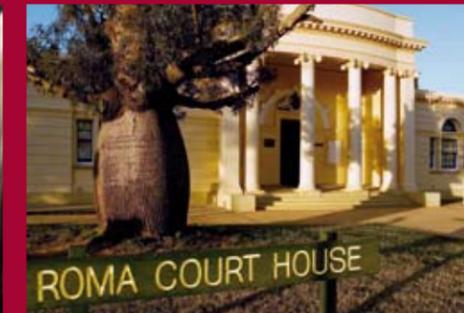


Department of Justice and Attorney-General

Annual Report 2007-08



Our finances

This CD-ROM contains an electronic version of the full financial statements of the Department of Justice and Attorney-General for 2007-08.

COMMUNICATION OBJECTIVE

The Department of Justice and Attorney-General's annual report summarises our financial and corporate performance for 2007-08. Our aim is to provide an annual report that meets the needs of our stakeholders and our accountability under the *Financial Administration and Audit Act 1977*.

The full financial statements of the Department of Justice and Attorney-General for 2007-08 are contained on the CD enclosed on the inside back cover of the report. Our report is also available online at www.justice.qld.gov.au.

Contact details for additional hard copies or to provide feedback:

Corporate Governance Branch
Department of Justice and Attorney-General
GPO Box 149, Brisbane, Qld, 4001
Tel: +61 7 3006 9084
Fax: +61 7 3239 0502

Translation

The Queensland Government is committed to ensuring services are accessible to Queenslanders from all culturally and linguistically diverse backgrounds.

ENGLISH

If you would like an explanation of this report in your language please contact our Corporate Governance Branch on +617 3006 9084 to arrange an interpreter.

CHINESE

如果希望以您的母語為您解釋這份報告，請撥電話+617 3006 9084 與我們的公眾事務處聯絡，以安排傳譯員服務。

ITALIAN

In caso necessitate una spiegazione di questo rapporto nella vostra lingua siete pregati di contattare la nostra Unita' Affari Pubblici al +617 3006 9084 per predisporre un interprete.

VIETNAMESE

Nếu bạn muốn có giải thích về bản báo cáo này bằng ngôn ngữ của bạn, vui lòng liên hệ Bộ phận Đối ngoại số +617 3006 9084 để sắp xếp một cuộc phiên dịch.

GERMAN

Wenn Sie eine Erklärung dieses Berichts in Ihrer Muttersprache haben möchten, setzen Sie sich bitte mit unserem Büro für Öffentliche Angelegenheiten unter +617 3006 9084 in Verbindung, um einen Dolmetscher bzw. eine Dolmetscherin zu veranlassen.

ARABIC

إذا أردت الحصول على شرح لهذا التقرير، فالرجاء الإتصال بوحدة الشؤون العامة الخاصة بنا على الرقم +617 3239 0970 حتي نستطيع ترتيب مترجم فوري لك.

SPANISH

Si desea una explicación de este informe en su idioma llame a la Unidad de Relaciones Públicas al +617 3006 9084 para organizar los servicios de un intérprete.

WARNING:

Aboriginal and Torres Strait Islander peoples are warned that this document may contain images of deceased persons. Due care has been taken to ensure that all images have been used with the appropriate consent.

Letter of transmission

15 October 2008

The Honourable Kerry Shine MP
Attorney-General and Minister for Justice and Minister assisting the Premier in Western Queensland
State Law Building
Brisbane Qld 4000

Dear Attorney

I am pleased to present the annual report 2007-08 for the Department of Justice and Attorney-General.

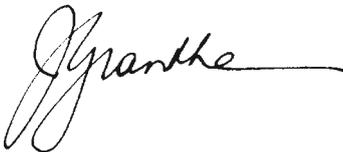
I certify that this annual report meets the prescribed requirements of the *Financial Administration and Audit Act 1977* (FAA Act) and the *Financial Management Standard 1997* (FMS) particularly with regard to reporting the agency's governance arrangements, objectives, functions and performance, as well as the agency's additional reporting and tabling obligations for this report.

Following machinery of government changes implemented in September 2007, the Commercial and Consumer Tribunal, Office for Body Corporate and Community Management and Office of Fair Trading functions of the former Department of Tourism, Fair Trading and Wine Industry Development were transferred to this department and a report on their operations for 2007-08 has been included in this report.

The Retail Shop Leases Registry was also transferred into the department in September 2007 from the former Department of State Development and a report on its operations for 2007-08 has also been included in this report.

A checklist outlining the governance, performance, reporting and procedure obligations contained in the legislation can be accessed at www.justice.qld.gov.au.

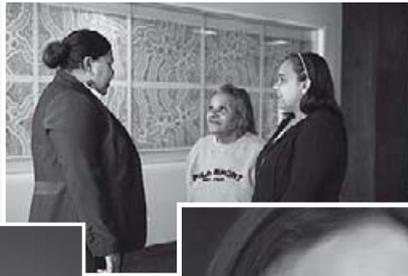
Yours sincerely



Julie Grantham
Director-General
and Commissioner for Fair Trading

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Vision

A safe, just and supportive Queensland community

Purpose

To deliver an open and accessible justice system that protects and supports a fair and stable society based on the rule of law

Values

Service

We are here to serve the people of Queensland

Quality

We aim for excellence in everything we do

Accountability

We are responsible for our actions, our decisions and our performance

Integrity

We act ethically and in the best interest of the community we serve

Director-General's message



I am pleased to present the Department of Justice and Attorney-General's 2007-08 annual report. The report shows our achievements over the past year as we worked towards our vision for a safe, just and supportive Queensland community.

During the year we made substantial progress across a range of regulatory reform areas. Consumer protection reforms included legislation to introduce a 48 per cent interest rate cap to ensure access to credit at a fair and reasonable price.

A review of Queensland's guardianship laws was completed and we began reviews of victims of crime legislation and of the excuse of accident and defence of provocation in murder and manslaughter trials.

We introduced a number of initiatives to improve the efficiency of our courts and access to justice. The judicial registrars pilot program provides for judicial registrars to deal with minor matters in the magistrates courts, freeing up magistrates to deal with more complex matters. The merger of the Land and Resources Tribunal and the Land Court has provided a simplified dispute resolution process for land and mining matters.

During the year, the department also extended the magistrates courts circuits to provide additional circuits to Cape York and the Torres Strait.

Our diversionary programs expanded with the introduction of the Queensland Indigenous Alcohol Diversion Program. The program is an innovative initiative to support Indigenous people involved in the criminal justice or child protection systems to reduce alcohol related harm to individuals and the community.

Access to justice for Indigenous Queenslanders was improved with a further seven Murri Courts established at Cleveland, Coen, Ipswich, Caloundra, Cherbourg, Cairns and St George.

We also provided comprehensive training for community justice groups. These groups work with Indigenous communities to reduce reoffending and strengthen Indigenous people's role in addressing justice issues in their communities. Six training forums were held in regional locations including the remote communities of Thursday Island and Weipa.

Machinery of government changes made last year saw the department expand to include the Office of Fair Trading, Commercial and Consumer Tribunal, Retail Shop Leases Registry and Office for Body Corporate and Community Management. The new functions complement the broader justice agenda and fit well with the other marketplace functions integrated into the department.

The considerable achievements over the past year could not have been realised without the hard work and dedication of our staff, volunteers and partners to whom I extend my thanks and appreciation. In my first year as Director-General I would also like to acknowledge the contribution of my predecessor, Jim McGowan, whose vision and efforts underpin many of our current achievements.

In 2008-09, the department will continue to focus on improving its performance and providing Queenslanders with services that are responsive, relevant and accountable.

A handwritten signature in black ink, appearing to read 'Julie Grantham'.

Julie Grantham
Director-General
and Commissioner
for Fair Trading

Our highlights

Reform

We demonstrated leadership in the development of justice policy and coordination and provided socially responsive law reform that advanced government priorities through:

- completing and publishing volume two of the Queensland Law Reform Commission final report, *Public Justice, Private Lives: A New Approach to Confidentiality in the Guardianship System*
- developing amendments to the Criminal Code to streamline and modernise Queensland's criminal law
- continuing the neighbourly relations review to find more efficient ways to help neighbours resolve disputes
- auditing murder and manslaughter trials to examine the use of the accident and provocation defences and preparing a discussion paper on the findings
- developing legislation to control the cost of credit through an interest rate cap
- banning five high risk consumer products.

We provided innovative responses to justice services through:

- continuing and evaluating the Murri Courts pilot
- building the capacity of coordinators and members of community justice groups through training programs
- holding the inaugural meeting of the statewide community justice reference group
- commencing the Torres Strait Region court circuit
- commencing the Queensland Indigenous Alcohol Diversion Program
- continuing the Homeless Persons Court Diversion Program.

Capability

We maintained an accountable, responsive and client-focused organisation through:

- introducing an electronic document and records management system (eDOCS)
- implementing a complaints management framework
- reviewing our output structure to better align our diverse services
- reviewing our performance measures to ensure they continue to provide the best evidence of our performance
- providing court staff with a range of training aimed at providing better services for vulnerable people, including deaf awareness workshops, domestic violence awareness and protocol workshops.

Our vision is for a safe, just and supportive Queensland community

We improved systems and infrastructure that better support and inform our business through:

- progressing the design of the new Supreme Court and District Court Complex in Brisbane and starting construction of the new Mareeba courthouse
- completing construction of the state-of-the-art Sandgate courthouse
- completing new video-court facilities at the Arthur Gorrie and Brisbane Correctional Centres and installing or upgrading video-court systems in 27 courtrooms and two correctional centres
- implementing a statutory basis to improve information sharing and collaboration among criminal justice agencies.

Equity

We improved services to vulnerable people in the justice system through:

- establishing a dedicated mental health unit in the Office of the Director of Public Prosecutions
- establishing a regional operations base in Townsville for the Office of the Adult Guardian
- employing an additional five case management officers for the Guardianship and Administration Tribunal.

We improved confidence in the justice system through:

- commencing the innovative judicial registrar pilot program in response to the growing workload of Queensland magistrates
- providing additional services to court participants, including self-represented litigants, through the accessCourts program
- amalgamating the jurisdiction of the Land and Resources Tribunal with the Land Court
- supporting the introduction of expanded models of service delivery for the Office of the Director of Public Prosecutions
- improving awareness of the community's consumer rights.

Our department

REFORM
CAPABILITY
EQUITY

The portfolio of the Attorney-General and Minister for Justice

The Attorney-General is the state's first law officer and a member of Cabinet. The portfolio of the Attorney-General and Minister for Justice comprises the Department of Justice and Attorney-General and several government and statutory bodies and officers with important roles in Queensland's justice system.

The Attorney-General's functions and powers are set out in the *Attorney-General Act 1999*. As the state's first law officer, the Attorney-General may start and conduct litigation for the state, the Governor, a minister or a person suing or being sued on behalf of the state. The Attorney-General also acts as the guardian of the public interest, balancing conflicting private and collective interests.

The Attorney-General provides legal advice to Cabinet and the Executive Council and advises the Executive Council on judicial appointments. The Attorney-General can also initiate or terminate criminal proceedings, advise on the exercise of the prerogative of mercy, grant immunities from prosecution and appear before a court in appropriate cases.

The role of the Minister for Justice, like that of other ministers, involves responsibility for the development and implementation of legislation and policy – in this case, dealing with the maintenance and ongoing improvement of Queensland's legal system and finding more effective ways to serve the community through the portfolio's many services.

The Minister is responsible for administering legislation that provides for various bodies and statutory appointments.¹

Portfolio statutory bodies and appointments

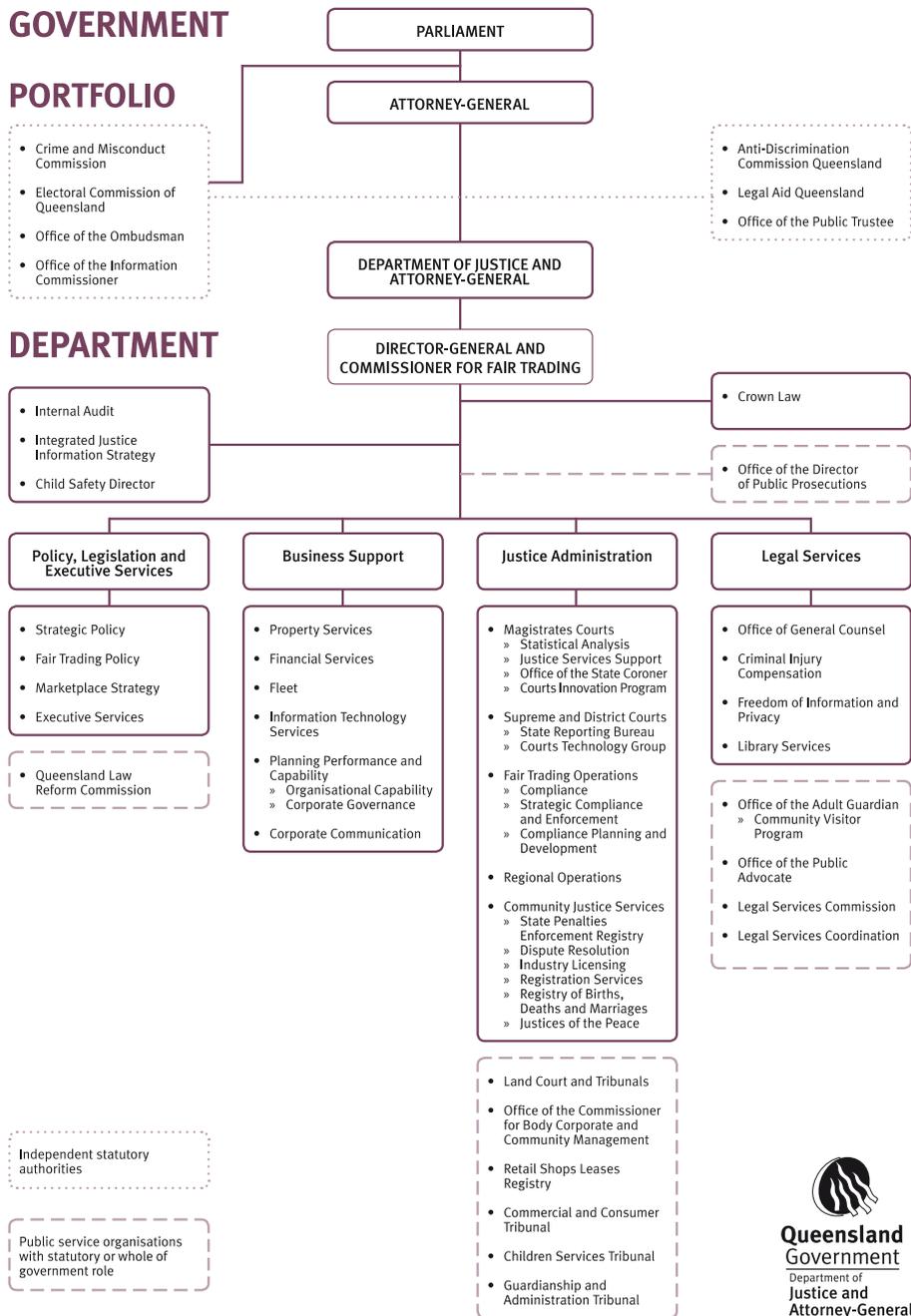
- Adult Guardian²
- Anti-Discrimination Commission of Queensland²
- Anti-Discrimination Tribunal of Queensland
- Appeal Costs Board
- Children Services Tribunal²
- Commercial and Consumer Tribunal²
- Computer Games and Images Appeals Tribunal
- Council of the Queensland Law Society Incorporated²
- Crime and Misconduct Commission²
- Director of Public Prosecutions²
- Disaster Appeals Trust Fund Committee
- Dispute Resolution Centres Council
- Electoral Commission of Queensland²
- Films Appeals Tribunal
- Funeral Benefits Trust Fund
- Guardianship and Administration Tribunal²
- Information Commissioner²
- Legal Aid Board
- Legal Aid Queensland²
- Legal Practice Committee
- Legal Practice Tribunal
- Legal Practitioners Admissions Board²
- Legal Services Commission²
- Office of Fair Trading
- Panel of Misconduct Tribunal Members²
- Professional Standards Council²
- Public Advocate²
- Public Interest Monitor²
- Public Trustee of Queensland²
- Public Trust Office Investment Board
- Publications Appeals Tribunal
- Queensland Law Reform Commission²
- Queensland Ombudsman²
- Retail Shop Leases Tribunal
- Registrar-General (and Deputy) of Births, Deaths and Marriages
- Solicitor-General
- Supreme Court Library Committee²
- State Coroner²

¹ Legislation establishing the portfolio's statutory bodies and authorities is listed in Appendix 3.

² These statutory bodies/statutory appointments prepare their own annual reports. The financial affairs of the other bodies/statutory authorities have been included in the department's general purpose financial statements in the financial section of this report.



Organisational chart



1: The Courts Innovation Program staff monitor various state wide initiatives including Murri Court, Drug Courts, Indigenous Justice Programs and strategies, and other court diversion programs.

These bodies and individuals have varying degrees of independence from the Minister. However, the Minister is ultimately responsible to Parliament for the legislation under which each of them is established.

Department of Justice and Attorney-General

The Department of Justice and Attorney-General delivers a wide range of services that underpin a safe, just and supportive society. The department is the government agency responsible for administering justice in Queensland through:

- the administration of justice, focusing on the court and tribunal system
- the Attorney-General's role as the state's first law officer and the community's legal representative.

The department is also the lead agency in freedom of information and privacy policy.

Courthouses are most people's primary contact point with the justice system. There are 111 located in communities throughout Queensland and many of them provide access to other departmental services.

These other services are diverse and include protecting the rights of people with impaired decision-making capacity through the guardianship and administration framework; providing fair trading services; collecting unpaid infringement notices and court ordered fines; providing civil marriage ceremony services; providing support to victims of crime and their families and carers; using alternative dispute resolution where applicable; and improving access to Justices of the Peace (JP) services through community programs.

Machinery of government changes

Machinery of government changes in September 2007 expanded departmental functions and services when the following units were transferred to the department:

- Office of Fair Trading, Body Corporate and Community Management, and the Commercial and Consumer Tribunal (from the former Department of Tourism, Fair Trading and Wine Industry Development)
- Retail Shop Leases Registry (from the former Department of State Development).

The functions and services provided by these units fit well with the department's vision of 'a safe, just and supportive Queensland community':

- the Office of the Commissioner for Body Corporate and Community Management provides dispute resolution and information services to the community titles sector which includes high rise apartment buildings, townhouse complexes, shopping complexes and business parks
- the Commercial and Consumer Tribunal provides dispute resolution services for a wide range of industry groups and consumers
- the Retail Shop Leases Registry and Tribunal oversees the legislation and rules on which retail shop leases are drawn and provides for the resolution of retail tenancy disputes through mediation and tribunal hearing processes
- the services of the former Office of Fair Trading promote a dynamic, competitive and informed marketplace characterised by fair trading and effective consumer protection.

Where we work

While many of its services are delivered in and from Brisbane, the department has a strong presence in regional, rural and remote areas.

Court sittings are held in regional centres across the state with:

- 130 places appointed for holding magistrates courts, from Badu Island in the Torres Strait to Hungerford in the south and Camooweal in the west
- 32 places appointed for holding district courts, from Cairns in the north to Stanthorpe in the south and Mount Isa in the west
- 11 places appointed for holding supreme courts, from Cairns in the north to Southport in the south and Mount Isa in the west.

Drug Courts operate at Ipswich, Beenleigh, Southport, Cairns and Townsville.

The department is the lead agency for 14 of the 68 Queensland Government Agency Program (QGAP) offices operating across the state to provide government services to remote and rural communities.

The Justices of the Peace (JP) Branch initiated regional training courses for people interested in becoming a JP (Qualified) and also ran several training seminars aimed at up skilling existing JPs and Commissioners for Declarations (C.decs).

Magistrate courts constituted by local Indigenous JPs are held in the communities of Kowanyama, Aurukun, Cherbourg, Yarrabah, Woorabinda, Pormpuraaw, Lockhart River and Mornington Island.

The Office of the Director of Public Prosecutions has 15 prosecution chambers. There are seven chambers in Brisbane, including the Mental Health Chambers, and eight regional chambers in Cairns, Townsville (with an annex in Mackay), Rockhampton, Beenleigh, Ipswich, Maroochydore, Southport and Toowoomba. The office conducts

criminal prosecutions in these major centres and also circuits to over 27 other regional centres throughout the state to conduct prosecutions on behalf of the community.

The Guardianship and Administration Tribunal held hearings in venues throughout Queensland ranging from courthouses to community facilities such as local halls and hospitals. In 2007-08, the tribunal conducted hearings in 31 locations throughout the state including Atherton, Bowen, Bundaberg, Biloela, Cairns, Caloundra, Charters Towers, Dalby, Gatton, Gayndah, Gladstone, Gold Coast, Gympie, Hervey Bay, Ingham, Ipswich, Kingaroy, Longreach, Mackay, Maroochydore, Maryborough, Mount Morgan, Murgon, Nambour, Noosa, Palm Island, Rockhampton, Stanthorpe, Toowoomba, Townsville, and Warwick.

The Children Services Tribunal conducted hearings throughout Queensland, including in Bundaberg, Cairns, Caloundra, Charleville, Gatton, Gladstone, Gympie, Hervey Bay, Innisfail, Mackay, Maryborough, Murgon, Roma, Rockhampton, Southport, Toowoomba and Townsville.

The Dispute Resolution Branch provides mediation services and conflict management training in south east Queensland and through its five regional centres in Cairns, Hervey Bay, Mackay, Rockhampton and Townsville. Criminal mediation services are offered in Brisbane, Southport, Townsville and Cairns. More than half of all mediations conducted by the branch are held in regional Queensland.

Fair Trading Operations has offices in Brisbane, Southport, Maroochydore, Rockhampton, Townsville, Cairns, Mackay, Hervey Bay and Toowoomba. Through these offices, Fair Trading Operations provides statewide support for consumers and traders.

Performance framework

This annual report discusses our performance under four new outputs:

- Court and Tribunal Services
- Human Rights Protection Services
- Policy, Legislation and Legal Services
- Community Justice Services.

Services are aligned to the government's priorities and are focused on the department's strategic goals:

- Equity—ensuring our institutions, laws and services are equitable and fair in the justice system and marketplace, and contribute to a safer community
- Reform—maintaining contemporary, relevant and innovative laws and services that reflect the community's needs and expectations
- Capability—maintaining an organisational culture of performance, accountability, client service excellence, collaboration and staff capability.

Financial reporting under the new output structure will commence in the 2008-09 financial year.

The financial snapshot and statements in this annual report have been reported under the department's previous framework as set out below.

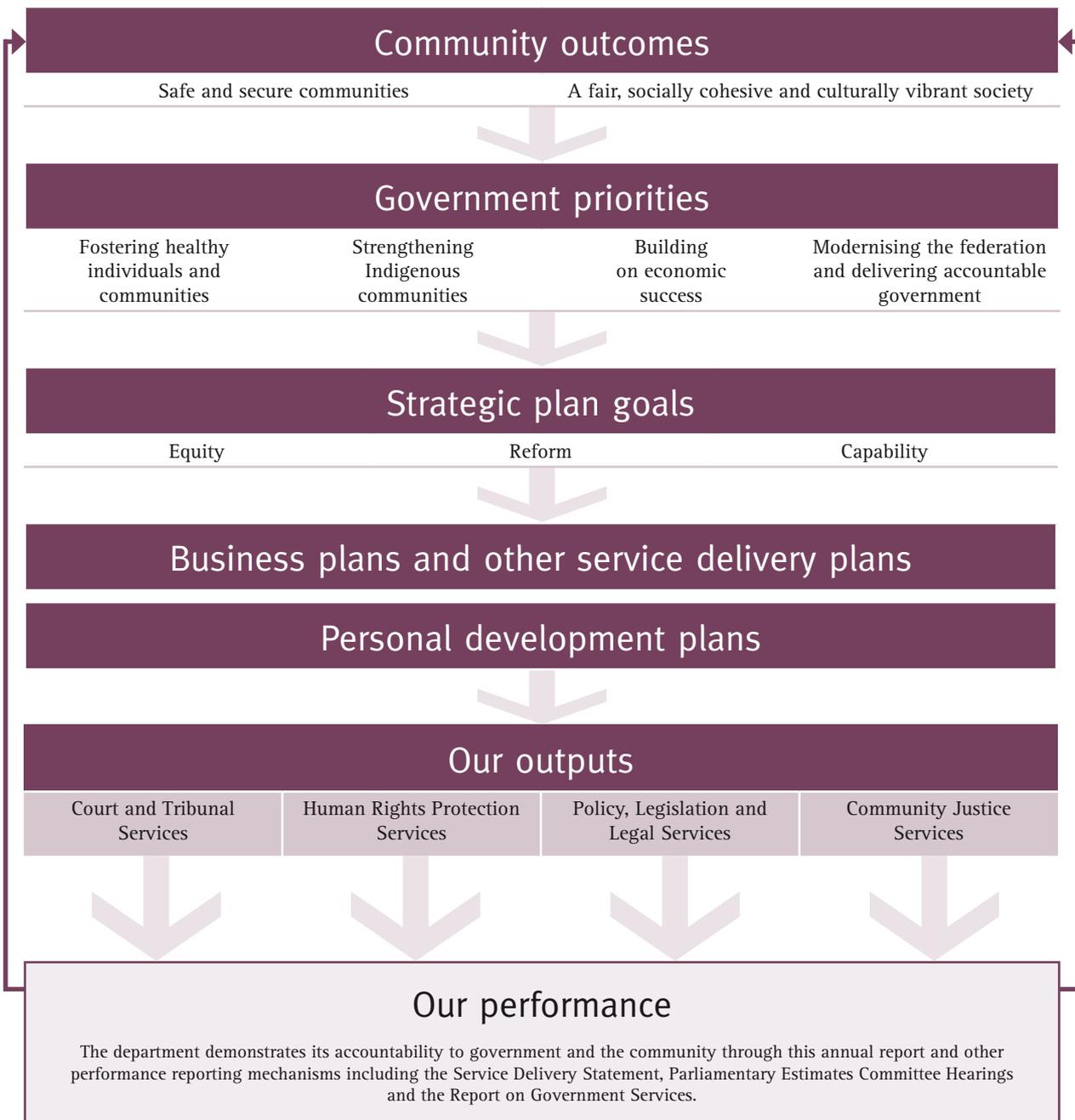
Justice Services	Law and Justice Reform	Legal and Government Services
Delivering justice services through Queensland's system of courts, tribunals, prosecutions, guardianship and dispute resolution	Leading and influencing Queensland's justice policy and law reform	Providing legal advice to government, and services for penalties enforcement, births, deaths and marriages registration, justices of the peace appointments and court reporting
Supreme Court and District Court Administration Magistrates Courts Administration Office of the Director of Public Prosecutions Dispute Resolution Branch Office of the Adult Guardian Community Visitor Program Tribunals	Office of the Queensland Law Reform Commission Office of the Public Advocate Legal Services Commission Strategic Policy	Registry of Births, Deaths and Marriages State Penalties Enforcement Registry Legal and Administrative Law Branch Justices of the Peace Branch State Reporting Bureau Crown Law

REFORM

CAPABILITY

EQUITY

Our output, planning and reporting structure



Our outputs

Court and Tribunal Services	Human Rights Protection Services	Policy, Legislation and Legal Services	Community Justice Services
<p>This output supports safe and secure communities through a court, tribunal and prosecution system that hears and resolves civil and criminal matters. The output provides coronial services. The output also improves services to vulnerable people through justice models for early intervention and diversionary strategies that deal with certain offenders outside the traditional courts system.</p>	<p>This output safeguards vulnerable people through services that protect the rights and interests of adults with impaired decision making capacity, children and victims of crime. The output contributes to a safer and fairer Queensland and helps the government achieve its priorities for fostering healthy individuals and communities through guardianship, other protective services and systems advocacy. The output also reviews decisions made about children and young people in care and provides compensation to people who have suffered injuries as a result of a crime.</p>	<p>This output contributes to a fairer and safer community through its leadership role in justice policy, law reform and effective independent legal services for public sector agencies and the state. It does this by providing justice policy advice, legislative development and law reform services, and by representing the state as the model litigant. It also provides protection for the community through the regulation of legal practitioners, through monitoring compliance with relevant legislation and through marketplace review and reform.</p>	<p>This output provides a range of community focused services that promote community safety, security, fairness and equity. It also supports a strong and diversified economy by promoting integrity and fair trading in the marketplace and contributing to educated and informed consumers and businesses. Registration and certification services provide a basis for protecting a person's identity, property and rights. The department's administration of a fair and accessible justice system is supported by justices of the peace programs, a viable penalties enforcement framework and services that enable the community to resolve conflict through non-adversarial methods and local justice solutions.</p>
<p><i>Court Services</i> Supreme Court and District Court (including State Reporting Bureau)</p> <p>Magistrates Courts (including Office of the State Coroner, Courts Innovation Program)</p> <p><i>Prosecution Services</i> (Office of the Director of Public Prosecutions)</p> <p><i>Tribunal Services</i> (Land Court and Tribunals, Aboriginal Land Tribunal, Torres Strait Islander Land Tribunal, Commercial and Consumer Tribunal, Retail Shop Leases Registry, Office of the Commissioner for Body Corporate and Community Management)</p>	<p><i>Adult Guardian Services</i> (Office of the Adult Guardian)</p> <p><i>Tribunal Services</i> (Childrens Services Tribunal, Guardianship and Administration Tribunal)</p> <p><i>Child Safety</i> (Director, Child Safety)</p> <p><i>Public Advocacy</i> (Office of the Public Advocate)</p> <p><i>Community Visitor Services</i> (Community Visitor Program)</p> <p><i>Administrative Law</i> (Criminal Injury Compensation Unit, Freedom of Information and Privacy Unit)</p>	<p><i>Crown Law and Advocacy</i> (Crown Law)</p> <p><i>Solicitor-General</i></p> <p><i>Strategic Policy</i> (Strategic Policy, Fair Trading Policy, Marketplace Strategy)</p> <p><i>Law Reform and Review</i> (Queensland Law Reform Commission)</p> <p><i>Legal Services Coordination</i> (Legal Services Coordination Unit)</p> <p><i>Consumer Protection-Legal Services</i> (Legal Services Commission)</p>	<p><i>Births, Deaths and Marriages</i> (Registry of Births, Deaths and Marriages)</p> <p><i>Business Names and Licensing</i> (Registration Services Branch, Industry Licensing Unit)</p> <p><i>Community Justice Services</i> (Community Justice Groups)</p> <p><i>Dispute Resolution</i> (Dispute Resolution Branch)</p> <p><i>Fair Trading Services</i> (Fair Trading Operations)</p> <p><i>Justices of the Peace Services</i> (Justices of the Peace Branch)</p> <p><i>Penalties Enforcement</i> (State Penalties Enforcement Registry)</p>

Court and Tribunal Services Output Performance

Highlights

- introduced the role of judicial registrars to improve the capacity of the courts and reduce court waiting times
- appointed two additional full time coroners and dedicated coronial support teams to improve the timeliness and quality of coronial investigations
- provided an improved information management system (CIMS) to regional courts to ensure the Queensland community, litigants and the legal profession benefit from improved registry practices and procedures, access to files online, increased efficiency and better client service
- completed video-court systems at the Arthur Gorrie and Brisbane Correctional Centres to allow for in-person appearances in Queensland courts to be replaced by remote participation
- established a statutory basis to enable the sharing of information across the criminal justice sector
- introduced accessCourts to assist self represented litigants in their dealings with the Supreme Court and District Court
- provided training for community justice groups in regional locations
- held the inaugural Murri Court conference in Brisbane
- held the inaugural meeting of the statewide Community Justice Reference Group, bringing together representatives from community justice groups across the state to focus on practical steps in the implementation of the Justice Agreement
- diverted 314 homeless people from the criminal justice system to health and accommodation services through the Homeless Persons Court Diversion Program
- successfully implemented the jurisdiction of the *Body Corporate and Community Management and Other Legislation Amendment Act 2007* with 98 per cent of lot entitlement adjustments, appeals and complex matters resolved by the Commercial and Consumer Tribunal within target timeframes
- provided information and assistance to more than 3,400 retail shop leases clients
- resolved over 90 per cent of conciliation applications made to the Office of the Commissioner for Body Corporate and Community Management within 30 days of lodgement

The department supports safe and secure communities through a court, tribunal and prosecution system that hears and resolves civil and criminal matters and alternative dispute resolution and coronial services

Introduction

This output delivers its services through Queensland's system of courts, a range of tribunals and the Office of the Director of Public Prosecutions. These services and the institutions that provide them are essential elements of a fair, open and accessible justice system.

