

Annual Report
2009—2010

Department of Justice and Attorney-General



Tomorrow's Queensland:
strong, green, smart, healthy and fair

Toward 
Tomorrow's Queensland

 **Queensland**
Government

Communication objective

The Department of Justice and Attorney-General's annual report summarises its financial and corporate performance for 2009–10. Its aim is to provide an annual report that meets the needs of stakeholders and accountability requirements under the *Financial Accountability Act 2009*.

The full financial statements of the Department of Justice and Attorney-General for 2009–10 are contained on the CD attached to the inside back cover of the report.

The report is also available at www.justice.qld.gov.au/corporate-publications.htm. To provide feedback, a survey is available on the website.

Contact details for additional hard copies or to provide feedback:

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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.

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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 Unit on +617 3239 3403 to arrange an interpreter.

CHINESE

如貴人欲索取此報告的解釋或查詢，請致電我們的企業管治單位，電話號碼為：(07) 3239 3403，以安排翻譯員服務。

ITALIAN

In caso necessitate una spiegazione di questo rapporto nella vostra lingua siete pregati di contattare la nostra Unità di Governo Societario al +617 3239 3403 per predisporre un interprete.

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GERMAN

Wenn Sie eine Erklärung dieses Berichts in Ihrer Muttersprache haben möchten, setzen Sie sich bitte mit unserem Büro für Öffentliche Angelegenheiten unter +617 3239 3403 in Verbindung, um einen Dolmetscher bzw. eine Dolmetscherin zu veranlassen.

ARABIC

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SPANISH

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FRENCH

Si vous voudriez qu'une explication de ce rapport dans votre langue svp entre en contact avec notre branche de gouvernement corporatif sur +617 3239 3403 pour arranger un interprète.

Letter of compliance

13 September 2010

The Honourable Cameron Dick MP
Attorney-General and Minister for Industrial Relations
State Law Building
Brisbane Qld 4000

Dear Attorney

I am pleased to present the Annual Report 2009–10 for the Department of Justice and Attorney-General.

I certify that this Annual Report complies with:

- the prescribed requirements of the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*, and
- the detailed requirements set out in the Annual Reporting Guidelines for Queensland Government Agencies.

The implementation of the Queensland Civil and Administrative Tribunal (QCAT) on 1 December 2009 amalgamated the functions of a number of tribunals. Some of these tribunals were under the jurisdiction of other agencies and now form part of QCAT. Reporting on the operation of QCAT from 1 December 2009 to 30 June 2010 has been included in this report.

A checklist outlining the annual reporting requirements can be accessed at www.justice.qld.gov.au/corporate-publications.htm.

Yours sincerely

Phil Clarke
Acting Director-General

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Vision

A fair, safe and just Queensland

Purpose

To contribute to a fair and just society and safe, healthy, productive workplaces and community



We will achieve our vision through our commitment to:

Purpose

We focus our efforts on achieving results that make a significant difference to the wellbeing of Queenslanders.

People

We invest in the development of our staff and encourage work/life balance. We celebrate diversity and equity in our workforce.

Partnership

We work together in collaborative teams and partnerships with a strong focus on shared purpose and clear goals, respect and open communication.

Performance

We are accountable for delivering effective, timely and responsive services that contribute to the achievement of our vision. We use innovation and initiative to improve our performance.

A message from the Director-General

I am pleased to present the Department of Justice and Attorney-General's 2009–10 annual report. This annual report shows the progress we have made in 2009–10 towards our vision of a fair, safe and just Queensland.



The past year has been one of significant change, challenge and achievement, focused on strengthening and streamlining departmental services and expanding the range of services underpinning fair and safe workplaces and the administration of justice in Queensland.

Responding to the needs of victims of crime, the department commenced a new service, Victim Assist Queensland, in December 2009. The new service has significantly improved the support provided to victims of crime who have been injured as a result of an act of violence. The service provides a one-stop-shop to help victims of crime more easily access financial assistance, complaint resolution and a range of other services they may need to help their recovery.

In 2009–10, the department established the Queensland Civil and Administrative Tribunal (QCAT). QCAT, which commenced on 1 December 2009, brings together 23 separate civil, human rights and administrative jurisdictions to provide a more accessible, convenient and effective tribunal service.

In September 2009, Workplace Health and Safety Queensland launched the Zero Harm at Work leadership program. The program aims to build a positive safety culture in Queensland workplaces to reduce the number and seriousness of workplace health and safety incidents in Queensland. Since it began, the program has attracted a high level of support from industry leaders.

Queensland courts continue to achieve high levels of performance. The *Commonwealth Report on Government Services 2010* highlights that Queensland courts compare favourably to those in other Australian states and territories and continue to provide some of the most effective and cost-efficient administration of criminal and civil justice in Australia.

The JPs in the Community program continued to expand over the past year, with 13 new sites established across the state at Arana Hills, Calamvale, Proserpine, Sherwood, Biggera Waters, Maryborough, two sites at Pomona, Greenslopes, Raceview, Canungra, the Gold Coast and Mount Isa. This program continues to provide a valuable witnessing service to the community and contributes to the Government's *Toward Q2: Tomorrow's Queensland* ambition of Fair - *Supporting safe and caring communities* through the 2 500 JP volunteers who operate these sites.

During 2009–10, the department continued to educate and protect Queenslanders through a range of education, advertising and community engagement activities, including 40 free electrical safety seminars at 25 locations across the state. These seminars focused on working on or near exposed live electrical parts and were attended by more than 500 participants.

In 2009–10, the department's State Penalties Enforcement Registry collected over \$166.4 million—an increase of \$22.6 million above the 2008–09 collection. This increase is a direct result of a range of new payment initiatives and enforcement measures introduced by the Government in January 2010.

The department is committed to closing the gap on the disadvantage experienced by Aboriginal and Torres Strait Islander people who come into contact with the justice system. The department has a range of programs aimed at reducing re-offending and providing a fair and responsive justice system, including the Murri Courts, the Queensland Indigenous Alcohol Diversion Program and the Remote JP Court Program. In 2009–10, the department commissioned reviews of these programs, with a view to further improving the department's response. The department is also playing a key role in the development of the Queensland Government's Aboriginal and Torres Strait Islander Justice Strategy.

The department continued to support vulnerable people in the community in 2009–10 by coordinating Planning for Life forums across the state. A joint initiative between the department, QCAT, the Office of the Adult Guardian, the Public Trust Office, Seniors Legal and Support Service, the Community Visitor Program and the Office of the Public Advocate, these forums provide information and advice about enduring powers of attorney, wills, advance health directives and how each agency can help people plan for unexpected life events.

From 1 January 2010, Queensland private sector workers were regulated under the new national industrial relations system. The department continues to be actively involved in the development and review of policy with other state and territory industrial relations agencies.

The review and reform of our laws continued during the year. Acts establishing QCAT and Victim Assist Queensland were passed and a bill for the first stage of reforms in response to the *Report on the civil and criminal justice system in Queensland* was introduced to the Parliament.

Legislation to expand the enforcement powers of the State Penalties Enforcement Registry was passed during 2009–10 and is already having a positive effect on the collection of fines from defaulters.

Amendments to the *Workers' Compensation and Rehabilitation Act 2003* reinforced the Government's commitment to a sustainable scheme that maintains appropriate benefits for injured workers at a low cost to employers.

Other legislative initiatives during 2009–10 included:

- an Act legalising altruistic surrogacy and providing a legal mechanism for the transfer of parentage of a child
- new laws to combat organised criminal activity
- strengthened laws relating to dangerous sex offenders.

The department continues to deliver on its commitments to the Queensland Government's *Toward Q2: Tomorrow's Queensland* ambitions of Strong - *Creating a diverse economy powered by bright ideas*; Healthy - *Making Queenslanders Australia's healthiest people*; and Fair - *Supporting safe and caring communities*. The department leads by example in delivering projects that contribute to all of the *Toward Q2: Tomorrow's Queensland* ambitions.

I would like to congratulate and thank the staff of the Department of Justice and Attorney-General for the many achievements of 2009–10. Your commitment and dedication in delivering improved programs and services across Queensland ensures the department continues to meet the needs of the community and departmental performance objectives. I would also like to thank the department's many service delivery partners for their contributions as well as the growing number of dedicated volunteers that so selflessly support the department and its clients.

Phil Clarke
Acting Director-General

Attorney-General and Minister for Industrial Relations

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

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 Attorney-General and Minister for Industrial Relations, like that of other ministers, also involves:

- being collectively responsible as a member of Cabinet for the policy decisions of the Government
- being individually responsible to parliament for his own actions and that of his department
- being a spokesperson for the Government
- initiating legislation with the assistance of a ministerial policy committee and introducing legislation in parliament
- playing a dominant role in parliamentary debates
- serving on Cabinet committees
- reporting to his parliamentary party
- representing the people of his electorate.

The Attorney-General is responsible for administering 143 Acts of Parliament, including legislation establishing various bodies and statutory officers¹. 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.

The Attorney-General and Minister for Industrial Relations also administers subordinate legislation that falls within his ministerial responsibilities.

¹ The portfolio's statutory bodies and appointments are listed in Appendix 4. Legislation establishing the portfolio's statutory bodies and authorities is listed in Appendix 5.

This year...



121 914 life events, such as births and marriages, were registered



Workplace health and safety inspectors carried out over 30 000 field activities



2 500 volunteers contributed 60 816 hours at 140 JPs in the Community sites across the state



1 621 electrical safety audits were conducted
Queensland's electrical fatalities remained the lowest in the nation over a five year average



408 criminal matters were mediated with an approximate 99% agreement rate



Over \$161.4 million in unpaid fines and fees were collected



The courts maintained consistently high clearance rates throughout the year



Community Justice Groups assisted more than 46 000 clients

Key achievements

Justice Services

- Implemented QCAT on 1 December 2009
- Implemented Victim Assist Queensland, including the establishment of Victims LinkUp, on 1 December 2009
- Implemented new enforcement powers for the State Penalties Enforcement Registry to improve the recovery of outstanding debts
- Further strengthened positive outcomes in remote Indigenous communities through diversion programs
- Established three new Murri Court locations in Maryborough, Charters Towers and Toowoomba
- Successfully commenced the Mornington Island Restorative Justice Project as an alternative community-based dispute resolution service for Indigenous communities
- Increased the number of JPs in the Community sites to 140 throughout Queensland
- Commenced the births, deaths and marriages revitalisation program to digitise approximately six million paper records over the next five years
- Continued the use of judicial registrars in Southport and Townsville
- Finalised the Future Courts Project delivering improved registry management in the Supreme Court and District Courts.

Office of Fair and Safe Work Queensland

- Commenced the Medium Sized Business Initiative working with 8 000 medium sized businesses in Queensland to assess the effectiveness of their safety management systems in preventing workplace incidents and injuries
- Launched the Zero Harm at Work Leadership Program building a positive culture of safety in Queensland workplaces
- The Workplace Relations Ministers Council endorsed a national model Work, Health and Safety Bill which will enhance productivity and ensure consistent safety standards for Australian workplaces
- Assisted the Commonwealth Government to minimise electrical safety issues arising from the former Home Insulation Program
- Contributed to the Government's *Toward Q2: Tomorrow's Queensland* ambition of Strong by extending the implementation of the Public Sector Work Life Balance strategy to include customised support for human resources managers, line managers and employees
- Worked with key stakeholders to deliver the Government's guarantees to employees resulting from the restructure of the Queensland Government asset portfolio (Forestry Plantations Queensland, Port of Brisbane Corporation, QR Limited and Queensland Motorways Limited)
- Worked in partnership with the Commonwealth Government to deliver a national industrial relations system for the private sector; and from 1 January 2010, entered into contractual arrangements with the Commonwealth Fair Work Ombudsman to deliver compliance services in the commonwealth jurisdiction

- Reformed legislation to ensure the ongoing viability of the workers' compensation scheme
- Commenced a structural review of the workers' compensation scheme by an independent external reviewer to ensure that the Queensland workers' compensation scheme remains the best in Australia
- Negotiated a number of enterprise agreements for public sector agencies, entities and government owned corporations.

Strategic Policy, Legal and Executive Services

- Developed the Civil and Criminal Jurisdiction Reform and Modernisation Amendment Bill 2010 which was introduced into Parliament as part of the first stage of the Government's response to the *Review of the civil and criminal justice system in Queensland* (the Moynihan Review)
- Developed new surrogacy laws decriminalising altruistic surrogacy and provided a legal mechanism to transfer the parentage of a child from the birth mother to the intended parents
- Developed the Dangerous Prisoners (Sexual Offenders) and Other Legislation Amendment Bill 2009 to increase flexibility for the management of offenders and enhance the ability of the court to make indefinite sentence orders
- Implemented anti-criminal organisation laws which seek to disrupt and restrict the activities of organisations, and members and associates of those organisations, involved in serious criminal activity
- Implemented the battered-persons defence which operates in circumstances where victims of seriously abusive domestic relationships kill their abusers
- Implemented legislation increasing the powers of the State Penalties Enforcement Registry to recover unpaid penalties
- Developed the *Victims of Crime Assistance Act 2009* which commenced on 1 December 2009
- Supported the Queensland Law Reform Commission to complete its final report for the jury directions review
- Developed the Neighbourhood Disputes Resolution Bill 2010.

Corporate Services

- Completed the construction of the Ipswich courthouse and watch house and continued construction of the new Brisbane Supreme Court and District Court complex
- Developed and rolled out a new recruitment and selection framework which encourages work life balance and fair and robust selection processes
- Delivered management development programs, including leadership and development, practical people management and maximising staff effectiveness workshops
- Integrated corporate human resources and finance systems from the previous Department of Employment and Industrial Relations and the Department of Justice and Attorney-General
- Implemented consistent project and program management methodologies across the department
- Established a dedicated procurement function and plan
- Revitalised and delivered the corporate orientation program provided to new staff
- Supported employee health through the Working Well program
- Developed and conducted multicultural and Indigenous employment strategies, including specialised recruitment processes that employed seven new staff from culturally and linguistically diverse (CALD) communities
- Embedded reasonable adjustment processes in the recruitment and selection framework
- Organised and implemented physical, structural and technological relocation, integration and consolidation of staff and systems as a result of the 2009 machinery of government changes.

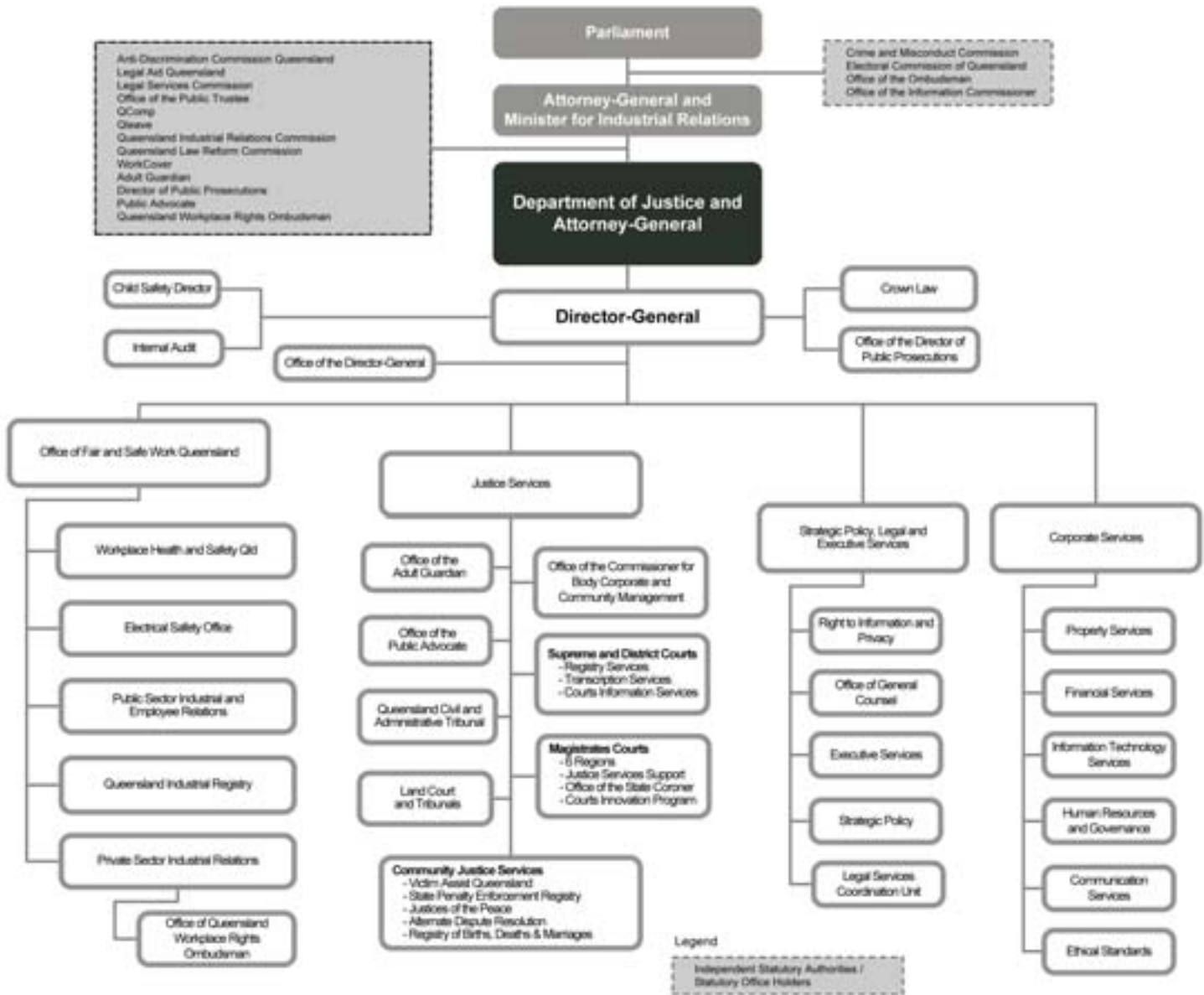


Roma Courthouse

Our department

Department of Justice and Attorney-General

Organisational structure



Operating environment and associated challenges

By proactively identifying the department's operating environment and associated challenges, the department is well placed to develop and implement strategies to mitigate them. The operating environment includes the following challenges:

- An ageing and growing population which places pressure on the volumes and types of intervention strategies.
- Improving and maintaining public confidence in the justice and industrial relations systems in an environment of increasing public scrutiny and community expectations.
- Responding to community diversity and the vulnerability of people in delivering services to provide fair and equitable access to all our clients, particularly when they are involved as victims of crime or as witnesses in court proceedings.
- Providing appropriate assistance to those people with mental illness, intellectual disability and cognitive impairment who are increasingly coming into contact with the justice system, because traditional responses may not address the underlying causes of the offending behaviour.
- The influence social problems, such as alcohol and substance abuse, family and community violence, have upon the number and type of offences the criminal justice system has to handle and the ways in which the justice system responds to the causes of crime.
- Developing innovative and coordinated responses to provide equitable access to justice for Indigenous Queenslanders and to address the continuing overrepresentation of Indigenous people in the justice system.
- Balancing the implementation of public sector wages policy and enterprise bargaining agreements with the current fiscal environment is a continuing priority.
- Changes to regulatory responsibilities and frameworks arising from the Council of Australian Government's reform agenda relating to workplace health and safety national harmonisation, national electrical trades licensing and the national industrial relations system for the private sector.
- Maintaining equitable access to high quality services and facilities and providing sufficient access to services in regional, rural and remote areas in a state that is rapidly growing, geographically decentralised and increasingly multicultural.

Toward Q2: Tomorrow's Queensland – Leading by example

The department supports all of the Queensland Government's Toward Q2: Tomorrow's Queensland ambitions.

In *Toward Q2: Tomorrow's Queensland*, the Queensland Government has set ambitions for a strong, green, smart, healthy and fair Queensland. The Department of Justice and Attorney-General directly contributes toward the ambitions of strong, healthy and fair, and leads by example in its own policies and programs to support the achievement of all of the *Toward Q2: Tomorrow's Queensland* ambitions.

Fair: Supporting safe and caring communities

Through its courts and tribunals, the department aims to deliver a fair and open justice system that aligns with community expectations and meets the needs of the most vulnerable and marginalised members of our community. The department has focused on improving equity, safety, fairness in workplaces (including fair injury compensation and return to work strategies), improving work/life balance for workers and protecting the workplace rights of individuals. Improved equity, fairness and safety in public and private sector workplaces also contribute to improved productivity.

Healthy: Making Queenslanders Australia's healthiest people

Workplace Health and Safety Queensland (WHSQ) delivers a range of preventative health initiatives. For example, WHSQ's Zero Harm at Work Leadership program is building a positive safety culture with employers, industry leaders and unions as a means of reducing the incidence of injury and illness. WHSQ also supported the

Outdoor Worker Health Taskforce to develop and implement strategies to lessen the burden of preventable chronic diseases such as skin cancer.

Initiatives to improve the health of departmental staff include influenza vaccinations, health assessments and preventative health activities, such as the 10,000 steps program. The department also runs targeted programs to address issues such as occupational stress and sun safety.

Strong: Creating a diverse economy powered by bright ideas

The cost of workplace deaths and injuries to the Queensland economy is \$5.2 billion a year. The department contributes to a strong economy through its delivery of services that reduce workplace deaths and injuries, electrical deaths and injuries and that minimise industrial disputes.

Smart: Delivering world-class education and training

The department engages with Queensland workplaces including employers, employees and members of

the workforce through programs which aim to educate and improve working conditions.

The department is a Registered Training Organisation and offers staff opportunities to achieve formal qualifications through study support and in-house programs including a Certificate IV in Government (Investigation), Diploma of Government (Workplace Inspection) and an Advanced Diploma of Government. The department also provides accredited training to the public through its 'Preparation for a Justice of the Peace (qualified)' program, mediation skills under the National Mediator Accreditation System and other conflict management training in partnership with Griffith University Law School.

Green: Protecting our lifestyle and environment

The department contributes to a green Queensland through a number of initiatives such as improving the fleet's environmental profile by maximising the use of fuel efficient fleet vehicles and the use of E10 fuel. The department is implementing a policy of a minimum Green Vehicle Guide Greenhouse Rating of 6.0 for passenger vehicles.

Performance framework

Outputs

This annual report details performance under the department's nine 2009–10 outputs:

- Court and Tribunal Services
- Policy, Legislation and Legal Services
- Electrical Safety Services
- Public Sector Industrial and Employee Relations Services
- Workplace Health and Safety Services (including Workers' Compensation Policy)
- Human Rights Protection Services
- Community Justice Services
- Private Sector Industrial Relation Services
- Administration of the Industrial Court and Commission System

Strategic plan objectives

The department's strategic plan objectives for 2009–10 were:

- Human rights are upheld and protected
- Criminal and civil justice is timely, accessible and cost effective
- Communities and citizens exercise their legal and industrial rights and obligations within a justice and regulatory system recognised for its integrity and independence
- Stakeholder groups and their representatives partner in the development of policy and service delivery
- Regulation and service delivery supports productivity balanced with social justice.

This annual report details the new initiatives and continuing programs and services that deliver these strategic objectives.

Toward Q2: Tomorrow's Queensland ambitions

The department's services are also aligned to the following three of the Government's *Toward Q2: Tomorrow's Queensland* ambitions to which the department directly contributes:

Strong – Creating a diverse economy powered by bright ideas. The department contributes through its services to deliver a fair and equitable industrial relations framework, a fair and equitable public sector wages policy and safe, collaborative, flexible and fair workplaces.

Fair – Supporting safe and caring communities. The department makes a significant contribution to the 2020 Target: Increase by 50 per cent the proportion of Queenslanders involved in their communities as volunteers. Approximately 89 000 JPs provide assistance to Queenslanders accessing justice services, including those operating at 140 JPs in the Community sites across the state.

Healthy – Making Queenslanders Australia's healthiest people. The department is committed to implementing strategies for healthier workplaces through the initiatives of Workplace Health and Safety Services, and healthier communities through the Magistrates Court's Queensland Indigenous Alcohol Diversion program and Illicit Drug Court Diversion program. Workplace Health and Safety Queensland is leading the Outdoor Worker Health Taskforce established to improve healthy behaviours in outdoor workers. This work contributes to the *Toward Q2* target of cutting by one-third obesity, smoking and heavy drinking.

Output structure

The department demonstrates its accountability to government and the community through this annual report and other performance reporting mechanisms, including the Service Delivery Statement, Parliamentary Estimates Committee Hearings and the Report on Government Services.

The department's performance is reported against its nine outputs, as well as its service standards, strategic plan objectives and performance indicators, and the Government's *Toward Q2: Tomorrow's Queensland* ambitions.

Toward Q2: Tomorrow's Queensland ambitions		
Strong Queensland	Healthy Queensland	Fair Queensland
Creating a diverse economy powered by bright ideas	Making Queenslanders Australia's healthiest people	Supporting safe and caring communities
Outputs	Output objectives	Principal activities
Court and tribunal services	Support safe and secure communities through the resolution of civil and criminal matters and improve services to vulnerable people.	Court, tribunal and prosecution services; coronial services; and justice models for early intervention and diversionary strategies.
Human rights protection services	Safeguard vulnerable people through the protection of the rights and interests of adults with impaired decision making capacity, children and victims of crime.	Guardianship and systems advocacy; review of decisions made about children and young people in care; and compensation to victims of crime.
Policy, legislation and legal services	Provide justice policy advice, legislative development and law reform services and protect the community through the regulation of legal practitioners.	Leadership role in law reform; independent legal services for public sector agencies and the state; justice policy advice and legislative development; and model litigant for the state.
Community justice services	Promote community safety, security, fairness and equity by protecting people's identity, property and rights and providing community justice services.	Registration and certification services for life events; justices of the peace programs; a penalties enforcement framework; and non-adversarial conflict resolution methods and local justice solutions.
Electrical safety services	Queensland homes, workplaces and other environments comply with electrical safety laws and standards.	Policy, regulatory, compliance, enforcement, registration and approval frameworks and electrical safety services to employers, employees and the public to enhance community safety.
Private sector industrial relations services*	Queensland's workplaces comply with minimum industrial standards and conditions established under the Queensland industrial relations system that allow for balanced labour market outcomes.	Policy and regulatory frameworks, compliance and information services for private sector workplaces and liaison with the federal government for a cooperative, fair and productive national system.
Public sector industrial and employee relations services	Fair, equitable and productive wages and employment policy outcomes for the Queensland Government.	Industrial and employee relations policy and services for the Queensland Government as an employer to ensure cooperative and productive workplaces.
Administration of the industrial court and commission system	The administration of the Industrial Court and Commission System is efficient to allow tribunals to provide the community with an effective means of preventing or resolving industrial matters.	Independent conciliation, arbitration and agreement approval services in industrial matters of the Industrial Relations Act 1999.
Workplace health and safety services (including Workers' Compensation Policy)	Queensland's workers are protected by compliance with workplace health and safety laws and balanced workers' compensation laws.	Policy and regulatory frameworks and workplace health and safety compliance and information services to employers and employees.

* On 1 January 2010, Queensland referred its industrial relations power to the Commonwealth. Further details on this can be found on page 69.

The department's services

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

- the administration of the court and tribunal system
- the Attorney-General's role as the state's first law officer.

Courthouses are most people's primary contact point with the justice system. There are 78 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
- 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
- improving access to Justices of the Peace services through community signing sites.

The department also provides services through the Office of Fair and Safe Work Queensland to further improve productivity and fairness at work, electrical safety in the community, and workplace health and safety.

Services provided by the Office of Fair and Safe Work Queensland include:

- compliance, enforcement and education activities to reduce the number of work-related fatalities, injuries and illnesses while building industry capacity to manage workplace health and safety
- monitoring, compliance and education activities to improve electrical safety for all Queenslanders
- industrial and employee relations advice, support and assistance to the Queensland Government as an employer to ensure cooperative and productive workplaces
- investigation, compliance and education activities to workplaces to assist in creating awareness of employer obligations in the new national fair work environment
- independent conciliation, arbitration and agreement approval service covering the public sector and local government sector in respect of industrial matters through the Queensland Industrial Relations Commission
- monitoring and highlighting cases of unlawful or unfair work practices and making recommendations on strategies to improve workplace practices in Queensland through the Office of the Queensland Workplace Rights Ombudsman.

The department's locations

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

The department is the lead agency for 23 of the 78 Queensland Government Agent Program (QGAP) offices providing a wide range of government services in rural and remote communities.

In addition, the Justices of the Peace (JP) program undertakes regional training courses and supports thousands of volunteers at JPs in the Community signing sites in 140 locations across the state.

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

The Office of the Director of Public Prosecutions has 15 chambers and a sub office in 10 locations across the state.

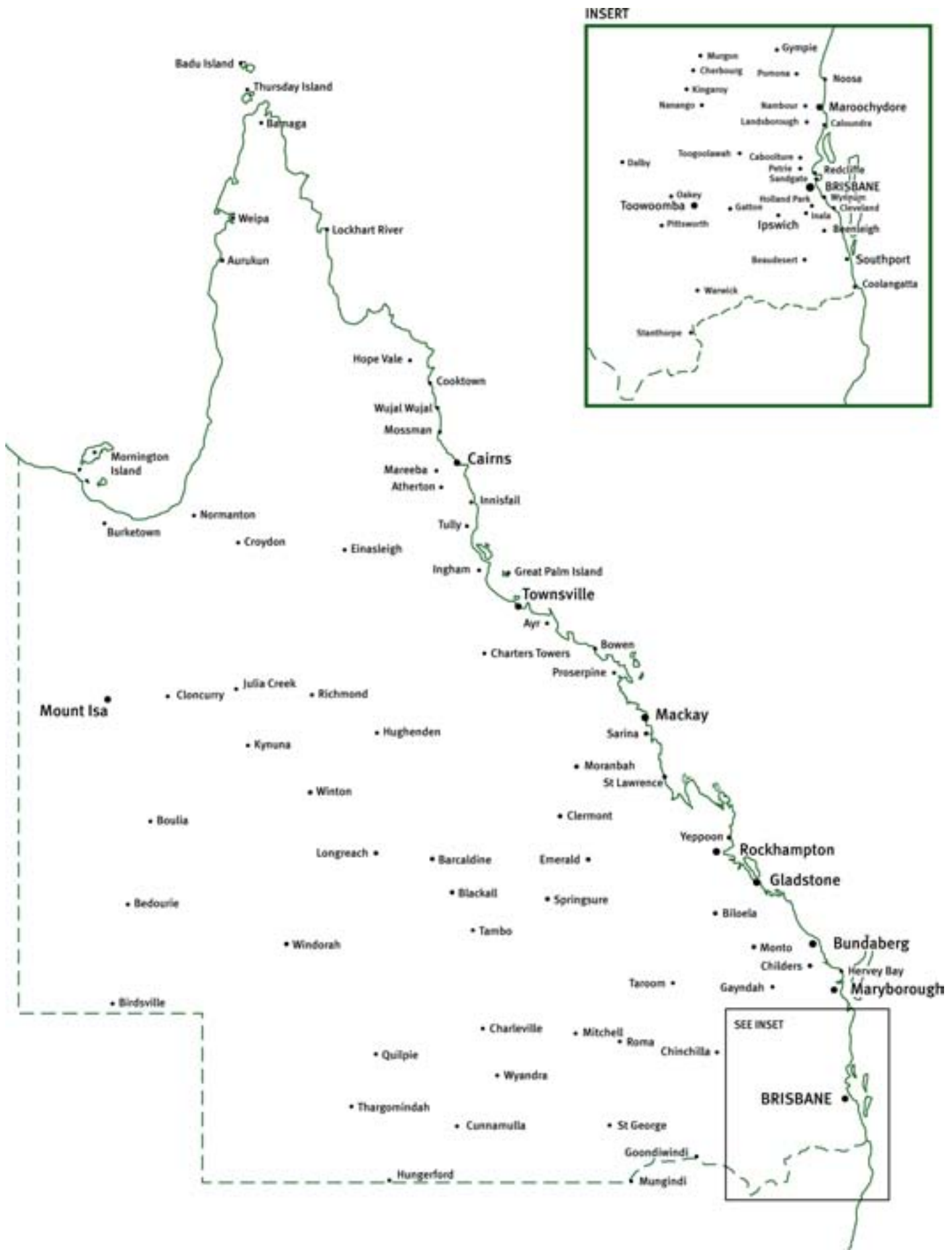
QCAT conducts hearings at various locations in venues such as courthouses, hospitals and community facilities.

Civil mediation services and conflict management training is available in south east Queensland and five regional centres in Cairns, Townsville, Mackay, Rockhampton and Hervey Bay.

Criminal mediation services are available in Brisbane, Southport, Townsville and Cairns.

The Office of Fair and Safe Work Queensland provides selected private and public sector industrial relations services, workplace health and safety services and electrical safety services in 23 locations throughout the state.

Our department



{ Contribution to national reforms

The department also contributed to the following areas of the Coalition of Australian Governments (COAG) national partnership agreement to deliver a seamless national economy:

The national harmonisation of occupational health and safety (nationally uniform Occupational Health and Safety laws, comprising a model Act, model regulations and model codes of practice and a nationally consistent approach to compliance and enforcement policy).

A national licensing system (a national trade licensing system to allow licensees (in specified occupations) to work in all Australian jurisdictions).

Directors' liability (a nationally consistent and principled approach to the imposition of personal criminal liability of directors or other corporate officers for corporate fault).

Trustee corporations (implementing national regulation for licensing and supervising trustee corporations to improve supervision and reduce the regulatory burden on business).

Regulation of the legal profession (facilitating a seamless national legal practice for both lawyers who practise, and law practices that operate, across more than one jurisdiction, and removing unnecessary regulation for individual lawyers moving between jurisdictions).

More information about the department's contributions to the COAG national partnership agreement is provided in the performance section of the report.

Future performance and directions

The department will continue improving its business to ensure efficient and effective delivery of services to the community.

During 2009–10, the department undertook a significant review of its performance measures. As a result, a number of measures were discontinued or amended and new measures were developed. This annual report contains performance information for measures as they existed before the review. Information about discontinued, amended and new measures can be found in the *2010–11 Service Delivery Statements*, book 1, pages 1-162 – 1-177.

In 2010-11, the department will continue to provide a range of services and programs to the Queensland community.

