

ANNUAL REPORT

2015–2016

Department of Justice and Attorney-General



Queensland
Government

Communication objective

The Department of Justice and Attorney-General's annual report summarises its financial and corporate performance for 2015–16. It has been prepared to meet the needs of stakeholders and the department's accountability requirements under the *Financial Accountability Act 2009*.

The full financial statements of the Department of Justice and Attorney-General for 2015–16 are contained on the CD attached to the inside of the back cover of the report or online.

Our report, including additional information not reported in the published version, is available at:

www.justice.qld.gov.au/corporate/publications/annual-report/2015-16-djag-annual-report.

Open Data reporting for additional information is available at: www.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 Get Involved website at: www.qld.gov.au/annualreportfeedback

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The State of Queensland Department of Justice and Attorney-General annual report 2015–16.



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Letter of compliance

16 September 2016

The Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice and
Minister for Training and Skills
Level 18, State Law Building
50 Ann Street
BRISBANE QLD 4000

The Honourable Bill Byrne MP
Minister for Police, Fire and Emergency
Services and Minister for Corrective Services
Level 24, State Law Building
50 Ann Street
BRISBANE QLD 4000

Dear Ministers,

I am pleased to present the Annual Report 2015–16 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/publications/annual-report/2015-16-djag-annual-report.

Yours sincerely



David Mackie
Director-General
Department of Justice and Attorney-General

Message from the DIRECTOR-GENERAL



It is my pleasure to present the Department of Justice and Attorney-General's 2015–16 Annual Report.

This report celebrates our achievements, provides insight into vital service initiatives, highlights our commitment to the people of Queensland and showcases the Queensland Public Service values that guide and define everything we do.

I take great pride in the depth, diversity and quality of services we provide. From issuing birth certificates, protecting consumers and tackling difficult issues such as alcohol-fuelled violence and domestic and family violence, to administering the State's courts and correctional facilities, we are dedicated to supporting and enhancing the lives, legal rights and community safety of Queenslanders.

Each year, our department is challenged with increasingly complex legal and social issues and every year our passionate and capable staff manage those issues with integrity and insight, to ensure the efficient and effective administration of justice and justice-related services.

Achievements

Rarely a year goes by without change and significant challenges and we are always looking to adapt, refine and improve our services. The past 12 months, however, have been exceptional – most notably in implementing the 43 justice-related recommendations of the *Not Now, Not Ever – Putting an end to Domestic and Family Violence in Queensland* report.

One of the biggest social and cultural changes is the commitment to end domestic and family violence and our department has a critical role to play in responding to this issue. In September 2015, the trial of a specialist domestic and family violence court in Southport began. Our department is committed to ensuring the justice system supports and protects victims and holds offenders to account. We are also improving processes to make it easier for people to access the court system. Five new laws were passed in

October 2015 to strengthen our response to domestic and family violence and there is more to come. This is a long-term commitment – it may take more than 10 years, but I know we will make a difference.

Also in September 2015, we launched Australia's first, fully online birth registration service which enables busy parents to register the birth of their new baby using a laptop, tablet or smartphone. From the launch to 30 June 2016, 22,000 parents opted for this quicker, easier and more convenient service.

In November 2015, our Dispute Resolution Branch achieved an impressive quarter century milestone with mediators providing free-of-charge assistance to resolve more than 52,000 disputes during that time, with a 90% success rate.

The past year has also seen significant legislative changes to support our commitment to a fair, safe and just Queensland. In February 2016, the Queensland Government took an historic step forward in the fight to reduce the effects of alcohol-fuelled violence through the passage of the Tackling Alcohol-Fuelled Violence Amendment Bill 2016. The Liquor, Gaming and Fair Trading division has begun implementing a number of these initiatives.

During 2015–16, we also started work to reinstate specialist courts and court diversion processes, including the Murri Court, Drug Court and the Special Circumstances Court Diversion Program. In April 2016, we saw the reinstatement of the Murri Court with the first of 13 Murri Court locations formally launched in Rockhampton. Elders play an important role through the Queensland justice system through the Murri Court by providing culturally-appropriate advice regarding defendants, witnesses and victims. The Murri Court is an important tool in diverting Aboriginal and Torres Strait Islander people from the criminal justice system, where they remain over-represented in Queensland.