A fair, open and accessible justice system provides a mechanism for offenders to be fairly dealt with and other disputes to be fairly resolved. It ensures that those who are disadvantaged or vulnerable are protected and supported and strengthens confidence in the justice system.

During 2007-08, the department continued to pursue a range of strategies to ensure that our justice system is equitable and accessible, that appropriate reforms to the system are considered and implemented and that the justice system continues to demonstrate strong performance.

Queensland courts performance

Overview of courts clearance rates

The Department of Justice and Attorney-General is committed to ensuring timely and accessible justice for all Queenslanders.

Of the various targets set within Queensland courts, the clearance rate indicator has been identified as a key measure of performance.

The clearance rate is a measure adopted from the Commonwealth *Report on Government Services* where it is referred to as the 'clearance index'. It is seen nationally as a simple but useful measure of productivity and indicates if a court is keeping up with its workload. A clearance rate of more than 100 per cent indicates the court is reducing its pending caseload. The clearance rate is derived by dividing the number

of finalisations in the financial year, by the number of lodgements in the same period and multiplying this figure by 100 to convert to a percentage.

Queensland courts continue to achieve impressive clearance rates. In 2007-08, the results achieved by the combined jurisdictions were:

- Supreme Court—100.2 per cent
- District Court—100.4 per cent
- Magistrates Courts (including Coroners Court matters)—99.6 per cent.

By continuing to target clearance rates at higher than 100 per cent, Queensland courts will continue to deliver high quality, effective and timely justice to all Queenslanders.

The table on page 23 provides a complete snapshot of this output's performance against targets in 2007-08.

Queensland courts performance compared to other Australian courts

Queensland courts continue to achieve high levels of performance. The Commonwealth *Report on Government Services 2008*³ highlights that Queensland courts compare favourably to those in other Australian states and territories by continuing to be effective and cost efficient.

- The Supreme Court criminal jurisdiction was assessed as the most cost effective in Australia. At \$5,737 per finalised matter, Queensland's costs in this jurisdiction are significantly lower than the national average of \$14,176 per matter.
- The civil jurisdiction of that court was assessed as the third most cost effective in Australia. The average cost of finalising a civil matter was \$2,323, well below the national average of \$4,616.
- The District Court criminal jurisdiction was assessed as the most cost effective in Australia. The average cost of finalising

a criminal matter was \$3,883 compared to the national average of \$6,662 per matter.

- The District Court civil jurisdiction was also assessed as the most cost effective in Australia. The average cost of finalising a civil matter in that court was \$935, significantly lower than the national average of \$2,167 per matter.
- Queensland's Magistrates Court criminal jurisdiction was the second most cost effective at \$321 per finalised matter (behind Tasmania at \$152) and well below the national average of \$400 per finalised matter.

Office of the State Coroner

The Office of the State Coroner plays an important role in the delivery of justice services by supporting the State Coroner to administer and oversee a coordinated coronial system in Queensland. In 2007-08, 3,514 deaths were reported to coroners across Queensland. This represents a 9.2 per cent increase from the total number of deaths reported to coroners in 2006-07. The statewide clearance rate for 2007-08 was 104 per cent which exceeded the estimated actual rate for the reporting period.

Two additional full time coroners and dedicated coronial support teams were appointed in 2008—the Brisbane Coroner and the northern Coroner. Their appointments are already having a positive impact on the processing of reported deaths in the Brisbane and northern and far northern regions. The appointments are expected to result in continued improvements in the timeliness and quality of coronial investigations in these areas where reportable deaths are most heavily concentrated. The appointment of the Brisbane Coroner in January 2008 assisted in achieving a clearance rate in Brisbane of 108.8 per cent. The appointment of the northern Coroner in March 2008 has assisted in increasing the average number of matters finalised in the northern and far northern region from 34 to 45 per month. The appointment of full time coroners also assists the

³ The *Report on Government Services 2008* contains data for the 2006-07 year.

further development of productive working relationships with local coronial partners including the police and hospitals, which contribute to the efficiency of the coronial system.

Merging of the Land and Resources Tribunal with the Land Court

In September 2007, the *Land Court and Other Legislation Amendment Act 2007* amalgamated the jurisdiction of the Land and Resources Tribunal with the Land Court to create a single body to deal with all land and resources issues. As well as encouraging Queenslanders to participate in an alternative dispute resolution program before undertaking a formal hearing, the merger has provided a simplified dispute resolution process for land and mining matters and resulted in a more effective use of resources.

Reforms for modern streamlined courts

With Queensland's population growing each year, the demand on our court system is becoming greater. The department is focused on reform initiatives to increase the efficiency and capacity of our courts and justice system and to improve our services for the future.

In 2007-08, Queensland welcomed the additional appointments of one Supreme Court judge, two District Court judges and one magistrate. In addition to these appointments, Queensland courts commenced a two year trial of judicial registrars in January 2008.

Judicial registrars pilot

In response to increasing demand on the state's courts, in January 2008 the Queensland Magistrates Court commenced a two year pilot, introducing the role of judicial registrars to improve the capacity of the courts and reduce court waiting times.

This innovative service delivery approach has improved the administration of justice by enabling magistrates to focus on more complex matters while judicial registrars handle minor matters, including minor debt claims, Small Claims Tribunal matters, civil chamber applications, domestic violence adjournments, temporary orders and orders by consent.

Future Courts program

The Future Courts program is developing easy to use online services for litigants, their legal representatives and the broader community, as well as improving registry operations through the use of new technology and process innovation. The program started in July 2007 and will continue until June 2011.

The program is developing a new case management system that will support the introduction of improved technologies for Queensland courts. Program achievements this year included:

- extensive business training to key staff
- a process improvement framework for Queensland courts
- identifying and retiring obsolete systems
- the eTrials pilot project which expands the use of technology in trials
- better processes for recording information and performance reporting.

In addition, a web-based interface was added to the existing civil information management system (CIMS) to create CIMSlite. The new system was deployed to regional courts across Queensland that previously operated with only manual paper-based systems. CIMSlite will provide the community, litigants and the legal profession with benefits including improved registry practices and procedures, access to files online, increased efficiency and better client service.

Regions online in 2007-08 were Bowen, Bundaberg, Charleville, Charters Towers, Cloncurry, Cunnamulla, Dalby, Emerald, Gladstone, Goondiwindi, Gympie, Innisfail, Ipswich, Kingaroy, Longreach, Warwick, Toowoomba, Maryborough, Mount Isa, Roma, and Stanthorpe. The success of CIMSlite will be evaluated in 2008-09.

Video-court facilities

The department is delivering a single, coordinated network of video-court facilities to allow the option for in-person appearances in Queensland courts to be replaced by remote participation. The use of video-court facilities reduces the need for prisoner transfer to court and the associated costs. The facilities improve public safety by reducing the risk of attempted and actual escapes and assaults. They also enable child witnesses and victims of sexual assault to give evidence without confronting a defendant in the courtroom.

As well as the new video-court facilities completed in June at the Arthur Gorrie and Brisbane Correctional Centres, video-court systems were also installed or upgraded in 27 courtrooms. As the result of a pilot conducted during 2007-08 at the Richlands Courthouse, 301 of 596 prisoners presented to that court used video-court facilities from a Queensland correctional centre, resulting in a reduction of more than 50% in prisoner transfers for the year.

Circuit courts connectivity project

This project addresses a critical need for magistrates and their support staff to access the department's data network while performing circuit courts in remote locations throughout the state. The technical solution uses wireless broadband through the 3G network to provide remote users with access to a virtual desktop and allows easy access to information from regional and remote locations, ensuring magistrates can better meet the needs of remote communities.

Integrated Justice Information Strategy

Integrated Justice Information Strategy (IJIS) is a whole of government program to improve community safety by improving information sharing and collaboration among criminal justice agencies through the provision of better communications and information systems.

In 2007-08, the *Justice and Other Information Disclosure Act 2008* put in place a statutory basis to share information across the criminal justice sector. A system has also been developed to automatically notify the Departments of Corrections, Communities and Child Safety of the scheduled initial appearance of all persons-of-interest listed to appear as defendants in court.

Accessible justice services

In 2007-08 the department maintained its focus on increasing equity and fairness by improving services to vulnerable people and through reforming initiatives to improve and maintain confidence in the justice system.

Supreme Court and District Court—accessCourts

accessCourts is a new initiative incorporating three separate programs into a service that provides support for self-represented litigants in the Supreme Court and District Court at Brisbane.

- Self-representation Civil Law Services offers free and discrete legal advice to those self represented litigants who commence civil proceedings in the courts. Established by the Queensland Public Interest Law Clearing House (QPILCH), the service operates out of the Supreme Court and District Court in Brisbane.

- Court Network for Humanity provides court-based support services to give court participants, including litigants and the families of those involved in criminal proceedings, a better understanding of the justice system. There are currently 20 volunteers located in the Supreme Court and District Court in Brisbane to provide procedural information, referrals and support to court users.
- Self-represented Litigant Services has two full time registry staff members on hand to provide easy to understand information about court processes and help to facilitate the exchange of information between litigants and the court. Meritorious cases are referred to the private legal profession through QPILCH's referral scheme for representation. The service also seeks to refer litigants whose cases lack merit to alternative areas to resolve their legal disputes and problems.

The accessCourts initiative will ensure that self represented litigants are not disadvantaged in their dealings with the processes of the Supreme Court and District Court. The commitment by the Supreme Court and District Court to achieve best practice is in line with the department's purpose to deliver an open and accessible justice system.

Magistrates Courts—Improving Indigenous justice

The Murri Court program

The Murri Court program provides practical, equitable and culturally appropriate access to justice for Aboriginal and Torres Strait Islander offenders and provides responsive justice outcomes that focus on the rehabilitation and reintegration of Indigenous offenders into their respective communities. In 2007, the department began a three year evaluation of the operation and resourcing of five Murri Courts located in Brisbane, Caboolture, Rockhampton, Townsville and Mount Isa.

During the year seven more Murri Courts were established in Cleveland, Coen, Ipswich, Caloundra, Cherbourg, Cairns and St George. This expansion reflects the support for this initiative within Indigenous communities across Queensland.

A specific training package has been developed for new Murri Court Elders and Respected Persons to increase the consistency of legal processes across the courts. Court partners in the Murri Court program include Indigenous Elders and Respected Persons, Community Justice Groups, Queensland Police Service,

Reaching the remote regions of far north Queensland

From 29 to 31 January 2008, the historic first sittings of the extended Cape York and Torres Strait Magistrates Court Circuit on Saibai, Masig (Yorke) and Mer (Murray) Islands took place. The court proceedings commenced with a ceremony by James Bon, welcoming Chief Magistrate Marshall Irwin and Magistrate Trevor Black to the community by offering them the ceremonial Seuri Seuri, a star-headed club, draped with a Sim Hibiscus leaf. On Mer this is a symbol of peace and is used for dispute resolution.

In the following months, Magistrates Court proceedings expanded to include Moa Island (Kubin Village), Boihu Island, Iama (Yam Island), Erub (Darnley Island) and Warraber (Sue Island).

the Department of Communities, Queensland Corrective Services and Aboriginal and Torres Strait Islander Legal Services (ATSILS). These court partners continue to support both the evaluation of Murri Courts and the newly established Murri Courts.

In May 2008, the inaugural Murri Court conference was held in Brisbane. More than 115 delegates from 12 Murri Court locations, and two emerging Murri Court locations, attended.

Community justice groups

Community justice groups were first established in 1993 to provide advice about court and justice processes and support for Aboriginal and Torres Strait Islander people going to court. There are 42 community justice groups which support victims and offenders at all stages of the legal process, including encouraging diversionary and early intervention strategies.

During 2007-08, six regional training forums were provided for community justice group members in locations including remote communities at Thursday Island and Weipa. In 2008-09 the department will provide a slight increase in the grants it allocates to enable community justice groups to continue delivering critical support services to their communities.



Participants in the Murri Court Conference.

The Queensland Indigenous Alcohol Diversion program

Commencing in July 2007, the Queensland Indigenous Alcohol Diversion program (QIADP) is an innovative initiative that supports Indigenous people involved in the criminal justice or child protection systems to reduce alcohol-related harm to individuals and the community. The program aims to divert Indigenous offenders who are alcohol-dependent or high risk drinkers to alcohol and drug treatment. The program incorporates residential treatment, counselling, group programs and supported accommodation over a 20 week period. Since it commenced 260 offenders have been referred to the program.

Magistrates Courts— Reducing crime to provide better justice outcomes

In addition to QIADP, the department coordinates a range of diversionary programs to address issues leading to criminal activity and to help individuals overcome these challenges.

The Queensland Magistrates Early Referral into Treatment program

The Queensland Magistrates Early Referral into Treatment program

(QMERIT) is an initiative to assist individuals with less entrenched drug-related offences to undergo treatment for their illicit drug use problems. QMERIT is a bail based program and is currently being piloted in Maroochydore and Redcliffe. Since it began on 1 August 2006, 82 of the 248 offenders eligible for the program have successfully graduated drug free. The program is currently being evaluated by Turning Point Alcohol and Drug Centre on behalf of Queensland Health.

The Illicit Drug Court Diversion program

The Illicit Drug Court Diversion program offers eligible people charged with a minor drug offence the opportunity to attend a drug assessment and education session without a conviction being recorded or a fine being imposed. The program has effectively reduced the level of reoffending by those who undertake it. Over 15,000 offenders across the state have participated in the program and the compliance rate continues to remain at a very high 91 per cent. A comparative study to establish possible reoffending patterns of offenders who were not sentenced to court diversion will be carried out in 2008-09.

The Homeless Persons Court Diversion program

Supporting the Government's *Response to Homelessness* program, the Homeless Persons Court Diversion program aims to divert homeless people from the criminal justice system to services addressing accommodation, health and other needs which may be contributing to their offending behaviour. In 2007-08, 385 people were eligible for the program and of these, 314 have been referred to services as a condition of bail or at sentence providing opportunities for them to make a real life change. An evaluation of the program in late 2007 found strong support for the program.

Drug Courts

Drug Courts have been operating in south east Queensland for eight years, and in north Queensland for six years. The courts sit at the hard

Inaugural meeting of the statewide Community Justice Reference Group

The inaugural meeting of the statewide Community Justice Reference Group was held in Brisbane on 15-16 May. The statewide Community Justice Reference Group consists of two community justice group representatives from six regions in Queensland together with representatives from the judiciary, the Aboriginal and Torres Strait Islander Legal Service, Legal Aid Queensland, the Department of Justice and Attorney-General and other Queensland government departments. The group was established to enable Indigenous input into the ongoing implementation and monitoring of the Justice Agreement, and provide a mechanism for the provision of advice to government on Indigenous community justice issues.

end of the court sanctioned drug diversion range, offering a post-sentence rehabilitation option for offenders, with a prison sentence initially set aside.

An Australian Institute of Criminology study into the reoffending rates of the first 100 graduates of the program found that general reoffending declined by 80 per cent compared with pre-program offending. This outcome is 17 per cent better than outcomes for two comparison groups—those who started but did not complete the program and a separate prisoner comparison group.

informal and cost effective way. The tribunal has been successful in providing dispute resolution services, administrative review and disciplinary proceedings for a wide range of industry groups and consumers. Other departments have continued to use the established tribunal system for administrative review matters rather than create separate review boards.

In 2007-08, the tribunal continued to resolve disputes, review decisions and conduct disciplinary proceedings. Mediators continued to achieve a high success rate in assisting parties involved in domestic and minor commercial building disputes, with 74 per cent of these disputes resolved last

financial year. Since the July 2007 proclamation of the *Body Corporate and Community Management and Other Legislation Amendment Act 2007*, the tribunal has successfully implemented this jurisdiction for complex body corporate matters and 98% of lot entitlement adjustments, appeals and other complex matters brought since then were resolved within target timeframes.

Office of the Commissioner for Body Corporate and Community Management

Under the *Body Corporate and Community Management Act 1997*, the Office of the Commissioner for Body Corporate and Community Management delivers responsive dispute resolution and information services for people living, working or investing in community titles schemes. There are over 36,000 community titles schemes in Queensland, involving over 332,000 individual lots. The number of people choosing to invest or live in community titles schemes in Queensland continues to grow with approximately 1,200 new schemes each year, representing some 10,000 lot owners.

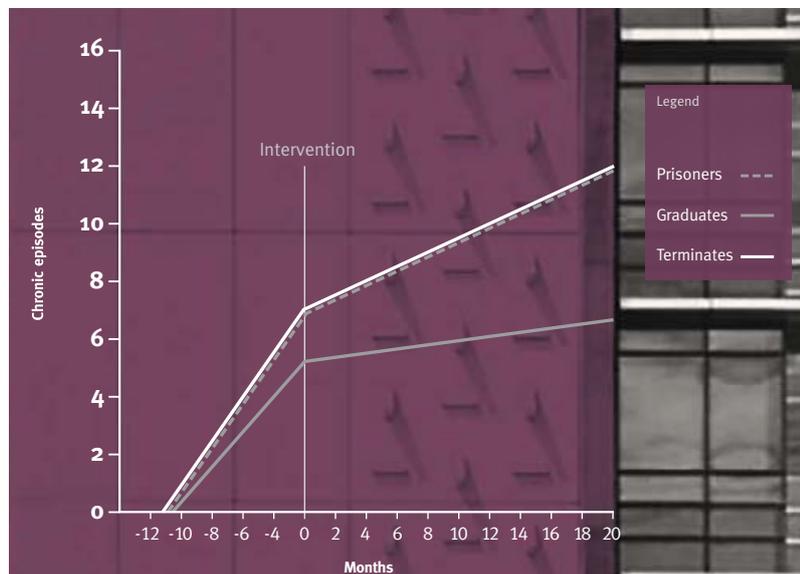
In 2007-08, the office continued to exceed expectations providing

Queensland tribunals performance

Queensland's tribunals perform a range of functions, including reviews of administrative decisions of government, licensing and planning matters, decisions affecting the liberty, care and treatment of individuals, industry regulation and accreditation.

Commercial and Consumer Tribunal

The Commercial and Consumer Tribunal was established under the *Commercial and Consumer Tribunal Act 2003* to resolve commercial and consumer disputes in a timely,



Source: Australian Institute of Criminology report on the Queensland Drug Court: a recidivism study of the first 100 graduates, March 2008.

accessible, equitable and responsive information and dispute resolution services to 24,082 client contacts.

Amendments to the *Body Corporate and Community Management Act 1997* which commenced on 1 July 2007 introduced conciliation to assist parties resolve non-complex body corporate disputes under the Act. The office exceeded its targets for the timely resolution of conciliation matters, with over 90 per cent of conciliation applications resolved within 30 days from the date of lodgement. Previously, the average time to resolve a conciliation application was around 3 weeks. Over 75 per cent of respondents surveyed in 2007-08 indicated they would recommend conciliation as a means of resolving future disputes with over 90 per cent of respondents agreeing their application was dealt with in a timely way.

If conciliation fails to resolve the dispute, parties may apply for adjudication. Due to the success of the conciliation service in 2007-08, only 680 applications for adjudication were received, compared to 1,246 applications in 2006-07.

Retail Shop Leases Registry

The Retail Shop Leases Registry was established under the *Retail Shop*

Leases Act 1994 and provides a forum for the resolution of retail tenancy disputes. During the year the registry provided a range of resources, information and assistance to over 3,400 clients in the retail sector.

Office of the Director of Public Prosecutions

In 2007-08 the Office of the Director of Public Prosecutions (ODPP) continued to play a vital role in the state's criminal justice system. Responsible for the prosecution of criminal matters in the superior courts throughout Queensland the ODPP also appears in the High Court, Court of Appeal, Mental Health Court and Mental Health Review Tribunal. The ODPP also prosecutes committals in the Brisbane Central and Ipswich Magistrates Courts, some matters in the Southport Magistrates Court, and occasionally in the Murri Court.

The ODPP continues to build and consolidate relationships with the courts, Legal Aid Queensland, the private legal profession, the Queensland Police Service, Queensland Health and the Department of Corrective Services to ensure the criminal justice system works for the benefit of all Queenslanders.

The practice is made up of 15 legal chambers—seven in Brisbane (including the ODPP head office and the Mental Health Chambers) and eight regional chambers in Cairns, Townsville (with an annex in Mackay), Rockhampton, Beenleigh, Ipswich, Maroochydore, Southport and Toowoomba.

A dedicated ODPP legal team deals with the confiscation of proceeds of crime. This team consists of a number of solicitors and legal support staff and conducts civil proceedings rather than prosecutions.

The ODPP Corporate Services Unit supports the Director of Public Prosecutions in the provision of prosecution services by providing records, court listings, finance, human resources, IT and policy planning and performance services. The Practice has a total of 326 staff, including 67 prosecutors and 83 legal officers and receives on average over 6,070 matters post committal for prosecution in the superior courts annually.

Mental Health Chambers

In 2007 the ODPP established a specialist chambers devoted to the conduct of Mental Health Court and Mental Health Review Tribunal work. The Mental Health Chambers consists of 19 staff, including five high-level specialist prosecutors.

Queensland's Future Civil and Administrative Tribunal

On 12 March 2008, the Premier announced the Queensland Government's intention to establish a civil and administrative tribunal. An independent panel of experts was appointed to advise the Queensland Government about scope, legislation required and implementation arrangements for the new tribunal. The panel recommended 23 tribunals and some functions of five other bodies for inclusion in the new Queensland Civil and Administrative Tribunal (QCAT).

QCAT benefits:

- a single point of entry increasing access to justice
- improved community confidence in the delivery of justice and the role of the tribunal as an independent decision maker
- improved quality and consistency of decision making
- fair, consistent, timely and cost effective resolutions
- better use of tribunal staff and members
- improved career paths for tribunal staff.



An artist's impression of the proposed Brisbane Supreme Court and District Court complex.

Brisbane Supreme Court and District Court Complex

With approximately 60,000 square metres of floor space spread over 20 floors, the \$600 million Brisbane Supreme Court and District Court building will be one of the largest court buildings in Australia. Along with the highly successful Brisbane Magistrates Court, it will form a new centre for the Brisbane legal precinct.

The new building, which will contain up to 45 courtrooms, will provide totally separate paths of travel throughout the building for members of the public, jurors, vulnerable witnesses, judges and prisoners and will provide vulnerable witnesses a separate wing with rooms for giving evidence, lounges and a separate lift and entrance.

The building and the associated public square will be a significant feature of the Brisbane CBD and provide a link between the Gallery of Modern Art, the new pedestrian river bridge and the Roma Street parklands.

Ipswich Courthouse and Watch-house

The new Ipswich Courthouse will meet the needs of the rapidly growing Ipswich region. It will contain eight Magistrates Court courtrooms and four District Court courtrooms. A watch-house and police station are also being constructed as part of the same building project.

Sandgate Courthouse

The new Sandgate Courthouse was officially opened on 24 April 2008. The new facility has the most current technology and hosts many amenities for court stakeholders. There is a domestic violence room, vulnerable witness room with closed-circuit television, and multiple interview rooms to accommodate Legal Aid Queensland, Aboriginal and Torres Strait Islander Legal Service and private legal practitioners. The building has a secure link with the adjoining police station for the safe transfer of prisoners.

Pine Rivers Courthouse

The new Pine Rivers Courthouse is a \$11 million investment providing state-of-the-art facilities, including two magistrates courtrooms, chambers, a registry, interview rooms and closed-circuit television (CCTV) facilities to allow vulnerable witnesses and domestic violence victims to give evidence in a private and secure environment. The building project also includes a new watch-house funded by the Queensland Police Service that is linked to the courthouse for the secure transfer of persons in custody.

In addition to the staff in Brisbane, three prosecutor positions at senior level are established in regional chambers based in Toowoomba, Townsville and Cairns.

Mackay office

In 2007 the ODPP established an office in Mackay to service a growing number of District and Supreme Court sitting weeks. The Mackay office consists of three staff—a senior Crown Prosecutor, a legal officer and a legal support officer.

Improving and upgrading Queensland courts and facilities to meet future needs

The department's capital program focuses on designing, constructing, upgrading and managing courthouses throughout the state to ensure services provided are effective, accessible and safe. During 2007-08, a significant program of work was undertaken:

- completed construction of the Sandgate Courthouse and substantially completed the new Pine Rivers Courthouse
- completed construction of an extended courtroom and prisoner transfer facilities at Maryborough
- commenced construction of new courthouses at Ipswich and Mareeba
- commenced a major upgrade of the Toowoomba Courthouse that will be carried out over three years
- completed upgrade and extension works on the Weipa and Holland Park courthouses
- commenced planning and design for the new Brisbane Supreme Court and District Court Complex.

Performance against targets

This table contains the current performance measures for this output. See Appendix 2 for discontinued measures.

The courts performance data published in this table is the data published in the Commonwealth *Report on Government Services* (RoGS) for each reported year.

Some measures have been included in the 2008-09 Service Delivery Statement for the first time. They are marked as new measures even though data back to 2005-06 is also included in the table.