Justice Services

- Increase services to vulnerable adults through an additional 41 guardians and frontline staff which will allow the Office of the Adult Guardian to meet the demands of an ageing and growing population
- Improve services for vulnerable adults through establishing a regional south west Queensland Office of the Adult Guardian in Ipswich
- Continue to protect the rights and interests of vulnerable adults with impaired decision-making capacity through the establishment of the Guardianship Information Service aimed at providing support to guardians appointed as substitute decision makers by QCAT
- Commence at Westfield Garden City Shopping Centre, Upper Mount Gravatt in September 2010, a six-month pilot of a new mobile service, Justice Connect, to take justice-related services directly to where people live and work and provide the Queensland public with easy, quick, and convenient access and assistance to services and information
- Improve outcomes from neighbourly disputes by effectively managing the neighbourhood disputes jurisdiction that will be transferred to QCAT in 2010–11
- Commence the *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act 2010* in 2010-11 which will result in expanded jurisdictions for the Magistrates Courts and District Court
- Expand the use of eTrials in cases in the Supreme Court at Brisbane by working with parties and the legal profession to ensure the more complex matters in our courts are supported by managing and presenting information electronically
- Expand the JPs in the Community program to sites at Ashgrove Woolworths, Kingaroy Courthouse, Warwick Shopping Centre, Emerald, Moorooka and Wilsonton Shopping Centre in Toowoomba
- Continue to review and improve the range of programs delivered through Victim Assist Queensland
- Continue to meet the increased workload and improve operations across the state through an additional Crown Prosecutor and four legal officers at the Office of the Director of Public Prosecutions

- Initiate efficiencies and integrate the Queensland Indigenous Alcohol Diversion Program and Murri Court within a framework of other Indigenous justice strategies
- Continue the Remote JP Court program to provide Aboriginal and Torres Strait Islander people with training and to expand the number of JP Courts conducted in remote Indigenous communities
- Conduct an independent evaluation of the Remote JP Court to assess the scope of JP functions, including the types and appropriateness of sentences imposed given the offences committed
- Continue the work of judicial registrars at Southport and Townsville to improve the efficiency of these courts and refine the work of judicial registrars to account for recommendations from the *Review of criminal and civil justice in Queensland* report (the Moynihan Review)
- Continue to consult with court stakeholders to support the reform of the Queensland civil and criminal justice system with more efficient processes in court registries.

Office of Fair and Safe Work Queensland

- Continue to work with relevant organisations and key public sector unions and stakeholders to support the sale of Port of Brisbane Corporation, QR Limited and Queensland Motorways Limited
- Collaborate with agencies and public sector unions to plan, prepare, negotiate and finalise certified agreements due for renewal, including the agreements for police officers, health practitioners and Queensland Rail passenger workers
- Assist Government Owned Corporations to finalise replacement commonwealth enterprise agreements in 2010–2011 at Port of Brisbane, Port of Townsville, north Queensland Bulk ports, Queensland Rail, CS Energy and Stanwell
- Continue to address the electrical safety issues arising from the Commonwealth Government's former Home Insulation Program in Queensland
- Work with other jurisdictions and Queensland stakeholders to develop regulations and priority codes of practice following the endorsement of the model Work Health and Safety Bill by the Workplace Relations Ministers Council
- Coordinate further industry based forums for the public sector and the manufacturing industry sector in October 2010 and continue to encourage commitment to zero harm at work by industry leaders
- Invite the remaining 4 000 medium sized businesses to participate in a free voluntary advisory service from August 2010 prior to an inspection and offer further advisory services under the Medium Sized Business Initiative
- Continue to work in partnership with the Commonwealth Government to implement the new national industrial relations system and to ensure that the rights of Queensland workers are protected
- Continue to advance the Workplace Productivity and Partnership pilot project to promote collaborative workplaces and draw on the findings of the 2008–09 Smart Workplaces project
- Provide assistance to public sector agencies and private sector employers in developing and implementing flexible work practices through the Work Life Balance Strategy
- Continue to work with the Queensland Treasury's Office of Regulatory Efficiency in its coordination of Queensland licensing agencies' input into the development of the Occupational Licensing National Law (Queensland) Bill up to its commencement in January 2011
- Allocate \$2 million in the 2010–11 budget to ensure the availability of advisors to assist 1 187 businesses whose WorkCover premium rate is capped at twice the industry premium rate. These account for less than 2 per cent of all businesses within the Queensland workers' compensation scheme but represent almost 12 per cent of all claims lodged with the scheme in 2008–09.

Strategic Policy, Legal and Executive Services

- Establish a Sentencing Advisory Council to help bridge the gap between community expectations, the courts and government on the complex issue of sentencing criminal offenders
- Continue work on the implementation of the recommendations of the Moynihan Review
- Improve departmental Aboriginal and Torres Strait Islander programs, including the Murri Court, the Queensland Indigenous Alcohol Diversion Program and the Community Justice Group program, having regard to recent evaluations and review
- Contribute to developing the Government's proposed new Aboriginal and Torres Strait Islander Justice Strategy and participate in the work of the Standing Committee of Attorneys-General on Aboriginal and Torres Strait Islander issues and the national Closing the Gap agenda
- Develop amendments to the partial defence of provocation in the *Criminal Code*
- Develop amendments to the excuse of accident in the *Criminal Code* to redraft the terminology to better reflect the essence of the excuse
- Develop a package of legislative measures to address graveyard vandalism
- Continue work on developing the Neighbourhood Disputes Resolution Bill 2010
- Commence the role as lead agency for the *Right to Information Act 2009* and *Information Privacy Act 2009* and coordinate these responsibilities across government.

Corporate Services

- Continue the department's capital works program including construction of the new Supreme Court and District Court complex and upgrades to the Southport Courthouse
- Design and implement an integrated program of management development and improved management practices that will support improved organisational capability and accountability
- Continue to improve specialised recruitment, selection and other employment strategies to increase the diversity of the department's workforce
- Improve communication between the department and the community through online, social and direct marketing to raise awareness of the department's role and ensure its services are easily accessible
- Continue to foster a culture of integrity and accountability by providing ethics awareness programs, advisory services and managing misconduct matters effectively
- Implement strategies to improve financial management knowledge throughout the department.



Ipswich Magistrates Court

Our performance

Output 1 – Courts and Tribunals Services

These output services were delivered through:

- Supreme Court
- District Court
- Magistrates Court, including the Office of the State Coroner and the Courts Innovation Program
- Land Court
- QCAT
- Office of the Commissioner for Body Corporate and Community Management
- Office of the Director of Public Prosecutions.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- criminal and civil justice is timely, accessible and cost effective
- human rights are upheld and protected
- communities and citizens exercise their legal rights and obligations within a justice and regulatory system recognised for its integrity and independence.

The output also contributed to the following *Toward Q2: Tomorrow's Queensland* ambitions:

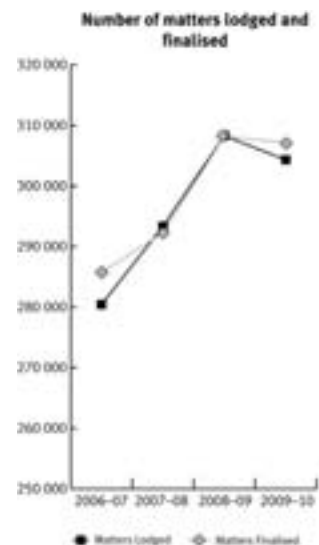
- Fair – Supporting safe and caring communities
- Healthy – Making Queenslanders Australia's healthiest people.

Year in review

Queensland courts performance

The department is committed to ensuring timely, accessible and cost effective justice for all Queenslanders.

Clearance rate is a key measure of court performance. It is a national 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.



Queensland courts continue to achieve impressive clearance rates in the criminal jurisdiction. In 2009–10, the results achieved by the combined jurisdictions were:

- Supreme Court and District Court—97.3 per cent¹
- Magistrates Court—101.6 per cent.

In the civil jurisdiction for 2009–10, the combined results were:

- Supreme Court and District Court—94.6 per cent²
- Magistrates Court—112.7 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.

Comparison to other Australian Courts

The *Commonwealth Report on Government Services 2010* highlights that Queensland courts compare favourably to those in other Australian states and territories by continuing to be effective and cost efficient.

Overall, Queensland was assessed as the most cost effective state in both the criminal and civil jurisdictions:

Jurisdiction	Average cost (\$) per finalised matter	National average (\$) per finalised matter
Supreme Court criminal matter	\$6 338	\$15 118
Supreme Court civil matter	\$1 855	\$4 315
District Court criminal matter	\$4 905	\$7 553
District Court civil matter	\$1 294	\$2 368
Magistrates Court criminal matter	\$330	\$414
Magistrates Court civil matter	\$202	\$173

¹ It is a matter for the accused in criminal matters whether they plead guilty to charges brought against them. Each guilty plea results in a sentence without trial and a single judge may sentence multiple defendants on a single day thus finalising several matters in one day. Where a not guilty plea is entered, a trial process occurs which normally takes several days or in some cases several weeks resulting in only one finalisation. In 2009-10, there was a significant increase in the number of matters resolved by trial and a decrease in matters resolved by pleas of guilty. Therefore finalisation and clearance rates decreased.

² In 2009-10, the mix of cases before the Supreme and District Courts changed. There was a decrease in the number of debt recovery matters and an increase in contested matters. Debt recovery matters frequently result in finalisation by default judgment within a few weeks, whereas contested matters are significantly more complex and long running. Therefore finalisation and clearance rates decreased.

Performance against targets

Supreme Court – Court of Appeal

Civil Law

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of appeals lodged	266	236	270	260	254	266
Number of appeals finalised	267	266	252	260	234	248
Clearance rate (finalisations/lodgements) ²	100.4%	112.7%	93.3%	100%	92%	93.2%
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period	0%	0%	0%	0%	0%	0%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 This variation reflects the relatively small numbers in this jurisdiction. Only 18 fewer matters were finalised than lodged.						

Criminal Law

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of appeals lodged	338	440	369	340	306	349
Number of appeals finalised ²	352	399	397	380	357	344
Clearance rate (finalisations/lodgements) ³	104.1%	90.7%	107.6%	112%	117%	98.6%
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period	0.9%	0.6%	0%	0%	0%	0.6%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 There was one less judge than usual in the Court of Appeal for two months due to a resignation. This affected the court's capacity to finalise matters.						
3 The clearance rate variance is due to the reduced number of finalisations.						

Supreme Court – Trial Division

Civil Law

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged	5 322	5 455	7 167	7 500	7 343	7 309
Number of matters finalised ²	5 167	5 440	6 270	7 500	7 006	6 937
Clearance rate (finalisations/lodgements) ²	97.1%	99.7%	87.5%	100%	95%	94.9%
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period	8.4%	7.3%	5.8%	5%	5%	5.4%
Notes						
<p>1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.</p> <p>2 While lodgements did not increase as predicted, they were higher than in previous years. There was a decrease in the number of debt recovery matters and an increase in contested matters. Debt recovery matters frequently result in finalisation by default judgment within a few weeks, whereas contested matters are significantly more complex and long running. Therefore finalisation and clearance rates decreased.</p>						

Criminal Law

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged ²	1 330	1 493	1 531	1 700	1 379	1 403
Number of matters finalised ³	1 354	1 538	1 525	1 725	1 368	1 302
Clearance rate ^{2, 3} (finalisations/lodgements)	101.8%	103.0%	99.6%	101%	99%	92.8%
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period	4.6%	4.6%	4.4%	5%	5%	3.7%
Notes						
<p>1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.</p> <p>2 The court has no control over lodgements.</p> <p>3 It is a matter for the accused in criminal matters whether they plead guilty to charges brought against them. Each guilty plea results in a sentence without trial and a single judge may sentence multiple defendants on a single day thus finalising several matters in one day. Where a not guilty plea is entered, a trial process occurs which normally takes several days or in some cases several weeks resulting in only one finalisation. In 2009-10, there was an increase of 24.6% (14 matters) resolved by trial and a decrease of 16.5% (204 matters) resolved by a plea of guilty. This has resulted in significantly reduced finalisation and clearance rates.</p>						

District Courts

Civil Law

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged	4 890	4 849	4 939	5 200	5 648	5 313
Number of matters finalised ²	6 034	4 715	5 156	5 300	4 918	5 006
Clearance rate (finalisations/lodgements) ²	123.4%	97.2%	104.4%	102%	87%	94.2%
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period	7.2%	4.9%	4.4%	5%	5%	3.8%
Notes						
<p>1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.</p> <p>2 Lodgements increased largely due to increased claims for criminal compensation before the expiry of the legislative basis for such claims to the Court. At the same time, there was a decrease in the number of debt recovery matters and an increase in contested matters. Debt recovery matters frequently result in finalisation by default judgment within a few weeks, whereas contested matters are significantly more complex and long running. Therefore finalisation and clearance rates decreased.</p>						

Criminal Law

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged ²	6 577	6 606	6 286	6 600	6 133	6 207
Number of matters finalised ³	6 393	6 836	6 328	6 900	5 806	5 996
Clearance rate (finalisations/lodgements) ^{2, 3}	97.2%	103.5%	100.7%	105%	95%	96.6%
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period	6.9%	8.4%	8.8%	5%	7%	6.3%
Notes						
<p>1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.</p> <p>2 The court has no control over lodgements.</p> <p>3 It is a matter for the accused in criminal matters whether they plead guilty to charges brought against them. Each guilty plea results in a sentence without trial and a single judge may sentence multiple defendants on a single day thus finalising several matters in one day. Where a not guilty plea is entered, a trial process occurs which normally takes several days or in some cases several weeks resulting in only one finalisation. In 2009-10, there was an increase of 17.2% (79 matters) resolved by trial and a decrease of 6.7% (292 matters) resolved by a plea of guilty. This has resulted in significantly reduced finalisation and clearance rates.</p>						

District Court - Appeals

Civil Law

Performance Measures	2006-07 Actual	2007-08 Actual	2008-09 Actual	2009-10 Target / est	2009-10 Est actual ¹	2009-10 Actual
Number of appeals lodged ²	98	97	110	97	117	103
Number of appeals finalised ³	84	76	146	120	87	102
Clearance rate (finalisations/lodgements) ^{2, 3}	85.7%	78.4%	132.7%	124%	74%	99%
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period	0%	3.6%	1.4%	0%	1%	2.9%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 The court has no control over lodgements.						
3 The variance is based on small numbers.						

Criminal Law

Performance Measures	2006-07 Actual	2007-08 Actual	2008-09 Actual	2009-10 Target / est	2009-10 Est actual ¹	2009-10 Actual
Number of appeals lodged ²	392	338	475	325	369	399
Number of appeals finalised ³	294	316	452	400	385	488
Clearance rate (finalisations/lodgements) ^{2, 3}	75.0%	93.5%	95.2%	123%	104%	122.3%
Percentage of active cases more than 24 months old from lodgement date to the end of the reporting period	1.4%	3.2%	0.3%	0%	1%	0.4%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 The court has no control over lodgements.						
3 The variance results from the discontinuance of a large number of matters in one regional location following the resolution of a representative case by the Court of Appeal.						

Magistrates Courts

Civil Law

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged ²	81 320	79 459	82 577	76 000	71 000	65 450
Number of matters finalised	86 930	81 584	82 340	78 000	77 000	73 766
Clearance rate (finalisations/lodgements) ^{2, 3}	106.9%	102.7%	99.7%	103%	114%	112.7%
Percentage of active cases more than 12 months old from lodgement date to the end of the reporting period ⁴	7.0%	6.6%	6.2%	6%	6%	7.7%
Notes						
<p>1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.</p> <p>2 Since the introduction of QCAT on 1 December 2009, there has been a reduction in the number of civil cases lodged in the Magistrates Courts. Before the introduction of QCAT, claims relating to minor civil disputes were lodged with the Magistrates Courts. These claims are now lodged with QCAT for adjudication.</p> <p>3 The increase in the clearance rate for civil cases in the Magistrates Courts is primarily due to the decrease in the number of civil cases lodged. Though the number of civil cases finalised in 2009-10 has also decreased compared to the previous financial year, the number of cases lodged has decreased at a higher rate than the number of cases finalised. This has resulted in an increase in the clearance rate in 2009-10 compared to the previous year.</p> <p>4 Due to the increase in the clearance rate for civil cases in the Magistrates Courts, the total number of active cases as at 30 June 2010 has decreased compared to the previous year. However the actual number of active civil cases which were more than 12 months old as at 30 June 2010 did not decrease, but remained stable. This has resulted in an increase in the percentage of active cases more than 12 months old.</p>						

Criminal Law

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged	176 685	190 871	199 435	195 000	207 000	202 966
Number of matters finalised	175 722	187 445	200 425	198 000	205 000	206 203
Clearance rate (finalisations/lodgements)	99.5%	98.2%	100.5%	102%	99%	101.6%
Percentage of active cases more than 12 months old from lodgement date to the end of the reporting period ²	16.9%	16.1%	14.3%	12%	12%	14.1%
Notes						
<p>1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.</p> <p>2 There was only a slight decrease in the percentage of active criminal cases more than 12 months old in 2009-10 compared to the previous year. However the Magistrates Courts not only managed to deal with an increase in the number of lodgements this year, it also improved the clearance rate by finalising more criminal cases than the previous year.</p>						

Land Court

During 2009–10, the Land Court received 525 lodgements compared to an original target of 1 200 lodgements. This was due to the Department of Environment and Resource Management releasing fewer land valuations because of the State Government's financial relief package during 2008-09.

The Land Court finalised 1 391 matters against an original target of 1 020, resulting in a clearance rate of 265 per cent. This is significantly higher than anticipated.

The appointment of two replacement members to the Land Court in April 2010 ensured that the court continued to operate efficiently and finalised matters in a timely manner.

The Land Court maintains an active regional circuit schedule in addition to its Brisbane based hearings. Depending on the concentration of matters, the court can travel to 55 potential hearing centres. During 2009–10, the court completed 22 circuits to regional centres over a total of 79 days.

Appointment of mediators

Amendments in March 2010 to the *Valuation of Land Act 1944* changed the definition of ‘unimproved value’ as it applied to valuations made under the Act.

The amendments provided for undecided appeals to be dealt with under the existing provisions provided the appeals were finalised on or before 30 June 2010.

To manage the expected increased workload, cross agency arrangements were made with the Department of Environment and Resource Management to contract mediators until 30 June 2010.

Mediations occurred in Brisbane, Barcaldine, Beaudesert, Cairns, Charleville, Cunnamulla, Gold Coast, Goondiwindi, Rockhampton, Roma, Toowoomba and Townsville. A small number of mediations were also conducted by telephone.

These mediations resulted in the successful resolution of hundreds of matters before 30 June 2010. In addition to saving time for the court and the parties involved, the mediation process resulted in considerable monetary savings for the parties.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged ²	--	New measure	1 388	1 200	580	525
Number of matters finalised ³	--	New measure	1 398	1 020	1 000	1 391
Clearance rate (finalisations/lodgements) ⁴	--	New measure	100.7%	85%	172%	265%
Percentage of cases finalised within 12 months ⁵	83%	89%	44%	50%	50%	38%

Notes

- 1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.
- 2 Fewer land valuations in 2009–10 resulted in a significant reduction of lodgements in the Land Court.
- 3 The increased finalisations are a result of a legislative amendment and appointment of an additional two mediators between April and June 2010 (see text above).
- 4 The clearance rate significantly exceeds the target and the estimated actual due to the decrease in lodgements (see note 2) and the increase in finalisations (see note 3).
- 5 Although the court finalised 321 more matters than expected during 2009-10 (see notes 3 and 4), a large number of the files were greater than 12 months old when finalised.

Office of the State Coroner

In recent years, coroners have observed a steady annual increase in the number of deaths reported under the *Coroners Act 2003*. In 2009–10, there has been a 13.64 per cent increase in deaths reported.

During 2009–10, 3 745 matters were finalised. This number was higher than the estimated target figure of 3 600. While the number of matters finalised was higher than expected, the clearance rate of 88 per cent for finalised matters is lower than the target of 97 per cent because of a significant increase in number of deaths being reported.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged	3 219	3 514	3 745	3 700	4 200	4 256
Number of matters finalised	3 149	3 656	3 657	3 600	4 000	3 745
Clearance rate (finalisations/lodgements) ²	97.8%	104.0%	97.7%	97%	95%	88%
Percentage of coronial matters more than 24 months old from lodgement date to the end of the reporting period	9.6%	9.6%	10.1%	5%	8%	7.6%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 In 2009-10, there was a 13.64% increase in the number of deaths reported. Although coroners actually finalised more matters in 2009-10 than in the previous year, the number of finalisations has not kept pace with the number of matters reported. Therefore the clearance rate has dropped to 88%.						

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.

Improving court registries

In late 2009, the department began a review of the operations of registries of the Supreme, District, Magistrates and Land Courts to identify efficiency benefits which would be gained from sharing business systems and operational procedures among the registries.

During 2009–10, the review team has undertaken extensive consultation with members of the judiciary, representatives from the Queensland Law Society and the Bar Association of Queensland, Queensland Courts Services staff, including senior managers and executives from the department.

A Judicial Consultative Committee, made up of judicial members from each court jurisdiction and departmental staff, has been the primary consultative group for the project. A departmental Steering Committee provides governance for the review.

The review will improve the courts' ability to meet future workloads arising from economic, social and demographic changes and trends while maintaining high quality,

professional support to the judiciary in the administration of justice and excellent client service to all court users.

The face of our Magistrates Courts throughout the state

The counter officers at all Magistrates Courts throughout the state help customers with a wide range of matters including:

- filing civil claims and related documents
- applications for restricted drivers licences
- domestic violence protection order applications
- applications to change the name of a child
- payment of fines.

Depending on the location, the role of counter officers at regional Magistrates Courts can be even wider and may also include services such as:

- applications and payments for certificates for births and marriages
- lodging applications for bond loans and rental grants on behalf of the Department of Housing
- performing business name activities on behalf of the Office of Fair Trading
- renewing drivers licences (at selected offices) on behalf of Queensland Transport.

Many counter officers of the Magistrates Courts are also qualified JPs and can provide the public with those services.



Alternative dispute resolution services in the Planning and Environment Court save time and the cost of justice

As at 30 June 2010, 109 mediations in 138 sessions had been conducted. It is conservatively estimated that this has saved 102 judge hearing days and provided significant savings for the parties involved.

Approximately 40 per cent of these mediations were fully resolved and approximately a further 30 per cent were partially resolved, narrowing the issues and resulting in significant reductions in trial times and costs for the parties involved.

Fast fact

A recent study found the Planning and Environment Court's ADR process to be an 'outstanding example of visionary ADR access to justice'.³

³ *Greening Justice – Creating and Improving Environmental Courts and Tribunals*; Professor George Pring and Ms Catherine Pring.

Alternative Dispute Resolution registrar

The Planning and Environment Court Alternative Dispute Resolution Registrar, known as the ADR Registrar, provides a free mediation service for litigants in disputes before the Planning and Environment Court.

Since the position was established in May 2007, the work of the ADR Registrar has benefited the community by saving an estimated 500 Judge hearing days achieving significant savings for parties involved in cases before the Planning and Environment Court.

One of the major challenges for the ADR Registrar is bringing litigants to mediation at an early stage so disputes are resolved sooner with greater savings in cost and time for the participants.

By resolving disputes before trial, the community benefits from a better development outcome that contributes to the purpose of the Sustainable Planning Act 2009.

Court technology improves justice services

Videoconferencing

The use of videoconferencing 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.

During 2009–10, videoconferencing capability was installed in Gladstone, Bundaberg and Gympie courthouses. This brings the number of Magistrate Court videoconferencing sites to 61 throughout Queensland.

For 2010–11 the department plans to upgrade existing facilities at several Magistrates Courts including at Cairns, Beenleigh, Hervey Bay, Rockhampton and Southport.

Digital recording

The State Reporting Bureau provides recording and transcription services for the Supreme, District and Magistrates Courts, QCAT, the Industrial Court and the Queensland Industrial Relations Commission. The bureau also provides reporting services for the Medical Assessment Tribunal, the Mental Health Court, and the Land Appeal Court.

The implementation of digital recording has reduced the need for staff to travel to a number of circuit courts, enabling a more efficient use of staff resources. During 2009–10, over 590 000 pages of transcript through the use of digital recordings were produced.

The bureau's provision of an accurate and timely recording and transcript of proceedings is critical to the courts' capacity to work efficiently in the administration of justice.

eTrials

The eTrial solution has reduced trial time and costs by establishing a more efficient way to manage documentary evidence in court. Using inexpensive and easy-to-use software, fully searchable images of documentary evidence are loaded on to a secure website before a hearing.

Within court, each party and the judge are provided with two computer screens. One screen allows everyone in court to see the document being examined, while the second screen allows individual access to the document collection.

This innovative solution was used in 2009–10 for several complex court matters.

eTrials allow matters to be heard more quickly and judgment writing time to be reduced. Importantly, the greatest benefit is to Queensland businesses and the community through reduced trial preparation costs and through spending fewer days in court.

Accessible justice services

The department continued to improve access to justice in Queensland communities through the expansion of diversionary and special court programs.

Remote Justices of the Peace Court program

The Remote Justices of the Peace (JP) Magistrates Court Program offers Aboriginal and Torres Strait Islander people opportunities to play a role in the justice system and their

communities. In participating Indigenous communities, two JPs constitute court in the absence of a magistrate.

Since the program began in 1993 with three sites, it has expanded to include more than 200 JPs whose services may be engaged to constitute court in 18 communities throughout the state.

JP Courts are currently regularly held in Aurukun, Cherbourg, Kowanyama, Lockhart River, Mornington Island, Bamaga, Woorabinda and Pormpuraaw.

As a result of the increased training and support the department has provided through this program during 2009–10, Palm Island and Yarrabah will soon recommence conducting court. Coen, Hope Vale and Thursday Island have also undertaken training with a view to conducting court in the future.

Judicial registrars

When QCAT commenced on 1 December 2009, QCAT adjudicators across south east Queensland assumed the work of judicial registrars in what was previously the Small Claims Tribunal and minor debt claim jurisdictions.

However, the use of judicial registrars continued in Southport and Townsville, two of the state's busiest regional Magistrates Courts, during 2009–10.

From July 2009 to June 2010, the judicial registrars at these two locations presided over 10 217 criminal matters (including domestic violence matters), and 2 960 civil matters.

This work will continue at Southport and Townsville in 2010–11.

QGAP expansion

QGAP provides rural communities with easier access to government information and services through 78 integrated customer service centres in communities across the state, including the Department of Justice and Attorney-General led QGAP courthouses.

QGAP offices deliver information and services for most Queensland Government departments and may also offer additional services such as Medicare, insurance and Centrelink services.

During the year courthouses at Tully, Mossman, Pittsworth and Childers were established as QGAP courthouses bringing the total number of department led QGAP courthouses to 23.

The department's QGAP courthouses provide an excellent level of court service as well as providing information, assistance and advice on all State Government and a range of Commonwealth Government services.

Targeting the causes of crime

The department initiates and evaluates innovative programs to target the causes of crime by addressing the motives of crime and reducing re-offending.

The programs focus on the way courts can respond to offenders to address structural and personal disadvantage such as homelessness, mental illness, drug addiction or other social problems contributing to offending behaviour. These intervention and diversion programs, as well as Murri Courts and the Queensland Indigenous Alcohol Diversion Program,

specifically contribute towards the Queensland Government's *Toward Q2: Tomorrow's Queensland* ambition of Healthy.

Special Circumstances Court

The Special Circumstances Court was formally commenced in 1 April 2009 to deliver court monitored interventions for people with a mental illness, intellectual disabilities, cognitive impairment and those affected by homelessness. Those referred to the Special Circumstances Court are linked to treatment, housing, health and vocational services.

As at 30 June 2010, from the time of its inception in May 2006 as the Homeless Persons Court Diversion Program, the Special Circumstances Program has received 1 330 referrals. Of these, 1 026 people were assessed as eligible, with 752 entering the program.

In 2009, Special Circumstances Court sittings increased from one to three days per week.

This program successfully responds to an increasing concern among criminal justice agencies about the overrepresentation in the criminal justice system of people with complex needs.

Illicit Drug Court Diversion program

In an effort to address drug misuse at an early stage, the Illicit Drugs Court Diversion Program offers those charged with a minor drug offence an opportunity to attend a Drug Assessment and Education Program, without a conviction being recorded against their name.

Since the program's inception in 2003 until 30 June 2010, 24 380 offenders have been assessed statewide for court diversion and 21 614 offenders have been diverted.

The compliance rate for offenders attending court sanctioned drug counselling sessions remain at a very high 90 per cent.

During 2009–10, Queensland Health provided funding to support the program until 30 June 2010. The Commonwealth Department of Health and Ageing will provide funding for the next two years.

Early referral into treatment program

The Queensland Magistrates Early Referral into Treatment program (QMERIT) is a voluntary 12–16 week bail based drug rehabilitation pilot program. This pilot program has been conducted in the Queensland Magistrates Courts at Maroochydore and Redcliffe since 1 August 2006.

QMERIT is a pre-plea diversion program that imposes treatment as a condition of bail for drug related criminal behaviour. This form of pre-sentence diversion is an alternative to imposing treatment as a condition of sentence, as occurs in the Drug Courts.

As at 30 June 2010, 1 163 offenders have been referred to QMERIT with 605 of these offenders assessed as eligible for the program. Of these, 248 offenders have successfully graduated from the program.

Closing the gap on Indigenous disadvantage in the justice system

Murri Court program

The Murri Court provides a forum where Elders, Respected Persons, community justice groups and the offender's family can be involved in the sentencing process. By providing culturally responsive justice outcomes that focus on the rehabilitation and re-integration of Indigenous offenders, Murri Courts provide a vital link between the courts and Indigenous communities. Elders and Respected Persons are integral to the Murri Court process. They serve in the courts as volunteers, sitting with the magistrate and providing culturally appropriate advice in dealing with defendants, witnesses and victims.

Three new Murri Courts have been established in Maryborough, Charters Towers and Toowoomba. This means that throughout the state, 17 Murri Courts are operating, which is the highest number in any state or territory in Australia.

Positive outcomes demonstrated by the department through Murri Courts include:

- more effective communication between the court and court participants
- access to Aboriginal and Torres Strait Islander knowledge to better inform court decisions
- a better understanding of defendants, leading to more meaningful sentences
- greater trust and confidence in the legal system on the part of offenders and Elders
- a positive attitude towards court practice
- a better understanding of Aboriginal and Torres Strait Islander culture
- greater respect for Elders in the community.



Murri Court volunteers assisting in administering justice

During 2009–10, Murri Courts received 1 048 referrals. Of those referrals, 565 received a final sentence. This number includes both the adult and youth court jurisdictions. The majority of the remaining 483 referrals were sent back to mainstream courts as they were deemed ineligible for finalisation in a Murri Court, or the defendant chose not to have their matters finalised in a Murri Court.

During 2009–10, 79 per cent of adult participants who were sentenced in Murri Courts were successfully diverted from prison.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Proportion of Murri Court participants diverted from prison/detention at sentence	--	84%	78%	80%	79%	79%
Note						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						

Fast fact

Six Murri Court sash presentations took place during 2009–10 to present Murri Court Elders and Respected Persons with ceremonial sashes to recognise the special role they play within the state's justice system. The sashes represent a badge of office for Elders and Respected Persons who work so hard to service their community.

Evaluation of Murri Courts

An independent evaluation of the Murri Court was completed in April 2010 with a draft report presented to the Queensland Government. The evaluation concluded that the Murri Court program significantly improved the relationship between the courts and Indigenous communities, reduced bail breaches from failure to appear and provided a culturally appropriate court environment for sentencing Indigenous offenders that prompted participative justice.

The Government provided further funding for 2010–11 for Murri Courts and the Queensland Indigenous Alcohol Diversion Program to maximise flexibility and explore greater efficiencies including the amalgamation of administrative functions.

Through the Murri Courts the department contributes towards the *Toward Q2: Tomorrow's Queensland* ambition of Fair, which focuses on supporting safe and caring communities by ensuring that criminal justice processes have a greater cultural legitimacy for Indigenous offenders and their victims.

Murri Court Training and Support Initiative

The Brisbane Murri Court Training and Support Initiative is a six-week bail program for the defendants delivered in two stages. The first stage is a Living Skills Program which looks at positive self awareness, self control and self expectancy, nutrition, budgeting and trust exercises with a strong emphasis on culture.

Under the second stage of the program participants undertake a Certificate 1 - General Construction Qualification, delivered by the Construction Skills Training Centre in partnership with the department. The program was very successful with seven participants graduating with qualifications and each with a new perspective on their life.

Further work experience has been arranged for four graduates. The graduates' success and prospective employment will be taken into consideration when they are sentenced before the Brisbane Murri Court.

Other diversion programs

Drug Court

The Drug Court program continues to build on its success in previous years, maintaining a consistent rate of graduation for its participants. During 2009–10, the 360th participant successfully graduated from the program. At 30 June 2010, 144 participants were enrolled in the program, 99 in south east Queensland, 29 in Townsville and 16 in Cairns.

Queensland Indigenous Alcohol Diversion Program (QIADP)

QIADP is a whole of government initiative that commenced as a three year pilot in July 2007. The program focuses on Indigenous defendants charged with offences where alcohol is a factor, and Indigenous parents involved in the child protection system who have an alcohol problem.

The program has been operating in three regions involving outreach to Indigenous communities: Cairns and Yarrabah; Townsville and Palm Island; and Rockhampton and Woorabinda.

The pilot program is funded to continue in conjunction with the Murri Courts in 2010–11 within a framework of other Indigenous justice strategies.

During 2009–10, the program increased its graduation level to reach 72 graduates for the year, an increase from 70 graduates for 2008–09. This steady increase in participation rates and graduates continues to realise significant improvements in the health and well-being of Aboriginal and Torres Strait Islander people engaged in the program.

From 1 July 2007 to 30 June 2010, there have been 793 referrals with 154 participants successfully graduating from the program.

The graduation rate compared to referral numbers is affected by several factors, including determining during the assessment phase that the referee is ineligible to participate, the arduous nature and length of the program (20 weeks), the voluntary nature of participation, and termination from QIADP due to non-compliance by participants such as re-offending and other breaches while in the program.

Factors identified during the assessment process which prevent clients from entering the program include mental health issues, other addictions which outweigh any alcohol dependency, and the commission of further and more serious offences before endorsement into the program. During 2009–10, 39.5 per cent of those referred for assessment were deemed ineligible. Also, since the program began, 328 of the people endorsed to participate in QIADP have either voluntarily withdrawn or been terminated from the program.

The work of the program is an important contribution to the Queensland Government's *Toward Q2: Tomorrow's Queensland* ambition of Healthy – Cut by one-third obesity, smoking, heavy drinking and unsafe sun exposure.

