

A continual analysis of reasons for staff separations from the Department has been introduced. The data are used to develop people management policies and strategies. Any relevant diversity management issues arising from information gained have been addressed.

Business excellence

The Department is undertaking an organisational self-assessment examining the 'people' category of the Australian Quality Council's Business Excellence Framework. Specific examination of diversity management (including aspects of individual working styles), discrimination and processes for handling discrimination and harassment issues has taken place.

Youth Employment Initiative

The Department continues to participate in the Youth Employment Initiative, with over 43 people joining the Justice program over this past year. As a specific diversity initiative, two participants from the recent intake of 19 trainees are Koori youth.

Employee Assistance Program (EAP)

A range of services designed to meet the diverse needs of individual employees continues to be introduced by the Department under the banner of the Employee Assistance Program (EAP). Response from employees has been positive. The EAP aims to assist employees in four areas:

- personal life;
- career management;
- workplace issues; and
- employee relations.

Equity/sexual harassment awareness training

The aim of these training programs is to raise awareness of general equity issues, leading to a reduction in, and better handling of, unlawful discrimination and harassment issues. Over 240 Justice staff have participated in these programs during the year.

General training programs

For many years an important component of the Department’s merit and equity program has been the integration of managing diversity and equity awareness into general training courses. This program has continued with complaint handling, flexible working and awareness modules being incorporated into the following courses:

- Front Line Management;
- Induction; and
- Government and the Public Service.

Partnership awards

The recently launched ‘Partnership Awards Program’ aims to reward Justice employees for ‘living the values’ and displaying specific positive behaviours within their work environments. Among other things, the awards recognise those individuals or teams which

initiate and/or display flexibility in their approach to balancing work/life responsibilities. The outcome of this program is to create a partnership between the organisation and its staff. To date, 20 awards have been presented to 65 individuals or team members.

Upholding public sector conduct

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

- all policies pertaining to principles of public sector conduct are made available to all staff on-line;
- all new employees are given a copy of the code of conduct as part their induction and a copy of the principles of public sector employment and conduct with the letter of offer; and
- the Department’s Induction Program discusses public sector conduct issues and includes viewing of video on ethics titled *Conduct Unbecoming*.

Grievance management

	1998-99
Category	
Ineligible	0
Conciliated / mediated	16
Withdrawn	2
Heard – upheld	4
Heard – denied	8
Ongoing	3
Total	33
Male	26
Female	7
Total	33



Appendix F: Business Management

F1: Financial and Other Information

Summary of significant changes in financial position

There has been no significant change in the financial position of the Department for 1998–99.

Major changes or factors affecting the achievement of objectives

There have been no major changes or factors which have affected the achievement of operational objectives for the year, or which have impacted on the 1998–99 business plan, outputs and key performance data.

Events subsequent to the balance date

No events have occurred subsequent to 30 June 1999 that would require adjustments to, or disclosure in, the financial statements.

Other information

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

- details of shares held by a senior officer as nominee or held beneficially in a statutory authority or subsidiary;

- details of publications produced by the Department about the Department and the places where the publications can be obtained;
- details of changes in prices, fees, charges, rates or levies charged;
- details of overseas visits undertaken including a summary of the objectives and outcomes of each visit;
- details of major promotional, public relations and marketing activities undertaken to develop community awareness of the Department and the services it provides;
- assessments and measures undertaken to improve the occupational health and safety of employees;
- a general statement on industrial relations within the Department and details of time lost through industrial accidents and disputes; and
- a list of major committees sponsored by the Department, the purposes of each committee and the extent to which the purposes have been achieved.

Summary of financial performance

	Actual 1998–99 \$'000	Actual 1997–98 \$'000	Actual 1996–97 \$'000	Actual 1995–96 \$'000	Actual 1994–95 \$'000
Total revenues	608,160	563,951	446,697	398,488	507,703
Total expenses	566,745	531,102	476,432	418,685	388,861
Operating result before abnormal items	41,415	32,849	(29,735)	(20,197)	118,842
Operating result	42,648	93,882	(10,097)	2,683	118,842

**F2: Application of Competitive Neutrality (CN)
Principles to Significant Government Business Activities**

Significant government business activity	Status of application of CN
Attorney-General's Portfolio	
Victorian Government Solicitor's Office	CN has been identified as applicable
Fair Trading Portfolio	
N/A	N/A
Police and Emergency Services Portfolio	
Sale, servicing, installation and monitoring of alarm units in CFA	CN not applicable, as the business activity has been sold
Provision, inspection and servicing etc of fire equipment by MFB	CN now applies
Emergency management planning and training consultancy services by VICSES	CN now applies
Corrections Portfolio	
Prison industries	Not required to apply CN principles*