Unit/Measure	Notes	2005-06 Actual	2006-07 Actual	2007-08 Target	2007-08 Actual	2008-09 Target	Change from 2006-07	Change from 2005-06
Supreme Court - Court of Appeal								
Civil law:								
- Number of appeals lodged	1	262	266	new measure	236	250	-11.3%	-9.9%
- Number of appeals finalised		247	267	276	266	260	-0.4%	7.7%
- Clearance rate (finalisations/ lodgements)		94.3%	100.4%	100%	112.7%	104%	--	--
Criminal law:								
- Number of appeals lodged	1	378	338	new measure	440	350	30.2%	16.4%
- Number of appeals finalised		370	352	350	399	350	13.4%	7.8%
- Clearance rate (finalisations/ lodgements)		97.9%	104.1%	100%	90.7%	100%	--	--
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period:								
- Civil law	2	0%	0%	new measure	0%	0%	0%	0%
- Criminal law	2	0%	0.9%	new measure	0.6%	0%	-0.3%	0.6%
Supreme Court - Trial Division								
Civil law:								
- Number of matters lodged	1	5,201	5,322	new measure	5,455	5,300	2.5%	4.9%
- Number of matters finalised		5,106	5,167	5,500	5,440	5,500	5.3%	6.5%
- Clearance rate (finalisations/lodgements)		98.2%	97.1%	100%	99.7%	104%	--	--
Criminal law:								
- Number of matters lodged	1	1,372	1,330	new measure	1,493	1,500	12.3%	8.8%
- Number of matters finalised		1,203	1,354	1,250	1,538	1,550	13.6%	27.8%
- Clearance rate (finalisations/lodgements)		87.7%	101.8%	100%	103.0%	103%	--	--

Court and Tribunal Services Output Performance

Unit/Measure	Notes	2005-06 Actual	2006-07 Actual	2007-08 Target	2007-08 Actual	2008-09 Target	Change from 2006-07	Change from 2005-06
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period:								
- Civil law	2	8.0%	8.4%	new measure	7.3%	5%	-1.1%	-0.7%
- Criminal law	2	3.9%	4.6%	new measure	4.6%	5%	0%	0.7%
District Court - Appeals								
Civil law:								
- Number of appeals lodged	1	100	98	new measure	97	84	-1.0%	-3.0%
- Number of appeals finalised	1	128	84	new measure	76	88	-9.5%	-40.6%
- Clearance rate (finalisations/lodgements)	1	128.0%	85.7%	new measure	78.4%	105%	--	--
Criminal law:								
- Number of appeals lodged	1	320	392	new measure	338	300	-13.8%	5.6%
- Number of appeals finalised	1	346	294	new measure	316	300	7.5%	-8.7%
- Clearance rate (finalisations/lodgements)	1	108.1%	75.0%	new measure	93.5%	100%	--	--
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period:								
- Civil law	2	6.4%	0%	new measure	3.6%	0%	3.6%	-2.8%
- Criminal law	2	3.8%	1.4%	new measure	3.2%	0%	1.8%	-0.6%
District Court								
Civil law:								
- Number of matters lodged	1	5,686	4,890	new measure	4,849	4,800	-0.8%	-14.7%
- Number of matters finalised		6,779	6,034		4,715	4,900	-21.9%	-30.4%
- Clearance rate (finalisations/lodgements)		119.2%	123.4%	100%	97.2%	102%	--	--
Criminal law:								
- Number of matters lodged	1	6,705	6,577	new measure	6,606	6,600	0.4%	-1.5%
- Number of matters finalised		6,656	6,393		6,836	6,900	6.9%	2.7%
- Clearance rate (finalisations/lodgements)		99.3%	97.2%	100%	103.5%	105%	--	--

Unit/Measure	Notes	2005-06 Actual	2006-07 Actual	2007-08 Target	2007-08 Actual	2008-09 Target	Change from 2006-07	Change from 2005-06
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period:								
- Civil law	2	8.8%	7.2%	new measure	4.9%	5%	-2.3%	-3.9%
- Criminal law	2	9.5%	6.9%	new measure	8.4%	5%	1.5%	-1.1%
Magistrates Court								
Civil law:								
- Number of matters lodged	1	86,621	81,320	new measure	79,459	72,500	-2.3%	-8.3%
- Number of matters finalised		85,946	86,930	87,000	81,584	78,000	-6.1%	-5.1%
- Clearance rate (finalisations/lodgements)		99.2%	106.9%	100%	102.7%	108%	--	--
Criminal law:								
- Number of matters lodged	1	177,040	176,685	new measure	190,871	187,000	8.0%	7.8%
- Number of matters finalised		169,980	175,722	174,000	187,445	187,000	6.7%	10.3%
- Clearance rate (finalisations/lodgements)		96.0%	99.5%	100%	98.2%	100%	--	--
Percentage of active cases more than 12 months old from lodgement date to the end of the reporting period:								
- Civil law	2	6.7%	7.0%	new measure	6.6%	6%	-0.4%	-0.1%
- Criminal law	2	15.5%	16.9%	new measure	16.1%	14%	-0.8%	0.6%
Coroners Court								
Number of matters lodged	1	3,144	3,219	new measure	3,514	3,550	9.2%	11.8%
Number of matters finalised	1	2,823	3,149	new measure	3,656	3,440	16.1%	29.5%
Clearance rate (finalisations/lodgements):		89.8%	97.8%	new measure	104.0%	97%	--	--
Percentage of coronial matters more than 24 months old from lodgement date to the end of the reporting period	2	9.7%	9.6%	new measure	9.6%	5%	0%	-0.1%
Land Court and Tribunals								
Number of matters lodged		--	--	new measure	--	1,200	--	--
Number of matters finalised		--	--	new measure	--	1,000	--	--
Clearance rate (finalisations/lodgements):		--	--	new measure	--	83%	--	--
Percentage of cases finalised within 12 months	3	82%	83%	85%	89%	90%	7.2%	8.5%

Court and Tribunal Services Output Performance

Unit/Measure	Notes	2005-06 Actual	2006-07 Actual	2007-08 Target	2007-08 Actual	2008-09 Target	Change from 2006-07	Change from 2005-06
Courts Innovation Program								
Proportion of Murri Court participants diverted from prison/detention at sentence	4	--	--	new measure	84%	80%	--	--
Commercial and Consumer Tribunal								
Number of applications lodged		1,303	1,249	1,300	1,234	1,300	-1.2%	-5.3%
Number of applications resolved		1,272	1,151	1,350	1,210	1,350	5.1%	-4.9%
Percentage of orders overturned or altered on appeal		<2%	<1%	<2%	<0.5%	<2%	--	--
Percentage of applications resolved within established timeframes		78%	75%	80%	77%	80%	2.7%	-1.3%
Body Corporate and Community Management								
Number of applications lodged	5	1,143	1,246	1,550	1,121	1,450	-10.0%	-1.9%
Number of applications resolved	5	1,124	1,253	1,500	1,259	1,400	0.5%	12.0%
Percentage of orders overturned or altered on appeal		<0.2%	<0.2%	2%	1%	2%	--	--
Percentage of conciliation applications resolved by agreement	6	--	--	60%	69%	65%	--	--
Percentage of lodgements pending finalisation that are more than 6 months old from lodgement date to the end of the reporting period		--	--	new measure	--	2%	--	--
Retail Shop Leases Registry								
Percentage of disputes that are resolved through mediation processes		--	--	new measure	85%	90%	--	--
ODPP—Prosecution Services								
Percentage of indictments presented within 6 months	7	--	--	new measure	99%	100%	--	--

Notes

- Figures are compiled according to the national counting rules set out in the *Report on Government Services (RoGS)*.
- This measure is calculated according to the national counting rules set out in RoGS. It is an indicator of the effectiveness of the courts to deliver justice in a timely manner. Delays taken to finalise or process cases can be caused by factors other than those related to the workload of the court.
- In 2007-08 the Land and Resources Tribunal and the Land Court were amalgamated and are now reported as a combined measure.
- This is a new measure and data for the period before 1 July 2008 is not available.
- Amendments to the Act requiring parties to attempt self-resolution, an increase in fees to better compare with the fees charged in other jurisdictions and the success of the conciliation service in resolving disputes without the need for adjudication, have meant that the expected increase in the number of applications lodged and resolved did not eventuate.
- Conciliation commenced on 1 July 2007.
- Provides a measurement of prosecution services performance.

Future directions

- evaluate the judicial registrar pilot program
- identify the changes needed to existing legislation to transition existing tribunals and court responsibilities into QCAT and continue to plan for implementation of the tribunal which will increase the efficiency and quality of civil and administrative decision making and improve the community's access to justice
- review the civil and criminal justice system in Queensland with the aim of achieving better use of public resources. The review will be conducted by The Honourable Martin Moynihan AO QC, former Senior Judge Administrator of the Supreme Court of Queensland. It will consider civil jurisdictional limits and investigate and invite public comment on ways to encourage earlier resolution of matters in the criminal jurisdiction, including:
 - the summary disposition of indictable offences
 - possible reforms to the committal proceeding process
 - sentencing discounts for early guilty pleas
 - case conferencing.
- expand models of service delivery by the ODPP
- continue initiatives to improve court technology, including a formal evaluation of the performance of the Future Courts program
- implement a targeted communication strategy to raise awareness of the jury system and the importance of jury duty
- drive the implementation of IJIS capabilities in the department to achieve IJIS benefits and improved delivery of justice services
- continue to provide support to community justice group members in relation to governance and justice related activities
- continue initiatives that address the causes of crime, including the Queensland Magistrates Early Referral into Treatment program, the Illicit Drug Court Diversion Program and the Queensland Indigenous Alcohol Diversion program
- continue to work with Queensland Correctional Services and Legal Aid Queensland, to establish a single, coordinated network of videoconferencing facilities across Queensland by expanding facilities to regional courthouses and to Townsville Women's, Townsville Men's, Brisbane Women's and Lotus Glen Correctional Centres
- continue evaluation of the Murri Court program in the funded centres of Brisbane, Caboolture, Rockhampton, Townsville and Mount Isa Magistrate Courts
- complete the construction of courthouses at Ipswich and Mareeba
- upgrade the Southport and Toowoomba courthouses
- commence construction of the new Brisbane Supreme Court and District Court complex.

Human Rights Protection Services Output Performance

Highlights

- established a regional Office of the Adult Guardian in Townsville which has provided improved services in north Queensland and strengthened relationships with local service providers and other government agencies
- conducted a guardianship and administration forum in Maryborough for the Wide Bay/ Burnett region with the combined efforts of the Office of the Adult Guardian, the Guardianship and Administration Tribunal, the Public Trustee, the Office of the Public Advocate and the Community Visitor Program
- increased the number of visits by community visitors and the number of visitable sites by 20 per cent
- implemented a streamlined case management process for non-contentious applications made to the Guardianship and Administration Tribunal, enabling some cases to be fast-tracked to hearing
- employed five additional registry officers to conduct case management, inquiries and tribunal hearing support
- released the Public Advocate's Issues Paper *Preventing the Suicide Deaths of Queenslanders with a Mental Illness*.

The department safeguards vulnerable people through services that protect the rights and interests of adults with impaired decision-making capacity, children and victims of crime



Guardianship and administration regional forum

A guardianship and administration forum was held in Maryborough in June, for the Wide Bay/Burnett region. This forum was held in partnership with the Office of the Adult Guardian, the Guardianship and Administration Tribunal, the Public Trustee, the Office of the Public Advocate, Community Visitor Program and Department of Justice and Attorney-General. The forum increased awareness of guardianship and administration issues in the community and was well attended.

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Introduction

The Human Rights Protection Services output contributes to a safer and fairer Queensland and helps the government achieve its priorities for fostering healthy individuals and communities through guardianship, other protective services and systems advocacy. The output also reviews decisions made about children and young people in care and provides compensation to people who have suffered injuries as a result of a crime. It also provides a framework for privacy and freedom of information in Queensland.

Guardianship services

These services are provided through the Office of the Adult Guardian, the Guardianship and Administration Tribunal and the Community Visitor Program. The need for guardianship services is expanding as Queensland's population ages.

New services

As part of the response to the Carter report into *Challenging Behaviour and Disability*, the Community Visitor Program, the Office of the Adult Guardian and the Guardianship and Administration Tribunal have prepared for new service initiatives and legislative changes commencing on 1 July 2008. The new service initiatives and legislation are designed to safeguard the rights of adults with intellectual or cognitive disability and challenging behaviours through service improvements to reduce or eliminate the use of restrictive practices; promote positive

behavioural support; reduce the incidence of challenging behaviour; and improve the quality of life for adults with an intellectual or cognitive disability.

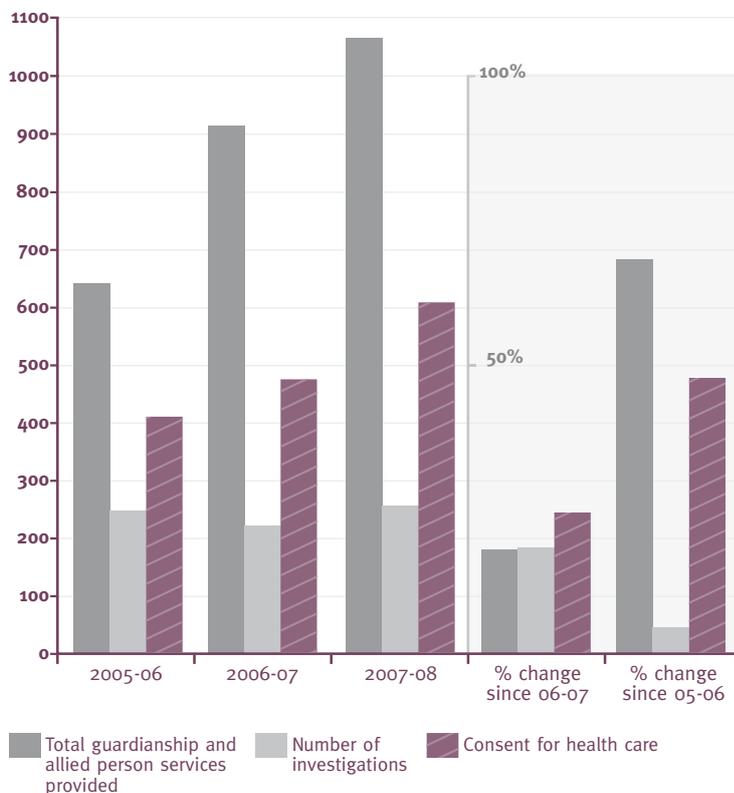
Office of the Adult Guardian

Operating under the *Guardianship and Administration Act 2000* and the *Powers of Attorney Act 1998*, the Adult Guardian is an independent statutory officer whose role is to protect the rights and interests of adults with impaired decision-making capacity. When appointed by the Guardianship and Administration Tribunal, the Adult Guardian acts as substitute decision maker for healthcare, accommodation, service provision, legal, contact and/or other personal decisions.

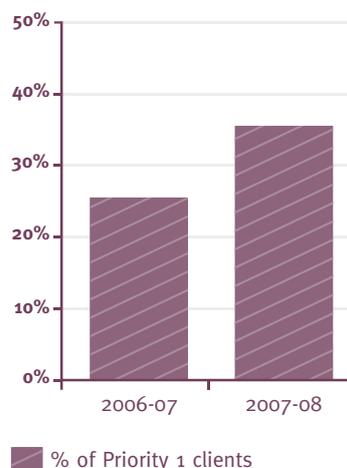
In 2007-08 the Office of the Adult Guardian experienced a continued growth in its workload due to the appointment of the Adult Guardian as guardian for an increasing number of adults. This trend is expected to continue as Queensland's population ages.

Human Rights Protection Services Output Performance

Office of the Adult Guardian service trends



Client Trends



The trends in guardianship clients continue. There are a high number of complex cases, with more contentious issues and conflicting parties involved. As at 30 June 2008, there was a larger number of Priority 1 clients (36 per cent) relative to the previous year (26 per cent). Priority 1 clients are those whose health and/or life is at high risk, or who are at high risk of physical, psychological and/or sexual abuse, neglect and/or exploitation.

The Office of the Adult Guardian will continue to implement systems for decision making for these vulnerable adults to protect their right to live as independently as possible and to develop to their full potential.

New Townsville office

Responding to increasing needs for its services during 2007-08, the Adult Guardian established a north Queensland office in Townsville. As at 30 June 2008, clients serviced by the new office accounted for

approximately 20 per cent of all Adult Guardian clients. The presence of the Office of the Adult Guardian in north Queensland is providing significant benefits to clients and other stakeholders and has been welcomed by the local community. It has generated an increased interest in the guardianship system and increased requests for community education sessions about the role of the Adult Guardian. Staff are more accessible and decision making can happen in a more timely way. Additionally, to ensure better outcomes for vulnerable clients, relationships are being strengthened with local service providers and other government agencies.

Guardianship and Administration Tribunal

The Guardianship and Administration Tribunal was established by the *Guardianship and Administration Act 2000* to provide an independent, accessible

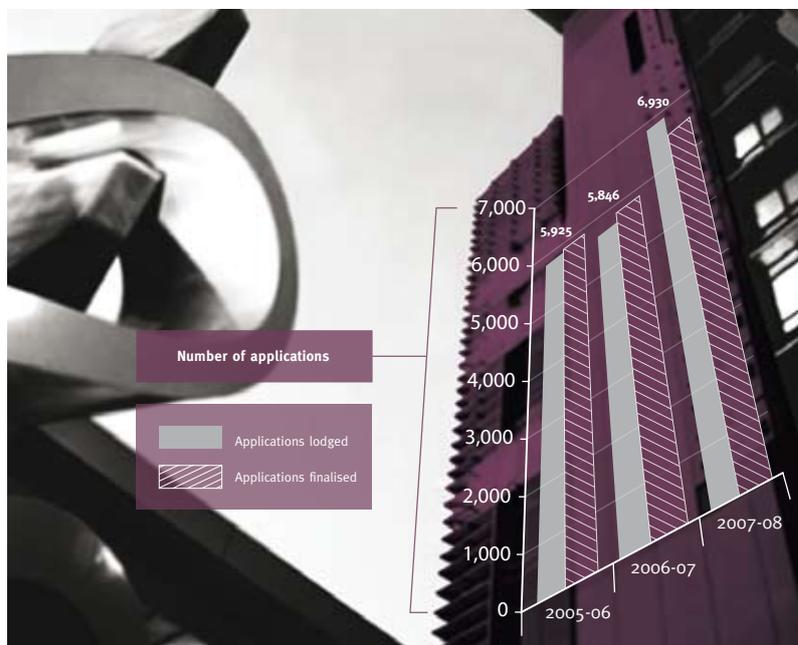
and inexpensive way of meeting the decision-making needs of adults with impaired decision-making capacity and to provide a framework for protecting their rights.

Queensland's ageing population has led to an increasing number of applications to the tribunal. In the last three years the number of applications lodged has increased by 17.0 per cent. In 2007-08 the tribunal received 6,930 applications, an increase of 18.5 per cent over the previous year.

As a result of the increasing workload, five additional registry officers were appointed to conduct case management, inquiries and hearing support.

In 2007-08 the tribunal finalised 6,510 applications, giving a clearance rate for the year of 94 per cent. Of this 94 per cent, the tribunal finalised 75 per cent of applications within three months and 97 per cent within six months, exceeding the tribunal's target of completing

Guardianship and Administration Tribunal service trends



90 per cent of applications within six months. The results demonstrate the tribunal's streamlined case management processes for non-contentious applications which enables some cases to be fast-tracked to hearing.

Community Visitor Program

The Community Visitor Program was established under the *Guardianship and Administration Act 2000* to prevent the abuse, neglect and exploitation of adults with impaired capacity or a mental or intellectual impairment. Community visitors make inquiries and resolve complaints for residents during regular site visits, and may make referrals of unresolved complaints to appropriate agencies for further investigation or resolution.

In 2007-08, the program strengthened its networks with regional stakeholders, particularly Disability Services Queensland, to increase the effectiveness of community visitor activity and expedite the identification of visitable sites. In the last three years, the Community Visitor Program has shown a steady increase in the number of visits it

carries out and sites it visits. In the past three years, visitable sites have increased by 43 per cent (from 591 to 846) and visits have increased by 48 per cent (from 3,825 to 5,663).

During the same period, complaints have decreased from 154 to 101, a reduction of 34.4 per cent. This reflects the more proactive approach undertaken in liaising with Disability Services Queensland and service providers, and a strengthening of regional networks.

In the past year, three community visitor liaison officers have been allocated to specific regions across the state to provide increased support to community visitors, and to educate and strengthen networks with service providers in each region.

Office of the Public Advocate

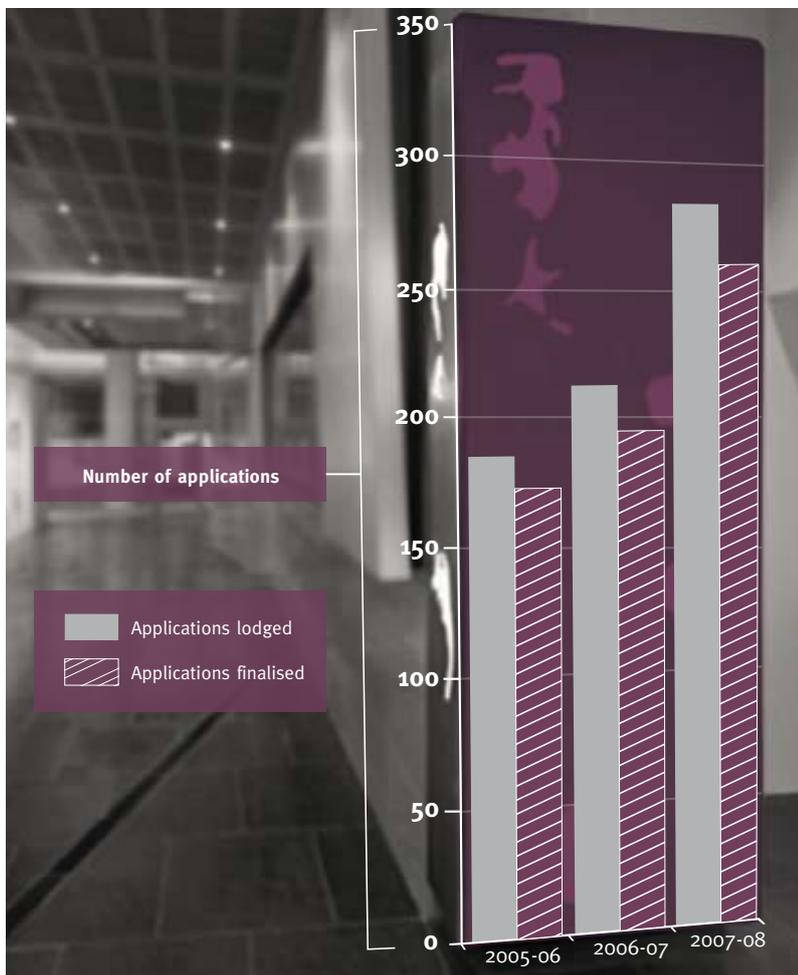
The Public Advocate is an independent officer appointed under the *Guardianship and Administration Act 2000* to protect adults with impaired decision-making capacity through systemic advocacy. This advocacy is directed to influencing change to policy, service and legislative systems.

The office's current priority issues for adults with impaired decision-making capacity include:

- developing service and support systems to meet the physical healthcare needs of the adults
- developing and implementing service and support systems for adults with complex needs
- the service system for chronically homeless adults with impaired capacity who are not adequately served by existing services
- issues arising from institutional approaches to accommodation and support
- implementing accommodation and support services for younger people living in aged care facilities
- resolving issues regarding accommodation and support for people with mental illness and psychiatric disability
- developing the disability sector quality system
- developing and delivering individual and systemic advocacy services for the adults
- providing service responses for adults with impaired capacity who are ageing
- developing court diversion schemes and associated support services for the adults
- reviewing the *Guardianship and Administration Act 2000* by the Queensland Law Reform Commission
- issues for Indigenous Queenslanders with impaired capacity and Elder law.

The Office of the Public Advocate visits regional areas across Queensland to ensure its systems advocacy continues to represent regional Queenslanders with impaired capacity. Public meetings are organised and/or meetings are held with relevant stakeholders to provide information about the work of the office and to solicit information from regional Queenslanders.

Children Services Tribunal service trends



Department of Justice and Attorney-General's Child Safety Director

The role of the Child Safety Director includes:

- promoting and supporting the department's role in the whole of government response to child protection
- coordinating the delivery of the department's child protection services
- leading the development of appropriate legislation, programs, policies and practices to meet the needs of children at risk of harm
- increasing awareness of children's rights and needs in the justice system.

Throughout 2007-08 the Child Safety Director has lead a number of initiatives to improve outcomes for children in the child safety system, including:

- participated in whole of government legislative, policy and practice developments
- strengthened relationships in the department to improve the quality of services to children in the child safety system through such mechanisms as the Justice and Attorney-General Child Protection Stakeholders Group
- worked in collaboration with the peak body for Recognised Entities⁴ to develop a template court report to assist Recognised Entities to document information to be provided to the Childrens Court in child protection proceedings
- developed a departmental Child Protection Policy to help staff identify and respond appropriately if suspected child harm is observed
- identified the current referral pathways and provision of legal services to children in the child safety system.

Initiatives aimed at protecting vulnerable children

Children Services Tribunal

The Children Services Tribunal provides an accessible and inexpensive way of reviewing certain decisions of the Department of Child Safety, the Commissioner for Children, Young People and Child Guardian, and the Department of Communities to ensure that the best interests of the child are met in the child protection system.

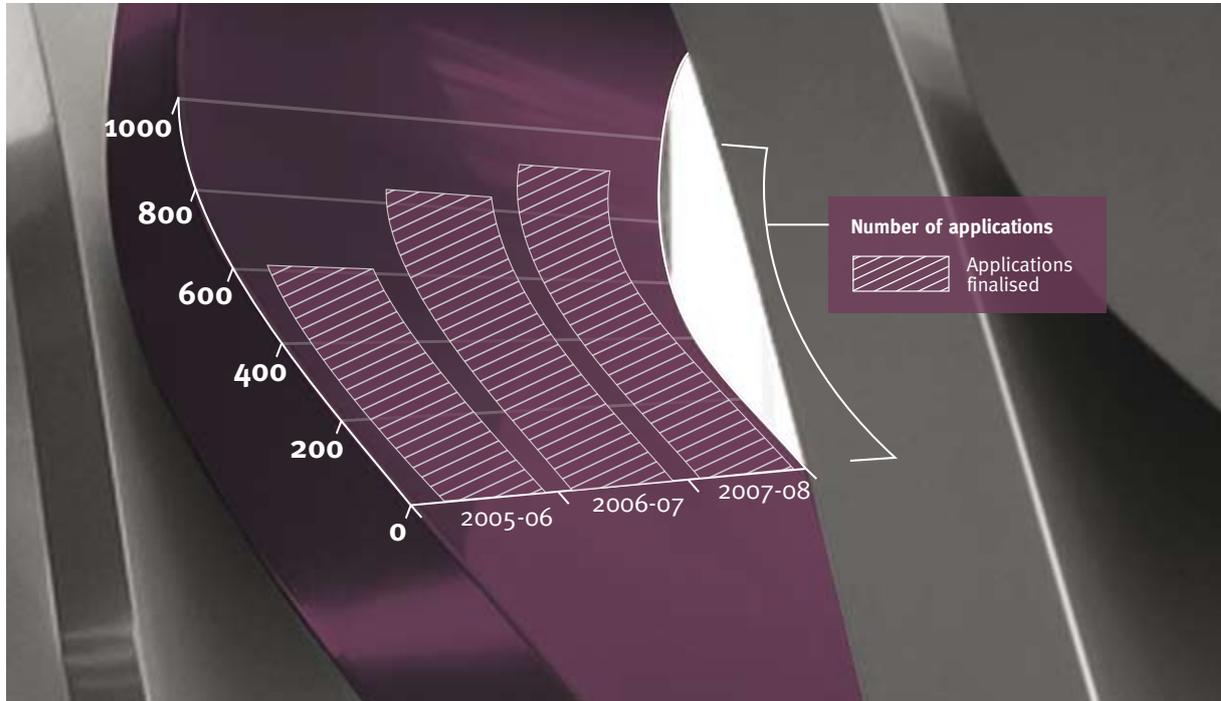
The tribunal is experiencing increasing numbers of applications. Lodgements increased by 58.8 per cent over the past three years. In

2007-08, despite a 36 per cent increase in the number of applications lodged for the year, the tribunal was still able to finalise 93 per cent of matters which came before it.

Added to this, the tribunal improved public awareness of its role and improved the delivery of its services by undertaking community education sessions throughout the state, including presenting at child protection and Indigenous conferences, developing information sheets for participants in the tribunal hearing process, providing training to child protection agencies, implementing a new case management system and distributing educational material to child safety service centres, child protection stakeholders and youth advocacy centres.

⁴ Recognised Entities are Aboriginal and Torres Strait Islander organisations or individuals which have been mandated by their communities and approved and funded by the Department of Child Safety, to provide cultural and family advice in Indigenous child protection matters.

Criminal Inquiry Compensation service performance



Protecting victims of crime

Criminal Injury Compensation Unit

The Criminal Injury Compensation Unit processes applications for payments of compensation to people who have suffered injuries as a result of the commission of a crime. During 2007-08, the unit reduced its backlog of files by 32 per cent, from 839 to 578.

The unit was responsible for assessing and processing 900 criminal compensation applications during the year, which were submitted to the Attorney-General for consideration. Consequently, a total of \$17.5 million was paid to victims of crime with respect to those applications. The number of files processed is the best result in the unit's history, up from 817 the previous year and 604 the year before that.

Privacy and freedom of information

The Freedom of Information and Privacy Unit provides advice and assistance, education and training, and community information about the *Freedom of Information Act 1992* and the government's privacy policy - *Information Standard 42 - Information Privacy*. It also contributes to freedom of information research, policy development and legislative review.

Throughout 2007-08, the unit continued to maintain the department's lead agency role across the Queensland public sector in relation to both freedom of information and privacy.

Human Rights Protection Services Output Performance

Performance against targets

This table contains the current performance measures for this output. See Appendix 2 for discontinued measures.

Some measures have been included in the 2008-09 Service Delivery Statement for the first time. They are marked as new measures even though data back to 2005-06 is also included in the table.

Unit/Measure	Notes	2005-06 Actual	2006-07 Actual	2007-08 Target	2007-08 Actual	2008-09 Target	Change from 2006-07	Change from 2005-06
Office of the Adult Guardian								
Percentage of decisions made by guardians affirmed following internal review	1	--	--	new measure	78%	75%	--	--
Percentage of investigation matters referred to Adult Guardian completed within 6 months	2	60%	71%	70%	78%	70%	9.9%	30.0%
Guardianship and Administration Tribunal								
Number of matters lodged	3	5,925	5,846	new measure	6,930	6,500	18.5%	17.0%
Number of matters finalised	3	5,941	5,976	new measure	6,510	6,200	8.9%	9.6%
Clearance rate (finalisations/lodgements)	4	100.3%	102.2%	90%	94%	95.4%	--	--
Percentage of cases finalised within 6 months	5	80%	90%	90%	97%	90%	7.8%	21.3%
Children Services Tribunal								
Number of matters lodged	3	182	212	new measure	289	350	36.3%	58.8%
Number of matters finalised	3	172	194	new measure	269	300	38.7%	56.4%
Clearance rate (finalisations/lodgements)	4	94.5%	91.5%	90%	93%	85.7%	--	--
Percentage of cases finalised within 6 months		75%	75%	75%	72%	75%	-4%	-4%

Notes

- 1 This measure commenced in 2007-08 and indicates the quality of guardianship decision making processes. The Office of the Adult Guardian has no control over the number of reviews each year. In 2007-08 there were four requests for internal reviews and the guardians' decisions were upheld in each case.
- 2 Ongoing changes in the management of investigations are leading to greater efficiency in undertaking and concluding investigations.
- 3 The finalisation and lodgement measures identify, in broad terms, the tribunal's workload. The clearance measure indicates the tribunal's capacity to manage its workload by comparing the number of matters lodged to the number of applications finalised.
- 4 The clearance measure indicates the tribunal's capacity to manage its workload by comparing the number of matters lodged to the number of applications finalised. The clearance rate targets for the Guardianship and Administration Tribunal have been set taking into account the sustained growth in application numbers experienced by the tribunal since its inception. In 2007-08 the number of matters lodged with the tribunal increased 18 per cent over the number lodged in the previous year. The clearance rate targets for the Children Services Tribunal were set taking into account the substantial 36 per cent increase in the number of matters lodged with the tribunal in 2007-08.
- 5 The tribunal has streamlined its case management procedures for non-contentious matters and this has resulted in improved timeliness.

Future directions

- establish policies and processes for substitute decision making for clients who are subject to the application of restrictive practices
- appoint a principal guardian, two senior guardians and a liaison officer to protect the rights of adults with challenging behaviours
- establish a registry team at the Guardianship and Administration Tribunal to case manage applications made to the tribunal involving the proposed use of restrictive practices for adults with an intellectual or cognitive disability and challenging behaviours
- implement new case management procedures for Guardianship and Administration Tribunal applications involving the use of restrictive practices for adults with an intellectual or cognitive disability and challenging behaviours
- conduct two public guardianship and administration forums, one of them in rural and regional Queensland, to educate and inform the community about the services available through the guardianship and administration system
- provide further training to community visitors and recruit two additional community visitor program officers to support reforms to protect the rights of adults with challenging behaviours
- appoint an Indigenous community visitor to address the needs of an increasing number of Indigenous adults with impaired capacity
- continue to raise public awareness of the child protection role of the Children Services Tribunal through community education sessions, child protection agency training, and regular stakeholder meetings and consultations
- ensure systems advocacy by the Office of the Public Advocate continues to represent regional Queenslanders with impaired capacity through maintaining the Public Advocate's program of regional visits and information sessions.

