

Department of Justice and Attorney-General

2012–13 Annual Report

Communication Objective

The Department of Justice and Attorney-General's annual report summarises its financial and corporate performance for 2012-13. It has been prepared to meet the needs of stakeholders and the Department's accountability requirements under the *Financial Accountability Act 2009*.



The Queensland Government is committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding the annual report, you can contact us on either (07) 3239 3520 and we will arrange an interpreter to effectively communicate the report to you.

The full financial statements of the Department of Justice and Attorney-General for 2012-13 are contained on the CD attached to the inside the back cover of the report.

Our report including additional information not reported in the published version is available at: <http://www.justice.qld.gov.au/corporate/general-publications/annual-report/2012-13-djag-annual-report>

Open Data reporting for additional information is available at: <https://data.qld.gov.au/>

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Contact details and location of feedback survey:

Feedback survey relating to the Department of Justice and Attorney-General's annual report is located on the Department of the Premier and Cabinet website at: www.qld.gov.au/annualreportfeedback

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Letter of compliance



17 September 2013

The Honourable Jarrod Bleijie MP
Attorney-General and Minister for Justice
Level 18, State Law Building
50 Ann Street, Brisbane Qld 4000

Dear Attorney

I am pleased to present the Annual Report 2012-2013 and financial statements 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 report requirements for Queensland Government agencies.

A checklist outlining the annual reporting requirements can be accessed at www.justice.qld.gov.au/corporate/general-publications/annual-report/2012-2013-djag-annual-report

Yours sincerely

John Sosso
Director-General



I am pleased to present the Department of Justice and Attorney-General's 2012-13 annual report. This annual report shows the Department's contribution to the Queensland Government's objectives and its progress towards achieving its vision of a fair, safe and just Queensland.

Renewal and reform agenda

During 2012-13, the Department made a strong contribution to the Government's renewal and reform agenda, while continuing to provide effective services to its diverse range of clients throughout Queensland.

The Department's service delivery review and fiscal repair strategy reduced its operating budget by more than \$30 million dollars, exceeding the target fiscal repair measures set for the Department in 2012-13.

The Department assisted in developing the terms of references for, and establishing, the commissions of inquiry to review Queensland's child protection system, the implementation of the Queensland Health payroll system and the Queensland Racing Commission, and the Callinan Review of the Crime and Misconduct Commission.

This report demonstrates the many initiatives of the past year, including: a large legislative and policy agenda; improvements to frontline service delivery; a solid performance against departmental service standards; and setting the foundation for further policy and service delivery improvements in the coming years.

Legislative program delivering safer communities and reducing red tape

The Department continued to review and reform Queensland's laws during the year by progressing a significant legislative program. Nineteen Bills were introduced, aimed at creating safer Queensland communities, supporting service improvements and reducing red tape and the regulatory burden.

Cracking down on serious drug crime and making Queensland communities safer was a major focus during 2012-13. The Department introduced tougher sentences for serious offenders, including child sex offenders and serious drug criminals, introduced tough new laws on synthetic drugs and unexplained wealth, as well as enhanced anti-graffiti laws.

During 2012-13, red tape reduction was an important consideration in all areas of the Department's work. Some examples included:

- a review and public consultation on splitting the *Property Agents and Motor Dealers Act 2000* into four industry-specific Bills, to reduce the regulatory burden for real estate agents, property developers, auctioneers, motor dealers and commercial agents
- reducing red tape in the liquor and gaming industry, by releasing a red tape reduction discussion paper and other reform proposals for regulating liquor and gaming
- commencing a review of the *Electrical Safety Regulation 2002*, aimed at improving electrical safety, while also reducing red tape for business.

New programs

During 2012-13, the Department introduced a number of new programs to reshape justice service delivery in Queensland.

The trial of youth boot camps began at the Gold Coast and Cairns, with expressions of interest also invited for camps in the Fraser-Sunshine Coast, Rockhampton and Townsville regions. The two-year trial offers a new and innovative approach to reducing juvenile crime and is being supported by comprehensive policy and legislative reviews of youth justice, including the development of a Youth Justice Blueprint to guide the reform of youth justice in Queensland.

The six-month trial of Justices of the Peace (JPs) hearing minor civil disputes commenced, with more than 100 JPs signing up to participate in the program. The program aims to reduce backlogs in the Queensland Civil and Administrative Tribunal.

Access to Queensland's historical data was made easier, with the Queensland Registry of Births, Deaths and Marriages launching its new family research service, providing easy online access to historical records at a greatly reduced cost.

Justice services improvements

Queensland courts continued to achieve impressive clearance rates in the criminal and civil jurisdictions. During 2012-13, Queensland courts and tribunals finalised 315 816 matters, supported by the Department's registry staff across the State. This year also marked the completion of the State's premier legal precinct with the official opening of the Queen Elizabeth II Courts of Law by Her Excellency the Governor of Queensland, Penelope Wensley.

To ease workload pressures and reduce waiting times in Queensland courts, a permanent coroner's office was established in Central Queensland to help reduce waiting times in the finalisation of these sensitive matters. Also, an additional Supreme Court Justice was appointed to address workload pressures in the Supreme Court.

Support for vulnerable people

Victims of crime continued to be supported, with the Department providing the first year of increased funding to improve frontline services to victims of violent crime. During 2012-13, Victim Assist Queensland received more than 2000 applications for financial assistance and provided approximately \$10 million to help victims of crime recover from acts of violence.

The Department completed the Review of the allocation of funds from the Legal Practitioners Interest on Trust Accounts Fund (LPITAF). The review set out a new model for strategically allocating funds from the LPITAF and Consolidated Fund to LPITAF funded organisations.

In 2012-13, the Department provided \$250 000 to Women's Legal Service to support vulnerable Queensland women with assisted legal advice sessions and a telephone support service to help women suffering from violence and abuse.

Also during the year, the Department continued to protect adults with impaired capacity, with the Adult Guardian acting as a substitute decision maker for 2485 adults. During 2012-13, the Office of the Adult Guardian finalised more than 200 investigations into allegations of neglect, abuse and exploitation. Community visitors made approximately 4000 visits to 1000 accommodation sites, supporting 6000 residents.

Safer communities

The Office of Fair Trading continued to protect consumers by checking more than 11 500 products and conducting nearly 2300 spot checks. During 2012-13, the Office received approximately 13 100 consumer complaints, finalised more than 2000 investigations, initiated approximately 1306 enforcement actions against non-compliant traders and recovered \$7.5 million in redress for consumers.

The Office of Liquor and Gaming Regulation continued to minimise harm caused by alcohol misuse and abuse and maintain the integrity of the gambling industry. It completed nearly 6600 investigations and initiated more than 4400 enforcement actions. It also processed approximately 22 500 liquor and gaming applications for a range of matters and approved 2405 Community Benefit Fund grants totalling \$47.2 million.

Both Workplace Health and Safety Queensland and the Electrical Safety Office continued to make sure Queensland communities and workplaces are safer through a range of programs and activities using both preventative and compliance measures. This has resulted in continuing reductions in both workplace deaths and injuries and deaths and serious incidents caused by electricity in Queensland.

I would like to thank our dedicated staff for their professionalism and commitment throughout the year, as well as the many organisations that support the Department's efforts in delivering high quality services to the community. I would also like to acknowledge the vital role played by JPs and court volunteers, who serve the justice system in an honorary capacity. Thank you again for your important contribution.

John Sosso
Director-General

The Minister

The Honourable Jarrod Bleijie MP is the Attorney-General and Minister for Justice. 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 and Minister for Justice 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
- is responsible for workplace health and safety and electrical safety and workers' compensation in Queensland
- has responsibility for some private sector industrial relations issues including trading hours, public holidays and child employment
- provides legal advice to Cabinet and the Executive Council and advises the Executive Council on judicial appointments
- can 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 Attorney-General and Minister for Justice is responsible for administering 222 Acts of Parliament relating to the operations of the portfolio of the Department of Justice and Attorney-General. This legislation includes establishing various bodies and statutory officers.¹ Though these bodies and individuals have varying degrees of independence from the Attorney-General and Minister for Justice, ultimately he is responsible to Parliament for the legislation under which each of them is established.

The Department

The Department of Justice and Attorney-General is the government agency responsible for:

- administering justice in Queensland
- providing services to support a fair industrial relations system, safe work environments and improved personal and public electrical safety
- providing Queensland businesses and consumers with information and advice about their rights and responsibilities and investigating complaints about unfair business practices
- promoting the economic development and responsible management of Queensland's liquor industry
- maintaining the integrity and probity of the gambling industry in Queensland and ensuring the community benefits from gaming machine gambling.

While many services are delivered in and around Brisbane, the Department has a strong presence throughout regional Queensland:

- the Queensland Courts Service provides all Queenslanders with direct access to Queensland's justice system. Queenslanders in regional areas also have access to Queensland Government agencies to gain access and advice on State and federal government services
- with a focus on delivering services to all Queenslanders, the Justices of the Peace (JPs) in the Community program has 173 signing sites across Queensland
- Victims Assist Queensland court support officers are located in numerous courthouses throughout Queensland to make sure that victims of crime have access to the services they need
- the Office of the Director of Public Prosecutions has chambers and sub-offices located throughout Queensland to represent the State in criminal cases
- the Office of Fair and Safe Work Queensland provides workplace health and safety services, electrical safety services and industrial relations services throughout Queensland to keep workplaces and communities safe
- the Office of Liquor, Gaming and Fair Trading offers a range of liquor licensing and regulation services in locations all across Queensland

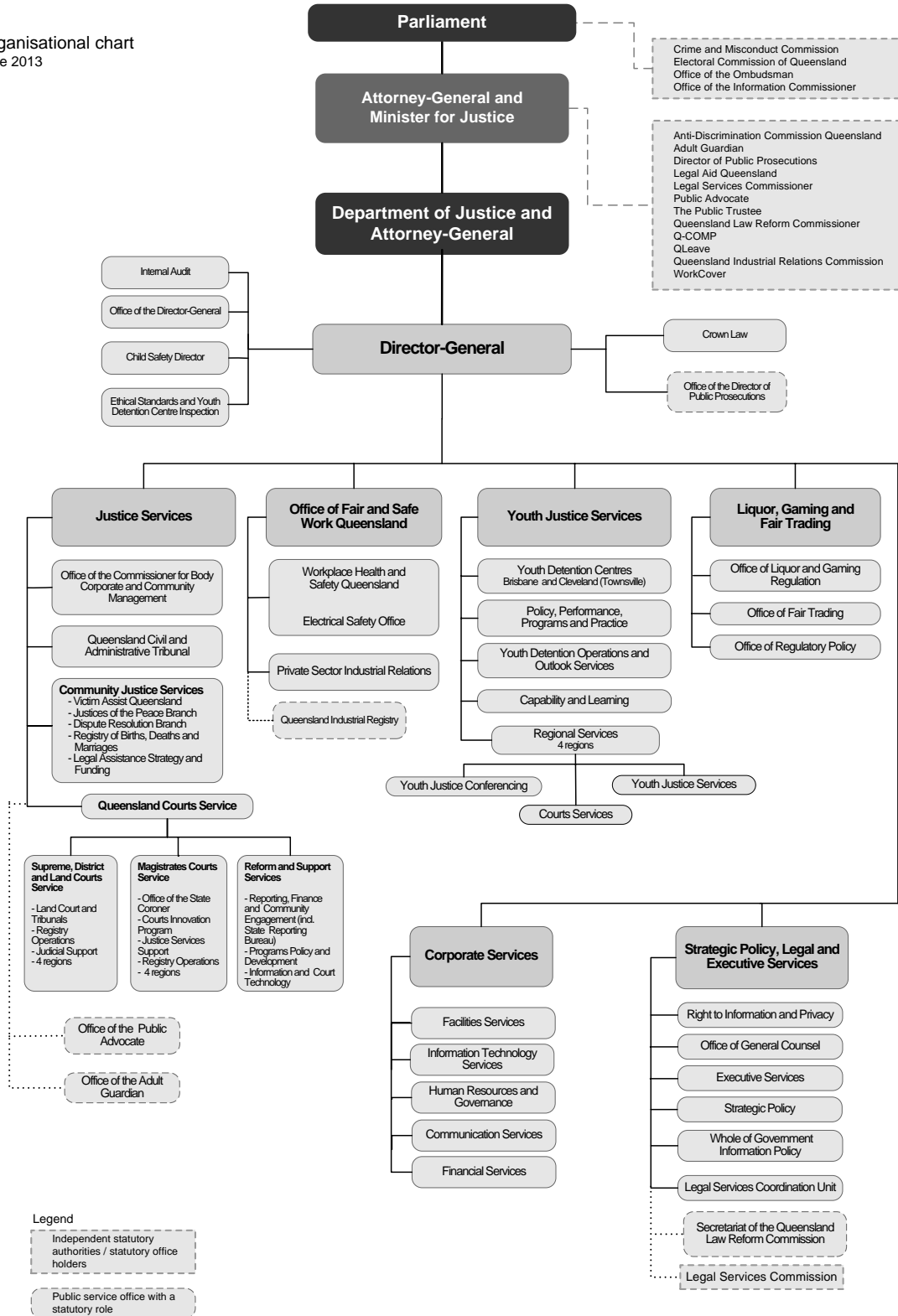
¹ The portfolio's statutory bodies and appointments are listed in Appendix 1. Legislation establishing the portfolio's statutory bodies and authorities is listed in Appendix 2.

- Youth Justice Services provides a fair and balanced response to young people in contact with the justice system. This response holds young people accountable for their actions, encourages their reintegration into the community and promotes community safety.

The Department did not experience significant changes to the organisational structure during 2012-13.

Organisational structure

Organisational chart
June 2013





Our vision, values and purpose

Contributing to the Government's objectives for the community

Our vision:
A fair, safe and just Queensland.

Our purpose:
To contribute to a fair and just society and safe, healthy, productive workplaces and community.

Our values:
Our values underpin our work and guide our planning, service delivery and reporting.

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

People
We enable our people to make a difference for Queenslanders.

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 ensuring effective, timely and responsive services. We use innovation and initiative to improve our performance.

Lower the **cost of living**

Grow a **four pillar economy**

Revitalise **frontline services**

Restore **accountability in government**

Invest in better infrastructure and use better planning



Planning performance and reporting

The Department contributes to the Government's commitments to the community through the delivery of a diverse range of services. The strategic plan is the link between the Government's plan for Queensland and the Department, underpinning all of the Department's work.

The strategic plan sets the Department's priorities and forms the basis for its reporting. Performance indicators from the strategic plan have been used in performance chapters to report performance and show how the Department is progressing toward achieving its objectives. The Department's performance against its service standards is also reported in the performance chapters.



Strategic risks

The Department uses the objectives, strategies and services set out in the strategic plan to successfully manage its strategic risks as it continues to look for more innovative and effective ways to deliver its services within a tight fiscal environment.

Planning for long-term demographic shifts - Population growth and changing demographics in Queensland, particularly in the south east, is increasing the demand for our services.

The Department will consider both long-term planning and proactive measures to deal with demographic shifts and avoid the tendency to manage only short-term issues and immediate objectives.

High quality public governance through greater accountability - The Government is committed to transparency of the use of public funds.

Simultaneously, the demands on the Government's services are rising. Stepping up to these demands will require robust project management and greater responsibility for the outcomes of public programs.

Maintaining delivery effectiveness with HR transformation pressures - There is a growing need to recruit, retain and develop capability in the Department's workforce. Increasingly, the public sector has to compete with the private sector for highly skilled employees.

Concurrently, government Departments are being asked to review their operating methodology. These two opposing trends are driving the escalation of the risk. It is important that our workforce remains engaged and agile.

Recognising opportunities and risks in emerging technologies - New technologies such as digitisation and social media will increasingly affect the Department. These advances create new strategic risks to reputation and service delivery. Furthermore, a greater emphasis on data monitoring and security will be required.

Recognising opportunities and risks in sourcing arrangements - Sourcing arrangements are complicated and present various risks to the Department. Without a well defined approach, it is easy to miss opportunities and fail to realise the benefits.

The continued evolutions of selection, measurement and management processes is critical to the success of sourcing as a key strategic tool.



Terry Ryan
Deputy Director-General



Jennifer Lang
Assistant Director-General

2012-16 objectives:

- Improve the administration of Queensland's justice system
- Improve frontline justice services for Queenslanders

2013-17 objectives:

- Improve Queensland's justice system
- Improve frontline justice services for Queenslanders

This performance chapter covers three service areas:

Criminal and Civil Justice includes Queensland's courts and tribunals and provides coronial and prosecution services. This service area provides Justice of the Peace services and civil and criminal mediation services across the State. It contributes to the Department's objectives to improve the administration of Queensland's justice system and frontline justice services for Queenslanders.

Legal provides independent legal services for public sector agencies and the State. It also develops and coordinates proposals for justice-related legislation and provides advice on law reform and justice policy. This service area contributes to the Department's objectives to improve the administration of Queensland's justice system and improve justice services for Queenslanders.

Human Rights Protection provides guardianship and victims of crime services. It also provides births, deaths and marriages registration services. It contributes to the Department's objective to improve frontline justice services for Queenslanders.

These services are delivered by the following business areas:

Criminal and civil justice:

- Queensland courts and tribunals, including:
 - Supreme and District Courts[∇]
 - Magistrates Courts[∇]
 - Land Court and Tribunals[∇]
 - Childrens Court[∇]
 - Office of the State Coroner[∇]
 - Queensland Civil and Administrative Tribunal[∇]
- Office of the Director of Public Prosecutions[∇]
- Dispute Resolution Branch
- Justices of the Peace Branch
- Office of the Commissioner for Body Corporate and Community Management

Legal:

- Crown Law[◆]
- Legal Services Commission[∇]
- Legal Services Coordination Unit
- Office of General Counsel
- Queensland Law Reform Commission[∇]
- Right to Information and Privacy Unit
- Strategic Policy
- Whole of Government Information and Privacy

Human rights protection:

- Child Safety Director
- Office of the Adult Guardian[∇]
- Office of the Public Advocate[∇]
- Registry of Births, Deaths and Marriages
- Victim Assist Queensland

[∇] For more information on this area's activities and performance, see this business area's 2012-13 annual report.

[◆] For more information about Crown Law, see their annual report starting on page 65 of this annual report.

Queensland courts performance compared with the national average

- Queensland courts continue to achieve impressive clearance rates in the criminal and civil jurisdictions. The following results were achieved during 2012-13:

Criminal jurisdiction

- Supreme and District Courts – 117.4 per cent
- Magistrates Court – 97.5 per cent.

Civil jurisdiction

- Supreme and District Courts – 109.2 per cent
- Magistrates Court – 97.5 per cent.

- The Commonwealth Report on Government Services 2013*¹ highlights that Queensland courts compare favourably to those in other Australian states and territories. As well as achieving high levels of performance in 2011-12, the Queensland Courts continued to be effective and cost efficient.

Queensland Courts experienced the highest number of criminal lodgments of all jurisdictions and finalised 25.6 per cent of all criminal matters nationally. Despite significant demand, Queensland Courts achieved a combined clearance rate for all matters in the criminal jurisdiction of 100.3 per cent. The Supreme Court and District Court achieved the second highest clearance rates of any state or territory with 104.1 per cent and 105.8 per cent respectively.

Using the average cost per finalised matter, Queensland performed strongly in both the criminal and civil jurisdictions during 2011-12:

| Jurisdiction | Average cost (\$) per finalised matter | National average cost (\$) per finalised matter |
|-----------------------------------|--|---|
| Supreme Court criminal matter | 9 758 | 19 063 |
| Supreme Court civil matter | 2 126 | 5 767 |
| District Court criminal matter | 6 918 | 9 982 |
| District Court civil matter | 621 | 1 860 |
| Magistrates Court criminal matter | 435 | 563 |
| Magistrates Court civil matter | 275 | 275 |

Progress with justice reforms

Cracking down on serious drug crime

- The Criminal Law Amendment Bill (No. 2) 2012 was introduced on 29 November 2012 and amends the *Corrective Services Act 2006* and *Drugs Misuse Act 1986*. The Bill introduces tougher sentences for drug traffickers and drug dealers who target children.

¹ *The Commonwealth Report on Government Services 2013* reports on data for the 2011-12 year.

- The *Criminal Law (Child Exploitation and Dangerous Drugs) Amendment Act 2013* and the *Drugs Misuse Amendment Regulation (No. 1) 2013* target a new generation of drugs through adding new substances to the list of prohibited drugs, creating a new offence of trafficking substances used to manufacture dangerous drugs and being more responsive to ever-changing synthetic substances as they emerge in the community.
- The *Criminal Proceeds Confiscation (Unexplained Wealth and Serious Drug Offender Confiscation Order) Amendment Act 2013* was assented to on 14 May 2013 and introduces confiscation orders that are specifically aimed to increase the risk associated with involvement in the illicit drug market by requiring serious drug offenders to forfeit property. The Act also introduces unexplained wealth orders which force persons suspected of engagement with serious criminality or receiving tainted funds to prove their wealth was legitimately obtained.

Delivering safer communities

- The Criminal Law Amendment Bill (No. 2) 2012 delivers on the Government's commitment to crack down on graffiti crime by increasing the maximum penalty and introducing mandatory graffiti removal orders for offenders.
- Amendments to the *Penalties and Sentences Act 1992* took effect on 21 August 2012 and delivered on a pre-election commitment to increase the value of a penalty unit from \$100 to \$110 and introduce an offender levy of \$300 for matters in the Supreme and District Court and \$100 for matters in the Magistrates Court. Monetary penalties have a deterrent and punishment effect. Additionally, they generate revenue which can be redirected to frontline and support services for victims of crime.

Reform

- A discussion paper on electoral law reform was released on 3 January 2013. Over 250 submissions were received and considered. The *Electoral Reform: Queensland Electoral Review Outcomes* will be publicly released on 2 July 2013. Proposed reforms aim to strengthen the integrity and accountability of the electoral system and promote participation through political representation and voting.
- The Department assisted in developing the terms of references for, and establishing, a number of Commissions of Inquiry:
 - the Queensland Child Protection Commission of Inquiry commenced on 1 July 2012 to review Queensland's child protection system and chart a new road map for the child protection system over the next decade;
 - the Queensland Health Payroll System Commission of Inquiry commenced on 1 February 2013 to review the implementation of the payroll system;
 - the Queensland Racing Commission of Inquiry commenced on 1 July 2013 and aims to restore accountability and integrity to the State's racing industry.

Met government commitments within agreed timeframes

Justices of the Peace

- The six-month trial of Justices of the Peace hearing minor civil disputes under \$5000 in the Queensland Civil and Administrative Tribunal commenced in June 2013. This initiative allows adjudicators to deal with more complex matters and reduces the costs of hearing minor civil disputes.
- A number of initiatives have been implemented to revitalise and refocus the Justices of the Peace Branch on compliance and support of:
 - outsourcing training courses previously provided by the branch to registered training organisations;
 - re-establishing the JP Advisory Council to provide advice to the Attorney-General
 - expanding the JPs in the Community program to 173 sites
 - introducing a formal mentoring program
 - introducing compulsory training before JP appointment from 1 July 2013
 - providing more professional development workshops and seminars
 - removing the JP (Commissioners for Declarations) category to ensure consistency in witnessing services

- reviewing and releasing the *Code of Conduct for Justices of the Peace and Commissioners for Declarations*.

Queensland Courts

- A Central Coroner was appointed in August 2012 to take the pressure off stretched regional Magistrates Courts and help clear a backlog in delayed cases. The Central Coroner investigates reportable deaths in the region extending from Proserpine to Gayndah. At the end of 2011-12, 328 cases were older than 24 months. This was reduced to approximately 220 cases at the end of 2012-13.
- An additional Supreme Court Justice was appointed on 8 October 2012 through additional funding to address workload pressures in the Supreme Court.
- The Department completed the outsourcing of court recording and transcript production. The new service delivery arrangement has introduced new technology giving improved access to courtroom audio and transcripts generating savings of up to \$6 million per annum.

Support provided to vulnerable people

Support provided to victims of crime

- Victim Assist Queensland received over 2000 applications for financial assistance. Payments totalling over \$10 million were provided to help victims recover from the physical and psychological effects of an act of violence.
- In 2012-13 Victim Assist Queensland administered a significant funding program, including:
 - recurrent funding of \$2.2 million to six non-government agencies to provide counselling services, court support and specialist support referrals for victims of crime
 - additional funding of \$2 million over four years provided to five non-government agencies to deliver on the Government's election commitment to improve frontline services for victims injured as a result of violent crime.
 - one-off funding of \$100 000 for two community organisations to build capability to support victims of crime.
- Victim Assist Queensland works with external government and non-government stakeholders, including the Queensland Police Service, sexual assault and domestic violence services, court services and health practitioners' to improve the coordination of services to victims of crime. In 2012-13, Victim Assist Queensland officers provided training, information and support to 281 organisations. Concurrently, there has been a significant increase in referrals to Victims LinkUp.
- The *Guide to making a Victim Impact Statement* was published. The guide explains what Victim Impact Statement are and how they are used by the Courts. This helps victims of crime to decide whether to make a submission to the court about the effect of the crime on them.
- Amendments to the *Recording of Evidence Regulation 2008* were passed by Parliament to ensure that victims of personal offences dealt with in the Supreme and District Court have access to a free copy of the transcript of proceedings or an audio file of the proceeding.

The Adult Guardian and Public Advocate

- The *Adult Guardian Client Profile Project report*, published in February 2013, contains comprehensive evidence regarding a range of demographic, systemic and protection issues impacting adults with impaired decision-making capacity. The findings highlight the need to develop better solutions, more effective policies and enhanced service delivery responses. The Adult Guardian and Public Advocate are considering the best way to address these findings.
- During 2012-13², the Adult Guardian acted as substitute decision maker for more than 2600 adults with impaired capacity, either as appointed guardian or as attorney appointed under an enduring power of attorney. The Adult Guardian received more than 660 new guardianship appointments and ceased acting as guardian in more than 640 cases.

² Provisional data for the 2012-13 period was provided at time of printing. Finalised data will be published in the *Office of the Adult Guardian's 2012-13 Annual Report*.

- Throughout the year, the Adult Guardian made health care decisions as statutory health attorney of last resort in more than 400 cases².
- In 2012-13, the Office of the Adult Guardian concluded more than 200 investigations² into allegations that an adult with impaired capacity was being or has been neglected, exploited or abused.
- To help prevent abuse, neglect and exploitation of adults with impaired capacity or mental or intellectual impairment, community visitors made more than 4600 visits to over 1000 accommodation sites supporting approximately 6000 residents².
- The Public Advocate was reinstated as an independent statutory authority. The Office of the Public Advocate provides systems advocacy on behalf of approximately 144 000 Queenslanders who have impaired decision-making capacity.
- Amendments to the *Guardianship and Administration Act 2000* allow the Public Advocate to request data and information to support the performance of the Public Advocate's functions and to table a report in the legislative assembly on a systemic issue.