* *The Premier has exempted prison industries from applying Model 2 CN principles on the grounds that the primary objective of the business activity is to provide meaningful employment for prisoners and to assist in prisoner rehabilitation.*



F3: Implementation of National Competition Policy – Scheduled Legislative Reviews

Legislation	Progress achieved
Attorney-General's portfolio	
Adoption Act 1984	Joint review with Department of Human Services Report under consideration
Legal Aid Act 1978	Report under consideration
Benefit Associations Act 1958	Under examination as possibly obsolete
Council of Law Reporting in Victoria Act 1967	Review being undertaken
Fair Trading portfolio	
Trustee Act 1958	Review being undertaken
Finance Brokers Act 1969	Review complete. Act repealed
Funerals (Pre-Paid Money) Act 1993	Review being undertaken
Consumer Credit (Victoria) Act 1995	National review, led by Queensland, about to commence
Travel Agents Act 1986	National review being undertaken, led by Western Australia
Fuel Prices Regulation Act 1981	Review being undertaken
Defence Reserves Re-employment Act 1995	Review being undertaken
Discharged Servicemen's Preference Act 1943	Review being undertaken
Estate Agents Act 1980	Review being undertaken
Auction Sales Act 1958	Review being undertaken, jointly with Department of Natural Resources and Environment
Business Names Act 1962	Review being undertaken
Police and Emergency Services portfolio	
Private Agents Act 1966	Review being undertaken
Police Regulation Act 1958	Removed from schedule – no significant restrictions on competition

F4: Chief Executive, Senior Office Holders and Audit Committee as at 30 June 1999

Departmental Executive Committee

Peter Harmsworth	Secretary
Fiona Hanlon	Deputy Secretary, Legal
Tim Daly	Deputy Secretary, Justice Operations
John Charleson	Deputy Secretary, Corporate Services
Bernadette Steele	Deputy Secretary, Fair Trading & Equity

Audit Committee

Gordon Bryant	Audit Consultant
Neil Faulkner	Partner, KPMG
Fiona Hanlon	Deputy Secretary, Legal
Tim Daly	Deputy Secretary, Justice Operations
John Charleson	Deputy Secretary, Corporate Services
Bernadette Steele	Deputy Secretary, Fair Trading & Equity



F5: Summary of Consultancies

Less than \$100,000

Total number of engagements: 114

Cost of those engagements:

Original Approved Value + Value of Approved Variations = \$3,638,036.00

Greater than \$100,000

Division	Contract title	Consultant	Selection process	Original contract date	Original approved amount	Total expenditure to date	Future commitments
VGSO	Longford Royal Commission – Review of operations at Longford Gas Plant	Det Norske Veritas	Exempt from VGPB tendering process under VGPB supply policy 2.5.3. Selected on the basis of expert recommendation.	01/03/99	Various rates	\$886,847	\$0
VGSO	Longford Royal Commission – Process simulation of Longford Gas Plant	ICON	Exempt from VGPB tendering process under VGPB supply policy 2.5.3. Selected on the basis of expert recommendation.	21/01/99	Various rates	\$132,885	\$0
VGSO	Longford Royal Commission – Mechanical tests on heat exchanger	Orica	Exempt from VGPB tendering process under VGPB supply policy 2.5.3. Selected on the basis of expert recommendation.	27/01/99	Various rates	\$345,316	\$0
IT	Business partner to establish a Lotus Notes environment within DoJ	Microhelp	Public tender	01/08/97	\$90,000	\$106,862	\$0
Asset Confiscation Office	Customisation, enhancement, installation, maintenance and support of a Case Management System	Praxa Limited	Public tender	28/10/98	\$232,644	\$252,699	\$25,100

