

Review of the Auditor-General's Report to Parliament 2: 2012-13

Follow up of 2010 audit recommendations

Report No. 36

Legal Affairs and Community Safety Committee

August 2013

Legal Affairs and Community Safety Committee

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Abbreviations

2010 report	Queensland Audit Office, Report to Parliament No. 3 for 2010, <i>Administration of Magistrates Court Services in Queensland</i> .
Auditor-General Report	Queensland Audit Office, Report No. 2 of 2012-13, <i>Follow up of 2010 audit recommendations</i> , 2012
CLA	Committee of the Legislative Assembly
Committee	Legal Affairs and Community Safety Committee
Department	Department of Justice and Attorney-General
PAPWC	Public Accounts and Public Works Committee

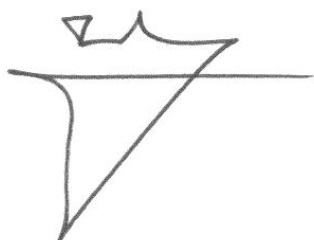
Chair's foreword

This Report presents a summary of the Legal Affairs and Community Safety Committee's examination of the Auditor General's report, *Follow up of 2010 audit recommendations*, pursuant to standing order 194B of the Standing Rules and Orders of the Legislative Assembly.

The Committee's task was to consider the Auditor General's findings in relation to the extent of the implementation of the audit recommendations made in *Report to Parliament No. 3 for 2010 - Administration of Magistrates Court Services in Queensland*, addressing governance, planning, performance monitoring and reporting in the Department of Justice and Attorney-General.

On behalf of the Committee, I thank the Committee's Secretariat and the staff from the Auditor-General's office for their assistance with the Committee's consideration of the Auditor-General's report.

I commend this Report to the House.

A handwritten signature in dark ink, appearing to read 'Ian Berry', with a stylized flourish above the name.

Ian Berry MP

Chair

Recommendations

Recommendation 1

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The Committee recommends the House notes the contents of this Report.

1. Introduction

1.1 Role of the Committee

The Legal Affairs and Community Safety Committee (Committee) is a portfolio committee of the Legislative Assembly which commenced on 18 May 2012 under the *Parliament of Queensland Act 2001* and the Standing Rules and Orders of the Legislative Assembly.¹

The Committee's primary areas of responsibility include:

- Department of Justice and Attorney-General;
- Queensland Police Service; and
- Department of Community Safety.

1.2 Referral

Report No. 2 of 2012-13 of the Queensland Audit Office, *Follow up of 2010 audit recommendations* (Auditor-General Report) was tabled in the Legislative Assembly on 30 October 2012.

On 6 March 2013 and in accordance with Standing Order 194B, the Committee of the Legislative Assembly (CLA) referred the Auditor-General Report to the Legal Affairs and Community Safety Committee, the Education and Innovation Committee and the Health and Community Services Committee for consideration as it relates to their respective portfolio responsibilities.

This Report therefore covers those parts of the Auditor-General Report which relate to the Committee's area of responsibility, namely, the Department of Justice and Attorney-General.

1.3 Role of the Auditor-General

The role of the Queensland Audit Office is to provide Parliament with independent assurance of public sector accountability and performance. This is achieved through reporting to Parliament on the results of its financial and performance audits.

At the time of the 2010 Audit, the mandate of the Auditor-General was to conduct audits of performance management systems of public sector entities.² A performance management system audit examined the systems and methods agencies used to manage and measure performance.³

¹ *Parliament of Queensland Act 2001*, section 88 and Standing Order 94.

² *Auditor-General Act 2009*, section 38. In 2011 the *Auditor-General Act 2009* was amended to provide for performance audits of public sector entities and audits of performance management systems of government owned corporations (see sections 37A and 38).

³ Queensland Audit Office, Report to Parliament No. 2: 2012-13, *Follow up of 2010 audit recommendations*, page 5.

2. Examination

2.1 Background

The Auditor-General Report, tabled on 30 October 2012, examined the progress of the Department of Justice and Attorney-General (Department) in implementing the recommendations made following a performance management systems audit conducted in 2009-10 on the administration of magistrates court services in Queensland (2010 Audit).

The Auditor-General's report on the 2010 Audit was tabled on 13 April 2010 (2010 Report).⁴

As set out in the 2010 Report, the 'overall objective of the audit was to determine whether performance management systems and processes are in place which enable DJAG to access whether the support services for the Queensland Magistrates Court are being provided economically, efficiently and effectively.'⁵

The Auditor-General Report provided the following background to the 2010 Audit:

The 2010 audit made eight recommendations. The department accepted the audit findings and advised the recommendations would form the basis of an implementation plan that its Audit and Risk Committee would monitor.

The former Public Accounts and Public Works Committee reviewed the audit report No. 3 for 2010 – Administration of Magistrates Court Services in Queensland tabled in April 2010.

