

# Attorney General's Division

## **Courts and Tribunal Services 16**

Managing the largest court network in the country to provide an accessible and equitable justice system.

## **Crime Prevention and Community Programs 26**

Implementing evidence based policies and innovative programs that effectively prevent crime, reduce re-offending and help to create safe communities.

## **Policy and Legal Services 34**

Reforming the law, providing high quality legal services and research to inform justice policy and contribute to a more efficient justice system.

## **Legal and Community Services 40**

Supporting social harmony, advocating for human rights and promoting a just and equitable legal system.

## **Corporate Services 44**

Providing human resources, financial management, asset management and communication services to support the delivery of key business initiatives.

## Courts and Tribunal Services

The Attorney General's Division manages and supports the largest court and tribunal network in the country. There are 164 courts and tribunals throughout NSW, many in regional and rural areas. It is a significant and complex system that employs more than 2,000 staff and has an operating budget of approximately \$365 million per annum, generating \$126 million in revenue.

### **In this chapter**

- ➔ Court Performance
- ➔ Online Services for Court Users
- ➔ Justice Sector Information Exchange
- ➔ Court Technology
- ➔ Alternative Dispute Resolution

## Courts and Tribunal Services

### NSW Courts and Tribunals

NSW Courts and Tribunals are managed by registrars and presided over by independent judges, magistrates and judicial officers. Supporting the court system is a network of registry staff, reporting services, Sheriff's Officers, library services and an Alternative Dispute Resolution Directorate.

**Local Court** hears the majority of criminal and civil proceedings in NSW. This court has jurisdiction to deal with summary and committal proceedings in criminal matters, civil actions involving claims of up to \$100,000 and a range of other matters such as children's care proceedings, coronial inquests, applications for apprehended violence orders, and traffic and other minor offences.

**District Court** deals with serious offences committed by adults and children and hears most appeals from the Local Court. Criminal and some civil trials are heard by a judge and usually a jury. In its civil jurisdiction this court hears monetary, damages and equity claims for up to \$750,000 and applications for property settlements and motor vehicle accident personal injury claims.

**Supreme Court** hears the most serious criminal matters and a range of civil matters. This court has unlimited jurisdiction in civil disputes and plays an important supervisory role in the NSW court system through its criminal and civil appellate jurisdictions.

**Administrative Decisions Tribunal** reviews specific administrative decisions of NSW Government agencies, resolves discrimination claims and retail lease disputes, and exercises disciplinary and regulatory functions over a range of professional and occupational groups.

**Dust Diseases Tribunal** hears claims for damages by those who have been affected by dust diseases, including diseases caused by asbestos exposure.

**Industrial Relations Commission** and **Industrial Court of NSW** are specialist jurisdictions that deal with matters arising in the industrial or employment arenas affecting, principally, state or local government employers and employees. The Commission continues to play a role in the federal industrial sphere, being nominated in many federal agreements as the dispute resolution provider within the meaning of section 146C of the *Industrial Relations Act 1996*. The Commission and Court work to resolve workplace disputes, deal with criminal prosecutions relating to serious breaches of occupational health and safety legislation, set conditions of employment, create industrial awards, approve enterprise agreements, hear appeals from State public sector and transport sector employees and decide claims of unfair dismissal or unfair contract.

**Land and Environment Court** is a specialist jurisdiction in relation to environmental law. It deals with a range of civil proceedings including merit appeals, civil enforcement, judicial review and applications under the *Trees (Disputes Between Neighbours) Act 2006*. The Court also has summary and appellate criminal jurisdiction in relation to environmental offences.

**Children's Court** deals with matters relating to the care and protection of children and young people, and also criminal cases concerning children and young people. It deals with young people who are under 18 years, or who were under 18 at the time of the alleged offence. The State's Children's Court Clinic is located within the courthouse at Parramatta.

**Coroner's Court** investigates deaths, suspected deaths, fires and explosions and other incidents as specified in the *Coroner's Act*. Coroners report on the manner and cause of death or the circumstances of the fire or explosion, and may make recommendations for preventing similar incidents.

**Drug Court** deals with non-violent offenders who have committed drug-related crimes. This court combines intensive judicial supervision, drug treatment and case management for offenders who are dependent on drugs.

**Guardianship Tribunal** is an independent specialist disability tribunal. It exercises a protective jurisdiction and facilitates substitute decision-making by hearing and determining applications for the appointment of guardians and financial managers for adults with decision-making disabilities.

### Court Support Services

**Library Services** provides access to authoritative legal information to the judiciary, Crown Solicitors, courts and departmental staff, as well as the NSW-based Federal Court.

**Office of the Sheriff of NSW** provides security and court support to the State's courts and tribunals pursuant to the *Sheriff Act 2005* and *Court Security Act 2005*. It also manages the Jury Service in accordance with the *Jury Act 1977*.

**Alternative Dispute Resolution (ADR) Directorate** was created in 2009 to coordinate, manage and drive ADR government policy, strategy and growth in NSW, including in courts. The ADR Directorate incorporates the Department's Community Justice Centres (CJC), which provide free mediation services to help people resolve their disputes without going to court.

**Reporting Services Branch** records court and tribunal proceedings and produces timely and cost-effective transcripts for participants and judges in all courts and tribunals of NSW. It delivers a state-wide service from central, suburban and regional locations.

## Courts and Tribunal Services (continued)

### Programs Available in Courts

Program	Service
<b>Aboriginal Client Service Specialists (ACSS)</b>	These liaison officers work in Local Courts to assist effective communication between the court and the local Aboriginal community and improve that community's understanding of court processes, procedures and services.
<b>Aboriginal Community Justice Groups (ACJGs)</b>	These are representative groups of local Aboriginal people who come together to examine crime and offending problems in their communities and develop solutions. They work on a large number of local issues in cooperation with police, courts, community offender services and Juvenile Justice NSW.
<b>Circle Sentencing</b>	Circle Sentencing is an alternative sentencing court for adult Aboriginal offenders. It directly involves local Aboriginal people in the process of sentencing offenders, with the aims of making it more meaningful and improving confidence in the criminal justice system.
<b>Community and Court Liaison Service</b>	Run by NSW Health, this service provides specialist mental health advice to NSW Local Courts to assist the courts in identifying the mentally ill or disordered who are charged with minor offences and diverting them to treatment in lieu of incarceration.
<b>Community Justice Centres</b>	Community Justice Centres (CJC) provide free mediation and other Alternative Dispute Resolution (ADR) services to the people of NSW to help them resolve their disputes without going to court. CJC conducts mediations all over the State using a panel of highly skilled and independent mediators.
<b>CREDIT (Court Referral of Eligible Defendants Into Treatment)</b>	Those identified as being at risk of re-offending undergo case management and are referred to social services. A pilot program continues at Burwood and Tamworth Local Courts.
<b>Drug Court</b>	The NSW Drug Court is located at Parramatta and Toronto. The Drug Court is a specialist court that deals with offenders who are dependent on drugs. It has been found to be very successful in deterring re-offending.
<b>DVICM (Domestic Violence Intervention Court Model)</b>	A program piloted in Local Courts as an integrated criminal justice and community social welfare response to domestic violence.
<b>Forum Sentencing</b>	Forum Sentencing brings together an offender, the victim(s) of the offender's crime and other people affected by the crime. Forum Sentencing operates at selected NSW Local Courts and will be extended across the State over the next few years.
<b>MERIT (Magistrates Early Referral Into Treatment)</b>	This service is available in Local Courts to provide adult defendants who have drug problems the opportunity to rehabilitate as part of their bail conditions. The MERIT program has been expanded to include rehabilitation of defendants with alcohol problems.
<b>Traffic Offender Intervention program</b>	Working with Roads and Maritime Services, this program targets offenders who have pleaded guilty to, or been found guilty of, a traffic offence in the Local Court. The program provides offenders with the information and skills necessary to develop positive attitudes towards driving and develop safer driving behaviours.

## Courts and Tribunal Services (continued)

### Court Performance

During the year, the performance of NSW Courts and Tribunals continued to promote public trust and confidence in the court system. The Productivity Commission's Report on Government Services 2012 (ROGS) compares the performance of courts in all jurisdictions across Australia for the 2010/11 financial year. These figures were published in January 2012. Results for NSW Court and Tribunal performance demonstrate court excellence in the timely resolution of cases; court effectiveness, indicated by the backlog indicator; and efficiency, indicated by costs per finalisation.

### Court effectiveness

The 'backlog indicator' measures the age of a court's pending caseload against nominated time standards. The number of cases in the nominated age category is expressed as a percentage of the total pending caseload.

### Criminal Matters

#### Local Courts

In 2010/11, New South Wales continued to rank first in Australia for timeliness. Nearly 90 per cent of the criminal matters in New South Wales are finalised in the Local Courts within six months.

#### District Court

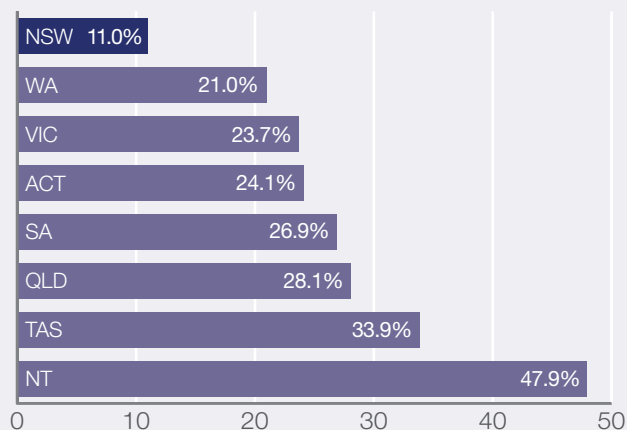
In 2010/11 the NSW District Court ranked second in Australia for timeliness of criminal non-appeal matters older than 12 months. NSW also ranked equal first for matters older than 24 months.

#### Supreme Court

In 2010/11, the percentage of Supreme Court criminal non-appeal matters older than 12 months fell to 14.7 per cent, improving the NSW ranking to fourth place in this measure. This improvement is noteworthy, given the often serious, complex and lengthy nature of matters falling within this category.

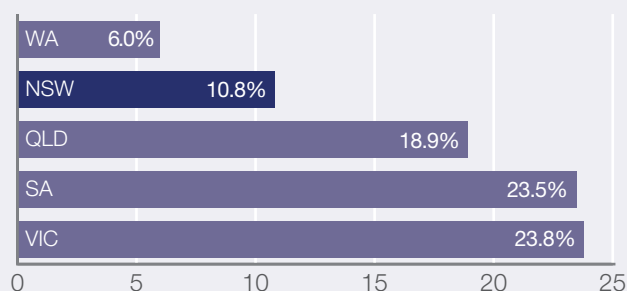
"The NSW Local Court continued to rank first in Australia for timeliness."