Policy, Legislation and Legal Services Output Performance

Highlights

- introduced a 48 per cent interest rate cap to ensure consumers can access credit at a fair and reasonable price
- developed a number of items of significant legislation, including:
 - Consumer Credit (Queensland) and Other Acts Amendment Bill 2008
 - Criminal Code and Other Acts Amendment Bill 2008
 - *Dangerous Prisoners (Sexual Offenders) Amendment Act 2007*
 - *Drugs Misuse Amendment Act 2008*
 - Justice (Fair Trading) Legislation Amendment Bill 2008
- facilitated amendments under the *Local Government and Other Legislation (Indigenous Regional Councils) Amendment Act 2007* to implement the government's response to the recommendations made in the *Report on the Review of the Murri Court*
- continued the neighbourly relations review to find better ways of helping neighbours to resolve their disputes
- completed a review of the *Manufactured Homes (Residential Parks) Act 2003*
- lead the residential tenancy database project which aims to protect vulnerable people from unfair listings on tenancy databases
- the Queensland Law Reform Commission:
 - completed a report on the review of the *Peace and Good Behaviour Act 1982* to protect members of the community from violent or threatening conduct
 - completed stage one of the review of Queensland's guardianship laws, identifying legislative reforms to achieve greater openness in the guardianship system, to promote accountability and transparency, and to promote and safeguard the rights and interests of adults with impaired decision-making capacity.

The department contributes to a fairer and safer community through its leadership role in justice policy, law reform and effective independent legal services for public sector agencies and the state



3



Introduction

The department administers more than 190 pieces of legislation underpinning the operation of the state's criminal and civil justice systems and marketplace and fair trading policy. Improvements in the operation of the justice and fair trading systems requires a regular and systematic review of legislation to ensure established frameworks continue to support public policy intentions and reflect current community standards and expectations.

There has been substantial progress in 2007-08 across a range of regulatory reform areas. Changes progressed in Queensland and nationally have contributed to an improved regulatory framework.

Review and reform of the department's legislative and policy frameworks is carried out by Strategic Policy, Fair Trading Policy, Marketplace Strategy and the Queensland Law Reform Commission.

Strategic Policy

Strategic Policy provides policy advice, policy development, and research on justice and legal policy issues. It also manages a substantial part of the department's legislative program, including the review and reform of laws.

Reforms for a fair, accessible and contemporary justice system

Strategic Policy conducts extensive and ongoing consultation in the performance of its legislative review and reform activities. Strategic Policy consults with the judiciary, courts staff and the legal profession, specifically the Queensland Law Society and the Queensland Bar Association. Other bodies consulted include other professional bodies, community organisations, organisations representing victims of crime, Legal Aid Queensland, the Commonwealth and other state and territory jurisdictions, community legal services, peak bodies, and industry groups.

During 2007-08, Strategic Policy has been involved in the following reforms.

Criminal Code and Other Acts Amendment Bill 2008

Following a comprehensive review, this Bill amended the Criminal Code to streamline and modernise Queensland's criminal law by:

- redrafting archaic provisions into more modern language and concepts
- ensuring drafting consistency in the structure of offences
- rationalising existing penalty anomalies
- inserting the offence of leaving a child under 12 years unattended for an unreasonable time without making reasonable provision for the supervision and care of the child
- amending a number of other pieces of criminal justice legislation including the *Bail Act 1980*, the *Criminal Law Amendment Act 1945*, the *Criminal Law (Sexual Offences) Act 1978*, and the *Penalties and Sentences Act 1992*.

Judicial Remuneration Act 2007

The *Judicial Remuneration Act 2007* provides for remuneration to Queensland's judges and magistrates. The Act ensures that judicial salaries and allowances in Queensland are adjusted regularly against recognised benchmarks and that salary increases for Federal Court judges will automatically flow through to Queensland's judiciary.

Queensland Criminal Code

The Queensland Criminal Code was drafted by the then Chief Justice, Sir Samuel Griffith, in 1897. At that time Queensland's criminal law comprised two hundred and fifty statutes and numerous unwritten common law principles. Griffith meticulously researched international codes and formulated a code that was to become the basis for codes in other Australian states and twenty countries. He was inspired by the *New York Penal Code 1881* and the *Criminal Code (Indictable Offences) Bill* drafted by James Fitzjames Stephen. From Stephen's code he eliminated the distinction between felonies and misdemeanours, simplified the law of theft, recognised that words might constitute provocation, redefined murder without the concept of malice aforethought and provided that the accused might be a competent witness.⁵

Over the years the Code has been subject to many legislative amendments which have largely been introduced to reflect changes in society's values and lifestyles.

Jury Act 1995

Amendments to the *Jury Act 1995* were introduced to provide that a trial judge may allow a jury to separate, or an individual to separate from the jury, after it has retired to consider its verdict, if the judge considers this would not prejudice a fair trial. Currently, the requirement for juries to stay together during deliberations can create difficulties for courts and inconvenience to jurors when suitable accommodation is not available.

Justice and Other Legislation Amendment Act 2007

The ongoing reform of legislation continued with the *Justice and Other Legislation Amendment Act 2007*. This Act made amendments to a large number of Acts to improve the operation of the system of justice.

Review of the Freedom of Information Act 1992

A review of the *Freedom of Information Act 1992* was undertaken to explore the extent to which it provides an effective framework to access information held by government. The final report of the Review Panel, *The Right to Information: Reviewing Queensland's Freedom of Information Act* was released on 10 June 2008. The report contains 141 recommendations that propose a fundamental shift in Queensland's 15 year old freedom of information legislation.

Victims of crime review

This review will ensure that victims of crime are provided with an efficient and effective way of seeking compensation for their injuries and with services that meet their needs.

An issues paper was released for public comment in December 2007 and public submissions closed in February 2008. A community reference group comprised of organisations that represent and support victims of crime is being consulted throughout the course of the review.

Reforms for a safer community

Guardianship and Administration Act 2000

In conjunction with Disability Services Queensland, the department undertook the development of the legislative response to recommendations contained in the report prepared by the Honourable WJ Carter QC on *Challenging Behaviour and Disability—A Targeted Response*.

Amendments to the *Guardianship and Administration Act 2000* commenced on 1 July 2008. The amendments provide for the authorisation of consent processes for the use of restrictive practices.

Dangerous Prisoners (Sexual Offenders) Amendment Act 2007

This Act amended the *Dangerous Prisoners (Sexual Offenders) Act 2003* to strengthen the response to a contravention of a supervision order to better protect the community and to act as a deterrent to contravening behaviour.

Drugs Misuse Amendment Act 2008

The *Drugs Misuse Amendment Act 2008* amended the *Drugs Misuse Act 1986* and the *Drugs Misuse Regulation 1987* relating to the classification of a range of drugs, the creation of new offences and broader definitions. These amendments ensure that Queensland is keeping pace with shifts in the nature of illicit drug culture.

Neighbourly relations review

The current review of neighbourly relations uses feedback processes in the form of online surveys and written submissions to obtain the community's views about disputes between neighbours about matters such as fences or trees.

⁵ Released by the Supreme Court of Queensland Library, *The Queensland Criminal Code From Italy to Zanzibar- antecedents and descendants, an exploration of ideas*, to coincide with The International Society for the Reform of the Criminal Law 20th International Conference, Brisbane, June 2006.

Reforms to support Indigenous justice

Murri Court review amendments

In March 2008, amendments made under the *Local Government and Other Legislation (Indigenous Regional Councils) Amendment Act 2007* implemented the government's response to the recommendations made in the *Report on the Review of the Murri Court* prepared by the department in 2006-07.

Recognising the important role that community justice groups, Elders and Respected Persons have in the criminal justice system, amendments were made to ensure protection was provided to Murri Court Elders (as well as respected persons and community justice group members) against threat or injury in the course of their Murri Court activity.

Sitting fee for JPs in remote Indigenous communities

In 2007-08, the *Justices of the Peace and Commissioners for Declarations Act 1991* was amended to allow a daily sitting fee to be paid to JPs (Magistrates Courts) when they constitute a court in remote Indigenous communities.

Indigenous interpreter services

In 2007-08, the department began working with the National Accreditation Authority for Translators and Interpreters to develop a court interpreters training and accreditation project for Wik Mungkan language in Aurukun. The primary goal of the project is to enable members of the Aurukun community without sufficient proficiency in spoken English to communicate reliably with authorities and agencies (particularly in criminal justice, legal and other associated contexts).

Fair Trading Policy

Fair Trading Policy develops, coordinates and implements marketplace and fair trading policy and legislative proposals that balance the interests of both consumers and businesses in Queensland.

In 2007-08, Fair Trading Policy conducted a wide range of legislative reviews to ensure Queensland's fair trading framework remains responsive and relevant in a rapidly evolving marketplace.

Interest rate cap

Amendments to the *Consumer Credit (Queensland) Act 1994* facilitated the introduction of a cap on interest, fees and charges payable under a credit contract.

The rate of the cap has been prescribed by regulation at 48 per cent per annum and lenders charging above the 48 per cent cap will face tough penalties. The introduction of the rate cap is designed to protect vulnerable consumers who have in the past been subject to exorbitant interest rates, fees and charges by fringe or payday lenders. The interest rate cap commenced on 31 July 2008.

Unit pricing

Unit pricing is a simple and practical mechanism that allows consumers to easily compare and assess value for money and quality. In 2007-08, Fair Trading Policy and Marketplace Strategy worked together to draft a Regulatory Impact Statement (RIS) examining the impacts on stakeholders of regulating unit pricing. The Queensland Consumers Association has described the model proposed in the RIS as a world-class system.

Consulting with the community to improve safety

The majority of people resolve issues with their neighbours in a friendly atmosphere, privately and between themselves, but this is not always possible. While neighbourhood disputes may seem to be minor matters, if left unresolved they can develop into very serious and distressing situations. The worst cases occur when a dispute escalates into actual violence and harm to a neighbour and their property.

The aim of the review is to find more efficient ways of helping neighbours to resolve their disputes. This might be through improving processes for the resolution of common neighbourhood disputes, better access to information and ensuring a more efficient alignment of the roles of relevant agencies.

In mid 2007 the Attorney-General released a discussion paper and summary guide on the law in relation to dividing fences as contained in the *Dividing Fences Act 1953*. More than 750 responses were received from various respondents including members of the public, local councils, government departments, members of Parliament, community legal organisations and peak industry and professional bodies.

The next stage of the review is the release of discussion papers on the public and private nuisance of trees and remedies for neighbourhood disputes.

Security Providers Act 1993

Amendments to the *Security Providers Act 1993* together with new regulations and codes of practice commenced during the year after community and industry consultation in February.

The amendments aim to make security providers more capable of defusing violent situations by requiring improved training. Ongoing training for crowd controllers and bodyguards will be implemented as a condition of a person's licence to ensure that security providers use the most up-to-date methods to quell potentially dangerous situations.

Manufactured Homes (Residential Parks) Act 2003

In 2007-08 the department completed a review of the *Manufactured Homes (Residential Parks) Act 2003* following community consultation in early 2007.

Generally, the review found that the Act is meeting community expectations and is operating as intended. However, further refinement to the Act was identified as necessary to ensure a viable residential parks sector and to bolster existing consumer protection mechanisms within the Act.

Marketplace Strategy

Marketplace Strategy is primarily involved in research, policy advice and legislative development of consumer policy. Marketplace Strategy has played a key role in informing Queensland policy positions through the current round of Council of Australian Governments (COAG) business regulation reforms as part of the overall COAG reform agenda.

The Residential Tenancy Databases Project

Marketplace Strategy is leading the residential tenancy database project which aims to protect vulnerable people from unfair listings on tenancy databases. Residential tenancy databases (RTDs) are privately owned, electronic databases that hold information about individual tenancy histories. Most real estate agents and property managers, and some landlords, subscribe to one or more RTDs and access them in order to screen prospective tenants for the purpose of renting private properties. These listings are generally negative comments regarding a breach of the tenancy agreement, although in most cases the content of the listing is left to the agent's discretion.

Queensland is leading the drafting process for national, uniform legislation on the use of RTDs. Once introduced, this legislation will help protect vulnerable people from listings which may be preventing them from securing rental accommodation.

Queensland Law Reform Commission

The Queensland Law Reform Commission was established under the *Law Reform Commission Act 1968*, to keep under review the law applicable to Queensland, with a view to its systematic development and reform.

Audit of the use of the excuse of accident and the defence of provocation in murder and manslaughter trials

In 2007, the Attorney-General commissioned an audit of homicide trials to ascertain the nature and frequency of the reliance on the excuse of accident and the defence of provocation. The audit, conducted by the department, considered 80 murder trials and 20 manslaughter trials finalised between July 2002 and March 2007.

In October, the Attorney-General released a discussion paper outlining the audit results and providing a general review of the law in relation to accident and provocation. Following consideration of the submissions received, in April 2008, the Attorney-General gave the commission terms of reference to review the excuse of accident and the complete and partial defences of provocation under the Criminal Code.

The review by the commission is broader in scope than the audit undertaken by the department and is considering additional matters, including the complete defence of provocation for assault, the use of alternative charges, and whether there is a need for new offences.

In June 2008, the commission published a discussion paper that examined the excuse of accident, and sought public submissions on the issues raised in the paper.

Confidentiality in the guardianship system

The commission report, *Public Justice, Private Lives: A New Approach to Confidentiality in the Guardianship System* was published in June 2007. The report highlighted that the current system in Queensland leans more towards protecting the privacy of individuals through confidentiality measures. The 82 recommendations in the report are aimed at achieving a balance between these interests by enhancing the focus on open justice and procedural fairness.

In May 2008 the Government responded to the commission's report and is implementing, in their entirety, 67 of the 82 recommendations. Fourteen of the commission's recommendations will be implemented with minor or technical amendment to achieve a policy outcome similar to that proposed. The Bill has been introduced into Parliament and it is anticipated it will be passed later in 2008.

Review of the Peace and Good Behaviour Act

In 2007-08, the commission completed its review of the *Peace and Good Behaviour Act 1982*. The aim of this review was to ensure there is an appropriate, accessible and effective mechanism for protecting members of the community from violent or threatening conduct. The final report contains draft legislation that gives effect to the commission's recommendations.



Guardianship and Administration Tribunal staff.

Policy, Legislation and Legal Services Output Performance

Performance against targets

This table contains the current performance measures for this output. See Appendix 2 for discontinued measures.

Crown Law sits within this output and Crown Law performance information is included in this table. For more information about Crown Law's performance, see their annual report starting on page 66 of this report.

Unit/Measure	Notes	2005-06 Actual	2006-07 Actual	2007-08 Target	2007-08 Actual	2008-09 Target	Change from 2006-07	Change from 2005-06
Crown Law								
Productivity for chargeable hours	1	--	--	new measure	98.9%	95%	--	--
Timeliness of legal work provided to clients (feedback rating from 1 to 7)	2	--	--	new measure	6.21	5	--	--
Strategic and Fair Trading Policy								
Percentage of priority policy and legislation projects which are completed within agreed timeframes	3	--	--	new measure	--	80%	--	--

Notes

- 1 This measure reflects the number of chargeable hours as a percentage of total hours.
- 2 This measure indicates the timeliness of legal services provided to government.
- 3 This is a new measure and data for the period before 1 July 2008 is not available. The measure indicates the extent to which priority policy and legislation projects are achieved within specified timeframes.

Future directions

- continue the Attorney-General's program of law reform
- continue work on the following reviews:
 - stage two of the review of Queensland's guardianship laws
 - review of jury directions and warnings
 - review of jury selection
 - review of neighbourly relations.
- make recommendations about the best way to provide interpreters for Indigenous people in the criminal justice system
- implement recommendations of the victims of crime review
- introduce legislation to support the commencement of the new Queensland Civil and Administrative Tribunal on 1 December 2009
- support Queensland's contributions to the Council of Australian Government's national reform process, particularly in relation to developing a national system for trade measurement; product safety; mortgage broking and consumer credit; business name registration; personal property securities; wine labelling; directors' liabilities; and a consumer policy and legislative framework
- implement new regulations and codes of practice for crowd controllers, security firms and security officers (licensed premises)
- the Queensland Law Reform Commission will:
 - complete the review of the administration of estates of deceased people to harmonise, simplify and improve the laws of the states and territories dealing with the administration of the estates of deceased people
 - complete a review of the excuse of accident and of the full and partial defences of provocation under the Criminal Code to ensure that the Code provides appropriate offences and penalties for violent conduct, as well as appropriate and fair excuses and defences for murder, manslaughter and assault offences
 - publish a further discussion paper in August 2008 to examine the complete and partial defences of provocation, and seek public submissions on the issues canvassed in that paper
 - undertake community consultation in relation to the issues raised in the two discussion papers on accident and provocation, before completing its final report for the review in September 2008.

REFORM

CAPABILITY

EQUITY

Community Justice Services Output Performance

Highlights

- piloted the electronic lodgement of death registration forms
- expanded justice mediation services to the Gold Coast, Townsville and Cairns
- improved turnaround times for criminal justice mediations by 49 per cent
- achieved a resolution rate of 99 per cent for criminal justice mediations
- increased the State Penalties Enforcement Registry call centre capacity by 40 per cent
- improved instalment payment plans for fines
- registered 3,653 new Justices of the Peace (Qualified) and Commissioners for Declarations—an overall increase of 19 per cent compared to the previous year
- expanded the JPs in the Community program to a further 16 locations
- processed 96 per cent of registrations of business names, security interests, incorporated associations, charities, cooperatives and retirement village schemes within targeted timeframes
- finalised 3,261 fair trading compliance investigations with over 2,621 of these completed within required time frames
- strengthened consumer safety through new mandatory safety standards for four wheel drive recovery straps, prams and strollers, babies' soothers, and hot water bottles.

The department provides a range of community focused services that promote community safety, security and fairness, while also promoting integrity and fair trading in the marketplace and contributing to educated and informed consumers and businesses

JPs in the Community Program

Bringing
JPs to you



Introduction

The department provides a range of services that support a fair and just society, including fair trading services, licensing and registration services, mediation and dispute resolution, Justices of the Peace (JP) services and penalties enforcement.

Community Justice Services

The Community Justice Services Branch is made up of six business units providing community services that are predominantly transaction based with front end customer service channels such as public counters and call centres.

Registry of Births, Deaths and Marriages

The Registry of Births, Deaths and Marriages is responsible for the registration of all births, deaths, marriages and changes of name in the state and for issuing life event certificates to eligible applicants.

Client service improvement program

In September 2007, the Registry of Births, Deaths and Marriages commenced a client service improvement program focused on the accessibility, timeliness and quality of services delivered to the public.

Improvements undertaken in 2007-08 include:

- reducing the average timeframe for registering a life event from six to five weeks

- reducing the average timeframe for issuing life event certificates from eight to six weeks
- increasing the average number of clients serviced over the phone each day from 202 to 859 using a new call centre system
- establishing a community liaison pilot program to address the under registration of life events in Queensland's Indigenous communities and creating formal and informal networks to achieve community engagement
- establishing a research and statistical services unit to provide a clear and consistent approach for clients seeking special and genealogical research, certificate validation and data matching.

These improvements aim to bring Queensland into line with the service standards of other registries across Australia.

Wedding services

The registry offers an elegant wedding venue in the heritage-listed Old Government Printing Office at 110 George Street, Brisbane.

During 2007-08, 1,261 wedding ceremonies were performed at the wedding room. Over the past seven years, the number of weddings performed at the registry has grown by approximately 58 per cent.

Due to this increase in demand, the registry is investigating extending the wedding times available and is also considering arranging a second smaller marriage room to cater for more weddings on special days, such as Valentine's Day.

Providing e-commerce

The Registry of Births, Deaths and Marriages is responsible for maintaining an appropriate balance between providing public access to life event information held on their registers and maintaining the rights to privacy of individuals and families. The registry has postponed the investigation of e-commerce solutions pending the finalisation of a whole of government e-commerce solution. The solution will allow clients to purchase registry products and services online.

The registry will eventually establish an online facility for clients to purchase registration services such as historical birth, death and marriage certificates. Family researchers are now able to use the free historical index service through the department's website to locate registrations before purchasing.

Online access for lodgement of death information forms

Online access to the e-Registrations (Deaths) pilot in the Registry of Births, Deaths and Marriages has enabled selected funeral directors to electronically lodge death registration forms, including burial or cremation information, through the department's secure web-based application. The pilot began in May and will continue until September 2008.

As at 30 June 2008, the pilot was showing a capability to reduce timeframes (compared to current paper registrations) to effect a record of death and issue certified documentation. The registry has extended the pilot to include six firms to evaluate the capacity to receive a greater volume of

electronic data. The pilot now includes three metropolitan and three regional funeral firms.

Registration Services

Registration Services provides a range of services, including the registration of business names, security interests, incorporated associations, charities, cooperatives and retirement village schemes. Applications received by the unit are for new registrations or renewals of registrations and lodging annual returns.

The targets for different registration services vary. In 2007-08, 96 per cent of applications received were processed within the required timeframes:

- 15 days for business names
- 15 days for land sales exemptions
- 30 days for charities, cooperatives and associations
- 60 days for retirement villages.

The number of registration services provided to the community in 2007-08 was below the target of 318,000 at 311,971. The decrease of 3.1 per cent on the 2006-07 result is due to the cyclical nature of the term of business name registrations which can be for either a one year or three year term.

Industry Licensing

Industry Licensing administers a number of Acts that impose occupational licensing requirements designed to protect both the public and industry, including property agents and motor dealers, second-hand dealers and pawnbrokers, security providers, introduction agents, travel agents and inbound tour operators.

As at 30 June 2008, 71,465 individuals and corporations held licences/certificates under this legislation, an increase of 6.46 per cent from 30 June 2007. The number of licensing services provided to industry was well over the target of

42,000 at 50,596. The percentage of licences processed within target was 98 per cent and the percentage of salesperson's certificates processed within target was 92 per cent, an overall average of 95 per cent.

Dispute Resolution Branch

Dispute resolution services assist the community to address and resolve conflict in a non-adversarial way across a wide range of criminal and civil matters. The Dispute Resolution Branch provides mediation services and conflict management training and education.

Providing justice mediation services to help victims of crime

Mediation services in relation to criminal matters involve the voluntary participation of both offenders and victims. Justice mediation is predominantly used for less serious offences. It helps victims and complainants to be involved with justice proceedings and provides an opportunity for healing and reintegration for the defendant. Mediation also ensures defendants are held accountable for their behaviour to the people harmed by their actions. The program relies heavily on the cooperation of referral agencies, including the ODPP, the Queensland Police Service and the magistrates courts.

In 2007-08, the Dispute Resolution Branch mediated 193 criminal matters and maintained a resolution rate of approximately 99 per cent. This means that in almost all cases, the mediation resulted in a resolution of the matter, repaired some of the harm caused and was agreed to by all parties.

Helping to resolve civil conflicts

The branch met its goal of completing civil mediations within an average of 20 days and will aim to continue this in the next financial year. Importantly, not only are civil disputes being resolved, they are being resolved quickly.

Assisting more Queenslanders

The Dispute Resolution Branch's services are delivered through six dispute resolution centres located in south Queensland, Wide Bay, central Queensland, Mackay Whitsunday, north Queensland and far north Queensland. In 2007-08, delivery of justice mediation services was expanded to the Gold Coast, Townsville and Cairns.

In 2007-08, the branch trained approximately 2,250 people, developing their capacity in areas such as mediation skills, facilitating effective groups and workplace conflict resolution. These skills enable participants to manage conflict more effectively.

The Mornington Island Restorative Justice pilot project

The Mornington Island Restorative Justice pilot is a project to develop and deliver culturally appropriate restorative justice mediation processes for adults in the remote Indigenous community of Mornington Island. It has been developed in partnership with the branch, the department's Indigenous Justice Program and the federal Attorney-General's Department. The project came about as a result of regular requests from stakeholders such as magistrates, courts, police and community justice groups for assistance in remote communities experiencing high levels of conflict.

The project is working with the community to develop a new justice model: a culturally appropriate mediation or peace-making process and program that will work for, and be owned by, that community. Its aims include enhancing the community's capacity to resolve their disputes early and effectively so that they do not escalate to violence and subsequent court proceedings. The project will examine the types of conflict management processes that work in Indigenous communities, what training and support is needed and what relationships and networks will need to be engaged in the process.

Justices of the Peace Services

There are around 85,000 JPs (Qualified) and Commissioners for Declaration (C.decs) in Queensland who volunteer their time to provide assistance to people accessing justice services such as document witnessing.

Online and regional training for JPs

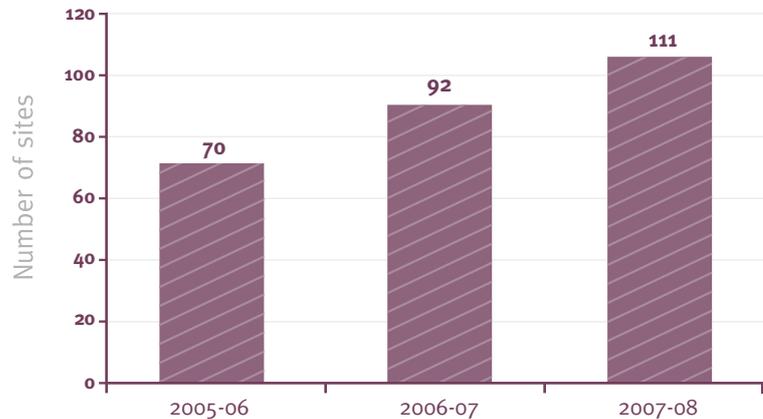
In March 2008, the department launched a mentoring program for newly appointed JPs with 80 persons registering and undertaking further development with experienced JPs. The online course, developed in partnership with the Southbank Institute of TAFE, continued to attract strong numbers this year with 524 applicants. The course has particular benefits for people in remote and regional areas of Queensland.

To improve the quality and confidence of JPs, the JP Branch conducted its own statewide face to face commercial courses at Bedourie, Brisbane, Cairns, Coolangatta, Ipswich, Mackay, Maroochydore, Maryborough, Mount Isa, Rockhampton, Southport, Toowoomba and Townsville. More than 749 people completed the courses which have proven highly successful and are rapidly expanding to smaller rural and regional areas of Queensland.

JPs in the Community program

The JPs in the Community program was established in 2003, initially in major shopping centres, to provide the public with better access to a JP or C.dec to witness documents, and to allow JPs and C.decs an opportunity to offer their services in a safe and friendly environment. There are now 111 public signing sites and the program has been expanded to other key service locations including court registries, hospitals, universities, libraries and council premises. These sites comprise approximately 1,800 volunteer JPs. Our volunteer JPs are supported through a bi-monthly newsletter, an after-hours and weekend support service, and

Improving JP services



through a mentoring program launched in March 2008.

The department recognises the invaluable service provided by JPs and C.decs across the state, particularly among volunteers participating in the JPs in the Community program.

Training for Indigenous Justices of the Peace in remote communities

The JP Branch is responsible for undertaking training in remote Aboriginal and Torres Strait Islander communities to establish regular courts constituted by JPs (Magistrates Court). This program provides a vital service because appointed JPs (Magistrates Court) have the capacity to convene magistrates courts to deal with certain types of matters. This improves their community's access to the justice system. They also help community members by witnessing documents and providing procedural advice.

In 2007-08, training was delivered to communities including Palm Island, Cherbourg, Bamaga (Northern Peninsula Area), Lockhart River, Aurukun, Coen, Hope Vale and Woorabinda. A major benefit of the training was access to JP services by participating communities being made much easier. Communities that have regularly convened a court constituted by two or more

JPs (Magistrates Court) have also seen a reduction in numbers appearing before the regular monthly magistrates court circuit.

State Penalties Enforcement Registry

The State Penalties Enforcement Registry (SPER) is responsible for collecting and enforcing fines issued in Queensland. The most common infringement notices are parking and speeding tickets and tickets for failing to wear a seatbelt or running a red light. The registry also collects court ordered fines for a variety of different offences, for example, drink driving.

Community engagement leading to better services

During 2007-08, the registry boosted its community engagement activities to focus on providing disadvantaged Queenslanders with face to face information about registry services and payment options. This includes people with a disability, mental illness, ill health or cognitive impairment, or those whom domestic violence, substance abuse, homelessness or differing cultural or linguistic backgrounds may limit access to services.

SPER officers visited community organisations, community justice groups and prisons across the state

Community Justice Services Output Performance

to provide disadvantaged debtors with compliance options based on their individual circumstances.

The registry built relationships with Indigenous and multicultural community service providers throughout south east Queensland and regional centres including Cairns, Townsville, Caboolture, Ipswich, Toowoomba and Kingaroy to provide information on the options available to vulnerable clients.

As part of its compliance activities, the registry visited Indigenous communities throughout regional Queensland to improve service delivery by providing these communities with direct access to registry information, services and payment options based on their individual circumstances. These visits also allow the registry an opportunity to build improved relationships with agencies that provide support to these communities.

SPER call centre improvements

In 2007-08, the registry call centre answered approximately 285,000 inbound calls and made approximately 60,000 outbound calls. Since January 2008, the call centre has increased its queue capacity from 15 to 25 people which translates to a 40 per

cent increase in the call centre's capacity to service its customers. The increased queue capacity has allowed staffing resources to be prioritised to answering calls in the queue rather than responding to high numbers of voicemails.

Improved instalment payment plans

During 2007-08, the registry undertook a review of its instalment payment plan processes for paying fines. Client feedback was sought about ways to improve payment methods to assist low income earners better pay their fines.

This initiative boosted the dollar value of fines being paid by instalments from approximately \$138 million in 2006-07 to approximately \$161 million in 2007-08. The automation of the instalment plan process also freed up valuable resources for other compliance and enforcement investigations.

Fair Trading Operations

Fair Trading Operations tailors its education and awareness campaigns in response to marketplace trends

and changes in the regulatory environment. Campaigns are informed by marketplace intelligence and research into the behaviour and attitudes of consumers and traders. Each year Fair Trading Operations publishes a range of documents to promote responsible and ethical business behaviour leading to increased consumer confidence in the marketplace.