In its Report No. 8 – Review of Auditor-General's Reports – January 2010 to December 2010, the former committee said it was satisfied with the results of the audit and considered that the actions proposed by the Department of Justice and Attorney-General were sufficient to overcome the areas for improvement identified by the Auditor-General.⁶

The eight recommendations made as a result of the 2010 audit were as follows:

Governance and planning

It is recommended the Department of Justice and Attorney-General:

- 1. Develops an overarching framework which formally outlines department wide planning processes including elements, such as roles and responsibilities, linkages between departmental plans, reporting relationships, prioritisation and endorsement processes and performance measurement against endorsed plans*
- 2. Ensures the Magistrates Courts Branch's operational plan adequately covers the operational needs of the region and individual courthouses*
- 3. Ensures the Magistrates Courts Branch endorses a service planning tool that sets minimum service planning standards and ensures consistency of approach across all regions and magistrates courts*
- 4. Incorporates performance measurement for regional services into all Magistrates Courts Branch service and operational plans*
- 5. Ensures its current risk management system is implemented at the registry level to ensure all magistrates court risks are identified and managed.*

⁴ Queensland Audit Office, Report to Parliament No. 3 for 2010, *Administration of Magistrates Court Services in Queensland*.

⁵ Queensland Audit Office, Report to Parliament No. 3 for 2010, *Administration of Magistrates Court Services in Queensland*, page 10.

⁶ Queensland Audit Office, Report to Parliament No. 2: 2012-13, *Follow up of 2010 audit recommendations*, page 8.

Performance monitoring and reporting

It is recommended the Department of Justice and Attorney-General:

6. *Enhances its performance measurement framework for the Magistrates Courts Service by considering the inclusion of cost and quality performance indicators*
7. *Enhances performance management through further analysis of performance information at the regional and registry levels and provision of the information more widely across the Magistrates Courts Branch and regional management*
8. *Further develops and utilises operational performance measurement to assist in the identification and monitoring of developing trends for use on future service planning.*⁷

2.2 Examination of the former Public Accounts and Public Works Committee report

In Report No. 8 – *Review of Auditor-General's Reports – January 2010 to December 2010*, the former Public Accounts and Public Works Committee (PAPWC) detailed the findings of its review of the audit reports tabled during the period January 2010 and December 2010.

Specifically in relation to the Department, the PAPWC concluded the actions proposed were appropriate to address the areas for improvement (namely, the areas of governance and planning and performance monitoring and reporting) identified by the Auditor-General.⁸ This interim report therefore ensured that the audit recommendations provided sound guidance to the Department in forward planning.

2.3 Implementation status

The Auditor-General Report states '*the Department of Justice and Attorney-General ... has made good progress towards implementing the recommendations from the 2010 audits.*'⁹ Of the eight recommendations made, all have been fully implemented with the exception of recommendation number six¹⁰ which was only partially addressed, with the adoption of a quality indicator but no cost indicator.

In relation to Recommendation six, the Auditor-General Report sets out:

*From October to December 2011, the Queensland Courts Service (QCS) conducted a statewide survey of courts users and partners to gain their opinions of the services courts provide. The results of the survey informed the quality performance indicator, thus partially addressing recommendation 6. The survey collected both qualitative and quantitative data from a wide range of respondents, including legal professionals, self-represented litigants, jurors, witnesses, mercantile agents and members of the public. The high response rate has provided QCS with significant feedback to review and consider.*¹¹

⁷ Queensland Audit Office, Report to Parliament No. 2: 2012-13, *Follow up of 2010 audit recommendations*, page 9.

⁸ Public Accounts and Public Works Committee, Report No. 8 – *Review of Auditor-General's Reports – January 2010 to December 2010*, page 19.

⁹ Queensland Audit Office, Report to Parliament No. 2: 2012-13, *Follow up of 2010 audit recommendations*, page 1.

¹⁰ Recommendation 6: '*It is recommended the Department of Justice and Attorney-General enhances its performance measurement framework for the Magistrates Courts Service by considering the inclusion of cost and quality performance indicators*'

¹¹ Queensland Audit Office, Report to Parliament No. 2: 2012-13, *Follow up of 2010 audit recommendations*, page 10.

The Department wrote to the Auditor-General on 18 October 2012 advising:

In relation to the outstanding recommendation to develop a cost performance indicator as part of measuring the overall performance measurement framework, Regional Directors can access Report on Government Services (ROGS) information which provides some cost indicators, albeit on a State-wide basis. When additional capacity is forthcoming attention will be given to developing a cost performance indicator.

2.4 Committee consideration

The Committee met with the Auditor-General and his staff on 20 March 2013 to discuss the contents of the Auditor-General Report in more detail. No major concerns were raised regarding the Department's implementation of the Auditor-General's recommendations of the 2010 audits.

The Committee is satisfied with the Department's progress as outlined in its response to the Auditor-General dated 18 October 2012 and does not see that any further monitoring or involvement by the Committee is required in relation to this matter.

Recommendation 1

The Committee recommends the House notes the contents of this Report.