#### Local Court 6 month criminal backlog



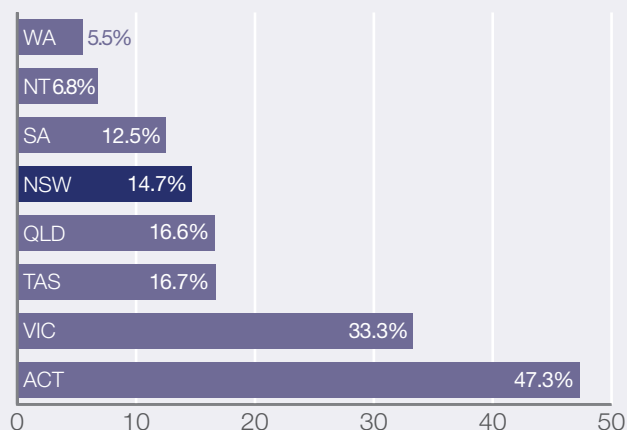
Source: ROGS 2010/11 (published January 2012)

#### District Court 12 month criminal non-appeal backlog



Non-appeal makes up 33% of all new District Court criminal matters.  
Source: ROGS 2010/11 (published January 2012)

#### Supreme Court 12 month criminal non-appeal backlog



Non-appeal makes up 24% of all new Supreme Court criminal matters.  
Source: ROGS 2010/11 (published January 2012)

## Courts and Tribunal Services (continued)

### Civil Matters

#### Local Courts

The Report on Government Services (ROGS) data does not provide figures for civil backlog of matters for Local Courts, as this data is not collected.

#### District Court

In 2010/11, the District Court civil non-appeal 12-month backlog increased. This was partially attributable to the rigorous data cleansing process undertaken after migration to the JusticeLink system, which identified pending matters that did not previously form part of the reported performance figures. The 2010/11 performance incorporates this one-off adjustment, reflecting improved data accuracy.

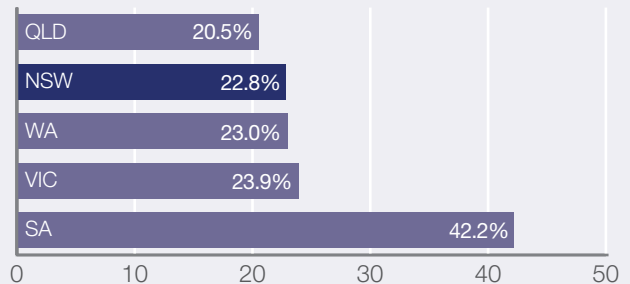
Despite the increase in backlog relative to other jurisdictions, NSW is ranked second in terms of backlog performance for both criminal and civil matters older than 12 months.

#### Supreme Court

In 2010/11, the NSW Supreme Court delivered a strong performance, ranking first in Australia for 12-month civil non-appeal backlogs, a substantial improvement from fourth position last year. This achievement is significant given that non-appeal matters represent 93 per cent of the Supreme Court's civil workload.

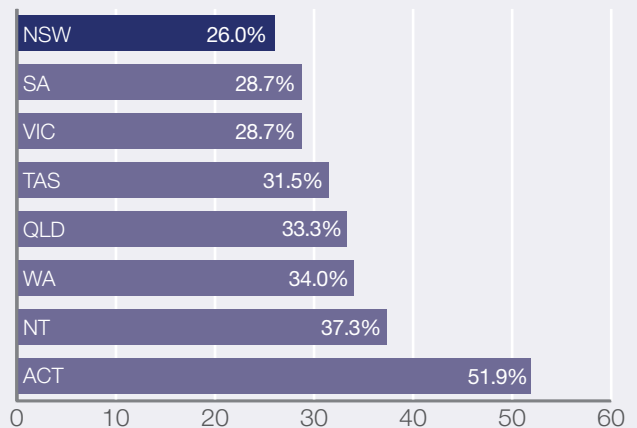
“NSW Supreme Court ranked first in Australia for 12-month civil non-appeal backlogs.”

#### District Court 12-month civil non-appeal backlog



Non-appeal makes up 97% of all new District Court civil matters.  
Source: ROGS 2010/11 (published January 2012)

#### Supreme Court 12-month civil non-appeal backlog



Non-appeal makes up 93% of all new Supreme Court civil matters.  
Source: ROGS 2010/11 (published January 2012)

## Courts and Tribunal Services (continued)

### Court Efficiency

#### Clearance rate

The clearance rate is the ratio of case finalisation to case registration over a particular period, expressed as a percentage. This measures whether a court's caseload is increasing or decreasing. For example, a clearance rate of 100 per cent or more means the jurisdiction is reducing its pending caseload and is more likely to be able to meet time standards in future. A clearance rate of more than 100 per cent indicates that, in addition to current matters, the court is also finalising a backlog of matters.

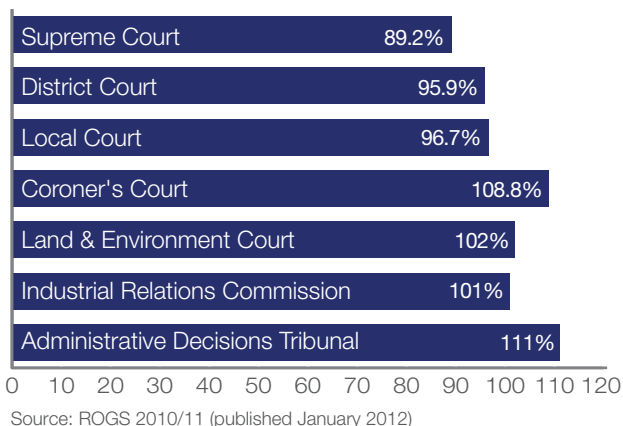
NSW Courts and Tribunals achieved clearance rates of almost 90 per cent or higher across all matters. The Coroner's Court, Land & Environment Court, Industrial Relations Commission and Administrative Decisions Tribunal all performed extremely well, delivering clearance rates above 100 per cent.

#### Cost per finalisation

NSW Courts and Tribunals achieved a net expenditure per finalisation less than the Australian average in the Supreme Court and the District Court, ranking second overall for both these Courts. NSW Local Court expenditure was marginally higher than the average. In the Children's Court, while expenditure per finalisation is above average, 2010/11 saw an improvement on previous year's costs. Overall, NSW ranked equal fourth in the country. This indicates that NSW courts as a whole continued to achieve significant efficiencies, minimising costs to the taxpayer.

"NSW Courts and Tribunals achieved clearance rates of almost 90 per cent or higher across all matters."

#### Clearance rates for NSW Courts 2010/11



#### Net expenditure per finalisation, criminal and civil

Court	Australian average	NSW
Supreme Court	\$7,496	\$5,470
District Court	\$5,353	\$4,600
Local Court	\$383	\$390
Children's Court	\$722	\$1,006

Source: ROGS 2010/11 (published January 2012)

#### Net expenditure per finalisation – all courts State comparison

State	Net expenditure per finalisation
TAS	\$570
QLD	\$583
VIC	\$673
NSW	\$758
SA	\$758
WA	\$860
NT	\$1,388
ACT	\$2,064

Source: ROGS 2010/11 (published January 2012)

## Courts and Tribunal Services (continued)

### NSW Criminal Courts Statistics 2007 to 2011<sup>^</sup>

Charges<sup>^^</sup> finalised in NSW Local, Children's, District and Supreme Courts (number), by offence type

Charges finalised in NSW Local, Children's, District and Supreme Courts (%), by offence type

	2007	% 2007	2008	% 2008	2009 <sup>^</sup>	% 2009	2010	% 2010	2011	% 2011
Homicide and related offences	325	0.1	338	0.1	374	0.1	313	0.1	298	0.1
Acts intended to cause injury	38,976	15.4	41,389	15.5	43,119	15.6	45,539	15.9	44,973	16.1
Sexual assault and related offences	2,449	1.0	3,553	1.3	3,876	1.4	4,286	1.5	4,399	1.6
Dangerous or negligent acts endangering persons	9,178	3.6	9,124	3.4	9,200	3.3	8,189	2.9	7,876	2.8
Abduction, harassment and related offences	1,653	0.7	2,020	0.8	2,322	0.8	2,639	0.9	2,499	0.9
Robbery, extortion and related offences	2,055	0.8	2,679	1.0	2,497	0.9	2,451	0.9	2,412	0.9
Unlawful entry with intent/ burglary, break and enter	5,737	2.3	6,469	2.4	6,160	2.2	6,121	2.1	6,272	2.2
Theft and related offences	21,229	8.4	21,466	8.0	21,118	7.6	23,059	8.1	22,910	8.2
Fraud, deception and related offences	10,066	4.0	10,902	4.1	13,755	5.0	20,272	7.1	15,720	5.6
Illicit drug offences	13,592	5.4	15,734	5.9	17,131	6.2	17,777	6.2	18,670	6.7
Prohibited and regulated weapons and explosives offences	3,079	1.2	3,139	1.2	3,483	1.3	3,993	1.4	4,487	1.6
Property damage and environmental pollution	12,603	5.0	13,301	5.0	14,618	5.3	14,634	5.1	14,732	5.3
Public order offences	20,053	7.9	20,409	7.6	20,267	7.3	19,723	6.9	18,473	6.6
Traffic and vehicle regulatory offences	77,914	30.8	79,761	29.9	78,261	28.3	67,608	23.6	64,129	23.0
Offences against justice procedures, government security & operations	29,115	11.5	32,038	12.0	34,786	12.6	42,565	14.9	44,405	15.9
Miscellaneous offences	4,850	1.9	4,831	1.8	5,717	2.1	7,150	2.5	7,170	2.6
Unknown offences (Insufficient data provided)	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
<b>Total</b>	<b>252,874</b>	<b>100.0</b>	<b>267,153</b>	<b>100.0</b>	<b>276,684</b>	<b>100.0</b>	<b>286,319</b>	<b>100.0</b>	<b>279,425</b>	<b>100.0</b>

Source: NSW Bureau of Crime Statistics and Research

<sup>^</sup> Please note that in 2009 there were significant changes to the way court data was collected, counted and recorded and these changes affected the continuity of some series within our court data. As such, it is advisable not to directly compare the 2009 data presented in these tables with earlier years.

<sup>^^</sup> Note: These figures are the number of charges brought, rather than the number of persons charged. A charge refers to an instance of a particular type of offence being charged against a person.

Prior to the introduction of JusticeLink, where there were multiple counts of the same offence (that is, charged under the same Act and Section) and each count received the same outcome, the multiple counts were treated as a single charge.

Where multiple counts of the same offence had different outcomes, they were counted as separate charges. From 2008 in the Higher Courts and 2009 in the Local and Children's Courts, with the implementation of JusticeLink, each individual count has been treated as a separate charge.



## Courts and Tribunal Services (continued)

### Online Services for Court Users

#### Additional websites

During 2011/12, to improve community access to court information, Courts and Tribunal Services (CATS) developed 14 new websites. In that time, there were over 540,000 visits to Courts and Tribunal websites, including over 284,000 unique visitors.

#### Online court lists

Over 1.23 million searches were undertaken on the Online Court List. This represents an average of almost 103,000 searches per month, or 3,375 per day.

#### JusticeLink eServices

JusticeLink technology was expanded in mid-2010 to provide a bulk electronic filing capability for the high volume of civil matters. This initiative resulted in over 200,000 documents being lodged electronically since inception. In 2011/12, on average, 11,500 documents were filed per month. Approximately 53.7 per cent of all civil filings were filed electronically, of which 99.85 per cent were filed in the Local Court.

#### Efficient telephone support for court users

In 2011/12, the Court Service Centre received almost 380,000 calls. It processed over \$7 million in payments across 18,000 payment transactions. The centre also provided an immediate business continuity solution for registries that were temporarily affected by refurbishment or flooding across NSW. This included registries in Waverley, Inverell, Liverpool, Forbes and Orange.