Also in April 2016, the first stage of the new-look Borallon Training and Correctional Centre (BTCC) re-opened. Alongside the BTCC opening, the Queensland Corrective Services Academy celebrated its 30th anniversary and proud history of providing training to the State's corrective services officers.

And in June 2016, the State's first Director of Child Protection Prosecution was appointed as a result of the 2013 Queensland Child Protection Commission of Inquiry report recommendations. This important role will address the difficult but vital issue of ensuring the welfare and safety of Queensland children in often difficult circumstances.

Looking forward

As you can see, 2015–16 was a productive year and 2016–17 will be no different. Some of the work we will do will build on the foundations we have already achieved and some new initiatives will commence.

The department's key priorities and initiatives in 2016–17 are:

- » delivering effective laws and other responses that strategically target criminal behaviour, including responding to the recommendations arising from the reports of the Queensland Organised Crime Commission

of Inquiry and the Taskforce on Organised Crime Legislation, and the Review of the *Criminal Organisation Act 2009*

- » implementing key initiatives under the Tackling Alcohol-Fuelled Violence policy
- » continuing to contribute to the child safety reform agenda initiated by the Queensland Child Protection Commission of Inquiry Report
- » continuing to implement justice system initiatives in response to the Domestic and Family Violence Taskforce *Not Now, Not Ever* report
- » developing and implementing a comprehensive youth justice policy to support an effective youth justice system which reflects contemporary best practice in the management of juvenile offenders and their families, with a focus on prevention and rehabilitation
- » continuing to manage prisoners in custody and those offenders in the community safely, and ensuring Queensland's record of preventing escapes from secure prisons is maintained
- » addressing recidivism by providing offenders with the opportunity to reduce re-offending through education and work programs, and
- » developing an integrated whole of criminal justice strategy that identifies innovation in service delivery and a model to better manage demand across the justice system.

Acknowledgments

On a more personal note, I would like to thank our dedicated leadership team, who keep us on track delivering great services to Queenslanders. I would also like to give special mention and thanks to our volunteers whose contribution is never taken for granted and always appreciated.

And, to our staff – the heart of our organisation. There are countless examples across our department of staff who go above and beyond, who show outstanding drive, integrity and passion. As testament to their dedication, the departmental Staff Excellence Awards were held in June 2016. Eleven winners were announced – recognising outstanding individuals and teams in categories honouring exceptional customer service, innovation, courage and leadership. A further 13 highly commended awards were also presented.

If you would like to know more about the department's achievements, future directions and the way in which we demonstrate our values, I encourage you to read the performance chapters contained in this annual report on pages 14 to 99 or visit our website at www.justice.qld.gov.au.



David Mackie
Director-General
Department of Justice and Attorney-General

Our department

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

- » administering justice in Queensland, including youth justice and custodial, probation and parole services
- » 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, and
- » maintaining the integrity and probity of the gambling industry in Queensland and ensuring the community benefits from gaming machine gambling.

The department's key priorities and initiatives are:

- » enhancing the accountability, openness and effectiveness of Queensland's institutions and systems
- » enhancing the justice system's response to domestic and family violence in Queensland
- » delivering effective laws and other responses that strategically target criminal behaviour

- » delivering responses to alcohol-fuelled violence that help to keep the community safe
- » improving regulatory and consumer protection services across the liquor, gaming and general services sectors that protect the community and support business and not-for-profit organisations to get on with the job
- » delivering an effective youth justice system which reflects contemporary best practice in the management of juvenile offenders and their families, with a focus on prevention and rehabilitation, and
- » continuing to manage prisoners in custody and offenders in the community safely, and ensuring Queensland's record of preventing escapes from secure prisons is maintained.

While many services are delivered in and around Brisbane, the department also 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 217 signing sites across Queensland.
- » Victim Assist Queensland court support officers are located in numerous courthouses throughout Queensland to ensure 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 offices of Liquor and Gaming Regulation and Fair Trading offer a range of liquor licensing and regulation services in locations across Queensland.
- » Youth Justice 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.
- » Queensland Corrective Services manages custodial and probation and parole services at locations across Queensland.