Queensland Courts and Tribunals

- The Queensland Courts Referral program commenced on 15 April 2013. The program was developed to address the needs of defendants with drugs and/or alcohol dependency, mental illness, intellectual disability, cognitive impairment and those who are homeless or at risk of homelessness. It is a bail-based process that enables defendants to engage with government agencies and non-government organisations to address the causes of offending behaviour.
- The Indigenous Sentencing List program commenced on 1 January 2013. The program is designed for Indigenous people who have committed an offence and are willing to participate with service providers and support agencies to address the underlying cause of their criminal behaviour. It was developed by local Magistrates and stakeholders, operates in 11 locations and is a bail-based program.
- The Queensland Civil and Administrative Tribunal, in partnership with the Australian Banking Association, developed industry guidelines for banks in their dealings with adults with impaired capacity.

Legal Practitioner Interest on Trust Accounts Fund (LPITAF)

What is LPITAF?

The LPITAF receives interest revenue from all solicitors' trust accounts kept in Queensland where the clients do not specifically request that their money be invested in their own name. Over \$33 million per annum of funds is allocated from the LPITAF to:

- administer the regulatory framework for Queensland's legal profession
- support access to legal services for vulnerable Queenslanders.

The Attorney-General has the authority to decide whether a payment should be made from the LPITAF under the *Legal Profession Act 2007*. Funds are allocated to a range of organisations, including Legal Aid Queensland, the Legal Services Commission and Community Legal Centres throughout Queensland. The Department is responsible for the administration of the LPITAF.

Maximising service delivery to Queenslanders – review of LPITAF

In 2012-13, at the request of the Attorney-General, the Department completed a review of the allocation of funds from the LPITAF. The review aimed to establish a new model of transparent decision making so that LPITAF funding allocations maximised service delivery to Queenslanders, while ensuring the ongoing viability of the LPITAF. Extensive consultation was undertaken with LPITAF funded organisations.

² Provisional data for the 2012-13 period was provided at time of printing. Finalised data will be published in the *Office of the Adult Guardian's 2012-13 Annual Report*.

The final report is available on the Department's website. Key recommendations include:

- setting strategic objectives for the allocation of LPITAF and State funds to LPITAF funded organisations, focusing on frontline service delivery and accountability
- improved governance, including establishing a LPITAF Committee to support the Attorney-General in his decision making
- improved funding allocation processes to increase accountability and transparency
- allocating the majority of funds on a strategic triennial basis under service delivery agreements with performance targets, rather than on the current recurrent basis.
- service providers and government working together to fix gaps in delivery and reduce the likelihood of duplication
- establishing a dedicated website and reporting performance in the Department's annual report to improve transparency.

In 2013-14, the Department will implement these recommendations in consultation with LPITAF funded organisations.

Additional funding for vulnerable women

The Queensland Government committed to providing an additional \$750 000 over three years to the Women's Legal Service. In 2012-13, \$250 000 was allocated from the LPITAF. These additional funds were allowed the Women's Legal Service to:

- continue its free legal services for vulnerable women, many of whom have experienced domestic violence and complex family law matters
- reopen the Rural, Regional and Remote (phone) Line so women across the State are able to access vital legal services.

In 2012-13, the Women's Legal Service more than doubled its casework services compared to 2011-12. Over 2000 clients were assisted and over 3000 legal advices were provided. In June 2013, the Women's Legal Service reached an important milestone. It opened file number 60 000. This means 60 000 women and their children have been helped through domestic violence and other complex family law matters.

Legal services provided to vulnerable Queenslanders

Legal Aid Queensland and Community Legal Centres are provided with funding from the Queensland Government, LPITAF and Commonwealth Government to provide free legal services to vulnerable and disadvantaged Queenslanders. Legal Aid Queensland provides information about its service delivery in its annual report.

In 2012-13, it is estimated that the following total numbers of services were provided by Community Legal Centres with the Queensland Government and LPITAF portion of their funding:

| Service | Total number provided |
|--|-----------------------|
| Total clients | 24 030 |
| Legal information | 22 925 |
| Legal advice | 32 534 |
| Face to face | 18 635 |
| Telephone | 11 198 |
| Mail | 2 306 |
| Email | 367 |
| Video Conferencing | 19 |
| Cases open at start of period | 2 021 |
| Cases opened during the period | 4 384 |
| Cases closed during period | 4 310 |
| Minor cases | 2 753 |
| Medium cases | 1 056 |
| Major cases | 501 |
| Community legal education projects delivered | 381 |

Allocation of LPITAF and State funding to all LPITAF funded organisations 2012-13 and 2013-14

| Organisation | 2012-13 LPITAF Actual Allocation \$ | 2012-13 State Actual Allocation \$ | 2013-14 LPITAF Approved Allocation \$ | 2013-14 State Approved Allocation \$ |
|--|--|---|---|--|
| Bar Association of Queensland | 147 323 | - | 150 564 | - |
| Queensland Law Society ¹ | (2 563 104) | - | - | - |
| Legal Services Commission | 4 927,525 | 108 700 | 5 488 855 | 108 700 |
| Legal Practice Committee | 34 731 | - | 50 006 | - |
| Legal Aid Queensland | 18 934 600 | 44 774 000 | 19 351 200 | 43 777 000 |
| Supreme Court of Queensland Library ² | 3 041 025 | 290 000 | - | 290 000 |
| Project, emergency, and sundry Community Legal Centre funds | 124 715 | 1 695 | 1 127 463 | 1 695 |
| Aboriginal and Torres Strait Islander Women's Legal and Advocacy Service Inc | 79 379 | 37 430 | 20 250 | - |
| Aboriginal and Torres Strait Islander Women's Legal Services NQ Inc | 38 465 | 4 629 | 39 311 | 4 629 |
| Banana Shire Community Legal Service | 103 967 | 9 890 | 106 254 | 9 890 |
| Bayside Community Legal Service Inc | 85 736 | 26 772 | 87 622 | 26 772 |
| Cairns Community Legal Centre Inc | 268 476 | 11 443 | 225 530 | 11 443 |
| Care Goondiwindi Association Inc | 91 548 | 21 390 | 93 562 | 21 390 |
| Carers Queensland Inc | 201 365 | 23 972 | 205 795 | 23 972 |
| Caxton Legal Centre Inc | 263 351 | 84 834 | 249 598 | 84 834 |
| Centacare | 144 087 | - | 146 910 | - |
| Central Queensland Community Legal Centre Inc | 97 855 | 6 125 | 68 939 | 6 125 |
| Court Network Incorporated | 355 789 | 23 972 | 363 616 | 23 972 |
| DVConnect Ltd | 103 967 | 13 035 | 106 254 | 13 035 |
| Gladstone Community Legal Advice Program | 133 755 | 9 890 | 106 254 | 9 890 |
| Gold Coast Legal Service | 240 277 | 44 463 | 163 803 | 44 463 |
| Indigenous Legal Services Qld Limited | 87 752 | - | - | - |
| Logan Legal Advice Centre Association Inc | 112 648 | 21 390 | 93 562 | 21 390 |
| Logan Youth Legal Service | 73 925 | 124 761 | 75 551 | 124 761 |
| Mackay Regional Community Legal Centre Inc | 203 946 | 18 187 | 205 795 | 18 187 |
| Moreton Bay Regional Community Legal Service Inc | 85 737 | 26 771 | 87 623 | 26 771 |
| North Queensland Women's Legal Service Inc - Cairns and Townsville | 261 590 | 32 960 | 267 345 | 32 960 |
| Nundah Community Legal Service ³ | 137 448 | 21 390 | 93 562 | 21 390 |
| Pine Rivers Community Legal Service | 178 043 | 30 635 | 181 960 | 30 635 |
| Prisoners' Legal Service Inc | 226 564 | 124 207 | 179 989 | 124 207 |
| Queensland Advocacy Incorporated | 401 043 | 13 035 | 409 866 | 13 035 |
| Queensland Aged and Disability Advocacy Inc | 103 967 | 13 035 | 106 254 | 13 035 |
| Queensland Association of Independent Legal Services Inc - Secretariat | 201 365 | - | 205 795 | - |
| Queensland Public Interest Law Clearing House Incorporated ⁴ | 642 975 | 36 416 | 657 044 | 36 416 |
| Refugee and Immigration Legal Service Inc | 294 906 | 129 085 | 301 112 | 129 085 |
| Roma Community Legal Service Inc | 150 688 | 100 865 | 154 003 | 100 865 |
| South West Brisbane Community Legal Centre Inc | 436 594 | 177 896 | 362 890 | 177 896 |
| Suncoast Community Legal Service Inc | 207 059 | 34 316 | 210 138 | 34 316 |
| Taylor Street Community Legal Service | 106 468 | 9 551 | 108 810 | 9 551 |
| Tenants' Union of Queensland Inc | 112 268 | 84 593 | 114 738 | 84 593 |
| The Advocacy and Support Centre Inc - Toowoomba Community Legal Service | 361 266 | 150 088 | 360 707 | 150 088 |
| The Advocacy and Support Centre Inc - Ipswich Community Legal Service | 152 666 | 14 039 | 156 025 | 14 039 |
| Townsville Community Legal Service Inc | 92 214 | 26 517 | 63 583 | 26 517 |
| Welfare Rights Centre Inc | 253 597 | 130 892 | 259 176 | 130 892 |
| Women's Legal Service Inc | 396 284 | 177 204 | 149 502 | 427 204 |
| Youth Advocacy Centre Inc | 152 201 | 97 627 | 89 733 | 97 627 |

Notes:

- Queensland Law Society returned \$2 563 104 from previous year surpluses in 2012-13.
- In 2013-14, the Supreme Court of Queensland Library will deliver services using its cash reserve.
- Additionally, \$30 000 of the emergency funds has been allocated to Nundah to continue the Friday Free Community Legal Clinic in 2013-14.
- Additionally, \$200 000 of the emergency funds has been allocated to QPILCH to continue the Homeless Persons Legal Clinic in 2013-14.

Client satisfaction with information and services

- In 2012-13, the percentage of clients satisfied with the overall services of Victim Assist Queensland remained high with 84.3 per cent of clients surveyed reporting satisfaction with financial assistance services. The Victims LinkUp telephone and web service, which links victims of crime and their families to existing support services that can help their recovery, reported a 97.9 per cent overall satisfaction rate. Victim Assist Queensland introduced an online survey which has increased the number of surveys completed and improved accuracy of reporting.
- Feedback from users of the Queensland Civil and Administrative Tribunal over 2012-13 demonstrated a 74 per cent overall satisfaction rating. This is an increase of 3 per cent in satisfaction from 2011-12.
- The Dispute Resolution Branch conducted a survey which indicated 98 per cent of clients who responded found staff to be helpful and courteous and 93 per cent said they would recommend the service to others.

Other key performance in 2012-13

Information and services Queenslanders need to protect their rights, meet their obligations and access justice services

- The Registry of Births, Deaths and Marriages launched the online family history research service on 6 June 2013. It allows customers to search, order and pay for historical certificates and register images online 24 hours a day, seven days a week. This initiative provides customers with easier access, cost savings and greater product choice. In addition, it ensures the preservation of records.
- The Office of the Commissioner for Body Corporate and Community Management responded to more than 24 000 client enquiries, provided a series of seminars throughout Queensland on body corporate rights and responsibilities and released a new factsheet on amendments to the lot entitlement provisions of the *Body Corporate and Community Management Act 1997*.
- The new Queen Elizabeth II Courts of Law was officially opened in Brisbane on 3 August 2012. As well as increased operating efficiencies, the new complex improves public access to court services and provides more streamlined trials through the technology provided.
- In January 2013, bailiffs in the Supreme and District Courts transitioned from the operational stream to the administrative stream. When bailiffs are not required in a courtroom, they perform administrative duties. This ensures efficient use of all staff.

Alternative dispute resolution to make access to justice faster, easier and more cost effective

- The Dispute Resolution Branch continued to deliver timely alternative dispute resolution services through its criminal and civil justice mediation services. In 2012-13, 82 per cent of civil matters were settled within 30 days and 66 per cent of criminal matters were settled within 65 days.
- The Dispute Resolution Branch completed the Mornington Island Restorative Justice project by mentoring Junkuri Laka Justice Association in its first full year of managing the peacemaking and mediation service on Mornington Island.
- The Land Court and the Planning and Environment Court use alternative dispute resolution processes to provide litigants with a process that is faster and less costly than a full court hearing for both the court and litigants. In 2012-13, over 58 per cent of Land Court matters were finalised through alternative dispute resolution. In the Planning and Environment Court, approximately 70 per cent of matters completed at alternative resolution were resolved as a result of that process.
- The Office of the Commissioner for Body Corporate and Community Management continues to provide a conciliation service as an alternative dispute resolution process, achieving voluntary agreements in over 60 per cent of cases. The Office resolved over 75 per cent of conciliation applications within 30 days of lodgment.
- The Queensland Civil and Administrative Tribunal introduced a text message reminder service to parties undertaking alternative dispute resolution. The service was implemented to improve the attendance and participation rates for mediations and to deliver a more cost effective service in improving the “no show” rates at the mediations, without the requirement to re-list matters at a later date.

High quality prosecution services

- The Office of the Director of Public Prosecutions presented 100 per cent of indictments within the legislative timeframe of six months. The Office of the Director of Public Prosecutions prosecuted a number of high profile matters including Hohepa Morehu-Barlow and the appeal of Massimo Sica. Committal proceedings against Brett Peter Cowan and Gerard Baden-Clay, which resulted in both matters being committed for trial to the Supreme Court, were also conducted.
- The Office of the Director of Public Prosecutions confiscates the proceeds of crime under chapter 3 of the *Criminal Proceeds Confiscation Act 2002*. Between 1 July 2012 and 30 June 2013, \$638 046 was collected as a result of the execution of forfeiture orders under the conviction based scheme. As at 30 June 2013, \$148 203 was collected as a result of the execution of pecuniary penalty orders during the 2012-13 financial year.
- The Office of the Director of Public Prosecutions conducts legal work on behalf of the Crime and Misconduct Commission (CMC) as the solicitor on the record in relation to chapter 2 proceedings of the *Criminal Proceeds Confiscation Act 2002*. The CMC applies for the restraining order and subsequent forfeiture of the relevant assets or proceeds of crime. From 1 July 2012 to 30 June 2013, \$17.09 million in assets was restrained. A total of \$16.98 million of this amount was forfeited to the State.

Future direction

In 2013-14, these service areas will:

- respond to the Callinan Review of the Crime and Misconduct Commission and recommendations of the Parliamentary Crime and Misconduct Committee inquiry
- complete the review of the *Electoral Act 1992* and introduce legislative changes
- commence a review of the *Victims of Crime Assistance Act 2009*
- adopt the International Framework for Courts Excellence methodology in the Supreme, District, Magistrates Courts to improve the quality of justice and court administration
- implement eFiles service in larger District Court registries to allow court users to access court documents at all times on the Queensland Courts website
- provide funding of \$1.4 million in 2013-14 (\$3.5 million over three years) to continue the JP (QCAT) pilot program and to revitalise and refocus the JP Branch on compliance and support
- continue to support victims of crime who may have been directly or indirectly affected by violent crime through the provision of \$0.531 million in 2013-14 (\$2 million over four years) for additional support services
- improve community based court support for victims of crime
- implement the recommendations of the LPITAF review in consultation with funded organisations
- undertake a full external evaluation of the Mornington Island Restorative Justice Project
- pursue policy reform in relation to the use of electronic monitoring devices for people with impaired decision-making capacity residing in supported care facilities.

Service standards and other measures

Justice services

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|--|-------|-------------------|-------------------|-------------------|------------------------|-----------------------|-------------------|
| Supreme Court – Court of Appeal | | | | | | | |
| Clearance rate (finalisations/lodgments) per cent | | | | | | | |
| - Civil law | | 93.2% | 104.6% | 98.5% | 100% | 93% | 99.6% |
| - Criminal law | 1 | 98.6% | 89.4% | 104.1% | 105% | 101% | 92.8% |
| Backlog indicator (greater than 24 months) | | | | | | | |
| - Civil law | | 0% | 0% | 0% | 0% | 0% | 0% |
| - Criminal law | | 0.6% | 0% | 0% | 0% | 0% | 0% |
| Supreme Court – Trial Division | | | | | | | |
| Clearance rate (finalisations/lodgments) per cent | | | | | | | |
| - Civil law | 2 | 94.9% | 129.6% | 129.2% | 105% | 107% | 112.6% |
| - Criminal law | 3 | 92.8% | 98.4% | 105.8% | 100% | 125% | 118.4% |
| Backlog indicator (greater than 24 months) | | | | | | | |
| - Civil law | 4 | 5.4% | 7.2% | 10.1% | 5% | 11% | 10.1% |
| - Criminal law | 5 | 3.7% | 5.1% | 6.4% | 5% | 9.5% | 10.1% |
| District Courts | | | | | | | |
| Clearance rate (finalisations/lodgments) per cent | | | | | | | |
| - Civil law | 6 | 94.2% | 93.2 | 94.9% | 100% | 108% | 107.4% |
| - Criminal law | 7 | 96.6% | 104.4% | 104.5% | 100% | 103% | 105.9% |
| Backlog indicator (greater than 24 months) | | | | | | | |
| - Civil law | | 3.8% | 3.9% | 3% | 5% | 3.5% | 3.9% |

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|--------------------------------------|-------|-------------------|-------------------|-------------------|------------------------|-----------------------|-------------------|
| - Criminal law | | 6.3% | 5.1% | 5.5% | 5% | 5.5% | 5.4% |

District Court – Appeals

Clearance rate
(finalisations/lodgments) per cent

| | | | | | | | |
|----------------|---|--------|--------|--------|------|------|--------|
| - Civil law | 8 | 99% | 130.8% | 109.2% | 100% | 105% | 118.9% |
| - Criminal law | 9 | 122.3% | 38.5% | 83.5% | 100% | 99% | 271.9% |

Backlog indicator (greater than 24
months) per cent

| | | | | | | | |
|----------------|----|------|------|------|----|-----|-------|
| - Civil law | 10 | 2.9% | 3.9% | 4.4% | 0% | 4% | 10.5% |
| - Criminal law | | 0.4% | 0.1% | 2.1% | 0% | 65% | 3.7% |

Magistrates Courts

Clearance rate
(finalisations/lodgments) per cent

| | | | | | | | |
|----------------|--|--------|--------|--------|------|-----|-------|
| - Civil law | | 112.7% | 110.4% | 99.9% | 100% | 99% | 97.5% |
| - Criminal law | | 101.6% | 104.4% | 100.1% | 100% | 97% | 97.5% |

Backlog indicator (greater than 12
months)

| | | | | | | | |
|----------------|--|-------|-------|-------|-----|-----|-------|
| - Civil law | | 7.7% | 7.4% | 8% | 6% | 8% | 9.9% |
| - Criminal law | | 14.1% | 13.1% | 11.2% | 12% | 11% | 11.1% |

Childrens Court

Clearance rate
(finalisations/lodgments) per cent

| | | | | | | | |
|----------------|----|----|----|--------|------|------|--------|
| - Civil law | | -- | -- | 94% | 100% | 98% | 99.2% |
| - Criminal law | 11 | -- | -- | 101.1% | 100% | 105% | 106.9% |

Backlog indicator (greater than 12
months)

| | | | | | | | |
|----------------|--|----|----|-------|----|----|-------|
| - Civil law | | -- | -- | 10.7% | 8% | 8% | 8.6% |
| - Criminal law | | -- | -- | 9.1% | 8% | 7% | 10.9% |

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|---|-------|-------------------|-------------------|-------------------|------------------------|-----------------------|-------------------|
| Coroners Court | | | | | | | |
| Clearance rate (finalisations/lodgments) per cent | | 88% | 99.8% | 106.9% | 100% | 100% | 105% |
| Backlog indicator (greater than 24 months) | 12 | 7.6% | 11.8% | 14.1% | 5% | 10% | 10.2% |
| Land Court and Tribunals | | | | | | | |
| Clearance rate (finalisations/lodgments) per cent | 13 | 265% | 76% | 84% | 95% | 93% | 124% |
| Backlog indicator (greater than 12 months) | 14 | -- | 25% | 26% | 10% | 29% | 37% |
| Courts Innovation Program | | | | | | | |
| Diversionary court programs' completion rate | 15 | -- | 82.6% | 80% | 82% | 85% | -- |
| Tribunal services | | | | | | | |
| Body Corporate and Community Management | | | | | | | |
| Clearance rate (finalisations/lodgments) per cent | | -- | 100% | 103% | 95% | 95% | 98% |
| Queensland Civil and Administrative Tribunal | | | | | | | |
| Clearance rate | 16 | -- | -- | 91% | 95% | 108% | 109% |
| Overall client satisfaction with services provided | 17 | -- | -- | New measure | 60% | 71% | 74% |
| Prosecution Services | | | | | | | |
| Average time for presentation of indictments (months) | 18 | -- | -- | -- | -- | -- | -- |
| Dispute Resolution Services | | | | | | | |
| Agreement rate per cent | | | | | | | |
| - Civil mediation | 19 | -- | -- | 84% | 80% | 85% | 85% |
| - Criminal mediation | | -- | -- | 98% | 95% | 99% | 99% |
| Life event registration services | | | | | | | |
| Average time to register life events (days): | | | | | | | |

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|---|-------|----------------|----------------|----------------|---------------------|--------------------|----------------|
| - births | 20 | -- | -- | 6.9 | 7 | 6.5 | 5.2 |
| - marriages | 21 | -- | -- | 5.5 | 5 | 5 | 5.7 |
| - deaths | 22 | -- | -- | 3 | 3 | 3 | 0.4 |
| - changes of name | 20 | -- | -- | 15 | 15 | 7 | 5.2 |
| Average time to issue life event certificates | 23 | -- | -- | 4.1 | 5 | 5 | 5.7 |
| Victims of crime assistance services | | | | | | | |
| Average length of time (calendar days) for financial assistance applications to be assessed: | | | | | | | |
| - interim assessments | 24 | -- | -- | 12 | 21 | 16.1 | 15.5 |
| - funeral assessments | 25 | -- | -- | 7 | 21 | 21.5 | 22 |
| - general assessments | 26 | -- | -- | 70 | 90 | 75.4 | 74.5 |
| - general assessments for secondary and related victims | 26 | -- | -- | 90 | 180 | 112.2 | 102.6 |
| Percentage of clients satisfied with the overall service: | | | | | | | |
| - financial assistance | 27 | -- | -- | 96% | 70% | 84.7% | 84.3% |
| - LinkUp | 27 | -- | -- | 98% | 70% | 92% | 97.9% |
| Guardianship services | | | | | | | |
| Average time to complete referred investigations (months) | 28 | -- | -- | 5.9 | 5.5 | 7.6 | 7.3 |
| Percentage of quality assurance audits of the delivery of guardianship services that meet targets | | -- | 80% | 84% | 80% | 81% | 77% |

Notes:

1. Finalisations decreased during 2012-13 as a significant number of appeals were de-listed on the day of, or day before, the hearing date and it was not possible to allocate other matters at short notice.
2. The court has no control over the number of lodgments. There has been a decrease of 11.2 per cent in civil lodgments in 2012-13. This has resulted in a clearance rate greater than 100 per cent.
3. The court has no control over the number of lodgments. There has been a decrease of 21.4 per cent in criminal lodgments in 2012-13. This has resulted in a clearance rate greater than 100 per cent.
4. This variance is due to a reduction of 13 per cent in the total number of active pending cases. The number of active civil matters greater than 24 months decreased by 12.7 per cent which is less than the total reduction. This resulted in a backlog indicator greater than target.
5. This variance is due to a reduction of 31.3 per cent in the total number of active criminal matters. The number of active criminal matters greater than 24 months remained constant in 2012-13 compared to the previous year.
6. The court has no control over the number of lodgments. There has been a decrease of 12 per cent in civil lodgments in 2012-13. The court has maintained its finalisation rate. This has resulted in a clearance rate greater than 100 per cent.
7. The court has no control over the number of lodgments. There has been a decrease of 8.1 per cent in criminal lodgments in 2012-13. This has resulted in a clearance rate greater than 100 per cent.
8. The progression of matters to finalisation is dependant on the readiness of parties to proceed and is not within the court's control. This result is based on a very small number of matters and therefore subject to fluctuation.
9. This variance is due to the finalisation of a large number of matters about a particular aspect of liquor licensing law. These matters were unable to be finalised until a determination was made in a test case at the High Court of Australia.
10. This variance is based on a very small number of matters. The progression of matters to finalisation is dependant on the readiness of parties to proceed and is not within the court's control.
11. The court has no control over the number of lodgments. There has been a decrease of 4.8 per cent in criminal lodgments in 2012-13. The court has maintained its finalisation rate. This has resulted in a clearance rate greater than 100 per cent.
12. The progression of matters to finalisation is dependant on other agencies to provide autopsy, toxicology and police reports. In addition, Coroners are required to await outcomes of expert investigations (e.g. workplace health and safety investigations) and criminal proceedings before proceeding to inquest.
13. The court has no control over the number of lodgments. There was a significant decrease in lodgments in 2012-13. This has resulted in a clearance rate greater than 100 per cent.
14. The progression of matters to finalisation is dependant on the readiness of parties to proceed and is not within the court's control. The majority of cases greater than 12 months relate to the determination of compensation for the renewal of mining leases. As there is no restriction on mining activities during this process, there are often lengthy delays in obtaining relevant information from the parties.
15. This measure will not be reported on because major components of the diversionary court programs are no longer funded. Therefore, this Service Standard has been discontinued in the Service Delivery Statement.
16. This positive result is due to streamlining of processes and prioritising backlogs in retail shop leases, building and anti-discrimination dispute lists.
17. The Queensland Civil and Administrative Tribunal improved in all areas surveyed. Eighty-one per cent of customers reported they were treated respectfully and 76 per cent reported they received a prompt response.
18. The presentation of indictments within six months is a mandatory requirement under the *Director of Public Prosecutions Act 1984*. In 2012-13, the Office of Director of Public Prosecutions presented 100 per cent of indictments within six months. As the Office of the Director of Public Prosecutions has limited ability to significantly alter existing legal processes and resulting timeframes, measuring average timeframes is not a meaningful performance measure. This measure will not be reported against and has been discontinued in the 2013-14 Service Delivery Statement.
19. This positive result is indicative of the high quality service provided by mediators and staff in assisting people to resolve their disputes through the voluntary 12 step mediation model. It is important to note that due to an increase in referrals from the Queensland Civil and Administrative Tribunal (QCAT), this measure now only reflects 28 per cent of the Dispute Resolution Branch's civil files. The other 72 per cent are for compulsory mediations provided to QCAT clients mediated using an abbreviated mediation model. In 2012-13, the agreement rate for these compulsory mediations was 45 per cent which is below the agreed target of 50 per cent. Measures have been implemented to increase this agreement rate and it will be reported on as a separate measure in 2013-14.
20. This positive result is due to enhanced resource planning and client communication to minimise follow up.
21. This variance is due significant delays receiving responses from marriage celebrants after further information has been requested. This is outside the control of the Registry of Births, Deaths and Marriages.
22. This positive result is due to increased take up of online registration functionality by Funeral Directors.
23. This variance is due significant delays receiving client responses after further information has been requested. This is outside the control of the Registry of Births, Deaths and Marriages.
24. This positive result is due to prioritising interim applications which raise urgent expenses.
25. This variance is based on a small number of applications. Completion of assessment is often dependent on the Police to provide information. This is not within the control of Victim Assist Queensland.
26. This positive result is due to a redirection of resources to assessment activities.
27. This positive result is due to enhanced resource planning and customer service practices. An online form has been introduced in 2012-13 to capture client satisfaction. This has resulted in a significant increase in the number of surveys completed and accuracy of results.
28. This variance is due to efforts made to finalise investigations which are highly complex and have been open for a significant period of time. As the measure is an indication of the age of investigations at the time of finalisation, this has resulted in an average completion time greater than target.