Consumer protection—redress for consumers

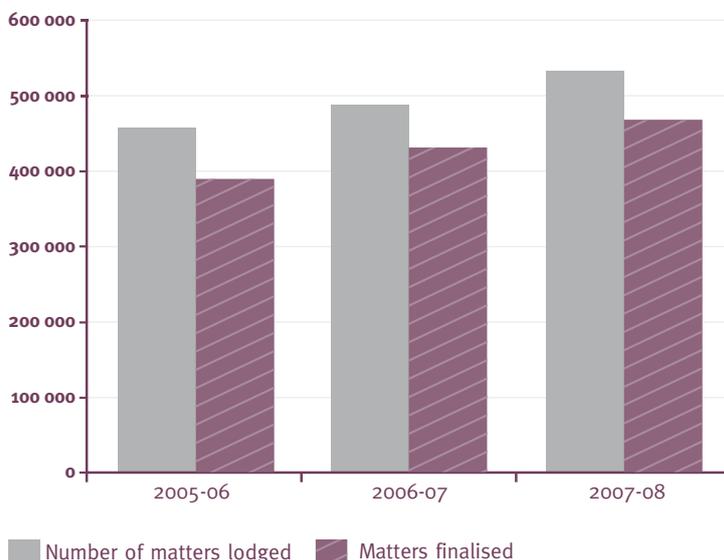
In 2007-08, Fair Trading Operations obtained over \$5,517,000 in redress for consumers and over the past three years has obtained over \$11,742,000 in redress in the form of refunds, repairs or replacement goods and services.

While the amount of redress Fair Trading Operations has achieved is impressive, proactive consumer and trader education also plays a significant role in limiting the detriment to consumers. Consumers who are aware of their rights and to whom they can complain are more likely to voice their dissatisfaction and negotiate with traders and are less likely to be victims of fly-by-night operators and scammers.



SPER call centre staff

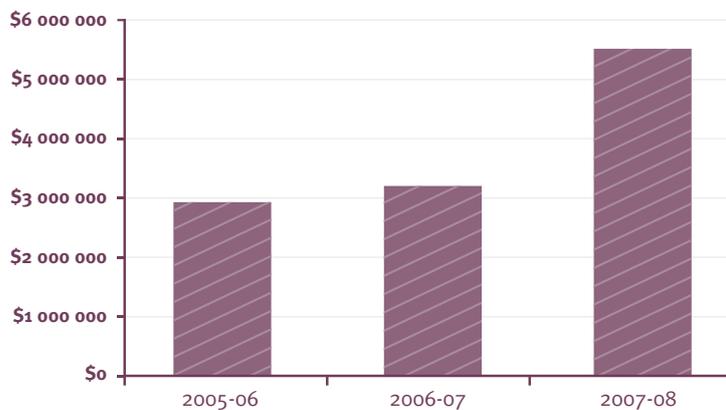
Improving SPER services





Spot checks protect consumers

Consumer redress



Consumer Credit Fund

The Consumer Credit Fund holds money generated by fines imposed on financial institutions under the *Consumer Credit (Queensland) Act 1994*. The Act is a legislative template for the National Uniform Consumer Credit Code. Fair Trading Operations dedicates these funds to delivering consumer education, compliance activities and policy and legislative developments related to credit matters.

The Consumer Credit Fund balance as at 1 October 2007 was \$0.884 million and was \$0.778 million as at 30 June 2008. During the 2007-08 financial year, the fund received \$53,466 through legal fees recovered and appropriation (formerly bank interest).

Fair Trading call centre

Fair Trading Operations works closely with service delivery partner Smart Services Queensland to refine and better capture information about issues consumers and traders raise

In 2007-08, more than 13,000 complaints were finalised by Fair Trading Operations. These included:

Hervey Bay

A consumer paid a \$39,500 deposit for a car but was unable to gain finance approval. The trader was unwilling to refund the deposit, but offered to sell the car on the consumer's behalf, despite her not owning the vehicle. Following representations on behalf of the consumer made by Hervey Bay Fair Trading, a full refund of the deposit was obtained from the trader.

Rockhampton

A consumer paid \$13,000 for a caravan. When they went to pick it up, the trader stated additional costs of \$3,000 above the agreed contract price. The consumer wanted to cancel the contract and get a refund but the trader would not cancel the contract. Following contact by Rockhampton Fair Trading, the trader agreed to provide a full refund of \$13,000 to the consumer.

Cairns

A company trading on the internet selling car radios and auto electrical accessories failed to deliver items which had been paid for. Customer enquiries about the failure to deliver were left unanswered and attempts to recover money paid unsuccessful. Cairns Fair Trading received 19 individual complaints relating to this matter. Fair Trading investigators secured redress for all complainants to a total of \$14,560.

Consumer protection—product safety

The Fair Trading Product Safety Unit works to reduce the risk to consumers of product-related injury by:

- enforcing compliance with mandatory product safety standards
- recommending the banning of unsafe products
- facilitating the introduction of new mandatory standards.

The workload of the Product Safety Unit increased substantially during the year due to emerging safety concerns about substandard imported products, particularly children's toys.

In response to the heightened awareness of the safety of consumer goods five products were banned from supply during the year:

- toothpaste containing unsafe levels of diethylene glycol
- toxic Bindeez Beads
- toys that contained unsafe levels of lead
- certain toys that expand in water
- balls made from fire resistant material that are doused in flammable liquid and set alight for entertainment value.

Consumer safety was strengthened through new mandatory safety standards for four wheel drive recovery straps, prams and strollers, babies' soothers, and hot water bottles.

through the fair trading call centre. The information received by the call centre is used to better target proactive compliance, conciliation and education functions.

Ensuring compliance with Fair Trading legislation

Fair Trading Operations has responsibility for ensuring compliance across diverse fields and under a variety of fair trading legislation such as the *Property Agents and Motor Dealers Act 2000*, *Fair Trading Act 1989* and *Consumer Credit (Queensland) Act 1994*. Fair Trading Operation's compliance program aims to promote responsible business practices and ensure consumers are afforded legislative protection.

Staff conduct a program of proactive compliance involving spot checks of traders' businesses. In addition they investigate consumer complaints and bring offenders to account for their actions through enforcement action.

Fair Trading Operations monitors compliance by conducting random spot checks as part of its proactive compliance program. It helps identify and manage non-compliant traders in targeted industries, such as security providers, licensed motor dealers, back yard (unlicensed) motor dealers, the real estate industry (including resident letting agents), second-hand

Consumer Credit Fund

Revenue	\$
Appropriation (converted from bank interest)	50,000
Other Legal Fees	3,466
Total	53,466

Expenses	\$
Employee Expenses	73,297
Travel	4,845
Legal Fees	10,558
Printing and Gazettal	5,240
Centre for Credit and Consumer Law	65,000
Total	158,940

Note: The fund was transferred to the department in October 2007.

dealers, pawnbrokers, manufactured homes, retirement villages and the retail industry. In 2007-08 7,029 spot checks were made.

A range of enforcement options are available to reflect the seriousness of the offence or detriment to consumers, these include warnings, infringement notices and enforceable undertakings. In 2007-08 Fair Trading Operations initiated 3,064 enforcement actions.

Fair Trading Operations monitors compliance by conducting random spot checks as part of its proactive

compliance program. It helps identify and manage non-compliant traders in targeted industries, such as security providers, licensed motor dealers, back yard (unlicensed) motor dealers, the real estate industry (including real estate letting agents), second hand dealers, pawnbrokers, manufactured homes, retirement villages and the retail industry. In 2007-08 7,029 spot checks were made

Reviewing the regulatory framework

Fair Trading Operations provides feedback on operational impacts

Spot checks



of regulation on industry and consumers, including emerging marketplace issues, to inform the policy development and legislative review process. In particular, Fair Trading Operations was actively involved in reviews and the provision of advice about a national review of trade measurement.

In April 2007, COAG agreed to establish a national system of trade measurement that includes the Commonwealth taking full responsibility for the trade measurement system while retaining existing services. The national trade measurement system, to be administered by the National Measurement Institute, will commence on 1 July 2010.

Performance against targets

This table contains the current performance measures for this output. See Appendix 2 for discontinued measures.

Some measures have been included in the 2008-09 Service Delivery Statement for the first time. They are marked as new measures even though data back to 2005-06 is also included in the table.

Unit/Measure	Notes	2005-06 Actual	2006-07 Actual	2007-08 Target	2007-08 Actual	2008-09 Target	Change from 2006-07	Change from 2005-06
Registry of Births, Deaths and Marriages								
Number of births, deaths and marriages registered		105,294	109,272	120,200	112,846	117,000	3.3%	7.2%
Industry Licensing and Registration Services								
Number of licensing, registration and accreditation services provided		395,259	364,751	360,000	360,000	365,000	-1.3%	-8.9%
Percentage of licensing applications and registration services processed within targets		--	--	new measure	95%	95%	--	--
Dispute Resolution Services								
Number of criminal matters mediated through restorative justice processes	1	74	383	450	193	400	-49.6%	160.8%
Number of civil disputes mediated through alternative dispute resolution	2	1,876	2,028	2,000	2,291	2,200	13.0%	22.1%
Agreement rates for community mediations - voluntary	3	--	--	new measure	86%	83%	--	--
Average number of days between when a civil file is accepted for mediation and when a file is closed		19 days	19 days	20 days	20 days	20 days	5.3%	5.3%
Average number of days between when a criminal file is accepted for mediation and when a file is closed	4	74 days	78 days	60 days	43 days	50 days	-44.9%	-41.9%

Community Justice Services Output Performance

Unit/Measure	Notes	2005-06 Actual	2006-07 Actual	2007-08 Target	2007-08 Actual	2008-09 Target	Change from 2006-07	Change from 2005-06
Community Justice Groups								
Number of clients supported by Community Justice Groups	5	--	--	new measure	--	30,000	--	--
Justices of the Peace Services								
Number of new registrations of Justices of the Peace (Qualified) and Commissioners for Declarations	6	--	3,066	2,713	3,653	3,000	19.1%	--
Number of sites under the "JPs in the Community" program	7	--	--	new measure	111	115	--	--
Total number of hours volunteered under the "JPs in the Community" program	7	--	--	new measure	--	50,000	--	--
State Penalties Enforcement Registry								
Number of matters lodged	8	453,040	498,143	new measure	529,209	--	6.2%	16.8%
Number of matters finalised	9	398,583	427,481	420,000	458,985	--	7.4%	15.2%
Clearance rate (finalisations/ lodgements)	10	88.0%	85.8%	--	86.7%	--	0.9%	-1.3%
Fair Trading Operations								
Number of complaints finalised		10,513	12,292	11,500	13,039	12,500	6.1%	24.0%
Number of enforcement actions initiated		3,125	3,049	2,200	3,064	3,000	0.5%	-2.0%
Number of entities monitored for compliance		6,849	10,532	10,000	12,391	11,500	17.7%	80.9%
Amount of redress achieved	11	\$2.9m	\$3.278m	\$3m	\$5.517m	\$3.2m	68.3%	90.2%
Percentage of disputes satisfactorily finalised		64%	79%	80%	86%	80%	8.9%	34.4%
Percentage of investigations completed within targets		64%	71%	75%	80%	75%	12.7%	25.0%
Percentage of conciliations completed within 30 days		76%	87%	75%	91%	80%	4.6%	19.7%

Notes

- The variance is the result of the delay in establishing justice mediation services in Cairns, Townsville and the Gold Coast. Now the services are fully operational it is expected that the number will increase in 2008-09.
- The variance is due to an increase in the number of matters being referred or ordered to civil mediation by the courts. It is expected that the performance will be similar in 2008-09.
- The agreement rate for voluntary mediations (mediations not ordered by a court) is one indicator of the quality and value of the conduct of mediations.
- More strict criteria relating to what matters are accepted for mediation has contributed to a decrease in 2007-08. The 2008-09 target has been reduced due to expected decreased workloads caused by changes to the criteria.
- This measure identifies the number of clients supported by community justice groups. As this is a new measure, data for the period before 1 July 2008 is not available.
- The increase in applications received is due to newly introduced JP training courses and a greater awareness generated by the "JPs in the Community" program.
- This measure indicates the growth of the program and the subsequent increased access to JP services.
- Lodgement figures are now compiled according to the national counting rules set out in the *Report on Government Services* (RoGS). As per the counting rules unpaid court fines are not included in the count of lodgements.
- Finalisation figures are now compiled according to the national counting rules set out in the *Report on Government Services* (RoGS). As per the counting rules court ordered fines are not included in the count of finalisations. Previous years' figures with the exception of targets have been amended to enable comparisons between years.
- Figures have been recalculated based on the compilation of lodgements and finalisations under the RoGS national counting rules. They do not now align with the previously published figures in Service Delivery Statements. Future figures will be calculated using these national counting rules.
- This result is due largely to several significant compensation orders by the Commercial and Consumer Tribunal Registry.

Future directions

- review the justice mediation program to identify opportunities for expansion to other regions
- evaluate the Mornington Island Restorative Justice pilot to explore the feasibility of expanding the program to other Indigenous communities
- evaluate the Justices of the Peace (Magistrates Court) program
- continue community volunteer JP signing sites to support members of the public who require legal documents to be witnessed
- establish additional community volunteer JP sites at the Dalby Shopping Centre, Bribie Island Library, Royal Brisbane Hospital and Raintrees Shopping Centre in Cairns
- arrange for clients to pay for business names and related registrations through the Smart Service Queensland Shopping Cart payment service
- explore an instalment payment schedule for fines that automatically recalculates an offender's instalment amount if they receive additional fines during the life of the instalment plan
- continue to review and improve Registry of Births, Deaths and Marriages services by:
 - developing a web interface for future online services and evaluate its e-Registrations (Deaths) pilot and, pending a successful evaluation, roll it out statewide
 - expanding (in line with the registry's Certificate Access Policy) the online historical indexes service used by family historians
- continue to complement fair trading education and awareness initiatives with proactive compliance to promote responsible consumer and trader behaviour through cooperative work with other regulatory agencies, both in Queensland and nationally
- continue to actively promote compliance with fair trading legislation
- improve awareness of young people's consumer rights and improve financial literacy through the development of a youth-specific website
- develop a new website to provide improved access to information about the department's fair trading initiatives and responsibilities

Our people

Our people are the department's key assets.

Departmental staff work across Queensland in many diverse roles, including as judicial officers, lawyers, court and tribunal registrars, court services officers and depositions clerks, accountants, project officers, systems analysts, policy officers, information technology officers, finance and training officers, court reporters, guardians, prosecutors, investigators, researchers, bailiffs, cleaners, communications and marketing officers and mediators.

Our workforce grew during 2007-08 and as at 30 June 2008 the total number of full time equivalent (FTE) staff employed was 2,832.9. The increase in staff numbers is due principally to the machinery of government transfer of four additional business units into the department in September 2007.

As at 30 June 2008, the number (head count) of staff employed was 2,975.

Actual FTE 30 June 2007	Actual FTE 30 June 2008
2,395.4	2,832.9

Profile of our staff

The department allocates its staff to the four output areas.

Output Area	Actual FTE 30 June 2008
Court and Tribunal Services	1,526.1
Human Rights Protection Services	133.5
Policy, Legislation and Legal Services	297.8
Community Justice Services	498.0
Total	2,455.4

Administered staff (judicial officers and Land Court and Tribunal)	Actual FTE 30 June 2008
Supreme Court Judges (including Court of Appeal)	25.0
District Court Judges	38.0
Magistrates	85.4
Land Court and Tribunal Members	5.0
Judicial Registrars	4.0
Total	157.4

The delivery of output services is supported by a number of business support areas focused on ensuring the department is capable of delivering its strategic objectives and output performance.

Business Support Area	Actual FTE 30 June 2008
Information Technology	70.2
Human Resources	13.2
Audit	5.0
Administration	106.2
Finance	25.5
Total	220.1



Leadership— investing for the future

The department is focused on creating a culture of internal customer service, coaching, feedback and future-oriented leadership. To achieve this, a number of programs for career development and succession planning have been implemented.

During 2007-08, staff participated in a range of professional development activities, including the Public Sector Management Training Program, the Australia and New Zealand School of Government and Leadership Development Programs.

Workforce capability

The department is committed to professional and personal development for all employees. Individual professional development plans identify areas for professional development based on strengths as well as areas for improvement.

Online training packages ensure staff in regional and remote areas of Queensland have comprehensive access to training, support and advice.

During 2007-08 the department developed a number of online learning packages including induction, code of conduct and manual handling courses.

In 2007-08, more than 260 learning programs with 1,700 participants and 40 subject areas were provided for staff through Learning Services in the Shared Services Agency.

Employee support

Work-life balance is becoming a priority for men and women of all ages and the department encourages flexible working conditions tailored to employee needs.

The department currently has a number of policies in place to provide more flexible work arrangements for employees including part-time work, job share provisions, flexible working hours and telecommuting.

Improving service delivery to vulnerable people

The Courts Capability Development Unit ensures court staff have appropriate skills and training to deal with a wide range of clients.

During 2007-08, a range of training services aimed at providing better services for vulnerable people were provided to court staff, other departments and the community, including:

- multicultural awareness sessions
- deaf awareness workshops
- inter-agency courts and justice awareness sessions
- 'Our Courts Our Clients' client service skills workshops
- court procedures information
- domestic violence awareness and protocol workshops.

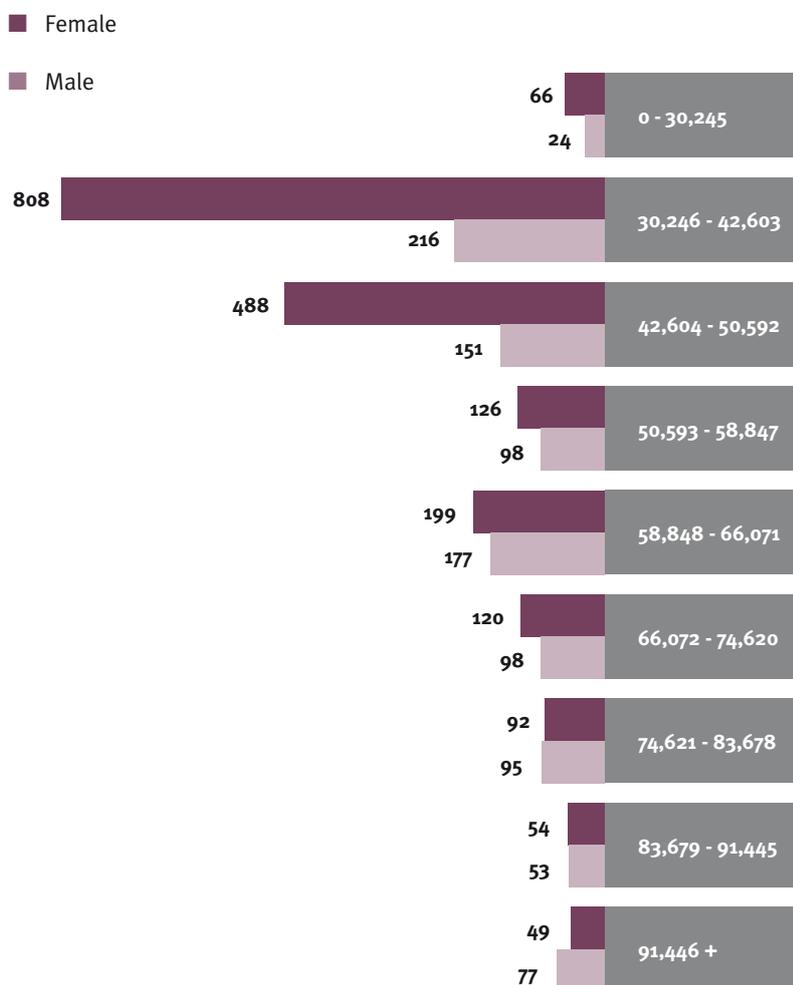
The deaf awareness workshops were conducted by the Australian Association of the Deaf and are the first of its kind in the courts system.

Equal employment opportunities

Women's initiatives

In 2007-08, the department continued to implement initiatives to improve employment and advancement opportunities for women. A popular course, with 23 participants, was leadership and management training which encouraged senior staff to create networks and develop a better understanding of other areas of the department.

Breakdown of salary levels by gender



Percentage of women on boards and statutory authorities as at 30 June 2008

Board or statutory authority	Total no. of members	No. of males	% males	No. of females	% females
Adult Guardian	1	0	0	1	100
Anti-Discrimination Commission	1	0	0	1	100
Anti-Discrimination Tribunal	11	7	64	4	36
Appeal Costs Board	3	2	67	1	33
Children Services Tribunal	34	8	24	26	76
Commercial and Consumer Tribunal	29	20	69	9	31
Computer Games and Images Appeal Tribunal	3	1	33	2	67
Council of the Queensland Law Society Incorporated	13	10	77	3	23
Crime and Misconduct Commission - Chairperson and part-time Commissioners	4	2	50	2	50
Crime and Misconduct Commission - Assistant Commissioners	2	2	100	0	0
Crime and Misconduct Commission - Crime Reference Committee	2	0	0	2	100

Board or statutory authority	Total no. of members	No. of males	% males	No. of females	% females
Director and Deputy Director of Public Prosecutions	2	2	100	0	0
Disaster Appeals Trust Fund Committee	5	3	60	2	40
Dispute Resolution Centres Council	5	3	60	2	40
Electoral Commission of Queensland	3	2	67	1	33
Films Appeals Tribunal	3	1	33	2	67
Funeral Benefits Trust Fund	2	2	100	0	0
Guardianship and Administration Tribunal	49	21	43	28	57
Information Commissioner	1	0	0	1	100
Land Court	7	5	71	2	29
Land Tribunal (Aboriginal)	10	5	50	5	50
Land Tribunal (Torres Strait Islander)	1	0	0	1	100
Law Reform Commission	5	3	60	2	40
Legal Aid Board	5	3	60	2	40
Legal Aid Queensland - Chief Executive Officer	1	0	0	1	100
Legal Practice Committee	7	5	71	2	29
Legal Practice Tribunal - Panel Members	13	7	54	6	46
Legal Practitioners Admission Board	8	4	50	4	50
Legal Services Commission	1	1	100	0	0
Misconduct Tribunals Panel	8	6	75	2	25
Ombudsman	1	1	100	0	0
Professional Standards Council	11	8	78	3	22
Public Advocate	1	0	0	1	100
Public Interest Monitor	3	2	67	1	33
Public Trustee of Queensland	1	1	100	0	0
Public Trust Office Investment Board	4	3	75	1	25
Publication Appeals Tribunal	3	1	33	2	67
Registrar-General (and Deputy) of Births Deaths and Marriages	2	1	50	1	50
Retail Shop Leases Tribunal	16	10	62	6	38
Solicitor-General	1	1	100	0	0
Supreme Court Library Committee	13	10	77	3	23
Total	295	163	55%	132	45%

Equity in the workplace

The department has 48 trained equity contact officers of varying classifications and professions, including representatives from regional areas. Equity awareness sessions are conducted every four to six weeks and include information on workplace bullying, discrimination and sexual harassment.

The department actively participates in a number of initiatives to communicate the equal employment opportunities available with the department, including National Aboriginal and Islander Day Observance Committee (NAIDOC) Week, the Multicultural Festival and International Women's Day.

Multicultural awareness sessions and Indigenous cultural awareness sessions are regular programs on the corporate calendar. Each of these programs helps our staff to better understand the diverse nature of the workplace and our clients.

Our corporate governance framework

The department's governance framework provides mechanisms to drive performance, achieve our organisational goals and objectives, and deliver on government outcomes. The framework ensures the department undertakes its responsibilities for policy and service delivery in an open, accountable and ethical way.

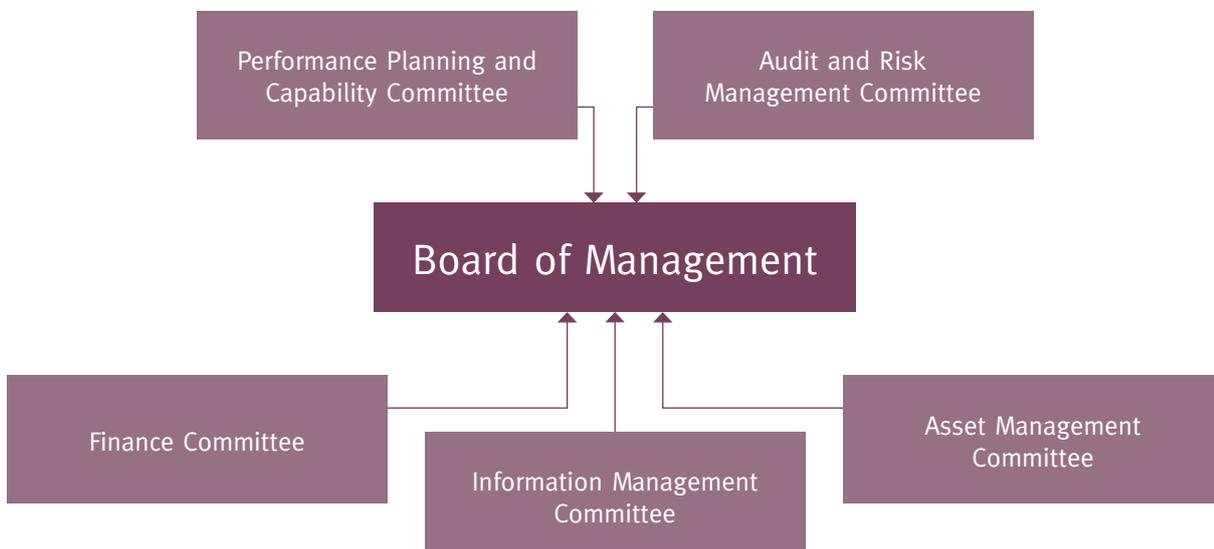
Leadership and strategic management

As chief executive officer of the department, the Director-General is supported in meeting her statutory responsibilities under the *Public Service Act 2008*, the *Financial Administration and Audit Act 1977* and other relevant legislation, by the expert advice and assistance of the Board of Management and five special purpose governance committees.

Committee structure

The five special purpose committees support the Board of Management in its strategic leadership functions by monitoring performance and identifying and implementing business improvement opportunities in their key areas of responsibility.

In 2007-08 the committee structure, terms of reference and memberships were reviewed and a new committee, the Performance Planning and Capability Committee replaced previous committees dealing with corporate governance and workforce capability. The new committee was established to develop a stronger and more integrated approach to departmental planning and performance.





Working with clients and stakeholders

Engagement

Direct engagement with stakeholders and the community through discussion papers, draft bills, meetings, seminars, forums, working groups and our website strengthens policy decisions and ensures better service to the people of Queensland. During 2007-08 a number of discussion papers were provided for community comment. These included discussion papers on:

- review of the law in relation to the excuse of accident and the partial defence of provocation
- reforms and improvements to the current system of civil and administrative justice in Queensland
- review of the criminal injury compensation scheme.

Other engagement strategies included:

- an independent panel of experts engaged to advise government on the creation of an amalgamated civil and administrative tribunal undertook a process of stakeholder consultation that would inform the development of their first report to government. This included a call for written submissions which resulted in more than 50 submissions as well as face to face meetings with a variety of government and non government stakeholder groups
- stage 1 of the review of neighbourly relations enabled Queenslanders to have their say about dividing fences by completing an online survey, providing written submissions and attending public forums
- magistrates court registrars and staff participated in a Domestic Violence Court Assistance Network and attended the monthly Homeless Persons Court Diversion Strategy Stakeholders Reference Group
- fair trading staff attended forums at several manufactured home parks to explain residents' rights under the *Manufactured Homes Act 2003* and to discuss residents' concerns with the review of the Act
- the following regulatory impact statements (RIS) were released for public consultation and comment:
 - the proposed unit pricing scheme to be introduced by the Fair Trading (Unit Pricing) Amendment Regulation 2008
 - the need for proposed changes to body corporate regulations under the *Body Corporate and Community Management Act 1997* and presenting an evaluation of the likely costs and benefits of the regulations.
- Fair trading staff engaged with community members at several community events including Law Week, regional shows, Ekka®, Buy Smart Competition, Peace Week, Schoolies Festival, and the Multicultural Festival. In 2007-08 Fair trading officers engaged with more than 10,700 people across Queensland through these activities.

- The Justices of the Peace Branch undertook an independent evaluation of its current Justice of the Peace (Qualified) process to explore ways of improving its services to people undertaking the examination. A survey was developed and distributed to over 1,500 people who sat and completed the examination during 2007. The results will assist the branch to meet the future needs of applicants and improve its assessment of applicants.
- The department has a multicultural community engagement project at Logan exploring how the department's services can be made more accessible for multicultural communities, particularly African and Pacific Islander communities.

Complaints management

In October 2007, the department implemented a complaints management system as required under Office of the Public Service Commissioner, Directive 13/06 *Complaints Management Systems*. The system is a client-focused initiative based firmly on the principles that staff will deal with client concerns at the point of contact and that client complaints and suggestions will inform service improvements.

Reviews

Report on the Service Delivery and Performance Management Review of the Department of Tourism, Fair Trading and Wine Industry Development

In August 2007, the Service Delivery and Performance Commission (SDPC) provided a report to the Queensland Premier focusing on performance management in the (former) Department of Tourism, Fair Trading and Wine Industry Development (DTFTWID).

Machinery of government changes from 13 September 2007 resulted in the abolition of DTFTWID and units of the former department⁶ transferred to the Department of Justice and Attorney-General. The department is implementing relevant SDPC report recommendations.

Performance management systems audit

In 2007 the Queensland Audit Office undertook a Performance Management Systems Audit on the department. *The Auditor-General of Queensland Report to Parliament No. 4 for 2007* was tabled on 7 August 2007.

The Queensland Audit Office made a number of recommendations to improve elements of the framework, systems and reporting processes supporting the department's output performance measurement as well as the relevance and appropriateness of output performance measures.

To address the recommendations the department has undertaken a number of initiatives, including:

- redesigning performance measures
- developing a performance reporting data dictionary
- completing an output performance management and reporting policy.

Performance measures review

In 2007-08 the department conducted a significant review of its performance measures, particularly the measures reported externally to the Parliament and the community.

The review was undertaken to ensure that the department's measures continue to provide the best evidence of its performance across a range of diverse services.

As a result of the review, a number of performance measures have been discontinued and will not appear in future Service Delivery Statements.⁷

Internal audit

The Director Internal Audit reports directly to the Director-General on both audit and administrative matters. A corresponding reporting and accountability relationship with the Audit and Risk Management Committee⁸ further strengthens the independence of this unit.

The unit supports the Director-General and management by conducting reviews of key financial, accounting and information management systems at all levels of the organisation.

⁶ Office of Fair Trading, Body Corporate and Community Management and the Commercial and Consumer Tribunal.

⁷ Discontinued performance measures reporting for the 2007-08 year is at appendix 2.

⁸ During the year the Audit and Risk Management Committee observed the terms of its charter and had due regard to Queensland Treasury's Audit Committee Guidelines.