Our service areas

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Justice Services

Justice Services contributes to a fair, safe and just Queensland by providing the community fair, timely and accessible justice services through courts, tribunals, coronial, justice of the peace and civil and criminal mediation services. By supporting victims of crime and protecting the rights and interests of vulnerable adults and children, it upholds the rights of Queenslanders and ensures they are treated fairly and justly. Births, deaths and marriages registration services protect access to individual legal and social rights through validated identity documents.

Legal and Prosecutions

Legal and Prosecutions provides independent legal services for the department, public sector agencies and the state. This service area enables a fair and just resolution of serious criminal cases that bring the guilty to justice and safeguard the innocent from wrongful conviction; ensures the state is legally protected; and contributes to a modern and effective justice system through leading justice policy and law reform for the state.

Liquor, Gaming and Fair Trading

Liquor, Gaming and Fair Trading provides regulatory and consumer protection services across the liquor, gaming, and general services sectors to contribute to a fair, safe and just Queensland. It encourages marketplace and industry integrity, fosters business and consumer confidence, implements initiatives that reduce the risk of harm from liquor and gambling and supports business, the community, and not-for-profit organisations to get on with the job.

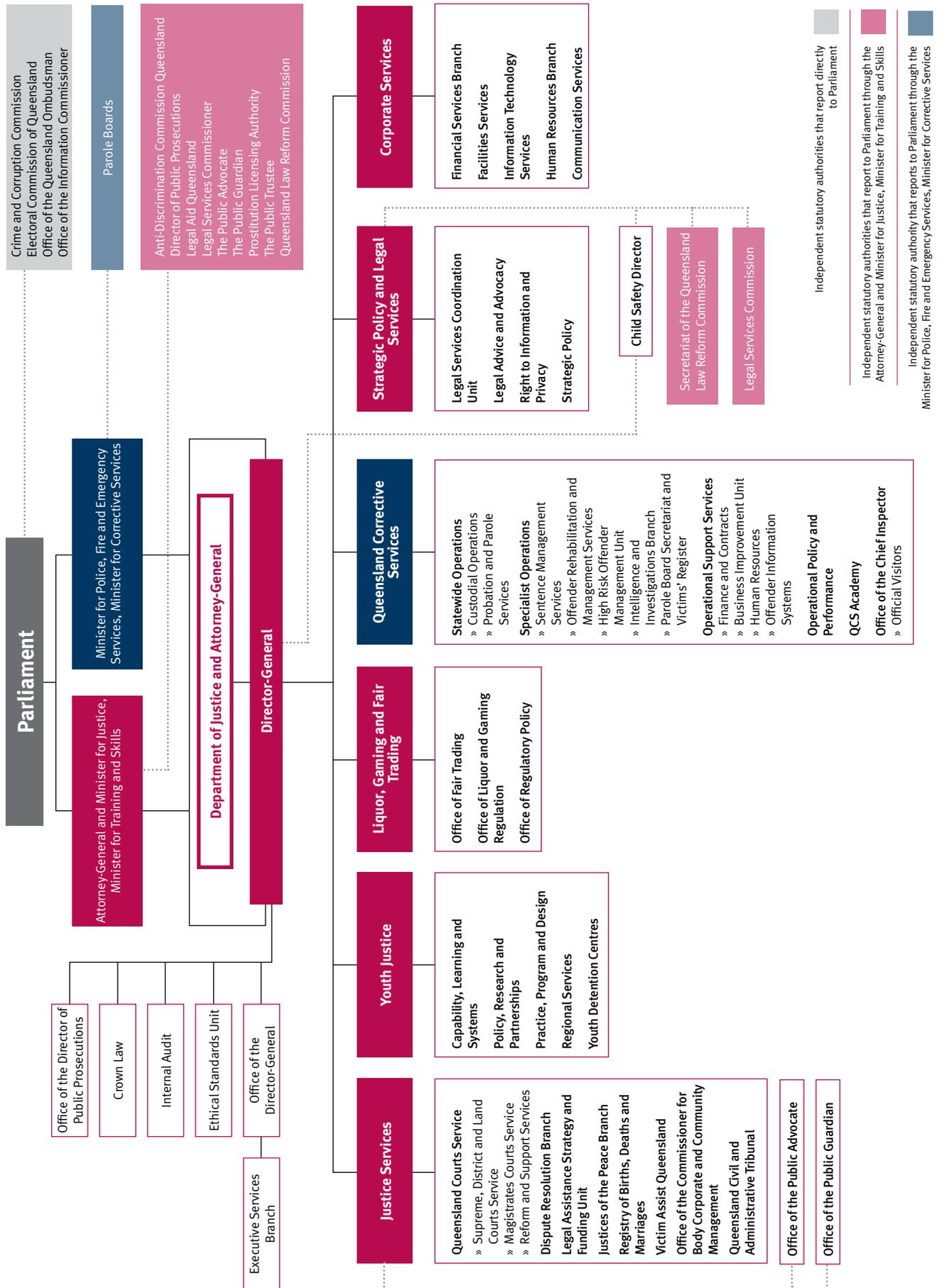
Youth Justice

Youth Justice helps to make Queensland fair, safe and just by providing early intervention, statutory youth justice and detention services to hold young people accountable for their actions, encourage their reintegration into the community and promote community safety.

Corrective Services

Corrective Services contributes to a fair, safe and just Queensland by managing Government and privately operated custodial facilities and supporting the rehabilitation of offenders within and outside its facilities. It assists crime prevention through the humane containment, supervision and rehabilitation of offenders in correctional centres and in the community.

Organisational chart





The Queensland Plan

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Our contribution to the Queensland Government Interim Response

The Department of Justice and Attorney-General's policies, programs and services align with the Queensland Government Interim Response to The Queensland Plan (the Interim Response). The Interim Response supports the Government's objectives for the community and identifies the priorities and key initiatives that will contribute to implementing Queenslanders' vision.