Steve Armitage

Assistant Director-General

2012-16 objective:

- Improve youth justice services

2013-17 objective:

- Improve youth justice services

This performance chapter covers the following service area:

Youth Justice provides early intervention, statutory youth justice and detention services to hold young people to account for their actions, encourage their reintegration into the community and promote community safety. This includes boot camps, conferencing and detention centres. *Youth Justice* also develops and implements strategies to meet the needs of youth justice clients and their families.

Youth justice services are delivered by the following business areas:

- Youth Justice Services
- Court Services
- Youth Justice Conferencing
- Youth Detention Centres
- Policy, Performance, Programs and Practice
- Youth Detention Operations and Outlook Services
- Learning and Workforce Development.

Our performance

Victims of crime satisfaction with justice processes

- Youth justice conferences are held for young offenders to engage with victims of crime and repair the harm caused by their actions.
- Youth justice conferencing has received consistently high satisfaction ratings from all participants, including victims. From 1 July 2012 to 31 March 2013³ 98 per cent of participants (including victims) were satisfied with the outcome.
- Court-referred conferencing was discontinued from 31 January 2013 through legislative changes to the *Youth Justice Act 1992*. However, police-referred conferencing is continuing.
- Of all conferences held from 1 July 2012 to 31 March 2013, 94 per cent had an outcome of agreement made.

Integrated case management provided for young offenders

- Youth Justice Services works with other government, non-government and community agencies to provide consequences for offending and address the causes of offending.

³ Full year data for 2012-13 was not available at the time of printing. Under nationally agreed reporting guidelines, data extraction for a financial year takes place after 31 August of the following financial year. The additional eight weeks enables activities that started close to the end of the financial year to be finalised and entered into information systems and adequate time to cleanse the data, ensuring accurate reporting.

- Youth Justice Services works with other agencies to develop and deliver coordinated intervention plans that address the support needs of young offenders. Coordinating interventions and support ensures a systematic and organised delivery of services to young people and their family and is critical to addressing causal and contributing factors to youth offending.

Collaborative case management panels

- Collaborative case management panels, which operate in 15 locations across the State, are one mechanism used in Queensland to facilitate integrated case management to young people identified as being at high risk of re-offending. Youth Justice Services lead or participate in the panels, which include representation from a range of government and non-government organisations. The panels are responsible for developing and delivering coordinated case management of intensive services and programs for young people referred to the panels.
- The panels focus on key issues including education and employment and family support. They align with evidence that shows increased engagement in pro-social activities, including employment, education and training and addressing family-related factors contributes to positive outcomes in relation to young people's offending behaviour.
- During 2012-13, Youth Justice Services improved data collection and monitoring processes to better assess the effectiveness of collaborative case management panels.

Deliver high quality programs and services in the community and in detention centres

Maintaining and developing safe, secure and contemporary youth detention facilities

- During 2012-13, expansion work continued at the Cleveland Youth Detention Centre at Townsville. This work, to be continued in 2013-14, will increase accommodation and expand the centre's educational facilities, administration and service areas.
- Youth Justice Services reviewed and improved policies, practices and training provided to youth detention centre staff to make sure young people remain safe and well in youth detention and have their rehabilitation needs met.
- To further improve youth detention centres and support youth detention centre staff, Youth Justice Services implemented a safe and supported working environment strategy for youth detention staff, including protective actions training, mandatory competencies, dynamic risk assessment and incident response.
- Youth Justice Services completed a comprehensive review of policies and procedures relating to how youth detention centres are operated, with a strong emphasis on the safety of young people, staff and visitors and the security of detention centres. Strategies to help staff implement the revised policies, including training, fact sheets and individual assistance were effective across both centres during 2012-13 and will continue into 2013-14.
- Youth Justice Services also developed a comprehensive strategy to improve work health and safety in detention centres. The strategy includes more rigorous re-employment practices (including medical assessment, fitness testing and applicant profiling) and better training and support for employees. The Fit4Work component of the strategy recognises the physical abilities required for youth workers and the impact a 24 hour work environment can have on health. Youth Justice Services will continue to implement this strategy in future years.

Supporting non-government organisations who provide youth justice services

- Youth Justice Services developed and supported non-government organisations, currently funded to provide youth justice services, to transition to a performance outcome reporting framework. This framework improved non-government organisations' ability to identify and record client needs and track the progress of youth justice clients and their families in working towards agreed goals.

Reduction in offending and reoffending

Profile of young offenders

- From 1 July 2012 to 31 March 2013³ 342 young people (10 per cent) accounted for approximately

49 per cent of the 22 044 youth charges⁴ finalised in Queensland courts.

- In recent years, the profile of a young offender has changed. More young people are presenting with increasingly complex issues such as drug and alcohol use, poor mental and physical health, low levels of education, exposure to violence during childhood and early adolescence and severe and long-term neglect and family dysfunction. These factors have created increased demand across the youth justice system, including detention.

Met government commitments within agreed timeframes

Youth boot camps

- On 31 January 2013, Youth Justice Services commenced a \$2 million, two-year trial of youth boot camps. The goal of the boot camps is to instil discipline, respect and values in the young person while working with them and their family to address the causes of their offending and support them into learning or earning.
- Two different boot camp models were introduced a voluntary early intervention youth boot camp at the Gold Coast and a sentenced youth boot camp in Cairns and surrounding areas.
- The sentenced youth boot camp allows the courts to sentence a young offender to a Boot Camp Order instead of sending a young person to detention.
- The voluntary early intervention youth boot camp aims to deter young people away from starting a life of crime and get their lives back on track. Young people demonstrating behaviours that indicate they are on the path to becoming an offender can be referred to this boot camp by police, teachers and health professionals.
- In 2013-14, Youth Justice Services will expand the youth boot camp trial to three new locations so that more young people may attend boot camp. The expansion will establish a sentenced youth boot camp in the Townsville area and two early intervention youth boot camps in Rockhampton and the Fraser Coast/Sunshine Coast areas.
- The trial will be evaluated to determine if it reduces entry into the youth justice system and re-offending. Outcomes from this evaluation will contribute to the Queensland Government's decision on whether to introduce further boot camps in other locations across the State.

Other key performance in 2012-13

Review of the *Youth Justice Act 1992*

- Youth Justice Services commenced a formal review of the *Youth Justice Act 1992* to examine:
 - expanding the existing naming laws so that the names of repeat offenders can be made public
 - creating an offence for breach of bail for young offenders
 - allowing courts access to a person's juvenile criminal history when sentencing them as an adult, so the court can see their full criminal history
 - removing the principle that detention be considered as an option of last resort and for the shortest possible period upon sentencing
 - automatically transferring young offenders to adult prison when they turn 17 to make sure offenders receive age appropriate responses and to manage demand on youth detention centres.

The review will also consider ways to reduce red tape by examining any inefficiency in statutory obligations contained in the Act.

⁴ Data is a count of all charges that resulted in a court appearance and were finalised in 2012-13. Not all of these charges will result in a proven outcome.

Review of sentencing options

- Youth Justice Services examined sentencing options available to the court to make sure young offenders are not only held accountable for their actions, but also provided with an opportunity for rehabilitation.
- As well as introducing a Boot Camp Order as a new sentencing option which gives the courts a further alternative to sentencing a young person to detention, Youth Justice Services considered other sentencing options including:
 - introducing Graffiti Removal Orders as another sentencing option under the *Youth Justice Act 1992*. The initiative aims to ensure an offender gives back to their community. These orders apply to every young person, 12 years of age or older, who is found guilty of a graffiti offence and requires them to clean up graffiti as part of their sentence;
 - as part of the review of the *Youth Justice Act 1992*, removing the principle that when sentencing a young person for an offence, detention should be the last resort. This principle applies when a young person is arrested and when they are sentenced. Removing this principle allows the court to consider a broader range of options when sentencing young offenders.

Blueprint for the Future of Youth Justice

- To shape innovative and effective reform of the youth justice system, Youth Justice Services released an information paper and survey seeking feedback from the community and parties interested in the justice system on the types of reforms they consider necessary to address youth crime issues in Queensland.
- Public consultation closed on 30 June 2013. Seventy-six point seven (76.7) per cent of the 4184 respondents to the survey had been a victim, or had a family member who was a victim, of a crime.
- Of the crime prevention initiatives identified in the survey, the most effective interventions were seen as: providing education and employment (77.4 per cent); providing better support to children experiencing violence and neglect (76.8 per cent); and providing treatment to tackle drug addiction (73.6 per cent).
- Of the current and proposed reforms identified in the survey, the most effective reforms for preventing youth crime and making Queensland safer were seen as: early intervention and prevention (75.4 per cent); employment programs (71.1 per cent); and making it an offence for a child to breach their bail conditions (66.3 per cent).
- Feedback and ideas from the survey will be considered further as part of the future development of the Blueprint for the Future of Youth Justice, that will provide an action plan to transform the youth justice system and break the cycle of offending.

Future direction

In 2013-14, this service area will:

- implement the Government's response to the review of the *Youth Justice Act 1992*
- expand the youth boot camp trial to Townsville, Rockhampton and the Fraser Coast/Sunshine Coast so that more young people may attend boot camps
- develop a Blueprint for the Future of Youth Justice in Queensland that builds on the reforms already underway and identifies more effective and efficient youth justice responses to deliver safer communities and get value for money from every dollar spent on youth justice in Queensland
- commission stage 1 of the expansion work at the Cleveland Youth Detention Centre
- continue to implement the comprehensive workplace, health and safety strategies in youth detention centres.

Service standards and other measures

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|--|-------|-------------------|-------------------|-------------------|---------------------------|--------------------------|-------------------|
| Support for young people | | | | | | | |
| Percentage of orders supervised in the community that are successfully completed: | | | | | | | |
| - Aboriginal and Torres Strait Islander young people | 1 | -- | 72% | 78% | 72% | 73% | 75% |
| - Other young people | 1 | -- | 80% | 86% | 80% | 82% | 80% |
| - All young people | 1 | -- | 76% | 82% | 76% | 78% | 77% |
| Percentage of completed referrals to the conditional bail program that are successful: | | | | | | | |
| - Aboriginal and Torres Strait Islander young people | 1, 2 | 72.2% | 71.4% | 57% | 71% | 59% | 49% |
| - Other young people | 1, 2 | -- | 72.2% | 79% | 71% | 62% | 64% |
| - All young people | 1, 2 | 73.7% | 71.8% | 64% | 72% | 61% | 56% |
| Percentage of youth justice conferencing participants (including the victim) that are satisfied with the outcome | 1 | 99% | 99% | 98.2% | 98% | 98% | 98% |
| Rate per 1 000 young people (ages 10-16 years) in detention: | | | | | | | |
| - Aboriginal and Torres Strait Islander young people | 1, 3 | 3.14 | 2.94 | 3.2 | 3.3 | 3.7 | 4.05 |
| - Other young people | 1, 3 | -- | 0.15 | 0.13 | 0.14 | 0.14 | 0.14 |
| - All young people | 1, 3 | 0.34 | 0.33 | 0.33 | 0.34 | 0.37 | 0.39 |
| Number of referrals for young people dealt with through youth justice conferencing: | | | | | | | |
| - Aboriginal and Torres Strait Islander young people | 1, 4 | 732 | 691 | 1 110 | 525 | 394 | 394 |
| - Other young people | 1, 4 | -- | 1 696 | 1 827 | 1 155 | 866 | 866 |

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|--|-------|-------------------|-------------------|-------------------|---------------------------|--------------------------|-------------------|
| - All young people | 1, 4 | 2 513 | 2 387 | 2 937 | 1 680 | 1 260 | 1 260 |
| Average daily number of young people in detention ³ : | | | | | | | |
| - Aboriginal and Torres Strait Islander young people | 1, 3 | 82.2 | 78 | 86 | 87 | 99 | 108 |
| - Other young people | 1, 3 | -- | 59 | 52 | 57 | 55 | 52 |
| - All young people | 1, 3 | 141.5 | 137 | 137 | 143 | 154 | 160 |

Notes:

1. The 2012-13 Actual is an actual as at 31 March 2013. Full year data for 2012-13 was not available at the time of printing. Under nationally agreed reporting guidelines, data extraction for a financial year takes place after 31 August of the following financial year. The additional eight weeks enables activities that started close to the end of the financial year to be finalised and entered into information systems and adequate time to cleanse the data, ensuring accurate reporting.
2. Strategies have been put in place to divert young people away from being remanded in detention by providing courts with the option of the conditional bail program. The increased use of conditional bail has also seen a higher proportion of unsuccessful completions. Youth Justice Services is examining the factors contributing to non-compliance with bail. This includes analysing factors such as bail duration, bail conditions and interventions delivered within the context of bail programs and developing a range of operational and policy responses. This work will be incorporated into the *Blueprint for the Future of Youth Justice* which is currently being developed and is expected to be released in 2014.
3. In recent years, the profile of a young offender has changed, with more young people presenting with increasingly complex issues such as drug and alcohol use, poor mental and physical health, low levels of education, exposure to violence during childhood and early adolescence, severe and long-term neglect and family dysfunction. These factors have created increased demand across the youth justice system, including detention.
4. Due to legislative changes to the *Youth Justice Act 1992*, court-referred conferencing was discontinued from 1 January 2013. The 2012-13 Actual is an actual as at 31 March 2013 and represents seven months of court-referred conferencing and nine months of police-referred conferencing.



Simon Blackwood
Deputy Director-General

2012-16 objective:

- Improve health, safety and fairness in workplaces and the community

2013-17 objective:

- Improve health, safety and fairness in workplaces and the community

This performance chapter covers the following service area:

Fair and Safe Work provides workplace health and safety services and workers' compensation policy advice. It develops and enforces standards for electrical safety and promotes strategies for improved electrical safety performance. It supports Queensland's industrial relations system including Queensland's participation in the national Fair Work system.

Fair and safe work services are delivered by the following business areas:

- Electrical Safety Office
- Private Sector Industrial Relations
- Queensland Industrial Relations Commission [♦]
- Workplace Health and Safety Queensland.

Our performance

Workplace Health and Safety Queensland and the Electrical Safety Office play an important role in helping improve the safety of Queenslanders at work, at home and in the community. A *reduction in workplace death and injury* and a *reduction in deaths and serious incidents caused by electricity* are key performance indicators that demonstrate the value of these services to Queenslanders.

Reduction in workplace death and injury

- The number of Queensland workers who died because of work-related activity decreased by 35 per cent between 2007-08 and 2011-12. This improvement made Queensland the third most improved jurisdiction out of the ten being measured across Australia.
- The latest figures, published in the fourteenth edition of the *Comparative Performance Monitoring Report* based on 2010-11 data, show a 21.1 per cent reduction in Queensland's work-related serious injuries rate since the National Occupational Health and Safety Strategy began in 2002 down to 13.1 claims per 1000 Queensland employees. This improvement made Queensland the fifth most improved jurisdiction out of the 10 being measured across Australia and well above the 16.9 per cent decline shown from 2002 to 2009-10.

Preventative measures

- Workplace Health and Safety Queensland helps to achieve the vision of the Australian *Work Health and Safety Strategy 2012-2022* through initiatives that support the strategy's seven key action areas. These

[♦] For information on this area's activities and performance, see this business area's 2012-13 annual report.

include Queensland's Zero Harm at Work Leadership Program and intervention campaigns aimed at high-risk industries (in manufacturing, rural, transport and construction). Another initiative is the development of a harm index and associated heat maps which are tools for industry to calculate the cost and likelihood of injuries at work. The heat map can be used to develop educational, advisory, intervention and leadership programs aimed at reducing the incidence of workplace health and safety deaths, injury and illness.

- Workplace Health and Safety Queensland continued to collaborate with WorkCover Queensland to help employers improve their practices through the Injury Prevention and Management program.

Reduction in deaths and serious incidents caused by electricity

- Queensland's five year moving average for the rate of electrical fatalities has reduced significantly over the last decade, with rates below the national average. There has been a marked decrease in fatalities per million population from 3.58 in 2000-01 to 0.89 in 2012-13. During 2012-13, there were three fatalities provisionally attributed to electrocution in Queensland, one less than in 2011-12.
- During 2012-13, there were 25 serious electrical incidents in Queensland, 12 less than in 2011-12.

Preventative measures

- The Electrical Safety Office continued to place a strong emphasis on providing information and education about electrical safety, especially the risks associated with overhead and underground power lines, working with or near live parts and the benefits of installing a safety switch.
- Electrical safety inspectors delivered 50 presentations to electrical apprentices, electrical contractors and industry groups, provided advice at trade and community shows and attended 20 events in conjunction with industry. Approximately 4700 participants attended in total. In addition, Electrical Safety inspectors provided specific advice to stakeholders including local government agencies, electrical contractors, other regulatory bodies (Queensland Fire and Rescue Service, Queensland Police Service), workplaces and electricity entities. Advice included flood safety and general workplace safety.
- The Electrical Safety Office also commenced a pilot engagement program focusing on providing support and advice to new electrical contractors who have gained a licence for the first time. This equips participants with extra skills to help avoid dangerous electrical situations.
- The Electrical Safety Office continued to work with stakeholders to influence and improve the electrical safety standards of emerging renewable energy technology. It represented the Electrical Regulatory Authorities Council on the Australian Standards committee responsible for drafting AS/NZS 5033:2012 *Installation and Safety requirements for Photovoltaic (PV) arrays*. This work resulted in improved levels of safety being built into the standard.

Increased number of structured healthy worker programs implemented by public sector agencies

- Workplace Health and Safety Queensland continued to promote and implement programs to improve the health and wellbeing of workers by:
 - developing and delivering the *Health and Wellbeing Coordinator Professional Development Course* to representatives of each government agency through three two-day courses along with quarterly follow-up workshops
 - providing grant funding opportunities for eligible government agencies
 - commencing an audit of government agency health and wellbeing initiatives against best practice criteria and providing advice for improvement
 - coordinating bi-monthly Worker Health Initiative Network meetings with representatives of government agencies
 - coordinating a monthly awareness campaign on key health and wellbeing topics for all government agencies
 - commencing a corporate health and wellbeing standing offer arrangement that allows government agencies to access a range of health and wellbeing services.

Client satisfaction with services

- The Office of Fair and Safe Work Queensland conduct client satisfaction surveys about its services as a tool for reviewing and improving the quality of these services.

Improved client satisfaction measures

- During 2012-13, the Office of Fair and Safe Work Queensland reviewed its client satisfaction measures.
- Private Sector Industrial Relations discontinued its client satisfaction survey on work-life balance information for reporting in 2013-14 and replaced it with two more robust service standards which measure (1) overall satisfaction with the inspectorate's effectiveness and professionalism and (2) the cost of private sector industrial relations services per Queensland worker. These improved measures will provide more valuable and meaningful results to help Private Sector Industrial Relations improve its services.
- Both Workplace Health and Safety Queensland and the Electrical Safety Office amended their service standards of client satisfaction for 2013-14 to provide greater clarity of the services being measured. Each measure has been replaced by two separate surveys, specific to each business area. Workplace Health and Safety Queensland now measures overall client satisfaction with (1) the inspectorate's effectiveness and professionalism and (2) business engagement programs. The Electrical Safety Office now measures overall client satisfaction with (1) the inspectorate's effectiveness and professionalism and (2) access to and relevance of electrical safety seminar programs.
- The surveys will continue to be conducted biennially in alternate years.

Met government commitments within agreed timeframes

Industrial relations developments

- Private Sector Industrial Relations worked with all levels of government to deliver services to Queenslanders covered by both the Queensland and national industrial relations systems, including providing business, workers and the community with the opportunity to voice their preference on the best industrial relations arrangements for Queensland's unincorporated private sector.

National harmonisation

- Workplace Health and Safety Queensland continued to monitor and review the national model occupational health and safety laws which were implemented in Queensland.
- The Electrical Safety Office implemented the Electrical Equipment Safety System (EESS) as a result of nationally uniform legislation and rules for safety standards. The EESS commenced in Queensland on 1 March 2013 and will be implemented in all other participating jurisdictions across Australia progressively in 2013. There are extended transition timeframes for registration and applying the required compliance mark to make sure implementation costs are kept to a minimum. The EESS:
 - will reduce the regulatory burden for Queensland businesses and better protect the public from electric shock and fire which may be caused by electrical equipment
 - includes a national database of safe electrical equipment that retailers, electricians and the public are able to search.
- The Electrical Safety Office continues to work with the Australian Government, other states and stakeholders to amend the electrical licensing legislation associated with the proposed introduction of the National Occupational Licensing System. The Queensland Government will work with other governments towards a final decision on the reform by the end of 2013, which will consider outcomes of further state-based consultations. National licensing is proposed to commence in 2014.

Review of workers' compensation arrangements in Queensland

- Workplace Health and Safety Queensland started consultation to prepare the Queensland Government's response to the Queensland Parliament's Finance and Administration Committee's Inquiry into the Operation of Queensland's Workers' Compensation Scheme, which announced its findings to Parliament on 23 May 2013.

Further red tape reduction

- Private Sector Industrial Relations repealed the *Mandatory Code of Practice for Outworkers in the Clothing Industry*. The repeal of 31 pages of regulation and nine forms reduced the reporting burden for businesses. Changes in the Federal modern award and, more recently, amendments to the *Fair Work Act 2009* provide protections for outworkers.
- Workplace Health and Safety Queensland more than halved the number of forms used to administer the *Work Health and Safety Act 2011* and the associated regulation from 50 to 24 in an effort to reduce unnecessary reporting requirements for businesses.
- The *Electrical Safety Regulation 2002* will expire in 2013 and must be reviewed. As part of the review, a Regulatory Assessment Statement (RAS) was prepared that examined three options, including the preferred option of making a new regulation with changes included to reduce red tape for Queensland business. The RAS was open for public comment from 28 March to 26 April 2013. A new regulation is proposed to commence from 1 January 2014.

Other key performance in 2012-13

- Private Sector Industrial Relations led the development of the *Implementation Guidelines to the Queensland Code of Practice for the Building and Construction Industry*, including consultation with industry stakeholders. The guidelines leverage the Queensland Government's purchasing power to bring about change in the building and construction industry by promoting productivity and efficiency and stopping unlawful industrial activity.
- Private Sector Industrial Relations amended the *Industrial Relations Act 1999* to improve the transparency and accountability of Queensland's industrial relations organisations, support the right of freedom of association and to re-establish managerial prerogative within government entities. The amendments also improved the processes of recovering wages overpaid to an employee and for administering public sector appeals under the *Public Service Act 2008*.
- Private Sector Industrial Relations developed amendments to the *Holidays Act 1983* to move Labour Day to the first Monday in October and return the Queen's Birthday public holiday to the second Monday in June to reduce the concentration of holidays in the first half of the year and better align Queensland's holidays with those of other states.
- In December 2012, Private Sector Industrial Relations released an issues paper seeking submissions from business and the community on the referral of Queensland's industrial relations jurisdiction for the unincorporated private sector to the Commonwealth. The Queensland Government will consider submissions during 2013-14.
- Workplace Health and Safety Queensland co-hosted nine leadership breakfasts throughout October 2012 with industry associations, networks and prominent businesses as part of National Safe Work Week 2012. Approximately 1500 people attended events held throughout Queensland, with 53 organisations holding more than 300 of their own events.
- Workplace Health and Safety Queensland continued to manage asbestos-related concerns in Queensland. Workplace Health and Safety Queensland, as lead agency for the strategic coordination of issues relevant to asbestos management and regulation in Queensland, coordinated the whole-of-government response to recommendations in *The Asbestos Report – An investigation into the regulation of asbestos in Queensland* released by the Queensland Ombudsman in March 2013.

2012 Queensland Safe Work Awards

The 2012 Queensland Safe Work Awards received 96 entries demonstrating innovation, leadership and a commitment to making Queensland workplaces safer and healthier. The winners were selected from a strong field of finalists representing the mining, transport, building and construction, engineering, health and other industries. The Queensland winners in categories one to four (*Best workplace health and safety management system, Best solution to an identified workplace health and safety issue, Best workplace health and safety practices in small business* and *Best individual contribution to workplace health and safety*) went on to compete in the eighth national Safe Work Australia Awards held in Canberra in 2013.

The Queensland representatives won three of the five categories, showing Queensland is leading the nation in work safety. Origin Alliance, Zemek Engineering Pty Ltd and Paul Gear from Gold Coast City Council were named national champions in the categories *Best workplace health and safety management system, Best workplace health and safety practice/s in a small business* and *Best individual contribution to workplace health and safety by a work health and safety manager* respectively.

The Queensland business presence at the awards is an indication of the effective service delivery provided by the Department in promoting safe and healthy working environments for Queenslanders.

Future direction

In 2013-14, this service area will:

- introduce the *Implementation Guidelines to the Queensland Code of Practice for the Building and Construction Industry* and establish the Building Construction Compliance Branch to improve productivity, reduce costs and stop unlawful industrial activity in Queensland's building and construction industry
- implement the outcomes of the review of the model work health and safety laws in Queensland
- implement the agreed outcomes of the Queensland Parliament's Finance and Administration Committee's Inquiry into the Operation of Queensland's Workers' Compensation Scheme
- report on the Queensland Government's consideration of stakeholder submissions about whether to maintain or terminate the referral of Queensland's industrial relations jurisdiction for the unincorporated private sector to the Commonwealth
- coordinate, monitor and review whole-of-government action in response to recommendations in *The Asbestos Report - An investigation into the regulation of asbestos in Queensland*
- implement the outcomes of the review of the *Electrical Safety Regulation 2002*
- further improve compliance with the EESS registration requirements and conduct safety check testing of household electrical equipment in the marketplace
- prepare for, and as required, implement the necessary changes for national electrical licensing.