Breaking the Cycle of Domestic and Family Violence program

In November 2009, the Breaking the Cycle of Domestic and Family Violence program commenced a trial in Rockhampton.

As part of the trial, the department, in collaboration with the Department of Communities as lead agency and the Rockhampton Magistrates Court, has developed a model for responding to domestic violence matters within a network of service providers and treatment programs.

Participants for the trial are drawn from two distinct groups:

- 'aggrieved' applicants to the court seeking a Domestic Violence Order managed through an Integrated Specialised Court process
- defendants charged with breaches of a Domestic Violence Order managed through referral to a Behaviour Change Perpetrators Program as a 'bail program'.

In 2010–11, an evaluation of the trial will be undertaken by the Department of Communities.

Community justice groups

Community justice groups were first established in 1993 to deal more effectively with social and justice issues in Aboriginal and Torres Strait Islander communities.

The community justice groups program engages with and builds the capacity of Indigenous people to resolve justice-related issues at a community level. It forges strong links between government agencies and Aboriginal and Torres Strait Islander communities based on mutual ownership of the causes of, and solutions to, overrepresentation of Indigenous persons in all aspects of the criminal justice system.

New groups have been established in Goondiwindi and Tully-Cardwell, increasing the number of community justice groups to 52.

During 2009–10, community justice groups provided assistance and support to more than 46 000 clients across the state and made more than 4 000 oral and written submissions to our courts.

Also during the year, KPMG began an evaluation review of the program's practice, operations, policy and legislation to identify strategies that will inform the future direction of community justice groups. The evaluation will be completed in 2010–11.

Creating opportunities

At the end of 2008 a partnership was formed between the department and the North Brisbane Institute of TAFE to deliver Certificate IV in Business (Governance) courses to members of community justice groups across Queensland.

During 2009–10, 19 students have been awarded with a Certificate IV in Business (Governance). A further sixteen students have completed the training through Recognised Prior Learning and will be awarded their qualifications at the end of July 2010.

Successful students belong to community justice groups from Lockhart River, Kuranda, Yarrabah, St George, Mossman, Cairns, Doomadgee, Charters Towers, Townsville, Mount Isa, Cloncurry, Rockhampton, Maryborough, Cherbourg, Brisbane, Kowanyama, Pompurow, Napranum and Cunnamulla.

Many community justice groups have benefited from the training. Participants have acquired new skills and improved existing skills particularly in areas such as organisational management, fulfilling the roles and responsibilities of board membership, financial management and accountability.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of clients supported by community justice groups	--	--	58 000	40 000	43 000	46 600
Note						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						

Statewide Community Justice Reference Group

The statewide Community Justice Reference Group is constituted by two community justice group representatives from each of the eight regions in Queensland, together with representatives from the judiciary, Aboriginal and Torres Strait Islander Legal Service, Legal Aid Queensland, the department and other Queensland Government departments.

The group promotes Indigenous input into the ongoing implementation and monitoring of the Justice Agreement, which has the long term aim of reducing the rate of Aboriginal and Torres Strait Islander people coming into contact with the Queensland criminal justice system, and provide a mechanism for providing advice to government on Indigenous community justice issues.

This year, the group met in Brisbane in November 2009 and March 2010. These meetings provided an opportunity to brief the group on a number of matters including topical issues

affecting community justice groups, alternative sentencing options and to raise awareness of the services offered by Victim Assist Queensland.

QCAT – a new era in Queensland justice services accessibility

QCAT represents the most significant structural reform to Queensland's justice system in the last 50 years. Commencing on 1 December 2009, QCAT amalgamated 18 separate tribunals and 23 different jurisdictions to transform the delivery of civil and administrative justice in Queensland.

The new, amalgamated tribunal ensures easier access for all Queenslanders to the information and services they need to resolve civil and administrative disputes. QCAT's focus is on resolving disputes, reviewing decisions of government agencies and statutory bodies, making guardianship and administration orders and conducting disciplinary proceedings for a range of professions and occupations.

QCAT improves the openness and accountability of public administration

QCAT's jurisdiction can be grouped into three broad categories:

- *Original* – QCAT makes the primary decision for example debt disputes, guardianship decisions, retail shop lease disputes
- *Review* – QCAT reviews a decision made by a government body or statutory entity. Jurisdiction must be specifically conferred. Reviews are generally by way of a fresh hearing
- *Appeal* – internal appeal tribunal hears appeals from decisions by QCAT members in the original or review jurisdiction.

During 2009–10, QCAT's largest matter types by volume were the minor civil disputes jurisdiction which combined the minor debt jurisdiction of the Magistrates Court and the Small Claims Tribunal. The jurisdictional limit for these matters increased from \$7 500 to \$25 000.

In its first seven months of operation to 30 June 2010, QCAT received 16 566 applications, an increase of 37 per cent on applications received by the relevant individual tribunals over the same period in 2008–09. Of these, 14 443 matters were finalised achieving a clearance rate of 87 per cent.

The main increases were in minor civil dispute matters, which increased by 60 per cent to 10 302 matters and guardianship matters, which increased by 11 per cent to 5 087 matters.

In its first seven months of operation, QCAT held 16 762 hearings. Of these hearings, 12 per cent were in the form of mediations and 5 per cent were in the form of compulsory conferences, indicating QCAT's use of alternative dispute resolution methodologies.

One hundred and eighteen appeals had also been registered at 30 June 2010.

Further funding has been provided for 2010–11 to continue to develop QCAT and to continue to provide more accessible, convenient and efficient tribunal services to the community. A number of additional jurisdictions are anticipated to be transferred to QCAT in 2010–11.

Further information about QCAT can be found in the *QCAT Annual Report 2009–10*.

Commercial and Consumer Tribunal

The Commercial and Consumer Tribunal operated under the *Commercial and Consumer Tribunal Act 2003* and was transferred to QCAT on 1 December 2009. The number of applications received by the tribunal up to its transfer to QCAT on 1 December 2009 was 543, with 80 per cent of these matters resolved within this timeframe, a seven per cent improvement over the previous year.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of applications lodged ²	1 249	1 234	1 243	1 250	1 227	543
Number of applications resolved ²	1 151	1 210	1 410	1 300	1 029	542
Percentage of orders overturned or altered on appeal ¹	<1%	<0.5%	1.2%	<2%	<2%	0%
Percentage of applications resolved within established timeframes ²	75%	77%	73%	80%	80%	80%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 The Commercial and Consumer Tribunal was amalgamated into QCAT on 1 December 2009. Figures for the period 1 July 2009 to 30 November 2009 appear in this table.						

Retail Shop Leases Tribunal

The Retail Shop Leases Tribunal operated under the *Retail Shop Leases Act 1994* and was transferred to QCAT on 1 December 2009. The tribunal had jurisdiction to hear disputes between retail tenants and landlords.

Up to 1 December 2009 when the tribunal was transferred to QCAT, 47 claimants had formally lodged a claim of dispute. Forty-nine disputes were resolved within this timeframe.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Percentage of disputes that are resolved through mediation processes ²	--	85%	82%	85%	85%	78%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 The Retail Shop Leases Tribunal was amalgamated into QCAT on 1 December 2009. Figures for the period 1 July 2009 to 30 November 2009 appear in this table.						

Office of the Commissioner for Body Corporate and Community Management

The Office of the Commissioner for Body Corporate and Community Management (BCCM) provides information and dispute resolution services for the community titles industry in Queensland.

During 2009–10, 1 378 dispute resolution applications were lodged with BCCM, 4.1 per cent more than in 2008–09 and 1 357 applications were resolved, representing a 98 per cent clearance rate.

BCCM's conciliation service provides a valuable non-adversarial process for resolving body corporate disputes. During 2009–10, BCCM assisted parties to reach agreement in 75 per cent of conciliation applications.

While not all disputes were able to be resolved at conciliation, over 89 per cent of conciliation applications in 2009–10 did not proceed to adjudication and 84 per cent of clients advised they would recommend conciliation for future disputes.

Adjudication

In 2009–10, BCCM resolved 61.8 per cent of adjudication applications within 60 days, with 7.3 per cent of adjudication applications pending finalisation greater than six months old from the date of lodgement. Processing delays are not always within the control of BCCM, but can arise from delays by parties in responding to requests for information.

Less than 0.5 per cent of adjudicators' orders were overturned or altered on appeal.

Information

In 2009–10, BCCM responded to 27 189 client contacts to its information service, an increase of 12 per cent on 2008–09.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of applications lodged	1 246	1 121	1 324	1 450	1 400	1 378
Number of applications resolved	1 253	1 259	1 274	1 400	1 355	1 357
Percentage of orders overturned or altered on appeal	<0.2%	1%	1.18%	2%	<0.5%	<0.5%
Percentage of conciliation applications resolved by agreement	--	69%	69%	70%	73%	75%
Percentage of lodgements pending finalisation that are more than 6 months old from lodgement date to the end of the reporting period ²	--	--	3.3%	2%	6%	7.3%

Notes

- 1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.
- 2 In late 2009 and early 2010 there was a backlog of adjudication applications. The backlog has reduced considerably through the year. However there remains a small number of old matters which, for reasons particular to each of them, are taking a long time to resolve. As the backlog has reduced they now represent a higher proportion of matters overall.

Office of the Director of Public Prosecutions

In 2009–10, 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 primarily in the Supreme and District Courts throughout Queensland, the ODPP also appears in the High Court of Australia, Mental Health Court and Mental Health Review Tribunal. The ODPP also prosecutes committals in the Brisbane Central and Ipswich Magistrates Courts and some matters in the Southport Magistrates Court.

The ODPP comprises 15 legal chambers, seven of which are located in Brisbane. In addition to the legal chambers, the ODPP's Directorate and Corporate Services units are also located in Brisbane. The ODPP has eight regional chambers that are responsible for the prosecution of criminal matters within their geographic location. Regional chambers are located in Cairns, Townsville, Beenleigh, Ipswich, Maroochydore, Southport, Toowoomba and Rockhampton with a sub-office in Mackay.

During the 2009–10 financial year, the ODPP received matters relating to approximately 11 250 accused and involving 43 000 offences. Therefore, the average number of accused referred to the ODPP on a monthly basis was 950 together with a monthly average of 3 600 charges.

The greatest proportion of all offences continue to be property offences at 18 200. Next were 5 200 violent offences, followed by 4 900 sexual offences that were referred to the ODPP for prosecution.

During the year, the ODPP conducted approximately 950 committals and approximately 930 trials together with 4 300 sentences in the District and Supreme Courts. Eight hundred and forty breach proceedings and 260 bail hearings were also conducted. The ODPP discontinued or withdrew approximately 180 matters before committal and 600 matters post committal. A total of 351 appeals were conducted in the Court of Appeal.

Confiscation of proceeds of crime

The ODPP Confiscations Unit conducts the legal work on behalf of the Crime and Misconduct Commission necessary to apply for the restraining order and subsequent forfeiture of the relevant assets or proceeds of crime.

Between 1 July 2009 and 30 June 2010, \$19.54 million in assets were restrained under Chapter 2 of the *Criminal Proceeds Confiscation Act 2002*. A total of \$5.56 million was forfeited to the state. This represents an increase of \$2.34 million in forfeitures from the previous financial year, in addition to proceeds assessment orders in the amount of \$5.22 million.

The ODPP is also responsible for administering Chapter 3 of the *Criminal Proceeds Confiscation Act 2002*. In relation to Chapter 3 proceedings, a direct connection between the property and the criminal charges must exist. In the last 12 months, \$878 530 was forfeited to the state under this scheme. Since 1 January 2003 the total amount forfeited under Chapter 3 is \$7.1 million.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Percentage of indictments presented within 6 months	--	99%	100%	100%	100%	99.8%
Note						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						

Improving and upgrading Queensland courts and facilities

The department's capital works program focuses on designing, constructing, upgrading and managing courthouses throughout the state to ensure services provided are effective, accessible and safe.

Ipswich courthouse and watch house

During 2009–10, the department completed and officially opened the new \$92 million Ipswich courthouse and watch house.



Newly completed Ipswich courthouse and watch house

This initiative has been the biggest infrastructure project in central Ipswich for more than a decade, with the five-storey courthouse being the centrepiece of the city's new \$111 million legal precinct.

The layout of the new courthouse, which has 12 courtrooms, also provides separate entrances, corridors, lifts and waiting areas for judges, defendants and members of the public. The building has specialist suites for vulnerable witnesses, victims of family violence and specialist children's and Murri courtrooms, as well as advanced courtroom technology.

Environmentally, the building features include a 23 000-litre rainwater tank for garden maintenance and the incorporation of low energy lighting and solar panels, giving the new building the equivalent of a four star greenhouse rating.



Ipswich Courthouse lobby

Brisbane Supreme Court and District Court complex

In 2008–09, construction of the new Brisbane Supreme Court and District Court complex began. With approximately 60 000 square metres of floor space spread over 19 floors, the \$600 million building will be one of the largest court buildings in Australia and be the centre of Brisbane’s legal precinct.

Combining the Supreme Court and District Court in one building with full sharing of courtrooms is a first in Australia and will realise valuable efficiencies in use of courtrooms and administrative facilities.

Features of the building include capacity for 45 courtrooms, a separate vulnerable witness area with its own entrance, a jury assembly area and lounge and a separate, secure circulation system for empanelled jurors.

The work on this major project has continued throughout 2009–10 with completion expected in early 2012.



Artist's depiction of completed Brisbane Supreme Court and District Court complex

Toowoomba Courthouse

In 2008, work began on a \$10 million refurbishment of the 30 year old Toowoomba Courthouse. This was to respond to critical deficiencies in the building, including a number of age-related defects and areas which had fallen behind the standard expected of modern courthouses. This project will be completed in October 2010.

Southport Courthouse

In response to increasing workloads, three new magistrates courtrooms are being constructed along with three new magistrates chambers in the Southport Courthouse. In addition, an existing courtroom will be enlarged to improve the courts efficiency in managing the large number of arrest and first appearance matters.

The estimated cost of the project is \$4 million. Construction commenced in May 2010 and will be completed in December 2010.

Output 2 – Human Rights Protection Services

These output services were delivered through:

- Victim Assist Queensland
- Office of the Adult Guardian
- Community Visitor Program
- Child Safety Director
- Office of the Public Advocate.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- human rights are upheld and protected
- criminal and civil justice is timely, accessible and cost effective
- communities and citizens exercise their legal rights and obligations within a justice and regulatory system recognised for its integrity and independence.

The output also contributed to the following *Toward Q2: Tomorrow's Queensland* ambitions:

- Fair – Supporting safe and caring communities
- Healthy – Making Queenslanders Australia's healthiest people.

Year in review

The department protects the rights and interests of vulnerable people, including adults with impaired decision making capacity, children and victims of crime.

From 1 December 2009, the Guardianship and Administration Tribunal and Children Services Tribunal were amalgamated into QCAT.

More information about QCAT can be found in the Courts and Tribunal section of this report on page 41.

Improving services to victims of crime

In December 2009, the department's Criminal Injury Compensation scheme was replaced by Victim Assist Queensland (Victim Assist). Victim Assist provides better services and support for people who have been affected by violent crime.

Victim Assist Queensland

Victim Assist focuses on victim recovery by paying for, or reimbursing, the costs of goods or services that the victim requires to help them to recover from the physical and psychological effects of crime.

Under the new scheme, financial assistance is available to a broader range of victims. Victims of acts of violence that occurred after 1 December 2009 are able to apply for financial assistance under the new scheme without waiting for a conviction in the courts.

Victim Assist also promotes the fundamental principles of justice for victims of crime contained in the *Victims of Crime Assistance Act 2009* and deals with complaints from victims when they believe the actions of a Queensland Government agency have been inconsistent with these principles.

Financial assistance provided to victims

Victim Assist has set a strong service-oriented performance target of finalising 80 per cent of applications for financial assistance within target timeframes.

The target of 80% recognises that the timeliness of a grant of assistance relies on the ability of applicants and third parties to provide information required to make a grant of assistance and that at times this is not possible within the target timeframes. The target also takes into account more complex applications that may take longer to finalise for example, where the circumstances require that a decision is deferred under the *Victims of Crime Assistance Act 2009* until the end of a prosecution process.

As at 30 June 2010, Victim Assist had received 571 applications for financial assistance from victims of crime and made payments totalling \$1.18 million.

Victims LinkUp service

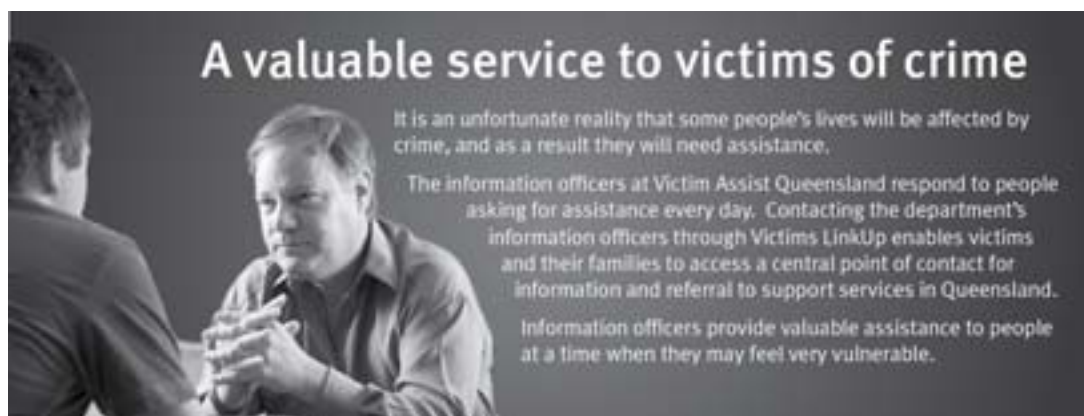
Victims LinkUp provides victims and their families with information and referral to over 60 agencies in Queensland. It provides information over the telephone, or through face to face, email and mail, as well as through the Victim Assist website.

Regional coordinators in north and far north Queensland work with existing services to promote Victim Assist and facilitate opportunities to improve the coordination of services to victims with a focus on remote and Indigenous communities.

From 1 December 2009 to 30 June 2010, Victim Assist's Victims LinkUp service dealt with 5 371 client contacts, resulting in 1 495 financial assistance applications being sent to clients.

In addition to assisting clients under the new legislation, the department continues to fast track remaining applications under the old scheme. Since 1 December 2009, Victim Assist received 459 applications with a court order under the previous scheme.

Since 1 July 2009, 974 applications were received under the old scheme with 1 028 applications finalised as at 30 June 2010, resulting in \$20.8 million in compensation being paid to victims.



Providing protection for children in contact with the justice system

The department plays a key role in the delivery of child protection services and delivers this role through the Child Safety Director and also the Children Services Tribunal, before its amalgamation into QCAT.

Children Services Tribunal

Before amalgamation with QCAT on 1 December 2009, the Children Services Tribunal received 111 applications. In the same five months, the tribunal finalised 132 applications, giving a clearance rate of 119 per cent. The tribunal finalised 69 per cent of applications within six months of receipt, below the tribunal's target of 90 per cent.

Eighty-six active applications transitioned into the newly formed QCAT in December 2009.

Further information on the performance of QCAT can be found on page 41 of this report.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged ²	212	289	260	300	190	111
Number of matters finalised ²	194	269	253	300	190	132
Clearance rate (finalisations/lodgements) ²	90%	93%	97.3%	100%	100%	119%
Percentage of cases finalised within 6 months ^{2,3}	75%	72%	77%	90%	90%	69%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 The Children Services Tribunal was amalgamated into QCAT on 1 December 2009. Figures for the period 1 July 2009 to 30 November 2009 appear in this table.						
3 The reduced finalisation rate was a result of higher than anticipated levels of adjournments which were due to other court proceedings running concurrently to the tribunal hearing, parties undertaking their own case planning and mediation and time taken to appoint and involve separate representatives.						

The Child Safety Director

In 2009–10, the Child Safety Director improved outcomes for children by:

- establishing the Justice Working Group to review child protection court processes
- developing the justice component of the Breaking the Cycle of Domestic and Family Violence in Rockhampton pilot project to assist families affected by domestic and family violence
- assisting the Childrens Court to implement court processes supporting adoptions under the *Adoptions Act 2009*
- supporting the Domestic and Family Violence Death Review Panel on justice and coronial issues.

Providing guardianship services to adults with impaired decision making capacity

Guardianship services are provided through the Office of the Adult Guardian, QCAT, the Community Visitor Program and the Office of the Public Advocate.

Office of the Adult Guardian

The Adult Guardian is an independent statutory officer whose role is to make decisions and investigate complaints and allegations of neglect, exploitation and abuse to ensure an adult's care and protection. Through the Adult Guardian, the department makes these decisions in the main areas of accommodation, contact, legal, service provision and health care.

During 2009–10, the Adult Guardian was appointed as guardian to make decisions for 700 adults in addition to existing appointments.

If the decision made by the Adult Guardian is contentious, a party may request an internal review. Three internal reviews were requested during 2009–10, one of which was finalised.

In 2009–10, a total of 224 investigations were carried out by the Adult Guardian with 80 per cent of these completed within six months of being referred to the Adult Guardian.



Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Percentage of investigation matters referred to the Adult Guardian completed within 6 months	71%	78%	79%	75%	75%	80%
Percentage of decisions made by guardians affirmed following internal review	--	78%	100%	90%	100%	90%
Note 1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						

Community Visitors supporting guardianship services

The Community Visitor Program has a proactive role in promoting and protecting the rights and interests of adults with impaired capacity that reside at and receive support and services at visitable sites in the disability, mental health and supported accommodation sectors.

There are 29 community visitors appointed across Queensland who regularly visit people at visitable sites. Through a process of inquiry, complaint and liaison with service providers, community visitors attempt to clarify and resolve any issues that may negatively impact on vulnerable peoples' human rights, within the context of their daily lives and the service provision they receive. In some cases referrals are made to other government agencies for further investigation.

During 2009–10, community visitors made a total of 6 916 visits to 920 sites. This was an increase of 746 visits from the previous year. These sites supported approximately 7 101 residents.

During 2009–10, 66 complaints had been referred, compared with 111 in 2008–09. This reflects a more proactive approach in liaising with Disability and Community Care Services, Department of Communities and other service providers, as well as the strengthening of regional networks.

Office of the Public Advocate

The Public Advocate provides systemic advocacy to protect the rights and promote the social inclusion of adults with impaired decision-making capacity. The Public Advocate does not deal with individual cases.

The Public Advocate is an independent statutory officer established under the *Guardianship and Administration Act 2000*.

During 2009–10, the Public Advocate undertook a number of key initiatives, including:

- developing a Strategic Framework for Systems Advocacy
- collaborating with the Adult Guardian to undertake a review of the Community Visitor Program
- collaborating with the Queensland Law Society to launch an issues paper, titled *Elder Abuse: how well does the law in Queensland cope?*

Further information on the performance of the Office of the Public Advocate during 2009–10 is available in the *Office of the Public Advocate Annual Report 2009–10*.

Guardianship and Administration Tribunal

The Guardianship and Administration Tribunal provided an independent, accessible and inexpensive way of meeting the decision-making needs of adults with impaired decision-making capacity.

Before its amalgamation with QCAT on 1 December 2009, the Guardianship and Administration Tribunal received 3 985 applications. In that same five months, the tribunal finalised 3 282 applications, giving a clearance rate of 82 per cent. The tribunal finalised 95 per cent of applications within six months of receipt, meeting the tribunal's target of 100 per cent.

In December 2009, 2 388 active applications transitioned into QCAT.

Further information on the performance of QCAT can be found on page 41 of this report.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged ²	5 846	6 930	7 702	7 942	6 909	3 985
Number of matters finalised ²	5 976	6 510	7 422	7 942	6 909	3 282
Clearance rate (finalisations/lodgements) ²	90%	94%	96.4%	100%	100%	82%
Percentage of cases finalised within 6 months ²	90%	97%	97%	100%	100%	95%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 The Guardianship and Administration Tribunal was amalgamated into QCAT on 1 December 2009. The variance between the target and the 2009–10 actual reflects data for five months of the reporting period only.						

Output 3 – Policy Legislation and Legal Services

These output services were delivered through:

- Strategic Policy, Legal and Executive Services
- Queensland Law Reform Commission
- Crown Law.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- human rights are upheld and protected
- criminal and civil justice is timely, accessible and cost effective
- communities and citizens exercise their legal and industrial rights and obligations within a justice and regulatory system recognised for its integrity and independence
- stakeholder groups and their representatives partner in the development of policy and service delivery.

The output also contributed to the following *Toward Q2: Tomorrow's Queensland* ambition:

- Fair – Supporting safe and caring communities.

Year in review

Strategic Policy, Legal and Executive Services

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.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Percentage of priority policy and legislation projects which are completed within agreed timeframes	--	--	93%	85%	100%	100%
Note						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						

Reforms for a fair, accessible and contemporary justice system

Delivering key efficiencies and improvements to Queensland's justice system (the Moynihan Review)

On 21 July 2009, the report on the review of the civil and criminal justice system in Queensland by the Honourable Martin Moynihan AO QC and the Queensland Government Response was publicly released.

The report made 60 wide-ranging recommendations for legislative and non-legislative reform. Based on the report, the Civil and Criminal Jurisdiction Reform and Modernisation Amendment Bill was introduced into Parliament on 13 April 2010. The Bill contains reforms which will streamline the committal process in the Magistrates Court and expand the jurisdictions of the Magistrates and District Courts.

As a result of the proposed changes, victims will see justice done sooner, prosecutors and courts will be able to focus on more complex matters, witnesses will benefit from fewer court appearances and defendants will wait less time for trial. A second stage of reforms, outlined in a discussion paper which was released on 13 April 2010, will develop a Criminal Justice Procedure Act, uniform criminal procedure rules and forms to streamline criminal procedure in Queensland.

Legalising altruistic surrogacy

The *Surrogacy Act 2010* was passed on 11 February 2010. The provisions of the Act have been in force since 1 June 2010 and stipulate that it is legal for altruistic surrogacy arrangements to be made in Queensland.

The Act provides for the court-sanctioned transfer of parentage of children born as a result of particular surrogacy arrangements and prohibits commercial surrogacy arrangements.

Reforms for a safer community

Dangerous sex offenders

The Dangerous Prisoners (Sexual Offenders) and Other Legislation Amendment Bill 2009 was introduced into Parliament on 1 September 2009 and will be considered for passage by the Parliament early in 2010-11. The amendments will strengthen laws relating to dangerous sex offenders to improve community safety by:

- amending the threshold test for the court when considering a supervision order to include consideration of whether the adequate protection of the community can be reasonably and practically managed by a supervision order and whether any appropriate conditions of the supervision order can be reasonably and practically managed by Queensland Corrective Services (QCS) Officers
- increasing the ability of QCS to monitor the compliance of released prisoners
- allowing QCS officers to issue directions to released prisoners about their accommodation, alcohol and drug use and rehabilitation or treatment, and ensuring QCS officers possess the powers necessary to properly supervise released prisoners and ensure the safety of the community
- creating an offence for released prisoners to change their name under the *Births, Deaths and Marriages Registration Act 2003* without seeking permission from the Chief Executive of the Department of Community Services

- ensuring dangerous sex offenders will be strictly supervised for at least five years upon their release from detention and allowing the court to make a further order for supervision if necessary.

Combating organised criminal activity

The *Criminal Organisation Act 2009* commenced on 15 April 2010. This Act seeks to disrupt and restrict the activities of organisations involved in serious criminal activity and provide an alternative mechanism in combating organised criminal activity.

Under the Act, Mr Robert Needham has been appointed the inaugural Criminal Organisation Public Interest Monitor (COPIM), whose functions include monitoring each application to the court made by the Queensland Police Service. The COPIM is a unique office in Australia, highlighting the Government's commitment to balanced and constitutionally robust legislation.

Resolving neighbourhood disputes

A draft of the Neighbourhood Disputes Resolution Bill 2010 was released for public consultation on 12 May 2010. This bill was developed following the review of neighbourly relations which undertook extensive statewide consultation to identify what the community needed from Queensland's neighbour laws.

Key changes proposed in the draft bill include:

- a new statutory framework giving QCAT jurisdiction to make orders in disputes about trees and fences
- clarification of the responsibilities of a tree keeper to ensure their tree does not cause injury to persons or damage to a neighbour's property
- clearer definitions of 'sufficient dividing fence' and clarification about the ownership of a fence built on the common boundary.

Friendly, tight knit communities are one of Queensland's great strengths. This bill modernises outdated legislation to make it easier for neighbours to settle their disputes in an informal manner, avoiding and reducing disputes before they escalate.

Strengthened card skimming laws

In November 2009, legislation was introduced into Parliament targeting the unlawful possession of ATM skimmers and like equipment. A new offence was inserted into Queensland's *Criminal Code* and commenced on 16 February 2010. The offence applies to a person who possesses equipment for the purpose of committing or facilitating the commission of an offence of identity theft or fraud.

Right to Information and Information Privacy

New legislation replacing the *Freedom of Information Act 1992* came into effect on 1 July 2009, namely:

- the *Right to Information Act 2009* (RTI Act)
- the *Information Privacy Act 2009* (IP Act).

Under the RTI Act, the department launched a publication scheme on its website, which groups, and makes accessible, seven classes of information.

In relation to the IP Act, the department conducted a comprehensive privacy assessment of its compliance with the 11 Information Privacy Principles which was followed by an

internal audit in 2010. Fifty-seven officers have been trained in information privacy and are the first line of contact for the community and staff in their particular business units.

Legal services coordination

The department's Legal Services Coordination Unit is a specialist whole of government legal service that assists the Attorney-General to monitor and maintain accountabilities for the delivery of legal services to government including, importantly, government expenditure on legal services.

During 2009–10, the department continued to work with government departments to identify ways to provide better value for money for both the government and taxpayers.

Government Response to Coronial Recommendations 2009

In 2009–10, the department coordinated the preparation of the second annual whole of government report, *Government Response to Coronial Recommendations 2009*. The report was finalised during the year and is due to be published early in the next reporting period.

The report details the Government's responses to coronial recommendations and comments directed to government. It also updates responses to recommendations that were still under consideration when last year's report was published.

Sixty-three coronial inquests were held in 2009, 43 of which resulted in 137 recommendations directed to the Queensland Government. As some recommendations were directed to more than one department, 144 responses were detailed in the report.

The report serves an important function in giving families who have lost a loved one confidence that the recommendations made at inquest have been seriously considered by government, and in most cases implemented.

Queensland Law Reform Commission

The Queensland Law Reform Commission (QLRC) fosters systematic development and reform of Queensland's laws.

Review of jury directions

During 2009–10, the QLRC completed its review of jury directions, which examined the directions, warnings and summing up given by judges to jurors in criminal trials. The final report was tabled in State Parliament on 14 April 2010 and recommended a wide range of reforms that aim to help jurors to understand the evidence before them and reach a verdict in accordance with the law.

Key recommendations included:

- developing integrated jury directions
- providing written material to the jury at the start of a trial covering matters such as the burden and standard of proof, the role of the judge and jury, and elements of each offence being considered
- amending the *Criminal Code* to allow both the prosecution and the defendant to make submissions to the judge before the summing up about any directions or warnings they may want the judge to include in, or leave out, of the summing up.

Publications

During 2009–10, the QLRC published a substantial body of work. It completed four publications in relation to three of its reviews. These were:

- a discussion paper (September 2009) and the final report (December 2009) for the jury directions review
- a discussion paper (October 2009) for stage two of the guardianship review
- a discussion paper (June 2010) for the jury selection review.

The QLRC also made substantial progress towards completing the final report for stage two of the guardianship review, which is expected to be completed in September 2010.

Consultation

The QLRC undertakes wide and inclusive consultation. This is especially important for reviews in which there is a very high level of community interest, such as the guardianship review.

During 2009–10, the QLRC undertook an extensive consultation process following the release of a discussion paper for stage two of the guardianship review, including:

- conducting public forums in Cairns, Townsville, Bundaberg, Toowoomba and Brisbane, and on the Gold and Sunshine Coasts
- conducting consultation meetings with key stakeholder groups
- conducting consultation meetings with a range of health professionals
- taking oral submissions from members of the public.

The QLRC also held a number of consultation meetings in relation to its jury directions and jury selection reviews.

Crown Law

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Productivity for chargeable hours ²	--	98.9%	102.6%	95%	100%	100%
Timeliness of legal work provided to clients (feedback rating from 1 to 7) ²	--	6.21	6.5	5	6	6
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 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 107 of this report.						

Output 4 – Community Justice Services

These output services were delivered through:

- Registry of Births, Deaths and Marriages
- Dispute Resolution Branch
- Justices of the Peace Branch
- State Penalties Enforcement Registry.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- criminal and civil justice is timely, accessible and cost effective
- communities and citizens exercise their legal rights and obligations within a justice and regulatory system recognised for its integrity and independence
- human rights are upheld and protected
- stakeholder groups and their representatives partner in the development of policy and service delivery.

The output also contributed to the following *Toward Q2: Tomorrow's Queensland* ambitions:

- Fair – Supporting safe and caring communities
- Healthy – Making Queenslanders Australia's healthiest people.

Year in review

Providing life event recording services

Through the Registry of Births, Deaths and Marriages (BDM), the department is responsible for registering all births, deaths, marriages and changes of name in the state and for issuing life event certificates to eligible applicants.

BDM registered 121 914 life events during 2009–10, which is four per cent below original projections. This is largely due to unexplained decreases in marriage and death registration and a minor backlog in birth registrations resulting from the June 2009 implementation of process changes to improve data quality.

Fast fact

In July 2009, the department, in line with the National Identity Security strategy, introduced a new security paper for birth, death and marriage certificates. The paper employs advanced security features to further mitigate the risks associated with fraud and identity theft.

Digitisation of births, deaths and marriages records

During 2009–10, BDM commenced program planning for the digitisation of births, deaths and marriages records. This project involves the imaging and transfer of approximately six million life event records that are currently held in paper or index format.

This project will ensure these life event records are protected in digital form.

Improved regional service delivery

During 2009–10, BDM's life event registration database was deployed to 78 regional magistrates' courts and QGAP offices. This now allows:

- regional sites to electronically search the Queensland life event registers and electronically process certificate applications at the point of application
- clients to receive certificates sooner. On average, the timeframe for the receipt of certificates has reduced from ten weeks to within five days of making an application.



Service delivery has been improved in regional Queensland

e-Registrations

In 2009–10, e-Registration continued to allow funeral directors to submit death registration information to the department electronically, resulting in reduced turnaround times to issue death certificates for Queensland families from eight weeks to an average of one week.