The department supports the Government's objectives of: *Delivering quality frontline services; and Building safe, caring and connected communities.*

To support these objectives, during 2015–16 the department:

- » contributed to creating a Domestic and Family Violence Prevention Strategy in response to the *Not Now, Not Ever* report to strengthen the justice system's response to DFV in Queensland
- » continued to implement initiatives to address alcohol-fuelled violence in and around licensed premises in Queensland
- » continued to implement justice-related

recommendations from the Queensland Child Protection Commission of Inquiry report, including establishing the Director of Child Protection Litigation to commence on 1 July 2016

- » responded to the Commission of Inquiry into Organised Crime in Queensland and supported the high-level taskforce established to review the criminal organisation laws
- » continued to minimise gambling-related harm
- » commenced the reinstatement of diversionary processes and restorative justice
- » initiated work on a new women's re-entry service to help women leaving prison
- » increased the number of services available online
- » improved our support for victims of crime by engaging with the victim services sector
- » continued programs to reduce the likelihood of offending and re-offending
- » investigated and implemented ways to improve our frontline service delivery, and
- » continued to protect consumers in the marketplace.

More information about our policies, programs and services can be found in the performance chapters of this report on pages 14 to 99.

Our strategic risks

The department manages the following risks to mitigate issues and improve performance:

- » Service models – working across government and with external parties to provide integrated services which deliver greater benefits.
- » Resources – ensuring our human capital and financial capability align with the department's current and future service delivery needs.
- » Technology and data – providing the technology infrastructure to achieve business efficiency and information sharing with service partners.
- » Policy – balancing stakeholder and community expectations to achieve the best outcome for Queenslanders.
- » Governance – maintaining effective governance structures to support decision making, integrity, accountability and drive high performance.

Queensland is safe

The department plays a significant role in keeping Queenslanders safe—at home and in their communities. Every day we are working to make Queensland communities safer by tackling alcohol-fuelled violence, developing laws which target organised crime and improving the justice system’s response to domestic and family violence.