The Court Service Centre supports the Jury Service, 12 high volume registries (Supreme, District and Local) and provides a telephone service for notice of penalty payments across the State. Telephone support for most of the remaining NSW courts is anticipated to transition to the centre in 2012/13.

### Justice Sector Information Exchange

#### Joined Up Justice project

During 2011/12, information exchange corridors continued to be built with justice agencies. For example, the Electronic Court Attendance Notice exchange with NSW Police Force was successfully upgraded in January 2012. As a result, over 98 per cent of the approximately 300,000 annual Court Attendance Notices are now received electronically. In addition, the first stage of electronic court outcomes information is now being delivered to Corrective Services NSW (CSNSW), Office of the Director of Public Prosecutions and Legal Aid NSW.

#### Joint business processes

During 2011/12, a review was commissioned between the Attorney General's Division (AGD) and CSNSW to understand the impact a technical electronic outcome interface would have on current business operating models, and ensure all business interfaces are fully supported.

A joint AGD and CSNSW team analysed and resolved business issues and defined opportunities to improve the quality and timeliness of information sharing across the agencies. Joint business processes were mapped to support the business interface between the agencies. This has resulted in a series of proposed business models, with recommendations for improvements that will streamline the business interfaces and introduce efficiencies, while enhancing professional services delivery.

“During 2011/12, to improve community access to court information, Courts and Tribunal Services developed 14 new websites.”

## Courts and Tribunal Services (continued)

### Court Technology

#### Video conferencing

The Department leads the way in the use of video conferencing in the justice environment. There are now 319 audio-visual link suites in NSW courts, correctional centres, juvenile justice centres, police centres, Aboriginal Legal Services, Legal Aid offices, the Community Relations Commission, the Public Defenders Office and the Office of the Director of Public Prosecutions.

In 2005, the Department set a target of 30,000 video conferencing sessions annually by 2010, with a savings target of \$18.3 million. This target has been more than surpassed, with over 63,000 sessions in 2011/12, mainly for court proceedings for prisoners in custody.

Video conferencing has also achieved savings across the justice sector, by reducing the need to transport prisoners, juvenile offenders, expert witnesses, interpreters and staff to courts.

#### Remote witness facilities

Remote witness facilities allow vulnerable witnesses, such as children and victims of sexual assault, to give evidence remote from the courtroom.

NSW has 96 remote witness facilities in 82 metropolitan and regional courts, allowing evidence to be presented into 157 courtrooms. Additionally, every court in NSW has access to remote witness facilities via portable kits. Between 2007/08 and 2011/12, remote witness facilities have derived cost savings of \$41.5 million.

In 2011/12, the Department spent \$1.35 million to maintain and upgrade remote witness equipment. Under this program, all statewide and metropolitan remote witness equipment was audited. As a result, minor upgrades occurred in 45 courtrooms and major upgrades to remote witness equipment occurred in five courtrooms.

#### Multi-Court Remote Monitoring pilot system

Courts are being further modernised with a new system that enables courtrooms to be monitored from a remote location. Called Multi-Court Remote Monitoring (MCRM), the system allows up to four courts to be monitored at the same time by one person, generating both productivity savings and opportunity for improvements in service delivery.

In July 2011, the Reporting Services Branch and Court Services conducted a pilot of MCRM in 24 courts located at the Sydney West Trial Court, Parramatta Local Court and the Parramatta Children's Court. The pilot achieved some excellent outcomes and positive feedback from stakeholders including judges, court registrars, court transcribers and court monitors.

#### Alternative Dispute Resolution

In 2011/12, the Alternative Dispute Resolution (ADR) Directorate embarked on a project to encourage NSW Government agencies to report on their use of ADR. From 1 July 2012, agencies will report this use annually, yielding data to both measure savings in legal services expenditure arising from the use of ADR and also to inform policy development.

#### NSW Children's Court

The ADR Directorate continued to work closely with the Children's Court to further embed the use of ADR in care proceedings, implementing a new model of Dispute Resolution Conference and an external care and protection mediation pilot. Both programs were independently evaluated by the Australian Institute of Criminology. Overall, the evaluation found that both programs have delivered a range of benefits for the parties involved in care and protection proceedings in the Children's Court. The programs have provided a forum for family members to participate in the decision-making process around their child's future care, and have assisted with improving the relationship between parents and the Department of Family and Community Services. The evaluation report will be formally launched in late 2012.

“Video conferencing has achieved savings across the justice sector, by reducing the need to transport prisoners, juvenile offenders, expert witnesses, interpreters and staff to courts.”

## Courts and Tribunal Services (continued)

### Land and Environment Court

During 2011/12, the LEC continued to promote Alternative Dispute Resolution (ADR) resulting in the number of matters referred to court-provided ADR increasing by 154. This was a 67 per cent increase, reflecting a significant proportion of the 1,273 proceedings finalised in the LEC. The number of matters referred to s.34 conciliation conferences increased by 66 per cent, from 529 in 2010/11 to 797 in 2011/12. The increases in ADR referrals contributed to 61 per cent of matters being finalised without the need for a contested hearing.

### Community Justice Centres

Community Justice Centres (CJC) continued its strong growth in 2011/12, opening 5,079 files, five per cent more than the previous year, and conducting 1,764 mediations. CJC also maintained its high settlement rate of almost 80 per cent.

Neighbourhood disputes still account for more than half of the CJC caseload, with the most common disputes relating to fences, trees and noise. CJC also helps to resolve disputes between families, friends, and colleagues.

In 2011/12, CJC undertook initiatives to better measure, report on, and improve client satisfaction, including introducing a customer satisfaction survey. The survey revealed that clients found CJC services helpful in resolving disputes with 95 per cent of respondents reporting that CJC mediators were helpful or very helpful, 93 per cent feeling that mediators understood their concerns, and 87 per cent stating they would recommend CJC to other people.

CJC also worked to develop a culture of more rigorous quality assurance, ensuring all staff undergo the training necessary to keep abreast of developments, and that mediators participate in regular supervision sessions. In February 2012, CJC trained staff and mediators on the dynamics of family violence and practical aspects of assisting affected clients.

“Clients found CJC services helpful in resolving disputes with 95% of respondents reporting that CJC mediators were helpful.”



CJC staff and mediators who attended training on the dynamics of family violence. Photo: Joan Dharamdas

## Crime Prevention and Community Programs

Our Department leads the development of evidence-based policies and programs to prevent crime and reduce re-offending in NSW. It aims to reduce crime by working in partnership with communities, government and non-government agencies, businesses and other service providers to develop and implement targeted programs.

### **In this chapter**

- ➔ Aboriginal Services Division
- ➔ Anti-Discrimination Board
- ➔ Criminal Justice Interventions
- ➔ Crime Prevention Programs
- ➔ Diversity Services
- ➔ Victims Services

## Crime Prevention and Community Programs

### Crime Prevention and Community Programs

**Aboriginal Services Division's (ASD)** primary mission is to improve services to Aboriginal communities to reduce the representation of Aboriginal people in the criminal justice system. The ASD is responsible for a number of key departmental programs including Circle Sentencing, Aboriginal Community Justice Groups and the Aboriginal Client Service Specialist program.

**Anti-Discrimination Board** promotes anti-discrimination and equal opportunity principles and policies throughout NSW. It does this by handling complaints of discrimination, through community and private sector education, and advising government.

**Criminal Justice Interventions (CJI)** develops, tests and implements evidence-based strategy, interventions and programs designed to reduce re-offending, provide support to victims and hold offenders accountable for their behaviour. CJI's work promotes community safety and confidence in the justice system. Initiatives include the Magistrates Early Referral Into Treatment (MERIT) program, the Court Referral of Eligible Defendants Into Treatment (CREDIT) program, Forum Sentencing, the Domestic Violence Intervention Court Model, the Domestic Violence Justice Framework and the Minimum Standards for Men's Behaviour Change Programs.

**Crime Prevention Programs (CPP)** leads the development of evidence-based policies and programs to prevent crime in NSW. CPP works in partnership with communities, government agencies, businesses and other service providers across NSW to reduce high-volume crime. CPP also manages the NSW local crime prevention planning process.

**Diversity Services** coordinates the implementation of the Division's Disability Strategic Plan and the Culturally Diverse Communities' Access Plan. The unit provides leadership and advice to the Department and other justice sector agencies on how to provide equity for people with a disability and for people from culturally and linguistically diverse communities within the justice sector.

**Victims Services** comprises three key areas. The Victims Compensation Tribunal offers compensation and recovers monies paid in compensation from convicted offenders. Policy and Service Delivery provides support, referral and counselling services for victims of crime.

The Families and Friends of Missing Persons Unit provides specialised support to families and friends of missing people in NSW through practical assistance, information, counselling and group work.

Victims Services also provides secretariat support to the Victims Advisory Board, which provides advice to the Attorney General about the needs of victims of crime.



*Diversity Services Refugee Week lunchtime gathering hosts (from left to right), Adol Takpiny (Diversity Services) and Julia Haraksin (Diversity Services) and speakers at the gathering Kha Hien Huynh and Mabiou Mapieu. Photo: Lella Gardner*

## Crime Prevention and Community Programs (continued)

### Aboriginal Services Division

During 2011/12, the Department commissioned the Centre for Health Research in Criminal Justice, Justice Health and Forensic Mental Health Network to undertake research into Aboriginal Men in Custody (AMIC). The aims of the AMIC study were to identify:

- Aboriginal identity, culture and health service utilisation
- social determinants of health and well-being
- experience of traumatic events and current trauma symptoms
- experience of racism and identify responses to racism
- experience of the criminal justice system.

The study found that Aboriginal men with a strong positive cultural identity had better mental health and fewer problems with alcohol and other drugs. This and other findings will be used to evaluate program and policy initiatives to reduce the disproportionate incarceration of Aboriginal men in NSW.

The Department will develop a response and action plan to identify service gaps and address the implications for policy and practice contained within the report. The report will be distributed widely to both government and non-government agencies to help develop appropriate services and programs for this target group.

In 2011/12, the Aboriginal Services Division (ASD) facilitated the 2011 Aboriginal Community Justice Group (ACJG) forums, where more than 80 community members were provided with an opportunity to shape the Government's projects and policies aimed at reducing Aboriginal over-representation in the justice system.

Care Circles were expanded to Lismore, creating strong engagement with the Lismore Aboriginal community. Training and support were delivered to the community, ensuring Lismore is now ready for referrals.

Video Visits, which allow families to have contact with inmates, were rolled out to Wagga Wagga and Moree, including information sessions and live demonstrations. Communities were very receptive to the program, which eliminates barriers to contact such as issues with transport, financial strains or illness.

In November 2011, the ASD held Aboriginal Community Justice Group (ACJG) forums to seek direct feedback from communities on factors contributing to Aboriginal over-representation. This local intelligence informed the development of an action plan to improve service delivery and program management. In addition, ACJGs were involved in a number of locally developed projects aimed at improving access to services and programs for Aboriginal clients, including a program to help Aboriginal people overcome traditional barriers that prevent them from obtaining a driver's licence.

### Anti-Discrimination Board

The Anti-Discrimination Board (ADB) promotes anti-discrimination and equal opportunity principles and policies throughout NSW. The ADB handles complaints of discrimination through community and private sector education and by advising government. The Anti-Discrimination Board provides statutory and user-pays education services and an outreach program. These services are delivered through various activities, including on-site training, seminars, community meetings and consultative discussion groups.