This facility has now been delivered to 39 funeral directors across Queensland with electronic submissions now representing 50 per cent of all deaths registered in the state.

Community engagement improving access to justice

On 7 October 2009, BDM attended the Department of Communities Identification Day held at Doomadgee and worked with residents to help them apply for birth certificates.

Assistance for flood victims

The floods in 2009–10 affected many communities in central and south western Queensland. The department provided free replacement birth, death and marriage certificates to residents of the flood-affected regions.

Where flood victims who lost certificates were born or married interstate, the department worked in partnership with other Australian jurisdictions to replace those damaged certificates free of charge.



Flood affected areas in Queensland

This service is part of the department's commitment to help victims get their lives back in order after a traumatic event. As at 30 June 2010, 104 free certificates had been issued.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of births, deaths and marriages registered ²	109 272	112 846	122 331	127 000	127 000	121 914
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 BDM has limited ability to influence the number of life events registered.						

Addressing and resolving conflict in criminal and civil jurisdictions

Mornington Island Restorative Justice Project

In partnership with Indigenous Elders, the department's Mornington Island Restorative Justice Project is working with the community to provide alternative and sustainable community-based dispute resolution services that respect culture and conform to the requirements of the formal criminal justice system. The project, once completed, may provide a model for the expansion of alternative dispute resolution in Indigenous communities as a viable alternative to entry into the formal criminal justice system.

Since the project commenced in August 2009, 18 mediations have been successfully finalised, six of which were referred by the Magistrates Court. In several cases mediations have addressed the likelihood of escalating community violence. More than 300 family members have participated.

The involvement of Elders as comediators has been a critical factor in the project's success.

National mediator accreditation

In 2009, the department, in partnership with Griffith University, commenced nationally accrediting the mediators it trains and employs. Mediator accreditation is an industry-based scheme created to accredit mediators in accordance with the Australian National Mediator Approval and Practice Standards.

Amendments to the *Dispute Resolution Centres Act 1990* in 2009 changed the way the department employs its mediators. Mediators are now appointed for periods of up to two years at a time and are subject to more clearly defined practice, skill, and experience requirements—including national accreditation. The new appointment process ensures more consistency in the experience and skills required to be a mediator with the department.

Justice mediation program

The department provides mediation services in relation to criminal matters through the justice mediation program.

Justice mediation is an intervention that applies the principles of restorative justice and involves the voluntary participation of both offenders and victims. While justice mediation is predominantly used in relation to less serious offences, particularly property related offences and minor assaults, mediations may be convened for more serious offences, particularly if it is believed there would be benefit for the victim.

In 2009–10, the department mediated 408 criminal matters and maintained an agreement rate of approximately 99 per cent.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of criminal matters mediated through restorative justice processes ²	383	193	357	350	350	408
Number of civil disputes mediated through alternative dispute resolution ³	2 028	2 291	2 693	2 200	2 600	2 864
Agreement rates for community mediations – voluntary	--	86%	73%	80%	80%	81%
Average number of days between when a civil file is accepted for mediation and when a file is closed	19 days	20 days	19 days	20 days	20 days	20 days
Average number of days between when a criminal file is accepted for mediation and when a file is closed	78 days	43 days	53 days	50 days	55 days	53 days
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 This is a positive result. It reflects increased demand for the service on the Gold Coast.						
3 This is a positive result. It reflects increased demand for the service in southern Queensland.						

Supporting the community in the administration of justice

Justices of the Peace (JPs) play an important role in the administration of justice in Queensland.

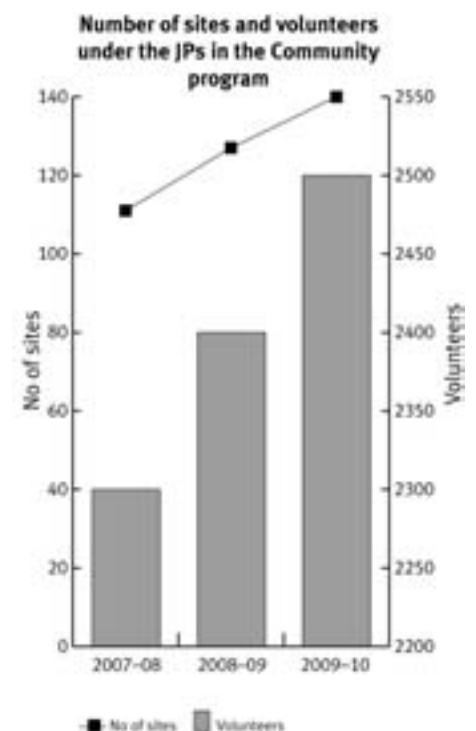
JPs handle up to 3 500 matters throughout Queensland each day and undergo extensive training and assessment in legislation and other legal matters to hold these positions.

There are now over 89 000 JPs and Commissioners for Declarations (C.decs) throughout Queensland providing vital services to the community. To assist the public in contacting them, over 13 000 JPs have listed their details on the department's website.

JPs in the Community program

The department commenced the JPs in the Community program in 2003 as part of the Government's commitment to providing the public with improved access to the services of JPs and C.decs.

JP community signing sites have been established at shopping centres, courthouses, libraries, hospitals, local council chambers and universities. The program offers volunteer JPs and C.decs the



opportunity to provide their services in a safe and friendly environment.

During 2009–10, 13 new sites were established at Arana Hills K Mart Plaza, Sherwood Neighbourhood Centre, Calamvale Central, Greenslopes Mall, Raceview Shopping Centre, Metro Market Place (Biggera Waters), Harbour Town, Maryborough Court House, Proserpine Court House, Mount Isa Court House, Pomona Court House, Canungra Community Centre and Pomona Community Centre.

There are currently 2 500 JP volunteers who contributed a combined total of 60 816 volunteer hours at 140 JPs in the Community sites in 2009–10.

The work of the program makes a direct contribution to the Queensland Government's *Toward Q2: Tomorrow's Queensland* target of Fair – Increase by 50 per cent the proportion of Queenslanders involved in their communities as volunteers.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of new registrations of Justices of the Peace (Qualified) and Commissioners for Declarations	3 066	3 653	2 909	3 000	2 400	2 214
Number of sites under the JPs in the Community program ²	--	111	127	130	142	140
Number of hours volunteered under the JPs in the Community program	--	--	56 388	51 000	57 000	60 816
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 A small number of JP signing sites have closed. Some (Harbour Town and Q Super Centre) have closed for renovations and others (Griffith University Logan Campus, Nundah Village and Logan Central Plaza) have closed permanently. New sites are currently projected at Wilsonton, Rose City, Ashgrove, Kingaroy Courthouse, Emerald Courthouse, Mareeba Courthouse, Moorooka Mall and Aspley Hypermarket						

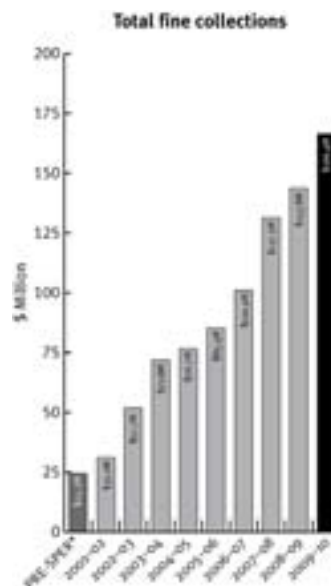
State Penalties Enforcement Registry

Fine collection improvement

In 2009–10, State Penalties Enforcement Registry (SPER) collected more than \$166.4 million – an increase of \$22.6 million compared to the previous financial year. These collections consisted of \$161.4 million in unpaid fines and fees and \$5 million in lodgement fees.

Approximately \$139 million was returned to government, \$12.3 million to agencies such as local governments, hospitals, and universities who refer unpaid infringements to SPER, and \$15 million to beneficiaries of court orders – primarily victims of crime.

Approximately \$190 million is being paid under various payment arrangements compared with \$182 million at the same time last year.



SPER achieved an annual clearance rate of 78 per cent.

New enforcement powers

On 1 January 2010, new laws commenced to enhance the powers of SPER to improve the recovery of outstanding debts. These include:

- the expansion of driver licence suspension (to non motor vehicle related offences)
- a twelve month trial of vehicle immobilisation
- a two year trial of seizure and sale.

Both trials are being conducted in the Brisbane metropolitan area and target debtors who owe more than \$5 000.

The trials are being carried out by a specialist enforcement trial team. The team performs extensive investigations before vehicle immobilisation. As at 30 June 2010, these investigations had resulted in 856 debtors with debts totalling \$7.5 million coming into compliance.

Working with the community, for the community

The SPER community engagement team works closely with disadvantaged and vulnerable SPER clients and advocates. The team is led by a community liaison officer who is supported by two community engagement officers.

Being a community liaison officer provides plenty of opportunities to help the community. The biggest challenge for community liaison officers is coordinating contact with the many stakeholders around Queensland who can facilitate assistance to target clients.

The community engagement team attends various events, such as the Queensland Multicultural Festival, to encourage public awareness of the role of SPER. The team also visits rural and remote areas to deliver coordinated community justice services to these communities.

Results of enforcement trials

As at 30 June 2010:

- Seventy-nine notices of intention to immobilise had been issued to debtors with debts valued at \$0.986 million. While the notice is a tool to stimulate debtors to come into compliance not all debtors take that opportunity.
- SPER had immobilised the vehicles of 17 debtors with debts valued at \$0.212 million. This action prompted nine debtors to come into compliance with the remaining eight debtors either referred for further investigation, seizure and sale or warrants for arrest and imprisonment.
- Twenty-three debtors had been issued with property seizure notices. Seven of the 23 debtors, with debts totalling \$0.038 million, entered into compliance after receiving the notice.
- Six debtors were found to be unsuitable for seizure and sale and have been referred for warrants of arrest and imprisonment.
- Ten debtors ignored the notices and were referred to the Brisbane Bailiff's office for seizure and sale to proceed. Of these ten, one debtor paid in full, one entered into compliance, three require further investigations and seizure and sale is set to proceed against the remaining five.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters lodged ²	498 143	529 209	540 844	750 000	827 820	796 875
Number of matters finalised ³	427 481	458 985	491 079	535 000	555 276	618 102
Clearance rate (finalisations/lodgements) ⁴	85.8%	86.7%	90.8%	71%	71%	78%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 The increase in lodgements is primarily due to an additional 75 000 lodgements by the Electoral Commission of Queensland.						
3 The increase in finalisations is due to a higher level of finalising payments and deactivating some historical debts.						
4 The increase in the clearance rate is due to the higher than expected volume of finalisations.						

Output 5 – Electrical Safety Services

These output services were delivered through:

- Electrical Safety Office.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- stakeholder groups and their representatives engage in the development of policy and service delivery
- regulation and service delivery supports productivity balanced with social justice.

The output also contributed to the following *Toward Q2: Tomorrow's Queensland* ambitions:

- Strong – Creating a diverse economy powered by bright ideas
- Fair – Supporting safe and caring communities
- Healthy – Making Queenslanders Australia's healthiest people.

Year in review

The Electrical Safety Office (ESO) is responsible for the delivery of electrical safety services in Queensland through policy development and compliance and enforcement frameworks that ensure electrically safe homes, workplaces, and other environments in Queensland.

Improving electrical safety standards

Electrical safety investigations

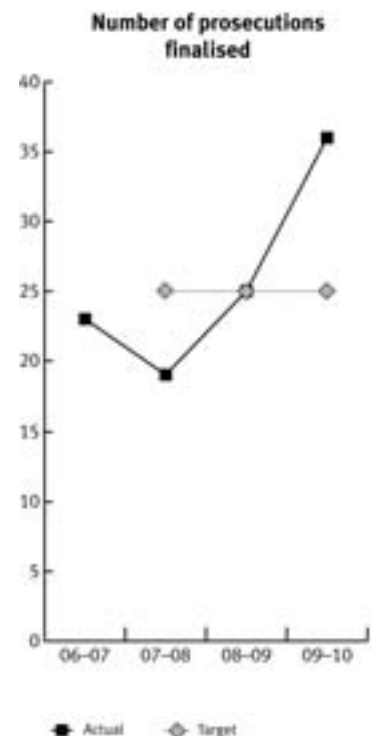
This year, the ESO undertook 1 711 electrical safety investigations and issued a total of 1 881 notices – including 1 380 improvement notices, 364 electrical safety protection notices, 16 unsafe equipment notices and 121 infringement notices (on-the-spot fines). A total of 36 prosecutions were finalised with total fines and costs awarded of \$383 831.

Compliance programs

During 2009–10, the ESO completed 1 621 electrical safety audits in higher risk industry sectors including electrical repair, second hand electrical equipment retailing, and air-conditioning installers and issued a total of 886 compliance notices (778 improvement notices, 90 electrical safety protection notices, and 3 infringement notices and 15 verbal directions).

Inspectors conducted:

- 781 electrical contractor audits and issued 608 notices and 5 verbal directions



- 284 electrical businesses audits and issued 102 compliance notices and 6 oral directions.

In addition to compliance audits, 635 products were audited for energy efficiency labelling.

Insulation audits

Following the first electrical fatality of an insulation installer on 14 October 2009, the ESO responded quickly and comprehensively, undertaking a range of actions, including initiating extensive investigations into that and two subsequent electrocution incidents associated with ceiling insulation.

On 30 October 2009, and again on 9 March 2010, the Minister for Industrial Relations the Honourable Cameron Dick MP, issued Ministerial Notices requiring all Queensland insulation installers to take additional electrical safety measures to protect themselves and Queensland householders.

On 23 November 2009, ESO inspectors teamed with Workplace Health and Safety Queensland inspectors and commenced a specific audit program targeting insulation installers.

Inspectors conducted 801 insulation installer audits and issued 119 notices and two oral directions.

Audits targeting insulation installers will continue as part of 2010–11 statewide compliance campaign.

Comparison to other jurisdictions

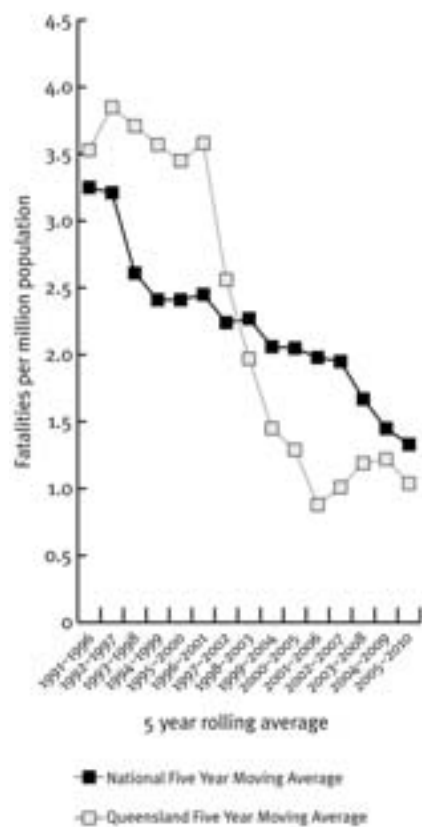
In 2009–10, Queensland recorded a rate of 1.04 of electrical fatalities per million people (5 year average) compared to the national average of 1.33 per million people.

Improving awareness

The ESO continued to deliver community education programs to improve awareness about electrical safety:

- more than 500 people attended 40 free electrical safety forums about working on or near exposed live electrical parts
- more than 2 600 participants attended 85 free electrical safety seminars about the *Electrical Safety Codes of Practice 2010*
- more than 370 apprentices attended 6 electrical safety presentations
- more than 300 participants attended 8 seminars on other electrical safety topics.

Fatalities per million population



Apprentices

In 2009–10, the ESO introduced a pilot program to improve apprentice electricians' safety knowledge. During the 12 week placement, six apprentices were trained in electrical safety and observed field audits and investigations. With the success of the pilot, an expanded program is being considered in 2010-11 and beyond.



Apprentices participating in the pilot program

Electrically safe products

The ESO administers the electrical equipment approval program to prevent electrically unsafe items entering the market place. During 2009–10, 487 electrical equipment approvals were processed.

ESO also undertakes audits to monitor electrical equipment being sold. This year, retailers and wholesalers of decorative lighting and new electrical equipment were targeted. Seven notices were issued from 27 audits of decorative lighting businesses.

During 2009–10, there have been 29 voluntary electrical product safety recalls for products sold in Queensland, including household appliances such as dishwashers, air conditioners, room heaters, pumps, refrigerators, and power supplies. In September 2009, the *Electrical Safety Act 2002* was amended to give the ESO the power to require a mandatory recall of unsafe electrical equipment.

Working in partnership

The Electrical Regulatory Authorities Council (ERAC) is made up of representatives of the regulatory authorities responsible for electrical safety and energy efficiency. During 2009-10, the department continued to work in partnership with the Commonwealth Government, other states and the ERAC as co-coordinating chair and secretariat to improve national consistency in electrical equipment safety systems, energy supply harmonisation and electrical licensing (as part of the COAG national partnership agreement to deliver a seamless national economy).

As part of its ERAC role, the department coordinated a national review of the approvals system for electrical products. The review highlighted a lack of consistency across jurisdictions in legislation and the practical application of legislative requirements. Implementation of the review findings will deliver uniform national legislation and a national database to ensure the safety of electrical equipment approved for sale in Australia and New Zealand.

Electrical licensing

The department is contributing to the Occupational Licensing National Law (Queensland) Bill. The department is represented on the COAG National Licensing Taskforce regulator working group and interim advisory committee for electrical occupations. A national licensing body is expected to commence from 1 January 2011 and, as part of this, proposed model occupational licensing legislation will be introduced into the Queensland Parliament in November 2010 with consequential amendments to the *Electrical Safety Act 2002*.

Introducing mandatory safety switches

On 9 March 2010, a Ministerial Notice was issued mandating the installation of safety switches on all circuits where electrically conductive ceiling insulation is installed in domestic premises. This requirement applies to any domestic premises where such installations are undertaken after that date.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of prosecutions finalised ²	23	19	25	25	35	36
Clients accessing information and advisory services ³	268 106	263 596	269 202	264 000	450 000	309 786
Percentage of annual evidence-based program of audits for compliance completed	--	--	115%	100%	100%	100%
Reduction in the incidence of reported electrical incidents where confirmed medical attention is required	1.46 per million population	2.6 per million population	1.2 per million population	<3 per million population	<3 per million population	<3 per million population
Electrical licences issued within specified timeframes	83%	88%	83%	80%	95%	95%
Prosecutions completed within statutory requirements (12 months)	--	--	100%	100%	100%	100%
Cost of electrical safety services per person in Queensland ⁴	--	--	\$3.25	\$3.52	\$3.48	\$3.48
Client satisfaction with:						
- inspectorate contact ⁵	--	84%	--	85%	85%	93%
- electrical safety seminar programs for industry and the community ⁵	99%	94%	95.6%	80%	98%	97%
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 Twelve prosecutions related to the same individual. These matters were listed and dealt with individually due to the fact they were distinctly separate offences against the <i>Electrical Safety Act 2002</i> and/or Regulations, committed within various locations, and on differing dates.						
3 The variance is due to an inability to use search tool following the machinery of government changes in 2009. The measure has been discontinued.						
4 The total Queensland population is used as a base figure (as opposed to limiting to its workers) due to the department's electrical safety role covering the community and workplaces.						
5 The variance reflects the continuing high regard held by the electrical industry and related groups for the content, format and delivery of electrical safety information and engagement seminars.						

Output 6 – Private Sector Industrial Relations Services

These output services were delivered through:

- Private Sector Industrial Relations
- Office of Queensland Workplace Rights Ombudsman.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- human rights are upheld and protected
- communities and citizens exercise their legal rights and obligations within a justice and regulatory system recognised for its integrity and independence
- stakeholder groups and their representatives engage in the development of policy and service delivery
- regulation and service delivery supports productivity balanced with social justice.

The output also contributed to the following *Toward Q2: Tomorrow's Queensland* ambitions:

- Strong – Creating a diverse economy powered by bright ideas
- Fair – Supporting safe and caring communities
- Healthy – Making Queenslanders Australia's healthiest people.

Year in review

Referral of powers to the Commonwealth

On 1 January 2010, Queensland's private sector industrial relations powers were referred to the Commonwealth. However, the department continued to work with the Commonwealth Government to provide private sector industrial relations services to Queensland's workers and employers, particularly those who were referred to the Commonwealth from 1 January 2010.

The national industrial relations system applies to all Queensland private sector employees, while public sector and local government workers remain under the state industrial relations system.

Fast fact

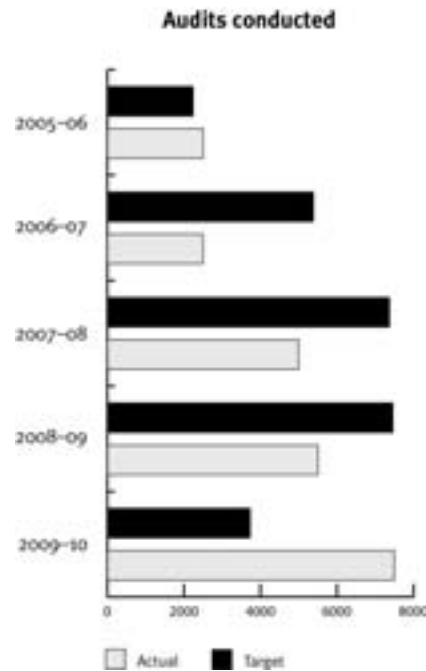
In December 2009, the department celebrated Queensland's 150th anniversary by conducting a conference and launching a book, *Work and Strife in Paradise: The History of Labour Relations in Queensland*. The book was authored by several prominent academics and showcases the changes in labour relations in Queensland over the last 150 years.

Services in both the state and commonwealth systems

Under the state industrial relations system, the key compliance services delivered from 1 July 2009 to 31 December 2009 were:

- number of finalised wage complaints – 1 165
- number of wages and employment conditions audits – 1 308
- number of child employment audits – 1 335
- number of private employment agents audits – 3
- amount of unpaid wages adjusted - \$2.47 million.

Since 1 January 2010, under contract to the Commonwealth Fair Work Ombudsman, the industrial inspectorate delivers compliance services such as wage complaint investigation, audit campaigns and education services under the commonwealth industrial relations system.



Award modernisation

The former Australian Industrial Relations Commission conducted an award modernisation process from July 2008 to December 2009. The result was a comprehensive set of modern awards with transitional provisions to allow for differences in wage rates, loadings and penalties to be gradually reduced or increased to the relevant modern award rate. The new awards took effect from 1 January 2010. Transitional provisions allowing for differences in wage rates, loadings and penalties to be gradually adjusted to meet the relevant modern award rate will take effect from 1 July 2010 and end on the first full pay period on or after 1 July 2014.

Queensland state awards were transferred to the commonwealth industrial relations system as a consequence of Queensland's referral of industrial relations powers to the Commonwealth for the private sector. They cease to operate on 31 December 2010 when commonwealth awards will apply to workers previously covered by State Industrial awards.

Impartial and independent advice

The Queensland Workplace Rights Ombudsman

The Queensland Workplace Rights Ombudsman monitors and highlights cases of unlawful or unfair work practices, promotes informed decision making, provides reports to Parliament and makes recommendations on strategies to improve workplace practices in Queensland. The Ombudsman is able to quickly intervene in an informal manner to assist workers and employers in cases where unfair work practices are alleged.

More information on the activities of the Queensland Workplace Rights Ombudsman will be available in the annual report to be published by that office in November 2010.

Wageline

Under the state industrial relations system, the key information services delivered by Wageline between 1 July and 31 December 2009 were:

- number of telephone enquiries – 79 878
- percentage of client enquiries answered within 20 seconds – 86 per cent
- number of client visits to the website – 928 361.

Following the referral of private sector industrial relations powers to the commonwealth jurisdiction, the Wageline service was discontinued.

Improving work life balance outcomes for workers

The department has continued working alongside public and private sector organisations and the Public Service Commission throughout 2009–10 to deliver the Work Life Balance Strategy and to develop a whole of government policy to support access to and uptake of quality part time work by a greater range of public sector employees.

The strategy offers consultation services and training and practical tools for human resource and industrial relations managers and employees. The strategy provides help to organisations to identify the factors that hinder the uptake of work life balance policies. It has also helped organisations to develop initiatives to address those barriers and set targets to achieve their implementation.

Continued services under Queensland legislation

The department continues to provide a number of significant Queensland specific industrial relations services including:

- safeguarding working children by ensuring that work does not interfere with their schooling and by preventing them from performing work that may be harmful to their health or safety or physical, mental, moral or social development
- ensuring the opportunity for businesses to operate on a level playing field through the regulation of trading hours
- managing the appointment of public holidays, show holidays and special holidays
- regulating private employment agencies
- providing help to individuals who served Australia in its defence forces, or their spouses, or organisations which support these persons by distributing funds from the Anzac Day Trust
- protecting the long service leave benefits of those employees within the building and construction and contract cleaning industries who work for many employers, through managing the Portable Long Service Leave Scheme
- continuing to protect the workplace rights of local government and public sector employees under industrial relations powers retained in the *Industrial Relations Act 1999*.

Workplace partnership and productivity

Research has found a high correlation between high performing or productive workplaces and high levels of employee involvement.

In response to this research, the department developed the Workplace Partnership and Productivity pilot project in collaboration with the Department of Education and Training and the Department of Employment, Economic Development and Innovation.

The pilot trials interventions in the manufacturing sector that can be disseminated into other industry settings.

The pilot project was launched in August 2009, is jointly funded by the three collaborating government departments and is managed by a tripartite committee with representatives from unions, industry bodies as well as all involved government departments.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Audits conducted ²	5 383	7 373	7 461	7 500	3 500	3 728
Clients assisted through telephone and internet information services ³	1 372 654	1 735 195	1 746 224	1 500 000	--	1 008 239
Clients assisted regarding complexities of commonwealth industrial relations legislation	16 829	19 392	22 628	20 000	18 500	17 424
Level of client satisfaction with compliance services ⁴	--	79%	--	>70%	--	n/a
Level of satisfaction with information services ⁴	--	80%	--	>70%	--	n/a
Percentage of Wageline telephone enquiries answered within 20 seconds ³	--	>80%	86.25%	>80%	85.84%	85.84%
Cost of compliance services per private sector worker covered by the Queensland industrial relations system ⁵	--	--	\$20.55	\$21.60	Amended measure	\$18.20
Notes						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						
2 State audits reduced with commonwealth audits being conducted under the new commonwealth compliance contract to deliver services for the Commonwealth Fair Work Ombudsman from 1 January 2010.						
3 Wageline was disbanded on 1 January 2010 with the transfer of private sector industrial relations to the commonwealth jurisdiction. The actual statistics are in respect to 1 July 2009 to 31 December 2009.						
4 Surveys were not conducted in 2009–2010 because of the transfer of private sector industrial relations to the commonwealth jurisdiction.						
5 Measure was amended to 'Cost of compliance and information services per private sector worker covered by the Queensland industrial relations system'. As such, no 2009–10 estimated actual was calculated.						

Output 7 – Public Sector Industrial and Employee Relations Services

These output services were delivered through:

- Public Sector Industrial and Employee Relations.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- human rights are upheld and protected
- communities and citizens exercise their legal rights and obligations within a justice and regulatory system recognised for its integrity and independence
- stakeholder groups and their representatives engage in the development of policy and service delivery
- regulation and service delivery supports productivity balanced with social justice.

The output also contributed to the following *Toward Q2: Tomorrow's Queensland* ambitions:

- Strong – Creating a diverse economy powered by bright ideas
- Fair – Supporting safe and caring communities
- Healthy – Making Queenslanders Australia's healthiest people.

Year in review

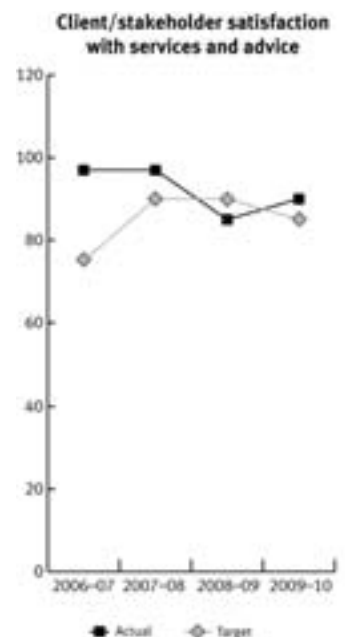
Public Sector Industrial and Employee Relations (PSIER) provides industrial and employee relations strategy, policy and advice to the Queensland Government as an employer to promote cooperative and productive workplaces and ensure the Queensland Government remains an employer of choice.

Queensland Government wages policy and enterprise bargaining

Wages policy

During the 2009–10 state budget process, the public sector wages policy was revised to provide annual wage increases of 2.5 per cent per annum for public sector employees, until such time as the Queensland budget returns to surplus.

A separate Government Owned Corporations (GOCs) Wages Policy was developed and implemented from 1 January 2010, providing base wage increases of 2.5 per cent annually, as well as additional wage increases of up to 1 per cent annually and access to off-wages payments of up to 0.5 per cent, both of which must be funded by productivity savings.



Enterprise bargaining

During 2009–10, PSIER assisted in the negotiation of a number of enterprise agreements for public sector agencies, entities and GOCs including:

- Queensland Health - salaried doctors
- Queensland Health - nurses
- Department of Education and Training - teachers
- Queensland Fire and Rescue Service
- Queensland Corrective Services
- CS Energy corporate office
- SunWater
- Gladstone Ports
- Ports Corporation of Queensland.

Restructure of the Government's asset portfolio

In June 2009 the Queensland Government announced a Renewing Queensland Plan restructuring the Queensland Government's asset portfolio to assist the state's economic balance and recovery.

The department has worked extensively with Forestry Plantations Queensland, QR Limited, Port of Brisbane Corporation Limited, Queensland Motorways Limited and unions to deliver the Government's guarantees and ensure that, for all affected employees, the terms and conditions of their current enterprise agreements and job security will continue for an agreed period after the sales have been completed.

Workplace Consulting Queensland

Workplace Consulting Queensland (WCQ) is a commercialised business unit within the department that provided 75 individual professional consultancy services and training programs during 2009–10 to government agencies and entities across Queensland on a fee-for-service basis.

In 2010–11, WCQ will continue to support government agencies and entities by expanding its training and development program including a focus on building public sector capability in regional Queensland in relation to performance management, industrial relations and job evaluation.

Increasing the number of volunteers

The Special Leave Directive was amended to encourage public sector employees to contribute to their communities as volunteers. Registered volunteers in the public sector are eligible to access five days leave for attendance at incidents and natural disasters.

Public sector employees who are members of the State Emergency Service, voluntary members of a local fire fighting unit, members of a Rural Fire Brigade, auxiliary of a Fire Brigade, Honorary Ambulance Officers or St. John Ambulance volunteers or any other emergency service volunteers are granted leave when called out for emergencies or to fight fires.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Employee relations policy projects completed	--	--	17	22	22	22
Client/stakeholder satisfaction with the services and advice provided on public sector IR	97%	97%	85%	85-90%	90%	90%
Client/stakeholder satisfaction in implementing Government wages policy	95%	88%	68%	>75%	93%	93%
Cost of Public Sector Industrial and Employee Relations service per Queensland public sector worker	--	--	\$14	\$14	\$15	\$15
Note						
1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.						

Output 8 – Administration of the Industrial Court and Commission System

These output services were delivered through:

- Queensland Industrial Court and Commission.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- human rights are upheld and protected
- communities and citizens exercise their legal rights and obligations within a justice and regulatory system recognised for its integrity and independence
- stakeholder groups and their representatives engage in the development of policy and service delivery
- regulation and service delivery supports productivity balanced with social justice.

The output also contributed to the following *Toward Q2: Tomorrow's Queensland* ambitions:

- Strong – Creating a diverse economy powered by bright ideas
- Fair – Supporting safe and caring communities.

Year in review

The Industrial Court of Queensland, the Queensland Industrial Relations Commission (QIRC) and the Industrial Registry operate under the *Industrial Relations Act 1999*.

The QIRC provides an independent conciliation and arbitration service for awards, agreements, prevention and settlement of industrial disputes and related matters, unfair dismissals and wage recovery matters. The Industrial Court's predominate purpose is to hear and determine appeals from decisions of the Commission and industrial magistrates.

While the referral of powers to regulate the employment relationships of the private sector employers and employees to the Commonwealth has seen a reduction in the number of matters filed with the QIRC, the tribunal has retained powers to hear matters arising under 17 different pieces of Queensland legislation such as *Trading (Allowable Hours) Act 1990* and the *Workplace Health and Safety Act 1995*.

The QIRC has undertaken the following activities during 2009–10:

- commenced a review of the 320 state awards with a view to deleting any provisions relating to constitutional corporations or other employers now covered by the national system
- declared a wage adjustment (with effect 1 September 2009) of \$16.20 per week increase in award rates of pay, an increase in work-related allowances by 2.5 per cent, and an increase in the minimum wage to \$568.20 per week for all full-time employees

- dealt with applications involving detailed submissions from concerned parties and onsite inspections for extended trading for numerous areas throughout Queensland
- heard 129 appeals against Q-COMP review decisions.

Comparison to other jurisdictions

The Queensland Industrial Registry benchmarks its business processes and service delivery with other state industrial tribunals regularly and biannually at a minimum.

Improved business processes introduced in the reporting period include officially publishing decisions on the QIRC website, the 2010 review of awards and engagement with employer and employee organisations.

Further Information

Further information on the activities of the Industrial Court of Queensland and the QIRC will be available in the 2009–10 annual report to be published by the President of the Industrial Court of Queensland.

Performance against targets

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Number of matters received ²	--	--	1 806	1 400	1 400	1 776
Percentage of matters completed within three months ³	80%	79%	87%	75%	75%	80%
Level of client satisfaction with registry services ⁴	92%	93%	--	85%	85%	95%
Percentage of matters resolved at conference ⁵	--	--	80%	75%	70%	74%
Percentage of matters lodged that are processed and available to members within one working day	--	--	97%	90%	90%	97%
Percentage of decisions released to the parties within one working day	--	--	100%	95%	95%	100%
Percentage of decisions that are published and available to the community within 13 working days ⁶	--	--	100%	95%	95%	100%
Cost of QIRC and registry services per worker covered by the Queensland industrial relations legislation	--	--	\$8.55	\$8.00	\$8.50	\$8.34

Notes

- 1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.
- 2 A higher than normal number of applications were received in the first and second quarter (particularly certified agreements).
- 3 The Commission has been able to achieve a higher completion rate though a reduction in matters filed that go to hearing (other than QComp matters).
- 4 A smaller survey was conducted as a result of private sector referral to the Commonwealth Government.
- 5 It appears that cases are becoming more complex and parties less willing to resolve at conference.
- 6 A revised publishing process, including web publishing in lieu of the Queensland Government Industrial Gazette, has improved this performance measure.