Key achievements of the Internal Audit Unit in 2007-08 included:

- developing and implementing the 2007-08 Internal Audit Plan and the 2007-11 Strategic Internal Audit Plan
- progressing the review of regional Magistrate, and Supreme Court and District Court registries in accordance with the Audit Plan
- playing an active role on key departmental committees and project steering committees for a number of key projects
- working collaboratively with Shared Services Agency Internal Audit Units to ensure 'end-to-end' audit coverage of key systems.

During the year, the unit conducted audits and/or provided audit coverage of the following areas:

- various Magistrate, and Supreme Court and District Court registries
- regional office reviews
- information security reviews
- the Registry of Births, Deaths and Marriages
- tribunals
- financial statements 2006-07
- special investigations.

Risk management

The department maintains an annual risk management program that provides a framework for identifying, assessing, treating and monitoring the treatment of risks.

Unacceptable strategic, operational and fraud risks are reported to the Board of Management and the Audit and Risk Management Committee on a regular basis. The department's Audit and Risk Management Committee consists of the following members:

Standing members

Assistant Director-General, Business Support (Chair)
Manager, Finance and Business Services, Crown Law
Regional Services Manager, South East Region
Director, Information Technology Services
Director, Corporate Governance
Director of Courts, Supreme and District Court
Deputy Director of Courts, Supreme and District Court
External Member

Invited members

Director, Financial Services
Director-General

Observers

Assistant Director, Financial Services
Director of Audit, Queensland Audit Office
Audit Manager, Queensland Audit Office
Auditor, Queensland Audit Office
Director, JAG Internal Audit
Principal Internal Auditor, JAG Internal Audit

During the year the department reviewed its risk management and business continuity frameworks.

Recordkeeping

Sound recordkeeping practices underpin good corporate governance.

This year the department has implemented an electronic document records management system, eDOCS, to ensure the accurate storage, capture and retrieval of departmental documents as required by the *Public Records Act 2002* and Information Standard 40: Recordkeeping.

Financial snapshot

The financial amounts summarised below include the activities of the Department of Justice and Attorney-General (excluding administered activities).

	2007-08	2006-07
Revenue	\$340.195m	\$276.339m
Expenses	\$341.194m	\$271.533m
Operating Surplus / (Deficit)	(\$0.999m)	\$4.806m
Net Assets	\$737.184m	\$593.911m

The operating deficit in 2007-08 primarily reflects the use of existing cash balances of the Consumer Credit Fund towards consumer education initiatives and also represents approved non-cash losses associated with the write downs of non-current physical assets.

The operating surplus in 2006-07 primarily reflects the recognition of revenues in relation to a Market Value Adjustment of borrowings that was recognised through the Profit and Loss Account in accordance with AASB 139 *Financial Instruments: Recognition and Measurement*.

The department is mainly funded through appropriation funding by the government in return for the services delivered by the department. Appropriation funding is also referred to as output revenue. Output revenue represents 86.9 per cent of total revenue. During 2007-08, the department received 'output revenue' of \$295.5 million compared to \$239.7 million for the previous year, representing an increase of \$55.8 million or 23.3 per cent. The increase in output revenue is largely attributable to the machinery of government changes that occurred during 2007-08 (refer below for details of the transfers).

Furthermore, additional funding was provided via the mid-year budget review for the Road Safety Summit and Young Drivers Safety Initiatives, Managing the Cost of Consumer Credit, workload pressures in the Office of the State Coroner, funding for legal costs of dangerous sexual offenders and the transfer of funding for the public safety network.

'User charges' revenue totalled \$30.347 million for the year and principally comprised Crown Law Professional Services.

Machinery of government changes

The entities listed below were transferred to the Department of Justice and Attorney-General during the financial year.

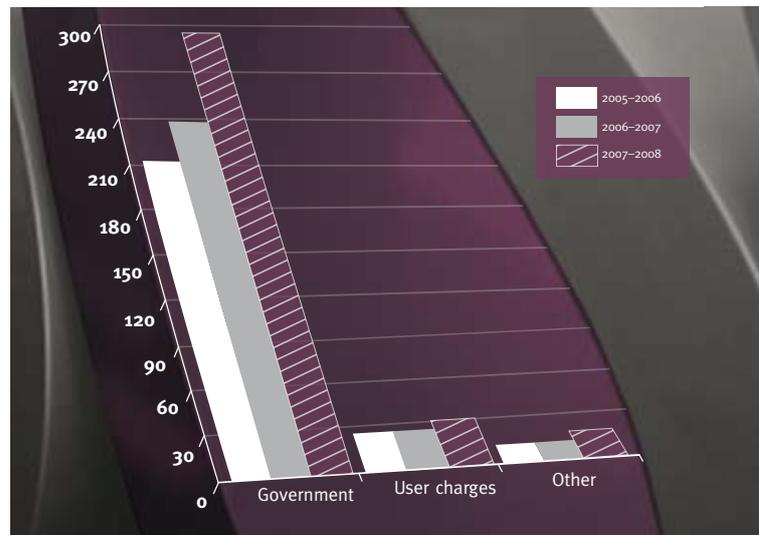
Office of Fair Trading, Commercial and Consumer Tribunal and the Office of the Commissioner of Body Corporate and Community Management

The responsibilities for the Office of Fair Trading, Commercial and Consumer Tribunal and the Office of the Commissioner of Body Corporate and Community Management were transferred from the former Department of Tourism, Fair Trading and Wine Industry Development to the Department of Justice and Attorney-General by a machinery of government change made under the *Public Service Departmental Arrangements Notice (No. 4) 2007* with effect from 13 September 2007.

Retail Shop Leases Registry

The Retail Shop Leases Registry was transferred from the former Department of State Development to the Department of Justice and Attorney-General by a machinery of government change made under the *Public Service Departmental Arrangements Notice (No. 5) 2007* with effect from 21 September 2007.

Where the funds come from



Where the funds come from

The funds are supplied mainly by government as output revenue to enable the department to carry out its services.

User charges are amounts received by the department for chargeable services rendered. For instance, legal services rendered by Crown Law.

Other revenues include grants received, interest received, services received free of charge and other minor receipts.

How the funds are spent

Employee expenses is the amount paid to employees and related salary on-costs such as superannuation. Employee expenses increased by \$34.5 million, or 23 per cent, and

primarily reflects the increased staffing costs associated with the machinery of government transfers during 2007-08. Furthermore, additional funding was provided via the mid-year budget review for the Road Safety Summit and Young Drivers Safety Initiatives, Managing the Cost of Consumer Credit and workload pressures in the Office of the State Coroner.

Supplies and services is the amount paid to third parties for supplies and services delivered during the year.

Grants and Subsidies increased by \$1.241 million and primarily represents additional grants made through the community justice program.

Borrowing costs is the interest paid to Queensland Treasury Corporation on the funds borrowed for the construction of the Brisbane Magistrates Court Complex. The increase of \$4.992 million represents a Market Value Adjustment in 2006-07 amounting

Financial snapshot

to \$5.563 million that was recognised through the Profit and Loss Account in accordance with AASB 139 *Financial Instruments: Recognition and Measurement*.

Depreciation is the value by which the assets are consumed during the year.

Other expenses principally comprise goods and services received below fair value and other minor expenses.

Revenue

Funding is provided to assist the department to achieve a range of outputs which underpin the government's priorities.

Justice Services received the major share of appropriation funding.

A significant portion of Legal and Government Services revenue consists of user charges for services rendered by Crown Law.

Revenue in dollar terms for each output is:

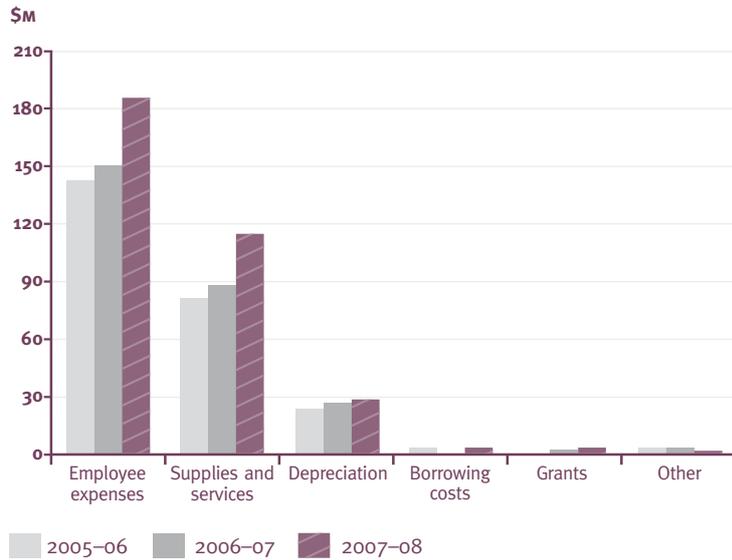
	\$'000
Legal and Government Services	79,080
Justice Services	258,375
Law and Justice Reform	10,424

Note: The above table totals to \$347,879 million which does not agree to the total revenues of \$340,195 million noted in the summary table at the beginning of this snapshot. This is due to \$7,684 million in interdepartmental eliminations not being quoted in the outputs summary table above.

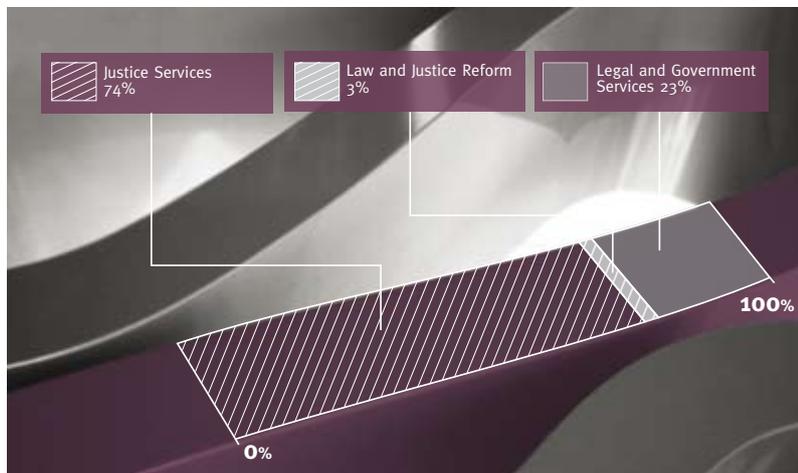
Expenses including interest

The Justice Services output recognises the department's core area of responsibility in relation to the delivery of justice through Queensland's systems of courts, tribunals, prosecution, guardianship and dispute resolution. This output also promotes fair trading in the marketplace and thereby greater consumer and business confidence and economic growth through strategies which deliver responsible

How the funds are spent



2007-08 Revenue by Output



trading practices, more informed businesses and consumers, and effective customer protection.

The Law and Justice Reform output recognises the important accountability of the Attorney-General and the department in administering more than one hundred diverse pieces of legislation. This output represents the department's responsibility to review and reform legislation and to lead, regulate and influence legal policy and practices impacting on the Queensland community.

Legal and Government Services output recognises those roles and responsibilities throughout the department that underpin services and functions—such as those provided by the State Penalties Enforcement Registry, the Births, Deaths and Marriages Registry and the Justices of the Peace Branch. These services and functions collectively provide the platform for the department's administration of the justice system and to achieve law reform. This output recognises that the department provides a range

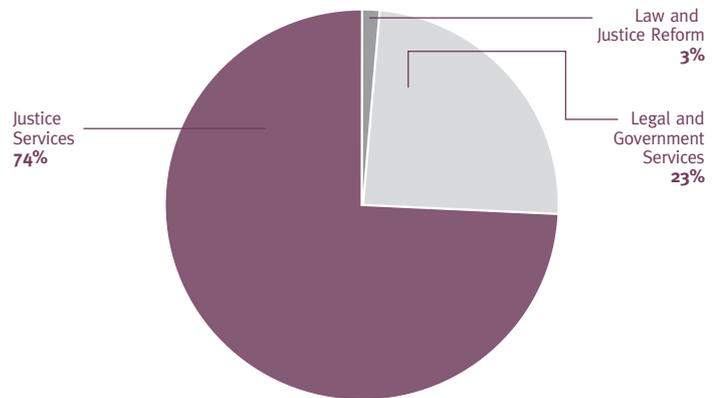
of services that are essential to maintaining a stable and sustainable social, economic and governance environment.

The expenses in dollar terms for each of the outputs are:

	\$'000
Legal and Government Services	78,773
Justice Services	259,681
Law and Justice Reform	10,424

Note: The above table totals to \$348,878 million which does not agree to the total expenses of \$341,194 million noted in the summary table at the beginning of this snapshot. This is due to \$7,684 million in interdepartmental eliminations not being quoted in the outputs summary table above.

2007-08 Expenses by Output



Capital expenditure overview

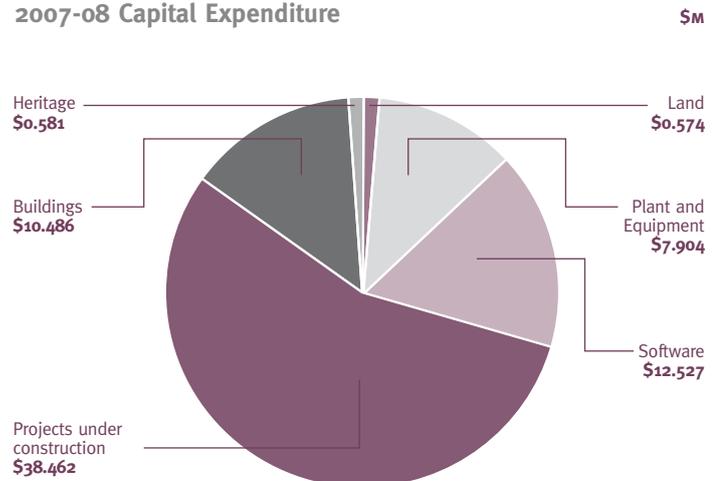
Capital expenditure of \$70.534 million was incurred during the year.

Projects under construction consist mainly of capital expenditure on the construction and upgrade of courthouses including Ipswich, Pine Rivers, Bowen and the Brisbane Supreme Court and District Court Complex.

Funds spent on plant and equipment includes copiers, equipment and closed-circuit television in courthouses.

The software expenditure consisted of continued development of the Integrated Justice Information Strategy System (IJIS), Prosecutions Case Management Information System, Queensland Wide Integrated Courts System (QWIC) Renewal and other minor projects.

2007-08 Capital Expenditure



Crown Law Annual Report 2007-08

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Executive Management Group Review



Conrad Lohe
Crown Solicitor



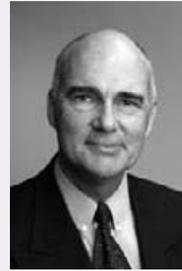
Susan Mackie
General Manager



Helen Freemantle
Deputy Crown Solicitor
Commercial & Infrastructure



Greg Cooper
Deputy Crown Solicitor
Litigation



Robert Campbell
Deputy Crown Solicitor
Public Law



Steve Marton
Crown Counsel

Over the reporting year, we have concentrated on providing our clients with outstanding, solution focused legal services. Our dedication to client service means we ensure our clients have tangible outcomes that represent value.

In addition to being recognised as the primary provider of legal services to the Queensland Government, our people have been recognised as skilled professionals.

Our success is based on doing what we do best – government law – and the values that drive our business.

Enduring relationships grow out of working together with people and organisations whose values are compatible with our own, ensuring our people are accessible and responsive.

In the past financial year we have:

- provided the Queensland Government with significant legal advice in respect of numerous legislative changes, policy developments, legal challenges and commercial transactions
- established a leadership community to advance the development of our current and future leaders
- commenced the implementation of a competency based recruitment and staff development program
- made a significant investment in our information technology software, to replace our practice management system and continue to roll-out our case management system, Visualfiles
- provided a modernised upgrade in accommodation
- continued to be a significant legal training provider for Queensland Government officers and have been accredited by both the Queensland Law Society and the Bar Association of Queensland
- increased our percentage of permanent staff to 80 per cent
- implemented a professional development framework
- earned a total revenue of \$35.285 million
- successfully implemented the relaxation of tied work for coronial and statutory prosecutions legal matters.



Crown Law's Executive Management Group. Back row: the Crown Solicitor Conrad Lohe, Crown Counsel Steve Marton, Deputy Crown Solicitor Robert Campbell. Front row: Deputy Crown Solicitor Greg Cooper, Deputy Crown Solicitor Helen Freemantle. Absent: General Manager Susan Mackie.

Our history

Crown Law has operated as a self-funded business unit of the Department of Justice and Attorney-General since 1997 and has grown to become one of the largest law firms in Queensland with over 140 legal staff handling in excess of 3500 matters a year.

We have a wealth of knowledge in public sector law and the legislative matrix that shapes and controls the operations of the Queensland Government. Crown Law has developed a valuable 'corporate memory' of the intertwining Acts, regulations and policies – including their histories – of all government departments, agencies, authorities and government owned corporations.

Our business principles

At the heart of our business, five core values provide the foundation for our approach across the whole practice:

- working together
- value for money
- getting the job done and improving each time
- respect for people
- responsive client service.

Our business principles outline how we seek to operate in everyday practice as we interact with our clients, our people, the community, and the Queensland State Government.

Our clients

At Crown Law we strive to be more than good lawyers, we aspire to be trusted advisers to our clients.

We advise Queensland Government departments, agencies, authorities and government owned corporations across a range of practice areas.

We have a wealth of knowledge and experience, we work collaboratively with our clients and we are committed to being accessible and responsive.

Our long-standing history and reputation in the Queensland Government provides our clients with the breadth of experience and awareness they require to assist with the growth of Queensland and our community.

Executive Management Group Review

Our vision

Crown Law provides authoritative, specialised and timely legal solutions. Our vision is: *Solutions for Government.*

Our structure

Crown Law is a full service legal practice providing clients with a knowledge of Queensland Government that is unrivalled by our competitors.

Our structure supports career development and succession planning for all legal and support officers.

The Crown Solicitor is the most senior officer in Crown Law, handling the most difficult legal matters on behalf of the Crown. The Crown Solicitor acts as the solicitor for the state, and provides independent legal advice to the Premier, the Attorney-General, Ministers, Directors-General and departmental officers. The Crown

Solicitor also takes responsibility for resolving any real or perceived conflict of interest involving a legal matter being handled by Crown Law, and is responsible for setting the professional and ethical standards of the legal practice.

We provide direct access to the Solicitor-General, through our Crown Counsel Team, for advice or representation on significant matters affecting the interests of the state.

Crown Law is grouped into three main branches of law – Commercial and Infrastructure, Litigation and Public Law. Each branch is supported by specialist legal teams and is represented by a Deputy Crown Solicitor, who reports directly to the Crown Solicitor.

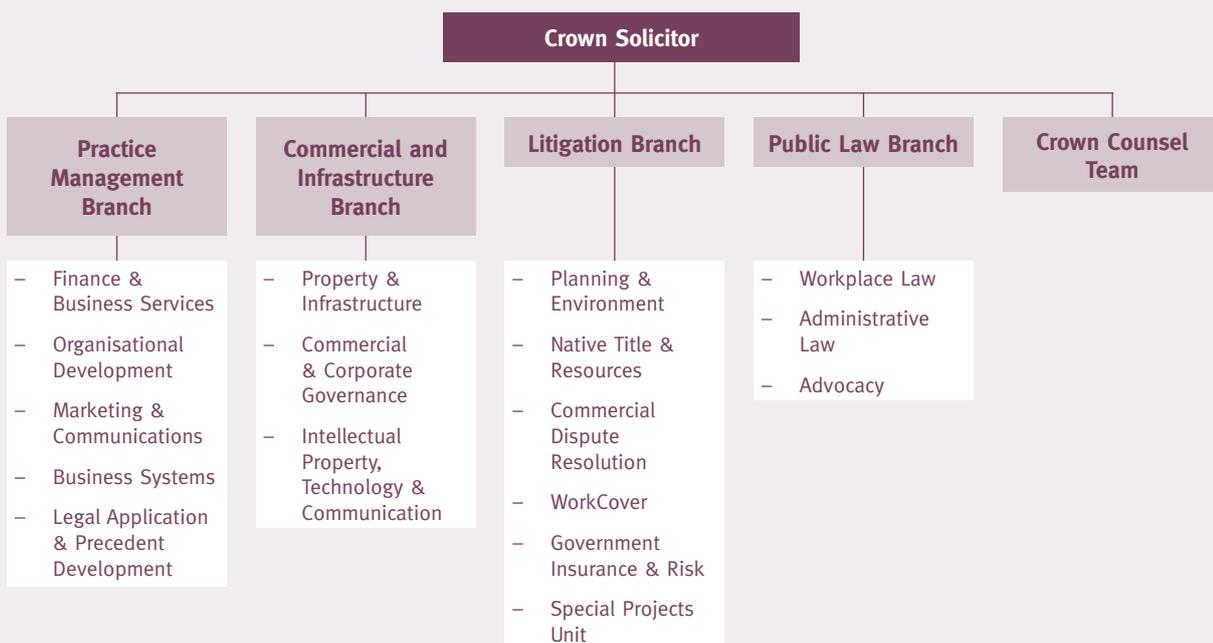
There are 14 legal teams to cover all aspects of government and public sector law. These teams are led by Assistant Crown Solicitors who are highly-qualified lawyers, responsible for the professional handling of all matters allocated to their team.

Each legal team has a dedicated team of lawyers and support staff including clerks, paralegals and administrative officers.

The lawyers in Crown Law are further supported by the Practice Management Branch which is led by the General Manager, who works closely with the Crown Solicitor, Deputy Crown Solicitors and Crown Counsel on the day-to-day running of Crown Law as a business. The Practice Management Branch comprises five teams which provide corporate support for the legal teams.

Crown Law's three legal branches and 14 teams reflect the broad range of legal services offered by the practice.

Structure Chart



Our key strategic objectives

Crown Law aims to enhance its client service delivery and performance in the provision of highly valued, cost effective legal services to all areas of the Queensland Government through the implementation of Crown Law's business plan and improved business systems.

In December 2005, Mr Brendan Butler SC delivered a report on his *Review of the Delivery of Legal Services to the Queensland Government* (Butler Report). The review outlined recommendations that were endorsed by Cabinet in June 2006.

The Crown Law Business Plan 2007-2008 adopted strategies to assist in the implementation of the recommendations made in the Butler Report to meet our key objectives.

1. Client Outcomes.
2. Financial Outcomes.
3. Business Processes and Innovation Outcomes.
4. People Outcomes.

Each of these key objectives has important strategies to help us achieve business success and to continue to build our future.

Over the reporting year, Crown Law has made some significant advances in implementing the recommendations of the Butler Report. Crown Law's business plan continues to adopt strategies to assist in the implementation of these recommendations.

Delivery of legal services in 2007-2008

- Crown Law provided legal services for a total of 3765 matters to over 120 state government client agencies.
- Total revenue achieved for these services amounted to \$35.285 million.
- Crown Law achieved a 99 per cent productivity rating.
- We successfully developed a newsletter to keep our clients up-to-date with news in Crown Law and legal matters.
- Crown Law hosted 13 Government Legal Briefings attended by more than 1000 government officers.
- The practice achieved a score of six out of a possible seven with over 60 staff commendations from our client service scorecards.
- Crown Law continued to appoint client managers to assist with client service and to foster a better understanding of our clients' business.

1. Client outcomes

Our client focus remained unchanged; as we believe that excellent client service and adding value is the key to building strong relationships.

Our key strategies over the reporting year were:

- to continue to increase client satisfaction
- enhance client communication
- maintain and increase our client base
- develop a more flexible and commercially-focused organisation.

More than 800 client service scorecards were sent to clients. Our annual average score was six from a possible seven. From this client

feedback our legal staff received more than 60 commendations and our highest rated areas were our knowledge and skill, client satisfaction and caring about our clients' interest.

More than 1350 government officers attended 21 Crown Law training workshops, CEOs' Breakfast Briefings, Legal Managers' Breakfast Briefings and Government Legal Briefings.

Our Government Legal Briefing topics were:

- Intellectual Property –The Rights of the Crown
- Impacts of Child Protection on Government
- The Application of Natural Justice in Decision Making
- Getting on the Front Foot – Responding Effectively to a Coronial Inquiry
- Public and Vicarious Liability Update
- Changes to the *Land Act 1994* and the impact on State Government Departments
- Infrastructure Agreements
- Constitutional Law Update
- New Guidelines for Indemnity and Legal Assistance

Over the past year Crown Law has produced five Legal Updates that were distributed to over 5000 government officers. Topics ranged from constitutional law, copyright law to legal professional privilege and statutory powers.

Crown Law launched Crown Law News, a newsletter focusing on providing clients with up-to-date information about the practice, interesting legal matters and profiles of clients and staff. Crown Law News is published monthly and distributed to more than 1800 government officers.

The Crown Law website has continued to bring clients up-to-date news relating to legal services, events and publications with over 450 website subscribers.

2. Financial outcomes

Our key strategies for the 2007-2008 financial year included:

- to strengthen market share
- develop a competitive, viable fee structure
- remain financially viable as a self-funded government business.

These strategies assisted with the improvement of our profitability and revenue as well as delivering quality legal services.

Summary operating result

Total Revenue	\$35,285,000
Total Expenditure	\$34,979,000
Profit	\$306,000

Revenue per fee earner

	Revenue	FTEs	Revenue by fee earner
Total	\$24,665,000	138.84	\$177,650

3. Business processes and innovation

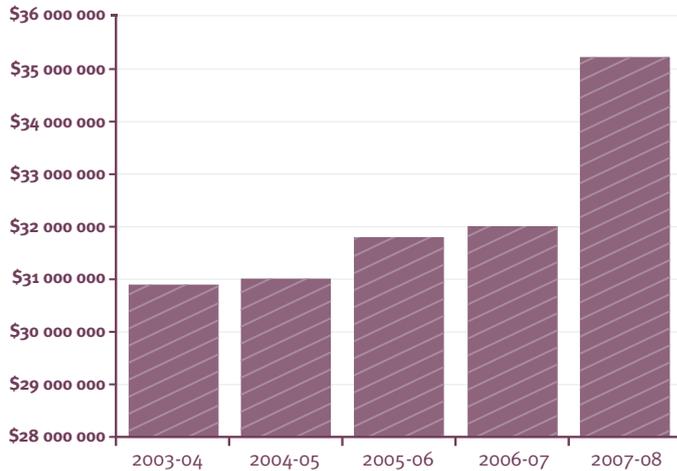
Crown Law continues to invest in efficient systems and processes to improve timeliness and responsiveness in the delivery of legal services to clients. Crown Law has improved our electronic document and record management system, financial reporting through the current practice management system and our case management system.

Our business process and innovation strategies were to:

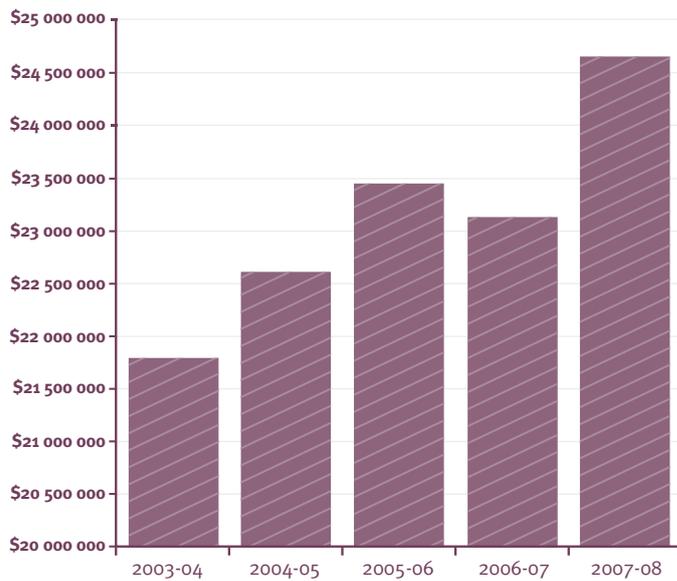
- continue to identify business system opportunities
- implement a new integrated and innovative practice management system.

We delivered these strategies through investing in three major information technology projects: the replacement of our practice management system (PReP), Information Management (IM) and Visualfiles.

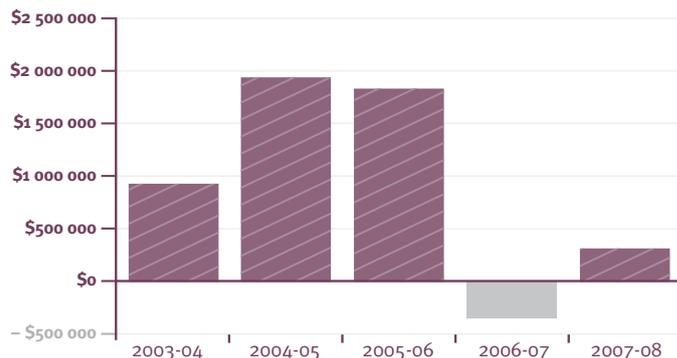
Crown Law's Total Revenue



Crown Law Total Professional Fees Revenue



Crown Law Total Professional Fees Revenue



The aim of the three major projects is to integrate the systems so there is no re-entering of common data, to enable increased productivity and efficiency for all staff.

Crown Law staff have been extensively consulted on processes and requirements. The data gathered from the consultation was used in the selection, configuration and the upcoming implementation of the new systems.

The PReP project commenced in March 2007 and aims to retire the current practice management system and implement a new system able to meet the future needs of the Practice. This includes improved financial reporting for Crown Law and our clients, improved bill processes, enhanced integration and a better interface for our staff.

The IM program has a number of sub-projects including:

- upgrade of our document management system
- implementation of a records management system
- digitisation of documents to capture and convert physical paper records into electronic format
- deliver text searchable Portable Document Format advices to clients (eAdvices)
- update of document and work types.

The Visualfiles project, our case management system, continued to be implemented throughout the practice including three major areas of law that have been opened up to competition: general litigation (commercial), statutory prosecutions and coronial inquiries. The Visualfiles project also saw the completion of the general application, containing all of Crown Law's 1500 precedents for use by all legal teams in the practice, and an upgrade to the Visualfiles software which includes integration with our new document management system.

Ongoing information technology support

- Server upgrade – Crown Law undertook a large server upgrade to support the efficiencies of our information technology systems and infrastructure.
- Personal Computers (PC) and laptop replacement – we replaced more than 140 PCs and 11 laptops throughout the Practice.
- Upgraded software programs – Crown Law undertook two software program upgrades – BigHand3 and Ezi-Viewer – including system testing, training and roll-out.
- Improved connectivity – the roll-out of remote access to over 30 staff members has enabled staff to have access to the same systems while telecommuting or travelling.