In 2011/12, the program reached over 10,500 people, and was delivered by Education Officers, a Community Education Officer and the Board's Aboriginal and Torres Strait Islander Outreach Team. In addition, 437 training sessions and seminars were conducted by staff from the Sydney, Newcastle and Wollongong offices in areas across the State.

Community education and consultation sessions included groups from the Sudanese, Greek, Tamil, Chinese, Nepalese and Bhutanese communities. A number of sessions were also conducted for special interest groups, students and the general community.

Board staff also attended regular meetings with real estate agents, retailers and joined with other government agencies such as NSW Fair Trading, Legal Aid NSW and the NSW Ombudsman in combined activities, providing a frequent visitation program to many communities throughout the State. These activities offer information and guidance for people who are unaware of their legal rights and obligations in matters of discrimination.

Special events attended by Board staff during the year included the Good Service Mob, Yabun Information Day, the Aboriginal Knockout Cup in Bathurst, NAIDOC Week and Law Week.

## Crime Prevention and Community Programs (continued)

During the year, the Board delivered education and services in a wide range of topics including:

- discrimination
- bullying and harassment
- training for contact officers
- grievance handling, management and resolution
- case law updates
- EEO management
- consultative review with business managers
- HR policy development.

In addition, the Education Services team worked with its clients to deliver tailored training programs to meet and address specific topics.

In 2011/12, the Board once again participated in Sydney's Mardi Gras parade. As part of Law Week, it also conducted a photography competition for primary and secondary school students, giving them the opportunity to capture an image reflecting their vision of Celebrating Diversity in our Community.

### Criminal Justice Interventions

#### Forum Sentencing expands

Forum Sentencing brings together an offender, their victim(s) and other people affected by a crime at a 'Forum'. The aim is to help repair harm to the victim and the community, and reduce the offender's likelihood of re-offending. It also gives an offender the opportunity to learn about the impact of their behaviour on victim(s) and other people. Courts can refer eligible offenders to the Forum Sentencing program and sentence offenders after the Forum has taken place. Offenders may be referred if they meet certain criteria and are suited to the program.

In 2011/12, Forum Sentencing continued to expand, with 535 Forums held during the year and victims participating in more than half of them. Four new sites were opened: Coffs Harbour, servicing Coffs Harbour, Grafton, Bellingen, Macksville and Maclean Local Courts; Lismore, servicing Lismore, Ballina, Casino and Kyogle Local Courts; Port Macquarie, servicing Kempsey, Taree, Wauchope, Foster and Gloucester Local Courts; and Maitland, incorporating Cessnock, Muswellbrook, Singleton, Dungog, Scone, Murrurundi, Kurri Kurri and East Maitland Local Courts. As a result, Forum Sentencing is now available at 52 Local Courts, covering Sydney and Northern NSW.

In 2011/12, the University of Western Sydney was contracted to undertake research into 'How and Why Forum Sentencing Works'. The research aims to describe the current operating practices of Forums and identify their success factors. The report of this research is expected in January 2013.

#### CREDIT evaluation

In March 2012, the first evaluation of the Court Referral of Eligible Defendants Into Treatment (CREDIT) program was released. This evaluation, undertaken by the Bureau of Crime Statistics and Research, reported that 99 per cent of participants were either satisfied or very satisfied with both the support they received from the CREDIT staff and with the progress they had made on the program. The overriding opinion of the program was positive, with stakeholders suggesting the program should be extended.

Other major findings include:

- over the two year period (24 August 2009 – 23 August 2011), the CREDIT program received 719 referrals and conducted 637 assessments, with 451 defendants participating in the program
- high levels of satisfaction among both stakeholders and program participants, with 95.9 per cent reporting that their life had changed by being on the CREDIT program

The second and final evaluation report, which will be available in December 2012, will focus on the effectiveness of CREDIT in reducing the risk of re-offending.

#### Alcohol MERIT on trial

During the year, the Alcohol Magistrates Early Referral Into Treatment (MERIT) program expanded to several new courts on a trial basis. This expansion will assist in evaluating whether providing alcohol treatment through a MERIT style model is an effective way to reduce re-offending and improve the health outcomes of participants.

#### Domestic Violence Justice Framework in development

In 2011/12, a strategic review of the Domestic Violence Intervention Court Model was completed, enabling a new inter-agency Domestic Violence Justice Framework to be developed. This framework will establish agreed standards for agencies delivering responses to victims and offenders, with the aim of improving community safety and reduce re-offending in the area of domestic and family violence.

## Crime Prevention and Community Programs (continued)

### Crime Prevention Programs

#### Local crime prevention

Crime Prevention Programs (CPP) continued to work in partnership with key government and non-government stakeholders to target specific crimes in identified hotspots. During the year, 28 Local Councils had an active crime prevention plan and 11 Local Councils were awarded funding through the Safer Community Compact grants to implement targeted crime prevention activities.

Through the Crime Prevention Through Environmental Design (CPTED) Funding Program, \$800,000 was allocated to seven Local Councils to implement projects to reduce graffiti vandalism. Strategies implemented as part of this program included lighting, 'green-screening', landscaping, public art and public space activation activities, such as outdoor recreational equipment and cycleways.

The Department also established a state-wide Graffiti Hotline to coordinate reporting and removing graffiti in NSW.

#### Establishing strategic partnerships and working groups

CPP established a number of strategic partnerships with major public and private sector stakeholders, focusing on retail crime, crime on public transport, residential 'break and enter', graffiti prevention and copper theft. These partnerships allow government and private sector stakeholders to work together to combat crime and to develop collaborative, innovative responses to some of the most commonly experienced crimes in NSW.

#### Promoting best practice in crime prevention

To continue to ensure that activities are informed by the latest research and ideas, during the year CPP undertook a number of activities to bring together leading thinkers and share research. In partnership with the Australian Institute of Criminology, the Department held and sponsored two international conferences on crime prevention. It also hosted a number of specific seminars with international experts on crime prevention, spatial crime analysis and economic analysis of crime. A bi-monthly Crime Prevention newsletter provided readers with information on the latest crime prevention-related publications and events.

The Department also commissioned the Australian Institute of Criminology to produce a series of best practice handbooks on responses to specific types of crime. These guides will better allow Local Councils and others to develop focused and targeted crime prevention activities.

#### International design centre helps reduce crime

The Designing Out Crime Research Centre (DOCRC) is an international design centre that aims to influence the design of products and spaces to reduce the likelihood of crime. The Department established the centre at the University of Technology Sydney in 2008. It was recently acknowledged in criminologist Paul Ekblom's book *Design Against Crime*.

In 2011/12, significant projects for the centre included:

- **Increasing safety on public transport**

- **'Safer by design' bins**

In 2002 the NSW Government removed public rubbish bins from railway stations as they presented opportunities to conceal explosive devices. The DOCRC worked with RailCorp and the NSW Police Force to design bins appropriate for the City Rail network that would minimise disruption and damage caused by vandalism, and facilitate police responses to suspicious activity. In 2010/11, 200 'safer by design' bins were installed across 28 of Sydney's busiest train stations; in 2011/12, an additional 150 'safer by design' bins were installed.

- **Public buses**

DOCRC collaborated with Transport for NSW and the Sydney Transport Authority to minimise opportunities for graffiti and other crime on public buses through new seating configurations, which maximise surveillance, and the use of anti-graffiti materials throughout the bus interior.

- **Reducing theft of high value items in retail environments**

In collaboration with Woolworths, DOCRC explored design options to reduce opportunities to steal high value personal items from retail stores. The result is the 'Smart Retail Shelf' that reduces retail theft opportunity, while enhancing the customer's shopping experience through increased product information and sensor lighting. The shelf will be trialled at Woolworths Blacktown and, if successful, will be made available to all interested retailers.



## Crime Prevention and Community Programs (continued)

- **Increasing safety in temporary housing**

DOCRC is working with Corrective Services Industries to improve the design and construction of temporary housing. Resident safety will be increased through better design and increased home security features.

The Designing Out Crime Research Centre was also involved in innovative projects that aim to increase public safety and reduce the opportunity for crime in and around transport hubs, ATMs and public places throughout Sydney.

### Diversity Services

In 2011/12 Diversity Services consolidated the changes of the previous year through the efforts of three Community Liaison Officers working with their respective communities and across the Department. This led to extensive engagement with the Chinese and African communities. The Flexible Service Delivery training and Capacity Toolkit programs continued to actively train staff and community members respectively.

A Justice Pacific Communities Steering Committee was established jointly with the Council of Pacific Communities to review the communities' access to justice issues. Over 80 Community Legal Education Sessions for African, Chinese and Pacific communities were held.

Diversity Services led the Attorney General and Justice Cluster's contribution to the NSW National Disability Strategy Implementation Plan. The Unit secured recognition of the need for a Senior Officer's 'Forum' on People with Cognitive Disabilities and Complex Needs in the Criminal Justice System. The innovative staff training program, Flexible Service Delivery, was revived, with over 250 staff up-skilled in frontline client service issues for people with disabilities.

A 12-month pilot commenced to trial the use of Audio Visual Links and Auslan for deaf clients in court. The Capacity Reference Group was reconvened to evaluate the Department's direction in relation to the issues of 'capacity' (whether an individual has the capacity to make their own decisions). During the year, over 70,000 *Capacity Toolkits* were distributed, with 15 *Capacity Toolkit* workshops conducted for the community and professionals.

### Victims Services

In 2011/12, Victims Services processed 94 per cent of applications for 10 hours initial counselling within two working days, against a target of 95 per cent. It also registered and acknowledged 99 per cent of compensation applications within 15 working days, above its 95 per cent target.

### Victims of Crime Research Fund

During 2011/12, the Victims of Crime Research Fund was established to provide up to \$200,000 a year to support research into the most effective methods of assisting victims in their recovery. This new funding program focuses on victims' issues where there is little or no local research available. In its inaugural year, the Research Fund will focus on funding research into victims of crime and their effective participation in the court process, and the impact of media reporting on victims of crime.

In May 2012, the Research Fund was opened to tender applications, leading to three selected tenders to research projects on Victims of Crime Participation in the Court Process, the Impact of Media Reporting on the Victims of Crime, and Male Victims of Non-sexual and Non-domestic Violence Service Needs and Experience in Court.

### Victims Services Aboriginal Strategic Plan

During 2011/12, an Aboriginal Strategic Plan was drafted with the aim of developing improved service options for Aboriginal victims of crime. The Aboriginal project officer worked with staff from the Families and Friends of Missing Persons Unit (FFMPU) regarding Aboriginal missing persons and provided advice on cultural considerations. In addition, an Aboriginal-specific publication was produced for FFMPU.

Victims Services continued to provide information to Aboriginal victims of crime. In 2011/12, staff attended numerous community events including a three-day workshop on domestic violence and sexual assault for Aboriginal women presented at Bowraville, Tweed Heads and Walhallow. The workshop, entitled 'Strong Aboriginal Women', was presented by the Education Centre Against Violence (ECAV).

## Crime Prevention and Community Programs (continued)

### Community Outreach

In 2011/12, 48 community education sessions were delivered to over 2,500 individual participants across NSW. A successful Community Outreach program was held in May 2012, visiting Moree, Armidale and Tamworth. This was a joint initiative with the NSW Police Force, aimed at providing community information to victims of crime and local services. This forum was also used to recruit approved counsellors from the respective local areas.