Division	Contract title	Consultant	Selection process	Original contract date	Original approved amount	Total expenditure to date	Future commitments
BEST	Legal advice on Mobile Data Network Project	Blake Dawson Waldron	Panel contract	04/02/98	\$285,000	\$274,180	\$14,820
BEST	Systems integration	Noojee Software	Public tender	24/08/98	\$211,505	\$28,913	\$182,592
BEST	Financial and commercial consultancy	Price Waterhouse Coopers	Public tender	01/03/98	\$292,000	\$144,222	\$147,778
BEST	Provision of Probity Services – MDN	Ernst & Young	Approved by Secretary 12/3/99	1/02/99 0	\$62,500	\$19,000	\$87,000
BEST	Technical contract	The Ambidji Group	Selective Tender Exemption Certificate Exempt from PT	09/06/98	\$361,700	\$0	\$361,700
Business Excellence	IT applications architecture study	SMS Consulting	Selective Tender Exemption Certificate Exempt from PT	31/03/99	\$225,000	\$193,535	\$31,465
Corporate Management – PID	Common applications infrastructure project	Toohar Gale & Associates	Public tender	01/06/98	\$386,400	\$284,040	\$102,360
MPDG	Victorian County Court Project – Financial adviser	Dresdner Benson Kleinwort	Selective Tender Exemption Certificate – Exempt from PT	31/10/97	\$345,560	\$221,733	\$123,827
MPDG	Victorian County Court Project – Legal adviser	Minter Ellison Lawyers	Selective Tender Exemption Certificate – Exempt from PT	31/10/97	\$204,400	\$172,870	\$66,314
OFTBA	BA restructure	Simsion Bowles & Associates	Exemption Certificate – Exempt from PT and 3 written quotations	08/07/96	\$113,100	\$146,022	\$25,078
PESC	VICsafe Safer Cities & Shires program consultancy	McMillan Management Consulting Pty Ltd	Public tender	06/05/98	\$248,560	\$74,568	\$173,992
Police Board of Victoria	Market research program	Wallis Consulting Group	Public tender	16/11/98	\$142,000	\$142,000	\$0

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Division	Contract title	Consultant	Selection process	Original contract date	Original approved amount	Total expenditure to date	Future commitments
Supreme Court of Victoria	Supreme Court administrative review	Andersen Consulting	Public tender	02/07/98	\$130,000	\$130,000	\$0
VRAS	Marketing strategy	Grey Advertising	Public tender	01/11/98	\$280,200	\$192,976	\$87,225
VRAS	VRAS Services evaluation project	SMS Consulting	Public tender	13/05/99	\$243,300	\$109,926	\$133,374
IT	LAN upgrade	IPEX	Public tender	26/08/97	\$1,239,581	\$1,152,561	\$0
IT	Assets confiscation office information system specification and management of system implementation	SMS Consulting	Public tender	30/09/97	\$355,000	\$291,077	\$0
Corporate Management – Corporate Communications	ESD strategy plan	Simsion Bowles and Associates	Public tender	26/11/97	\$110,750	\$106,509	\$0
Business Improvements	Project Pathfinder (Stage 2)	KPMG Management Consulting	Selective Tender Exemption Certificate – Exempt from PT	17/01/97	\$968,100	\$961,300	\$0

F6: Freedom of Information Access

What is the main aim of the FOI Act?

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

What documentation is covered by the FOI Act?

The FOI Act allows persons to apply for access to *all* documents held by an agency, irrespective of how such documentation is stored; that is, hard copy or electronic.

The two main categories of information normally requested under the FOI Act covers personal documents and documents relating to the activities of government (providing the latter is not exempt material and not older than 5 July 1978).

The Department of Justice maintains an extensive filing system based on the functions set out in this report. The categories of files created are personal or case files; operational and policy files on legislation or particular aspects of legislation administered by the respective ministers; files on general operational and administrative responsibilities; and correspondence files. Assistance in determining the categories of documents relevant to a request will be provided by the FOI manager.

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

Are documents requested under FOI automatically released?

In assessing the suitability of release of documents, the FOI manager will consider whether any material requested is considered exempted from release under the FOI Act.

The FOI Act outlines general categories of information considered exempt; for example, information relating to the personal affairs of third parties, information provided in

confidence, information which if released may endanger the lives and physical safety of individuals, cabinet documents, commercial in confidence information, internal working documents, the release of which would be contrary to the public interest, and so on.

Subject to certain exceptions, the FOI Act prohibits the release of documents containing personal information about persons other than the applicant (for example, name, address, location and other identifying information).

Who are the decision makers under the FOI Act?

Decisions are made under the FOI Act by the Secretary of the Department or in accordance with authorisations made by the Secretary from time to time as required under sections 26 and 51 of the Act.

Decision making powers and other powers affecting members of the public are found in the legislation administered by the Justice Portfolio Ministers. Acts administered by the Justice Portfolio are listed in this report.

How does an individual lodge a FOI request?

1. A request must be made in writing and should be addressed to:
Kathy Maikousis
Acting FOI Manager
Department of Justice
55 St Andrews Place
MELBOURNE 3002

Telephone enquiries can be made on 9651 0768.
2. All FOI requests are subject to a \$20 application fee. This fee may be waived in cases where payment of this amount would cause an applicant financial hardship. Where a waiver of this fee is sought by an applicant, the request should indicate the grounds on which a waiver is being sought (for example, low income, or holder of Commonwealth Health Care Card). Access charges may also apply once documents have been processed and a decision on access made; for example, 20¢ per A4 page photocopying charge and a



\$20 per hour search and retrieval charge. It should be noted that under certain circumstances, these charges may also be waived.