Service standards and other measures

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|--|-------|-------------------|-------------------|-------------------|---------------------------|--------------------------|-------------------|
| Private sector Industrial Relations Services | | | | | | | |
| Overall client satisfaction with work life balance information | 1 | -- | -- | 74% | 75% | 63% | 90% |

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|---|-------|-------------------|-------------------|-------------------|---------------------------|--------------------------|-------------------|
| Administration of the Industrial Court and Commission System | | | | | | | |
| Percentage of matters resolved at conference | 2 | 74% | 68% | 70% | 65% | 70% | 70% |
| Average time for decisions to be published and made available to the community (days) | 3 | -- | -- | 1 | 2 | 1 | 1 |
| Level of client satisfaction with registry services | | 95% | 86% | 92% | 85% | 85% | 85% |
| Other measure | | 80% | 69% | 73% | 75% | 75% | 75% |
| Percentage of matters completed within three months | | | | | | | |
| Workplace Health and Safety Services (including Workers Compensation Policy) | | | | | | | |
| Percentage of successful prosecutions (per cent) | 4 | 88% | 83% | 73.4% | 85% | 69% | 63% |
| Overall client satisfaction by workplaces with inspectorate's effectiveness and professionalism | 5 | 87.5% | -- | 94% | .. | -- | -- |
| Cost of WHSQ services per worker covered by the workers' compensation scheme | | \$22.21 | \$31.21 | \$32.96 | \$26.52 | \$26.67 | \$26.67 |
| Electrical Safety Office | | | | | | | |
| The number of reported serious electrical incidents involving powerlines, installations and electrical equipment per million population | 6 | -- | -- | 8.2% | 10 | 5.48 | 5.48 |
| Overall client satisfaction with: | | | | | | | |
| - access to inspectorate contact | 7 | -- | -- | 90% | -- | -- | -- |
| - access to and relevance of electrical safety seminar programs | 7 | -- | -- | 90% | -- | -- | -- |
| Cost of electrical safety services per person in Queensland | 8 | \$3.25 | \$3.48 | \$3.50 | \$3.40 | \$3.68 | \$3.68 |

Notes:

1. Feedback received in 2012-13 indicated that clients found the website's content helpful, but the layout of the website detracted from the user's experience. This service standard has been discontinued for 2013-14 and has been replaced by two more robust service standards which measure overall satisfaction with the inspectorate's effectiveness and professionalism, and the cost of Private Sector Industrial Relations services per Queensland worker.
2. This positive result is due to the Queensland Industrial Relations Commission's successful conference process, resulting in fewer matters proceeding to a hearing.

3. Improved publishing processes have continued to result in faster publishing of decisions on the Queensland Industrial Relations Commission website.
4. An enforceable undertaking may be proposed as an alternative to legal proceedings and while classified as an unsuccessful prosecution, is a legal agreement that improves worker health and safety without the need for legal proceedings. The number of enforceable undertakings has increased. Because of this, the target has been revised to 65 per cent for 2013-14. During 2012-13, the number of unsuccessful prosecutions also increased because a number of prosecutions were withdrawn and then presented to the court again following clarification of the appropriate defendant. This increased the number of withdrawn matters and therefore also contributed to the increase in the number of unsuccessful prosecutions.
5. This survey is conducted biennially and was not conducted in 2012-13. The description of this service standard has been amended for 2013-14 to provide greater clarity. Two surveys will be conducted, biennially, in alternate years, measuring overall client satisfaction with (1) the inspectorate's effectiveness and professionalism and (2) business engagement programs. The next survey will be conducted in 2013-14, measuring overall client satisfaction with the inspectorate's effectiveness and professionalism.
6. The number of serious electrical incidents have decreased significantly (from 39 in 2011-12 to 25 in 2012-13), even though the Queensland population increased in 2012-13. This has resulted in a dramatic difference in the rate of serious electrical incidents in 2012-13 as compared to previous years. This is a positive indicator of electrical safety advisory and inspectorate services.
7. This survey is conducted biennially and was not conducted in 2012-13. The description of this service standard has been amended for 2013-14 to provide greater clarity. Two surveys will be conducted, biennially, in alternate years, measuring overall client satisfaction with (1) the inspectorate's effectiveness and professionalism and (2) access to and relevance of electrical safety seminar programs. The next survey will be conducted in 2013-14, measuring overall client satisfaction with the inspectorate's effectiveness and professionalism.
8. The 2012-13 target was calculated using an estimate of Queensland's population from the Australian Bureau of Statistics. However, following the 2011 Census, Queensland's population was revised and found to have grown by approximately 106 000 people less than was originally thought. Also, a 2.21 per cent increase in the Electrical Safety Office budget occurred in 2012-13 in line with inflation, which was not calculated when the original target was set. These factors resulted in a higher cost of electrical safety services per person for 2012-13.

Additional information

The Public Service Commission transferred the appeals function under the *Public Service Act 2008* to the Department of Justice and Attorney-General on 1 July 2012. This makes sure appeals are heard by members of the Queensland Industrial Relations Commission (QIRC) appointed as Appeals Officers and the appeals process is managed by the QIRC. Given the range of measures already reported on in the Department of Justice and Attorney-General's Service Delivery Statement, the Department of the Premier and Cabinet discontinued the measure *Percentage of appeals finalised within required timeframes*. This measure has not been included in the Department of Justice and Attorney-General's Service Delivery Statement 2013-14.



David Ford
Deputy Director-General

2012-16 objective:

- Improve safety and fairness for Queensland businesses and consumers

2013-17 objective:

- Improve safety and fairness for Queensland businesses and consumers

This performance chapter covers the following service area:

Liquor, Gaming and Fair Trading provides regulatory and consumer protection services across the liquor, gaming and general goods and services sectors. It encourages marketplace and industry integrity, fostering business and consumer confidence while implementing initiatives that minimise harm and impact on community amenity from liquor and gambling, and educating and protecting vulnerable consumers.

Liquor, gaming and fair trading services are delivered by the following business areas:

- Office of Fair Trading
- Office of Liquor and Gaming Regulation
- Office of Regulatory Policy.

Our performance

Support provided for businesses and consumers to maintain a fair marketplace

- The Office of Fair Trading contributed to lowering the cost of living for Queensland families by continuing to use powers under the Australian Consumer Law and other legislation to ensure consumers get what they pay for. This includes:
 - helping consumers obtain redress following a dispute with a trader
 - promoting trader compliance with consumer guarantee provisions and use of fair contract terms
 - targeting spot checks at retail outlets on refund policies, price scanning systems and other representations concerning prices and product claims.
- The Office of Fair Trading facilitated five regional outreach programs across Queensland to provide rural and remote consumers and businesses better access to information on fair trading issues, including scams, refund rights, unsolicited selling, product safety and incorporated associations. In 2012-13 the Office of Fair Trading also:
 - conducted 250 presentations to over 8500 people about fair trading matters
 - visited over 2120 traders at their business premises to provide information and advice about the Australian Consumer Law.
- Operation Safe Christmas 2012 saw fair trading inspectors pull 66 suspicious product lines from shelves across Queensland. After rigorous testing, 52 were judged unsafe and banned from sale in Queensland.

- The Office of Fair Trading presented \$12 000 in prize money to the lucky 44 winning and highly-commended entries in the 2012 *Buy Smart* campaign. The aim of the *Buy Smart* campaign is to help young people develop smart consumer skills. The 2012 campaign saw entries being received from 881 students from 52 schools across Queensland on topics such as scams, mobile phone bills, buying a car and consumer rights.
- The Office of Fair Trading launched various campaigns to promote consumer awareness to urge consumers to:
 - check Christmas gift voucher terms and conditions
 - be wary of charity scammers
 - be wary of conmen offering flood repairs after the 2013 floods.
- The Office of Fair Trading hosted resident letting agent industry forums in Brisbane, the Sunshine Coast and Cairns to highlight legislative responsibilities and requirements under the *Property Agents and Motor Dealers Act 2000* with a focus on trust account and audit requirements.

Low gambling prevalence rate

- The Office of Regulatory Policy conducted a review of the Gambling Help Service System to ensure efficient and effective problem gambling service delivery to Queenslanders.
- In collaboration with industry, the Office of Regulatory Policy finalised a review of the *Queensland Responsible Gambling Code of Practice*. As a result of this review, an updated code of practice was developed and published. The code of practice provides a proactive whole-of-industry approach to promoting responsible gambling practices. It also encourages the continuation of best practice for gambling environments that minimise harm to individuals and to the broader community.
- To accompany the updated code of practice, the Office of Regulatory Policy also collaborated with industry to redevelop the code of practice resource manuals. The manuals provide practical advice to industry participants on how to apply the code of practice to their respective industries.

Meet milestones for national reforms

- The Office of Fair Trading participated in coordinated education and compliance initiatives with state and territory regulators under the Australian Consumer Law with a focus on high risk industry sectors.
- In partnership with state, territory and federal consumer protection agencies, the Office of Fair Trading developed and launched an interactive checklist designed for small businesses to self assess their business and identify which of their activities are regulated under the Australian Consumer Law.
- The Office of Regulatory Policy worked with other state and territory consumer protection agencies to reduce red tape and other regulatory constraints within the travel industry. Specific benefits include agents no longer needing to submit annual financial returns from 1 July 2013, ahead of further deregulation in 2014.

Met government commitments within agreed timeframes

- The Office of Regulatory Policy commenced a significant review of red tape in the regulation of liquor and gaming by:
 - establishing an expert panel of industry, community and government representatives to review liquor licensing laws, gaming, trading hours and noise restrictions in the State
 - introducing and passing the *Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Act 2013* to deliver the first phase of red tape reduction for the liquor and gaming industry. These amendments provide red tape reductions for low risk cafes and restaurants by removing advertising requirements and requirements to complete risk assessment management plans and community impact statements. The amendments also provide red tape reductions for non-profit community organisations by allowing an exemption from the requirement to hold a liquor permit for low-risk events such as school fetes and small rural shows
 - releasing the *Red tape reduction and other reform proposals for regulation of liquor and gaming* discussion paper to seek Queenslanders' views on a number of proposals for the future regulation of liquor and gaming in Queensland. Over 300 submissions were received and responses will inform the

red tape reduction expert panel's recommendations to Government by the end of 2013.

Recommendations accepted by Government will inform a second phase of red tape reduction for the liquor and gaming industry

- abolishing the Queensland Gaming Commission and replacing it with a single Commissioner for Liquor and Gaming to reduce processing times.
- The Office of Regulatory Policy finalised amendments to the *Body Corporate and Community Management and Other Legislation Act 2013* to deliver on the Government commitment to address concerns about the adjustment of body corporate lot entitlements and to reduce regulation and red tape associated with the sale of lots in community titles schemes.
- The Office of Regulatory Policy progressed the separation of the *Property Agents and Motor Dealers Act 2000* into industry-specific Acts to allow Queensland businesses to have legislation that is appropriately responsive to the needs of each respective industry and to strip away unnecessary red tape. Public consultation to identify additional areas where unnecessary red tape could be reduced was also completed in early 2013.
- The review of the Drink Safe Precincts (DSPs) was extended until September 2013. The Office of Liquor and Gaming Regulation is working with the Criminal Justice Research unit within the Department of the Premier and Cabinet to evaluate the effectiveness of the first 14 months of the trial. In December 2012, an interim report was released into the evaluation of the DSPs to address longstanding public concern about alcohol-related violence. The report found there has been a significant decrease in alcohol-related violence in the DSPs since the trial commenced. At the local level, the DSP trial has helped to ensure there is a better and faster response to incidents when they do occur in these areas, both from police and support services. A final evaluation report will be released in late 2013.

Other key performance in 2012-13

The Office of Fair Trading

Marketplace integrity is achieved through an effective compliance strategy including targeted information campaigns, a proactive compliance program, the investigation and conciliation of complaints and enforcement where appropriate.

In 2012-13, the Office of Fair Trading:

- received over 13 100 consumer complaints
- satisfactorily finalised 89 per cent of conciliations
- achieved \$7.5 million of redress or compensation for consumers
- monitored 9400 individuals and businesses for compliance
- finalised 2012 investigations
- processed 19 364 new licences and registrations and 63 072 renewal applications and annual returns.

Proactive compliance

Each year the Office of Fair Trading develops a targeted compliance plan based on identified risks and marketplace trends. To ensure there is legislative compliance, the plan includes scheduled statewide operations involving spot checks targeting specific industry groups, as well as businesses generally under the Australian Consumer Law. In addition to scheduled operations, the Office of Fair Trading also conducts unscheduled spot checks in response to emerging issues.

In 2012-13, 9400 individuals and corporations were monitored for compliance.

Complaints and conciliation

The Office of Fair Trading attempts to conciliate consumer complaints where no breach of legislation is evident. Conciliation involves contacting both the consumer and trader and attempting to negotiate a suitable outcome.

During 2012-13, the Office of Fair Trading finalised over 11 380 conciliations, of which 80 per cent were completed within the targeted 30 day timeframe. The industry groups most complained about by consumers in 2012-13 were:

- personal and household goods (3400 complaints)
- personal and household services (960 complaints)
- motor vehicle sales (952 complaints)
- real estate agents (833 complaints)
- motor vehicle services, repairs, parts etc. (831 complaints).

Investigations

The Office of Fair Trading receives complaints and acts on intelligence. Where a breach of legislation is suspected, an investigation may be commenced. Investigations are categorised under the Office of Fair Trading's Compliance and Enforcement Framework based on the level of investigation complexity.

Investigations are broken into categories with timeframes for completion which range from 30 days for simple matters to 365 days for complex matters. A number of factors can influence completion timeframes including difficulty locating offenders and obtaining witness statements.

In 2012-13, the Office of Fair Trading finalised 2012 investigations of which 77 per cent were completed within timeframes.

Enforcement

In 2012-13, the Office of Fair Trading initiated 1306 enforcement actions, including:

- nine disciplinary proceedings in the tribunal
- 80 court actions
- 588 warnings and 573 infringement notices
- 56 enforceable undertakings.

An investigation during 2012-13 into a group of five pay-day lenders based predominantly on the Sunshine Coast identified almost 3600 contracts where the lenders had conspired to try and circumvent the 48 per cent Queensland interest rate cap through misrepresentations of the brokerage fee. The investigation was finalised through court enforceable undertakings and yielded restitution of \$974 000 for 1245 affected consumers.

Redress for consumers

Redress is the restitution, compensation or the in-kind value provided to the consumer to remedy the detriment caused by inappropriate trader conduct. In 2012-13, \$7.5 million was obtained for consumers.

A consumer had entered into an agreement to pay marina fees to berth his boat. The marina was damaged during the 2013 floods and the consumer lost his boat, which was also his home. The consumer requested a refund of the balance of the term not used. The trader refused to provide a refund and offered the consumer a credit amount to spend in their store. This was of no use to the consumer as he no longer had a vessel.

The consumer lodged a complaint with the Office of Fair Trading which made representations on his behalf to the trader. As the marina had been damaged, the trader was unable to provide the service agreed to in the contract. The trader subsequently agreed to reimburse the balance of funds to the consumer.

Industry licensing and registration services

The Office of Fair Trading ensures only suitable persons are licensed as property agents, motor dealers and security providers, with over 79 000 entities licensed.

In 2012-13 the following application numbers were processed:

| Occupation categories | New licences | Renewal applications | Total licensed at 30 June 2013 |
|-----------------------|--------------|----------------------|--------------------------------|
| Auctioneers | 169 | 1 097 | 1 951 |

| Occupation categories | New licences | Renewal applications | Total licensed at 30 June 2013 |
|-------------------------------------|---------------|----------------------|--------------------------------|
| Commercial agents | 187 | 342 | 750 |
| Motor dealers | 1 276 | 3 320 | 7 496 |
| Pastoral houses | 7 | 89 | 96 |
| Property developers | 108 | 347 | 957 |
| Real estate agents | 5 560 | 15 836 | 33 306 |
| Resident letting agents | 321 | 1 951 | 3 169 |
| Security providers | 9 322 | 11 996 | 29 150 |
| Pawnbrokers and second-hand dealers | 267 | 861 | 1 484 |
| Travel agents | 35 | 343 | 532 |
| Inbound tour operators | 29 | 41 | 114 |
| Introduction agents | 6 | 11 | 22 |
| Total | 17 287 | 36 234 | 79 027 |

The Office of Fair Trading also helps community groups and not-for-profit organisations by registering incorporated associations, charities and cooperatives.

| Registration categories | New registrations | Renewals / annual returns | Total registered at 30 June 2013 |
|---------------------------|-------------------|---------------------------|----------------------------------|
| Incorporated associations | 1 081 | 21 271 | 23 631 |
| Charities | 307 | 4 188 | 4 018 |
| Cooperatives | 4 | 124 | 182 |
| Land sales exemption | 654 | - | - |
| Total | 2 046 | 25 583 | 27 831 |

The Office of Liquor and Gaming Regulation

The Office of Liquor and Gaming Regulation (OLGR) seeks to minimise liquor and gaming harm and maintain the integrity of liquor and gaming industries through its regulatory activities, including licensing and approval processes, probity assessment, proactive compliance programs, complaint investigation and industry engagement.

In 2012-13, the OLGR:

- processed 22 551 applications including:
 - 832 complex liquor applications
 - 5673 moderate liquor applications
 - 12 669 standard liquor applications
 - 3377 gaming related applications.

- finalised 6583 investigations including:
 - 689 liquor investigations relating to complaints from the general public
 - 204 investigations relating to alleged offences under gaming legislation.
- completed 8534 audits, inspections and probity investigations relating to licensed premises, individuals and operators.

Enforcement

In 2012-13, the OLGR took 115 gaming enforcement actions, including:

- conducting eight prosecutions
- issuing 40 infringement notices
- cancelling one licence
- issuing 63 warnings.

In 2012-13, liquor-related enforcement actions totalled 4293 and included:

- issuing 653 infringement notices
- conducting 15 prosecutions
- undertaking one disciplinary action
- cancelling three individuals' approvals
- issuing 2477 warnings
- referring 222 breaches to other agencies for action.

In August 2012, the OLGR received information that a warehouse at Acacia Ridge was being used by wholesalers to store liquor which was being sold without a licence. Officers seized 437 cartons of Korean beer and wines with a retail value of approximately \$45 000.

The investigation identified the two wholesalers involved in the operation did not hold a licence to sell or distribute liquor in Queensland. The investigation also established that the wholesalers sold more than \$125 000 worth of alcohol to more than 30 businesses in the Cairns, Gold Coast and Brisbane areas on 178 occasions from January 2012 to November 2012. Evidence was also obtained to indicate the wholesalers had purchased more than \$300 000 worth of Korean liquor from NSW suppliers to on-sell in Queensland.

The wholesalers were charged under the *Liquor Act 1992* for the unlawful sale and carriage of liquor. Both defendants received recorded convictions and each was fined \$40 000.

Although punitive enforcement action will be taken where appropriate, the OLGR uses a range of regulatory tools to achieve compliance, recognising that industry collaboration and cooperation will generally achieve more rapid and sustained positive compliance outcomes.

Noise complaints were received by the OLGR shortly after a licensed premises north of Brisbane commenced trading. These complaints were made by local residents and predominately related to excessive patron and entertainment noise and wilful damage.

The OLGR investigated these complaints and raised the matters with the licensee on each occasion. Despite the OLGR holding intervention meetings and working with the licensee, residents and local police, the complaints continued.

In an effort to address these issues, the licensee agreed to engage an acoustic consultant to conduct independent noise testing. The consultant tested from certain affected complainants' residences, while OLGR investigators conducted concurrent testing. The licensee subsequently agreed to amended licence conditions. No further complaints have been received since these strategies were adopted in January 2013.

Liquor accords and other place-based initiatives

The Government supports a network of liquor accords throughout Queensland which provide a cooperative and voluntary approach to addressing alcohol misuse and anti-social behaviour in a local area.

As at 30 June 2013, there were 100 active liquor accords in Queensland delivering benefits through programs and initiatives aimed at creating safe environments in and around licensed premises. Accords are driven by industry and may include representatives from licensed premises, businesses, councils, police, government agencies and community organisations.

The OLGR continues to work with licensees and local communities to rejuvenate, enhance and encourage participation in liquor accords through:

- attending liquor accord meetings statewide, to provide support and advice on legislative and other regulatory matters
- helping new areas form new accords with a view to expanding the benefits gained from strong liquor accord participation.

There are two liquor accords within discrete Queensland Indigenous communities. The accords are very active and strongly committed to their harm minimisation objectives and take a big picture approach to alcohol-related issues in their communities, incorporating key stakeholders such as local schools, councils and health providers in their discussions.

There are also five catchment area liquor accords that address alcohol-related issues impacting their own communities as well as neighbouring discrete Indigenous communities.

In addition to the active involvement in liquor accords and DSPs, the OLGR also contributes to other targeted place-based initiatives aimed at addressing particular localised alcohol-related concerns that may arise.

The Gladstone region is going through one of the most rapid growth phases of any community in Australia, with a growth rate currently double that of the Queensland average. The influx of a temporary workforce of around 10 000 people into the region has seen a resurgence in alcohol-related incidents in the Gladstone Central Business District (CBD).

During 2012-13, the OLGR continued to work with members of the Gladstone Community Safety Committee, including the coal and gas industry, the Gladstone Regional Council, Queensland Police Service (QPS) and community stakeholders, in a collaborative effort to reduce public disorder issues in the township.

The committee has implemented a number of local harm minimisation initiatives, including:

- increasing police operations in the Gladstone CBD
- expanding the CCTV coverage in the CBD
- alternative drop off points for taxis
- trialling voluntary lock-outs for licensed premises
- providing night chaplaincy support services.

The OLGR has implemented an extensive proactive targeted compliance program including:

- covert operations of late night traders in the CBD
- intervention strategies designed to ensure the management practices of key licensees are compatible with minimising harm and preserving a safe environment
- providing liquor investigator training to the Gladstone QPS
- working with the QPS to improve regular reporting of QPS information to OLGR relating to licensed premises in the area. Through the receipt of information from the QPS, the OLGR is able to employ effective and targeted compliance strategies best designed to minimise harm in the Gladstone community.

Through the combined efforts of various levels of government, the private sector and other stakeholders, police report a 30 per cent reduction in the number of assaults in Gladstone's CBD since June 2012.

Grants provided to the community by OLGR

There are four community benefit funds established to return to the community a percentage of State revenue raised through gambling taxes.

| | Number of grants approved 2011-12 | Grants approved* 2011-12 \$million | Number of grants approved 2012-13 | Grants approved 2012-13 \$million |
|--|-----------------------------------|------------------------------------|-----------------------------------|-----------------------------------|
| Gambling Community Benefit Fund | 2 152 | \$40.29 | 1 962 | \$40.84 |
| Jupiters Casino Community Benefit Fund | 229 | \$5.44 | 263 | \$5.37 |
| Breakwater Island Community Benefit Fund | 77 | \$0.30 | 91 | \$0.37 |
| Reef Hotel Casino Community Benefit Fund | 81 | \$0.63 | 89 | \$0.64 |
| Total | 2 539 | \$46.66 | 2 405 | \$47.22 |

Future direction

In 2013-14, this service area will:

- Work with other jurisdictions to implement a National Occupational Licensing System (NOLS) as part of a program of regulatory reform to increase Australia's productivity. Currently, occupations are licensed by each state or territory with the licence only covering work performed in that state. Under a national licence, companies and individuals will be licensed to work anywhere in Australia, removing duplicated and inconsistent regulation between states and territories for specific occupations. Property agents are proposed to be included in one of the first waves of occupations to be licensed under NOLS.
- As part of a nationwide consumer protection operation, the Office of Fair Trading will work collaboratively with other fair trading agencies across Australia to focus on the value of many extended warranties. This action will safeguard Queensland consumers who are often offered extended warranties at the point of sale, particularly when buying electrical equipment, whitegoods or motor vehicles.
- Release the Government's response to the review of the Drink Safe Precincts.
- Review the *Land Sales Act 1984* to contemporise marketplace practice and clarify rights and responsibilities to reduce time and costs in the contractual process.
- Commence a formal review of the *Body Corporate and Community Management Act 1997* as part of a broader review of property laws in Queensland.
- Progress legislation to split the *Property Agents and Motor Dealers Act 2000* into four industry-specific Bills to reduce the regulatory burden for real estate agents, property developers, auctioneers, motor dealers and commercial agents.
- Progress phase two red tape reduction initiatives for the liquor and gaming industry. Responses to a discussion paper will inform the expert panel's recommendations to Government by the end of 2013. Recommendations accepted by Government will inform a second phase of red tape reduction for the liquor and gaming industry.
- Maintain a compliance strategy to ensure traders act in a fair, safe and ethical manner in the marketplace.

Service standards and other measures

| Service standards and other measures | Notes | 2009-10 Actual | 2010-11 Actual | 2011-12 Actual | 2012-13 Target/ est | 2012-13 Est actual | 2012-13 Actual |
|---|-------|-------------------|-------------------|-------------------|---------------------------|--------------------------|-------------------|
| Facilitate a business climate that is well understood and respected | | | | | | | |
| Percentage of decisions upheld on appeal | 1 | -- | 71.4% | 60% | 70% | 70% | 57% |
| Proportion of disputes/conciliations satisfactorily finalised | 2 | -- | 89% | 88% | 80% | 87% | 89% |
| Proportion of licensing applications and registration services processed within timeframes established in service delivery standards | 3 | -- | 90.8% | 90.5% | 90% | 87.5% | 84.25% |
| Proportion of audit, probity and inspection activities completed in accordance with annual program targets | 4 | -- | 104.5% | 101% | 90% | 97.5% | 100.3% |
| Proportion of investigations completed within timeframes established in service delivery standards | 5 | -- | 84.5% | 85.5% | 75% | 83.5% | 81.3% |
| Proportion of complaints/conciliations resolved within timeframes established in service delivery standards | 6 | -- | 85% | 84.5% | 85% | 79.5% | 79.9% |
| Social marketing campaigns achieve the expected level of awareness in target audiences | 7 | -- | 100% | -- | -- | -- | -- |
| Protect Queensland now and for the future | | | | | | | |
| Consumer redress facilitated by the Office of Fair Trading | 8 | -- | 4.8 million | \$6.2 million | \$3 million | \$6 million | \$7.5 million |
| Proportion of Indigenous communities subject to alcohol restrictions where community development activities are completed in accordance with annual program targets | 9 | -- | 94.7% | 89% | 85% | 89% | 89% |

Notes:

1. Actual numbers are exceptionally low, leading to large variances in results. Due to the small population size, this measure is no longer regarded as relevant and will be discontinued in 2013-14.
2. Obtaining a satisfactory outcome on a complaint lodged by a consumer is largely dependant on the willingness of the consumer and trader to agree on an acceptable outcome. This measure will be discontinued in 2013-14.
3. Following the transition of responsibility for the business names function to the Commonwealth in 2011-12, the Office of Fair

Trading was required to redirect staff resources to the transition process which impacted on overall processing timeliness. The impact continued in 2012-13 due to the complexity of the transition of the business name's register.