To increase the number of rural counsellors, in November 2011, in conjunction with Binaal Billa Family Violence Prevention Legal Service, Victims Services ran a forum in Forbes for local counsellors who potentially could become approved counsellors. The Forum provided information about Victims Services and included a professional development session. This was repeated in Tamworth, Moree and Armidale in May 2012, all resulting in counsellors joining the Approved Counselling Scheme and increasing knowledge of Victims Services in regional NSW.

### Victims Access Line (VAL)

Victims Services received 62,023 calls from victims of crime seeking information and support during 2011/12. This 1800 Victims Access Line triages all calls and directs them to the most appropriate service within Victims Services, or provides referrals to other government and non-government agencies.

### Counselling in Prisons Trial

In 2011/12, Victims Services and Corrective Services NSW began a joint 'Counselling in Prison' trial at Dillwynia and Wellington Correctional Centres. The trial was initiated to meet a gap in therapeutic service delivery to inmates in correctional centres who are also victims of crime. The trial will run at each location for 12 months. To date, the Dillwynia and Wellington pilots have received 30 and 34 referrals respectively.

“48 community education sessions were delivered to over 2,500 individual participants across NSW.”

### Families and Friends of Missing Persons Unit

This unit is the only one of its kind in Australia providing specialised support to families and friends of missing people in NSW, through practical information, support, counselling and group work. In 2011, *When Someone is Missing: a strategy to support those left behind*, was released. The strategy aims to develop a coordinated, well-informed and consistent approach in responding to the support needs of those left behind when someone is missing in NSW.

In 2011/12, FFMPU staff responded to more than 130 new referrals. The team responded to more than 1,000 requests for assistance, providing a crisis response, follow-up counselling and referral and provided 22 group sessions in Sydney and regional areas, including Queanbeyan, Wollongong and Newcastle.

In March 2012, the Families and Friends of Missing Persons Unit Coordinator presented on the work of the unit at the 'Being a Healing Presence in a Hurting World' International Conference in Atlanta, Georgia, USA.



Participating at the Yabun Festival on 26 January 2012 in Victoria Park, Broadway were (left to right) Maree Jennings, Manager Policy & Performance, Aboriginal Services Division; Annette Hennessey, Aboriginal Project Officer, Aboriginal Services Division; Darren Cochrane, Aboriginal Project Officer, Victims Services; and her Excellency Professor Marie Bashir AC CVO, Governor of New South Wales. Photo: Summer Chan

## Crime Prevention and Community Programs (continued)

### Victims of Crime Clearinghouse

In February 2012, the Victims of Crime Clearinghouse website was launched. The Clearinghouse is an online database containing summaries of significant research in relation to victims of crime both in NSW and around the world. This one-stop-shop for research into victims of crime contains more than 280 reports, conference papers and journal articles, as well as the latest information on conferences and professional networks.

The Clearinghouse will help to guide government policy and service provision, as well as being a resource for those providing frontline services to victims of crime, including psychologists, general practitioners, police and legal practitioners.

### Charter of Victims Rights

In 2011/12, Victims Services began developing a Code of Practice to establish practical guidelines for victims of crime. The code will outline the responsibility of service providers in implementing the Charter of Victims Rights, ensuring they meet minimum standards of service provision to victims of crime. This will equip agencies to be better able to support victims of crime; in turn, victims will have a better understanding of what they can expect from the agencies with which they come into contact. Victims Services has undertaken extensive consultation with government agencies, non-government agencies and professional bodies to develop the code, which is now in the final phase of development.

## Policy and Legal

Maintaining and improving the legislative and regulatory basis for a just and safe society is one of the primary roles of the Department. This includes developing legal policy and legislation; advising government on law, justice and legal reform; collecting, analysing and disseminating statistical crime information to build a strong evidentiary basis for criminal justice policy and programs; and delivering legal services fairly and justly.

### **In this chapter**

- ➔ Bureau of Crime Statistics and Research
- ➔ DNA Review Panel
- ➔ NSW Law Reform Commission
- ➔ Legal Professional Admission Board
- ➔ Legal Services Branch
- ➔ Legislation, Policy and Criminal Law Review
- ➔ Office of the Professional Standards Councils
- ➔ NSW Public Defenders Office
- ➔ NSW Sentencing Council

## Policy and Legal

**Bureau of Crime Statistics and Research (BOCSAR)** is the official source of NSW crime statistics. It conducts research into the frequency and distribution of crime; the efficiency, effectiveness and fairness of the NSW criminal justice system; and the effectiveness of policies and programs designed to reduce and prevent crime.

**DNA Review Panel** deals with applications from prisoners convicted of an offence prior to September 2006 whose claim of innocence may be affected by DNA evidence.

**NSW Law Reform Commission** is an independent statutory body established to reform, simplify and modernise the law in NSW. It provides independent, expert law reform and policy advice to government through the Attorney General.

**Legal Profession Admission Board** is responsible for approving the admission of lawyers and appointment of public notaries. It assesses and accredits academic and practical training courses in law provided by universities and colleges. The Board also registers and assesses students for its Diploma in Law and assesses the qualifications of overseas applicants.

**Legal Representation Office** provides legal advice and representation to people summonsed to appear before the Police Integrity Commission and the Independent Commission Against Corruption and other Commissions of Inquiry.

**Legal Services Branch** manages litigation matters involving the Attorney General, the Attorney General's Division and Corrective Services NSW and prepares submissions and recommendations to ensure that the common law and statutory powers of the Attorney General are exercised in accordance with the law.

**Legislation, Policy and Criminal Law Review (LPCLR)** advises the Attorney General, Director General, courts, tribunals and government agencies on legal policy and legislative reform. LPCLR also includes the Ministerial Liaison Unit, which coordinates briefings for the Attorney General; the State Copyright Manager who is responsible for copyright law and policy for the NSW Government; and the Departmental Spokesperson who responds to media enquiries and provides strategic media advice.

**Professional Standards Councils** approve and monitor *Cover of Excellence*<sup>®</sup> schemes, which require occupational associations to improve professional standards of their members through the implementation of risk management strategies, codes of ethics and conduct, and require members to carry sufficient professional indemnity insurance cover and/or business assets to protect consumers.

**NSW Public Defenders Office** provides salaried barristers, independent of government, to appear for clients who are charged with serious criminal offences and who have been granted legal assistance by the NSW Legal Aid Commission, the Aboriginal Legal Service (NSW/ACT) or a community legal centre. Public Defenders also provide legal advice and education for criminal law practitioners.

**NSW Sentencing Council** is an independent public body established to consult with and advise the Attorney General on sentencing issues. It monitors and researches sentencing trends and practices. Council members include people involved in the process of justice ranging from victims of crime to legal professionals.



Bureau of Crime Statistics and Research (BOCSAR) at the Martin Place Legal Expo during 2012 Law Week, (left to right) Derek Goh and Jessie Holmes from BOCSAR. Photo: Steve Moffat

## Policy and Legal (continued)

### Bureau of Crime Statistics and Research

The NSW Bureau of Crime Statistics and Research (BOCSAR) was established in 1969 to provide the public and policy makers with timely, useful and objective information about crime and criminal justice. In pursuit of this aim, BOCSAR conducts research into the frequency and distribution of crime; the efficiency, effectiveness and fairness of the NSW criminal justice system; and the effectiveness of policies and programs designed to reduce and prevent crime.

BOCSAR provides advice that helps the Department set its crime prevention priorities, evaluate the services provided to victims of crime, develop new programs and policies, determine which policies and programs are working and assess the efficiency, effectiveness and fairness of the criminal court system. BOCSAR fields more requests for information from the NSW Department of Attorney General and Justice than from any other client.

In 2011/12, BOCSAR published five statistical reports and responded to nearly 900 ad hoc requests for information from government agencies, the media, academics, members of the public and other clients. More than 95 per cent of requests for information were responded to within time standards. BOCSAR had about 100,000 unique visitors to its website, about 1,500 people were sent emails about releases and nearly 500 people followed BOCSAR on Twitter.

During the year, BOCSAR published 22 major research reports, with findings including:

- increased supervision of drug court participants improves program success
- burglars are more likely to steal cash and portable items than bulky electronic goods
- domestic violence is more prevalent in regional communities, among Indigenous people and among women experiencing financial and/or personal stress
- increasing the risk of arrest and the probability of imprisonment are more effective in preventing crime than increasing the length of prison terms
- Apprehended Personal Violence orders are rarely sought for frivolous or vexatious reasons
- licensed premises are becoming more responsible servers of alcohol
- satisfaction is very high among participants in the Court Referral of Eligible Defendants into Treatment (CREDIT) pilot program.

BOCSAR also released a suite of research to inform the review of the *Young Offenders Act* and nine sentencing snapshots describing the sentences received for key offences.

A full list of reports can be found on the BOCSAR website: [www.bocsar.nsw.gov.au](http://www.bocsar.nsw.gov.au).

### DNA Review Panel

The DNA Review Panel deals with applications from prisoners convicted of offences prior to 19 September 2006 which are punishable by imprisonment for life or for a minimum of 20 years and whose claims of innocence may be affected by DNA evidence. The Panel facilitates the search for items specified by the applicants and, if located, the DNA testing and analysis of those items. The Panel is governed by the *Crimes (Appeal and Review) Act 2001* (NSW). Under the Act, the Panel is empowered to refer appropriate cases to the Court of Criminal Appeal.

In 2011/12, the DNA Review Panel received two new applications, finalised five applications, and ended the year with five ongoing applications. To date, the DNA Review Panel has not used its powers to refer a matter to the Criminal Court of Appeal.

### NSW Law Reform Commission

The work of the NSW Law Reform Commission contributes directly to the government's *NSW 2021* goals, in particular: preventing and reducing the level of crime, and the level of re-offending, and improving community confidence in the justice system. It also contributes to the Department's strategic goal of reforming the law, research and development of sound justice policy.

In 2011/12, the Commission produced six major reports recommending law reforms: *Cheating at Gambling*, *Compensation to Relatives*, *Penalty Notices*, *Bail*, *People with Mental Health and Cognitive Impairment in the Criminal Justice System: Diversion*, and an *Interim Report on Sentencing: Standard Minimum Non-Parole Periods*. These reports were based on research of the law, clear presentation of the empirical evidence and extensive consultation, with the Commission conducting 37 consultation meetings and receiving over 80 submissions during the year.

## Policy and Legal (continued)

In addition, the Commission released a series of question papers on sentencing law, intended to draw community and stakeholder comment on key issues of sentencing. This work will result in a report proposing reforms to simplify sentencing laws. The Commission will also report on security for costs, jury directions, and produce its second report on people with cognitive and mental health impairment in the criminal justice system: *Criminal Responsibility*.

### Legal Profession Admission Board

The Legal Profession Admission Board (LPAB) is a statutory body that:

- assesses the qualifications and experience of applicants for admission to the legal profession, including applicants from interstate or overseas
- accredits law degree courses and courses of practical legal training in NSW
- processes applications for admission as a lawyer, appointment as a public notary, and registration as a Student-at-Law
- maintains the rolls of lawyers and public notaries
- administers the Board's examinations for its Diploma in Law course, which provides an accessible and more affordable pathway into legal practice in NSW.

In 2011/12 the LPAB dealt with a 27 per cent increase in applications for assessment by overseas-qualified lawyers, particularly from Ireland.