4. People outcomes

Our main goal is to attract, retain and develop highly-skilled staff who are professional, motivated and who take pride in their work.

To continue to meet this goal a number of strategies were implemented including a focus on internal communication, enhanced learning and development opportunities, increased permanency

and career progression for our professional staff.

Over the past reporting year, these strategies have been scoped and implemented as deliverables.

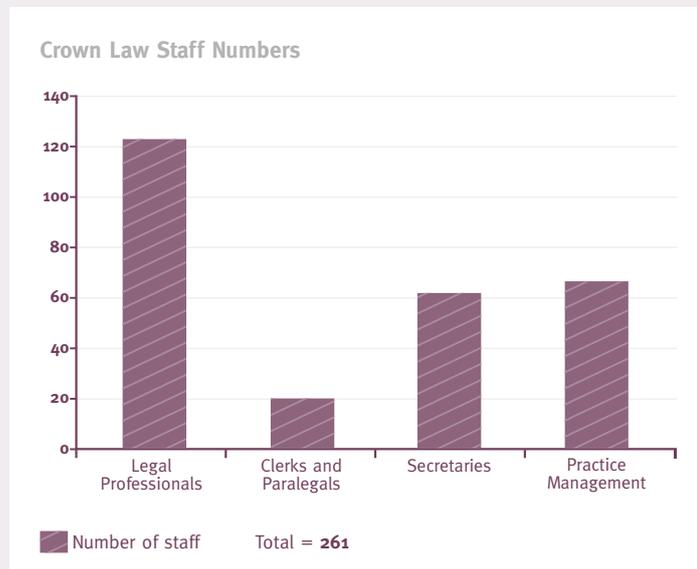
Crown Law has:

- implemented leadership training through a competency based framework
- increased the ratio of permanent employees to 80:20
- implemented a performance management framework through Professional Development Plans for all staff members
- enhanced learning and development opportunities
- implemented internal training programs linked to professional and personal development objectives.

Our numbers

Our employee numbers as at 30 June 2008 were 261 (238.66 full-time equivalent employees). Of these, nine telecommute and 51 are on part-time working arrangements. The breakdown is below:

Legal Professionals	125
Clerks and Paralegals	20
Secretaries	64
Practice Management	52
TOTAL	261



Our development

The investment in our staff development continues to be a focal point for the practice. A new level of senior management has been added, to support our Assistant Crown Solicitors and improve succession planning. The Senior Principal

Lawyer position has assisted our retention strategy at senior levels and created career development for Principal Lawyers.

A new competency framework was implemented for leadership development. This framework uses competencies identified through the

business planning and performance management processes to assist current and future leaders continuing their professional and personal development. This is a key strategy as it has been identified as a driver for our future success.

From the initial round of implementation of professional development plans, Crown Law identified several training requirements for our staff. A number of these training areas concentrated on 'soft skills' – management, information technology and people – training. A calendar was developed to ensure all staff were offered effective training and development opportunities.

Compulsory Continuing Professional Development (CPD) for legal staff was implemented at the beginning of the CPD year, March 2008. All staff in the Practice are encouraged to complete 10 points of CPD training each year.

Our workforce diversity

Crown Law values our staff and encourage a diverse working environment by promoting equal opportunity employment including non-English speaking backgrounds, people with a disability, women and Indigenous people.

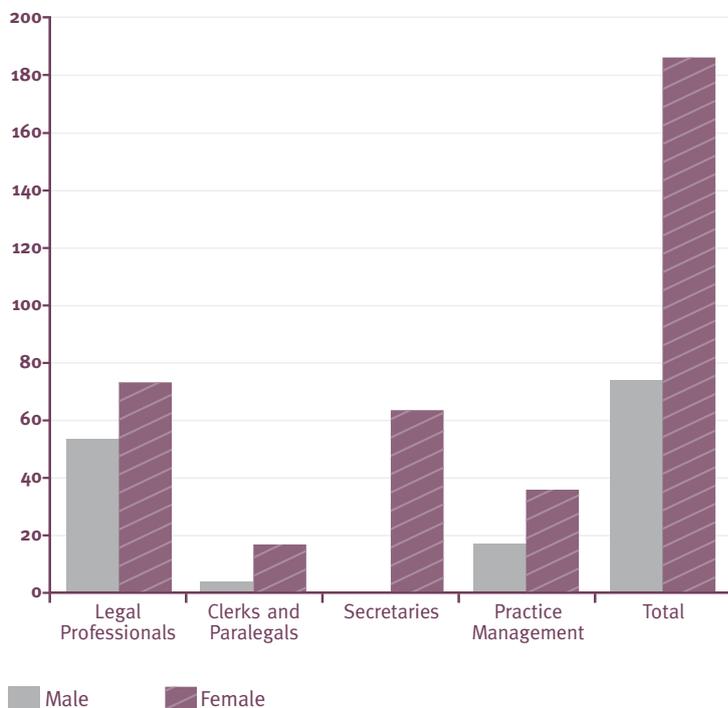
Our work/life balance

We pride ourselves on our commitment to work/life balance. One of our most important strategies is to promote the work/life balance opportunities that exist in Crown Law. This includes:

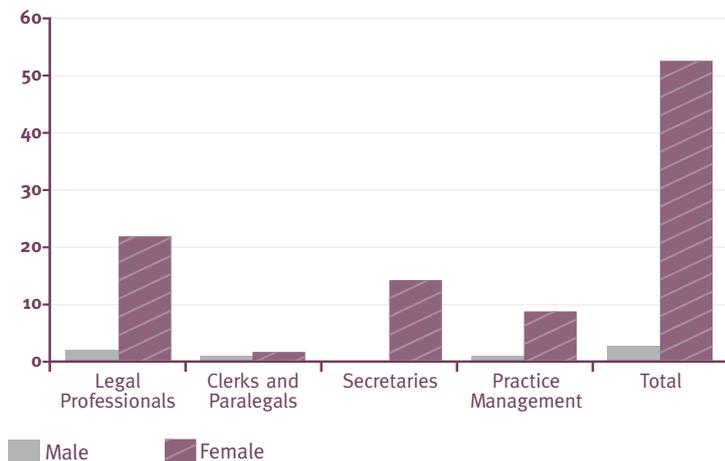
- telecommuting
- access to part-time work
- flexible core working hours
- accrued time off.

At 30 June 2008, 60 Crown Law staff members were in flexible working arrangements.

Crown Law Workplace Diversity



Crown Law Work/Life Balance



Achievements

Over the past financial year Crown Law provided legal services for a significant number of major projects and legal matters for the Queensland Government. These matters came from a range of areas including constitutional law, government law, commercial law and litigation and dispute resolution. They included major state road and transport infrastructure, claims for compensation, increased work from the *Dangerous Prisoners (Sexual Offenders) Act 2003* and major successful anti-discrimination cases.

Crown Solicitor's Office and Crown Counsel

The Crown Solicitor provides advice personally to ministers, including the Premier and the Attorney-General and Directors-General, on urgent matters of importance to the government.

The Crown Solicitor also advises the Attorney-General on petitions for pardon. On consideration of a petition for a pardon the Attorney-General has the power to refer a case to the Court of Appeal so that the petitioner has the opportunity for a second appeal against conviction. On advice from the Crown Solicitor, the Attorney-General referred the case of Graham Stafford to the Court of Appeal.

Much of the advisory work undertaken by the Crown Solicitor and the Crown Counsel Team concerns proposed new legislation. This work often raises complex constitutional law issues. In the last year, Crown Law has advised on a range of legislative proposals, including the following:

- local government and water reform
- legislation applying to the Murray-Darling Basin
- the new *Public Service Act 2008*
- amendments to the *Dangerous Prisoners (Sexual Offenders) Act 2003*
- proposed rail safety legislation
- amendments to the *Liquor Act 1992* implementing new liquor licence renewal fees
- amendments to the *Fuel Subsidy Act 1997* dealing with the fuel subsidy in Queensland
- the establishment of the Family Responsibilities Commission
- proposed national legislation to reduce the impact of plastic bags
- the proposed National Electronic Conveyancing System
- the *Criminal Justice Information Disclosure Bill 2008*

- the National Gas Law
- amendments to the *Corrective Services Act 2006* limiting the complaints offenders may make under the Anti-Discrimination Act, and providing a procedure for victims to be able to access the proceeds of any compensation recovered by offenders while in prison
- the proposed unit pricing scheme for groceries
- legislative amendments arising out of Mr W Carter's Report on *Challenging Behaviour and Disability: A Targeted Response*.

The Attorney-General regularly receives notices, under s.78B of the *Judiciary Act 1903 (Cth)* of a constitutional matter arising in litigation. Crown Law holds standing instructions to respond on the Attorney's behalf or, in appropriate cases, to seek the advice of the Solicitor-General, Mr Walter Sofronoff QC, on the question of whether the Attorney ought to intervene in the matter. Two of the cases in which the Attorney-General did elect to intervene during the last financial year are *Betfair v Western Australia*, and *Gypsy Jokers v The Commissioner of Police (WA)*.



The Crown Solicitor, Conrad Lohe.



Crown Counsel Steve Marton and Assistant Crown Counsel Gerard Sammon.

- Betfair is an important case on s.92 of the Constitution, which prohibits the making of laws that impede the freedom of interstate trade and commerce. Betfair concerned a challenge to certain provisions of the *Betting Control Act 1954 (WA)*. Betfair held a licence under Tasmanian law to operate a 'betting exchange'. The Western Australian Act prohibited the operation of a betting exchange and prohibited placing bets through the use of a betting exchange. The legislation also prohibited the publication of a Western Australian race field by a totalisator, betting exchange or bookmaker unless authorised to do so by an approval given by the Minister. The legislation also exempted the Western Australian totalisator from this prohibition. The High Court held that the challenged provisions were invalid to the extent that they applied to Betfair's conduct, as they contravened s.92 of the Constitution.
- The Gypsy Jokers Motorcycle Club had challenged an 'anti-fortification' provision of Western Australian legislation on the basis that the provision was unconstitutional. Queensland, represented by the Solicitor-General, intervened in the High Court in support of the validity of the provision at the hearing in September 2007. The Gypsy Jokers sought to base their constitutional attack on the decision of the High Court in *Kable v Director of Public Prosecutions (NSW) (1996) 189 CLR 51*. It was argued that the relevant provision infringed Chapter III (the Judicature) of the Constitution, in that the legislation impermissibly bound the hands of the Supreme Court of Western Australia in its obligation to provide natural justice to the parties before it, and in doing so it impermissibly impaired the character of the Court as an independent and impartial tribunal as required by Chapter III of the Constitution.

The High Court rejected this argument, and held the legislation is valid.

Commercial and Infrastructure

Our Commercial and Infrastructure Branch lawyers combine their specialist knowledge with a unique understanding of the public sector framework, bringing these insights to every matter on which they advise.

The Commercial and Infrastructure Branch deals with a broad range of commercial, property, infrastructure and information technology matters. There were several significant matters the branch was involved with during the last year including:

- a range of advices on issues arising in connection with various major road infrastructure projects, including the Tugun Bypass, the Toowoomba Bypass, the Airport Link, the Northern Busway and the Bruce Highway
- advice on aspects of various significant redevelopment projects including the Northbank Development, the V8 Motor Car Racing Track in Townsville and the Boggo Road redevelopment
- drafting and negotiating a range of Indigenous Land Use Agreements

- advice on the development of legislation to facilitate the use of recycled water
- advice on information technology and privacy issues, in the context of various proposed cards and licenses which store information by means of microelectronic chip
- a range of advices on the procurement of whole-of-government identity, directory and email services information technology and finalising a suite of documents for procurement of information technology and communications to be used by all State Government departments and agencies to streamline purchasing using the GITC framework
- advice on issues arising from the creation of new government entities including the TransLink Transit Authority, the Family Responsibilities Commission and statutory TAFE institutes such as the South Bank Institute of Technology and the Gold Coast Institute of TAFE
- intellectual property advice on issues associated with personalised number plates, including copyright and trade marks.



Caption: Assistant Crown Solicitor Brent Manning, Assistant Crown Solicitor Michael Boughey, Deputy Crown Solicitor Helen Freemantle, Assistant Crown Solicitor Robyn Hill.



Back row: Assistant Crown Solicitor Rob Hutchings, Assistant Crown Solicitor David French, Assistant Crown Solicitor Glenn Wilshier, Assistant Crown Solicitor Nicholas Inglis. Front row: Assistant Crown Solicitor Paula Freeleagus, Assistant Crown Solicitor Tony Stella, Assistant Crown Solicitor Nerida Cooley and Assistant Crown Solicitor Leah Mogg. Absent: Deputy Crown Solicitor Greg Cooper.

Litigation

Crown Law's Litigation Branch provides legal advice and representation for clients with regard to the conduct of legal proceedings before a court. Involvement in disputes has always been high risk for government agencies and it remains ever present as government undertakes more commercial and business activities.

Our lawyers have a reputation as tenacious litigators and will vigorously pursue the government's rights through the courts. However, they also seek opportunities to resolve disputes to the client's benefit through mediation, arbitration and negotiation.

The Litigation Branch continues to be called upon by all government departments to provide strategic, commercial advice in litigation before the courts.

Some of the more significant matters dealt with by the branch in the past twelve months involve:

- successful resolution of 84 claims arising out of a back-packers hostel fire. This represented the culmination of considerable effort undertaken by lawyers in Crown Law over a period of approximately five years
- the successful Federal Court action in which an information service firm sought an injunction against the State from entering into new licence arrangements to sell bulk valuation and sales data to the wholesale market. The application was dismissed and the State was awarded its costs
- the successful defence of a claim by a Queensland State Government employee in which they alleged post-traumatic stress

disorder following exposure to numerous traumatic events during his service. The High Court's decision was significant, as it confirmed that civil liability will only attach to an employer when it has been put on notice by a particular employee that he or she has been adversely affected by traumatic incidents and that was likely to continue

- negotiation of a number of Indigenous Land Use Agreements with native title parties in northern Queensland, which represent some of the most complex native title and land management packages that the State has been involved in to date.



Assistant Crown Solicitor Karen Watson, Assistant Crown Solicitor Margaret Maloney, Assistant Crown Solicitor Phil Boustead and Deputy Crown Solicitor Robert Campbell.

Public Law

Much of the traditional and core government legal work is conducted by the Public Law Branch. Many of the areas of law practised by Crown Law since 1859 are still – with growth and adaptations to both the common law and statute – areas of legal practice today.

The Public Law Branch teams deal with long-established legal disciplines, such as industrial law and statutory prosecutions, as well as issues such as anti-discrimination, judicial review and freedom of information.

As with all our branches, a fundamental quality the Public Law Branch brings to the conduct of legal work on behalf of the State is its

practical knowledge of the structure and workings of the three arms of government – the Parliament, the Judiciary and the Executive.

In substance, it is this understanding of the ‘system’ of government and its evolution under the law which places Public Law at the centre of Crown Law’s core government legal services.

The Public Law Branch has been involved in a number of matters of legal and other consequence during the year including mining and other coronial work, land clearance prosecutions, major Land Court hearings, Mental Health Court sittings, child protection practice, freedom of information advisory work and anti-discrimination litigation legal work.

Other significant matters that the Branch has been involved in include the following:

- conduct on behalf of the Attorney-General of the successful Federal Court action in *Australian Workers Union v Etheridge Shire Council* [2008] FCA 1268
- conduct of a significant amount of trial, appellate and breach litigation under the *Dangerous Prisoners (Sexual Offenders) Act 2003* (Qld)
- the conduct of the proceedings in *Pepper v Attorney-General* (Qld) at first instance and on expedited appeal to the Court of Appeal in [2008] QCA 207.

Awards and recognition

Australia Day Awards

This year four individuals received the Department of Justice and Attorney-General's Australia Day Award.



Lisa Evans

Senior Principal Lawyer
Advocacy Team

Lisa Evans was commended for her work with matters involving dangerous prisoners and for the high quality legal services she provides in an area that attracts significant, high-profile media attention.



Margaret Maloney

Assistant Crown Solicitor
Advocacy Team

Margaret Maloney was recognised for her work in relation to matters involving dangerous prisoners under the *Dangerous Prisoners (Sexual Offenders) Act 2003*. Matters involving dangerous prisoners tend to attract a high level of political and media interest and often draw criticism from the courts and other quarters. As such, working in this area requires a high level of commitment, experience and ability to ensure that the matters are conducted efficiently and professionally.



John Prior

Principal Lawyer
Commercial Dispute Resolution Team

John Prior was commended for work undertaken on behalf of the Office of Fair Trading. His work under the *Property Agents and Motor Dealers Act 2000* resulted in nation-wide implications. John has an extremely high level of commitment, experience and ability. He conducts matters in a timely and proficient manner and with regard to the highest professional standards.



Gerard Sammon

Assistant Crown Counsel

Gerard Sammon was recognised for going above and beyond what was expected of a lawyer and was one of the highest fee earners in Crown Law. He is committed to developing and supporting staff and produces a monthly staff newsletter which is highly regarded in Crown Law.

Crown law staff recognition

At the beginning of 2008, Crown Law launched a staff recognition program to reward high performance and excellent client service based on our values. The award recipients are chosen by the Executive Management Group from nominations forwarded by their peers.

This program recognises the importance of acknowledging outstanding staff and the invaluable contribution individuals and teams make to Crown Law.

In the past financial year 54 staff have been formally recognised.

Our future

In consultation with the senior management group – consisting of the Crown Law Executive Management Group, Assistant Crown Solicitors and Practice Management Branch Managers – the Crown Law Strategic Business Plan for 2008-2009 was developed.

The strategic plan incorporates six key pillars for success:

1. building our client base
2. increasing our profitability
3. consistently providing excellent client focused solutions
4. embedding a performance and accountability culture
5. attracting, developing and retaining staff
6. developing current and future leaders.

A member of the Executive Management Group will sponsor a pillar each, and will be supported by Assistant Crown Solicitors, Senior Principal Lawyers and Practice Management Branch Managers.

Measures

Each priority has a specific performance measure to ensure progression and evaluation.

Priority	Performance measure
Building our client base	<ul style="list-style-type: none"> • Sustain client base and successful engagement of new clients
Increasing our profitability	<ul style="list-style-type: none"> • Comparison report between last and this financial year (ratio: expense to revenue)
Consistently providing excellent client focused solutions	<ul style="list-style-type: none"> • Client satisfaction
Embedding a performance and accountability culture	<ul style="list-style-type: none"> • Successful outcomes of professional development framework processes across the Practice
Attracting, developing and retaining staff	<ul style="list-style-type: none"> • Staff retention
	<ul style="list-style-type: none"> • Permanent/temporary ratio
Developing current and future leaders	<ul style="list-style-type: none"> • 360° feedback
	<ul style="list-style-type: none"> • Successful implementation of Senior Principal Lawyer roles
	<ul style="list-style-type: none"> • Leadership program
	<ul style="list-style-type: none"> • Implement graduate program

Income sheet as at 30 June 2008

	2008 \$'000	2007 \$'000
INCOME		
Sales of goods and services	25,376	23,201
Interest	591	572
Other revenue	12	14
Total Income	25,979	23,787
EXPENSES		
Employee expenses	18,544	17,068
Supplies and services	6,763	6,693
Depreciation and amortisation	330	314
Other expenses	36	1
Total Expenses	25,673	24,076
Net Profit/(Loss)	306	(289)

Balance Sheet

as at 30 June 2008

	2008 \$'000	2007 \$'000
ASSETS		
Current Assets		
Cash and cash equivalents	3,464	3,899
Receivables	6,964	6,315
Other current assets	38	60
Total Current Assets	10,466	10,274
Non-current assets		
Plant and equipment	900	630
Intangibles	1,884	1,245
Total Non-Current Assets	2,784	1,875
Total Assets	13,250	12,149
LIABILITIES		
Current Liabilities		
Payables	770	318
Employee benefits	1,683	1,637
Total Current Liabilities	2,453	2,015
Non-Current Liabilities		
Employee benefits	-	354
Total Non-Current Liabilities	-	354
Total Liabilities	2,453	2,370
Equity	10,797	9,779
EQUITY		
Contributed equity	2,386	1,674
Retained earnings	8,411	8,105
Total Equity	10,797	9,779

Appendix 1

Dispute Resolution Centres Council: Annual Report 2007-08

The Dispute Resolution Centres Council was established to provide advice to the Minister on dispute resolution generally, and the provision of mediation services by the Dispute Resolution Branch.

The Dispute Resolution Branch incorporates the Dispute Resolution Centres (DRC), the Justice Mediation Program (adult victim-offender mediation), conflict management training services and administration. Dispute Resolution Centres are currently located in Cairns, Townsville, Mackay, Rockhampton, Hervey Bay and Brisbane. The centres and panels of community mediators attached to each office operate under the auspices of the *Dispute Resolution Centres Act 1990* (the Act).

This report on the operation of the Act for the year 2007-08 is provided in accordance with section 39.

Administrative responsibility for the Act

Ministerial responsibility for the Act is exercised by the Attorney-General and Minister for Justice.

The role of the Dispute Resolution Branch

The role of the branch is to help people settle their differences quickly, effectively and inexpensively. The branch provides trained mediators, who work with the parties to a dispute and encourage them to reach a solution that is satisfactory to both sides.

The Dispute Resolution Branch acts in both the civil and criminal jurisdictions. The branch endeavours to provide services that are accessible to the community both in regard to location of mediation venues and hours of operation.

Civil mediation services

Since 1990, the Dispute Resolution Branch has offered a form of facilitative mediation in the management of civil disputes. Initially, the focus of the service was the management of community disputes with particular emphasis on neighbourhood conflicts such as those involving noise, trees and pets.

The branch continues to provide free and confidential mediation and facilitation for civil disputes. The services provided have been expanded to include commercial, family and environmental disputes. Workplace disputes are mediated on a fee-paying basis.

As well as mediations where attendance is voluntary, there are mediations where attendance is compulsory. Compulsory mediations are usually ordered by courts or tribunals. The branch works closely with the magistrates courts in particular in providing mediation services to resolve court ordered commercial disputes.

Abbreviated mediation

Abbreviated mediation offers clients of the Small Claims Tribunals and Minor Debts Courts the chance to resolve their disputes.

Abbreviated mediation involves a settlement style of mediation and is usually completed within 30-45 minutes. This service is offered to clients through a variety of 'models' depending upon the needs of the local magistrates court. In some courts, mediators approach clients immediately before their appearance while in other courts, a 'call-over' approach is used. If the mediation is unsuccessful, parties attend their hearing on a separate date. In some courts these are the matters being ordered to mediation.

The abbreviated mediation process continues to be well received by clients of each of these jurisdictions and supported by magistrates and courts staff across the state.

Criminal mediation services (Justice Mediation)

Another of the services provided by the Dispute Resolution Branch is justice mediation (adult victim/offender mediation). The branch has long been engaged in victim-offender mediation incorporating the principles of restorative justice. Both the *Dispute Resolution Centres Act 1990* and the *Justices Act 1886* provide for the referral of adult criminal matters to the DRC for mediation.

Justice mediation involves the application of restorative justice principles in a mediation process designed to address criminal or alleged criminal matters involving adult offenders. The purpose of justice mediation is to allow victims, offenders and their respective supporters to come together and discuss what happened, how each person has been affected by what happened, and what can be done to repair the damage or harm.

In 2007-08 the service was expanded to Cairns, Townsville and Southport. Referrals are received from the ODP, Police Prosecutions, the Queensland Police Service and the Magistrates Courts.

Achievements in 2007-08

During 2007-08, the branch conducted 2,291 civil mediations. An 86 per cent agreement rate was maintained for voluntary mediations. A turnaround time of 20 days was recorded for civil files along with a client satisfaction rate of 88 per cent.

The branch also conducted 193 justice mediations (criminal), with a turnaround time of 43 days.

Delivery of training

The branch currently conducts training in three areas: in-house professional development training for accredited mediators, accreditation training for new community mediators, and commercial mediation and conflict management training for private and public sector organisations and individuals.

The branch offers generic training courses in mediation, conflict management, negotiation, dealing with difficult clients, facilitation skills, workplace conflict, prevention of workplace bullying and restorative justice. The training team also designs specific courses for fee-paying organisations to meet identified training needs.

The branch also continues to work with Griffith University in delivering both undergraduate and post graduate courses in dispute management and mediation. Collaboration on delivery of the undergraduate law program is in its tenth year. The Graduate Certificate in Dispute Resolution incorporates practical training provided by the branch with academic assessment by staff of Griffith University. This program commenced operation in 2005.

Indigenous and other cultural issues

The branch has sought to continue promotion of services to Indigenous clients in urban and remote Indigenous communities. As well as providing mediation services to Indigenous clients in metropolitan centres, services have also been provided on several remote Indigenous communities across Queensland. The branch has worked with other government agencies in providing services to such communities.

Of particular note is the Mornington Island Restorative Justice (MIRJ) pilot project which the branch has initiated in partnership with the Australian Attorney-General's Department and the department's Indigenous Justice Program. The project has commenced working collaboratively with the Mornington Island community and other relevant stakeholders to develop a new justice model – a culturally appropriate restorative justice peace-making process – that will work for that community.

The branch also seeks to cater for the needs of other cultural groups. Where necessary, interpreters are made available at the expense of the Dispute Resolution Branch. The branch also considers issues of cultural representation when recruiting and allocating work to mediators.

Mediators

The branch currently maintains panels of accredited mediators statewide. As well as maintaining panels attached to each of its six dispute resolution centres, community mediators are located in centres including Mount Isa, Emerald, the Whitsundays, Bundaberg, Maryborough, Gympie, Toowoomba, Sunshine Coast and Gold Coast.

Mediators are required to complete eight days of training before accreditation. Trainees are assessed against established competencies as part of this training.

During 2007-08 the branch continued its comprehensive review of mediator terms and conditions. This review has included the employment status of mediators, training, accreditation and a range of entitlements.

National Dispute Resolution Network

During 2007-08 the branch has continued to develop its relationships with interstate mediation providers through its participation on the National Dispute Resolution Network. This committee includes representatives from the Dispute Settlement Centres (Victoria), the Community Justice Centres (NSW and Northern Territory) and the Conflict Resolution Service in the ACT. This group has discussed a range of collaborations including the development of policy in regard to cross border accreditation.

National Mediator Accreditation Standards

In September 2007, National Mediator Accreditation Standards were released. The branch contributed to discussions on the development of the standards and has two representatives on national working parties which are focusing on implementation issues.

DRC Council and Dispute Resolution Branch

When the DRC Council met on 28th March 2008 it welcomed Chief Superintendent Kevin Hedges (Queensland Police Service) who replaced Assistant Commissioner Patrick Doonan upon his retirement. Executive Manager, Lindsay Smith, gave a comprehensive report on the considerable successes, progress and developments of the branch since the Council's last meeting in 2006.

I thank the members of the council, Deputy Chief Magistrate Brian Hine, Professor Nadja Alexander (Australian Centre for Peace and Conflict Studies), Mr Charlie Watson (Indigenous Mediator) and Chief Superintendent Kevin Hedges for their strong interest in and support for the Dispute Resolution Centres Council during the year.

I also thank all Dispute Resolution Branch mediators and staff for their commendable efforts during 2007-08.

Peter McKay

President

Dispute Resolution Centres Council

Appendix 2

Discontinued measures

Court and Tribunal Services

Unit/Measures	2007-08 Target	2007-08 Actual	Notes
Supreme Court – Court of Appeal			
Percentage of cases finalised within 12 months:			
- Civil law	95%	97%	1
- Criminal law	95%	98%	1
Supreme Court – Trial Division			
Percentage of cases finalised within 12 months:			
- Civil law	70%	40.9%	1, 2
- Criminal law	90%	90.7%	1
District Courts			
Percentage of cases finalised within 12 months:			
- Civil law	70%	40.9%	1, 2
- Criminal law	85%	90%	1, 3
State Reporting Bureau			
Proceedings recorded by the State Reporting Bureau – transcripts available within two hours of court adjournment	95%	89.6%	4
Proceedings not recorded by the State Reporting Bureau – transcripts available within 12 working days	90%	73.2%	4
Magistrates Courts			
Percentage of cases finalised within 6 months:			
- Civil law	90%	91.6%	1
- Criminal law	90%	88.2%	1
Coroners Court			
Number of coronial inquests held	100	76	5
Percentage of cases finalised within 12 months	85%	84%	6
Land Court and Tribunals			
Land claims			
Percentage of cases finalised within 12 months	90%	--	7,8
Body Corporate and Community Management			
Number of BCCM information service client contacts	22,000	24,082	9,10
Retail Shop Leases Registry			
Number of retail shop lease disputes mediated	1,375	1,422	11
Estimated value of savings to business and government by accessing Business and Market Development	\$9m	\$9m	12
Percentage of retail shop lease disputes resolved through informal negotiations	91%	90%	13

Unit/Measures	2007-08 Target	2007-08 Actual	Notes
Prosecution Services (Office of the Director of Public Prosecutions)			
Supreme Court and District Court post committals phase – matters finalised	7,500	7,513	14
Magistrates Court committals phase – matters finalised	2,800	2,202	14, 15
Appeals – matters finalised	450	490	14
Mental health applications processed	500	670	14, 16
Percentage of guilty pleas at presentation of indictment	35%	39%	17
Percentage of guilty pleas on day of trial	30%	46%	17

Notes:

- 1 This measure was replaced by a measure aligning to the national benchmarking standards outlined in RoGS.
- 2 The counting rules for this measure were adjusted for 2007-08 Estimated Actual to align to other courts and the national benchmarking standards outlined in RoGS. Based on the new counting rules, the original targets set for 2007-08 were too high.
- 3 The criminal jurisdiction of the District Court has worked hard to reduce its backlog during 2007-08 in line with the national benchmarking standards outlined in RoGS, showing a clearance rate of 104 per cent. This result has been achieved by the continued focus of the courts on finalisations.
- 4 The number of courts sitting days varies significantly throughout the year. As a result it is not always possible for the State Reporting Bureau to meet the required service delivery timeframes. As this is an internal service primarily for the judiciary it will not be reported externally in future but will continue to be monitored internally.
- 5 This is an unreliable performance measure as the number of inquests able to be finalised each year varies depending on the length and complexity of the inquest. It has been replaced by a clearance rate measure that more accurately shows the extent to which the court is keeping up with its workload.
- 6 This measure was replaced by a measure aligning to the national benchmarking standards outlined in RoGS.
- 7 The measure is now irrelevant because the introduction of the *Cape York Peninsula Heritage Act 2007* has taken away the element of claimable land in the Cape York region, reducing the number of claims.
- 8 Under section 83L(2)(b) and (c) of the *Aboriginal Land Act 1991* (inserted by the *Cape York Peninsula Heritage Act 2007*) any proceedings before the Land Tribunal in relation to a claim for land ends. This removed the greater number of land claims from the tribunal's jurisdiction.
- 9 This is not an effective measure as it does not provide an indication of performance outcomes.
- 10 The increase in demand for the information service reflects growth in the community titles sector and awareness of the information service through new products and services. The department will continue to monitor demand for information services.
- 11 Replaced with a quality measure which measures the effectiveness of mediation processes.
- 12 The calculation of the measure was not based on robust costing methodology.
- 13 Replaced with a quality measure which measures the effectiveness of mediation processes.
- 14 The measure does not reflect increased workload or efficiency. As the complexity and amount of work required varies for each matter, the number of matters finalised adds little value to measuring performance.
- 15 The variation reflects a decrease in the number of cases referred to ODPP by the Queensland Police Service.
- 16 The variation reflects the positive impact of the establishment of the dedicated Mental Health Unit.
- 17 The measure has been removed as ODPP does not have direct control over the number of guilty pleas made at presentation of indictments. The number and timing of pleas depends on many factors including the nature of the offence, the strength of the prosecution case and defence legal advice. The variation is due to ODPP having no control over some factors affecting the timing of guilty pleas, including the timing of the accused's decision to enter a plea of guilty.