4. This measure involves a number of aspects of work (audit, probity and inspection activities) that the Office of Fair Trading and the Office of Liquor and Gaming Regulation complete. Reporting an overall figure for all categories is no longer classed as relevant. A more relevant breakdown in regards to audit, probity, and inspection activities can be found on pages 38, 39, 40, 41 and of this report. This measure will continue to be reported in this way in future annual reports.
5. Both the Office of Fair Trading and the Office of Liquor and Gaming Regulation contribute to this measure. A combined percentage is not an effective way of measuring this service standard as there are differing contributing factors. A more relevant breakdown in regards to completing investigations can be found on pages 38, 39, 40, 41, and 42 of this report. This measure will continue to be reported in this way in future annual reports.
6. Both the Office of Fair Trading and the Office of Liquor and Gaming Regulation contribute to this measure. A combined percentage is not an effective way of measuring this service standard as there are differing contributing factors. A more relevant breakdown in regards to resolving complaints and conciliations can be found on pages 38, 39, 40, 41, and 42 of this report of this report. This measure will continue to be reported in this way in future annual reports.
7. Measuring campaign effectiveness is complicated and campaigns are not undertaken as a regular activity, making annual reporting in a meaningful way difficult. As a result, this measure has not been reported on and will be discontinued in 2013-14.
8. Redress is the compensation or the in-kind value to address issues a consumer has complained about. The amount of redress can vary significantly as it depends on the nature of complaints on hand. The Department has no control over the amount of redress achieved. Redress can be achieved through conciliation, investigations, prosecutions, restitution and from the Property Agents and Motor Dealers Claim Fund.
9. This measure will be discontinued in 2013-14 as alcohol management plans in alcohol restricted communities are now being reviewed by communities at their own pace.



Peter Cook
Acting Assistant Director-General

2012-16 objective:

- Improve our organisational effectiveness

2013-17 objective:

- Improve our organisational effectiveness

Performance against this objective was delivered by all divisions of the Department including its corporate services division.

A number of previous annual reporting requirements relating to organisational effectiveness have been addressed by publishing the information on the Department's website only. This information can be located at <http://www.justice.qld.gov.au/corporate/general-publications/annual-report/2012-2013-djag-annual-report>

Governance

Governance – management and structure

Governance – committees

As chief executive of the Department, the Director-General is supported in meeting his statutory responsibilities under the *Financial Accountability Act 2009*, 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) is the Department's leadership, planning and accountability committee. It supports the Director-General in discharging his statutory responsibilities and provides leadership, strategic direction and oversight of the Department's governance and associated committee structure.

Membership of BOM at 30 June 2013 comprised the following positions and officers:



John Sosso

Director-General
(chair)

John was appointed Director-General in December 2012. John first joined the Department in 1984 after completing his Articles and practising as a solicitor in private practice.

After leaving the Department of Justice in 1992, he subsequently served in the Department of Consumer Affairs and Emergency Services. From 1996-1998 he was the Deputy Director-General of the Department of the Premier and Cabinet. John was a Member and Deputy President of the National Native Title Tribunal from 2000-2012.

John holds a Bachelor of Arts (Honours) and Bachelor of Laws (Hons) from the University of Queensland.



Terry Ryan

Deputy Director-General
(co-deputy chair)

Terry was appointed Deputy Director-General, Justice Services in October 2011 after acting in the position from January to October 2010 and since January 2011. Previously, Terry held the positions of Assistant Director-General, Strategic Policy, Legal and Executive Services (from April 2008) and Director, Strategic Policy Unit (from 2001).

Terry joined the Department in 1996 after a career as a lawyer in the private and public sectors and a social worker in the child and youth welfare field. He is a member of the Australian Criminology Research Advisory Council.

Terry holds a Bachelor of Social Work, Bachelor of Laws and Master of Laws.



David Ford

Deputy Director-General
(co-deputy chair)

David was appointed Deputy Director-General, Liquor, Gaming, Racing and Fair Trading and also Commissioner for Fair Trading in April 2009. He was previously Deputy Under Treasurer from 2005-09, following a period as Deputy Director-General, Department of Tourism, Fair Trading and Wine Industry Development and a decade as Executive Director, Queensland Office of Gaming Regulation in Queensland Treasury.

David's responsibilities include the Office of Liquor and Gaming Regulation, the Office of Fair Trading and the Office of Regulatory Policy.

David is an Associate Fellow of the Australian Institute of Management and a member of the Institute of Public Administration of Australia. He has several years experience as a former chair and committee member of the International Association of Gaming Regulators.



Simon Blackwood
Deputy Director-
General
(co-deputy chair)

Acting as Deputy Director-General, Office of Fair and Safe Work Queensland since April 2012, Simon was previously Executive Director, Workplace Health and Safety Queensland. Before his appointment to this role in December 2007, he was Executive Director, Private Sector Industrial Relations. He is responsible for workplace health and safety, industrial relations and electrical safety in Queensland.

Simon is highly experienced in the field of labour relations having spent more than 20 years working and studying in the area. He holds a PhD in labour relations and sociology from the University of Queensland.



Jennifer Lang
Assistant Director-
General

Jennifer was appointed Assistant Director-General, Strategic Policy, Legal and Executive Services in December 2011. She had previously acted in the role from January 2010 with a three-month period between October and December 2010 when she acted as Executive Director of Strategic Policy, Legal and Executive Services. Jennifer is responsible for Strategic Policy, Legal and Executive Services division in the Department. Before this appointment Jennifer 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.

Jennifer holds a Bachelor of Laws and before joining the Queensland public sector, worked as a lawyer in private practice for a number of years.



Steve Armitage
Assistant Director-
General

Steve was appointed Assistant Director-General, Youth Justice in November 2012, after acting in the position from June to November 2012. Previously Steve held the positions of Executive Director, Indigenous Education (2007-2012) and Executive Director, Strategic Implementation (2004-2007) in the former Department of Education and Training, Deputy Director General (2001-2004) and Executive Director, Youth Justice (1999-2001) in the former Department of Families.

Steve has over 30 year's experience in human services from direct service delivery to senior leadership roles. In the past 15 years he led the delivery of a series of major reforms in the fields of Indigenous Education, Child Protection, Youth Justice and mainstream education and training. This included leading the implementation of the Forde Inquiry into Institutional Abuse youth justice recommendations, establishment of the Department of Child Safety in its first six months, implementation of the 'Prep' year of schooling and development and implementation of the Queensland approach to 'Closing the Gap' in Indigenous Education outcomes.

Steve holds a Bachelor of Social Work (Hons) from the University of Queensland.



Peter Cook
Acting Assistant
Director-General

Acting Assistant Director-General, Corporate Services, Peter worked in the banking and finance sector before commencing with the public sector in 1996. Since then Peter has worked in a number of Departments, with the 2007 machinery-of-government changes bringing him to the Department of Justice and Attorney-General.

Peter's substantive position is the Executive Director of the Financial Services area of the Department. He is a Fellow of CPA Australia.



Greg Cooper
Crown Solicitor

Greg was appointed Crown Solicitor on 1 November 2008. In his role as Crown Solicitor he 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 also responsible for resolving conflicts of interest in any legal matters being handled by Crown Law and is responsible for setting professional and ethical standards.

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.

Also attending Board of Management meetings as non-voting members were Tony Moynihan, SC, Director of Public Prosecutions, Garry Davis, Acting Executive Director, Financial Services and Roger McCarthy, Director, Office of the Director-General.

Workforce Management Steering Committee

The role of the Workforce Management Steering Committee is to strategically guide, prioritise, monitor and evaluate the Department's workforce management planning framework and ensuring the Department meets its human resource associated obligations under legislation, industrial instruments, directives and policies by:

- ensuring resources adequately support the project and service expectations associated with the Department's workforce management planning framework
- disseminating workforce management information across programs, divisions and regions
- providing a key forum within the Department for discussion on State, national and international workforce management and organisational capability development trends
- assisting in developing and maintaining a healthy workforce culture and organisational values.

This committee is chaired by the Director-General, Office of Fair and Safe Work Queensland.

Finance Committee

The role of the Finance Committee is to:

- approve the annual Departmental budget
- ensure the Department's budget is aligned with the Department's strategic plan and Government priorities
- monitor and report on the Department's financial performance against Departmental priorities and approved budgets
- formulate strategies for improving the Department's financial position, including approving and monitoring the Departmental budget processes.

This committee is chaired by the Director-General.

Information Management Committee

The role of the Information Management Committee includes:

- ensuring the Department's Information Management (IM) and supporting Information and Communication Technology (ICT) strategic directions and investment decisions are aligned with Government commitments and business priorities
- approving IM and ICT investments in principle
- implementing effective processes for commissioning and managing IM and ICT programs and projects
- maintaining effective IM and ICT resource management
- implementing effective IM and ICT governance, risk management and performance improvement strategies.

This committee is chaired by the Deputy Director-General, Justice Services.

Accommodation, Fleet and Asset Management Committee

The role of the Accommodation, Fleet and Asset Management Committee is to define the Department's major and minor capital works program, set the accommodation, fleet and asset management strategic and operational direction for the Department, having regard to obligations under the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009* and to ensure good governance and management of the Department's accommodation, fleet and asset portfolio.

This committee is chaired by the Deputy Director-General, Justice Services.

Audit and Risk Management Committee

The Audit and Risk Management Committee (ARMC) is an independent advisory body to the Director-General. It helps the Director-General discharge his responsibilities under the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*. The committee operates under the approved terms of reference and has due regard to Queensland Treasury and Trade *Audit Committee Guidelines: Improving Accountability and Performance*.

Membership of ARMC at 30 June 2013 comprised the following positions and officers:

| Position | Officer |
|---|---------------------------|
| Standing members | |
| Deputy Director-General, Liquor, Gaming and Fair Trading | David Ford (chair) |
| Deputy Director-General, Justice Services | Terry Ryan (deputy chair) |
| Assistant Director-General Corporate Services | Peter Cook |
| Business Manager, Office of the Director of Public Prosecutions | Helen Kentrotis |
| Executive Director, Crown Law | Susan Chrisp |
| Executive Director, Community Justice Services | David Mackie |
| Executive Director, Electrical Safety Office | Peter Lamont |
| Executive Director, Information Technology Services | Ken Hunter |
| External Member ¹ | Michael Schafer |

The Executive Director Financial Services, Director Corporate Governance, Director Internal Audit and the Queensland Audit Office have standing invitations to attend Committee meetings as observers.

The committee's roles and responsibilities include:

- 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 corporate governance framework, including its systems of internal control and the internal audit function
- evaluating the Internal Audit Charter, reviewing and evaluating the Internal Audit Annual and Strategic Plans and facilitating the practical discharge of the internal audit function, particularly in respect of planning, monitoring and reporting
- through the internal audit function, oversight and appraisal of the Department's financial operational reporting processes and reviewing the annual financial statements and management representations for recommendation and endorsement for signature by the Director-General
- appraising the Department's systems for risk management in terms of section 28 of the *Financial and Performance Management Standard 2009* and reviewing the Department's risk management planning, monitoring and reporting processes in accordance with the Australia/New Zealand Standard for Risk Management (AS/NZS ISO 31000:2009, Risk management – Principles and guidelines)

¹ The external member did not receive remuneration during the year.

Achievements in 2012-13 include:

- reviewed and endorsed the *Annual Internal Audit Plan 2013-14* and the *Strategic Internal Audit Plan 2013-17*
- reviewed and considered issues raised by Internal Audit reports
- reviewed Queensland Audit Office reports to Parliament as they relate to the Department
- considered other papers presented, including a review of the adequacy of management's implementation of audit recommendations
- considered corporate governance reports including updates regarding risk management and business continuity planning
- reviewed and endorsed the Department's annual financial statements for 2011-12 for signoff by the Director-General.

Integrity and accountability

The Department's governance framework fosters a culture of integrity and accountability by supporting internal mechanisms to monitor and report on its operations through, for example, audits, workplace investigations and detention centre inspections. It also reviews the findings and recommendations from external agencies, for example the Auditor-General and the Crime and Misconduct Commission, concerning operations of the Department, and ensures the necessary corrective action is taken to improve the Department's performance.

Commission of Audit report

The Commission of Audit final report was tabled in the Queensland Parliament by the Treasurer and Minister for Trade, the Honourable Tim Nicholls, MP on 30 April 2013. The Commission was established in 2012 to review the Queensland Government's financial position and to make recommendations on:

- strengthening the Queensland economy
- improving the State's financial position including regaining a AAA credit rating
- ensuring value for money in delivering frontline services.

The report made recommendations regarding whole-of-government and four specific recommendations regarding Justice and Court Services. The three recommendations below were accepted:

- 120 - reprioritise judicial resources within the court system to address the length of delays in criminal proceedings occurring in the Magistrates Court and the Childrens Court
- 121 - greater use of ICT to drive cost savings and efficiencies in court operations
- 123 - continue the reform process commenced within the Moynihan Review.

Further consideration and progress of the accepted recommendations has commenced within the Department to meet the requirements of the recommendations.

Further information regarding the Commission of Audit can be accessed at www.commissionofaudit.qld.gov.au.

Queensland Audit Office

In 2012-13, the Queensland Audit Office conducted a number of performance management system audits and cross-sector audits which included coverage of the Department of Justice and Attorney-General.

Report No. 2 for 2012-13

Auditor-General of Queensland Report to Parliament No. 2 for 2012-13 – Follow up of 2010 audit recommendations.

The Auditor-General performed a follow-up audit of three reports tabled in Parliament during 2010. Of relevance to the Department was a performance management system audit relating to the administration of Magistrate

Court services in Queensland. This latest report examined the extent of implementation of the audit recommendations made in the 2010 report.

Report No. 12 for 2012-13

Auditor-General of Queensland Report to Parliament No. 12 for 2012-13 – Community Benefit Funds: Grant management

The audit examined the effectiveness of the administration of the gambling and casino community benefit funds.

Report No. 13 for 2012-13

Auditor-General of Queensland Report to Parliament No. 13 for 2012-13 – Drink Safe Precincts trial

This report examined the planning, implementation and evaluation of the two-year Drink Safe Precincts trial that commenced in 2010, to determine if the trial achieved its intended outcomes.

Department response

- Departmental responses to issues contained in the Auditor-General's Reports are summarised within the respective reports.
- The Department has undertaken work where appropriate to address identified audit issues contained within Report No. 2 for 2012-13. The Department continues to implement strategies to address recommendations contained within Report No. 12 for 2012-13.
- Corrective action taken is monitored by the Department's Audit and Risk Management Committee.
- Reports by the Queensland Audit Office can be accessed at www.qao.qld.gov.au.

Queensland Child Protection Commission of Inquiry

On 1 July 2013, the Honourable Tim Carmody QC, presented the final reports of the Queensland Child Protection Commission of Inquiry to the Queensland Government.

In the *Taking Responsibility: A Roadmap for Queensland Child Protection* report, the Commission makes 121 recommendations aimed at improving the child protection system, including oversight of the system and court and tribunal processes.

The Queensland Government is currently considering its response to the 'Taking Responsibility' report. The response to the report's recommendations will be tabled in 2013-14.

Queensland Coroner

In the 2012-13 financial year, there were 14 coronial recommendations and one comment directed to the Department from six inquests.

Each year the Queensland Government publishes a Government Response to Coronial Recommendations Report that contains responses to coronial recommendations directed to Government in the preceding calendar year. Responses to 12 of the recommendations directed to the Department in 2012 will be included in the next yearly Government Response to Coronial Recommendations report. The remaining two recommendations and one comment and any further recommendations directed to the Department in the 2013 calendar year, will be responded to in the subsequent yearly report.

Queensland Ombudsman

In March 2013, the Queensland Ombudsman released *The Asbestos Report: An investigation into the regulation of asbestos in Queensland*. Workplace Health and Safety (WHSQ), Department of Justice and Attorney-General, Queensland Health, local governments (councils) and the Department of Environment and Heritage Protection (DEHP) were all investigated as they play important roles in response to asbestos events and regulating asbestos in Queensland.

The Ombudsman's review made 36 recommendations for Government to consider. The recommendations outline the requirement for a lead agency to be appointed by the Government, single agency deliverables and cross-agency collaboration of deliverables. The report's recommendations for the Department include:

- involvement in a cross-agency policy creation and application of asbestos management, including identifying jurisdiction and responsibilities of asbestos management in differing circumstances and the management of clean-up costs for incidents
- participate in finalising cross-agency reports defining responsibility and community communication methods for asbestos issues including: the Asbestos Multiagency Incident Response Plan and Local Disaster Management Plans
- ensure inspectors have access to continual training on: legislation applicable to asbestos issues; the requirements and use of personal protective equipment (PPE); and how to facilitate prosecuting breach proceedings
- create a public online register of licensed asbestos industry workers and portal for asbestos information
- review Queensland licensing framework for asbestos workers.

The Government is finalising its response to the Queensland Ombudsman’s Asbestos Report. The response is expected to be released in 2013-14.

Reports by the Queensland Ombudsman can be accessed at www.ombudsman.qld.gov.au

Parliamentary Finance and Administration Committee - Inquiry into the Operation of Queensland’s Workers’ Compensation Scheme

The *Workers’ Compensation and Rehabilitation Act 2003* requires that a review of the operation of the workers’ compensation scheme be completed at least once in every five-year period. On 7 June 2012, the Legislative Assembly of Queensland referred responsibility for the review to Parliament’s Finance and Administration Committee.

The Committee was originally required to report to Parliament by 28 February 2013. However, Parliament extended the due date to 23 May 2013 because of the volume of information and submissions received.

The report made 32 recommendations for change.

The majority related to administrative processes and arrangements, with six proposed legislative changes.

The Government will carefully consider the implications of each of the committee’s recommendations before making any decision to make changes to Queensland’s workers’ compensation scheme, and respond to the report as a matter of priority.

The Government is finalising its response to the Inquiry into the Operation of the Queensland Workers’ Compensation Scheme. The response is expected to be released in 2013-14.

Internal Audit

Internal Audit forms an integral component of the corporate governance framework by conducting reviews of financial, information management and performance management systems. The independence of Internal Audit is maintained by reporting directly to the Director-General, with a subsidiary reporting relationship to the Audit and Risk Management Committee.

Internal Audit adheres to the approved Internal Audit Charter developed in line with the International Standards for the Professional Practice of Internal Auditing (Institute of Internal Auditors). An independent review by the Institute of Internal Auditors in 2009-10 assessed that Internal Audit conformed to International Standards for the Professional Practice of Internal Auditing and the Institute of Internal Auditors’ Code of Ethics. An independent peer review is required to be conducted once every five years.

| Audit outputs | 2012–13 performance / achievement |
|--|---|
| Delivery of annual and strategic plans, and monitoring and improving financial accountability, internal control processes and business practices within the Department | <ul style="list-style-type: none"> ▪ conducted a number of audits covering financial compliance, operational performance, project management and information systems reviews ▪ achieved management acceptance of a high percentage of audit findings and recommendations targeted at business improvements in processes |

| Audit outputs | 2012–13 performance / achievement |
|--|--|
| Review of the effectiveness of internal controls in mitigating risks | <ul style="list-style-type: none"> ▪ conducted risk analysis as part of the annual audit planning process, together with analysis conducted during specific audit engagements |
| Participation as an observer on various governance committees | <ul style="list-style-type: none"> ▪ consulted on project steering committees for key projects |

Risk management

The Department's risk management framework is based on *AS/NZS ISO 31000:2009, Risk Management – Principles and Guidelines*, and has been designed to achieve integration of risk management into standard business processes.

The prime responsibility for controlling and mitigating operational risks lies with management of each operational area. Under this approach, managers play a key role in identifying and assessing the risks associated with their business, including developing and monitoring mitigating controls. The responsibility for controlling and mitigating strategic risks lies with the senior executive more generally, supported by the advisory role of the Audit and Risk Management Committee.

During 2012-13, some refinements have been made to risk management practices. The number of risk management workshops conducted increased. Reporting of material business risks has been reviewed and improved. The Department continues to benchmark its processes against better practice so that improvement opportunities are identified.

Public sector ethics

Education and training

From 1 July 2012 to 30 June 2013, the Department complied with section 12K of the *Public Sector Ethics Act 1994* by:

- providing face-to-face training in workplace ethics to 657 staff
- providing on-line refresher training to 2283 staff.

These education and training initiatives and related ethics advisory services provided by the Ethical Standards Unit have over time improved accountability and reduced the incidence of serious misconduct requiring disciplinary sanctions.

All Senior Executive Service or equivalent officers have completed comprehensive face-to-face ethics training through the Queensland Ombudsman's Office during the past three years and have had access to online refresher training.

Procedures and practices

Under section 12L of the *Public Sector Ethics Act 1994*, the Department's administrative procedures and management practices must have proper regard to the principles of the Act. To comply with section 12L, the Department ensures that:

- the principles and values of the Act and the Code of Conduct are embedded in human resource management policies, practices and procedures. Any modifications or reviews take into consideration the ethical standards reflected in the Act and the Code of Conduct
- the strategic plan includes an objective to improve our organisational effectiveness. A strategy that supports this objective is to continue to foster a culture of integrity and accountability. This strategy is consistent with the Act's ethics principles and the Code of Conduct
- business plans support the strategic objectives and strategies outlined in the strategic plan. Staff performance effectiveness plans align with their business area, the Department's strategic plan, the Act's ethics principles and the Code of Conduct and emphasise the importance of integrity.

Considerable effort has been invested in aligning the Youth Justice Services Division's integrity and accountability processes with those of the Department. The Youth Justice Services Division joined the Department as a result of machinery-of-government changes in 2011-12.

The Youth Detention Inspectorate completed regular inspections of the Department's youth detention centres under the Queensland Youth Detention Centres Inspection Framework and the obligations imposed by s. 263 of the *Youth Justice Act 1992*. Inspection reports provided an assessment of nominated areas and recommendations for improved effectiveness.

External cooperation and review

The Crime and Misconduct Commission (CMC) and the Department worked together to implement a Building Integrity Plan agreed between the agencies in early 2009.

The CMC reviewed the Department's integrity related policies and procedures and provided its report in 2012. The evaluation report provided an overall rating of *exceptional* (82 per cent).

The CMC commended the Department for having a strong integrity framework and complaints handling ratings and awarded ratings of *exceptional* (100 per cent) for dealing with/investigating misconduct and Public Interest Disclosures (PIDs) and PIDs components.

Information systems and recordkeeping

The Department complies with the *Public Records Act 2002*, keeping full and accurate records of activities. Information management within the Department is governed by the *Public Records Act 2002*, *Information Standard 40: Recordkeeping* and *Information Standard 31: Retention and Disposal of Public Records* as well as whole-of-government recordkeeping policies and guidelines issued by the Queensland State Archivist.

The Department uses an electronic document and records management system, eDocs, to effectively manage and secure its administrative and core business records both regionally and centrally. This includes the correct scheduling and disposal of administrative records in line with the *Queensland Government's General Records and Disposal Schedule* and *State Archives approved Retention and Disposal Schedules* for core business records. The Department's Information Technology Services (ITS) Branch, provides advice, guidance, technical support and security management of the Department's recordkeeping and corporate information systems.

The Department's security management team provides services to support the confidentiality, integrity and availability of business information contained within Departmental information systems. No serious security breaches occurred during the 2012-13 period for the agency. The Department has two current policies relating to recordkeeping and information management:

- *Disposal of Documents and Records Policy* (supported by *Information Standard 31*)
- *Receipt and Capture of Documents and Records Policy* (supported by *Information Standards 18 and 40*).

ITS has produced 145 electronic user guides available to all Departmental staff relating to information management concepts within eDocs, including five focusing specifically on information security concepts. ITS has delivered personalised eDocs training on an ad-hoc basis and provides an online training course relating to the use of eDocs, recordkeeping and security, which is available to all staff.

Case management systems

The Department uses several case management systems to capture, secure and manage its core business.

Open Data

The Open Data Initiative is part of the Queensland Public Sector Renewal Program and the Queensland Government's vision to create the best public service in the nation, truly focused on its end customer, Queenslanders.

The Department's commitment to open data is confirmed by the published *Open Data Strategy* located on the Department of the Premier and Cabinet's Open Data website at: <http://publications.qld.gov.au/dataset/open-data-strategy-justice-and-attorney-general>.

An example of datasets provided by the Department in compliance with the *Open Data Strategy* is:

- *Workplace injury heat maps 2009-10. A heat map showing distribution of relative workplace injury 'risk' through industry sectors and business size.*

To access further information, government data and the Annual Report 2012-13 Open Data please visit: <https://data.qld.gov.au>.

Workforce capability and diversity

The Department ensures employees effectively meet government commitments by fostering a workforce culture to support work-life balance and workforce capability. The Department's workforce commitments contribute to a sustainable public sector.

Workforce Profile

As at 30 June 2013, the Department employed 4278.42 full-time equivalent (FTE) staff and had a permanent retention rate of 85.78 per cent and a permanent separation rate of 14.22 per cent.

Workforce planning

The Department's workforce planning framework enables it to:

- regularly monitor external business (international, national and State), internal business, labour market, population, socio-economic and technology developments and trends
- identify and address any emerging or existing organisational gaps in the Department about employee capability, knowledge, skills sets and business innovation
- identify sustainability improvements to enhance the Department's ability to deliver the Government's commitments and priorities.

Employee performance management

The Department is committed to delivering business success through driving and improving the performance of managers, teams and individuals. Employee performance management in DJAG clearly focused on defined business and professional development priorities. The employee performance management process specifically aims to:

- ensure that individuals in the workforce have clear direction and purpose
- ensure that individuals in the workplace have appropriate tools to support and develop their capability while undertaking their job
- identify key result areas and main goals and activities for individuals in the workforce
- provide individuals in the workforce with feedback through regular performance management discussions and reviews.

In 2012-13 the Department delivered 11 performance management workshops to 145 managers through its business and professional development programs. The workshops focussed on developing managerial communication skills by providing a framework for managers to give effective feedback to individuals. The workshops:

- allow managers to explore different behavioural styles of themselves and team members
- help managers develop a suite of tools and techniques to manage individual performance
- outline the Department's official performance management process and the support available to managers throughout the process. For example, information is provided about the one-on-one assistance provided to managers through the Department's employee assistance provider and human resource consultants, in managing performance and/or behavioural management issues in the workplace.

Leadership and management development framework

In 2012-13, the Department delivered a management development program to increase non-technical

management skills and to provide a professional development pathway for its new and existing managers. The pathway includes the following workshops:

- Managing in the Department of Justice and Attorney-General - this workshop provides managers with practical skills to meet the legislative and regulatory requirements of their roles and responsibilities. Twenty workshops were delivered face-to-face and through videoconferencing to 227 managers across Queensland.
- Managing with Confidence - this workshop provides managers with essential people management skills, strategies and practices. Thirty-six managers participated in this program during 2012-13.
- Diploma of Management - provides an opportunity for managers to have their skills and experience formally recognised and aligned to a national competency framework. Fifteen managers participated the diploma.