LPAB participated in the Transition to Work program conducted by the Sydney Employment Development Service. This program involves taking on people with cerebral palsy and providing them with work experience. The LPAB also won the Department's inaugural Harmony Day Award.

### Legal Services Branch

The Legal Services Branch (LSB) manages litigation matters involving the Attorney General, as well as a range of litigated and non-litigated matters, certain cost matters and applications on behalf of the Department, including Corrective Services NSW. LSB also:

- manages the *Guardian ad Litem* panel
- processes statutory and common law applications to the Attorney
- determines *Government Information (Public Access) Act 2009* (GIPAA) applications and provides guidance and training to Business Units on GIPAA
- provides assistance to the Coroner at Inquests which are deemed to be complex and where the Crown Solicitor is not able to assist due to a conflict of interest.

In 2011/12, LSB achieved significant reductions in the average time taken to complete/settle civil claims against Corrective Services NSW, as well as significant reductions in awards of damages and legal costs.

LSB convened and now chairs regular Attorney General and Justice Cluster meetings of GIPAA and Privacy officers with the aim of streamlining processes and standardising guidelines and procedures.

LSB completed major reforms to the *Guardian ad Litem* Panel, including training of new panel members and the publication of the GAL Handbook.

In 2012, administrative responsibility for the Legal Representation Office (LRO) was transferred to LSB. LRO:

- provides representation for witnesses at the Independent Commission Against Corruption and Police Integrity Commission
- provides legal representation for victims in offender damages claims under the *Civil Liability Act 2002*
- assists the Coroner at Inquests where LSB and the Crown Solicitor are not able to assist, and, on occasion, assists the Crown Solicitor and the Administrative Decisions Tribunal.

LSB and LRO managed a significant increase in workload, particularly in Coronial matters, within existing resources.

## Policy and Legal (continued)

### Legislation, Policy and Criminal Law Review

The Legislation, Policy and Criminal Law Review Division (LPCLR) supports law reform by researching and developing sound justice policy. During 2011/12, the LPCLR was responsible for 17 Bills passed by Parliament, including:

- new criminal organisations control legislation and consorting legislation
- new police powers and requirements in relation to identifying people wearing face coverings
- restrictions on serious offenders changing their name without approval from their supervising authority
- fine-tuning the Work and Development Order Scheme
- new case management provisions for summary criminal proceedings heard before the superior courts
- a new intoxicated and disorderly conduct offence
- improved freedom of information legislation.

LPCLR also consulted the public on various statutory reviews, including releasing a consultation paper reviewing the *Young Offenders Act 1997* and *Children (Criminal Proceedings) Act 1987*.

The LPCLR was responsible for the *Inspector of Custodial Services Bill 2012*, introduced into the Parliament in May 2012. If passed, the Bill will implement a government election commitment to establish an Inspector of Custodial Services for NSW.

### Office of the Professional Standards Councils

In 2011/12, the Office of the Professional Standards Councils (PSC) exceeded its targets of administering 12 schemes in NSW and 25 schemes in other jurisdictions. During the year, the PSC administered 14 schemes in NSW, including three under mutual recognition, and 56 schemes in other jurisdictions, including 33 under mutual recognition. This reflects the end of a five-year period of transformative growth in the business and operations of the PSC.

The Star Grants program, which was fully restored in 2010/11, saw its second round close, with applications totalling more than \$290,000. Approved grants will fund projects aiming to improve risk management and professional standards across various professional groups covered by schemes.

### NSW Public Defenders Office

In 2011/12, Public Defenders were involved in a number of high profile and complex cases including R v Standen, a highly publicised drug conspiracy matter and the 'bikies' airport murder trial. Both trials ran for several months and required extensive preparation.

The High Court decision in R v Muldrock had significant ramifications for sentencing laws on standard non-parole periods. This led to a major project with Public Defenders and NSW Legal Aid to identify thousands of cases potentially affected by this decision.

In the middle of this very busy year, Public Defenders relocated its chambers. The new chambers were formally opened by the Attorney General, The Hon. Greg Smith SC MP, on 9 March 2012.

The Public Defenders' annual criminal law conference again attracted record numbers, with legal practitioners attending from New South Wales, the Australian Capital Territory, Queensland, Northern Territory, New Zealand and the Solomon Islands.

The Public Defenders also celebrated the appointment of Richard Button SC to the Supreme Court bench.



*The Hon. Greg Smith SC MP, Attorney General and Minister for Justice, formally opens the Public Defenders new chambers. Photo: Fiora Sacco Photography*



## Policy and Legal (continued)

### NSW Sentencing Council

The NSW Sentencing Council is an independent public body established in February 2003 under the *Crimes (Sentencing Procedure) Act 1999* (NSW). It was the first sentencing council established in Australia. The Council advises and consults with the Attorney General in relation to sentencing matters, in accordance with its statutory functions set out in s. 100J of the *Crimes (Sentencing Procedure) Act*.

In March 2012, the Council met with the Victorian and Queensland Sentencing Advisory Councils in Brisbane to discuss issues of common interest. In addition, the Council promoted public awareness and understanding about sentencing related issues through its consultative processes surrounding law reform issues and references.

In 2011/12, the Council also finalised the following publications, in accordance with its functions:

- *High Risk Violent Offenders: Sentencing and post-custody management options* (not yet approved for release)
- *Suspended sentences: A background report by the NSW Sentencing Council*
- *Standard Non-Parole Periods: A background report by the NSW Sentencing Council*
- *Good behaviour bonds and non-conviction orders: A report of the NSW Sentencing Council*



NSW Sentencing Council (top row, left to right) His Honour Acting Judge Paul Cloran, The Honourable James Wood AO QC, Ms Penny Musgrave, Professor David Tait, Professor Megan Davis and Mr Howard Brown OAM. Sitting (left to right), Mr Lloyd Babb SC, The Honourable Jerrold Cripps QC and Ms Karin Abrams. Absentees: Mr David Hudson APM, Mr Mark Ierace, Mr Nicholas Cowdery AM QC, Ms Martha Jabour and Mr Ken Marslew AM.

## Legal and Community Services

The Department continued to focus on providing legal and other business services as well as protecting the interests and rights of people with special needs. We are committed to driving continued excellence and satisfaction in client service.

### **In this chapter**

- ➔ Community Relations Unit makes finding a JP easier
- ➔ LawAccess NSW celebrates its tenth anniversary
- ➔ Registry of Births, Deaths and Marriages extends its services at Australia Post and works at reducing identity fraud
- ➔ The Office of the Legal Services Commissioner gains re-certification in Quality Management
- ➔ Innovation Award for the Information Unit at the Crown Solicitor's Office

## Legal and Community Services

### Community Relations Unit

The Community Relations Unit supports the Attorney General in responding to community concerns, assists clients in their dealings with the Attorney General's Division, and administers the appointment of Justices of the Peace in NSW and selected other legal applications.

**LawAccess NSW** is a free service that provides legal information, managed referrals and, in some instances, legal advice. LawAccess is available to anybody in NSW and is particularly focused on helping people who live in regional, rural and remote areas; Aboriginal or Torres Strait Islanders; people who have a disability; people from culturally and linguistically diverse backgrounds; or those who are at risk of harm and have an urgent legal problem.

LawAccess NSW is a partnership between the Department of Attorney General and Justice, Legal Aid NSW, the Law Society of NSW and the NSW Bar Association. LawAccess also provides LawAssist, a website designed to help people with NSW legal matters who are representing themselves at a local court or at a tribunal. LawAssist provides step by step guides, instructions for filling out court forms, checklists and frequently asked questions, as well as information on alternatives to court and contacts for further information and advice. This service currently provides help with debt (small claims), car accidents, employment rights, apprehended violence orders, fines and neighbourhood disputes, with further topics planned.

### Registry of Births, Deaths and Marriages

The Registry of Births, Deaths and Marriages maintains records of all births, deaths and marriages occurring in NSW – helping to protect the legal entitlements of NSW citizens – and provides accurate and reliable data for planning and research. It is responsible for administering the *Births, Deaths and Marriages Registration Act 1995*, the *Relationships Register Act 2010*, and the *Marriage Act 1961* (Commonwealth) for NSW.

### Office of the Legal Services Commissioner

The Office of the Legal Services Commissioner (OLSC) is a co-regulator with the Law Society and NSW Bar Association. The OLSC is an independent complaints handling body to oversee the investigation and resolution of complaints about lawyers.

### Crown Solicitor's Office

The Crown Solicitor's Office provides legal services to the NSW Government. The Crown Solicitor is engaged by government agencies to perform tied legal services in matters which have implications for government beyond an individual Minister's portfolio; involve the constitutional powers and privileges of the State and/or the Commonwealth; raise issues which are fundamental to the responsibilities of government; and relate to matters falling within the Attorney General's area of responsibility. The Crown Solicitor competes with the private legal profession for untied legal work.

### Legal Services Coordination

Legal Services Coordination (LSC) is a consultancy and advisory service for legal management, education and training within NSW Government agencies. LSC facilitates consistency in best practice management of legal services across whole of government.

### Solicitor General

The Solicitor General appears on behalf of the State Government in judicial proceedings and provides legal advice to the government.

### Crown Advocate

The Crown Advocate advises and acts as counsel for the Crown in matters relating to the criminal law as directed by the Attorney General and also conducts appeals on behalf of the Director of Public Prosecutions.

### NSW Trustee and Guardian

The NSW Trustee and Guardian (NSWTG) provides will-making, estate administration, executor, trust management, power of attorney management and financial management services to the people of NSW. The NSWTG is legally appointed to protect and administer the financial affairs and property of people unable to make financial decisions for themselves, where there is no other suitable person willing to assist.

The Public Guardian is legally appointed to make health and welfare decisions for people with a disability who are unable to make decisions for themselves. It also informs the community about guardianship and provides support to private guardians to fulfil their role.

## Legal and Community Services (continued)

### Community Relations Unit makes finding a JP easier

In 2011/12, the Community Relations Unit advised 87,000 Justices of the Peace (JPs) in NSW about new requirements for confirming the identity of people making a NSW statutory declaration or NSW affidavit. The identity requirements result from the commencement of the *Oaths Regulation 2011* on 30 April 2012.

The Unit also developed a more convenient way for members of the public to find a JP. A listing of the times and locations of scheduled JP services across NSW is now available on the JP website, [www.jp.nsw.gov.au](http://www.jp.nsw.gov.au), initially covering over 130 locations.

Around 1,500 JPs took the Unit's online quiz to test their knowledge of JP procedures. The results will help the Unit design improved information and support for JPs in the future. The JP website was also re-launched with a new look, better navigation and additional resources for JPs.

### LawAccess NSW celebrates its tenth anniversary

In September 2011, LawAccess celebrated its tenth anniversary, with the Attorney General and the Director General in attendance. In the last ten years, LawAccess has assisted over 1.5 million customers and provided over 158,000 free legal advice sessions.

During 2011/12, LawAccess NSW supported an accessible and effective justice system and the delivery of high quality legal services by:

- assisting 195,165 customers
- providing 19,542 free legal advice sessions
- increasing new visitors to LawAssist by 117 per cent (262,342 new visitors)
- delivering 68 presentations to community groups, workers and agencies
- attending more than 30 community events across NSW to raise awareness of LawAccess' free legal information and advice services
- answering 92.7 per cent of calls within 5 minutes, with the average wait before reaching a customer service officer of only 43 seconds
- providing free legal advice to 90 per cent of customers within two business days of contacting LawAccess
- providing 1,760 customers from culturally and linguistically diverse communities with interpreted free legal information and advice through the Translating and Interpreter Service.