Output 9 – Workplace Health and Safety Services (including Workers’ Compensation Policy)

These output services were delivered through:

- Workplace Health and Safety Queensland.

Strategic Alignment

This output contributed to the following departmental strategic objectives:

- human rights are upheld and protected
- communities and citizens exercise their legal rights and obligations within a justice and regulatory system recognised for its integrity and independence
- stakeholder groups and their representatives engage in the development of policy and service delivery
- regulation and service delivery supports productivity balanced with social justice.

The output also contributed to the following *Toward Q2: Tomorrow’s Queensland* ambitions:

- Strong – Creating a diverse economy powered by bright ideas
- Fair – Supporting safe and caring communities
- Healthy – Making Queenslanders Australia’s healthiest people.

Year in review

Workplace Health and Safety Queensland (WHSQ) operates under the *Workplace Health and Safety Act 1995* and the *Dangerous Goods Safety Management Act 2001* to improve occupational health and safety in Queensland workplaces.

During 2009–10, the division continued to work in partnership with the Australian Government and other states to achieve nationally harmonised occupational health and safety laws as part of the COAG national partnership agreement to deliver a seamless national economy.

Improving workplace health and safety legislation and policy

Legislative amendments

The Workers’ Compensation and Rehabilitation and Other Legislation Amendment Bill 2010 was passed by the Queensland Parliament on 9 June 2010 and most provisions commenced on 1 July 2010. The amendments align common law claims under the *Workers’ Compensation and Rehabilitation Act 2003* with those brought under the *Civil Liability Act 2003* in terms of liability, contributory negligence and caps on damages.

While the average workers' compensation premium rate has increased from \$1.15 to \$1.30, Queensland employers still enjoy the lowest average premiums rate of any state.

The *Workplace Health and Safety Act 1995* was also amended to provide that no provision of the Act creates a civil cause of action based on a contravention of the provision. This resulted from a court decision of *Bourk v Power Serve Pty Ltd & Anor* [2008] QCA 225, which created a perception that strict liability attaches to an employer if a work injury occurs, regardless of fault.

Codes of Practice and Regulation

Two codes of practice for the recreational diving and the recreational technical diving industry sectors were reviewed and replaced with a single new standard, the *Recreational Diving, Recreational Technical Diving and Snorkelling Code of Practice 2010*. The revised code addresses increased supervision requirements for resort divers, the provision of defibrillators on appropriate vessels, and solo diving.

The *Scaffolding Code of Practice 2009* introduced new safety standards for the design, installation and use of swing-stage scaffolding. The code provides practical advice about safe erection, use, maintenance, alteration and dismantling of scaffolding.

On 25 June 2010, the *Workplace Health and Safety Regulation 2008* and the *Dangerous Goods Safety Management Regulation 2001* were amended to recognise the labelling of chemicals in accordance with the Globally Harmonised System of Classification and Labelling of Chemicals (GHS).

Asbestos safety

WHSQ has established an interagency Asbestos Group to achieve a more coordinated and systematic approach to the management and control of asbestos in Queensland. A number of state government agencies and local government have responsibilities for the administration of asbestos-related legislation. Other participating agencies in the Asbestos Group are Queensland Health, the Department of Environment and Resource Management, the Department of Public Works, the Department of Infrastructure and Planning and the Local Government Association of Queensland.

Workplace health and safety information

Programs for medium and small businesses

WSHQ launched a new program to help medium-sized businesses improve workplace health and safety. While this sector of the economy employs 18 per cent of workers, it accounts for more than 30 per cent of all workers' compensation claims. This year representatives from approximately 2 013 businesses attended 73 information sessions. A further 242 businesses indicated interest in a more tailored advisory service where a WHSQ expert provides business-specific guidance on health and safety issues.

The Small Business Program continued to provide practical workplace health and safety assistance through regionally-based small business advisors. The program's grants scheme focussed on projects targeting musculoskeletal and worker health interventions and programs with the broadest potential reach into industry.

Targeted programs

Outdoor Worker Health

WHSQ is leading the Outdoor Worker Health Taskforce established to improve healthy behaviours in outdoor workers. This work contributes to the Queensland Government's *Toward Q2* target of cutting by one-third obesity, smoking, heavy drinking.

Awareness and Engagement Officers

WHSQ's Awareness and Engagement Officers help to promote a positive workplace health and safety culture in the community. These officers manage the communication tasks associated with events, campaigns and consultation with key stakeholders. Their role can include developing safety alerts, writing advertising copy or web content, publishing information guidance materials, managing e-registration for workshops or planning for the logistics of undertaking a tradeshow event.

Major projects in 2009–10 include:

- Safe Work Australia Week
- Zero Harm at Work Leadership Program
- Work Safe Awards
- Workplace Health and Safety's website redevelopment project.



Zero harm at work

WHSQ established the *Zero Harm at Work Leadership Program* to build a positive safety culture to reduce the number and seriousness of workplace health and safety incidents in Queensland. During 2009–10, 95 of Queensland's largest employers, industry associations and unions committed to the program.

Workplace safety for Aboriginal and Torres Strait Islander communities

In 2009–10, a new program to improve health and safety outcomes for Aboriginal and Torres Strait Islander communities commenced. The program provides construction induction safety training, workplace health and safety officer and representative training and advanced accredited training for prescribed high risk occupations.

Quad bike safety

In October 2009, WHSQ cochaired the National Quad Bike Working Group to develop strategies to reduce the high rate of fatalities and incidents related to the use of quad bikes in the agricultural sector. Strategy areas included developing a national training and instruction framework,

promoting appropriate personal protection equipment, and design safety.

Information and advice

WHSQ inspectors provide information and advice in workplaces to prevent injury and disease.

As at 30 June 2010, the following information services were provided:

- 119 882 telephone enquiries
- 5 517 email information services
- 1 333 649 website visits.

Workplace health and safety compliance

Inspectors issued a total of 12 371 enforcement notices during 2009–10. A total of 1 052 investigations were conducted, of which 948 were investigations into incidents that caused death, grievous bodily harm or bodily harm (the majority of these incidents involved slips, trips and falls or being hit by moving objects). Inspectors contributed to a range of compliance programs: 6 national audits, 28 statewide audits and 55 regionally-specific initiatives.

Of the 117 prosecutions completed by WHSQ, 91 were successful resulting in over \$3.9 million in fines.

Fourteen enforceable undertakings were accepted in 2009–10 and are estimated to have contributed over \$2 million in value toward improving health and safety in Queensland workplaces.

Summaries about successful prosecutions and enforceable undertakings accepted during the year were published on the department's website.

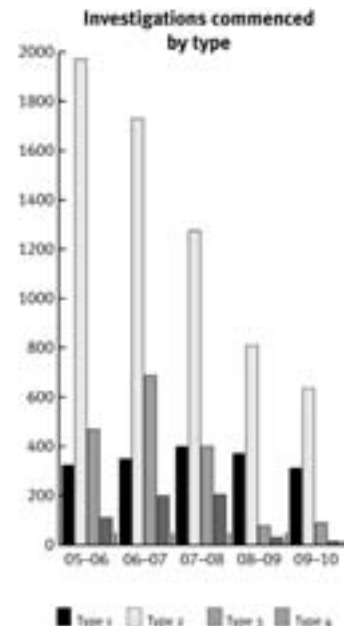
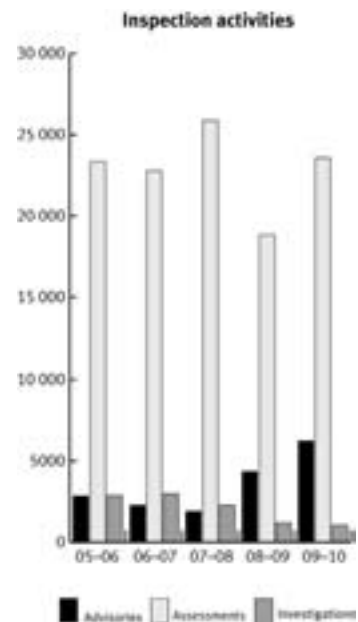
Inspection activity

WHSQ inspectors undertook three types of field activities:

- *advisory* - an educational or industry information activity undertaken by a small business advisor or an inspector
- *assessment* - an activity undertaken where compliance against legislation is measured by an Inspector, where the visit to the workplace was prompted as a part of a pro-active program or as a response to a happening at a workplace (an event) with a lower level of risk or lower level injury outcome
- *investigation* - the process followed to determine causes of incidents (events) or to verify the validity of complaints about health and safety conditions, and to take appropriate enforcement action so as to prevent a recurrence of the event.

Investigation activities are further categorised by types:

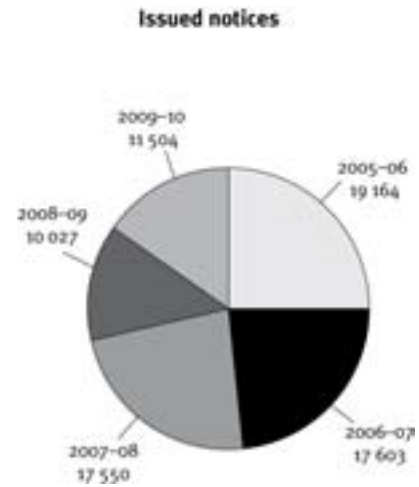
- Type 1 – death and grievous bodily harm
- Type 2 – serious bodily injuries, other bodily injuries and dangerous events
- Type 3 – complaints involving significant risks
- Type 4 – other complaints.



Enforcement notices

Enforcement notices are notices issued by WHSQ inspectors under the *Workplace Health and Safety Act 1995*, the *Electrical Safety Act 2002* and the *Dangerous Goods Safety Management Act 2001* which includes prohibition, improvement and infringement notices but also includes directives issued under the *Dangerous Goods Safety Management Act 2001* and Electrical Safety Protection notices under the *Electrical Safety Act 2002*.

Electrical Safety Protection notices are issued by an inspector where circumstances have arisen at a place that cause or are likely to cause an immediate electrical risk to persons or property.



Comparison to other jurisdictions

Queensland recorded a 10.7 per cent reduction in the incidence rate of injury and musculoskeletal claims between the base period (2000-01 to 2002-03) and 2008-09. This rate of reduction is below the rate required to meet the *National OHS Strategy 2002-2012* target of a 40 per cent reduction in injury by 2012. The Australian average reduction for the same period was 20.5 per cent. So far, only one jurisdiction (South Australia) has achieved the required rate of improvement.

Performance against targets

Performance Measures	2006-07 Actual	2007-08 Actual	2008-09 Actual	2009-10 Target / est	2009-10 Est actual ¹	2009-10 Actual
Statewide compliance campaign implemented	96%	100%	100%	100%	100%	97.3%
Percentage of improved compliance within a target industry (or specific workplace health and safety hazard) ²	39%	0%	0.05%	10%	NA	6.75%
Percentage of successful prosecutions	82%	86%	90%	85%	85%	88%
Client satisfaction by workplaces with the inspectorate's effectiveness and professionalism	--	--	--	75-80%	89.3%	87.5%
Percentage of gazetted major hazard facilities with comprehensive verification audit completed per year	--	--	21%	20%	20%	20%
Percentage of gazetted major hazard facilities with at least one site assessment completed per year	--	--	97%	90%	90%	90%
Percentage of gazetted major hazard facilities with desktop assessment completed per year	--	--	21%	20%	20%	19%

Our performance

Performance Measures	2006–07 Actual	2007–08 Actual	2008–09 Actual	2009–10 Target / est	2009–10 Est actual ¹	2009–10 Actual
Prosecution matters actioned within nine months of incident ³	70%	60%	50%	70–80%	50%	47%
Investigations finalised within six months ⁴	--	--	64%	70–80%	63%	75%
Percentage of national standards and codes implemented within agreed timelines	--	--	n/a	100%	100%	100%
Cost of compliance and enforcement services per worker covered by the workers' compensation scheme	--	--	\$23.57	\$22.21	\$22.21	\$22.21
Cost of information, education and awareness services per worker covered by the workers' compensation scheme	--	--	\$2.46	\$3.41	\$3.41	\$3.41
Notes						
<p>1 Estimated actual information is the performance information as published in the State Budget Service Delivery Statements in June 2010. It is a forecast or estimate made in April and based on data available as at 31 March. Therefore, it may vary from the final figures for the 2009-10 year.</p> <p>2 This measure has been discontinued and as such no percentage has been calculated for 2009–10 Estimated Actual.</p> <p>3 Since this measure was established, an increasing number of incidents are becoming more complex and subject to comprehensive investigation. This resulted in a declining number of prosecution matters being actioned within the timeframe making the measure no longer realistic. The measure has been discontinued.</p> <p>4 The estimated actual figure was underestimated due to lower than expected results in 2008-09 impacting on the forecast for 2009-10.</p>						



Richlands Magistrates Court

Managing our business

Our people

During 2009–10, the department employed 3 470 full time equivalent (FTE) staff. Through these valuable staff, the department drives performance and delivers effective services to the community.

Output	Actual FTE 30 June 2010
Court and Tribunal Services	1 778
Policy, Legislation and Legal Services	319
Community Justice Services	250
Human Rights Protection Services	170
Private Sector Industrial Relations Services	191
Administration of the Industrial Court and Commission System	34
Public Sector Industrial and Employee Relations Services	38
Workplace Health and Safety Services (including Workers' Compensation Policy)	586
Electrical Safety Services	104
Total	3 470

During 2009–10, the department retained 94 per cent of its permanent employees and 4.83 per cent of permanent employees separated from the public service.

Engagement with the community

Communication of government services is essential to keep the community informed on matters such as:

- the operations of the justice and industrial relations systems
- cases before the courts
- important safety warnings and the status of workplace health and safety investigations
- knowing where to access dispute resolution and Justice of the Peace services.

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.

As at 30 June 2010, the department employed 18.4 FTE staff whose functions relate to media and public relations.

Achievements

- The successful implementation of Victim Assist Queensland was informed by ongoing consultation with key community, non-government and government stakeholders who provide services to and/or represent victims of crime across Queensland. This included the Director-General chairing an inter-departmental working group and an external community reference group, both of which met quarterly throughout 2009 to inform the implementation.

- The department consulted widely on a discussion paper released as part of a review of the *Domestic and Family Violence Protection Act 1989* and on the Neighbourhood Dispute Resolution Bill.
- An amendment to the *Electrical Safety Act 2002* introduced a legislative authority for the Minister to issue a recall order to compel a stated designer, manufacturer or importer to recall and make-safe faulty electrical equipment. Consultation on this amendment was undertaken with the Electrical Safety Board and its committees, whose members represent employers, workers and the community.
- The *Workers' Compensation and Rehabilitation and Other Legislation Amendment Act 2010* was informed by written submissions received from the discussion paper *The Queensland Workers' Compensation Scheme: Ensuring Sustainability and Fairness*, as well as four meetings of a Stakeholder Reference Group chaired by the Attorney-General and Minister for Industrial Relations.
- A forum was held for chief executive officers, human resource directors from all public sector agencies and a selection of private sector agencies to promote the Work Life Balance Strategy.
- An industrial relations forum for GOCs was held in February 2009 to assist in implementing the 2010 GOCs Wages Policy and encourage GOCs to provide arrangements that enhance work life balance.

Law Week 2010

Law Week is the annual flagship event for the Department of Justice and Attorney-General and aims to raise awareness of the law, the justice system and the legal profession in Queensland.

This year, Law Week ran from 17–22 May 2010. Events were held across Queensland with courthouse open days, mock trials, presentations, displays, demonstrations and online resources helping to raise awareness of the justice system and services available in Queensland communities. The department worked with several partner agencies to coordinate Law Week, including:

- the Queensland Law Society,
- Legal Aid Queensland,
- the Queensland Bar Association,
- the Public Trustee, and
- Queensland Corrective Services.

The Brisbane Magistrates Court Open Day on Saturday 22 May 2010 was the focus of south east Queensland events with more than 700 people enjoying courthouse tours, mock trials, displays, demonstrations and information sessions.

Regional courthouses embraced the 2010 topic 'Law and justice in your community', with a range of activities profiling local services and information in areas including Ipswich, Gladstone, Gympie, Sarina, Mackay, Maroochydore, Mount Isa, Rockhampton and Townsville.



Workforce capability and planning

Strengthening workforce capability and planning have been key activities within the department to support service delivery to the community. This incorporates employee performance, management development and strategic workforce planning.

Achievements

- developed and rolled out a program for individual staff effectiveness planning to assist identifying strengths and areas for professional development based on employee and business goals
- delivered management development programs including leadership and development, practical people management and maximising staff effectiveness workshops
- developed and rolled out a new recruitment and selection framework, which encourages work life balance and fair and robust selection processes
- implemented a new face to face corporate orientation program
- delivered corporate training programs to staff on key topics including cross cultural awareness
- developed an integrated workforce planning framework
- reviewed and consolidated 40 key workforce policies in the department including hours of work, performance management and conflict of interest.

Future actions

- design an integrated program of management development.

Work life balance

The department has supported initiatives throughout the year to promote the uptake of work life balance options.

Achievements

- surveyed staff to understand barriers to the uptake of work life balance initiatives
- established a working group to review and promote work life balance strategies
- reviewed work life balance policies including flexible working hours and telecommuting
- encouraged flexible working options, for example the department has increased part-time employment by 5.5 per cent
- promoted telecommuting options with up to 973 employees having remote access to the department's IT systems
- changed recruitment and selection processes to promote work life balance options
- conducted training sessions for managers on the benefits of work life balance.

Future actions

- implement recommendations of the work life balance working group
- increase visibility and promotion of work life balance.

Health and wellbeing

Employee health and wellbeing is recognised as a driver of productivity, workforce attraction and retention.

Achievements

- completed a comprehensive overhaul of the workplace health and safety framework, including stronger central governance and computerised case management systems
- conducted staff health programs including, influenza vaccinations, health assessments, exercise challenges and skin checks for field staff
- introduced a healthy and active lifestyle events policy which provides a subsidy for employees to participate in community health and fitness events, such as charity fun runs
- negotiated staff discounts with health insurance funds
- promoted healthy lifestyles through the intranet and other communication.

Diversity

Aboriginal and Torres Strait Islander

To contribute to the priorities outlined in the *Queensland Government Reconciliation Action Plan 2009–12*, the department has developed the *2009–12 Reconciliation Action Plan* and the *2009–12 Aboriginal and Torres Strait Islander Employment Action Plan*.

These action plans are available at www.justice.qld.gov.au/corporate/general-publications.

Achievements

- developed and conducted a specialised recruitment process that employed Aboriginal and Torres Strait Islander trainees
- promoted and provided Aboriginal and Torres Strait Islander awareness training for our frontline staff
- promoted development and leadership programs and accredited courses for Aboriginal and Torres Strait Islander staff
- established a peer support network and mentor program for Aboriginal and Torres Strait Islander staff
- participated in NAIDOC week activities, including flag raising ceremony at the Brisbane Magistrates Court and Musgrave Park family activities
- hosted a Murri Court Elders lunch.

Future actions

- undertake specialised recruitment processes to attract Aboriginal and Torres Strait Islander applicants including a targeted recruitment campaign to increase the number of Indigenous mediators
- increase the number of Aboriginal and Torres Strait Islander school based and full time trainees
- revise and promote the department's Aboriginal and Torres Strait Islander cultural leave policy
- establish a Aboriginal and Torres Strait Islander staff awards.

People from multicultural backgrounds

The department's *2009–12 Multicultural Action Plan* (MAP) has been designed to improve service delivery to the community and to provide a more representative workforce.

The MAP is available at www.justice.qld.gov.au/corporate/general-publications.

Achievements

- developed a Language Service Policy and poster for clients accessing departmental services
- developed and conducted specialised recruitment processes for culturally and linguistically diverse (CALD) communities and successfully placed seven applicants in the department
- incorporated a diversity component into the department's corporate orientation program and manager's information sessions
- delivered cross cultural awareness training to 178 service delivery staff
- engaged with multicultural organisations in Queensland on recruitment strategies for CALD communities.

Future actions

- develop an online training course on cross cultural awareness
- expand specialised recruitment campaigns and strengthen collaborations with CALD communities.

People with disabilities

The department's *2007–10 Disability Service Plan* (DSP) ensures that all Queenslanders have equal access to the department's services and employment and development opportunities within the department.

A copy of the DSP can be found on the department's website at www.justice.qld.gov.au/corporate/general-publications.

Achievements

- continued the Special Circumstances Court Diversion Program to address the over-representation in the justice system of people with complex needs, such as mental illness, intellectual disability, cognitive impairment, or who are homeless or at risk of homelessness
- through the Adult Guardian developed and delivered a communication strategy on the key services offered by the Office of the Adult Guardian, the Guardianship and Administration Tribunal (now part of QCAT), Office of the Public Advocate and the Public Trustee
- ensured that the planning, construction and upgrading of the Ipswich and Pine Rivers Courthouses allowed for better access for people with disabilities
- embedded reasonable adjustment processes in the recruitment and selection framework.

Future actions

- develop educational resources to assist managers to work with staff with disabilities
- ensure all new government buildings constructed by the department have suitable access for people with disabilities.

Carers

The department recognises the effort and dedication of carers in our community. Carers provide a vital service to those they care for and the department has a number of actions and strategies to support them in their roles.

Achievements that address the *Carers (Recognition) Act 2008*

- conducted free Planning for Life forums across Queensland which provided tools and assistance to the community, including carers (*Carers (Recognition) Act 2008* s 9(1)(b))
- QLRC reviewed aspects of the *Guardianship and Administration Act 2000* and the *Powers of Attorney Act 1998* and sought consultation from the community on:
 - whether the definition of "unpaid carers" should be changed to reflect someone who regularly provides or arranges domestic services and support for an adult
 - whether the definition of "paid carer" adversely affects individuals providing care to close relatives who are caught by that definition (*Carers (Recognition) Act 2008* s 9(2))
- recognised the importance of the views and needs of carers in decision making processes by requiring QCAT to notify primary carers when some applications are filed under the *Guardianship and Administration Act 2000* and *Disability Services Act 2006* (*Carers (Recognition) Act 2008* s 9(1)(b))
- ensured the department's policies provide flexible work arrangements to assist carers to meet their commitments, including part time work, telecommuting, hours of work and purchased leave (*Carers (Recognition) Act 2008* s 9(1)(b))
- redesigned and launched the department's website to make information and services more accessible by all Queenslanders, including carers (*Carers (Recognition) Act 2008* s 9(1)(b))
- ensured an easily accessible complaints section on the department's website and published the department's complaints management policy and procedures. (*Carers (Recognition) Act 2008* s 9(1)(b))

Future actions

The department will fully address the requirements of section 9 of the *Carers (Recognition) Act 2008* in 2010-11 by raising staff awareness of the Carers Charter and implementing relevant strategies, including actions developed through the department's Disability Services Plan.

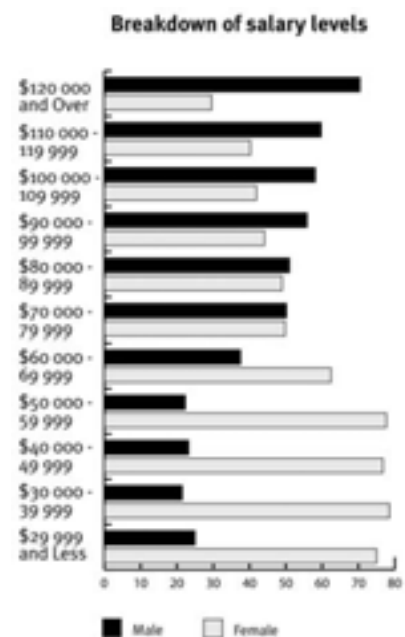
Women

The department provides flexible working options, management development and career opportunities for women.

The graph provides a breakdown of salary levels by gender at 30 June 2010.

Achievements

- promoted work life balance strategies, including part-time work, which can assist women returning to the workforce
- seventy-four women in the department completed the Public Service Commission's *Inspiring Women* program to build personal and professional skills



- celebrated International Women's Day with a staff function where women from the agency spoke about their personal and career development.

Percentage of women on boards and statutory authorities

Board or statutory authority	As at 30 June 2010			New members 1/7/09 – 30/6/10		
	Total no. of members	No. of females	% females	No. of new members	No. of females	% females
Adult Guardian	1	1	100	0	0	0
Anti-Discrimination Commission	1	1	100	1*	1	100
Appeal Costs Board	3	2	66.67	0	0	0
Building and Construction Industry (Portable Long Service Leave) Authority Board (QLeave)	8	1	12.5	0	0	0
Contract Cleaning Industry (Portable Long Service Leave) Authority Board	6	3	50	0	0	0
Council of the Queensland Law Society Incorporated	13	5	38.46	6	4	66.67
Crime and Misconduct Commission - Chairperson and part-time Commissioners	5	2	40	1	0	0
Crime and Misconduct Commission - Assistant Commissioners	2	0	0	1	0	0
Crime and Misconduct Commission - Crime Reference Committee	2	2	100	0	0	0
Criminal Organisation Public Interest Monitor	1	0	0	1	0	0
Director and Deputy Director of Public Prosecutions	1	0	0	0	0	0
Dispute Resolution Centres Council	5	1	20	0	0	0
Electoral Commission of Queensland	1	0	0	0	0	0
Electrical Licensing Committee	5	2	40	0	0	0
Electrical Safety Board	8	3	37.5	0	0	0
Industrial Relations Commission	8	4	50	0	0	0

Board or statutory authority	As at 30 June 2010			New members 1/7/09 – 30/6/10		
	Total no. of members	No. of females	% females	No. of new members	No. of females	% females
Information Commissioner	1	1	100	1	1	100
Land Court	6	2	33.33	0	0	0
Land Tribunal (Aboriginal)	3	2	66.67	0	0	0
Land Tribunal (Torres Strait Islander)	1	1	100	0	0	0
Law Reform Commission	6	2	33.33	0	0	0
Legal Aid Board	5	2	40	0	0	0
Legal Aid Queensland - Chief Executive Officer	1	0	0	1	0	0
Legal Practice Committee	6	3	50	0	0	0
Legal Practice Tribunal - Panel Members	13	6	46.15	0	0	0
Legal Practitioners Admission Board	8	4	50	0	0	0
Legal Services Commission	1	0	0	0	0	0
Licensing Review Committee	5	2	40	0	0	0
Ombudsman	1	0	0	0	0	0
Professional Standards Council	1	1	100	1	1	100
Public Advocate	1	0	0	0	0	0
Public Interest Monitor	3	1	33.33	0	0	0
Public Trustee of Queensland	1	0	0	0	0	0
Public Trust Office Investment Board	4	1	25	1	1	100
Queensland Civil and Administrative Tribunal - President and Deputy President	2	1	50	2	1	50
Queensland Civil and Administrative Tribunal - Senior Members, Ordinary Members and Adjudicators	23	15	65.22	23	15	65.22

Board or statutory authority	As at 30 June 2010			New members 1/7/09 – 30/6/10		
	Total no. of members	No. of females	% females	No. of new members	No. of females	% females
Queensland Civil and Administrative Tribunal	119	65	54.62	119	65	54.62
Registrar-General (and Deputy) of Births Deaths and Marriages	2	1	50	0	0	0
Solicitor-General	1	0	0	0	0	0
Supreme Court Library Committee	13	2	15.38	4	0	0
Total	297	139	46.80	162	89	54.94

*Acting appointment only

Ethical Standards

The department has an Ethical Standards Unit that has policy responsibility for the code of conduct, whistleblowers protection, conflicts of interest and secondary employment. It provides advice and guidance to management and staff in relation to these areas and on ethical issues generally.

Achievements

- delivered 77 workplace ethics workshops to 1 297 staff
- developed a policy on reducing bias and conflict of interest in the recruitment and selection framework.

Future action

- develop the capacity of regional areas to identify and deal with complaints of misconduct in accordance with Crime and Misconduct Commission's devolution strategy.

Corporate Governance

The department's governance 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 of the department, the Director-General is supported in meeting his statutory responsibilities under the *Public Service Act 2008* and other relevant legislation by the expert advice and assistance of a board of management and five special purpose governance committees.

Board of Management

The Board of Management (BOM) meets on a monthly basis and provides leadership, direction and guidance to the department. The BOM has oversight of the department's governance and associated committee structure.

The BOM is responsible for:

- strategic planning, policy setting, risk management and resource allocation (including directing resources to high priority services)
- performance management and reporting
- providing effective and efficient service delivery
- ensuring that the department is responsive to changing community needs and government priorities
- coordinating with other government agencies (in particular within the Law, Justice, and Safety cluster) to deliver seamless government services and policy
- reviewing, monitoring and directing the department's governance committees.

Committee structure

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



Board of Management members (from left to right): Terry Ryan, Greg Cooper, Simon Blackwood, Jennifer Lang, Phil Clarke, Anthony Moynihan, Brett Walker and Peter Cook (BOM Observer). Absent: Barry Leahy

Board of Management

Phil Clarke, Acting Director-General

Phil was appointed Acting Director-General of the Department of Justice and Attorney-General in December 2009. He is the department's chief executive officer, responsible to the Premier and the Attorney-General and Minister for Industrial Relations. Phil was appointed as Deputy Director-General, Justice Services in the department in January 2009. Previously he was the Deputy Director-General, Strategy and Policy in the former Department of Local Government, (Planning), Sport and Recreation. Phil holds a Master of Regional Science, a Diploma of Teaching (Technical and Further Education) and a Bachelor of Applied Science (Surveying).



Terry Ryan, Acting Deputy Director-General, Justice Services



Acting as the Deputy Director-General of the department since January 2010, Terry is responsible for the justice services within the department. Previously Terry held the position of Assistant Director-General, Strategic Policy, Legal and Executive Services from April 2008; furthermore, he was the director of the department's Strategic Policy Unit since 2001. Terry joined the department in 1996 after a career as a social worker and lawyer in the private and public sectors. He is a member of the Australian Criminology Research Council and the Board of the Institute of

Criminology.

Barry Leahy, Associate Director-General, Office of Fair and Safe Work Queensland

Barry was appointed Associate Director-General, Office of Fair and Safe Work Queensland, Department of Justice and Attorney-General in February 2010. Formerly Barry was appointed as Deputy Director-General of the former Department of Employment and Industrial Relations (DEIR) in February 2005. Barry has worked in the public service for over thirty years in a number of senior positions in industrial relations and occupational health and safety, including the Chief Executive Officer of Comcare (the organisation responsible for workplace safety, rehabilitation and compensation in the Commonwealth jurisdiction). Barry holds a Bachelor of Economics.



Brett Walker, Acting Assistant Director-General, Corporate Services



Acting as the Assistant Director-General Corporate Services since May 2009, Brett is responsible for corporate services within the department. Brett was previously the Executive Director, Executive and Strategic Services in the former DEIR, a position he held since August 2005. During the past 10 years, Brett undertook a number of senior roles within the former DEIR and his experience in the public sector spans more than thirty years in a number of departments. He is a Fellow of CPA Australia.

Simon Blackwood, Executive Director, Workplace Health and Safety

Simon was appointed Executive Director, Workplace Health and Safety Queensland in December 2007 and previously was Executive Director, Private Sector Industrial Relations. He is highly experienced in the field of labour relations having spent more than twenty years working and studying in the area. He holds a PhD in labour relations and sociology from the University of Queensland.



Anthony Moynihan, SC, Director of Public Prosecutions



Anthony was appointed Director of Public Prosecutions on 23 June 2008. He was admitted to the Queensland Bar in 1991 and took silk in November 2006. Anthony practised at the private bar for five years before becoming a Crown Prosecutor with the Queensland Office of the Director of Public Prosecutions and subsequently was appointed Deputy Public Defender with Legal Aid Queensland in 1999. During his time as Deputy Public Defender, Anthony specialised in appellate work before the Court of Appeal and High Court. He was involved in teaching advocacy skills with the Australian Advocacy Institute and served on the Council at the Bar Association.

Jennifer Lang, Acting Assistant Director-General, Strategic Policy, Legal and Executive Services

Acting as the Assistant Director-General since January 2010 Jenny is responsible for strategic policy and legal and executive services in the department. Before this appointment Jenny was the Director of the Tribunals Review Project. This project amalgamated a range of Queensland Tribunals into one body, the Queensland Civil and Administrative Tribunal, which commenced on 1 December 2009. Jenny holds a Bachelor of Laws and before joining the Queensland public sector, worked as a lawyer in private practice for a number of years.



Greg Cooper, Crown Solicitor



Greg was appointed Crown Solicitor on 1 November 2008. The Crown Solicitor acts as the solicitor on the record for the state, and provides independent legal advice to the Premier, the Attorney-General, Ministers, Directors-General and departmental officers on matters of significance to the government. The Crown Solicitor is responsible for resolving conflict of interests when Crown Law is representing and setting the professional and ethical standards of the legal practice. Before Greg's appointment, he spent four years as Deputy Crown Solicitor of the Litigation Branch and six years as Crown Counsel. Greg has extensive expertise in the fields of constitutional and public law.

Audit and Risk Management Committee

Role and responsibilities

The role of the Audit and Risk Management Committee (ARMC) is to act as an independent advisory body to the Director-General to assist in the effective discharge of responsibilities prescribed in the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*.

ARMC operates under approved terms of reference which are developed in line with Queensland Treasury's Audit Committee Guidelines.

ARMC's key roles and responsibilities in 2009–10 included:

- assessing and contributing to the audit planning processes relating to the risks and exposures to the department, taking into account its performance management framework and the financial and operational environment in which it operates
- assessing and enhancing the department's governance, including its systems of internal control and the Internal Audit function
- ensuring the department's Internal Audit function meets the statutory requirements of Division 5 of the *Financial and Performance Management Standard 2009*
- reviewing and evaluating the Internal Audit Charter
- reviewing and evaluating the Internal Audit Annual and Strategic Plans
- facilitating the practical discharge of the Internal Audit function, particularly in respect of planning, monitoring and reporting
- overseeing and appraising the department's financial and operational reporting processes
- appraising the department's systems for risk management in terms of section 28 of the *Financial and Performance Management Standard 2009*.

Achievements

- reviewed and endorsed the *Annual Internal Audit Plan 2009–2010* and the *Strategic Internal Audit Plan 2009–2013*
- considered Internal Audit reports and other audit papers presented, including a review of the adequacy of management's implementation of audit recommendations
- reviewed and endorsed the department's annual financial statements for 2008–09 for signoff by the Director-General
- reviewed and endorsed the Risk Management Framework, including policies and procedures relevant to a range of risk management activities.