Policy, Legislation and Legal Services

Unit/Measures	2007-08 Target	2007-08 Actual	Notes
Strategic Policy			
Bills passed by Parliament	8	6	1, 2
Instruments of subordinate legislation made by Governor in Council	30	42	1, 3

Notes:

- 1 This is not an effective measure as it does not provide an indication of performance outcomes.
- 2 The number of Bills introduced is subject to the priorities determined by the Attorney-General and Cabinet. The timing of the passage of those Bills, once introduced, is a matter for Parliament.
- 3 The number of instruments of subordinate legislation approved by the Governor in Council is determined by the operational demand for these instruments and also the priorities determined by the Attorney-General and Cabinet.

Community Justice Services

Unit/Measures	2007-08 Target	2007-08 Actual	Notes
Births, Deaths and Marriages (BDM)			
Percentage of registrations completed within 10 working days of receipt of all documents	90%	85%	1
Percentage of births, deaths and marriage certificates issued from completed registrations within five working days of applications being received	95%	87%	1
Registration Services			
Percentage of decisions upheld on appeal	95%	72%	4, 5
Fair Trading Operations			
Customers provided with information and advice	2.5m	2.7m	2, 3
Estimated awareness and reach of messages	75%	75%	6
Extent of consumer confidence in marketplace integrity	75%	75%	6
Extent of business confidence in marketplace integrity	75%	75%	6
Percentage of licensing applications processed within targets	95%	95%	7
Percentage of registration and accreditation services processed within targets	95%	96%	7

Notes:

- 1 These measures showed BDM's internal processes and procedures, as opposed to the full period from receipt of an application to issue of the certificate or registration of the life event. The measure has been discontinued while processes around the management of registrations are revised and a more meaningful target developed.
- 2 This is not an effective measure as it does not provide an indication of performance outcomes.
- 3 The software measuring the number of visits to the website has been changed leading to a variance in the number of visits reported.
- 4 The measure was not accurate as it did not account for the volume of decisions on refusals.
- 5 The current indicator measures appeals upheld against appeals lodged. As the number of appeals lodged is generally low, less than 10 annually, any appeals upheld skew the result significantly. For example, until the end of March 2008, two out of seven appeals have been upheld.
- 6 This measure has been discontinued as it provided little value as a performance measure.
- 7 This measure has been replaced by a new combined measure dealing with the percentage of licensing applications and registration services processed within targets.

Appendix 3

Acts administered by the Attorney-General and Minister for Justice as at 30 June 2008

- *Aboriginal Communities (Justice and Land Matters) Act 1984* part 4, sections 18-25 (part 1, sections 4 and 8; and part 8, sections 64-67, 70 and 71 jointly administered with the Minister for Communities, Minister for Disability Services, Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Multicultural Affairs, Seniors and Youth)
- *Aboriginal Land Act 1991* (sections 50 to 62; part 8; sections 134 and 138 as they apply to the provisions of the Act administered by the Minister) †
- *Acts Interpretation Act 1954*
- *All Saints Church Lands Act 1924*
- *All Saints Church Lands Act 1960*
- *Anglican Church of Australia Act 1895*
- *Anglican Church of Australia Act 1895 Amendment Act 1901*
- *Anglican Church of Australia Act 1977*
- *Anglican Church of Australia Constitution Act 1961*
- *Anglican Church of Australia (Diocese of Brisbane) Property Act 1889*
- *Ann Street Presbyterian Church Act 1889*
- *Anti-Discrimination Act 1991* †
- *Appeal Costs Fund Act 1973* †
- *Associations Incorporation Act 1981*
- *Attorney-General Act 1999*
- *Australia and New Zealand Banking Group Limited (NMRB) Act 1991*
- *Australian Consular Officers' Notarial Powers and Evidence Act 1946*
- *Bail Act 1980*
- *Bills of Sale and Other Instruments Act 1955*
- *Births, Deaths and Marriages Registration Act 2003* †
- *Bishopsbourne Estate and See Endowment Trusts Act 1898*
- *Body Corporate and Community Management Act 1997*
- *Boonah Show Ground Act 1914*
- *British Probates Act 1898*
- *Burials Assistance Act 1965*
- *Building Units and Group Titles Act 1980* (parts 4 and 5; sections 121 to 125; sections 127 to 132; schedules 2,3 and 4; sections 5, 5A, 119, 133 and 134 jointly administered with the Minister for Natural Resources and Water and Minister Assisting the Premier in North Queensland)
- *Business Names Act 1962*
- *Carruthers Inquiry Enabling Act 1996*
- *Cattle Stealing Prevention Act 1853*
- *Charitable Funds Act 1958*
- *Childrens Court Act 1992* (except to the extent administered by the Minister for Child Safety and Minister for Women and the Minister for Communities, Minister Disability Services Minister for Aboriginal and Torres Strait Islander Partnerships, Minister for Multicultural Affairs, and Seniors and Youth)
- *Children Services Tribunal Act 2000* †
- *Choice of Law (Limitation Periods) Act 1996*
- *Chinese Temple Society Act 1964*
- *Churches of Christ, Scientist, Incorporation Act 1964*
- *Civil Liability Act 2003*
- *Classification of Computer Games and Images Act 1995*
- *Classification of Films Act 1991*
- *Classification of Publications Act 1991*
- *Collections Act 1966*
- *Commercial and Consumer Tribunal Act 2003*
- *Commercial Arbitration Act 1990*
- *Commissions of Inquiry Act 1950*
- *Commonwealth Places (Administration of Laws) Act 1970*
- *Commonwealth Powers (De Facto Relationships) Act 2003*
- *Commonwealth Powers (Family Law – Children) Act 1990*
- *Companies (Acquisition of Shares) (Application of Laws) Act 1981*
- *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*
- *Companies (Application of Laws) Act 1981*
- *Consumer Credit (Queensland) Act 1994 (including Consumer Credit Code)*
- *Cooperative Schemes (Administrative Actions) Act 2001*
- *Cooperatives Act 1997*
- *Coroners Act 2003*
- *Corporations (Administrative Actions) Act 2001*
- *Corporations (Ancillary Provisions) Act 2001*

- *Corporations (Commonwealth Powers) Act 2001*
- *Corporations (Queensland) Act 1990*
- *Court Funds Act 1973*
- *Credit Act 1987*
- *Credit (Rural Finance) Act 1996*
- *Cremations Act 2003*
- *Crime and Misconduct Act 2001 †*
- *Crimes at Sea Act 2001*
- *Criminal Code Act 1899 (including Criminal Code)*
- *Criminal Code Amendment Act 1922*
- *Criminal Law Amendment Act 1892*
- *Criminal Law Amendment Act 1894*
- *Criminal Law Amendment Act 1945*
- *Criminal Law (Rehabilitation of Offenders) Act 1986*
- *Criminal Law (Sexual Offences) Act 1978*
- *Criminal Offence Victims Act 1995*
- *Criminal Proceeds Confiscation Act 2002*
- *Crown Proceedings Act 1980*
- *Dangerous Prisoners (Sexual Offenders) Act 2003*
- *Defamation Act 2005*
- *Director of Public Prosecutions Act 1984 †*
- *Disposal of Uncollected Goods Act 1967*
- *Disposal of Unexecuted Warrants Act 1985*
- *Dispute Resolution Centres Act 1990 †*
- *District Court of Queensland Act 1967*
- *Dividing Fences Act 1953*
- *Domicile Act 1981*
- *Drug Rehabilitation (Court Diversion) Act 2000*
- *Drugs Misuse Act 1986 (except to the extent administered by the Minister for Primary Industries and Fisheries)*
- *Electoral Act 1992 †*
- *Electronic Transactions (Queensland) Act 2001*
- *Evidence Act 1977*
- *Evidence and Discovery Act 1867*
- *Evidence (Attestation of Documents) Act 1937*
- *Evidence on Commission Act 1988*
- *Factors Act 1892*
- *Fair Trading Act 1989*
- *Federal Courts (State Jurisdiction) Act 1999*
- *Financial Transaction Reports Act 1992*
- *Freedom of Information Act 1992 †*
- *Funeral Benefit Business Act 1982*
- *Futures Industry (Application of Laws) Act 1986*
- *Guardianship and Administration Act 2000 †*
- *Guides Queensland Act 1970*
- *Hire-Purchase Act 1959*
- *Imperial Acts Application Act 1984*
- *Introduction Agents Act 2001*
- *Invasion of Privacy Act 1971*
- *Judges (Pensions and Long Leave) Act 1957 (except to the extent administered by the Treasurer)*
- *Judicial Review Act 1991*
- *Judicial Remuneration Act 2007*
- *Jurisdiction of Courts (Cross-Vesting) Act 1987*
- *Jury Act 1995*
- *Justices Act 1886*
- *Justices of the Peace and Commissioners for Declarations Act 1991*
- *Land and Resources Tribunal Act 1999 †*
- *Land Court Act 2000 †*
- *Lands Sales Act 1984*
- *Law Reform Act 1995*
- *Law Reform Commission Act 1968 †*
- *Legal Aid Queensland Act 1997 †*
- *Legal Profession Act 2004 †*
- *Liens on Crops of Sugar Cane Act 1931*
- *Limitation of Actions Act 1974*
- *Magistrates Act 1991*
- *Magistrates Courts Act 1921*
- *Maintenance Act 1965*
- *Manufactured Homes (Residential Parks) Act 2003*
- *Mercantile Act 1867*
- *Misconduct Tribunals Act 1997 †*
- *Motor Vehicles and Boats Securities Act 1986*
- *Oaths Act 1867*
- *Ombudsman Act 2001 †*
- *Partnership Act 1891*
- *Peace and Good Behaviour Act 1982*
- *Peaceful Assembly Act 1992*
- *Penalties and Sentences Act 1992*
- *Personal Injuries Proceedings Act 2002*
- *Powers of Attorney Act 1998*
- *Presbyterian Church of Australia Act 1900*
- *Presbyterian Church of Australia Act 1971*
- *Printing and Newspapers Act 1981*
- *Prisoners International Transfer (Queensland) Act 1997*
- *Prisoners (Interstate Transfer) Act 1982*
- *Professional Standards Act 2004 †*
- *Property Agents and Motor Dealers Act 2000*
- *Property Law Act 1974*
- *Public Trustee Act 1978 †*
- *Queensland Congregational Union Act 1967*
- *Queensland Temperance League Lands Act 1985*
- *Recording of Evidence Act 1962*
- *Referendums Act 1997*
- *Regulatory Offences Act 1985*

- *Residential Services (Accreditation) Act 2002*
- *Retail Shop Leases Act 1994*
- *Retirement Villages Act 1999*
- *Returned Services League of Australia (Queensland Branch) Act 1956*
- *Returned Servicemen's Badges Act 1956*
- *Roman Catholic Church (Corporation of the Sisters of Mercy of the Diocese of Cairns) Lands Vesting Act 1945*
- *Roman Catholic Church (Incorporation of Church Entities) Act 1994*
- *Roman Catholic Church Lands Act 1985*
- *Roman Catholic Church (Northern Lands) Vesting Act 1941*
- *Roman Catholic Relief Act 1830*
- *Sale of Goods Act 1896*
- *Sale of Goods Act (Vienna Convention) Act 1986*
- *Salvation Army (Queensland) Property Trust Act 1930*
- *Scout Association of Australia Queensland Branch Act 1975*
- *Sea-Carriage Documents Act 1996*
- *Second-hand Dealers and Pawnbrokers Act 2003*
- *Securities Industry (Application of Laws) Act 1981*
- *Security Providers Act 1993*
- *Small Claims Tribunal Act 1973*
- *Solicitor-General Act 1985 †*
- *Standard Time Act 1894*
- *State Penalties Enforcement Act 1999*
- *Status of Children Act 1978*
- *Storage Liens Act 1973*
- *Succession Act 1981*
- *Supreme Court Act 1995*
- *Supreme Court Library Act 1968 †*
- *Supreme Court of Queensland Act 1991*
- *Terrorism (Commonwealth Powers) Act 2002*
- *Torres Strait Islander Land Act 1991* (sections 47 to 59; part 8; sections 131 and 135 as they apply to the provisions of the Act administered by the Minister) †
- *Tourism Services Act 2003*
- *Trade Measurement Act 1990*
- *Trade Measurement Administration Act 1990*
- *Travel Agents Act 1988*
- *Trust Accounts Act 1973*
- *Trustee Companies Act 1968*
- *Trusts Act 1973*
- *United Grand Lodge of Ancient Free and Accepted Masons Queensland Trustees Act 1942*
- *Uniting Church in Australia Act 1977*
- *Vexatious Proceedings Act 2005*
- *Wesleyan Methodist Trust Property Act 1853*
- *Wesleyan Methodists, Independents, and Baptists Churches Act 1838*
- *Witness Protection Act 2000*

† This Act established a statutory body or authority that is part of the portfolio of the Attorney-General and Minister for Justice.

Appendix 4

Voluntary early retirements

One employee in the Department of Justice and Attorney-General received a Voluntary Early Retirement (VER) package in 2007-08. The total cost of the VER was \$28,596.26.

Appendix 5

Funeral benefit fund

Body	Role	Constituting Act	Annual reporting requirements	Cost at 30 June 2008	Members at 30 June 2008
Funeral Benefit Trust Fund Committee	Administers the Funeral Benefit Trust Fund by determining claims made by fund contributors	<i>Funeral Benefit Business Act 1982</i>	See notes	\$1,121.2	Arie van den Berg Chair and State Actuary's representative Raymond White Secretary and representative of the Registrar Robert Ahern Representative of the Treasurer Brian Gill Representative of corporations

Notes:

The Board of Trustees met 10 times during the reporting period (01/10/07 – 30/06/08), and processed 176 funeral benefit claims. This resulted in \$46,100.00 being paid from the fund. During the same period, 44 contributors surrendered their agreements resulting in a payout to contributors of \$7,950.00.

Appendix 6

Code of conduct

The department's code of conduct establishes the ethical standards of conduct and behaviour expected of our staff when working with each other, with other agencies and when serving members of the community.

The department redrafted its code this year to maintain its relevance and currency and also enhanced its visual appeal.

Our code is based on the following five obligations contained in the *Public Sector Ethics Act 1994*:

- respect for all people
- integrity
- diligence
- economy and efficiency
- respect for the law and system of government.

The code, which is available to all staff through the department's intranet, provides a broad ethical framework for staff and emphasises that acting ethically is central to upholding the department's values and achieving its outcomes. Within the code, there are specific processes for dealing with actual potential ethical problems that arise in the workplace and for dealing with breaches of the code.

Ethics training is offered as a regular program on the corporate training calendar. An e-training induction module is available to all staff that includes a code of conduct module.

The content of the code is regularly reviewed to ensure consistency with changes in public sector legislation, policies and guidelines.

Appendix 7

Whistleblower protection

The department has a policy to assist staff wishing to make public interest disclosures under the *Whistleblowers Protection Act 1994*.

No public interest disclosures were made by departmental staff in 2007-08.

Appendix 8

Payments to members of government boards and tribunals

The department's work is greatly assisted by a range of boards and committees. In some cases, part-time members are entitled to receive remuneration in accordance with a scale of fees determined by the Government.

Remuneration paid to part-time members of such bodies during 2007-08 are summarised below. Details of the remuneration paid to members of the boards of statutory bodies and companies that report to Parliament separately are not included below. Such information can be obtained from the annual reports of those organisations.

Board or tribunal	Expenses
Retail Shop Leases Tribunal	\$68,726

Appendix 9

Cost of consultancies

The increase in consultancies is primarily attributable to the large number of significant projects in 2007-08. These included:

- reviewing the *Freedom of Information Act*
- advising on an amalgamated civil and administrative tribunal
- reviewing sentencing decisions in the Supreme Court and District Court relating to sexual offences committed in the Cape York Peninsula
- reviewing the structure of the department following machinery of government changes in late 2007
- reviewing the Integrated Justice Information Strategy
- developing and designing data collection methods and tools for Murri Courts
- evaluating the Homeless Persons Court Diversion Program
- implementing a practice management system at Crown Law.

Category	Cost
Management	\$531,740
Professional/Technical	\$688,211
Information Technology	\$237,627
Total	\$1,457,578

Appendix 10

Overseas travel

This section provides a summary of overseas travel by judicial and departmental officers on official business. These are actual costs to the department during 2007-08 including, in some cases, costs carried over for periods of travel occurring before 1 July 2007. These travel expenses exclude judicial entitlements that are available on the courts website, www.courts.qld.gov.au.

Officer and position	Destination	Travel purpose	Agency cost	Contribution from other agencies or sources
Director-General J Grantham	New Zealand	Ministerial Council on Consumer Affairs (MCCA) and Standing Committee of Officials of Consumer Affairs (SCOCA)	\$ 2,860	Nil
Executive Manager Strategic Policy I Catlin	New Zealand	Ministerial Council on Consumer Affairs (MCCA) and Standing Committee of Officials of Consumer Affairs (SCOCA)	\$ 1,001	Nil
Departmental Liaison Officer - Fair Trading K Stuchbury	New Zealand	Ministerial Council on Consumer Affairs (MCCA) and Standing Committee of Officials of Consumer Affairs (SCOCA)	\$ 1,001	Nil
Director of Public Prosecutions L Clare (ODPP)	USA/Canada	Visit to Los Angeles District Attorney's Office - Los Angeles, USA Criminal Law Conference - Vancouver Heads of Prosecution Agencies - Canada	\$19,733	Nil
Crown Prosecutor V Loury (ODPP)	Indianapolis, USA	NDAAC Conference Investigation and Prosecution of Child Fatalities and Physical Abuse	\$ 5,652	Nil
Legal Officer J Wooldridge (ODPP)	San Diego, USA	Forensic Evidence Course	\$ 4,720	Nil
A/Registrar-General D Mackie (BDM)	New Zealand	Attendance at the Council of Australasian Registrars (COAR) meeting	\$ 1,387	Nil
Crown Solicitor, Conrad Lohe	New Zealand	Attendance at the Crown Solicitor's Conference	\$ 3,631	Nil
Deputy Director-General, J Kinross, (OFT)	New Zealand	Attend Standing Committee of Officials of Consumer Affairs (SCOCA)	\$3,106	Nil
Principal Policy Officer, D Strachan (OFT)	New Zealand	Attend Standing Committee of Officials of Consumer Affairs (SCOCA)	\$3,273	Nil
Deputy Director of Public Prosecutions, P Rutledge (ODPP)	Hong Kong	Attend Conference of the International Association of Prosecutors	\$2,899	Nil
Principal Crown Prosecutor, S Vasta (ODPP)	Hong Kong	Attend Conference of the International Association of Prosecutors	\$1,911	Nil

Officer and position	Destination	Travel purpose	Agency cost	Contribution from other agencies or sources
The Honourable Paul de Jersey AC, Chief Justice	India	Foster an exchange program between judges at high levels within the Australian and Indian judiciaries	\$14,598	Nil
The Honourable Paul de Jersey AC, Chief Justice	Tonga	Attend 17th Pacific Judicial Conference	\$3,862	Nil
The Honourable Justice M McMurdo	UK	Attend 'Access to Justice' workshop at the University of London and court-related engagement; consulting with senior English judges and academics; and with Officers of the Citizens Advice Bureau at Royal Courts of Justice	\$7,129	Nil
Her Honour Chief Judge PM Wolfe	Tonga	Attend 17th Pacific Judicial Conference	\$4,106	Nil
Manager Operations N Dower (ODPP)	Canada	Attend the International Society for the reform of criminal law – 20th anniversary conference. Participation in trans-national strategies to improve criminal law policy and legislation.	\$363	\$3,460

Appendix 11

Shared Service Initiative

The Shared Service Initiative is a whole of government approach to corporate service delivery. The vision is partnering in corporate services to support and connect government. Shared services are underpinned by standardising business processes, consolidating technology and pooling resources and expertise.

Under the shared service model, government agencies joined together to share corporate services and resources through shared service providers (SSPs). The SSPs service their existing customer agencies through operating level agreements.

In 2007–08 Queensland Treasury led the refinement of the whole of government model for shared service delivery and provided policy and program management for the Shared Service Initiative.

From 21 September 2007 the Shared Service Agency (SSA) was transferred from Queensland Treasury to the Department of Public Works through a machinery of government change. The SSA now services a number of departments, agencies and other entities across government. For more information on the SSA refer to the Department of Public Works Annual Report.

SSA provides services in a range of areas such as finance, human resources, telecommunications and vehicle fleet to the Department of Justice and Attorney-General.

Appendix 12

Our response to environmental sustainability

Carbon emissions

The Department of Justice and Attorney-General is committed to the Queensland Government's strategies *Environmental Protection (Waste Management) Policy 2000* and *Climate Smart 2050* which aim to reduce the Government's carbon footprint. Six gases have been identified under the Kyoto Protocol as the main gases that need to be accounted for. These gases are carbon dioxide, hydrofluorocarbons, methane, nitrous oxides, perfluorocarbons and sulphur hexafluoride. As part of standard emission accounting practices these gases are reported as carbon dioxide equivalent emissions (CO₂-e).

The Queensland Government is developing whole of government systems to standardise reporting on carbon emissions (measured in CO₂ equivalents). The basis for this reporting is consistent with national and international standards including definitions outlined in the AS Standard ISO 14064 and the Australian Government's *National Greenhouse Accounts Factors* workbook, as detailed below:

- Scope 1 emissions are emissions that occur from sources that are owned or controlled by the company (eg. emissions from departmental controlled vehicles, diesel generators, gas boilers etc.)
- Scope 2 emissions are classed as indirect emissions solely from the generation and consumption of purchased electricity or steam or heating/cooling. Scope 2 emissions are physically produced by the burning of fuels (coal, natural gas, etc.) at the power station or facilities not controlled by the organisation.
- Scope 3 emissions are the result of actions of a company, but occur from sources not owned or controlled by the company. Their inclusion should be based on their relevance to the operations of the organisation.

More broadly, scope 3 emissions can include:

- employee business travel (in vehicles or aircraft not owned or owned by the reporting organisation)
- employees commuting to and from work
- extraction, production and transport of purchased fuels consumed
- extraction, production and transport of other purchased materials or goods
- generation of electricity that is consumed in a transport and delivery system (reported by end user)
- out-sourced activities
- transportation of products, materials and waste.

In 2007-08 all Queensland Government agencies are reporting on the carbon emissions from:

- fuels used by vehicles
- purchased electricity
- domestic air travel on commercial airlines.

The Queensland Government is committed to continuing to improve data collection methods and reporting carbon emissions in line with national and international standards. While the best available data has been used, in some instances estimates have been reported due to the limitation of data collection systems, for example in government-owned buildings where there are multiple tenants and the electricity usage cannot be attributed to a single agency, the Department of Public Works calculates the electricity usage by tenanted agencies based on the m² leased.

The following table outlines the Department of Justice and Attorney-General's carbon emissions during 2007-08.

	Category	Notes	Carbon emissions (Tonnes of CO ₂)
Scope 1	fleet vehicles (Q Fleet and/or agency-owned)	1	1230
Scope 2	purchased electricity for major workplaces		23,827
	government owned premises	2a	2,455
	premises leased from the private sector	2b	6,261
Scope 3	domestic air travel on commercial airlines	3	777
	international travel on commercial airlines	3	19
	domestic travel using Avis rental cars	4	11

Notes:

1. The 2007-08 vehicle CO₂ emissions figure represents the estimated *cumulative emissions* for the period 1 July 2007 to 30 June 2008. It takes into account progressive changes in the size and composition of the fleet during the 12 months, including vehicle replacement. The figure is derived for each fleet vehicle leased using:
 - a. the lease package details (time and kilometres); and
 - b. CO₂ emissions data from testing in accordance with Australian Design Rules for emissions and fuel consumption labelling

Data provided by QFleet reflect CO₂ emissions and not CO₂ equivalent, and these calculations also exclude any secondary or indirect emissions.
- 2a. Electricity – government owned premises

These figures are based on actuals from current available records of electricity accounts received by DPW, applicable for the period 1 July 2007 to 30 June 2008.

All electricity consumption has been converted to carbon emissions using a combined Scope 2 and Scope 3 conversion factor of 1.04 kg CO₂-e/kWh as recommended in the Australian Government's *National Greenhouse Accounts Factors* workbook.
- 2b. Electricity – premises leased from the private sector

These figures are based on actuals from current available records of electricity accounts received by DPW, applicable for the period 1 July 2007 to 30 June 2008 on full year leases. Where full year records were not available, data has been apportioned/extrapolated to provide an estimate of full year usage. Where leases are less than 12 months old the data relates to the actual period the lease was in place.

Based on historical data, tenant energy consumption equates to approximately 55 per cent of total building energy use. The remaining 45 per cent used to air condition the building and light the common areas of a building forms part of the carbon emissions for individual tenants. This 45 per cent has been added to known electricity consumption for private sector leased accommodation.
3. Air travel includes all recorded air travel booked under arrangements managed by the Queensland Government Chief Procurement Office (QGCP) for:
 - a. international travel on all airlines
 - b. domestic air travel on both the mainline 'trunk' carriers (Qantas and Virgin Blue)
 - c. travel on smaller, regional carriers for the period 1 July 2007 to 30 June 2008.

QGCP calculates the number of passengers per sector for domestic (Qantas, Qantaslink, Jetstar and Virgin Blue) for the period 10 Dec 2007 to 30 June 2008. This information is then passed on to the respective airline for calculation of carbon emissions.

For regional and international air travel for 2007-08 and domestic air travel as defined above for the period 1 July 2007 to 9 December 2007 the following methodology is used:

From data provided by each airline, agency or travel management company QGCP calculates the kilometres flown. The kilometre figure is divided by 100 and multiplied by an industry average number of litres of fuel burnt per passenger per 100 km's. A factor of 5 has been used for regional, international and domestic travel.
4. The hire car vehicle emissions show only emissions for Avis vehicles booked under Standing Offer Arrangement QP681 managed by the Queensland Government Chief Procurement Office; Avis is the major supplier under this arrangement. They supply emission figures based on the Green Vehicle Guide published by the Department of Infrastructure Transport Regional Development and Local Government. Their emission calculation scheme for carbon will be accredited for their offset scheme. Vehicle use linked to other suppliers is not available.

Energy conservation

In 2007-08 the department continued to implement energy efficiency initiatives and technology specifically in relation to lighting and air conditioning upgrades and ensuring energy saving technology is incorporated into new and refurbished buildings.

The department will continue to expand its use of alternative energy sources, including the incorporation of solar panels for hot water systems in new and refurbished buildings, and has been working in consultation with the Department of Public Works to identify strategies to improve the efficiency of energy consumption and develop strategies to reduce energy consumption. Buildings with high electricity consumption will be targeted initially as the greatest gains can be achieved at these locations.

In ensuring ecologically sustainable design principles are incorporated into the design of all new and refurbished courthouses, a complete lighting system retrofit has been completed at the Maroochydore and Mt Isa courthouses. As well as implementing energy efficient technology the department has also entered into an agreement to purchase 100% renewable energy for a three year period for six of its largest courts in South East Queensland.

A review of the department's energy consumption across the portfolio has been undertaken and will continue to be monitored, recorded and reported on. The department is currently developing a Strategic Energy Management Plan in accordance with the Strategic Energy Efficiency Policy for Queensland Government Buildings.

The department plans to collaborate with the Queensland Police Service (QPS) on Energy Performance Contract (EPC) funding submissions for buildings for the several sites where QPS and the department are co-located, including Rockhampton, Townsville and Cairns. The department will also consider EPCs for other sites including Southport and Beenleigh Courthouses.

Water conservation

A program to retrofit water saving devices continued in 2007-08 addressing the highest water using buildings as a priority. A retrofit consists of installing water efficient taps, showers, toilets and the installation of water efficient sensor controlled urinals.

A program to upgrade air conditioning cooling tower water treatment control technology to improve water efficiency in air conditioning cooling towers has been completed. The installation of data loggers to measure cooling tower water usage is also complete.

In 2007-08:

- Brisbane City Council has approved the Water Efficiency Management Plan for the Brisbane Magistrates Courts
- the Water Efficiency Management Plan for the Brisbane Supreme Court and District Court is being amended by an independent water efficiency assessor
- a major water retrofit of the toilets at the Brisbane Supreme Court and District Court is being undertaken and planned for completion by the end of 2008
- the department is providing quarterly reports to the Brisbane City Council on its Water Efficiency Management Plans.

Waste management

The department has established a strategic waste management plan under the *Environmental Protection (Waste Management) Policy*. The plan provides:

- the framework to address the department's waste management practices and to formalise waste management initiatives and objectives
- ways to avoid, minimise or treat appropriately, departmental waste and to limit any adverse impact on the environment, workplace or public health.

The department continues seeking opportunities to expand its recycling program and improve other waste management practices.

The department's contact details

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Information on the state wide locations and contact details for our services and facilities can be found in the White Pages under Justice and Attorney-General Department and at the following websites:

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www.fairtrading.qld.gov.au

Freedom of Information details: www.justice.qld.gov.au

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