As a result, in an independent annual customer survey, 94.4 per cent of customers said they were 'satisfied' or 'highly satisfied' with the LawAccess service. The top legal enquiries included family law parenting arrangements, debts, property settlement, wills, car accidents, neighbours and employment law.

### Registry of Births, Deaths and Marriages extends its services at Australia Post and works at reducing identity fraud

During 2011/12, registry services were extended to an additional 33 locations, providing customers with the benefits of extended opening hours and convenient locations. This brings the total number of participating Australia Post outlets to 85, including capital cities in Victoria, South Australia, Queensland, Western Australia and the ACT. Some outlets are open until 8:00pm, and some offer services on Saturdays and Sundays. Customers are also able to lodge their application online, and have that application assessed at the Australia Post outlet when they arrive to show their identification documents.

In 2011/12, overall customer satisfaction was 94 per cent, a small improvement over the previous year. Average waiting time at the Registry's head office was 4.1 minutes, down from 5.1 minutes in the previous year. Production time for routine certificate applications remained on target throughout the year, with 85 per cent of all routine applications completed within six working days.

The Lifelink Project, to develop a new core IT system for registration and certificate production, suffered delays and was paused. An independent progress review is scheduled to be completed in the September quarter of 2012.

Amendments to the *Births Deaths and Marriages Registration Act 1995* were made to strengthen the identity security regime in NSW. These amendments imposed additional restrictions on applications for changes of name by parolees, inmates of correctional centres, persons on remand, and other restricted persons.

## Legal and Community Services (continued)

### The Office of the Legal Services Commissioner gains re-certification in Quality Management

In 2011/12, the Office of the Legal Services Commissioner (OLSC) received 2,758 written complaints, and 7,920 enquiry calls. Approximately 79 per cent of complaints were handled within the OLSC, with the remainder referred to professional associations.

The OLSC revised and enhanced its consumer feedback mechanisms to ensure relevancy, currency and applicability. Results have been overwhelmingly positive. The OLSC uses this feedback to ensure ongoing improvement in access to services. The OLSC again achieved re-certification to ISO 9001 in Quality Management Systems, improving processes and systems, as reflected in better client service delivery.

The OLSC also continued its work designing a web-based portal to support incorporated legal practice compliance, aligned with appropriate management systems.

### Innovation Award for the Information Unit at the Crown Solicitor's Office

During 2011/12, the Crown Solicitor's Office (CSO) Information Unit won the Department's Innovation Award for a product that simplifies how emails are registered in the electronic records and document management system. This initiative has received public recognition from the State Records Office and international media.

In 2011/12, the CSO used better client care strategies to improve client satisfaction with the quality of legal services. This led to an outstanding result on the Beaton Benchmark survey, with 91 per cent of clients rating the CSO as very good to excellent on overall performance, compared with 82 per cent in the previous year. As a result, general fees and other services revenue has grown by 8.4 per cent.

Making regular client seminars accessible as 'webinars' expanded client service initiatives. Participants can dial in remotely and link up online to view online presentations.

The CSO enhanced its health and wellbeing program, including engaging a counsellor to provide counselling services and wellbeing information sessions. The CSO also delivered training programs to managers and supervisors. Evaluations of these programs will inform future leadership and management training for CSO staff.

### Legal Services Coordination implements the *Legal Services Blueprint*

Legal Services Coordination (LSC) leads the development and promotes the implementation of legal services policy across government. LSC's current focus is on the legal service delivery reforms outlined in the government's new *Legal Services Blueprint*. It is consulting with legal managers across government on recommendations to:

- Implement 'informed purchaser' training across government
- Establish standard tender documentation
- Develop mechanisms for knowledge sharing.



Winners of the Department's Innovation Award, The Crown Solicitors Office Information Unit team (left to right) Maria Kepreotes, Alice Rideout and Andrea Hosth. Photo: Veronica Leorego (ex) Executive Assistant to Practice Manager

## Corporate Services

Our Division employs over 4,300 people across more than 200 regional and metropolitan locations throughout NSW. We are committed to nurturing an Equal Employment Opportunity workplace with highly skilled and motivated staff. In line with this, we provide excellent working conditions thereby maintaining a high level of client services, community information and education programs.

### **In this chapter**

- ➔ Asset Management Branch
- ➔ Communications Unit
- ➔ Finance and Strategy Unit
- ➔ Innovative Human Resources services
- ➔ Information Services Branch

## Corporate Services

**Asset Management Branch (AMB)** manages and develops the Attorney General Division's physical building assets and the procurement of assets. AMB also develops and oversees the Division's environmental policies, energy use, waste management, and water consumption and manages its heritage assets. The branch oversees the procurement framework for the Division including the management of its vehicle fleet.

**Communications Unit** The Communications Unit provides strategic communications advice and day-to-day communications support for each of the Business Centres in the Attorney General's Division and for the Division as a single entity. The Unit devises and implements communications strategies to improve community understanding of, and access to, the services and information that the Division provides.

**Finance and Strategy Branch** provides information on financial performance, resource allocation, management of Division's budgets, processing and maintenance of financial records, and the management of strategic issues, to facilitate effective decision-making.

**Human Resources Branch** provides a full range of operational human resources support to the Division. Human Resources resolves strategic human resources issues including workforce planning and strategy, organisational development and design, change management, occupational health and safety, capability profiling, career pathways, employee relations and business improvement initiatives.

The Human Resources Branch implements and evaluates workforce planning policies and programs to ensure appropriate human resources are available to satisfy future workforce requirements in accordance with the Division's strategic plan.

**Information Services Branch (ISB)** works as a partner with the Division's Business Centres to provide a responsive and cost-effective ICT platform, reliable delivery of ICT projects, and forward strategies to meet evolving business needs. It provides a broad range of information and technology services and facilities including Service Desk and desktop computing support, courtroom technology, telephone and computer networks, business systems and data storage, Internet and intranet services, information security, disaster recovery facilities and switchboard services, as well as corporate records and information and knowledge management.

## Asset Management Branch

In 2011/12, the Asset Management Branch (AMB) became part of the Justice Shared Corporate Services (JSCS) Program, and commenced the integration of its activities with the asset management areas of Corrective Services NSW and Juvenile Justice NSW. In 2011/12, a single asset policy and a single Total Asset Management (TAM) plan were developed. Investigations have also started to develop the new Enterprise Asset Management System based on the SAP environment.

To support the timely and effective resolution of disputes and criminal matters, AMB continued its program of court modernisation, completing over \$70 million worth of upgrade projects, including additional courtrooms, new spaces for the legal profession and new courtroom technology systems. Court security was also upgraded through various projects and new systems.

## Heritage Management

The Division's Section 170 Heritage Register identifies 120 buildings of heritage significance. In 2011/12, the Register was expanded to include moveable heritage items owned by the Division across the State. During the year, the moveable heritage from over half the State was documented using improved processes and survey forms developed in-house, and a new database developed to collate and store this information. The new Moveable Heritage Register contains items such as furniture and paintings, providing a more accurate state-wide listing.

## Heritage and Waste Management Statement

In 2011/12, the Division continued to work hard to reduce its impact on the environment by reducing its energy consumption slightly by 0.4 per cent per square metre of occupied space, despite a slight increase in total occupied space since last year of over 60,000 square metres.

Gas consumption remained fairly steady, as have carbon emissions.

Throughout 2011/12, a number of staff initiatives reinforced environmental awareness. World Environment Day was celebrated on 5 June, with all staff invited to a presentation on the international theme for 2012 of *Green Economy – does it include you?* by guest speakers from the Parramatta Climate Action Network. The guest speakers provided a wealth of information on energy statistics and how we can contribute to energy savings at home and at work.

## Corporate Services (continued)

### Waste Reduction and Purchasing Policy

#### Waste

In 2011/12, through its commitment to the Waste Reduction and Purchasing Policy, the Division achieved the following goals:

- A total of 140 tonnes of waste was collected at the Parramatta Justice Precinct with over 60% being diverted from landfill. Of this waste, 76 tonnes of co-mingled and recyclable material were recycled. The remaining 64 tonnes were sent to the Woodlawn Waste energy facility at Goulburn, where they were processed in the bioreactor with the capture of biogas energy converted into green electricity, providing even more benefit to the environment.
- A total of 892 used toner cartridges were recycled, diverting 0.83 tonnes of waste from landfill.
- More construction materials were recycled or purchased with recycled content. For example, construction projects at Liverpool and Waverley Courthouses recycled 1,108 tonnes (or 70.3 per cent) and almost 113 tonnes (or 96 per cent) of construction materials, respectively.

#### Energy

The Division continued to purchase six per cent Green Power across all its locations and is consolidating site energy suppliers across the State to reduce costs. This will also consolidate energy meters at each site, creating savings in network and other loss charges, which will be seen next financial year.

Since reporting began in 1995/96, the Division's energy use has fallen by more than 20 per cent. In 2011/12, energy usage per square metre fell by more than eight per cent, while gas usage remained steady.

In the coming year, further energy savings are expected through the Division's continued involvement in energy saving and efficiency programs in partnership with the Office of Environment and Heritage (OEH). In 2011/12, over 20,000 kilowatt hours of energy were saved through lighting upgrades at Parramatta, Burwood and Campbelltown courts, with the OEH funding 'Energy Saver Audits'. In addition, the Division continued to provide energy efficiency initiatives with its 'Green Grants' Program, which has saved more than 70,000 kilowatt hours of energy and 25 kilolitres of water per year.

#### Water

During 2011/12, the Division's potable water consumption stabilised at a three year low, with consumption reduced a further one per cent over last year's consumption levels. These continued savings are due to water conservation methods, such as: reporting leaks, installing flow regulators and rainwater water tanks, as well as installing dual flush toilets at Picton and Port Kembla.

#### Fleet

In 2011/12, the Division reduced its fleet by 17 vehicles, from 329 to 312. E10 usage has improved from 60 per cent to 68 per cent.

### Communications Unit

#### Law Week 2012: Law and Justice in Your Community

National Law Week is an annual event that aims to increase public awareness about the law, the legal system and the legal profession, and to educate the community about the legal services that are available to them. National Law Week was celebrated in May 2012 with over 100 events held in metropolitan and regional areas throughout NSW.

Law Week 2012 in NSW featured three 'Community Legal Information Days'. Held in Martin Place in Sydney's central business district, and in Parramatta and Blacktown in Western Sydney, these free, public events gave members of the public the opportunity to meet government and non-government legal services providers, and to find out about a range of services. Over 20 Attorney General and Justice Cluster business units and agencies participated in the three events.

A wide range of events were held throughout the state for community members of all ages and backgrounds. The 'Clued Up Kids' program in Belmont and the fairy tale 'Trial of the Practical Pig' in Wollongong were again popular; Tweed Heads Local Court assisted the less mobile to complete Power of Attorney and Enduring Guardianship forms with visits to retirement villages, residential care facilities and the local hospital. Court open days, mock-trials for students, and question and answer sessions were hosted by courthouses in regional centres including Albury, Broken Hill, Newcastle, Raymond Terrace and Wagga Wagga.