Further leadership and management development initiatives provided during 2012-13 included:

- six staff completed the Public Sector Management Program run by the Public Service Commission. The program is a leadership and management education program for Australia's public sector senior and middle managers and other high performing staff.
- five staff commenced the Emerging Leaders Program sponsored by the Public Service Commission in partnership with the Queensland University of Technology. Designed for leaders aspiring, or recently appointed, to Senior Executive roles in the public sector, the program provides participants with easily transferable, relevant leadership skills.

The Department commenced transitioning a significant part of the delivery of the Managing in DJAG program from face-to-face to online delivery. This change will give more staff, especially those outside Brisbane, the opportunity to develop their managerial and supervisory skills while also improving program longevity in a tight fiscal environment. The first module of the program *Improving Health and Employee Wellbeing* was released in February 2013 with a further six modules under development or scheduled for development in 2013-14.

Flexible working arrangements

The Department is committed to best work-life balance practices and provides support to employees balancing the often competing responsibilities of work and family. Flexible working arrangements available to employees include:

- an explicit work and family policy
- access to flexible working hours and leave arrangements, including working compressed hours
- parenting facilities
- access to working from home and telecommuting arrangements
- access to part-time and job share opportunities.

Safer and healthier workplaces

The Department values its employees and is committed to a safe and a supportive working environment.

In 2012-13, the Department undertook a number of activities to support its staff to maintain a safe and healthy lifestyle, including:

- reinvigorating a safety advisor network to improve the advisors' capability to better support managers and staff in the workplace and to help the Department satisfy its due diligence obligations under the workplace health and safety legislation
- conducting a seasonal influenza vaccination program
- organising a workplace weight management program
- promoting staff participation in the subsidised Queensland Corporate Games event
- commencing a health assessment program for senior executive officers.

Industrial and employee relations

The Department supports and promotes fair and equitable working conditions for its employees through industrial and employee relations frameworks, policies and practices. This enables the Department to deliver key business activities and Departmental operations.

2012-13 achievements include:

- completing transitioning industrial and employee relations matters relating to Youth Justice Services, in particular, Youth Detention Centres, following machinery-of-government changes in 2012
- helping managers with formal disciplinary processes, including representation at the Public Service Commission and the Queensland Industrial Relations Commission
- providing industrial and employee relations advice directly to business areas and employees on a range of operational and strategic matters
- helping business areas with effectively managing workplace injuries or absences including WorkCover matters, return-to-work programs and other medically-advised interventions
- continuing participation with relevant unions through the Agency Consultative Committee and a range of Local Consultative Committees to facilitate consultation on a broad range of industrial and employee relations, workforce strategy and organisational change issues.

The State Government Departments' Certified Agreement 2012 is now before the Full Bench of the Queensland Industrial Relations Commission for arbitration. Departmental officers have been consulting with the Public Service Commission specifically regarding conditions affecting officers of the Office of Liquor and Gaming Regulation and Youth Justice Services.

Early retirements, redundancies and retrenchments

A program of redundancies was implemented during 2012-13. As at 30 June 2013, 427 employees received redundancy packages at a cost of \$21 254 887. Employees who did not accept an offer of a redundancy were offered case management for a set period of time, where reasonable attempts were made to find alternative employment placements. At the conclusion of this period and where it is deemed that continued attempts of ongoing placement were no longer appropriate, employees yet to be placed were terminated and paid a retrenchment package. During the period no employees received retrenchment packages.

Voluntary Separation Program

A Voluntary Separation Program was implemented during 2011-12. The program ceased during 2011-12 and no further voluntary separations packages were processed by the Department in 2012-13.

Reducing red tape for services, legislation and regulations

The Department continues to deliver the Government commitment to reduce red tape by identifying and realising opportunities to innovate frontline and support services using current resources and capabilities.

All areas of the Department's portfolio focus on streamlining practices providing more efficient and effective services to Queenslanders.

Refer to the performance sections of the annual report for working examples of delivering innovative Government Commitments.

Financial performance

Summary of Financial performance

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

| Financial snapshot | 2012-13 Actual \$'000 | 2012-13 budget \$'000 | 2011-12 Actual \$'000 |
|--|--------------------------|--------------------------|--------------------------|
| Income | 715 828 | 726 558 | 648 031 |
| Expenses | 709 828 | 726 558 | 646 483 |
| Operating results from continuing operations | 6 000 | - | 1 548 |
| Total assets | 1 582 874 | 1 680 512 | 1 651 525 |
| Total liabilities | 70 460 | 60 584 | 74 612 |
| Net assets | 1 512 414 | 1 619 928 | 1 576 913 |

The Department returned an operating surplus of \$6 million for the year ending 30 June 2013 compared with a balanced budgeted operating result. The surplus is mainly attributed to internal business units primarily funded by user charges, grants and contributions. The Electrical Safety Office and the Registry of Birth, Death and Marriages contributed \$2.776 million of this surplus that will be used to fund future campaigns to increase of the awareness of electrical safety and the digitisation of approximately six million births, deaths and marriages records currently held in paper format.

During 2012-13, the Department's land and buildings were revalued through a combination of comprehensive and desktop valuation methodologies by a qualified valuer thus resulting in some assets having a lower than forecast value. This partially reflects the change in the overall net asset position.

The variance between the 2011-12 and 2012-13 actuals mainly relates to the Youth Justice function transferred to the Department by machinery-of-Government arrangements effective from 1 May 2012 as published in the financial statements for the year ending 30 June 2012. The 2013 result includes a full year of operations for the Youth Justice function whereas the 2011-12 year only has two months of operations.

Department services

The Department provides services to support Queensland Government priorities across the following six areas:

- criminal and civil justice which includes Queensland's courts and tribunals, coronial and prosecution services and community justice programs
- fair and safe work which includes workplace health and safety, electrical safety and industrial relations services
- legal services which includes Crown Law services and strategic policy and advice on law reform and justice policy
- human rights protection services which includes the Registry of Births, Deaths and Marriages, Victim Assist Queensland and guardianship services
- liquor, gaming and fair trading services which includes the Office of Liquor and Gaming, the Office of Regulatory Policy and the Office of Fair Trading
- youth Justice services which includes youth detention centres, boot camps, youth justice conferencing, youth justice services and court services.

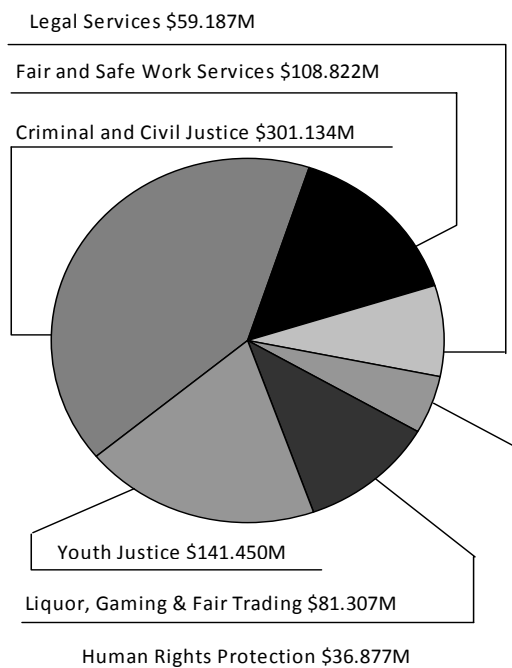
Income

Revenue for the Department totalled \$715.828 million against the budget forecast of \$726.558 million. The variance of \$10.730 million, or 1.5 per cent, is explained in the following sections.

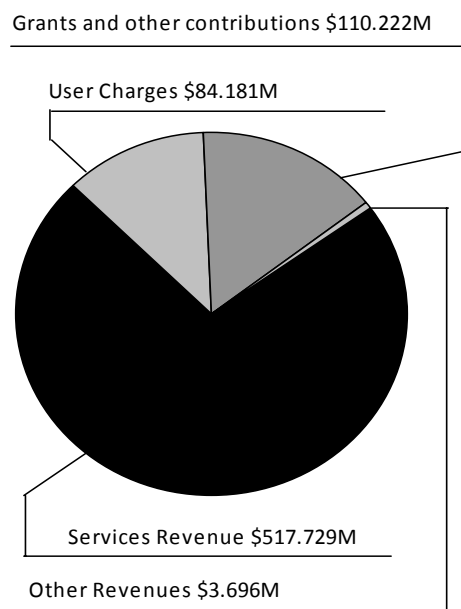
The primary funding for the Department is Departmental services revenue provided by the Queensland Government to enable the Department to carry out its services. Departmental services revenue is also referred to as appropriation and totalled \$517.729 million or 72.3 per cent of total revenue.

User charges revenue totalled \$84.181 million, a decrease of \$11.090 million on the budget of \$95.271 million. The decrease is mainly due to the lower than expected revenues from professional legal services generated by Crown Law and industrial relations services provided under agreements with the Federal Government.

2012-13 Income by department service area



2012-13 Income - where our funds come from



Note: The above graphs do not agree as the income by service area graph includes inter-Departmental service revenue of \$12.949 million which has been eliminated in the income by category graph.

The 2012-13 expenditure of \$709.828 million is \$16.730 million under the budget forecast of \$726.558 million, a variance of 2.3 per cent.

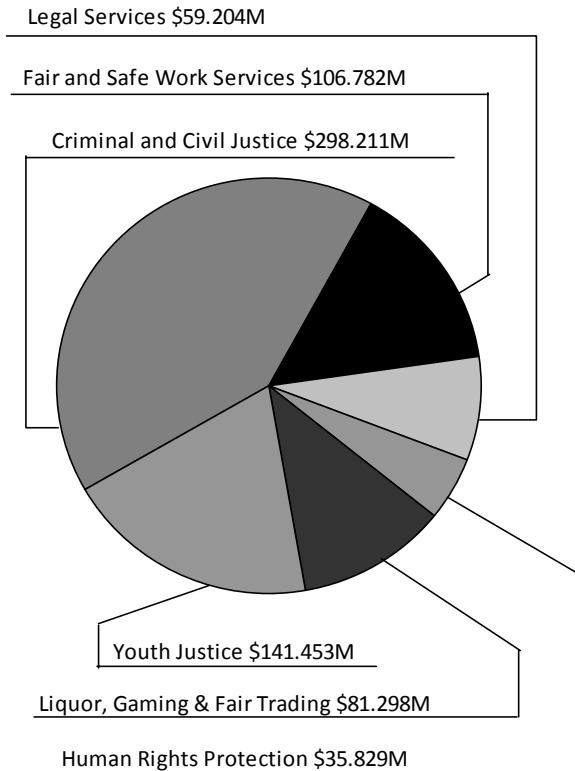
Employee expenses totalled \$444.614 million against a budgeted figure of \$457.530 million, a variance of 2.8 per cent. The variance primarily reflects the enterprise bargaining provision, reduced Crown Law activities and the management of employee vacancies. These were partially offset by the cost for employee redundancies in 2012-13. Employee expenses are 62.6 per cent of total expenditure and represent employee and related costs such as salaries and leave entitlements, superannuation, payroll tax and workers compensation insurance.

Supplies and services expenses of \$175.467 million represent the costs incurred from third parties for the daily operations of the Department during the financial year. The most significant supplies and services expenditure is property tenancy and maintenance costs due to the significant property assets owned and maintained or leased by the Department.

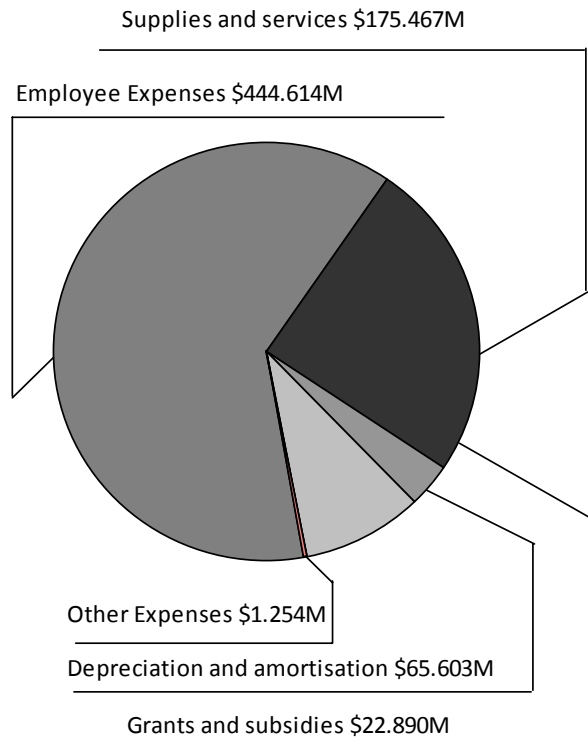
Grants and subsidies totalled \$22.890 million in 2012-13 and represented grants provided for the Community Justice Groups, Safe Work Australia, Victims of Crime support organisations, the Anzac Day Trust, Gambling Help services and Youth Justice Counselling and Support Services for young offenders.

Depreciation is an estimate of the cost of property, plant and equipment and intangible assets consumed during the year.

2012-13 Expenses by department service area



2012-13 Expenses - how our funds are spent



Note: The above graphs do not agree as the expenses by service area graph includes inter-Departmental service expenditure of \$12.949 million which has been eliminated in the expense by category graph.

Assets

At 30 June 2013, the Department held assets valued at \$1.583 billion comprising mainly land, buildings and construction work in progress. The Department forecast an asset balance of \$1.680 billion for the year. The variance of \$97.638 million is primarily attributed to the lower than budgeted capital expenditure on the Brisbane Supreme and District Court complex due to construction costs being lower than anticipated, lower capital expenditure for the Cleveland Youth Detention Centre in Townsville due to construction delays and a decrease in the value of land and buildings subject to revaluation.

Capital expenditure for 2012-13 was \$39.854 million, the highlight being the completion of the new Brisbane Supreme and District Court Complex at a total cost \$550 million. The new courts were officially opened as the Queen Elizabeth II Courts in early August 2012. The transfer of the Youth Justice function also included the Cleveland Youth Detention Centre Redevelopment and Expansion capital project with an approved budget \$183.8 million.

As at 30 June 2013, final testing of stage one of this project was being undertaken prior to work progressing to stage two involving the upgrade and refurbishment of the existing buildings. The Department also invested a further \$7.753 million in minor works and renewal of its property and accommodation portfolio across the State.

Liabilities

As at 30 June 2013, the Department had liabilities of \$70.460 million which is \$9.876 million over the budget forecast of \$60.584 million. The variance was mainly due to payables for the Youth Justices functions transferred to the Department and lease incentive liabilities.

Chief Financial Officer statement

The Executive Director, Financial Services is the appointed Chief Financial Officer (CFO) responsible for financial administration of the Department.

In accordance with section 77(2)(b) of the *Financial Accountability Act 2009* (the Act), the CFO has provided the Director-General with a statement conforming with section 57 of the *Financial and Performance Management Standard 2009* attesting that the financial internal controls of the Department are operating efficiently, effectively and economically.

The CFO for the Department of Justice and Attorney-General has fulfilled minimum responsibilities of the role as defined in section 77(1) of the Act.

Comparison of actual financial results with budget

Provision of these statements allows comparison of the actual financial results of the controlled operations of the Department with the budget published in the State Budget papers 2012-13 Service Delivery Statements. This is consistent with the government's commitment to more transparent financial reporting.

Comparison of Income and Expenses with Budget for the year ended 30 June 2013:

| | Notes | 2013 Actual \$'000 | 2013 budget \$'000 | Variance % |
|---|-------|-----------------------|-----------------------|---------------|
| Income from continuing operations | | | | |
| Departmental services revenue | | 517 729 | 519 945 | -0.4% |
| User charges | 1 | 84 181 | 95 271 | -11.6% |
| Grants and other contributions | | 110 222 | 109 694 | 0.5% |
| Other revenues | | 3 696 | 1 648 | 124.3% |
| Gains | | - | - | - |
| Total income from continuing operations | | 715 828 | 726 558 | -1.5% |
| Employee expenses | 2 | 444 614 | 457 530 | -2.8% |
| Supplies and services | | 175 467 | 175 818 | -0.2% |
| Grants and subsidies | | 22 890 | 24 078 | -4.9% |
| Depreciation and amortisation | | 65 603 | 66 949 | -2.0% |
| Impairment losses | | 15 | - | - |
| Finance/borrowing costs | | - | - | - |
| Other expenses | | 1 239 | 2 183 | -43.2% |
| Total expenses from continuing operations | | 709 828 | 726 558 | -2.3% |
| Operating results from continuing operations | | 6 000 | - | - |
| Other comprehensive income | | | | |
| Increase (decrease) in asset revaluation surplus | 3 | (39 666) | 14 800 | -368.0% |

| | Notes | 2013 Actual \$'000 | 2013 budget \$'000 | Variance % |
|----------------------------------|-------|-----------------------|-----------------------|---------------|
| Total other comprehensive income | | (39 666) | 14 800 | -368.0% |
| Total comprehensive income | | (39 666) | 14 800 | -327.5% |

The variances between 2013 Actual and 2013 Budget includes:

1. The decrease reflects lower than expected revenues from professional legal services generated by Crown Law and industrial relations services provided under agreements with the Federal Government.
2. The decrease reflects the enterprise bargaining provisions, reduced Crown Law activities and management of employee vacancies. These are partially offset by the cost for employee redundancies.
3. The decrease reflects the change in property, plant and equipment values as a result of the annual revaluation in accordance with the accounting policies.

Comparison of Assets and Liabilities with Budget for the year ended 30 June 2013:

| | Notes | 2013 Actual \$'000 | 2013 budget \$'000 | Variance % |
|---------------------------------|-------|-----------------------|-----------------------|---------------|
| Current assets | | | | |
| Cash and cash equivalents | 4 | 24 971 | 36 967 | -32.5% |
| Receivables | 5 | 68 155 | 37 809 | 80.3% |
| Inventories | | 430 | 390 | 10.3% |
| Other | | 3 420 | 2 845 | 20.2% |
| Total current assets | | 96 976 | 78 011 | 24.3% |
| Non current assets | | | | |
| Intangible assets | | 25 319 | 24 670 | 2.6% |
| Property, plant and equipment | 6 | 1 460 579 | 1 576 267 | -7.3% |
| Other | | - | 1 564 | - |
| Total non current assets | | 1 485 898 | 1 602 501 | -7.3% |
| Total assets | | 1 582 874 | 1 680 512 | -5.8% |
| Current liabilities | | | | |
| Payables | 7 | 56 512 | 47 435 | 19.1% |
| Accrued employee benefits | | 8 667 | 9 748 | -11.1% |
| Other | | 1 450 | 900 | 61.1% |

| | Notes | 2013 Actual \$'000 | 2013 budget \$'000 | Variance % |
|--------------------------------------|-------|-----------------------|-----------------------|---------------|
| Total current liabilities | | 66 629 | 58 083 | 14.7% |
| Non current liabilities | | | | |
| Payables | | - | 2 282 | - |
| Accrued employee benefits | | 176 | 149 | 18.1% |
| Other | 8 | 3 655 | 70 | 5121.4% |
| Total non current liabilities | | 3 831 | 2 501 | 53.2% |
| Total liabilities | | 70 460 | 60 584 | 16.3% |
| Net assets | | 1 512 414 | 1 619 928 | -6.6% |
| Equity | | | | |
| Contributed equity | | 966 688 | 1 022 262 | -5.4% |
| Accumulated surplus | | 295 195 | 271 509 | 8.7% |
| Asset revaluation surplus | | 250 531 | 326 157 | -23.2% |
| Total equity | | 1 512 414 | 1 619 928 | -6.6% |

The variances between 2013 Actual and 2013 Budget includes:

4. The decrease reflects revised cash management policies for the Department.
5. The variance relates to funding held by Queensland Treasury and Trade to met liabilities.
6. The variance is due to a lower capital expenditure on the Brisbane Supreme and District Court complex due to construction costs being lower than anticipated, lower capital expenditure for the Cleveland Youth Detention Centre in Townsville due to construction delays and a decrease in the total asset value of property, plant and equipment as a result of the annual revaluation in accordance with accounting policies.
7. The increase relates to the Youth Justice function transferred to the Department.
8. The variance relates to lease incentive liabilities.

Future direction

In 2013-14, the Department will work to deliver the strategic plan strategies to improve its organisational effectiveness by:

- using responsible financial management that contributes to the Government's fiscal strategies and targets through reassessment of service delivery priorities and delivery models
- contributing to sustainable public sector growth
- identifying opportunities to redirect resources to frontline service delivery
- using robust governance practices
- developing innovative models for service delivery
- reducing red tape relating to the Department's services, legislation and regulations
- improving workforce capability and diversity and encouraging staff to protect their health and work-life balance
- continuing to foster a culture of integrity and accountability
- maintaining productive engagement with stakeholders and the community.



Greg Cooper

Crown Solicitor

Crown Solicitor's message

Crown Law maintained its position as the leading provider of legal services to the Queensland Government, managing thousands of legal matters, many of which were lengthy and complex.

Our vision of the future is to be the Queensland Government's first choice by being the best provider of legal services. This vision is driven by our core purpose to protect and support Government in the public interest. Our entire organisation is guided by the core values of integrity, excellence, respect and responsibility.

In the past financial year, Crown Law provided advice on key policy areas such as health, education, the environment and resources and played a key role in two Commissions of Inquiry – the Queensland Child Protection Commission of Inquiry and the Queensland Health Payroll System Commission of Inquiry. These follow our significant involvement in the Commission of Inquiry to examine the 2010-11 flood disaster that affected 70 per cent of the State, the final report for which was handed down in March 2012.

We continue to represent the State and assist the Attorney-General in significant civil and criminal legal matters before all of the State's courts.

The Queensland Government has a large requirement for legal services in what is a highly-competitive legal market. Through developing and maintaining solid client relationships and providing high-quality legal work, Crown Law maintains its reputation of providing solutions-focused legal services.

Nevertheless, we are not immune to market forces. Crown Law continues to manage the challenges of a very competitive legal environment and the need to find even greater efficiencies and productivity improvements. Positioning Crown Law in terms of value for money and provision of advice, as well as being an employer of choice in terms of opportunity of legal work and career advancement, are key strategies to continue strengthening our position.

As the State Government's legal practice, Crown Law also continues to provide clients at all levels across the sector with legal education services in the form of free lunchtime sessions and tailored training workshops on a range of topics, including investigations, social media and judicial review.

Overall, our client satisfaction level was 4.05 out of 5, 13 per cent above the target of 3.57. Our regular satisfaction surveys provide invaluable feedback directly from clients on performance measures such as the accessibility of our lawyers and legal information, promptness of service, commitment to deadlines, knowledge, skills and value for money.

I extend my sincere thanks to all of Crown Law's clients for their continuing support and commitment; Crown Law considers itself as an integral part of your teams.

I also wholeheartedly thank my team in Crown Law for the high standard of work and dedication over the past year.

I look forward to Crown Law's continued partnership with our clients to provide the best possible legal services to support the Queensland Government into the future.

GR Cooper

Crown Solicitor

About Crown Law

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 1 January 1997.

Each year, Crown Law continues to grow in legal expertise and knowledge as it manages thousands of matters for the State and its agencies. Our role within the Queensland Government is to provide legal services to Departments and agencies, statutory bodies and Government Owned Corporations, commercialised business units, disciplinary boards and tribunals.

These services are categorised into 'tied' and 'untied' legal work. Untied work is open to competition from private legal firms. Crown Law's tied fees are set by Cabinet and our untied fees continue to represent value for money to the Government.

Crown Law receives no direct funding from Treasury, but is fully funded through legal fees and pays a 70 per cent dividend of profits back to the State's Consolidated Fund.

As the Queensland Government's only full service legal practice, Crown Law provides unrivalled expertise in government law and understands the environment, imperatives and goals of its clients.

Quality

The continued certification against ISO9001:2008 and the LAW9000 Legal Best Practice standard recognises Crown Law's dedication and commitment to providing quality legal services to the Queensland State Government.

Crown Law is the only government legal practice in Australia to have achieved this level of certification. The quality management framework ensures best legal practice through: monitoring and measuring processes, continuous improvement, performance management and client feedback measures. All elements of the framework are linked to the Crown Law business plan strategies and operational objectives.

Structure and governance

Strategic Leadership Team

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

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

The Crown Solicitor heads our Strategic Leadership Team which leads Crown Law's continuous development as a legal services business, building on our vision and Statement of Strategic Intent.

The Strategic Leadership Team is responsible for: business strategies, addressing emerging issues, succession planning for all levels and areas of expertise, identifying opportunities for business growth, innovation and improvement, and enhancing the organisation for efficiency and business performance.

Organisational structure

Each of Crown Law's five branches is represented by a Senior Deputy Crown Solicitor or Deputy Crown Solicitor. Legal teams within each branch are led by an Assistant Crown Solicitor whom are highly-qualified lawyers, responsible for the management of matters and lawyers in their team.

Crown Law's organisational structure includes:

- the Crown Solicitor
- Crown Counsel
- five legal branches which comprise a total of 16 legal teams
- the Practice Management Branch which provides business, strategic and corporate support services to the legal branches.

Significant matters

Queensland Health Payroll Commission of Inquiry

The State Government appointed Richard Chesterman AO RFD QC in February 2013 to conduct an inquiry into the implementation of the Queensland Health payroll system with respect to previous reviews of the payroll system implementation: the KPMG implementation review; and the Auditor-General of Queensland's report titled *Information systems governance and control, including the Queensland Health Implementation of Continuity Project (2010)*.

Assistant Crown Solicitor, Melinda Pugh led the Crown Law team on behalf of the State, assisted by Deputy Crown Solicitor, Helen Freemantle and Principal Lawyer, Catherine McLennan. Other Crown Law officers on the team included Principal Lawyer, Caroline Helman; Lawyer, LC Ling; Lawyer, Anna Woodall; Lawyer, Simone Sharp; Law Clerk, Menaka Wickramasinghe; and Executive Assistant, Michelle Bozier, with officers from Crown Law's Government Insurance Branch as needed.

The Commission's legal team was led by Assistant Crown Solicitor Fran Copley; assisted by Principal Lawyer, Rachael Murray; Principal Lawyer, Emma McGrath; Senior Lawyer, Elizabeth Kenny; and Lawyer, Wylie Nunn.

Queensland Child Protection Commission of Inquiry

The Queensland Child Protection Commission of Inquiry was established on 1 July 2012 to review Queensland's child protection system. A dedicated team of lawyers from Crown Law has been representing Queensland Government agencies before the Commission. Crown Law has advised Government agencies in relation to summonses and requests for the production of documents and information issued by the Commission and has provided legal support to Queensland Government employees who were called to give evidence before the Commission.