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

Where can the general public find out more about FOI?

In an attempt to better assist FOI applicants in lodging requests, the Department of Justice has provided general information on how to make FOI requests available on its homepage via the Internet. Also available on the Internet is the 1997–1998 FOI Annual Report, as will be all future annual reports. The Department's homepage is located at www.justice.vic.gov.au (please refer to index for link to FOI Section) and the FOI Annual Report can be found at www.justice.vic.gov.au/foireport.

Information on FOI and information prepared in accordance with section 7 and Part II of the FOI Act are also available from the FOI manager, telephone 9651 0768.

F7: Overview of Activities Recognising Linguistic and Cultural Diversity

The Department of Justice is committed to ensuring that:

- programs and services are accessible to all Victorians, regardless of their cultural background and language capabilities;
- consultation takes place with relevant communities to ensure that new policies and initiatives are inclusive of cultural and linguistic diversity; and
- relevant staff receive cultural awareness training to enable them to deal more equitably and effectively with people from diverse backgrounds.

A major focus for the Department involves service provision to the Koori community.

The Aboriginal Justice Steering Committee was established in April 1998, and is chaired by the Parliamentary Secretary to the Department of Justice, Dr Robert Dean MP.

The key focus of the Aboriginal Justice Steering Committee has been the development of culturally diverse programs and services that are appropriate for the Aboriginal community. Two current proposals involve:

- development of an Aboriginal Recruitment and Career Development Strategy across the Justice Portfolio; and
- development of an Identified Positions Policy to ensure that Department of Justice officers involved in the development and delivery of programs and services to the Aboriginal community have the necessary skills and understanding.

The Victorian Aboriginal Justice Plan addresses the ongoing issue of Aboriginal over-representation at all levels of the criminal justice system, and identifies strategies to improve access for Aboriginal people to justice-related services. The plan is a joint initiative of the Department of Justice, the Department of Human Services and the Victorian Aboriginal Justice Advisory Committee.

The Office of the Correctional Services Commissioner has developed standards for correctional service providers to ensure that adequate consultation takes place with local Aboriginal agencies and groups in the preparation and delivery of programs for Aboriginal and Torres Strait Islanders (ATSI) prisoners and offenders.

In addition, programs are provided for ATSI people in custody incorporating links to community programs, including those provided by Community Justice Panels.

CORE – the Public Correctional Enterprise has established an Indigenous Services Unit based at the Melbourne Assessment Prison to undertake regular liaison with Aboriginal community agencies. Coupled with the work of designated liaison staff at each CORE location, this ensures that program development is culturally appropriate.

CORE staff receive Aboriginal and Torres Strait Islander cultural awareness training and are encouraged to develop an understanding of Aboriginal and Torres Strait Islander culture. All prison-based staff undergo refresher training.

Sheriff's Office staff also undertake Koori cultural awareness training, and all offices have Koori liaison officers.

Other Department of Justice activities in relation to culturally diverse communities include consultation, research, funding, professional development and provision of interpreting/translation services.

Consultation

Ongoing consultations are held with representatives from culturally and linguistically diverse background agencies concerning family violence perpetrator programs.

Research

The Victorian Community Council Against Violence and the Office of Fair Trading and Business Affairs are careful to ensure that research activities undertaken adequately reflect the views, needs and servicing requirements of culturally and linguistically diverse communities.

Funding of initiatives

Justice policy has provided funding to various ethnic groups to undertake community safety and crime prevention initiatives. This funding is supported by the use of ethnic media to communicate community safety initiatives.

Professional development

The Victims Referral and Assistance Service coordinated a major conference in April 1999 entitled *Support for Victims of Crime – Responding to the Challenges of Diversity: Different Cultures; Different Needs*.

The Office of Women's Affairs is working with the Victorian Multicultural Commission and Multicultural Affairs Victoria to implement a women's leadership conference in November 1999 for women from culturally diverse backgrounds.

Over 100 Department of Justice staff participated in Indigenous/Vietnamese Cross-Cultural Awareness Programs during 1998-99. The aim of both programs is to promote an appreciation of the cultural diversity of both clients and staff.

Interpreting/translation

Service delivery areas of the Department providing interpreting services and publication translations as required by clients include:

- CORE – the Public Corrections Agency;
- Sheriff's Office;
- Dispute Settlement Centre of Victoria;
- Victims Referral and Assistance Service; and
- Registry of Births, Deaths and Marriages.