Committee membership

Under the terms of reference, ARMC membership is based on designated departmental positions. Several officers may have occupied a position and consequently participated as a member of ARMC during the year.

Standing membership of ARMC during 2009–10 comprised the following positions and officers:

Position	Officer
Standing Members	
Deputy Director-General, Justice Services (Chair)	Terry Ryan
Assistant Director-General, Corporate Services (Deputy Chair)	Brett Walker
Business Manager, Office of the Director of Public Prosecutions	Helen Kentrotis
Executive Director, Crown Law	Susan Mackie
Executive Director, Community Justice Services	David Mackie
Director, Information Technology Services	Ken Hunter
Executive Director, Electrical Safety Office	Peter Lamont
External Representative ¹	Michael Schafer

Position	Officer
Observers	
Executive Director, Financial Services	Peter Cook
Director, Corporate Governance	Alison Gardiner
Director, Internal Audit	Leon Smith
Director, Audit (Queensland Audit Office)	Jim Beh
Audit Manager (Queensland Audit Office)	Garry Madigan

¹ No remuneration was payable

Asset Management Committee

Role and responsibilities

The Asset Management Committee has been established by the BOM to clearly define the department's major and minor capital works program and set the asset management and strategic and operational direction for the agency, having regard to the department's financial obligations under the relevant legislation.

Responsibilities of the committee include:

- consideration of emerging issues and risks to determine the most appropriate response having regard to funding options
- reporting and making recommendations to the BOM for the good governance and management of the department's asset portfolio.

Committee membership

The Asset Management Committee is made up of senior executives and officers of the department. Current membership includes:

Position	Officer
Standing Members	
Deputy Director-General, Justice Services (Chair)	Terry Ryan
Assistant Director-General, Corporate Services (Deputy Chair)	Brett Walker
Executive Director, Financial Services	Peter Cook
Director, Property Services	Garry Robinson
Executive Director, Electrical Safety Office	Peter Lamont
Executive Director, Private Sector Industrial Relations	Julie Dahl
Director, Information Technology Services	Ken Hunter
Executive Director, Magistrates Courts	Paul Marschke
Observer	
Manager, Justice Facilities	Kevin Stone

Finance Committee

Role and responsibilities

The Finance Committee is responsible for:

- monitoring and reporting on the department's financial performance against departmental priorities and approved budgets
- formulating strategies for improving the department's financial position including approval and monitoring of departmental budget processes
- approving the annual departmental budget
- ensuring budget alignment with the department's Strategic Plan and priorities
- approving adjustments to budgets and resource reallocation (post-consultation with business units)
- overseeing annual Cabinet Budget Review Committee budget, mid-year review and annual deferral of funds position
- formulating strategies for improving the department's financial position
- reviewing the department's financial performance against priorities and approved budgets
- reviewing the department's Strategic Plan, Capital Investment Strategic Plan and Information Systems Management Plan prior to submission to the Minister
- directing the undertaking of specific financial analysis as/when required
- developing financial management strategy reflecting priorities, departmental outputs and outcomes independent of senior management resources allocation.

Committee membership

The Finance Committee is made up of senior executives and officers of the department. Current membership includes:

Position	Officer
Standing Members	
Associate Director-General, Fair and Safe Work Queensland (Chair)	Barry Leahy
Acting Director-General	Phil Clarke
Deputy Director-General, Justice Services (Deputy Chair)	Terry Ryan
Assistant Director-General, Corporate Services	Brett Walker
Assistant Director-General, Strategic Policy, Legal and Executive Services	Jenny Lang
Executive Director, Public Sector Industrial and Employee Relations	Paul Casey
Executive Director, Workplace Health and Safety Queensland	Simon Blackwood
Executive Director, Financial Services	Peter Cook
Business Manager, Office of the Director of Public Prosecutions	Helen Kentrotis
Executive Director, Community Justice Services	David Mackie

Position	Officer
Director, Information Technology Services	Ken Hunter
Assistant Director, Crown Law	Susan Mackie

Information Management Committee

Role and responsibilities

The role of the Information Management Committee is to ensure business priorities are translated into relevant investment decisions, distribute program funds in line with the BOM priorities and approve all information management (IM) and information and communication technology (ICT) investments in principle.

Responsibilities of the committee include:

- endorsement of the whole of department IM and ICT Strategic Plan
- approval of all IM and ICT related Cabinet Budget Review Committee submissions
- ensure strategic alignment of IM and ICT investment decisions with government and departmental priorities
- prioritise and approve IM and ICT programs and projects
- implement effective processes for the commissioning, management and governance of IM and ICT programs and projects
- maintain effective IM and ICT resource management
- implement effective IM and ICT risk management and performance improvement strategies
- ensure the department meets its obligations in accordance with Queensland Government policy.

Committee membership

The Information Management Committee is made up of departmental senior executives and officers including one member external to the department. Current membership includes:

Position	Officer
Standing Members	
Deputy Director-General (Justice Services) (Chair)	Terry Ryan
Assistant Director-General, Corporate Services (Deputy Chair)	Brett Walker
Director, Information Technology Services	Ken Hunter
Business Manager, Office of the Director of Public Prosecutions	Helen Kentrotis
Executive Director, Crown Law	Susan Mackie
Executive Director, Financial Services	Peter Cook
Executive Director, Supreme and District Courts	Julie Steel
Executive Director, Magistrates Courts	Paul Marschke
Executive Director, Private Sector Industrial Relations	Julie Dahl

Position	Officer
Executive Director, Workplace Health and Safety Queensland	Simon Blackwood
Director, Information Management, Department of Communities (external representative appointed on a two-year basis)	David Stephens
Observers	
Assistant Director, Information Technology Services	
Manager, Strategy and Program Office	
Director, Office of the Queensland Government CIO	

Workforce Management Committee

Role and responsibilities

The role of the Workforce Management Committee is to:

- guide the development of, prioritise, monitor and evaluate the effectiveness of the department's workforce management planning framework
- ensure resources adequately support the project/service expectations associated with the department's workforce management planning framework
- disseminate workforce management information across programs, divisions and regions
- provide a key forum within the department for discussion on state, national and international workforce management and organisational capability development trends
- ensure the department meets its human resource associated obligations under legislation, industrial instruments, directives and policies
- assist in the development and maintenance of a healthy workforce culture and organisational values.

Committee membership

Under its terms of reference, membership is based on designated departmental positions. Several officers may have occupied a position and consequently participated as a member of the committee during the year.

During 2009–10, the standing membership comprised the following positions and officers:

Position	Officer
Standing Members	
Associate Deputy Director-General, Office of Fair and Safe Work Queensland (Chair)	Barry Leahy
Assistant Director-General, Corporate Services (Deputy Chair)	Brett Walker
Executive Director, Human Resources and Governance	Duncan McKellar
Executive Director, Public Sector Industrial and Employee Relations	Paul Casey
Executive Director, Private Sector Industrial Relations	Julie Dahl
Executive Director, Magistrates Courts	Paul Marschke

Position	Officer
Director, Supreme and District Courts	Robyn Hill
Regional Director, Workplace Health and Safety, Brisbane North, Sunshine Coast	Julie Neilson
Regional Services Manager, South East Queensland	Sean Harvey
Observers	
Business Manager, Office of the Director of Public Prosecutions	Helen Kentrotis
Executive Manager, Crown Law	Belinda Bayliss

Risk management

The department's risk management framework is interwoven with business planning in the department.

Business area risk registers are used to develop a corporate risk profile for the department. This profile is reported to the ARMC quarterly and serves to identify risks across the department. Any relevant operational or financial risks are then escalated to the department's BOM if necessary.

Planning and performance management

Performance management framework overview

The department's planning and performance management framework is aligned with the Queensland Government Performance Management Framework, which works to ensure greater consistency in reporting by agencies.

Achievements

- redesigned the department's internal performance management and reporting framework to deliver a single quarterly report to the Board of Management
- improved business planning by conducting workshops for managers
- conducted workshops on risk management, planning and business continuity planning.

Internal Audit

Internal Audit forms an integral component of the corporate governance framework by conducting reviews of key financial, accounting, information management and performance management systems.

The independence of Internal Audit is maintained by reporting directly to the Director-General and the ARMC.

Internal Audit adheres to the approved Internal Audit Charter developed in accordance with the International Standards for the Professional Practice of Internal Auditing (Institute of Internal Auditors), and operates in line with Queensland Treasury's Audit Committee Guidelines.

Audit Output	Enhancement to Corporate Governance	2009–10 Performance / achievement
Financial/ compliance/ operational performance/ information systems	Delivery of annual and strategic plans monitoring and improving financial accountability, internal control processes and business practices within the Department	Conducted 45 audit reviews covering financial compliance, operational, project management and information systems. Obtained management acceptance of a high percentage of audit findings and recommendations targeted at improvements in processes. Received positive client feedback.
Project Review	Participation as an observer on various governance committees	Consulted on project steering committees for a number of key projects.
Advice on Risk Management	Review of the effectiveness of internal controls in mitigating risks	Conducted risk analysis for annual audit planning and specific audit engagements.
Peer review of Internal Audit	Peer review of Internal Audit conducted every 5 years as per IIA standards	Completed review in accordance with Institute of Internal Auditors International Standards for the Professional Practice of Internal Auditing, Standard 1312.

Queensland Audit Office reviews

In 2009–10, the Queensland Audit Office (QAO) conducted a number of performance management system audits and cross-sector audits which included coverage of the department.

The *Auditor-General Report to Parliament No.3 for 2010 - Administration of Magistrates Court Services in Queensland* detailed the results of a performance management system review of the administration of Magistrates Court services in Queensland. As a result of this report, the Queensland Courts Service Executive was established to improve strategic planning and direction and to provide a single point of guidance in the administration of Queensland Courts.

The *Auditor-General Report to Parliament No. 7 for 2010 – Information systems governance and control, including the Queensland Health Implementation of Continuity Project* detailed the results of a number of Information Technology Network Security audits across Government, including those that relate to the department. A whole of government strategy managed by the Queensland Government Chief Information Office, Department of Public Works, is being implemented to remedy the issues identified by QAO.

The *Auditor-General Report to Parliament No. 8 for 2010 – Results of Audits at 31 May 2010* detailed the results of a number of cross-sector audit reviews including Benefits Realisation Audit of the Integrated Justice Information Strategy Project.

The department’s capacity in project, program, and benefits management processes are continually being enhanced through the establishment of various governance committees to monitor project benefits.

Information systems and recordkeeping

The department keeps full and accurate records of its activities in accordance with the *Public Records Act 2002, Information Standard 40: Recordkeeping and Information and Standard 31: Retention and Disposal of Public Records*.

An electronic Document and Records Management System assists departmental officers to effectively manage administrative records. Several case management systems capture and manage the department's core business records.

Financial overview

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

	2009–10 \$M	2008–09 \$M
Income	\$476.118	\$397.260
Expenses	\$471.208	\$393.515
Operating Surplus / (Deficit)	\$4.910	\$3.745
Net Assets	\$917.195	\$824.723

During the 2009–10 financial year, the department received revenues totalling \$476.118 million and incurred expenses of \$471.208 million, a surplus of \$4.910 million. The primary source of revenue for the department is departmental service revenue funding by the Government in return for the services delivered by the department.

The departmental operating surplus of \$4.910 million primarily relates to the Registry of Birth, Deaths and Marriages and will be used to fund the digitisation of life event registrations project.

Net Assets of the department have grown by \$92.472 million during the financial year principally reflecting the ongoing construction of the \$600 million Brisbane Supreme and District Courts Building project and the completion of the Ipswich Courthouse.

Departmental Services

Funding is provided to assist the department to achieve a range of departmental services which underpin the Government's priorities.

The departmental services for 2009–10 were as follows:

- Court and Tribunal Services
- Human Rights Protection Services
- Policy, Legislation and Legal Services
- Community Justice Services
- Electrical Safety Services
- Private Sector Industrial Relations Services
- Public Sector Industrial and Employee Relations Services
- Administration of the Industrial Court and Commission System
- Workplace Health and Safety Services (including Workers' Compensation Policy).

Income

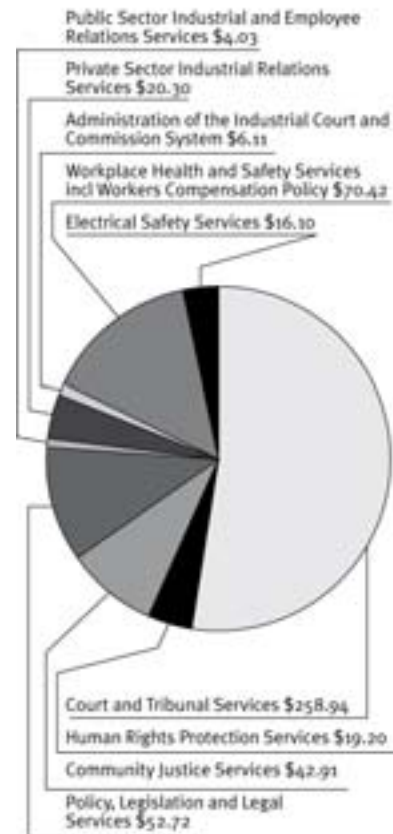
The primary funding for the department is supplied by government as departmental services revenue to enable the department to carry out its services.

Departmental services revenue is also referred to as Appropriation and totalled \$355.163 million or 74.60 per cent of total revenue, representing an increase of \$34.198 million on the previous year figure of \$320.965 million. The increase primarily reflects the first full year of departmental services revenue associated with the Office of Fair and Safe Work Queensland following machinery of government changes as per the *Public Service Departmental Arrangements Notice (No 2) 2009* that occurred with effect from 27 March 2009 and enterprise bargaining salary increases.

User charges revenue totalled \$53.331 million for the year and principally comprised of Crown Law professional services and the collection of fees for service in the Registry of Births, Deaths and Marriages.

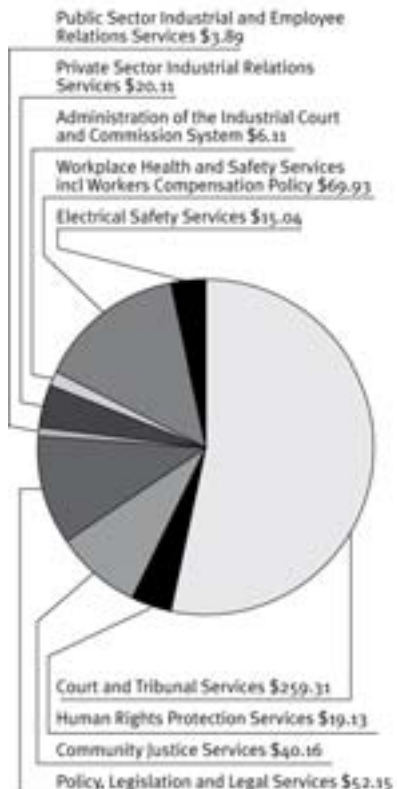
In addition a further \$66.470 million was received as Grants and Other Contributions that primarily reflects industry contributions for the services of the Electrical Safety Office and funding from the workers compensation scheme for the activities of Workplace Health and Safety Queensland.

2009–10 Income by Output in \$M



The above graph totals to \$490.730 million which does not agree to the total revenues of \$476.118 million noted in the summary table at the beginning of this snapshot due to internal eliminations.

2009–10 Expenses by Output in \$M



Expenses

Employee expenses are the amounts incurred with respect of employees and related salary on-costs such as superannuation and allowances. Employee expenses totalled \$291.085 million in 2009-10 and represents 61.8 per cent of total expenditure. The total 2009–10 expenses, including employee expenses reflect the first full year of operational costs associated with the Office of Fair and Safe Work Queensland following machinery of government changes as per the *Public Service Departmental Arrangements Notice (No 2) 2009* that occurred with effect from 27 March 2009 and enterprise bargaining salary increases.

Supplies and services are the costs incurred from third parties for the daily operation of the department during the financial year. The most significant item of expenditure in supplies and services costs continues to be reflected in the property tenancy and maintenance costs and reflects the significant property assets owned and maintained by the department.

The graph (left) totals \$485.830 million which does not agree to the total expenses of \$471.208 million noted in the summary table at the beginning of this snapshot due to internal eliminations.

Grants and subsidies totalled \$9.196 million in 2009–10 and principally represent grants provided for the Community Justice Groups, Safe Work Australia and the Anzac Day Trust.

Borrowing costs is the interest paid to Queensland Treasury Corporation on the funds borrowed for the construction of the Brisbane Magistrates Court Complex.

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

Capital expenditure overview

Capital expenditure of \$144.159 million was incurred during the year.

The most significant capital expenditure continued to be on the \$600 million Brisbane Supreme and District Court Building project. In addition work commenced on the expansion of the main arrest court and new courtrooms at the Southport Courthouse and the construction of the Ipswich Courthouse was completed. The department also continues to invest in the maintenance and renewal of its significant courthouse investment across the state.

Funds spent on plant and equipment includes court recording and videoconferencing, copiers, multi-function devices, letter inserting and folding machines, document scanners, electronic ticketing machines and other equipment.

The department continues to invest in software technology on a number of its core systems including the Queensland Wide Integrated Courts System (QWIC), Prosecutions Case Management Information System, and other systems to support the efficient and effective operation of the department's services.

Chief Financial Officer Statement

The introduction of the new *Financial Accountability Act 2009* has now formalised the requirement to nominate an officer to be responsible for the financial administration of the department (the CFO). The Executive Director, Financial Services Branch has been appointed as the department's CFO from the commencement of the 2009–10 financial year.

In accordance with section 77 of the *Financial Accountability Act 2009* the CFO provided the Acting Director-General with a Statement of Assurance certifying that the financial internal controls of the department are operating efficiently, effectively and economically, and that the:

- financial records of the department have been properly maintained throughout the year
- that there were no material deficiencies or breakdowns in internal controls impacting adversely on the financial governance of the department
- financial statements for the year are fairly stated
- department has complied with the financial requirements mandated in the *Financial Accountability Act 2009*, the *Financial and Performance Management Standard 2009*, and other prescribed requirements, including internal governance policies and Australian Accounting Standards, where relevant.



CROWN LAW 2009–10 Annual Report
Solutions for Government

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Crown Solicitor's review

Celebrating our 150 year anniversary in 2009 was a significant event in the evolution of Crown Law's business and a milestone in the delivery of legal services to the Queensland State Government. The occasion saw the release of a book titled *In my opinion: The History of Crown Law Queensland 1859 -2009*.

Crown Law's future is again founded in another year of positive financial results, with a clear direction guiding our activities.

When considering the way I want Crown Law to proceed in delivering services to clients, our Statement of Strategic Intent captures Crown Law's holistic approach in providing excellent client service:

In pursuing its vision, Crown Law will commit to providing a reliable, unified, whole-of-Government approach to the delivery of legal services that recognises the Crown Solicitor's unique role.

This statement purposefully includes several components to address what I see as the key areas of ensuring quality, timely and seamless client service.

Crown Law's leadership community is committed to the Statement of Strategic Intent and to ensuring the whole-of-Crown Law can embrace and deliver such a service.

The 2009/2010 financial year has seen many achievements contribute to Crown Law's progress towards our goals.

In the past year, Crown Law has:

- established a Client Counsel framework
- strengthened our Client Relationship Management framework and continued to enhance our project management services for clients
- progressed staged billing options for clients
- invested in ways to improve our client service culture
- delivered a diverse range of initiatives that contribute to the knowledge and capability development of our clients and our people, including the launch of our online Continuing Professional Development (CPD) training program
- expanded the range of value-added services to clients
- continued to develop leadership capabilities
- commenced a significant quality assurance accreditation process
- further invested in information technology and business systems to improve efficiencies and outcomes for our clients
- increased staff numbers to more than 300 and demonstrated real commitment in our work-life balance culture.



Crown Solicitor,
Greg Cooper

Thank you

Crown Law is constantly evolving and improving as a business, and at the core of this is our people. The strong focus on client service in the past financial year has been achieved through the collaboration of our staff and clients working together.

I would like to thank all Crown Law staff for their efforts this financial year. Without their commitment, Crown Law would not be in the strong position and providing the high level of client service it is today.

Particular thanks is due to my colleagues in the Executive Management Group, for their support and input into driving the key business direction of the practice.

Finally, and importantly, I would like to extend my gratitude to our clients, who have supported Crown Law over this financial year and years past. We look forward to working in partnership with you to meet your needs to provide a holistic approach to your business goals in the coming financial year.

“Crown Law is very competitive in the Queensland market – so much so, that if our rates were those of our competitors we would be one of the most profitable firms in the country.”

Crown Solicitor **Greg Cooper**

About Crown Law

Our business principles guide us in everyday practice as we interact with our clients, our people, the community and the Queensland State Government.

Crown Law has been the principal provider of legal services to the Queensland Government since 1859 and has operated as a self-funded business unit of the Department of Justice and Attorney-General since 1997. Crown Law provides legal services to Queensland State Government entities including:

- all Queensland government departments and agencies
- statutory bodies and government-owned corporations
- commercialised business units
- disciplinary boards and tribunals.

Crown Law is Queensland Government's only full-service legal practice, providing unrivalled expertise in government law.

Crown Law's fees are set by Cabinet and, under arrangements established by Cabinet in January 1997, State Government legal services are divided into two categories – 'tied' and 'untied' legal work. Untied work is open to competition from private legal firms.

Our business direction and principles guide us in everyday practice as we interact with our clients, our people, the community and the Queensland State Government.

Vision

Solutions for Government.

Statement of Strategic Intent

In pursuing its vision, Crown Law will commit to providing a reliable, unified, whole-of-Government approach to the delivery of legal services that recognises the Crown Solicitor's unique role.

Values

At the core of Crown Law's business principles are our five values that provide a solid foundation for our approach in all aspects of what is achieved for clients:

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

Executive Management Group

Crown Law's Executive Management Group (EMG) support the Crown Solicitor in the development and implementation of long-term business strategies and maintaining focus on delivering high-level services to clients.

To achieve this, EMG manages the:

Vision – through our Statement of Strategic Intent, Values and Strategic Business Plan.

Organisational performance – by sharing information that aids decision-making to ensure decisions and strategies take a whole-of-Crown Law perspective. This includes monitoring business and operational performance, identifying emerging issues and business opportunities and being responsive to new and changing client needs.

Leadership and direction – for our people and organisational culture.

Crown Law's EMG currently includes nine of our most senior and experienced professionals:

- Crown Solicitor, two Senior Deputy Crown Solicitors, Executive Director, four Deputy Crown Solicitors and Crown Counsel.

Each member brings a wealth of expertise and experience in their specific area of law or business practice and is committed to improving professional services and leading Crown Law to the delivery of '*Solutions for Government*'.



L-R: Deputy Crown Solicitor, Helen Freemantle; Crown Counsel, Steve Marton; Executive Director, Susan Mackie; Crown Solicitor, Greg Cooper; Senior Deputy Crown Solicitor, Tony Keyes; Senior Deputy Crown Solicitor, Robyn Martin; Deputy Crown Solicitor, Peter Dwyer; Deputy Crown Solicitor, Nicholas Inglis. Absent: Deputy Crown Solicitor, Robert Campbell.

Structure

Crown Solicitor, Greg Cooper

The Crown Solicitor is Crown Law’s most senior officer, handling the most difficult legal matters on behalf of the Crown. He acts as the Solicitor on the record for the State, and provides independent legal advice to the Premier, 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 our professional and ethical standards.

Executive Director, Susan Mackie

Executive Director Susan Mackie is responsible for leading all business aspects of Crown Law. Susan oversees Crown Law’s business operations and strategic direction, reporting directly to the Crown Solicitor. Susan’s responsibilities include:

- developing and implementing the practice’s Strategic Business Plan
- developing Crown Law as a commercially-viable business and increasing its share of the Queensland Government legal services market
- leading the development of appropriate business systems and practices
- supporting and seeking innovative ways to develop the culture of Crown Law as a customer-focused, results-orientated, commercially-based business
- leading the Practice Management Branch.

Crown Law has five main branches of law that form two groups led by two Senior Deputy Crown Solicitors, Tony Keyes and Robyn Martin.

Each of our 18 legal teams adopts a cross-team approach to deliver seamless client service encompassing a whole-of-Government perspective.



*Crown Solicitor, Greg Cooper and
Executive Director, Susan Mackie*

Commercial and Public Law

The Commercial and Public Law Group is led by Senior Deputy Crown Solicitor, Tony Keyes and consists of three branches:

- **Commercial and Infrastructure Branch**

- The Commercial and Infrastructure Branch is led by Deputy Crown Solicitor, Helen Freemantle
- Lawyers in this branch combine their specialist knowledge with a unique understanding of the public sector framework, bringing these insights to every matter on which they advise including commercial, property, infrastructure and information technology matters.

- **Public Law Branch**

- The Public Law Branch is led by Deputy Crown Solicitor, Robert Campbell
- Much of the traditional and core government legal work is conducted by this branch. Many of the areas practised by Crown Law since 1859 are still – with growth and adaptations to both common law and statutes – areas of legal practice today. This includes industrial law, statutory prosecutions, and more contemporary areas of anti-discrimination, judicial review and freedom of information. Lawyers in this branch have high-level practical knowledge of the structure and workings of Parliament, the Judiciary and the Executive.



L-R: Assistant Crown Counsel, Gerard Sammon; Assistant Crown Solicitor, Margaret Maloney; Assistant Crown Solicitor, Karen Watson; Assistant Crown Solicitor, Michael Boughey; Assistant Crown Solicitor, Clare Smith; Deputy Crown Solicitor, Helen Freemantle; Senior Deputy Crown Solicitor, Tony Keyes; Crown Counsel, Steve Marton; Assistant Crown Solicitor, Melinda Pugh; Assistant Crown Solicitor, Robyn Hill; Assistant Crown Solicitor, Andrew Ross; Assistant Crown Counsel, Rob Hutchings. Absent: Deputy Crown Solicitor, Robert Campbell and Assistant Crown Solicitor, Phil Boustead.

- **Constitutional Law Branch**

- The Constitutional Law Branch is led by Crown Counsel, Steve Marton
- Crown Law provides direct access to the Solicitor-General through this branch for advice and representation on significant matters affecting the interests of the State. The branch provides advice on both Commonwealth and State constitutional law and has significant experience in a range of government-specific litigation and advice, including providing advice on turning policy into legislation, the inconsistency of Commonwealth and State laws, scope of Commonwealth and State powers and Federal and State cooperative schemes
- The Constitutional Law Branch also defends defamation claims against public servants, provides specific advice on Parliament, the Judiciary and the Executive and handles indemnities for Crown employees.

Litigation and Government Insurance

The Litigation and Government Insurance Group is led by Senior Deputy Crown Solicitor, Robyn Martin and consists of two branches:

- **Litigation Branch**

- The Litigation Branch is led by Deputy Crown Solicitor, Peter Dwyer
- The branch manages a highly diverse range of commercial and other civil litigation on behalf of the Queensland Government. The commercial litigation can range from simple debt recovery to unique land fraud claims, to complex, high value and high profile commercial disputes
- The branch also acts for the State in planning and environment appeals and native title determination claims. In addition to the conduct of this litigation, the branch's specialist planning and environment and native title lawyers advise extensively on the variety of issues encompassed by these practice areas, particularly as they impact on major resources and infrastructure projects involving the Queensland Government.



L-R: Assistant Crown Solicitor, Leah Mogg; Assistant Crown Solicitor, Paula Freeleagus; Deputy Crown Solicitor, Nicholas Inglis; Senior Deputy Crown Solicitor, Robyn Martin; Deputy Crown Solicitor, Peter Dwyer; Assistant Crown Solicitor, Glenn Wilshier; Assistant Crown Solicitor, David French; Assistant Crown Solicitor, Lara Rega. Absent: Assistant Crown Solicitor, Bernadette Wrafter.

- **Government Insurance Branch**

- The Government Insurance Branch is led by Deputy Crown Solicitor, Nicholas Inglis
- The branch specialises in the managing of complex and contentious civil claims in the area of personal injury litigation. Members of the branch work closely with the Queensland Government Insurance Fund (QGIF), to ensure delivery of the most cost-effective outcomes for government. Another major client of the branch is WorkCover Queensland, for which the conduct of workers compensation injury claims and common law claims are managed
- The branch deals with a diverse range of injuries and work-related incidents which occur throughout Queensland as part of the operations of government ranging from slip and fall matters, through to complex and sensitive litigation claims conducted on behalf of the State
- The branch also provides expert advice in respect to matters arising out of personal injuries litigation to all client areas within the Queensland Government.

Practice Management Branch

In addition to our legal branches, Crown Law is also supported by the Practice Management Branch which works to ensure operational support functions are streamlined and efficiently managed to allow our lawyers to focus on their core business. The Practice Management Branch is led by Crown Law's Executive Director, Susan Mackie and comprises four teams:

- **Finance and Business Services**

- The Finance and Business Services Team is responsible for finance and asset management. This includes coordination of client billing, expenses and disbursements, travel arrangements, accommodation and furnishings and other general stores and inventory. The team also provides record management, mail and document production services.



L-R: Executive Director, Susan Mackie; Manager, Finance and Business Services, Renee Smith; Manager, Information and Knowledge Management, Steven Moskwa; Manager, PReP Project, Holly De Bortoli. Absent: Executive Manager, Marketing and Communications and Organisational Development, Belinda Bayliss.

• **Information and Knowledge Management**

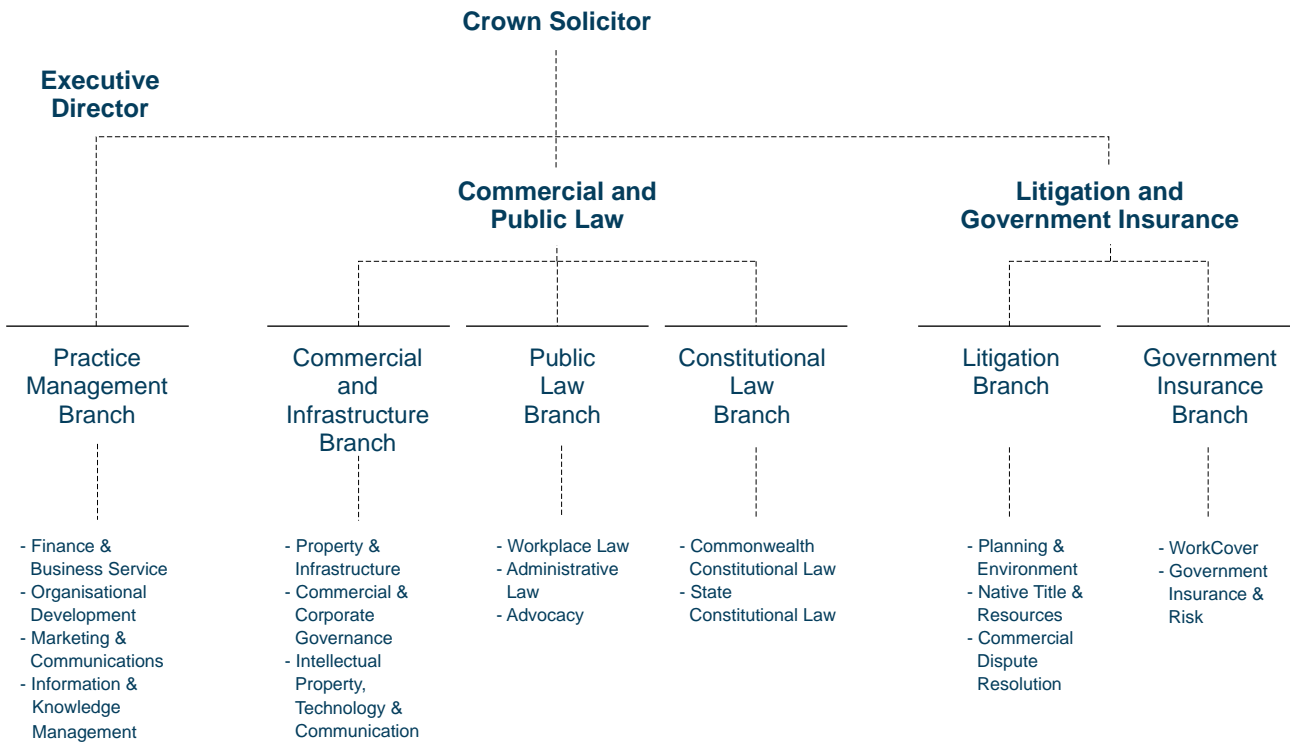
- The Information and Knowledge Management Team consists of teams and projects which aim to provide high quality information technology services to assist the overall improvement of business processes and systems to support Crown Law. The team also manages the provision of our Library services.

• **Marketing and Communications**

- The Marketing and Communications Team is responsible for the development and promotion of client service activities and other key communication objectives both within, and external to, the practice
- The team helps connect Crown Law with our clients by working with our legal professionals and support staff to coordinate client training, develop publications and promotional material, maintain Crown Law’s presence online and assist with coordinating client feedback.

• **Organisational Development**

- The Organisational Development Team provides advice and support on a diverse range of organisational development and human resource matters. The team develops and implements a range of initiatives to optimise organisational culture, performance and workforce capabilities. It also offers a consultancy service on issues such as employee relations, workforce management, attraction and retention and change management.



Leadership

Pillars of success

Crown Law's six pillars of success identify and support the strategic focus for our practice. Our pillars identify a range of strategies that:

- drive innovation and the continuous improvement of our practice
- ensure we deliver the highest quality, integrated services to our clients
- maintain a high level of staff engagement and positive workplace culture.

Crown Law's business planning is aligned with the Department of Justice and Attorney-General's priorities to provide high value and cost-effective legal services to government.

The six pillars for success outlined in the 2009–2011 Business Plan are:

- client-focussed solutions
- building our client base
- building a sense of community
- developing our current and future leaders
- embedding a performance and accountability culture
- our people.

The integrated nature of project outcomes and new initiatives are designed to provide solutions for government and a commitment to provide a reliable, unified and whole-of-Government service.

Measures for success

In keeping with our commitment to business principles, Crown Law undertakes a range of internal and external evaluation and feedback mechanisms to measure progress against our goals. We use the following mechanisms to continue to identify and enhance all areas of business improvement and provide feedback to our leadership community with regards to the level of success of the business pillars strategies, internal communications and staff engagement.

This includes:

- regular client feedback meetings with reportable outcomes for action
- monthly client scorecard analysis
- monthly pillar progress reports communicated to the practice
- annual pulse survey with all staff
- participation of the leadership community in 360 degree feedback processes.