Among the several Crown Law staff who provided legal services to the Commission were former Senior Deputy Crown Solicitor, Robyn Martin; Deputy Crown Solicitor, Peter Dwyer; Principal Lawyer, Mark Zemek; Lawyer Cosmo Cater; and Law Clerk, Menaka Wickramasinghe.

Royal Commission into Institutional Responses to Child Sexual Abuse

The Royal Commission into Institutional Responses to Child Sexual Abuse was established under parallel Commonwealth and State letters patent. The Commission consists of Justice Peter McClellan of the NSW Supreme Court and five other commissioners.

Crown Law acts for the State in relation to the Royal Commission on instructions from the Department of the Premier and Cabinet.

State of Queensland v Fardon [2013] QCA 064

On 28 March 2013, Crown Law for the Attorney-General successfully mounted a challenge in Queensland's highest court to overturn a decision that convicted sex offender, Robert John Fardon was fit for supervised release from custody.

In November 2003, Fardon became the first person detained indefinitely under the *Dangerous Prisoners (Sexual Offenders) Act 2003 (Qld)* which allowed the Supreme Court of Queensland to make an order for the continued detention or supervised release of a particular class of prisoner to ensure adequate protection of the community.

When the Court makes an order for a prisoner's continued detention, the Act requires that the continuing detention order be regularly reviewed. As part of the review, the prisoner must be examined by two psychiatrists. It is the Attorney-General who bears the responsibility for ensuring the reviews are carried out in accordance with the requirements of the Act.

On the annual review of Fardon's continuing detention order, Justice Mullins ordered Fardon's release the following day, subject to a supervision order. Fardon's release was blocked when Crown Law for the Attorney-General successfully sought a stay of the order made by Mullins J from Justice Muir of the Court of Appeal, pending an appeal. The Court of Appeal allowed the Attorney-General's appeal. However, the Court

ordered that the matter be returned to the Supreme Court of Queensland to rehear the matter before deciding if Fardon should be released under strict supervision or remain in prison on a continuing detention order.

A. Commissioner Michael James Condon v Pompano Pty Ltd & Anor (Finks Motorcycle Club) [2013] HCA 7

In June 2012, the Queensland Police Service (QPS) filed an application in the Supreme Court of Queensland to have the Gold Coast Chapter of the Finks Motorcycle Club and Pompano Pty Ltd declared criminal organisations under the *Criminal Organisation Act 2009 (Qld)*.

The following month, lawyers for Finks and Pompano filed an application to have the proceedings removed to the High Court of Australia, under s. 40 of the *Judiciary Act 1903 (Cth)*. The Queensland Attorney-General, Jarrod Bleijie decided to intervene in these proceedings.

A challenge to the constitutional validity of various provisions of the *Criminal Organisation Act 2009 (Qld)* by the Finks Motorcycle Club (Gold Coast Chapter) was heard on 4 and 5 December 2012 in Canberra by the High Court. The High Court unanimously upheld the validity of provisions of the *Criminal Organisation Act 2009 (Qld)*. Crown Law acted on behalf of Queensland Police Service and the Attorney-General in these proceedings.

Leo Akiba on behalf of the Torres Strait Islanders of the Regional Seas Claim Group v Commonwealth of Australia and Ors [2013] HCA Trans 15 (12 February 2013)

The Torres Strait Regional Seas Claim was originally filed in the Federal Court of Australia on 23 November 2001. In 2010, Justice Finn of the Federal Court recognised the non-exclusive rights and interests of Torres Strait Islanders over almost 40 000 square kilometres of ocean in Torres Strait.

The most significant findings, in terms of native title law, were those relating to the native title holders' rights to take and use the resources of the Torres Strait waters for commercial purposes and whether reciprocal rights, held on the basis of interpersonal relationships rather than in respect of land and waters, could be classified native title rights. The Commonwealth and the Applicant both appealed Justice Finn's decision to the Full Court of the Federal Court in 2011.

In their decision, the Full Court, constituted by then Chief Justice Keane with Justices Dowsett and Mansfield, overturned the decision of Justice Finn in regard to the recognition of the right to take and use resources for commercial purposes.

In October 2012, the High Court granted the Torres Strait Islanders of the Regional Seas Claim Group special leave to appeal the decision of the Full Court.

Crown Law, instructing Dr Melissa Perry QC and Helen Bowskill as counsel, acted for the State of Queensland in the High Court appeal. The decision will have significant value as a legal precedent in respect of native title law.

Wik and Wik Way Native Title Claim Group v State of Queensland [2012] FCA 1096

The Federal Court of Australia finalised the long-running Wik native title claim at a special sitting in Aurukun in Far North Queensland on 11 October 2012. At the sitting, Justice Greenwood made the determination that the Wik and Wik Way People have native title rights to the last remaining areas of their claim.

This determination was the fifth and final determination of native title in respect of the Wik and Wik Way People's native title claim. The finalisation of the Wik claim is of particular significance, as it was the first native title claim to be made following the High Court's initial native title determination in Mabo No. 2.

The involvement of Crown Law in the Wik claim dates back almost 20 years, with our lawyers acting for the State in the High Court and in the negotiation of each of the subsequent consent determinations.

International child abduction matter – RCB as litigation guardian of EKV, CEV, CIV and LRV v The Honourable Justice Forrest [2012] HCA 47

Crown Law's unique role in the Queensland legal system was again demonstrated when our lawyers appeared in a matter concerning children at the centre of an application made under the *Hague Convention on the Civil Aspects of International Child Abduction*.

The case brought together the legal skills and expertise of our Constitutional Law and Advocacy Teams to resolve what was a sensitive legal issue involving a family. The issues arose when the children were brought to

Australia by their mother and their father applied under the *Hague Convention* for a court order for their return to Europe.

Crown Law appeared in the matter as the legal representative for the State Central Authority. Key lawyers in this matter were Senior Principal Lawyer, Felicity Nagorcka and Principal Lawyer, Kevin Parrott.

Client learning and development

Crown Law places a high value on supporting the ongoing legal education and development of all government officers, not just lawyers, and continues to play a pivotal role in their up-skilling in areas relevant to their everyday duties.

Our commitment to the learning and development of clients is demonstrated in a range of educational forums including, Government Legal Briefings, tailored training workshops, presentations to industry conferences and seminars and specific presentations for legal units in client agencies.

All of these events are supported by publications such as Legal Updates, comprehensive training manuals and online information.

Tailored training workshops also are conducted for client agencies. Topics over the past year have included Australian Consumer Law, due diligence in the investigation and prosecution of offences, statutory interpretation, social media and conducting disciplinary proceedings before the Queensland.

Our lawyers also regularly present at industry forums and conferences, including the annual Queensland Law Society Government Lawyers Conference. This year's conference included presentations by two of our Assistant Crown Solicitors – Jackie Hamilton (Workplace Law) and Gerard Sammon (Administrative Law).

Our clients across Government are also provided with a wealth of resources and research services by the Crown Law Library, including retrieval services; an online reading room, which gives clients access to databases on legal commentary, legal and medical journal research and legislation; and comprehensive legal research and database training throughout the year.

Our people

Crown Law is committed to being the law firm of choice for lawyers who aim for work that is challenging, interesting and often high profile, with important social, economic and political implications for the community. Crown Law's success is driven by our committed and dedicated staff, who maintain a focus on excellent client service.

Crown Law currently has 139 legal officers with 55 secretarial support staff. In addition, there are 40 staff across five teams in the Practice Management Branch providing corporate support in the form of finance, business services, information technology, business development, organisational development and library services.

Crown Law recognises that retaining good lawyers is about diversity of work, equal opportunities and flexible work/life balance options. Currently 96 (41 per cent) staff are engaged in work/life balance arrangements such as telecommuting, part time or job share arrangements or compressed hours. Approximately 75 per cent of our 234 staff are women.

Since introducing the graduate program in 2011, Crown Law has welcomed four lawyers who commenced with Crown Law in 2011 and four in 2012. Our graduates undertake rotations in each of our five legal branches. They work across several legal teams within each branch, gaining exposure to a wide variety of challenging and engaging legal matters. The graduates have benefited from working closely with experienced senior lawyers in this extensive learning and development program specifically tailored to them.

Continuing Legal Education

Investment in our people remains a priority for Crown Law, evidenced by the 2013–14 Strategic Business Plan which gives priority to development of a new in-house training program for the Practice.

Launched at the end of May 2013, the Crown Law Continuing Legal Education Program provides a structured series of informative legal lectures by our lawyers for our lawyers. Topics which are scheduled to the end of the 2014 financial year, include:

- State Constitutional Law: the basics

- Native Title: the basics
- Termination for convenience clauses and implied duty of good faith
- Court etiquette: the do's and don'ts of appearing in courts and tribunals
- Findings from the ACCC industry review of unfair contract terms
- Disclosure in litigation: legal obligation and practical tips
- Admissibility of evidence – best practice
- Public sector decision making – a one-hour guide.

The Continuing Legal Education Program was formally endorsed by the Strategic Leadership Team in the 2013–14 Strategic Business Plan under the 'invest in our people' pillar.

Achieving our goals

The Strategic Leadership Team developed and endorsed Crown Law's Strategic Business Plan 2013–14, which sets out clear strategies for the coming financial year.

Our vision, Statement of Strategic Intent, purpose and core values remain the foundation for Crown Law's focused and efficient legal practice.

As in previous years, Crown Law's Strategic Business Plan 2013–14 outlines key people, client, business and financial pillar operational plans to address challenges, invest in our people, sustainably reduce our costs and improve processes and service delivery to the Queensland Government.

Members of the Strategic Leadership Team champion these pillars, and their outcomes are communicated across Crown Law through branch-level operational plans. Staff performance agreements and development plans are aligned with these strategic goals.

Performance and accountability

Crown Law uses a number of measures to monitor performance, remain accountable and celebrate achievements throughout the year. The following measures direct our efforts, and support our continuous improvement culture:

- Client Relationship Management Framework which emphasises client feedback and information sharing within our organisation ensuring clients' needs are understood and met
- client reviews – in-depth interviews which provide a wealth of insight understanding of our clients and our performance, helping to shape and improve our service delivery
- client satisfaction surveys – our scorecard process surveys clients on performance in both current and recently completed legal matters
- Performance Development Framework – all staff operate within a clear and comprehensive framework that supports the continuous monitoring and development of skills and competencies, through regular reviews, training and goal setting.

Annual productivity comparison

| | 2012-13 | 2011-12 | 2010-11 | 2009-10 | 2008-09 |
|-------|---------|---------|---------|---------|---------|
| Total | 104%* | 101% | 100% | 100% | 103% |

Note: Numbers have been rounded to the nearest whole percentage.

*Productivity for chargeable hours was changed from 5 to 5.5 hours per day during 2012-2013. For comparability purposes, the 2012-2013 actual result of 93 per cent has been converted back to the five hours productivity requirement for legal staff.

Annual overall client satisfaction comparison

| | 2012-13 (forecast) Score out of 5 | 2012-13 (actual) Score out of 5 | 2011-12 Score out of 5 | 2010-11 Score out of 5 | 2009-10 Score out of 5 | 2008-09 Score out of 5 |
|-------|--|--|------------------------------|------------------------------|------------------------------|------------------------------|
| Total | 3.57 | 4.05 | 4.48 | 4.36 | 4.41 | Not measured |

Note: In October 2012, the feedback rating range was changed from 1 to 7 to a range of 1 to 5. Crown Law has reported all its client feedback performance using the new 1 to 5 rating. The previous 2011-12 target of 5 was extrapolated down to 3.57 to align with the new rating scale and to ensure consistency in future reporting. The previous 2010-11 and 2009-10 results have been extrapolated to the new scale for comparison purposes. The measure was not used in 2008-09 or 2007-08.

Operating results

Crown Law earned \$32.75 million in professional fees and achieved a profit of \$416K. Crown Law has been self-funded since 1997 and receives no grants or subsidies. Seventy per cent of profit, less the funding for the Legal Services Coordination Unit (part of the Department of Justice and Attorney-General), is returned to the Government.

Annual profit/loss comparison

| | 2012-13 \$000 | 2011-12 \$000 | 2010-11 \$000 | 2009-10 \$000 | 2008-09 \$000 |
|-------------------------|------------------|------------------|------------------|------------------|------------------|
| Profit/(Loss) | 416 | 190 | 539 | 904 | 1 019 |
| 70 per cent dividend | 291 | 133 | 377 | 633 | 713 |
| Net Profit/(Loss) | 125 | 57 | 162 | 271 | 306 |

Note: There is a requirement for the Department of Justice and Attorney-General (as a result of a CBRC decision) to fund the cost of the Legal Services Coordination Unit (LSCU) from the 70 per cent dividend payable to Government. The payments to fund the LSCU from this dividend have been: \$377k in 2008-09, \$432k in 2009-10, \$454K in 2010-11, \$500K in 2011-12 and \$443k in 2012-13. The LSCU is not part of Crown Law.



Appendix 1

Statutory bodies and appointment¹

Adult Guardian²

Anti-Discrimination Commission Queensland²

Anzac Day Trust

Appeal Costs Board

Breakwater Island Casino Community Benefit Fund²

Building and Construction Industry (Portable Long Service Leave) (QLeave) Board

Cardiac Assessment Tribunal

Composite Medical Assessment Tribunal

Construction Industry Sector Standing Committee

Contract Cleaning Industry (Portable Long Service Leave) Authority Board²

Council of the Queensland Law Society Incorporated²

Criminal Organisation Public Interest Monitor

Crime and Misconduct Commission

Dermatology Assessment Tribunal

Director (and Deputy Director) of Public Prosecutions²

Disaster Appeals Trust Fund Committee

Disfigurement Assessment Tribunal

Ear, Nose and Throat Assessment Tribunal

Electoral Commission of Queensland²

Electrical Licensing Committee

Electrical Safety Board

Electrical Equipment Committee

Electrical Safety Education Committee³

Funeral Benefits Trust Fund Board of Trustees

Gambling Community Benefit Fund²

General Medical Assessment Tribunal

Health and Community Services Industry Sector Standing Committee

Information Commissioner/RTI Commissioner/Privacy Commissioner²

Jupiters Casino Community Benefit Fund²

Land Court

Land Tribunal (Aboriginal)

Legal Aid Board

¹ Legislation establishing the portfolio's statutory bodies and authorities is listed in Appendix 2

² The statutory bodies/statutory appointments prepare their own annual reports.

³ Discontinued as at 31 December 2012.

⁴ The Department is jointly responsible with the Minister for Police, Corrective Services and Emergency Services.

⁵ Discontinued as at 1 January 2013.

Legal Aid Queensland – Chief Executive Officer²
 Legal Practice Committee
 Legal Practitioners Admissions Board²
 Legal Services Commission²
 Manufacturing Industry Sector Standing Committee
 Neurology/Neurological Assessment Tribunal
 Office of the Regulator
 Ophthalmology Assessment Tribunal
 Orthopaedic Assessment Tribunal
 Professional Standards Council²
 Public Advocate²
 Public Interest Monitor^{2, 4}
 Public Trustee of Queensland²
 Public Trust Office Investment Board
 Queensland Civil and Administrative Tribunal
 Queensland Industrial Relations Commission²
 Queensland Law Reform Commission²
 Queensland Liquor and Gaming Commission^{2, 5}
 Queensland Ombudsman²
 Reef Hotel Casino Community Benefit Fund²
 Retail, Wholesale, Hospitality, Recreation and Other Services Industry Sector Standing Committee
 Registrar-General (and Deputy) of Births, Deaths and Marriages
 Responsible Gambling Advisory Committee
 Rural Industry Sector Standing Committee
 Solicitor-General
 State Coroner
 Supreme Court Library Committee²
 Transport and Storage Industry Sector Standing Committee
 Workers' Compensation Regulatory Authority (Q-Comp) Board
 WorkCover Queensland Board (includes CEO of the WorkCover Employing Office)²
 Workplace Health and Safety Board

¹ Legislation establishing the portfolio's statutory bodies and authorities is listed in Appendix 2

² The statutory bodies/statutory appointments prepare their own annual reports.

³ Discontinued as at 31 December 2012.

⁴ The Department is jointly responsible with the Minister for Police, Corrective Services and Emergency Services.

⁵ Discontinued as at 1 January 2013.

Appendix 2

Acts Administered by the Attorney-General and Minister for Justice

- *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 Communities, Child Safety and Disability Services)
- *Aboriginal Land Act 1991* (sections 62 to 73; Part 19; sections 286 and 294 as they apply to the provisions of the Act administered by the Minister and relevant sections relating to the Land Tribunal, Land Court, Land Appeal Court and Supreme Court)
- *Acts Interpretation Act 1954*
- *Adoption Act 2009 (Part 14A)*
- *All Saints Church Lands Act 1924*
- *All Saints Church Lands Act 1960*
- *Anglican Church of Australia (Diocese of Brisbane) Property Act 1889*
- *Anglican Church of Australia Act 1895*
- *Anglican Church of Australia Act 1895 Amendment Act 1901*
- *Anglican Church of Australia Act 1977*
- *Anglican Church of Australia Constitution Act 1961*
- *Ann Street Presbyterian Church Act 1889*
- *Anti-Discrimination Act 1991*
- *Anzac Day Act 1995*
- *Appeal Costs Fund Act 1973*
- *Associations Incorporation Act 1981*
- *Attorney-General Act 1999*
- *Australia and New Zealand Banking Group Limited (NMRB) Act 1991*
- *Australian Consular Officers' Notarial Powers and Evidence Act 1946*
- *Bail Act 1980*
- *Births, Deaths and Marriages Registration Act 2003*
- *Bishopsbourne Estate and See Endowment Trusts Act 1898*
- *Body Corporate and Community Management Act 1997*
- *Boonah Show Ground Act 1914*
- *Breakwater Island Casino Agreement Act 1984*
- *Brisbane Casino Agreement Act 1992*
- *British Probates Act 1898*
- *Building and Construction Industry (Portable Long Service Leave) Act 1991*
- *Building Units and Group Titles Act 1980* (Parts 4 and 5; sections 121 to 125; sections 127 to 132; Schedules 2, 3 and 4; sections 5, 5A, 119, 133 and 134 jointly administered with the Minister for Natural Resources and Mines)
- *Burials Assistance Act 1965*
- *Business Names (Commonwealth Powers) Act 2011*
- *Cairns Casino Agreement Act 1993*
- *Carruthers Inquiry Enabling Act 1996*
- *Casino Control Act 1982*
- *Cattle Stealing Prevention Act 1853*
- *Charitable and Non-Profit Gaming Act 1999*
- *Charitable Funds Act 1958*
- *Child Employment Act 2006*
- *Child Protection Act 1999* (jointly administered with the Minister for Communities, Child Safety and Disability Services)
- *Childrens Court Act 1992* (except to the extent administered by the Minister for Communities, Child Safety and Disability Services)
- *Chinese Temple Society Act 1964*
- *Choice of Law (Limitation Periods) Act 1996*
- *Churches of Christ, Scientist, Incorporation Act 1964*
- *Civil Liability Act 2003*
- *Civil Proceedings Act 2011*
- *Classification of Computer Games and Images Act 1995*
- *Classification of Films Act 1991*
- *Classification of Publications Act 1991*
- *Collections Act 1966*
- *Commercial Arbitration Act 2013*
- *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*
- *Community Services Act 2007* (jointly administered with the Minister for Communities, Child Safety and Disability Services to the extent it is relevant to Youth Justice Services)
- *Companies (Acquisition of Shares) (Application of Laws) Act 1981*
- *Companies (Application of Laws) Act 1981*
- *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*
- *Contract Cleaning Industry (Portable Long Service Leave) Act 2005*
- *Co-operative Schemes (Administrative Actions) Act 2001*
- *Cooperatives Act 1997*

- *Coroners Act 2003*
- *Corporations (Administrative Actions) Act 2001*
- *Corporations (Ancillary Provisions) Act 2001*
- *Corporations (Commonwealth Powers) Act 2001*
- *Corporations (Queensland) Act 1990*
- *Court Funds Act 1973*
- *Credit (Commonwealth Powers) Act 2010*
- *Credit (Rural Finance) Act 1996*
- *Cremations Act 2003*
- *Crime and Misconduct Act 2001*
- *Crimes at Sea Act 2001*
- *Criminal Code Act 1899 (including Criminal Code)*
- *Criminal Code Amendment Act 1922*
- *Criminal Law (Rehabilitation of Offenders) Act 1986*
- *Criminal Law (Sexual Offences) Act 1978*
- *Criminal Law Amendment Act 1892*
- *Criminal Law Amendment Act 1894*
- *Criminal Law Amendment Act 1945*
- *Criminal Organisation Act 2009*
- *Criminal Proceeds Confiscation Act 2002*
- *Crown Proceedings Act 1980*
- *Dangerous Prisoners (Sexual Offenders) Act 2003*
- *Defamation Act 2005*
- *Director of Public Prosecutions Act 1984*
- *Disposal of Uncollected Goods Act 1967*
- *Disposal of Unexecuted Warrants Act 1985*
- *Dispute Resolution Centres Act 1990*
- *District Court of Queensland Act 1967*
- *Domicile Act 1981*
- *Drug Court Act 2000*
- *Drugs Misuse Act 1986* (except to the extent administered by the Minister for Agriculture, Fisheries and Forestry)
- *Electoral Act 1992*
- *Electrical Safety Act 2002*
- *Electronic Transactions (Queensland) Act 2001*
- *Evidence (Attestation of Documents) Act 1937*
- *Evidence Act 1977*
- *Evidence and Discovery Act 1867*
- *Evidence on Commission Act 1988*
- *Factors Act 1892*
- *Fair Trading Act 1989*
- *Fair Work (Commonwealth Powers) and Other Provisions Act 2009*
- *Federal Courts (State Jurisdiction) Act 1999*
- *Financial Transaction Reports Act 1992*
- *Funeral Benefit Business Act 1982*
- *Futures Industry (Application of Laws) Act 1986*
- *Gaming Machine Act 1991* (except to the extent administered by the Treasurer and Minister for Trade)
- *Guardianship and Administration Act 2000*
- *Guides Queensland Act 1970*
- *Holidays Act 1983*
- *Imperial Acts Application Act 1984*
- *Industrial Relations Act 1999* (except to the extent administered by the Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs and Minister Assisting the Premier)
- *Information Privacy Act 2009*
- *Interactive Gambling (Player Protection) Act 1998*
- *Introduction Agents Act 2001*
- *Invasion of Privacy Act 1971*
- *Judges (Pensions and Long Leave) Act 1957* (except to the extent administered by the Treasurer and Minister for Trade)
- *Judicial Remuneration Act 2007*
- *Judicial Review Act 1991*
- *Jupiters Casino Agreement Act 1983*
- *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*
- *Keno Act 1996*
- *Land Court Act 2000*
- *Land Sales Act 1984*
- *Law Reform Act 1995*
- *Law Reform Commission Act 1968*
- *Legal Aid Queensland Act 1997*
- *Legal Profession Act 2007*
- *Limitation of Actions Act 1974*
- *Liquor Act 1992* (except to the extent administered by the Treasurer and Minister for Trade)
- *Lotteries Act 1997*
- *Magistrates Act 1991*
- *Magistrates Courts Act 1921*
- *Maintenance Act 1965*
- *Mercantile Act 1867*
- *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*
- *Oaths Act 1867*
- *Ombudsman Act 2001*
- *Partnership Act 1891*
- *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*
- *Personal Property Securities (Ancillary Provisions) Act 2010*
- *Personal Property Securities (Commonwealth Powers) Act 2009*
- *Powers of Attorney Act 1998*

- *Presbyterian Church of Australia Act 1900*
- *Presbyterian Church of Australia Act 1971*
- *Printing and Newspapers Act 1981*
- *Prisoners (Interstate Transfer) Act 1982*
- *Prisoners International Transfer (Queensland) Act 1997*
- *Private Employment Agents Act 2005*
- *Professional Standards Act 2004*
- *Property Agents and Motor Dealers Act 2000*
- *Property Law Act 1974*
- *Public Interest Disclosure Act 2010*
- *Public Trustee Act 1978*
- *Queensland Civil and Administrative Tribunal Act 2009*
- *Queensland Competition Authority Act 1997 (jointly administered with the Treasurer and Minister for Trade)*
- *Queensland Congregational Union Act 1967*
- *Queensland Temperance League Lands Act 1985*
- *Recording of Evidence Act 1962*
- *Referendums Act 1997*
- *Regulatory Offences Act 1985*
- *Relationships Act 2011*
- *Retail Shop Leases Act 1994*
- *Returned & Services League of Australia (Queensland Branch) Act 1956*
- *Returned Servicemen's Badges Act 1956*
- *Right to Information Act 2009*
- *Roman Catholic Church (Corporation of the Sisters of Mercy of the Diocese of Cairns) Lands Vesting Act 1945*
- *Roman Catholic Church (Incorporation of Church Entities) Act 1994*
- *Roman Catholic Church (Northern Lands) Vesting Act 1941*
- *Roman Catholic Church Lands Act 1985*
- *Roman Catholic Relief Act 1830*
- *Safety in Recreational Water Activities Act 2011*
- *Sale of Goods (Vienna Convention) Act 1986*
- *Sale of Goods Act 1896*
- *Salvation Army (Queensland) Property Trust Act 1930*
- *Scout Association of Australia Queensland Branch Act 1975*
- *Sea-Carriage Documents Act 1996*
- *Second-hand Dealers and Pawnbrokers Act 2003*
- *Securities Industry (Application of Laws) Act 1981*
- *Security Providers Act 1993*
- *Solicitor-General Act 1985*
- *Standard Time Act 1894*
- *State Penalties Enforcement Act 1999 (to the extent that it is relevant to the prescription of offences as infringement notice offences)*
- *Status of Children Act 1978*
- *Storage Liens Act 1973*
- *Succession Act 1981*
- *Succession to the Crown Act 2013*
- *Supreme Court Library Act 1968*
- *Supreme Court of Queensland Act 1991*
- *Surrogacy Act 2010*
- *TAB Queensland Limited Privatisation Act 1999*
- *Telecommunications Interception Act 2009*
- *Terrorism (Commonwealth Powers) Act 2002*
- *Torres Strait Islander Land Act 1991 (sections 190 and 197 as they apply to the provisions of the Act administered by the Minister and relevant sections relating to the Land Court and Supreme Court)*
- *Tourism Services Act 2003*
- *Trading (Allowable Hours) Act 1990*
- *Travel Agents Act 1988*
- *Trust Accounts Act 1973*
- *Trustee Companies Act 1968*
- *Trusts Act 1973*
- *United Grand Lodge of Antient Free and Accepted Masons of Queensland Trustees Act 1942*
- *Uniting Church in Australia Act 1977*
- *Vexatious Proceedings Act 2005*
- *Victims of Crime Assistance Act 2009*
- *Wagering Act 1998*
- *Wesleyan Methodist Trust Property Act 1853*
- *Wesleyan Methodists, Independents, and Baptists Churches Act 1838*
- *Wine Industry Act 1994*
- *Witness Protection Act 2000*
- *Work Health and Safety Act 2011*
- *Workers' Accommodation Act 1952*
- *Workers' Compensation and Rehabilitation Act 2003*
- *Young Offenders (Interstate Transfer) Act 1987*
- *Youth Justice Act 1992 (jointly administered with the Minister for Communities, Child Safety and Disability Services)*

Appendix 3

Work Health and Safety Board report

The Work Health and Safety Board is the peak advisory body to the Queensland Government and to the Attorney-General and Minister for Justice on work health and safety matters.