## Corporate Services (continued)

### Crime Prevention Education at the Sydney Royal Easter Show

The Attorney General's Division participated in the Sydney Royal Easter Show with the NSW Police Force in 2012, sharing an exhibit for the third consecutive year.

The Royal Easter Show is an opportunity for the Department to promote our vision of 'A just and safe society' by increasing the community's knowledge and understanding of the services and information that the Department provides. Partnering with the NSW Police Force highlights for the community the services provided across the Attorney General and Justice Cluster. Joining the NSW Police Force at the show also provides the opportunity to strengthen working relationships between Attorney General and Justice Cluster agencies.

Over the two weeks of the show, staff from the Bureau of Crime Statistics and Research, Community Justice Centres, Crime Prevention Programs, LawAccess NSW and the Communications Unit spoke to tens of thousands of people about the Department's programs and services, including the new graffiti reporting telephone hotline, alternatives to the court system for resolving disputes, how to find information about legal problems, and how to find out the facts about crime and justice in NSW.



Staff at the Sydney Royal Easter Show (from left to right) Austen So (Communications Unit), Shenuka Wraight (Community Justice Centres), Hannan Abouloukme (Crime Prevention and Community Programs) and Lella Gardner (Communications Unit).

### Innovative Human Resources Services

#### People Development

In 2011/12, the Division was recognised by the Department of Premier and Cabinet (DPC) and other government departments for outstanding eCapability service in aligning the NSW Public Sector Capability Framework to achievement planning.

During the year, the Human Resources Branch built on learning and development by:

- Designing and delivering a leadership pathway, *Executive, Emerging and Growing Leaders Development Programs*, incorporating coaching, project management and mentoring
- Designing and enhancing e-learning to meet business and operational needs
- Developing and delivering mandatory training programs to staff through a blended learning solution
- Delivering mandatory training in 'respect and dignity' and 'fraud and corruption' to 4,800 staff.

The Human Resources Branch continued to consult with cluster agencies to deliver best practice: in the data security program, for example. It also led best practice in diploma partnering, through delivering the Advanced Diploma in Management, Diploma in Management, Diploma in Project Management and Certificate IV in Frontline Management.

#### Employee Relations

During 2011/12, the Human Resources Branch successfully managed the Division's Annual Achievement Awards program. It also managed disciplinary, corporate misconduct and grievance management investigation processes.

The Branch provided strategic industrial relations support, consultancy services and effective advocacy to resolve complex employment related matters to various Business Centres and in various courts and tribunals.

#### Workforce Planning and Strategy

In 2011/12, the Human Resources Branch continued to provide strategic advice regarding job design, redeployment, organisational structures and workforce planning. It also represented the Department and contributed to sector-wide thought-leadership at Department of Premier and Cabinet/Public Service Commission consultative group meetings.

## Corporate Services (continued)

To create a workplace where everyone is treated with fairness, dignity and respect, the Human Resources Branch developed and/or implemented a range of equity and diversity strategies and initiatives, including the:

- Aboriginal Cultural Respect Program
- Disability Employment Development and Retention Strategy
- Reasonable Adjustment Policy and Guidelines
- Employing People with a Disability Guidelines
- Dignity and Respect Program
- Community Language Allowance Scheme Guidelines and Appointments.

It also reported in the mandatory reporting section of Equal Employment Opportunity (EEO) in the Department's EEO Management Plan and in the mandatory targets for Aboriginal and Torres Strait Islander employment.

During the year, the Branch participated in whole of Government HR benchmarking to identify and, where appropriate, lead HR service improvement initiative opportunities, including the Hackett Review and OneHR projects. It also contributed to establishing shared corporate services.

### HR Services

In 2011/12, the Branch delivered effective and innovative HR services, maintaining, administering and providing advice on recruitment, employment conditions and occupational health and safety, including:

- developing and implementing a new Workers Compensation claims brief process for Business Centre claims reviews
- developing and implementing a 'Careers for Judiciary and other Statutory Officers' website on Lawlink and related Taleo e-recruitment functionality
- developing a Workplace Health and Safety Injury Management System and Workplace Health and Safety Plan, which was endorsed by the Director General
- developing a 'Career Opportunities' webpage for access and use by all staff in the Attorney General and Justice Cluster
- developing enhancements to the Well for Life Program, including a successful 'Spring Into Summer' program.

During the year, HR Services Information Sessions were delivered to NSW Trustee and Guardian managers, and a range of Employee Self Service (ESS) training sessions delivered to staff across the State, including: Local Courts, Downing Centre, Reporting Services Branch, Library Services Division, Parramatta, Spring Street and Newcastle.

In addition, a range of safety information, instruction and training was provided to all staff through:

- launching a Workplace Health and Safety (WHS) Legislation webpage in December 2011 to provide information on the new national legislation
- developing and implementing new Health and Safety e-learning courses: Manual Handling; Hazardous Manual Tasks; WHS Incident Investigation; WHS Injury Management for Managers; WHS Injury Management for Staff; and WHS Office Ergonomics.

New automated functionalities for people data management and service delivery transactions included:

- merging Crown Solicitor's Office and Births, Deaths and Marriages into main Aurion database
- implementing ESS, including electronic pay slips and group certificates, to magistrates, judges and casual employees
- continuing to implement the Taleo e-recruitment system, with an emphasis on the Hiring Manager process of lodging requisitions to fill vacancies, activate e-lists and obtain approval for various contingent labour arrangements
- streamlining and enhancing management reporting.

### Personnel Policies and Practices

#### A right to dignity and respect at work

In 2008, the Division launched a Dignity and Respect Policy, as part of its commitment to creating a workplace culture where all employees are treated with dignity and respect and the workplace is free from bullying, harassment, discrimination and violence. The Respect campaign, now in its sixth year, is focused on instilling a positive work culture, lifting standards of work behaviour, and developing strategies to build a productive and harmonious environment. The campaign drives a range of initiatives that foster good working relationships and demonstrate a real commitment to the wellbeing of employees.

## Corporate Services (continued)

During 2011/12, the Division continued to encourage good workplace behaviour through enhanced training courses, new policies and resources, the Right to Dignity at *Work Strategy* and the Respect campaign. All training, development and induction programs now incorporate the Respect message including a new half-day course for all staff called *Dignity and Respect – Appropriate Workplace Behaviour*.

On 19 September 2011, the sixth annual Respect Day was marked by team meetings and activities around the State, including morning teas, lunches, poster competitions, trivia quizzes, speeches, seminars and team-building sessions. Thus, Respect Day created a focus on workplace relationships, cultures, practices and behaviours, and how they may be addressed or improved for the benefit of individual staff members, teams, and the organisation.

### Promoting the employment of people with a disability

The Division actively seeks to improve the employment rate and employment experience of staff with a disability through a number of strategies and guidelines including:

- The Disability Employment, Development and Retention Strategy 2010/12
- The Reasonable Adjustments Policy
- Reasonable Adjustment Guidelines
- Employing People With a Disability Guidelines.

The Disability Employment, Development and Retention Strategy 2010–2012 aims to increase workforce participation and improve retention through tailored programs to facilitate the participation of people with a disability. One of the main priorities under this strategy is to increase the employment level of people with a disability by 20 per cent by 2012, to better reflect the diversity of clients and better understand the needs of clients with a disability. The target is 7.56 per cent for people with a disability, and 2.28 per cent for people with a disability requiring adjustment, in the same time frame.

To actively promote disability employment, a Manager's Forum on Disability Employment was held in November 2011. As a result, targeted disability employment has increased in areas such as: Local Court, Land and Environment Court, Crown Solicitor's Office and Office of the Sheriff. The Division also partners with Sydney Employment Development Services to provide work experience placements for Transition to Work School Leavers with a disability.

The Staff with a Disability Network also had a successful year, developing and implementing its action plans, which culminated in hosting International Day for People with a Disability celebrations in December 2011.

### Boosting Aboriginal Employment

During 2011/12, the Division continued to make significant achievements against the Department's Aboriginal Employment Strategy 2006–2011, which set targets of six per cent Aboriginal staff across the Department and 10 per cent in Local Courts and the Sheriff's Office by 2011. In line with this strategy, the Attorney General's Division has seen the percentage of Aboriginal staff grow from 1.9 per cent in 2006 to four per cent in 2011, a figure that exceeds the NSW public sector target of 2.6 per cent.

In recognising that our 2011 targets have not yet been met, our business centres continue to work towards reaching the targets, which were set in recognition of the high number of Aboriginal people who are clients or users of our services. Increasing the number of Aboriginal staff provides greater workforce diversity and understanding about the needs of Aboriginal communities, supporting the provision of more relevant services.

The Norimbah (Aboriginal Employment) Unit develops and implements strategies to achieve better employment outcomes for Aboriginal people. In 2011/12, these included implementing the Aboriginal Cultural Respect Program to assist staff in providing culturally appropriate services to Aboriginal people; publishing and distributing the *Jobs to Help Our Mob* employment brochure to support recruitment to the Aboriginal Staff Network; attending employment expos to promote Aboriginal employment; and distributing the *Guwany* Aboriginal staff newsletter.

“In 2008, the Division launched a Dignity and Respect Policy, as part of its commitment to creating a workplace culture where all employees are treated with dignity and respect.”

## Corporate Services (continued)

### Information Services Branch

In 2011/12, despite a static budget, the Information Services Branch (ISB) delivered more services to more clients, all within 94 per cent of its service level targets. For example, 81 per cent of Service Desk logged calls were answered within 20 seconds and a customer satisfaction rate of 92 per cent was achieved. At 30 June 2012, ISB had 122.8 full-time equivalent staff comprising 2.2 per cent of the Division's workforce, including statutory agencies.

### ICT Strategic Plan 2012–2016

During the year, the ISB delivered the Department's ICT Strategic Plan 2012–2016, including the Business and the Service Delivery plans for 2012/13. This document represents the first converged ICT Plan for the Department. The Plan aligns with the Shared Corporate Services Reform Program and the establishment of a single ICT organisational stream within the Department.

The Plan is business driven, identifying investment requirements within the context of the Department of Attorney General and Justice Total Asset Management (TAM) Plan for the next five years. The supporting Business Case underpinned by the CORE (Consolidation, Optimisation, Remediation and Enhancement) principles will establish the future governance of the program and identify appropriate avenues for funding.

### Remote Witness, Video Conferencing and Evidence Recording and Playback

In 2011/12, 'future-proofing' courts through technology and continuous adaptation and ICT infrastructure were achieved within the approved budget of \$1.35 million. The project provides remote witness closed-circuit television to new sites and technology upgrades to existing courtroom facilities, including integrating witness testimony recording capabilities.

### A Cohesive Approach to ICT

In early 2012, Information Technology staff across the Attorney General's Division, Corrective Services NSW, Juvenile Justice NSW, Office of the Director of Public Prosecutions and Legal Aid came together to develop a clear set of harmonised policies and system processes. Areas of focus include:

- Planning and Strategy
- Infrastructure and Platforms
- Applications
- Information Management
- Service
- Governance – Security, Standards and Quality Assurance
- Governance - Programs and Projects
- Governance – Resource Management and Administration (in Finance, HR & Assets).



High definition video conferencing, remote witness, electronic evidence playback, digital sound recording and re-enforcement facilities, in the new high definition Multi-Accused Downing Centre Courtroom 3.2. Photo: John Gibson