Achievements

Client focused solutions

Crown Law continued our whole-of-Government, unified, reliable approach to providing seamless client service delivery for our growing, diverse range of clients in 2010. A selection of our legal service achievements this year are detailed below.

Legal matters

Advice for Queensland Studies Authority

Crown Law provided advice to the Queensland Studies Authority about the information privacy issues surrounding publishing OP scores in *The Courier-Mail*.

Whole-of-Government Microsoft agreement

Crown Law drafted and negotiated the whole-of-Government contractual agreements with Microsoft, enabling government agencies to purchase Microsoft products and services under Government Information Technology Contracting (GITC) Framework and conditions.

Clem 7 Tunnel project

The Department of Transport and Main Roads engaged Crown Law to provide advice about the compulsory acquisition of land, construction, leasing and operation of the Clem 7 Tunnel as a local government tollway.

Advice was provided on the amendments required to the *Transport Infrastructure Act 1994* to facilitate the project and advice was also provided on the drafting of declarations under this Act.

Re-opening of Inquest into death of Mulrunji Doomadgee

Crown Law acted for the Attorney-General and instructed counsel to appear on his behalf at the re-opened inquest into the death of Mulrunji Doomadgee who died on 19 November 2004 in the Palm Island police station watchhouse.

Pacific Adventurer

The Federal and Queensland governments consented to a compensation agreement with Swire Shipping as a result of the oil spill from the *Pacific Adventurer* off the Queensland coast in March 2010.

Crown Law played a vital role in this Australian-first agreement, providing advice on legal issues such as criminal law, maritime law, environmental law, international law, negligence, public nuisance, and Indigenous cultural heritage issues concerning the Quandamooka people.

South Australia v Totani

The Solicitor-General appeared in the High Court in April 2010 instructed by Crown Law, in a constitutional case in which the State of South Australia gained special leave to appeal to the High Court from the decision in *South Australia v Totani*.

The decision had found to be invalid a key provision of the *South Australian Serious and Organised Crime (Control) Act 2009*. Mr Totani was a member of the Finks Motorcycle Club and was the subject of proceedings against him under that Act.

The Attorney-General for Queensland, the Commonwealth and most other States and Northern Territory intervened in the hearing of the matter before the High Court, in order to protect the legislation-making ability of the States.

Gold Coast Rapid Transit Project – Cultural Heritage Management Plan

Crown Law represented the Department of Transport and Main Roads in extensive negotiations with Aboriginal parties for the development of a Cultural Heritage Management Plan (CHMP) for the Gold Coast Rapid Transit Project. The successful conclusion of those negotiations and subsequent approval of the CHMP under the *Aboriginal Cultural Heritage Act 2003* has cleared the way for the department to let contracts for the construction of the project.

Crown Law provided advice surrounding the content of the plan, assisted with drafting content and represented the department in negotiations with endorsed parties.

Collingwood Park Subsidence Claims

Crown Law is acting on behalf of the Queensland Government Insurance Fund in defence of 23 separate claims arising out of the Collingwood Park subsidence event in April 2008. Affected homeowners are claiming damages for alleged failure by the State to monitor and condition former mining lease land on which the claimants' houses sit.

They are complex and unique claims. The matter is ongoing.

Malu Sara claims

In 2009, a number of personal injury claims were referred to Crown Law relating to the sinking of the vessel *Malu Sara*, which killed the five people on board.

With the assistance of staff throughout Crown Law, the matters were prepared for mediation with the first of these claims settled within a couple of months.

Integrity Act 2009

With sweeping reforms to Queensland's system of integrity and accountability, we now have the strongest and most visible legislation governing these issues in the country. The *Integrity Act 2009*, which commenced on 1 January 2010, made significant changes, including banning the payment of success fees by government to lobbyists for achieving favourable outcomes, an expansion of the powers of the Crime and Misconduct Commission, and strengthening the role of the Integrity Commissioner. Crown Law advised government extensively in the development of the *Integrity Act 2009* and the policy underlying it.

Sustainable Planning Act 2009

This Act commenced operation in Queensland in December 2009. It repealed and replaced the *Integrated Planning Act 1997* and included a number of reforms to Queensland's planning and development assessment scheme. The *Sustainable Planning Regulation 2009* was also introduced on the same date.

Crown Law has provided several government agencies with advice on understanding the impact of the new legislation including their roles as referral agencies and their referral jurisdictions.



Senior Deputy
Crown Solicitor,
Robyn Martin

Munya Lakes

The significant judicial review affecting cotton irrigation farmers in the St George area was dismissed allowing the State Government to proceed with its statutory scheme to allocate a water entitlement to landowners in the Condamine and Balonne regions of southern Queensland.

Crown Law provided the Department of Environment and Resource Management with legal advice and also conducted extensive research and prepared documentation critical to the success of the final hearing.

Gateway Upgrade Project

Crown Law was heavily involved in providing legal solutions to the Gateway Upgrade Project, including contractual and construction advice, as well as disability/discrimination advice. Despite being confronted by various challenges along the way, the project was completed ahead of plan and the new bridge opened to traffic in May 2010, six months ahead of schedule.

Queensland Civil and Administrative Tribunal

Crown Law assisted government agencies to prepare for the introduction of Queensland Civil and Administrative Tribunal (QCAT) with specific legal advice and training, as well as a series of Government Legal Briefings.

Caltabiano v Electoral Commission of Queensland and Anor (No.4)

In the highly-publicised challenge to the electoral seat of Chatsworth in *Caltabiano v Electoral Commission of Queensland and Anor (No.4)*, Crown Law played an integral role in the successful outcome representing the Electoral Commission of Queensland.

It is the first time Crown Law has represented the Electoral Commission in an electoral challenge. On previous occasions, private firms were briefed.

This challenge was the first in more than 10 years since the State by-election for the seat of Mundingburra in 1996.

Torres Strait Regional Seas Claim

Crown Law acted for the State as a respondent to this claim filed originally in 2001 by Torres Strait Islanders seeking a determination of native title over a large portion of the seas in the Torres Strait. The Federal Court handed down its judgment in early July 2010 and the final determination is due to be made at the end of July 2010. The matter was significant both in terms of the length of the trial and implications for both government and native title claimants regarding the nature and extent of native title rights and interests in relation to the sea.



Senior Deputy
Crown Solicitor,
Tony Keyes

Scorecards

In addition to the outcomes of various legal matters, Crown Law was able to measure its success against providing client-focused solutions through feedback from our clients through the Client Relationship Management Framework and formal scorecard system.

Crown Law rated an average of 6.18 out of 7 for the financial year. This score was broken down into the following areas (each out of 7):

- knowledge and skills – 6.22
- commitment to deadlines – 6.15
- promptness – 6.25
- accessibility – 6.27
- informed – 6.02
- care about interests – 6.20
- client satisfaction – 6.12
- value for money – 5.68.

Our lawyers received a total of 140 commendations from our clients.

Value-added services for clients

Crown Law continues to enhance its value-added services to clients such as:

- Government Legal Briefings
- Executive breakfast seminars
- targeted workshop training sessions on a range of legal topics
- Legal Updates and other publications
- online Continuing Professional Development (CPD) training for government lawyers
- expanded Library services.

In assisting our clients to manage their legal risk effectively, Crown Law continued to focus on raising awareness of legal issues and significant new legislation. This included a greater focus on our Government Legal Briefings and legal training, as well as publications including Legal Updates, our client newsletter *Crown Law News* and maintaining a strong online presence through Crown Law's GovNet-based website.

"We are committed to providing 'Solutions for Government' including these value-added services that support legal professional development and the promotion of lawyers' expertise."

Executive Director
Susan Mackie

Our clients say:

“Very informative and provides valued information for a new employee to decision-making rules.”

Government Legal Briefings

Crown Law conducted seven Government Legal Briefings in the 2009/2010 financial year and was attended by over 1500 clients. Topics were:

- The *Sustainable Planning Act 2009*
- Guidelines for indemnity and legal assistance for State employees
- Information Privacy
- QCAT – The new ‘super’ tribunal
- Granting rights to access and use State land
- The Trade Practices Act and National Competition Policy
- Sound decision-making.

In May and June 2010, Crown Law also delivered a Regional Government Legal Briefing Tour which travelled to Cairns, Townsville, Rockhampton, Gold Coast and Toowoomba. This regional briefing was conducted in conjunction with the Department of the Premier and Cabinet to deliver informative presentations and workshops to government officers. Topics covered were:

- Sound decision-making
- Due diligence in the investigation and prosecution of offences
- The *Sustainable Planning Act 2009* and Aboriginal Cultural Heritage
- Information Privacy.

According to evaluation reports from our Government Legal Briefings:

- 96 per cent of attendees found the presenters ‘professional and knowledgeable’
- 92 per cent found the topics ‘interesting’
- 93 per cent found the information ‘appropriate and useful’.

Forums, conferences, training and other briefings

Several Crown Law officers also participated and presented in forums, conferences, training and other briefings including:

- Development Assessment Officers Forum on the *Sustainable Planning Act 2009*
- Queensland Personal Injuries Conference
- Queensland Law Society Government Lawyers’ Conference
- targeted training on the *Sustainable Planning Act 2009*, infrastructure agreements, Right to Information, anti-discrimination and Information Privacy.

Publications

In the financial year, Crown Law published a total of 10 Legal Updates and published 11 editions of *Crown Law News*.

Topics for Legal Updates are based on the current legal environment and relevant information of benefit to clients. Topics included:

- New indemnity guidelines for State employees
- *International Financial Trust Co Ltd v NSW Crime Commission*
- High Court decision – duty of care owed to members of the public by public authority
- Production of documents as a non-party
- High Court decisions – State Governments and copyright
- What you need to know about the *Residential Tenancies and Rooming Accommodation Act 2008*
- New Act brings changes to public sector financial regulation
- What you need to know about the *Information Privacy Act 2009*
- Queensland Civil and Administrative Tribunal
- Right to Information – The public interest test.

Crown Law was also featured in a number of legal industry magazines including *Proctor*, *Brisbane Legal* and *Sectorwide*.

Crown Law's website subscriber base continued to grow over the past year.

Decision-Makers' Manual

Crown Law undertook a coordinated approach to assist agencies in understanding their obligations under the *Right to Information Act 2009* and the *Information Privacy Act 2009* with the release of a comprehensive Decision-Makers' Manual and training workshops.

The manual contains practical examples and precedent documents to raise awareness of key concepts decision-makers need to be familiar with, and provides a guide to assist good decision-making under the legislation by providing a step-by-step work flow process.

Workshops were held on October 2009 and in five regional centres in May/June 2010 to provide participants with a working knowledge and understanding of the *Right to Information Act 2009* and better equip them to make decisions under the Act.

Our clients say:

"The information provided was delivered effectively and was easy to follow and understand."

Our clients say:

“Enjoyed that your presentation was general but remained specific enough to ensure I can apply what I learned today.”

Continuing Professional Development Training Program

On 1 April 2010, Crown Law launched the State Government’s first online Continuing Professional Development (CPD) training program, developed specifically for Queensland Government lawyers.

The program comprises five modules:

1. Model litigant principles
2. Legal professional privilege
3. Statutory interpretation
4. Ethics for government lawyers
5. Introduction to Government Law.

The first three modules were released in April 2010. Phase two – comprising two modules – will be released later in 2010. Crown Solicitor, Greg Cooper announced prior to the launch that the entire program would be offered free of charge. To date, 85 clients have enrolled in Crown Law’s online CPD program.

Library services

In July 2009, the Department of Justice and Attorney-General’s (DJAG) Library became a part of Crown Law’s Practice Management Branch and brought with it over 100 years of combined legal research knowledge. As part of this transition, the Library expanded its client-base to include all government departments on a fee-for-service basis. The Library offers clients legal research, legal research training, legislation research and a variety of legal materials in both print and electronic formats including annual reports, legislation and parliamentary materials.

In early 2010, the Fair and Safe Work Queensland Library also became part of the Crown Law Library.

Technology

This financial year has seen significant enhancement to Crown Law’s technology.

This includes improved client service through mobility solutions.

Crown Law also has implemented a new staff Helpdesk application and released the matter management system, Visualfiles, to all remaining legal teams including the Commonwealth Constitutional Law Team, State Constitutional Law Team and the Commercial and Infrastructure Branch.

Crown Law commenced the implementation of its new Practice Management System.

Building our client base

Client Relationship Management Framework

Crown Law understands the important role that superior client service has in ensuring the practice's business success and opportunities for growth in our current competitive market.

In 2009/2010, we embedded a strong client service culture through the establishment and continued development of our Client Relationship Management Framework.

In the last financial year we saw the strengthening of this framework with more of Client Relationship Managers appointed to clients and the appointment of several more Assistant Client Managers to ensure the highest delivery of client service is achieved.

The Client Relationship Framework, along with the endorsement of the Statement of Strategic Intent, ensures all staff understand the important features of excellent client service and are aware of Crown Law's standards and how the practice will achieve them.

Crown Law is committed to client service that is:

- *accessible*
 - *accurate*
 - *timely and responsive*
 - *solution focussed*
 - *value for money*
 - *commercially attuned*
-

Staged billing

Crown Law successfully implemented a staged billing scheme for personal injury claims managed by the Queensland Government Insurance Fund (QGIF). The strategy was identified as part of Crown Law's Strategic Business Plan to establish a competitive, viable fee structure.

Clients under the staged billing arrangements are able to project their legal costs and manage their budgets more closely. It also allows for internal time efficiency to ensure Crown Law can provide a responsive and timely service to clients, while also maintaining value for money.

Successful tenders

Crown Law was successful in its bid for the Gold Coast Institute of TAFE Preferred Supplier Arrangement for legal services. The arrangement covers litigation, insurance and negligence, commercial, corporate governance, compliance, administrative law, employment and workplace relations, intellectual property, dispute resolution and infrastructure projects for an initial period of 12 months with an option to extend.

Organisational Structure

Continuing from recent years, Crown Law's organisational structure is evolving around maintaining the best possible client service.

This year, the following changes took place to enhance our service delivery:

Advocacy

Crown Law's successful Advocacy Team was re-formed into two chambers – Parslow Chambers and Mackenzie Chambers – to deal with the large volume and increased specialisation of work.

Parslow Chambers was created to focus on statutory prosecutions, appeals, tribunals, statutory compliance and statutory enforcements.

Mackenzie Chambers' main areas of expertise include dangerous prisoners, family law, child protection and the Hague Convention.

Both Chambers share coronial inquiries work, as well as providing general advocacy advice.

Client Counsel Team

In March 2010, Crown Law established the Client Counsel Team to focus on promoting the placement of lawyers within client departments.

The placement of Client Counsel roles has long been an arrangement available through Crown Law. The creation of the new team is in line with Crown Law's goal to continually provide a superior level of service to clients by providing 'in-house' lawyers for long-term, specialised or project work, or to cover short-term resource shortages.

WorkCover

In July 2010, a second WorkCover Team was created to meet client needs.

Building a sense of community

Community involvement

Crown Law embraced the 'building a sense of community' pillar in the last financial year. We contributed to a range of charities and community events in 2009/2010.

Pro bono

Combining Crown Law's primary function to protect the Queensland Government's interest, and the legal expertise of our legal officers, we are committed to providing legal pro bono assistance to clients where possible.

Redevelopment of intranet

Crown Law's new intranet CLconnect was launched in 2010. CLconnect improves functionality for staff and provides content that is more user-friendly and easier to navigate.

Celebrating 150 years of Crown Law

In November 2009, Crown Law released a book titled *In my opinion: The history of Crown Law Queensland 1985 – 2009* to mark its sesquicentenary, along with that of the State of Queensland. The book is the first time Crown Law's history has been documented in one publication, from the inception of the Crown Law Office – thirteen days after the Colony of Queensland was proclaimed and Robert Little was appointed Crown Solicitor for criminal and civil business.

The book was launched at the State Library of Queensland with current and former staff in attendance. Special guests included the then Director-General of the Department of Justice and Attorney-General, Rachel Hunter, and former Crown Solicitors Conrad Lohe, Justice Ken Mackenzie and Mervyn McGarry.

Development of current and future leaders

Leadership program

Crown Law continued its commitment to developing our current and emerging leaders.

Our 'Leadership Matters' and 'Development Matters' programs consist of a number of formal information programs to reflect Crown Law's commitment to the personal and professional development of all staff.

The leadership program is a three-tiered approach to developing strong leadership capabilities and is integrated with coaching, mentoring, and 360 degree feedback processes.

At Crown Law...

Balance Matters' also includes access to negotiate flexible working options including parental leave, purchased leave, telecommuting, job-sharing, working compressed hours and part-time employment.

Embedded performance and accountability culture

Performance framework

Crown Law's performance management framework is essential to delivering business success through achieving individual and team performance objectives, and developing the capabilities of teams and individuals to achieve desired outcomes.

All staff in Crown Law have a Professional Development Plan.

Crown Law Quality Assurance

Crown Law initiated a project to re-establish our Quality Assurance system. The certification will now be against ISO9001:2008 (which replaces ISO9001:2000) and LAW 9000 for Legal Best Practice.

If successful in its bid to achieve the LAW 9000 quality assurance certification later this year, Crown Law will be only the second government legal practice in Australia to do so.

Our people

Mentoring Program

As part of Crown Law's commitment to the continual personal and professional development of its staff, the Mentoring Program offers the opportunity for everyone to participate and be part of a mentoring relationship as either a mentor or a mentee.

Mentoring aims to provide structured support to help individual employees improve their performance and develop their capabilities to contribute to the effectiveness of their discipline, position, their future career and Crown Law.

The Program also contributes to the improved performance of the practice by embedding mentoring activities into a range of processes such as targeted leadership development programs, career development and succession planning.

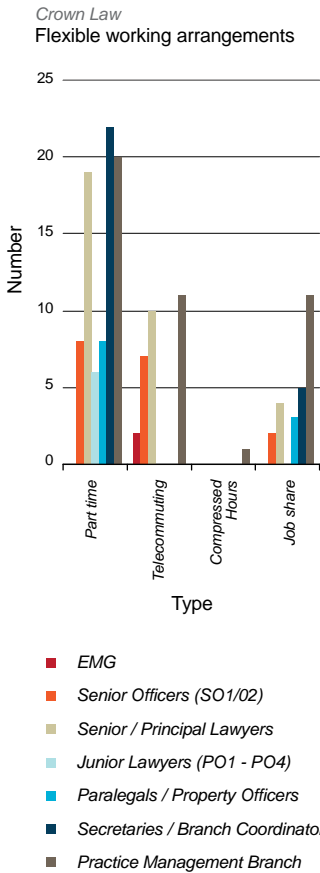
Balance Matters

Crown Law recognises the importance of our staff having a healthy work-life balance which is supported through our Balance Matters program, providing options to help staff achieve health and wellbeing which sustains Crown Law's ability to attract, develop, retain and reward staff.

Balance Matters incorporates information sessions and online tutorials, health services, flexible working arrangements, workplace health and safety, and connectivity to community activities.

To assist staff to deal with specific challenges, debriefing sessions have also been implemented to assist teams in managing the inherent nature of work undertaken within their team.

Flexible work arrangements currently operating within Crown Law, including part-time, telecommuting and flexible work hours, enhance client service.



Graduate and Junior Lawyer Program

Crown Law implemented a Graduate and Junior Lawyer Program incorporating the recruitment of law graduates into the practice and a tailored learning and development program for both graduates and junior lawyers already working with Crown Law.

The program is a first for Crown Law. It involves the placement of one graduate per branch, on rotation through each team within that branch.

Graduate Testimonial

Whilst studying, I knew I wanted to work for an organisation that values its employees and recognises the benefit of an open door policy. After my legal admission, I joined Crown Law's Advocacy team as a Law Clerk and have not looked back since.

I enjoy the quality and varied nature of client matters that Crown Law handles. It can range from the weird and wonderful, such as our ongoing non voter prosecutions. There, I am involved in the drafting of complaints, summons, and court submissions also instructing on first mentions and final hearings in Brisbane as well as regional court houses.

I was also involved in a high profile prosecution involving a gaming operator. There, my Assistant Crown Solicitor had me fully immersed in all aspects of legal practice. I attended witness conferences, client negotiations and I instructed both Junior and Senior Counsel at the Sentence where a favourable outcome was awarded to Crown Law.

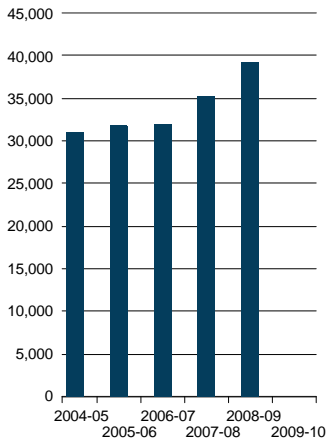
One of the things that impresses me most about Crown Law is how many of our lawyers have worked here from junior levels progressing to managerial levels. This shows that Crown Law is committed to developing lawyers to their full potential.

The Crown Law Mentoring Program is one scheme I feel every new graduate should utilise if they wish to increase their skills and knowledge. It is a fantastic support network for all employees and gives insight into Crown Law's organisational culture by pairing junior lawyers with their more senior counterpart.

To all new graduates out there, the tip I leave you with is to be proactive and open-minded. What you get out of this graduate program is what you put in.

Joanne Zhou, Legal Clerk, Parslow Chambers

Crown Law
Total Revenue \$'000



Growth

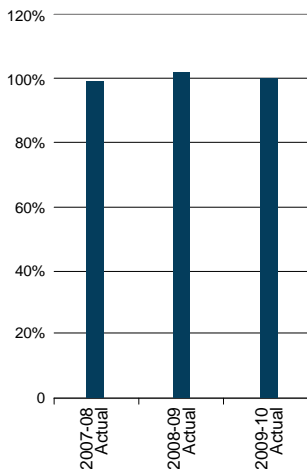
In 2009/2010, the number of fee earners in Crown Law increased to a total of 145.33 fee earners which represents an increase of nine per cent.

Crown Law currently has 312 staff of which more than half (158) are legal officers. There also 154 support staff.

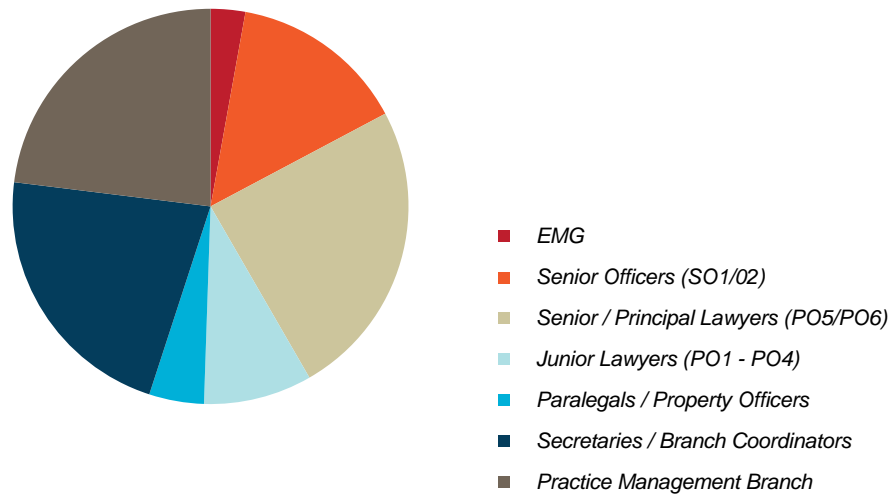
Crown Law also recognises the significant contribution of all members of the legal community. Through working together, respecting people and providing real work-life balance initiatives, Crown Law appeals and attracts a large proportion of qualified women to its workforce. In total, females represent 73 per cent and males represent 27 per cent of Crown Law's workforce.

Crown Law is ever mindful of the dynamic landscape and needs of the workforce in the 21st Century.

Crown Law
Productivity for chargeable hours



Crown Law
Staff



Into the future

At the foundation of our future is the Crown Solicitor's Statement of Strategic Intent. From this emerges a more reliable and unified Crown Law with a whole-of-Government approach to legal services.

The Crown Solicitor's statement will be implemented through the six pillars and associated strategies of Crown Law's Strategic Business Plan.

With the commitment and drive of its leadership community and staff, the strategic direction of Crown Law is charted, mandated and set to become an exciting reality.

Statement of Strategic Intent

Crown Law's Statement of Strategic Intent supports Crown Law's vision of 'Solutions for Government'.

The statement was endorsed by the Honourable Cameron Dick MP, Attorney-General and Minister for Industrial Relations on 12 August 2010 and is as follows:

In pursuing its vision, Crown Law will commit to providing a reliable, unified, whole-of-Government approach to the delivery of legal services that recognises the Crown Solicitor's unique role.

Crown Law's leadership community is committed to upholding this statement and ensuring that all staff understand and contribute to this clear direction.

The Attorney-General's signed endorsement of the statement is included on the following page.

At the foundation of our future is the Crown Solicitor's Statement of Strategic Intent. From this emerges a more reliable and unified Crown Law with a whole-of-Government approach to legal services.

Crown Law Statement of Strategic Intent

Crown Law has been the State's central provider of legal services for 150 years. The administration of justice and the performance of my duties as First Law Officer of the State depend on the immediate and reliable delivery of high-quality, responsive legal advice and representation. With those objectives in mind, I am pleased to endorse Crown Law's Statement of Strategic Intent.

The Statement, which the Crown Solicitor has developed to support Crown Law's vision of *Solutions for Government*, is as follows:

In pursuing its vision, Crown Law will commit to providing a reliable, unified, whole-of-government approach to the delivery of legal services that recognises the Crown Solicitor's unique role.

I believe this Statement addresses the key areas for Crown Law of:

- ensuring that quality, timely and seamless legal service are provided to clients
- accountability for how client services are delivered and
- increasing the understanding in Government of the role of the Crown Solicitor.

I expect that Crown Law will embrace and deliver such a service to its client departments and agencies, and work as a team to deliver exemplary, seamless, whole-of-government legal services.



The Honourable Cameron Dick MP
Attorney-General and Minister for Industrial Relations
Department of Justice and Attorney-General
Brisbane
12 August 2010

Income Sheet as at 30 June 2010

	2010 \$'000	2009 \$'000
Income		
Sales of goods and services	35,267	29,938
Interest	301	622
Other revenue	115	28
Total Income	35,683	30,588
Expenses		
Employee expenses	26,680	22,509
Supplies and services	7,536	6,624
Depreciation and amortisation	552	333
Other expenses	11	103
Total Expenses	34,779	29,569
Profit	904	1,019
Less Payment to Department of Justice and Attorney-General for Legal Services Coordination Unit	432	377
Net profit/(loss)	472	642

Balance Sheet as at 30 June 2010

	2010 \$'000	2009 \$'000
Assets		
<i>Current Assets</i>		
Cash and cash equivalents	517	2,455
Receivables	11,414	9,276
Other current assets	300	415
Total Current Assets	12,231	12,146
<i>Non-current assets</i>		
Plant and equipment	927	698
Intangibles	2,863	2,449
Total non-current assets	3,790	3,147
Total assets	16,021	15,293
Liabilities		
<i>Current Liabilities</i>		
Payables	1,440	1,170
Employee benefits	929	635
Total current liabilities	2,369	1,805
<i>Non-current liabilities</i>		
Employee benefits	-	-
Total non-current liabilities	-	-
Total liabilities	2,369	1,806
Equity	13,652	13,488
Equity		
Contributed equity	4,127	4,435
Retained earnings	9,525	9,053
Total Equity	13,652	13,488





Warwick Magistrates Court

Appendices

Appendix 1

ANZAC Day Trust Annual Report 2009–10

Legislation was passed in 1965 that allowed places of public entertainment and amusement to trade on the afternoon and evening of Anzac Day. This heralded the end of an era in which Anzac Day was a 'closed day' and business trading was very restricted. The Parliament of the day was optimistic that in return for the bonus of extra trading hours on Anzac Day, those businesses which benefited, would donate to the Anzac Day Trust Fund. The fund was established under the same legislation and provides funding, on application, to organisations offering financial assistance and relief to ex-service men and women and their dependants.

The annual disbursement of the Trust Fund to over 250 ex-service organisations, supports:

- aged and infirm veterans wishing to remain in their own homes
- maintenance of essential services
- the construction and maintenance of homes/units for war veterans
- many other services such as advocacy, hospital visits, food hampers and gift/amenities parcels for the sick.

An annual appeal for donations each April begins with a mail out targeting those businesses providing public entertainment and amusement. The main source of funds, however, continues to be an annual grant provided by the Queensland Government.

The trustees

The following Board of Trustees were appointed for a three year term commencing 26 April 2010:

- Mrs P E Waters – Chairperson
- Mr Brian Avery – representing the Legacy Clubs of Queensland
- Mr Peter Jones – representing the Returned & Services League of Australia (Qld Branch)
- Mr J S (Steve) Rowan – representing all other ex-service organisations.

Activities

The main activities of the Trust throughout the year are the public appeal in April, and the disbursement of the Trust Fund, including the Government grant appropriation, in November of the same calendar year.

Queensland bowls clubs, sporting clubs, metropolitan hotels and bars, cinemas and theme parks/tourist attractions were canvassed in the 2010 appeal which netted a total of \$20 833 from 61 donors (\$23 643 from 81 donors in 2009).

In the 2009-10 financial year, payments totalling \$1 136 641 were disbursed to 269 applicant ex-service organisations. In the previous financial year, 242 organisations had benefited. Preliminary indications are that disbursements will occur to more than 250 organisations in 2010-11.

Income

The Trust was funded predominantly by way of a grant appropriation of \$1 105 777 from the Queensland Government.

Proceeds of the annual appeal totalled \$20 833.

Interest on investments during the year, amounted to \$8 994 and cash at bank as at 30 June 2010 was \$25 269.

Acknowledgments

The Trustees wish to record their gratitude and appreciation to all supporters of the Trust, in particular the donors who have maintained their generosity for many years. Certificates of Appreciation were issued to all those who contributed.

The Queensland Government is once again commended by the Trustees for its generous financial support. The secretariat and administrative support provided by the Department of Justice and Attorney-General is also gratefully acknowledged.

Financial audit and statements

The audit of the books and accounts of the Trust has been performed in accordance with the provisions of the *Financial Accountability Act 2009*.

Disbursement of the ANZAC Day Trust Fund

The Trust Fund is disbursed annually to applicant ex-service organisations in November. In 2009, \$1 136 641 was disbursed as follows:

Returned and Services League of Australia (Queensland Branch) (including branches and sub-branches)	\$ 656 419
R.S.L. (Qld.) War Veterans Homes Limited	100 000
Legacy Clubs of Queensland	138 218

Made up as follows:

Bundaberg	9 474
Cairns	6 791
Gold Coast	20 524
Coolangatta/ Tweed Heads	21 252
Ipswich	13 607
Mackay	9 520
Rockhampton & Central Queensland	12 420
Toowoomba	11 676
Townsville	32 954

Other organisations

242 004

Made up as follows:

2/15th BN AIF Remembrance Club	2 000
2nd Battalion The Royal Australian Regiment Association	1 000
2nd Field Ambulance Past Members Assoc	1 000
ADCC War Veterans Trust	10 180
Air Crew Association Brisbane Branch	1 000
Armed Services Assistance Centre	2 076
Association of Queensland Korea Veterans Inc	1 000
Australian Army Aviation Association	1 119
Australian Army Training Team Vietnam Association (Qld Branch) Inc	1 265
Aust Federation of TPI Ex-servicemen & Women Qld	21 701
Australian Red Cross	7 265

Appendices

Australian Womens Army Service Assoc of Qld Inc	1 000
Bundaberg & District Disabled Veterans Association Inc	1 000
Bundaberg & District Ex Servicewomens Association Inc	1 000
Caloundra Combined Ex-Servicewomens Association	1 000
Capricorn Disabled Servicemens & Womens Assn Rockhampton & Districts Inc	1 000
Council of Ex-Servicewomens Associations (Qld)	1 000
Dalby & Districts Disabled Veterans Association	2 000
Defence Force Welfare Association Queensland Branch	2 490
Ex-service Womens Association of Queensland Inc	1 000
Ex-servicemen & Women Welfare Association Inc	1 000
Ex-servicewomen's Assn Hervey Bay Branch	1 000
F.E.S.R. Navy Association (Qld Division)	1 000
Gold Coast & District Ex-Servicewomens Association	1 000
Hervey Bay Vietnam Veterans Social Club	1 000
Incapacitated Servicemen and Women's Assoc of Aust	13 146
Naval Associations of Australia - Queensland	18 646
National Servicemen's Association of Australia (Qld) Inc	29 262
Partially Blinded Soldiers Association of Australia (Qld Branch)	1 220
Post 1955 Veterans Group Inc	1 217
Queensland Commando Association	1 000
Queensland Ex-P.O.W. Association Inc	1 717
RAAF Associations	17 768
RAAOC Association (Qld Div) Inc	1 350
Rats of Tobruk Association (Queensland)	1 000
Redcliffe District Ex-Service Womens Club Inc.	1 000
Royal Australian Army Nursing Corps Association Queensland Inc	1 000
Royal Australian Navy Corvettes Assoc (Qld)	1 213
Royal Australian Regiment Association (Queensland Division) Inc	1 000
Royal Naval Association Queensland Branch	1 000
T B Sailors, Soldiers & Airmens Association (Qld) Inc	1 741
Totally & Permanently Disabled Ex-Servicemen's Assoc (Townsville) Inc	7 199
Totally & Permanently Disabled Soldiers' Assoc (Fraser Coast) Inc	1 962
Totally & Permanently Disabled Soldiers' Assoc (Fraser Coast) Inc Ladies Auxiliary	1 000
Totally & Permanently Disabled Soldiers' Assoc (Sunshine Coast) Inc	1 000
Totally & Permanently Disabled Soldiers' Association Queensland Inc	1 000
Tweed, Coolangatta & District Ex-Service Women's Association (Inc)	1 000

Appendices

Veterans Support & Advocacy Service (Ipswich Branch)	1 000
Veterans Support & Advocacy Service Australia Inc	6 651
Victoria Barracks Historical Society	588
Vietnam Logistical Support Veterans Association Inc	1 000
Vietnam Veterans Association of Australia (Queensland)	14 522
Vietnam Veterans Federation of Australia Queensland Branch Inc	1 000
Vietnam Veterans Federation of Australia Townsville Sub Branch Inc	2 106
War Widows Guild of Australia (Qld)	40 600
War Widows Guild of Australia (Qld) - Caloundra Sub Branch	1 000
Womens Royal Australian Army Corps Queensland Inc	1 000

TOTAL

\$1 136 641

ANZAC Day Trust Donors

Alma Park Zoo	Domani's Italian Restaurant
Ardent Leisure Limited	Eidsvold Bowls Club Inc
AussieWorld	Emerald Bowls Club
Australia Zoo	Event Cinemas
Beenleigh Bowls & Recreation Club Inc	Gaythorne RSL Sub Branch
Big Screen Cinemas Hervey Bay	Glenden Town Club Ltd
Biggenden Bowls Club Inc	Goomeri Bowls Club Inc
Birch Carroll & Coyle Gold Coast Cinemas	Gum Sing Pty Ltd, Wynnum
Blackbutt Golf Club Inc	Hervey Bay RSL & Services Memorial Club Inc
Bribie Island Bowls Club Inc	Ipswich RSL Services Club Inc
Brisbane Lions Football Club	Kedron-Wavell RSL Sub Branch Inc
Brothers Leagues Club Ipswich Inc	King Tutt's Putt Putt Pty Ltd
Buderim Bowls Club Inc	Kingaroy & Dist RSL & Citizens Memorial Club
Bundaberg RSL Sub Branch	Laidley Golf Club Inc
Cairns RSL Sub Branch	Laserforce – Lasergames Pty Ltd
Cairns RSL Club Limited	Lions Club of Mooloolaba
Carina Leagues Club Limited	Merricum Pty Ltd – Balmoral & Hawthorne Cinemas
Carrara Markets	Murgon Ladies Bowls Club
Clifton Bowls Club Inc	Murgon Lions Club
Cooloola Coast Bowls Club Inc	Murgon RSL Sub-branch
Coolum Beach Bowls Club Inc	North Stradbroke Island Golf Club
Cooroy Golf Club Inc	Qld Ex-POW Association Inc
Dalby Bowls Club Inc	

R & S Hawkins Pty Ltd – McDonalds
Gladstone

RAAM Trading Pty Ltd

Ravenshoe Memorial Bowls Club Inc

Ravenshoe Millstream Country Club Inc

Sherwood Services Club Inc

Sporting Shooters Assoc of Aust
(Brisbane)

Star Kingdom Investments Pty Ltd
(Yatala Twin Drive-In)

The Bay Boozatorium

Townsville RSL Sub-branch Inc

Wondai Country Club

The full audited financial statements for the ANZAC Day Trust are provided in the attached CD.