The *Work Health and Safety Act 2011* establishes the Work Health and Safety Board under schedule 2, division 2 of the Act to give advice and make recommendations to the Minister regarding policies, strategies, allocation of resources and legislative arrangements for work health and safety. Through the board, key industry representatives work collaboratively to assist Workplace Health and Safety Queensland (WHSQ) develop work health and safety strategies, legislation and advice.

Board membership

The board is comprised of a Chairperson, Mr Vince O'Rourke and 13 members representing employer and worker associations and experts. The Chairperson and members are appointed until 31 December 2013. Members are selected by the Minister for their knowledge and experience in work health and safety. Following the resignation of five board members, the Minister appointed the following members in March 2013 until 31 December 2013:

- Mr Steve Baker, Southern District Secretary, Australian Workers' Union, Queensland Branch
- Mr Jade Ingham, Assistant State Secretary, Construction, Forestry, Mining and Energy Union Queensland - Construction Division
- Ms Vanessa Patterson, Manager Safety and Workers' Compensation Northern Region, the Australian Industry Group
- Mr Gary Sansom, Director, Queensland Farmers Federation
- Mr Murray Procter, Partner, DLA Piper Australia was appointed in June 2013 until 31 December 2013 following the resignation of Ms Kirstin Ferguson.

The board's membership as at 30 June 2013:

| | |
|--|--|
| Chair - Mr Vince O'Rourke | |
| Representing employers | |
| <ul style="list-style-type: none"> ▪ Mr John Crittall Director, Construction Division, Master Builders Association Queensland ▪ Mr Peter Garske Chief Executive Officer, Queensland Trucking Association ▪ Mr Gary Sansom Director, Queensland Farmers Federation | <ul style="list-style-type: none"> ▪ Ms Wendy Erhart Co-Owner, G & W Racing Pty Ltd ▪ Ms Vanessa Patterson Manager Safety and Workers' Compensation Northern Region, the Australian Industry Group |
| Representing workers | |
| <ul style="list-style-type: none"> ▪ Ms Amanda Richards Assistant General Secretary, Queensland Council of Unions ▪ Mr Steve Baker Southern District Secretary, Australian Workers' Union ▪ Mr Brian Devlin Assistant Secretary/Secretary TSA Division, Australian Manufacturing Workers' Union | <ul style="list-style-type: none"> ▪ Mr Jade Ingham Assistant State Secretary, Construction, Forestry, Mining and Energy Union Queensland - Construction Division ▪ 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 |
| ▪ Ms Kirstin Ferguson Non-executive Director (resigned 9 December 2012) | ▪ Mr Murray Procter Partner, DLA Piper Australia |

Meetings

The board formally met four times during 2012-13.

WHS Board Work Plan

The board held its annual planning session in March 2013 and undertook a review of its work plan. The board's work plan for 2013 complements the *Australian Work Health and Safety Strategy 2012-2022* and supports the national targets to be achieved by 2022. The plan continues to pursue the aims of the previous plan and builds on its achievements. A key platform used to achieve the plan's objectives is to continue building collaborative partnerships with business and workers to foster a culture of safety in Queensland workplaces through the Zero Harm at Work Leadership Program. This program means no harm to anyone, anytime while at work and targets senior levels of management in leading and influencing organisations.

The work plan includes a range of targeted initiatives which are designed to assist business to improve health and safety outcomes, create productive and innovative workplaces and in turn reduce workers' compensation premiums for employers. In addition to developing a safety culture through the Zero Harm at Work Leadership Program, other priorities for the board include: young workers, with a series of targeted projects which are designed to improve the health and safety of young workers in high-risk industries; promoting the safety message through its networks and events; and building strategic relationships to encourage business and workers to participate in work health and safety programs and activities.

Zero Harm at Work Leadership Program activities

The Zero Harm at Work Leadership Program engages Queensland's industry leaders and promotes the open sharing of knowledge, innovation and experience across industry. During 2012-13, successful industry-based forums were held in the construction and transport/storage sectors together with eight regional forums during Safe Work Week 2012. The Zero Harm at Work Leadership Program website now includes a library of 18 case studies from across most Queensland industry sectors. These industry case studies showcase business leadership and innovation. The case studies allow industry to share experiences and lessons learnt, as well as provide practical guidance for any business that is tackling similar issues.

In 2012-13, 64 of the eligible 206 Zero Harm at Work Leadership Program member organisations submitted a report based on program guidelines, representing a return rate of 31 per cent. A full evaluation, analysis and summary report for the 2012 reporting season is available on the Zero Harm at Work Leadership Program website. The reporting process highlighted the ongoing effort of program members to engage supply chain entities, sub-contractors and industry representatives as an integral part of the program. Member feedback from the 2012 reports will be used to plan and develop new formats and directions for the Zero Harm at Work Leadership Program in 2014 and beyond.

As at 30 June 2013, the Zero Harm at Work Leadership Program included 270 member organisations from leading Queensland companies, associations and unions across all industry sectors.

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 (incorporating hospitality, recreation and other services)

- Rural Industry Sector Standing Committee
- Transport and Storage Industry Sector Standing Committee.

These committees provide advice and make recommendations to the board about work health and safety in the industry sector for which the committee was established.

The Rural Sector Standing Committee priority has been the promotion of quad bike safety throughout the rural sector. The committee has also assisted in addressing issues relating to the safety of loading and unloading rural commodities and musculoskeletal disorders in the horticultural and the banana industries. The committee has also provided significant input into the WHSQ Healthy Work Initiative - rural and remote program, as well as collaborating with WorkCover Queensland to reduce agricultural workers' compensation claims.

In 2012-13 the Construction Industry Sector Standing Committee examined the unacceptable fatality and serious injury rates in the construction sector, determining that the majority of injuries involved workers either being hit by moving mobile plant or becoming trapped or crushed by the mobile plant. In response, the committee requested that WHSQ undertake a mobile and operational plant in construction campaign, targeting maintenance, operator competence and where applicable, traffic management, that commenced in May 2013.

The Retail and Wholesale (incorporating Hospitality, Recreation and Other Services) Industry Standing Sector Committee has provided a sounding board for WHSQ projects affecting their industry groups. The committee is exploring methods of using their own experience, environment and resources to identify and support solutions applicable to their sectors.

In the health and community services industry, a series of interactive sessions have been held on various topics ranging from managing secondary psychological injuries to due diligence. These sessions have been well received by over 70 health care professionals, while the 2012 School Safety Conference attracted over 200 representatives from the State, Independent and Catholic education sectors. Regional health and community services networks have been established statewide and the Ceiling Hoist Reference Group has continued to develop information aimed at increasing the use of ceiling hoists within the industry.

The Transport and Storage Industry Sector Standing Committee provided significant input into developing the Preventing workers falling from trucks campaign and documentation on consultation, cooperation and coordination. A sub-committee has been formed to review and update the *Guidelines for working around trucks - loading and unloading* which was produced by the committee in 2008.

The Manufacturing Industry Sector Standing Committee supported the targeted relationship management of high-risk metal fabrication workplaces, the Participative Ergonomics for Manual Tasks (PERforM) program and Small Business Unit workshops. The committee supported the development of industry safety networks and the ongoing contribution of the reference groups for red meat processors in South-East Queensland.

In addition, all industry sector standing committees provided a valuable link between industry, workers and government to examine and address the industry-specific risks to work health and safety.

Appendix 4

Electrical Safety Board report

The *Electrical Safety Act 2002* provides a legislative framework to help protect people and property from the risks associated with electricity. The Act establishes an Electrical Safety Board and the Electrical Licensing Committee. The committee reports to the board.

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 employers, workers and the community. The appointed term for the current board and committee members expires on 30 September 2014.

Board membership

| | |
|--|--|
| <p>Chair</p> <ul style="list-style-type: none"> ▪ Mr Jack Camp - Commissioner for Electrical Safety – position expired on 4 November 2012 ▪ Mr Richard Flanagan – appointed as Chair on 12 December 2012 | |
| <p>Chief Executive of the Department of Justice and Attorney-General</p> <ul style="list-style-type: none"> ▪ Dr Simon Blackwood Deputy Director-General Department of Justice and Attorney-General Nominee of the Director-General From: 28 May 2012 | |
| <p>Representing employers</p> <ul style="list-style-type: none"> ▪ Mr Malcolm Richards Chief Executive Officer Electrical and Communications Association, Queensland ▪ Mr Guy Houghton – resigned on 22 February 2013 Chief Executive Officer National Electrical and Communications Association ▪ Mr Michael Logan – appointed on 19 June 2013 Chief Executive Officer National Electrical and Communications Association | |
| <p>Representing workers</p> <ul style="list-style-type: none"> ▪ Mr Keith McKenzie Strategic Lead Organiser Electrical Trade Union ▪ Ms Sandra Bratt Electrical fitter/mechanic | |
| <p>Representing the community</p> <ul style="list-style-type: none"> ▪ Ms Cherie Dalley President, Queensland Consumers Association Councillor, Logan City Council ▪ Ms Peta Frampton Queensland Consumers Association | |

Board activities and achievements

The board met four times during 2012-13.

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 *Guardianship and Administration and Other Legislation Amendment Act 2012* was passed by the Queensland Parliament on the 15 November 2012 introducing the following changes to the Electrical Safety Act:

- the 'Commissioner for Electrical Safety' position has been replaced with a 'Chairperson' role
- the Electrical Safety Education Committee and the Electrical Equipment Committee have been omitted from the Act
- the existing appointments of members to the Electrical Safety Education Committee and the Electrical Equipment Committee have now lapsed.

Council of Australian Governments' decision to implement a national licensing system

The Electrical Safety Office (ESO) has been represented on a number of national committees and working groups that have been considering a national system. The board has taken a keen interest in progress of the national licensing system and has had significant input through the ESO representatives.

The board continues to be concerned that the final system to be introduced nationally does not dilute the current robust Queensland electrical licensing system.

Review of the *Electrical Safety Regulation 2002* – consultation Regulatory Assessment Statement

The Electrical Safety Regulation 2002 will expire in 2013 and must be reviewed. As part of the review, a Regulatory Assessment Statement (RAS) was prepared. The RAS examines three options including the preferred option of making a new regulation with changes included to reduce red tape for Queensland business. The RAS was open for public comment from 28 March to 26 April 2013. A new regulation is proposed to commence from 1 January 2014.

Other activities

The board considered and/or made recommendations on various other issues throughout the year including:

- the implementation of the National Electrical Equipment Safety System which commenced operations on 1 March 2013
- the oversight of reports of electrical incidents and trends in electrical safety compliance outcomes.

Committee

The Electrical Licensing Committee establishes and safeguards appropriate standards of performance for electrical services providers and advises 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 2012-13, matters involving nine electrical licence holders were referred to the committee for consideration of disciplinary action as a result of unsafe electrical work and non-compliant practices.

The committee also heard 33 review appeals against decisions refusing electrical licence applications. The committee confirmed all 33 cases.

The committee also provided advice on:

- evaluations of training proposals for appropriate licensing outcomes
- the Council of Australian Governments' decision to introduce a national trade licensing system.

Appendix 5

ANZAC Day Trust Annual Report 2012-13

Legislation was passed in 1965 that allowed places of public entertainment and amusement to trade on the afternoon and evening of ANZAC Day. This signalled 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. However, the main source of funds continues to be an annual grant provided by the Queensland Government.

The Board of Trustees

The following members of the Board of Trustees were appointed for the three year term from 26 April 2010 until 25 April 2013:

- Mrs P E Waters – Chairperson
- Mr Brian Avery – representing the Legacy Clubs of Queensland
- Mr Peter Jones – representing the Returned and Services League of Australia (Qld Branch)
- Mr J S (Steve) Rowan – representing all other ex-service organisations.

The following members of the Board of Trustees were appointed for a three year term commencing 26 April 2013:

- Mr J S (Steve) Rowan – Chairperson
- Mr Greg Shannon OAM – representing the Legacy Clubs of Queensland
- Mr Scott Leonard – representing the Returned and Services League of Australia (Qld Branch)
- Mrs Mary Bennet – representing all other ex-service organisations.

Activities

The main activities of the trust throughout 2012-13 were the public appeal in April and the disbursement of the trust fund, including the Government grant appropriation in November.

Queensland bowls clubs, sporting clubs, metropolitan hotels and bars, cinemas and theme parks/tourist attractions were canvassed in the 2013 appeal which netted a total of \$18 203 from 37 donors (compared to \$16 808 from 47 donors in 2012).

In 2012-13, payments totalling \$1 227 174 were disbursed to 251 applicant ex-service organisations. In 2011-12, 265 organisations benefited. Preliminary indications are that disbursements will be given to more than 250 organisations in 2013-14.

Income

The trust was funded predominantly by way of a grant appropriation of \$1 195 767 from the Queensland Government.

Proceeds of the annual appeal totalled \$18 203.

Interest on investments during the year, amounted to \$8480 and cash at bank as at 30 June 2013 was \$22 490.

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 under 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 2012, \$1 227 174 was disbursed as follows:

| | |
|---|------------------|
| Returned and Services League of Australia (Queensland Branch) (branches and sub-branches) | \$645 465 |
| R.S.L. Care (Qld) | \$100 000 |
| Legacy Clubs of Queensland | \$262 425 |

Made up as follows:

| | \$ |
|------------------------------------|---------|
| Bundaberg | 12 534 |
| Brisbane | 100 000 |
| Cairns | 6 712 |
| Gold Coast | 36 817 |
| Coolangatta/ Tweed Heads | 9 782 |
| Fraser Coast and Country Burnett | 12 081 |
| Ipswich | 10 468 |
| Mackay | 5 411 |
| Rockhampton and Central Queensland | 15 294 |
| Toowoomba | 13 923 |
| Townsville | 39 403 |

Other organisations **\$219 284**

Made up as follows:

| | \$ |
|---|--------|
| 2/15th BN AIF Remembrance Club | 1 611 |
| 2nd Battalion The Royal Australian Regiment Association | 1 000 |
| 2nd Field Ambulance Past Members Association | 1 000 |
| ADCC War Veterans Trust | 10 295 |
| Air Crew Association Brisbane Branch | 1 000 |
| Armed Services Assistance Centre | 1 000 |

| | \$ |
|---|--------|
| Australian Army Aviation Association | 1 109 |
| Aust Federation of TPI Ex-servicemen and Women Qld Branches | 22 604 |
| Australian Womens Army Service Association of Qld Inc | 1 000 |
| Bundaberg & District Disabled Veterans Association Inc | 1 000 |
| Bundaberg & District Ex Servicewomens Association Inc | 1 000 |
| Council of Ex-Servicewomens Associations (Qld) | 433 |
| Defence Force Welfare Association Queensland Branch | 1 945 |
| Ex-servicemen and Women Welfare Association Inc | 1 000 |
| F.E.S.R. Navy Association (Qld Division) | 1 098 |
| Hervey Bay Vietnam Veterans and Associated Forces Social Club | 1 329 |
| Incapacitated Servicemen and Women's Association of Aust | 5 786 |
| Ipswich and District Veterans Support Group | 1 614 |
| Naval Associations of Australia - Queensland | 17 607 |
| Partially Blinded Soldiers Association of Australia (Qld Branch) | 2 357 |
| Post 1955 Veterans Group Inc | 1 561 |
| Queensland Commando Association | 1 000 |
| RAAF Associations | 18 776 |
| RAAOC Association (Qld Div) Inc | 1 753 |
| 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 Association (Qld) | 1 000 |
| Royal Australian Regiment Association (Queensland Division) Inc | 1 000 |
| Royal Marines Association Queensland | 1 000 |
| Royal Naval Association Queensland Branch | 1 000 |
| Submarines Association of Australia Queensland | 1 000 |
| Totally and Permanently Disabled Ex-Servicepersons Association (Townsville) Inc | 8 550 |

\$

| | |
|--|--------|
| Totally and Permanently Disabled Soldiers' Association Queensland Branches | 6 118 |
| Tweed, Coolangatta and District Ex-Service Women's Association (Inc) | 1 000 |
| Veterans Support and Advocacy Service Australia Inc | 12 025 |
| Vietnam and Logistical Support Veterans Association Inc | 1 000 |
| Vietnam Veterans Association of Australia (Queensland) Sub Branches | 20 604 |
| Vietnam Veterans Federation of Australia Queensland Branch Inc | 3 555 |
| Vietnam Veterans Federation of Australia Townsville Sub Branch Inc | 1 429 |
| War Widows Guild of Australia (Qld) | 56 125 |
| War Widows Guild of Australia (Qld) - Caloundra Sub Branch | 1 000 |
| Womens Royal Australian Army Corps Queensland Inc | 1 000 |

TOTAL

\$1 227 174

ANZAC Day Trust Donors

| | |
|---|--|
| Alma Park Zoo | Ipswich RSL Services Club Inc |
| Australia Zoo | Kedron-Wavell RSL Sub Branch Inc |
| Biggenden Bowls Club | King Tutt's Putt Putt Pty Ltd |
| Bribie Island Bowls Club Inc | Kingaroy and District RSL and Citizens Memorial Club |
| Buderim Bowls Club Inc | Laserforce / Lasergames |
| Bulimba Memorial Bowls and Community Club Inc | Lions Club of Miles |
| Bundaberg and District RSL and Citizens Memorial Club | Lowood and District Memorial Bowls Club |
| Cairns RSL Sub Branch | Murgon RSL Sub Branch |
| Cairns RSL Club Limited | Palace Cinemas |
| Carina Leagues Club Limited | RAMM Trading t/a Caltex Carseldine |
| Clifton Bowls Club Inc | Redcliffe Golf Club |
| Coolum Beach Bowls Club | Sherwood Services Club |
| Coorparoo RSL Sub Branch | Solander Lake Bowls Club Inc |
| Currumbin Wildlife Sanctuary | St Helens Bowls Club |
| Eidsvold Bowls Club Inc | Sporting Shooters Association of Aust (Brisbane) Inc |
| Event Cinemas Indooroopilly | The Bay Boozatorium Pty Ltd |
| Gatton RSL Services Club Inc | Thuringowa City Bowls Club |
| Gum Sing Pty Ltd, Wynnum | Townsville RSL Sub Branch |
| Hervey Bay RSL and Services Memorial Club | Village Roadshow Themeparks |
| | Wondai Country Club Inc |

Appendix 6

Consumer credit fund

The Consumer Credit Fund holds money generated by fines imposed on financial institutions under the *Credit (Commonwealth Powers) Act 2010*. The Office of Fair Trading uses these funds to undertake consumer engagement, education, research and surveys.

The fund balance was \$756 000 as at 30 June 2012 and \$799 605 as at 30 June 2013. During 2012-13 the fund received \$43 605 through fines. There were no disbursements from the fund during the year.

Appendix 7

Disaster Appeals Trust Fund Committee

Role and membership

The Disaster Appeals Trust Fund committee is constituted under the *Collections Act 1966*. The committee comprises of five members. The Public Trustee holds the position of ex-officio and the remainder of the committee is appointed by the Governor in Council.

The committee manages the fund, which is kept by The Public Trustee. The fund is made up of monies from previous disaster relief appeals and is allocated by the committee to current disaster relief, subject to the approval of the Governor in Council.

Activities and achievements

There was no activity during 2012-13.

Appendix 8

Funeral Benefit Trust Fund Board of Trustees

Role and membership

The Funeral Benefit Trust Fund is constituted under the *Funeral Benefit Business Act 1982*. Until 3 June 2013, the Board of Trustees administered the fund by determining claims made by contributors.

The Board of Trustees comprised four members appointed by Governor in Council of which only the representative of the corporations received remuneration for meeting attendance.

The board was abolished on 3 June 2013 following amendments to the Act and its functions are now performed by the chief executive of the Department as the Registrar of Funeral Benefit Businesses.

The fund covers the cost of secretariat and administrative support provided by the Office of Fair Trading and the corporations as well as revaluation and investment cost and bank fees.

Activities and achievements

During 2012-13, 218 funeral benefit claims were processed resulting in \$64 830 being paid from the fund. During the same period, 45 contributors surrendered their agreements resulting in a payout to contributors of \$9 036.

The board formally met 11 times during 2012-13.

Appendix 9

Queensland Liquor and Gaming Commission

Role and membership

The Queensland Liquor and Gaming Commission was an independent statutory body operating under the *Gaming Machine Act 1991* and the *Liquor Act 1992*. It carried out various functions and responsibilities under these Acts, including:

- granting, cancelling and suspending various gaming machine licences, as well as liquor licences of significant community impact
- determining the approved number of gaming machines at individual clubs and hotels, gaming hours and other gaming machine licence conditions
- determining permanent extended liquor trading hours and variations to the conditions of certain liquor licences.

The commission was replaced by a single commissioner for liquor and gaming from 1 January 2013.

The commission comprised seven members and met six times in 2012-13.

Activities and achievements

The following table shows applications considered by the commission or commissioner during 2012-13.

| Applications considered | Commission (Jul to Dec 2012) | Commissioner (Jan to Jun 2013) | Total |
|---|---------------------------------|-----------------------------------|-------|
| Gaming machine licence granted (clubs)* | 0 | 0 | 0 |
| Gaming machine licence granted (hotels)* | 4 | 3 | 7 |
| Gaming machine licence additional premises (clubs) | 0 | 0 | 0 |
| Approved applications for an increase in gaming machines (clubs and hotels) | 40 | 52 | 92 |
| Increase in gaming hours (clubs and hotels) | 0 | 0 | 0 |
| Permanent entitlement transfers (clubs) | 25 | 17 | 42 |
| Number of entitlements transferred (clubs) | 209 | 107 | 316 |
| Liquor licence granted (clubs) | 3 | 2 | 5 |
| Liquor licence granted (hotels) | 7 | 3 | 10 |
| Liquor licence granted (nightclubs) | 1 | 0 | 1 |
| Extended trading hours (clubs, hotels and nightclubs) | 32 | 25 | 57 |
| Variation of licence/conditions (clubs, hotels and nightclubs) | 209 | 182 | 391 |
| Temporary variations (clubs, hotels and nightclubs) | 79 | 70 | 149 |

*includes applications delegated to the chief executive

Appendix 10

Responsible Gambling Advisory Committee

Role and membership

The Responsible Gambling Advisory Committee is a key element of the Queensland Responsible Gambling Strategy. The committee provides a forum for the community, gambling industry and State Government to work together to develop ethical and responsible approaches to gambling. The committee is an advisory body which:

- provides advice to the Minister on gambling-related issues and the minimisation of gambling-related harm
- promotes and monitors the development of partnerships and the exchange of information between community, industry and Government to address gambling-related concerns.

Members are drawn from community organisations, the gambling industry and relevant government agencies.

Gambling industry representation occurs through Clubs Queensland, Queensland Hotels Association, Tabcorp, TattsBet, Echo Entertainment and Golden Casket Lottery Corporation Limited.

The community sector representation is achieved through the Gambling Help Network, the Queensland Council of Social Services, Ethnic Communities' Council of Queensland and Heads of Churches.

The Queensland Government is represented by the Department of Communities, Child Safety and Disability Services, Queensland Health and the Department of Justice and Attorney-General.

Activities and achievements

During 2012-13 the committee:

- established a working party which completed a review of the Queensland Responsible Gambling Code of Practice
- established a working party to update the Queensland Responsible Gambling Resource Manual
- conducted the annual regional community services and industry forum at Caloundra in September 2012
- reviewed gambling-related research reports in the context of their potential for policy application and advice to the Minister.

The committee formally held three meetings during 2012-13.

Appendix 11

Gambling Community Benefit Fund

Role and membership

The Gambling Community Benefit Fund was established in 1994 under the *Gaming Machine Act 1991*. The fund aims to enhance the capacity of community organisations to provide services and activities to Queenslanders.

The committee is made up of eight members who make funding recommendations to the Minister.

Activities and achievements

The committee formally held four meetings during 2012-13. As a result, 1962 applications were approved, totalling more than \$40.838 million.

Appendix 12

Breakwater Island Casino Community Benefit Fund

Role and membership

The Breakwater Island Casino Community Benefit Fund was established in 1988 under the *Casino Control Act 1982* to provide non-recurrent grants to not-for-profit community organisations in North Queensland. The geographical reach of the fund covers the areas of Mount Isa, Cloncurry, McKinlay, Richmond, Flinders, Charters Towers, Hinchinbrook, Townsville, Burdekin, Whitsunday and Mackay.

The board is made up of seven members who make funding recommendations to the Minister.

Activities and achievements

The board formally met twice during 2012-13. As a result, 91 applications were approved, totalling more than \$373 000.

Appendix 13

Jupiters Casino Community Benefit Fund

Role and membership

The Jupiters Casino Community Benefit Fund was established in 1987 under the *Casino Control Act 1982*, to provide non-recurrent grants to not-for-profit community organisations. The fund's geographical jurisdiction extends from the Queensland - New South Wales border to the northern boundaries of Boulia, Winton, Barcaldine and Isaac.

The board is made up of seven members who make funding recommendations to the Minister.

Activities and achievements

The board formally met four times during 2012-13. As a result, 263 applications were approved, totalling more than \$5.368 million.

Appendix 14

Reef Hotel Casino Community Benefit Fund

Role and membership

The Reef Hotel Casino Community Benefit Fund was established in 1996 under the *Casino Control Act 1982*, to provide non-recurrent grants to not-for-profit community organisations in Far North Queensland. The geographical jurisdiction of the fund extends north from Burke, Carpentaria, Croydon, Etheridge, Tablelands and Cassowary Coast, including Torres Strait and Thursday Island.

The board is made up of seven members who make funding recommendations to the Minister.

Activities and achievements

The board formally met twice during 2012-13. As a result, 89 applications were approved, totalling more than \$636 000.

Appendix 15

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 2012-13 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. Such information can be obtained from the annual reports of those organisations.

| Board or tribunal | Expenses |
|--|----------|
| Electrical Safety Board | \$4 978 |
| Electrical Safety Committees | \$7 031 |
| Funeral Benefit Trust Fund | \$960 |
| Gambling Community Benefit Fund | \$5 038 |
| Industry Sector Standing Committee | \$846 |
| Jupiters Casino Community Benefit Fund | \$22 200 |
| Queensland Gaming Commission | \$6 749 |
| Workplace Health and Safety Board | \$4 978 |

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 2012-13 financial year.