Appendix 2

Workplace Health and Safety Board Report 2009–10

The Workplace Health and Safety Board is the peak advisory body to the Queensland Government and the Minister for Industrial Relations on workplace health and safety issues.

It is established under Section 44 of the *Workplace Health and Safety Act 1995* to give advice and make recommendations to the Minister regarding policies, strategies, allocation of resources, and legislative arrangements for workplace health and safety.

Through the Board, key industry representatives work collaboratively to assist WHSQ in developing workplace health and safety strategies, legislation and advice.

Membership

The current board was appointed on 1 January 2008 for a three year term.

The board is comprised of 13 members representing employer and worker associations and experts. Members are selected by the Minister for their knowledge and experience in workplace health and safety.

There are currently two vacancies on the Board which resulted from the resignations of Mr Chris Rodwell from the Australian Industry Group who resigned on 12 January 2010 and Mr Glenn Goyen from Safe Work Queensland who resigned on 31 May 2010.

The Board's current membership is as follows:

Chair

Mr Vince O'Rourke

Representing employers

Mr John Crittall

Director, Construction Division, Queensland Master Builders Association

Ms Wendy Erhart

Co-Owner, G & W Racing Pty Ltd

Mr Peter Garske

Chief Executive Officer, Queensland Trucking Association

Ms Joanne Grainger

Chair, Cotton Australia

Representing workers

Ms Amanda Richards

Assistant General Secretary, Queensland Council of Unions

Mr Wallace Trohear

Representing the CFMEU Construction Division

Mr Tom Jeffers

Queensland Branch President and Southern District Secretary, Australian Workers' Union

Ms Julie Bignell, Branch Secretary, Australian Services Union (Central & Southern Qld Branch)

Other members

Ms Kelli Stallard

Partner, Dibbs Barker Lawyers

Mr Tony Hawkins

Chief Executive Officer, WorkCover Queensland

Meetings

The board formally met five times during 2009-10.

WHS Board Work Plan

The Board held its annual planning session in February 2010 and agreed to continue to focus on building a culture of safety leadership in Queensland workplaces through the Zero Harm at Work Leadership Program which targets senior levels of management of large and influential organisations. Zero harm at work is the overarching philosophy for workplace health and safety in Queensland for the next ten years and beyond. It means no harm to anyone, anytime while at work.

The Board's work plan also includes strengthening strategic alliances and education and awareness raising of workplace health and safety within specific industry groups eg young workers.

Zero Harm at Work Leadership Program Activities

The program promotes the open sharing of knowledge, innovation and experience across Queensland's industry leaders. During 2009-10, three successful industry based forums were held in the construction/housing and transport/storage sectors. Further forums are planned for 2010-11.

The first round of program member reporting has commenced. Analysis of reporting data is scheduled for completion in last quarter of 2010. Results of this analysis will inform ongoing development of the leadership program.

As at 30 June 2010, the program included 94 members from leading Queensland companies, associations and unions.

Other Activities

The Board considered and made recommendations on various issues throughout the year including:

- National Harmonisation of Model OHS Laws
- Medium Sized Business Initiative
- Young Workers Project.

Industry Sector Standing Committees

The board is supported by six industry sector standing committees:

- Construction Industry Sector Standing Committee
- Health and Community Services Industry Sector Standing Committee
- Manufacturing Industry Sector Standing Committee
- Retail and Wholesale Industry Sector Standing Committee
- Rural Industry Sector Standing Committee
- Transport and Storage Industry Sector Standing Committee.

These committees provide advice and make recommendations to the board about workplace health and safety in the industry sector for which the committee was established.

Throughout the year, the committees continued to focus on the implementation of the *Industry Action Plans 2008–2010* for their respective industry sectors. Common across all plans is a greater focus on education and awareness and a strong emphasis on initiatives to reduce the incidence of musculoskeletal disorders.

In 2009–10, WHSQ delivered on many of the plans' initiatives including nineteen 'Managing manual tasks risks' workshops, attended by 290 individuals from 121 businesses in the transport and storage sector.

Manual tasks and musculoskeletal risks were also the main topic of discussion at focus groups of metal manufacturing, meat processing machinery and equipment manufacturing and cleaning industry representatives.

In the health and community services sector a ceiling hoist workshop was well-received by over eighty delegates, whilst the 2009 School Safety Conference, attracted approximately 200 representatives from the State, Independent and Catholic education sectors.

In the rural industry over fifty rural on-property workshops were delivered for fruit, beef and sugar producers.

Constructing Better Business workshops have been delivered across the state to educate the construction industry about managing risks associated with occupational stress and manual tasks risks.

Appendix 3

Electrical Safety Board Report 2009–10

The *Electrical Safety Act 2002* (the Act) provides a legislative framework to help protect people and property from the risks associated with electricity. The Act establishes a Commissioner for Electrical Safety, an Electrical Safety Board (the Board) and three committees: the Electrical Safety Education Committee; the Electrical Licensing Committee and the Electrical Equipment Committee. All committees report to the board.

Mr Jack Camp was appointed Queensland's first Commissioner for Electrical Safety in October 2002 for five years and he was reappointed for a further five year term in October 2007. The Commissioner provides independent electrical safety advice to the Minister and chairs and manages the board and committees.

The primary function of the board is to give advice and make recommendations to the Minister about policies, strategies, and legislative arrangements for electrical safety.

Board and committee members represent employer and worker organisations and the community, and include members with expertise in relevant fields. Membership of the board and three committees is for a term of three years. Current board and committee members were appointed for a three year period commencing 1 October 2008.

Board membership

Chair

Mr Jack Camp

Chief Executive of the Department of Justice and Attorney-General

Mr Barry Leahy

Associate Director-General

Nominee of the Director-General

Representing employers

Mr Malcolm Richards

Chief Executive Officer

Electrical and Communications Association, Queensland

Mr Bruce Lancaster

Estimator - Electrical

John Holland Group Pty Ltd – SMP Division

Representing employees

Mr Dick Williams (resigned 31 March 2010)

Company Secretary

NTN Services Pty Ltd

Ms Michelle Burgoyne

Electrical fitter and mechanic

Employed by Rio Tinto Alcan

Representing the community

Ms Cherie Dalley

President, Queensland Consumers Association

Councillor, Logan City Council

Ms Peta Frampton

Mathematics teacher

Employed by Brisbane School of Distance Education

Board activities and achievements

The Electrical Safety Board met six times during the year.

Electrical Safety Plan for Queensland 2009 – 2014

A major undertaking was assessing performance against the *Electrical Safety Plan for Queensland 2009 – 2014*. The plan outlines strategies, goals and targets to support improvements in electrical safety. The issues identified in the plan help to ensure the plan can address emerging risk areas as and when they occur.

Legislation amendments

The board recommended amending the *Electrical Safety Act 2002* (the Act) and the *Electrical Safety Regulation 2002* (the Regulation) to ensure legislation continues to meet policy intent. Some of the amendments that came into force during the year included:

- removal of the net realisable asset provision for electrical contractor licences
- reviewed and updated electrical safety Codes of Practice
- a successful challenge to an Electrical Safety Notification issued by the Electrical Safety Office (ESO) resulted in a review of legislation for unsafe electrical equipment. The subsequent amendment to the Act allows the Minister to issue a recall order that would require the person to undertake certain actions including advertising the recall and reporting of results of the recall. The amendment also requires a supplier of electrical equipment to give the person subject to the recall order reasonable help in relation to the recall order.

The board provided advice:

- to the development of a practical regulatory signage solution to the problem of “Do-It-Yourself” installation of electrical equipment, which will provide important safety information to the public without adversely affecting retailers
- informing options for further penetration of safety switches in Queensland’s homes.

Council of Australian Governments’ decision to implement a national licensing system

In July 2008, the Council of Australian Governments agreed to introduce a national licensing system. The Electrical Safety Office has been represented on a number of national committees and working groups that have been preparing the basic framework, model Bill and other requirements. The board has taken a keen interest in progress of the matter and has had significant input and comment through the ESO representatives.

The board has been concerned that the final system to be introduced nationally does not dilute the robust current Queensland electrical licensing system which the board considers is appropriate to be adopted as a national model. The time line for commencement of the first wave of occupations is July 2012.

Commonwealth Government’s former Home Insulation Program

The board provided input to the Electrical Safety Office’s responses to electrical safety issues associated with the Commonwealth Government’s former Home Insulation Program.

Safety switch research project

The board has continued to support and provide input to the Electrical Safety Office’s research into the reliability of safety switches, including the physical, environmental and engineering factors that may determine the useful life of a safety switch. The project intends researching the general failure rate and identifying the significant influencing factors, with a view that control measures for managing the ageing safety switch population may be better understood and augmented.

Other activities

The board considered and/or made recommendations on various other issues throughout the year including:

- Energy Supply Industry’s proposal to develop an implementation plan for enhancing the level of consistency of Australian jurisdictions’ energy technical/safety regulation
- National review into model Occupational Health and Safety laws
- Investigation of emerging technologies relating to improvement of electrical safety
- Continued input into a research project about attitudes to electrical safety of licensed electrical workers and contractors, as a result of continued electrical incidents involving electrical workers and contractors.
- Demonstration of the ability of electrical workers and contractors to adequately test their electrical work.

Committees

The **Electrical Licensing Committee** (the Committee) establishes and safeguards appropriate standards of performance for electrical services providers, and provides advice to the board about electrical licences and training. It takes appropriate disciplinary action against electrical contractors and workers, and hears review appeals against decisions refusing electrical licence applications.

During the year, matters involving five electrical licence holders were referred to the Committee for consideration of disciplinary action as a result of unsafe electrical work and non-compliant practices. Disciplinary action that the Committee may take includes reprimands, fines, suspension or cancellation of licences and fault rectification. One licensed electrical contractor had his licence suspended for three months, was fined \$1 000, required to demonstrate his competence in testing procedures, and audits were conducted on a sample of his work.

The committee also heard 22 review appeals against decisions refusing electrical licence applications. The Committee confirmed 20 cases, varied one case, and deferred another case pending further investigation.

The committee also provided advice on:

- the currency of the Electrical Safety Office Electrical Licensing Eligibility Policy
- an ESO review into the appropriateness of disciplinary actions handed down at disciplinary hearings involving licensed electrical workers and contractors
- proposals from a number of organisations regarding electrical licensing outcomes of proposed training packages
- the Council of Australian Governments' decision to introduce a national trade licensing system.

The **Electrical Safety Education Committee** continued its focus on the provision of advice and making recommendations to the board about the promotion of electrical safety in workplaces and in the broader community. This was achieved by development of information materials in support of the goals of the *Electrical Safety Plan for Queensland 2009-2014*.

The **Electrical Equipment Committee** continued its focus on providing advice and making recommendations to the board about the safety, energy efficiency and performance of electrical appliances and equipment. The committee also focused on changes to national electrical safety standards, proposed research to identify trends in electrical equipment incidents, as well as those involving emerging technologies.

Appendix 4

Statutory bodies and appointments¹

Adult Guardian ²	Legal Aid Queensland ²
Anti-Discrimination Commission Queensland ²	Legal Practice Committee
Anti-Discrimination Tribunal Queensland ³	Legal Practice Tribunal ³
Appeal Costs Board	Legal Practitioners Admissions Board ²
Building and Construction Industry (Portable Long Service Leave) Authority Board	Legal Services Commission ²
Cardiac Assessment Tribunal	Licensing Review Committee – Workplace Health and Safety
Children Services Tribunal ³	Misconduct Tribunal Panel Members ³
Commercial and Consumer Tribunal ³	Neurology/Neurological Assessment Tribunal
Composite Medical Assessment Tribunal	Ophthalmology Assessment Tribunal
Contract Cleaning Industry (Portable Long Service Leave) Authority Board ²	Orthopaedic Assessment Tribunal
Council of the Queensland Law Society Incorporated ²	Professional Standards Council ²
Criminal Organisation Public Interest Monitor	Public Advocate ²
Crime and Misconduct Commission ²	Public Interest Monitor ^{2, 4}
Dermatology Assessment Tribunal	Public Trustee of Queensland ²
Director of Public Prosecutions ²	Public Trust Office Investment Board
Disfigurement Assessment Tribunal	Q-COMP Board (Workers' Compensation Regulatory Authority)
Dispute Resolution Centres Council	Queensland Civil and Administrative Tribunal ^{2, 3}
Ear, Nose and Throat Assessment Tribunal	Queensland Industrial Relations Commission ²
Electoral Commission of Queensland ²	Queensland Law Reform Commission ²
Electrical Safety Board	Queensland Ombudsman ²
Employee Agents Advisory Committee	Queensland Workplace Rights Ombudsman ²
General Medical Assessment Tribunal	Retail Shop Leases Tribunal ³
Guardianship and Administration Tribunal ³	Registrar-General (and Deputy Registrar-General) of Births, Deaths and Marriages
Land Court	Solicitor-General
Land Tribunal (Aboriginal)	Supreme Court of Queensland Library Committee ²
Land Tribunal (Torres Strait Islander)	WorkCover Queensland ²
Legal Aid Board	Workplace Health and Safety Board

1 Legislation establishing the portfolio's statutory bodies and authorities is listed in Appendix 5.

2 The statutory bodies/statutory appointments prepare their own annual reports.

3 The delivery of these services were amalgamated into Queensland Civil and Administrative Tribunal on 1 December 2009 and ceased to run as its own entity.

4 The department is jointly responsible with the Minister for Police, Corrective Services and Emergency Services.

Appendix 5

Acts Administered by the Attorney-General and Minister for Industrial Relations as at 30 June 2010

- *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984* Part 4, sections 18-25 (sections 4, 8, 64-67, 70 and 71 jointly administered with the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships, the Minister for Community Services and Housing and Minister for Women, and the Minister for Disability Services and Multicultural Affairs)
- *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*
- *Adoption Act 2009 (Part 14A)*
- *Anti-Discrimination Act 1991* †
- *Anzac Day Act 2005*
- *Appeal Costs Fund Act 1973* †
- *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*
- *Births, Deaths and Marriages Registration Act 2003* †
- *Body Corporate and Community Management Act 1997* Chapter 6, Chapter 7, Part 1, ss 313A, 319, 346, 354, 359, 360 and 361 and Schedule 5 (ss 320, 322, 341 and Schedule 6 jointly administered with the Minister for Tourism and Fair Trading)
- *British Probates Act 1898*
- *Building and Construction Industry (Portable Long Service Leave) Act 1991* †
- *Burials Assistance Act 1965*
- *Carruthers Inquiry Enabling Act 1996*
- *Cattle Stealing Prevention Act 1853*
- *Child Employment Act 2006*
- *Childrens Court Act 1992* (except to the extent administered by the Minister for Child Safety and Minister for Sport and the Minister for Community Services and Housing and Minister for Women)
- *Choice of Law (Limitation Periods) Act 1996*
- *Civil Liability Act 2003*
- *Classification of Computer Games and Images Act 1995*
- *Classification of Films Act 1991*
- *Classification of Publications Act 1991*
- *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*
- *Contract Cleaning Industry (Portable Long Service Leave) Act 2005* †
- *Co-operative Schemes (Administrative Actions) Act 2001*
- *Coroners Act 2003*

Appendices

- *Corporations (Administrative Actions) Act 2001*
- *Corporations (Ancillary Provisions) Act 2001*
- *Corporations (Commonwealth Powers) Act 2001*
- *Corporations (Queensland) Act 1990*
- *Court Funds Act 1973*
- *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 Proceeds Confiscation Act 2002*
- *Criminal Organisation Act 2009*
- *Crown Proceedings Act 1980*
- *Dangerous Goods Safety Management Act 2001*
- *Dangerous Prisoners (Sexual Offenders) Act 2003*
- *Defamation Act 2005*
- *Director of Public Prosecutions Act 1984 †*
- *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 Court Act 2000*
- *Drugs Misuse Act 1986 (except to the extent administered by the Minister for Primary Industries, Fisheries and Rural and Regional Queensland)*
- *Electoral Act 1992 †*
- *Electrical Safety Act 2002 †*
- *Electronic Transactions (Queensland) Act 2001*
- *Evidence Act 1977*
- *Evidence and Discovery Act 1867*
- *Evidence (Attestation of Documents) Act 1937*
- *Evidence on Commission Act 1988*
- *Fair Work (Commonwealth Powers) and other Provisions Act 2009*
- *Federal Courts (State Jurisdiction) Act 1999*
- *Financial Transaction Reports Act 1992*
- *Futures Industry (Application of Laws) Act 1986*
- *Guardianship and Administration Act 2000 †*
- *Holidays Act 1983*
- *Imperial Acts Application Act 1984*
- *Information Privacy Act 2009*
- *Invasion of Privacy Act 1971*
- *Judges (Pensions and Long Leave) Act 1957 (except to the extent administered by the Treasurer and Minister for Employment and Economic Development)*
- *Judicial Remuneration Act 2007*
- *Judicial Review Act 1991*
- *Jurisdiction of Courts (Cross-vesting) Act 1987*
- *Jury Act 1995*
- *Justice and Other Information Disclosure Act 2008*
- *Justices Act 1886*
- *Justices of the Peace and Commissioners for Declarations Act 1991*

Appendices

- *Land and Resources Tribunal Act 1999*
- *Land Court Act 2000* †
- *Law Reform Act 1995*
- *Law Reform Commission Act 1968* †
- *Legal Aid Queensland Act 1997* †
- *Legal Profession Act 2007* †
- *Limitation of Actions Act 1974*
- *Magistrates Act 1991*
- *Magistrates Courts Act 1921*
- *Maintenance Act 1965*
- *Oaths Act 1867*
- *Ombudsman Act 2001* †
- *Pastoral Workers' Accommodation Act 1980*
- *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*
- *Printing and Newspapers Act 1981*
- *Prisoners International Transfer (Queensland) Act 1997*
- *Prisoners (Interstate Transfer) Act 1982*
- *Private Employment Agents Act 2005*
- *Professional Standards Act 2004* †
- *Property Law Act 1974*
- *Public Trustee Act 1978* †
- *Queensland Civil and Administrative Tribunal Act 2009*
- *Recording of Evidence Act 1962*
- *Referendums Act 1997*
- *Regulatory Offences Act 1985*
- *Retail Shop Leases Act 1994*
- *Right to Information Act 2009*
- *Securities Industry (Application of Laws) Act 1981*
- *Solicitor-General Act 1985* †
- *Standard Time Act 1894*
- *State Penalties Enforcement Act 1999*
- *Status of Children Act 1978*
- *Succession Act 1981*
- *Supreme Court Act 1995*
- *Supreme Court Library Act 1968* †
- *Supreme Court of Queensland Act 1991*
- *Surrogacy Act 2010*
- *Telecommunications Interception Act 2009*
- *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) †
- *Trading (Allowable Hours) Act 1990*
- *Trust Accounts Act 1973*
- *Trustee Companies Act 1968*
- *Trusts Act 1973*
- *Vexatious Proceedings Act 2005*
- *Victims of Crime Assistance Act 2009*
- *Witness Protection Act 2000*
- *Workers' Accommodation Act 1952*
- *Workers' Compensation and Rehabilitation Act 2003* †
- *Workplace Health and Safety Act 1995* †

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

Appendix 6

Whistleblower protection

The department has guidelines available to all departmental staff about the protection of whistleblowers and the investigation of public interest disclosures. The department, as both a matter of duty and policy, actively supports the *Whistleblowers Protection Act 1994*. The Act's principal objective is to promote the public interest by protecting people who disclose unlawful, dangerous, negligent or improper conduct affecting the public sector and public health and safety. In 2009–10, there were 17 public interest disclosures under the *Whistleblowers Protection Act 1994* related to official misconduct. Nine public interest disclosures were substantially verified in the same period.

Appendix 7

Public Sector Ethics Act 1994

The department's Code of Conduct has been developed under the principles of the *Public Sector Ethics Act 1994* and establishes the ethical standards of conduct and behaviour expected of Department of Justice and Attorney-General staff when working with each other, with other agencies and when serving members of the community. In 2009–10, the code was substantially revised to provide greater guidance to staff of the newly amalgamated department.

The Code of Conduct is based on the following *Public Sector Ethics Act 1994* obligations:

- 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. The code contains specific processes for dealing with actual potential ethical problems which may arise in the workplace and for dealing with breaches of the code.

The content of the code is regularly reviewed to ensure consistency with changes in public sector legislation, policies and guidelines. During 2009–10, policies on whistleblowing, other employment and conflicts of interest were redeveloped.

Appendix 8

Voluntary early retirements and redundancies

In 2009, the Australian Tax Office approved the Queensland Government's application for the Queensland Public Service Workforce Rejuvenation Scheme.

This scheme offered voluntary early retirement to tenured Senior Executive Service and Senior Officers employed in corporate and business support roles throughout Government.

There were a total of twenty-two employees of the Department of Justice and Attorney-General eligible for the scheme. Of this number, four employees elected to take early retirement at a cost of \$384 788.86.

The savings from these positions was used to create additional positions in the Office of the Adult Guardian. These new positions help to protect the rights and interests of adults with impaired decision making capacity.

Four other redundancies were provided in 2009–10 at a cost of \$161 261.86.

Appendix 9

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.

More information on the SSA is in the Department of Public Works Annual Report.

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

Appendix 10

Environmental sustainability

Energy conservation

The department has 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.

Achievements

- energy conservation initiatives incorporated in the new Ipswich Courthouse including solar water heating, low-energy lighting and solar panels
- a significant lighting program to further reduce energy consumption implemented at Townsville
- appointed ecoFund Queensland to undertake carbon advisory audits to develop a Greenhouse Gas Emissions inventory report
- established a draft *Strategic Energy Management Plan* in accordance with the *Strategic Energy Efficiency Policy for Queensland Government Buildings*.

Future action

- continue to expand the use of alternative energy sources, including the incorporation of solar panels for hot water systems in new and refurbished buildings
- continue to develop an energy awareness strategy to encourage staff to use energy efficiently and to install automated devices to switch off non-essential office equipment outside of business hours.

Carbon emissions

The Department of Justice and Attorney-General is committed to supporting the Queensland Government's *Toward Q2 – Tomorrow's Queensland* target to cut Queenslanders' greenhouse gas emissions by one third by 2020. This commitment includes implementation of the Government's environmental and climate change strategies, such as the *ClimateQ: toward a greener Queensland* strategy.

The following table outlines the emissions relating to the Department of Justice and Attorney-General

Activity	GROSS greenhouse gas emissions (tonnes of CO ₂)	Less emission offsets (tonnes of CO ₂)	NET greenhouse gas emissions (tonnes of CO ₂)	Explanatory Notes
Vehicle usage				
QFleet leased vehicles	1,581	303	1,278	1
Department-owned vehicles				
Hired vehicles	68	68	-	2
Electricity consumption				
Purchased directly from an electricity retailer	24,183	810	23,373	3
Sourced through a third party	7,215	242	6,974	4
Air travel				
Domestic air travel on commercial airlines	836.4	836.4	-	5
International air travel on commercial airlines	95.6	95.6	-	5

Notes

- The emissions figure has been aggregated using National Greenhouse Emissions Reporting guidelines and represents emissions for four primary fuel types: unleaded petrol, diesel, liquefied petroleum gas and E10. Emissions shown are estimates based on actual kilometres travelled and available fuel consumption records. The emission offsets figure relates to purchased national Greenhouse Friendly™ certified carbon offsets for vehicles that did not comply with the minimum Greenhouse Vehicle Guide ratings.
- The hire car vehicle emissions attributable to Avis Australia vehicles booked under the Standing Offer Arrangement managed by the Queensland Government Chief Procurement Office have been calculated by Avis Australia. The emission offsets figure relates to purchased national Greenhouse Friendly™ certified carbon offsets.
- This emissions figure is based on available building-related electricity consumption records for the period 1 April 2009 to 31 March 2010. For these records the emissions reported are limited to those linked to electricity purchased directly from an energy retailer for this department's own buildings and any space it leases. Incomplete electricity consumption records have been extrapolated where necessary. The electricity consumption has then been converted to carbon emissions using the combined Scope 2 and Scope 3 conversion factor of 1.01 kg CO₂-e/kWh as published in the Australian Government's *National Greenhouse Accounts Factors Workbook* (June 2009).

The emission offsets figure includes GreenPower accredited renewable energy procured through Ecofund by the Department of Public Works on behalf of each department. The process involved the centralised bulk purchase of Queensland-based GreenPower Renewable Energy Certificates, and subsequently surrendering them to the Australian Government's Office of the Renewable Energy Regulator.
- This emissions figure is based on emissions associated with electricity use in leased spaces where the electricity is not directly purchased by the tenant department from an energy retailer eg. where the electricity costs form part of lease charges.

This figure includes estimated consumption (where specific details aren't available) and actual electricity records received from government and private sector landlords. Incomplete electricity consumption records have been apportioned and/or extrapolated where necessary. For example, in those major government office buildings owned by the Department of Public Works and do not have separate electricity sub-metering for tenants, the electricity consumption and associated emissions have been apportioned 45% to the landlord, and 55% to the tenants – in line with industry practice and historical benchmarking.

The emission offsets figure includes GreenPower accredited renewable energy procured through Ecofund by the Department of Public Works on behalf of each department.

- 5 Air travel includes all flights recorded by the Queensland Government Chief Procurement Office (QGCPPO) during the period 1 April 2009 to 31 March 2010, specifically:
- international air travel on commercial airlines; and
 - domestic air travel on commercial airlines.

For all air travel the following methodology is used. QGCPPO calculates the kilometres flown from data provided. The kilometre figure is divided by 100 and multiplied by an industry average number of litres of fuel burnt per passenger per 100 kms. A factor of 5 has been used for all air travel (sourced from the International Civil Aviation Organisation). The use of this method gives the average litres of fuel burnt for a flight, per passenger. This figure is subsequently converted from litres into kilograms and then from kilograms into tonnes, before being multiplied by 3.157 (which represents the amount of CO₂ tonnes produced by burning one tonne of aviation fuel sourced from the International Civil Aviation Organisation).

The emission offsets figure for air travel relates to purchased national Greenhouse Friendly™ certified carbon offsets.

Water conservation

The Queensland Government is leading a number of key water management strategies, including the conservation of potable water within high water use Government assets. The department of Justice and Attorney-General is contributing to this policy through careful and considered water management.

Achievements

- the recently opened Ipswich Courthouse boasts a 23 000 litre rainwater tank for garden maintenance
- complied with Brisbane City Council *Water Efficiency Management Plan*.

Future action

- the refurbishment of the Toowoomba Courthouse will feature a 10 000 litre rainwater tank
- consider other water saving technology as part of all capital work and major building refurbishment projects.

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 to seek opportunities to expand its recycling program and improve other waste management practices.

Appendix 11

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 2009–10 including, in some cases, costs carried over for periods of travel occurring before 1 July 2009. 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 of Public Prosecutions, A Moynihan SC	South Africa	Heads of Prosecuting Agency Conference	\$9 052	Nil
The Honourable P de Jersey AC, Chief Justice and spouse ¹	Vietnam	Chief Justices of Asia and Pacific Conference	\$7 222	Nil
The Honourable P de Jersey AC, Chief Justice and spouse ¹	Spain	International Bar Association Conference and London court-related visits	\$35 453	Nil
The Honourable Justice M McMurdo AC, President of the Court of Appeal ²	Tahiti, French Polynesia	18th Pacific Judicial Conference (balance of 2008–09 trip) ²	\$3 926	Nil
The Honourable Justice P Keane	New Zealand	Australian Institute of Judicial Administration council meeting	\$2 336	Nil
Director of Corporate Communications, P Holmes and Assistant Director of ODPP, B Campbell	United States of America	Consultation with prosecution witnesses (balance of 2008–09 trip) ³	\$68	Nil
Registrar, Alternative Dispute Resolution – Planning and Environment Court, P Stilgoe	New Zealand	Australasian Conference of Planning and Environment Courts and Tribunals annual meeting	\$1 083	Nil
Executive Director, Electrical Safety Office, P Lamont	Singapore	Asia Pacific Economic Cooperation Joint Advisory committee (balance of 2008–09 trip)	\$1 157	Nil
Executive Director, Electrical Safety Office, P Lamont	Tokyo, Japan	Chair the Asia Pacific Economic Cooperation (APEC) Electrical Equipment (EE) Manual Recognition Agreement (MRA) Joint Regulatory Advisory Committee (JRAC) meeting	\$1 870	35% funded by APEC EE JRAC
Private Sector Industrial Relations Director, S Venn-Brown	New Zealand	Final compulsory residential component of Executive Masters in Public Administration	\$1 477	1 day's accommodation funded by Australia and New Zealand School of Government

¹ The trip is in accordance with the Chief Justice Entitlements Booklet paragraph 1.1 schedule A.

² The trip is in accordance with the President of the Court of Appeal Entitlements Booklet paragraph 1.1 schedule A. The agency cost represents a reimbursement made in 2009-10 for travel related expenses which the Honourable Justice M McMurdo incurred while attending the 18th Pacific Judicial Conference in Tahiti in 2008-09.

³ The agency cost represents the loss on exchange of foreign currency in 2009-10 for travel that was undertaken in 2008-09.

Appendix 12

Cost of consultancies

The department incurred \$254 950 on the cost of consultancies for 2009–10. Major consultancies included:

- implementing a practice management system for Crown Law
- evaluation of Homeless and Special Circumstance Court Diversion Program
- structural review of Queensland Workers' Compensation Scheme and evaluation on Workers' Compensation rates.

Category	Cost
Management	\$228 050
Professional/Technical	\$26 900
Total	\$254 950

Appendix 13

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 2009–10 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.

The Retail Shop Leases Tribunal (RSLT) transferred to QCAT on 1 December 2009. Expenses of the RSLT below are for the period 1 July 2009–30 November 2009 only. Expenses after this period are recorded in the annual report of QCAT.

Board or tribunal	Expenses
Retail Shop Leases Tribunal (to 30 November 2009)	\$69 291
Workplace Health and Safety Board	\$13 081
Industry Sector Standing Committee	\$11 439
Electrical Safety Board	\$6 074
Electrical Safety Committees	\$8 474

Glossary

APEC	Asia Pacific Economic Cooperation	MRA	Manual Recognition Agreement
ARMC	Audit and Risk Management Committee	ODPP	Office of the Director of Public Prosecutions
BCCM	Office of the Commissioner for Body Corporate and Community Management	PSIER	Public Sector Industrial and Employee Relations
BDM	Registry of Births, Deaths and Marriages	QAO	Queensland Audit Office
BOM	Board of Management	QCAT	Queensland Civil and Administrative Tribunal
C.decs	Commissioners for Declarations	QCS	Queensland Corrective Services
CALD	Culturally and linguistically diverse	QGAP	Queensland Government Agent Program
CFO	Chief Financial Officer	QGCPO	Queensland Government Chief Procurement Office
COAG	Council of Australian Governments	QIADP	Queensland Indigenous Alcohol Diversion Program
COPIM	Criminal Organisation Public Interest Monitor	QIRC	Queensland Industrial Relations Commission
DEIR	Department of Employment and Industrial Relations	QLeave	Building and Construction Industry (Portable Long Service Leave) Authority Board
DSP	Disability Service Plan	QLRC	Queensland Law Reform Commission
EE	Electrical equipment	QMERIT	Queensland Magistrates Early Referral into Treatment program
ERAC	Electrical Regulatory Authorities Council	QWIC	Queensland Wide Integrated Courts System
ESO	Electrical Safety Office	RSLT	Retail Shop Leases Tribunal
FTE	Full time equivalent	RTI Act	<i>Right to Information Act 2009</i>
GHS	Globally Harmonised System of Classification and Labelling of Chemicals	SPER	State Penalties Enforcement Registry
GOCs	Government Owned Corporations	SSPs	Shared Service Providers
ICT	Information and communication technology	Victim Assist	Victim Assist Queensland
IM	Information management	WCQ	Workplace Consulting Queensland
IP Act	<i>Information Privacy Act 2009</i>	WHSQ	Workplace Health and Safety Queensland
JP	Justices of the Peace		
JRAC	Joint Regulatory Advisory Committee		
MAP	Multicultural Action Plan		
Moynihan Review, The	Review of the civil and criminal justice system in Queensland		

Our finances

The CD-ROM attached below contains an electronic version of the full financial statements of the Department of Justice and Attorney-General for the 2009–10 year.