We are also making Queensland safer by implementing strategies to reduce crime and reoffending and securely contain and supervise offenders.

We run programs to minimise the risk of harm from alcohol use and gambling, protect consumers and businesses against unsafe products and unethical behaviour and minimise disputes and violence. Our role in protecting the safety of Queenslanders includes protecting the most vulnerable in our community, especially adults with impaired decision making capacity and vulnerable children.

Performance indicators

- ✓ Escape and assault rates (adult correctional centres and youth detention centres)
- ✓ Number of vulnerable adults protected and number of vulnerable children and young people assisted
- ✓ Progress of community and product safety programs
- ✓ Reduction in re-offending (adults and young offenders)

Keeping Queensland safe in 2015–16

Domestic and family violence reforms

In August 2015, the Queensland Government responded to the *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland* report handed down by the Special Taskforce on Domestic and Family Violence (DFV) by agreeing to all 140 Taskforce recommendations, including creating a Domestic and Family Violence Prevention Strategy for Queensland. The justice system has a critical role to play in responding to the insidious problem of DFV. The department is involved in implementing more than 40 of the Taskforce Report's recommendations for reform.

In 2015–16, we made significant progress towards implementing reforms, including:

- » commencing a specialist court trial dealing exclusively with DFV matters
- » promoting court reform through a specialist DFV court video highlighting key processes, staff and integrated services
- » community awareness campaign during DFV Prevention Month (May 2016) including DFV-branded T-shirts for the Queensland Public Law Interest Clearing House walk, social media and cross promotion with the *Not Now, Not Ever* website, and
- » updates to our website to highlight new DFV initiatives.

Case Study – Southport specialist DFV court trial

A specialist court, dealing exclusively with DFV matters, is being trialled in Southport on the Gold Coast.

The specialist court provides victims with consistent, coordinated and timely access to justice. Two dedicated magistrates with extensive experience in DFV proceedings, along with a suite of services, are on hand to help victims and perpetrators navigate through court.

The trial is informed by Australian and international specialist domestic violence court models. Key elements include:

- » duty lawyers to advise and represent both parties to an application for a domestic violence order
- » access to support, information and referral for victims and perpetrators
- » dedicated magistrates preside over both civil domestic and family violence proceedings as well as breaches of domestic violence orders and related criminal matters
- » case conferencing of criminal matters to facilitate early resolution to prevent further trauma for victims and promote a more timely justice response for defendants
- » dedicated prosecutors
- » a specialist registry as a single point of contact for civil and criminal domestic violence proceedings
- » access to DFV perpetrator programs
- » coordination of relevant service providers within the justice system, and
- » monitoring and evaluation.

Other key features to assist victims include fast tracking urgent applications for temporary protection orders, with urgent applications heard by the magistrate on the day the application is filed. Streamlined procedures for engaging interpreters also improves the safety of victims, with interpreters made available at the first hearing date of civil domestic violence applications, whenever the application indicates this is required. The new interpreter approach has endorsement by the National Accreditation Authority for Translators and Interpreters.

The outcomes of the trial will inform future work in developing a specialist approach to the way DFV proceedings are dealt with by courts across Queensland.

The *Criminal Law (Domestic Violence) Amendment Act 2015* and the *Coroners (Domestic and Family Violence Death Review and Advisory Board) Act 2015* were passed by Parliament on 15 October 2015. The laws:

- » allow for a notation to be made on a person's criminal history to reflect domestic violence-related offending (commenced 1 December 2015)
- » provide increased maximum penalties for domestic violence orders (DVOs) (commenced 22 October 2015)
- » ensure victims of domestic violence giving evidence about the commission of an offence by the perpetrator automatically fall under the definition of a 'special witness' under the *Evidence Act 1977* which allows the court to make a range of orders and directions to support them in giving evidence (commenced 22 October 2015), and
- » provide for the establishment of a Domestic and Family Violence Death Review and Advisory Board to comprehensively review domestic and family violence-related deaths to identify system failures or gaps and make recommendations to improve systems, practices and procedures to prevent future deaths (commenced 4 December 2015).

The *Criminal Law (Domestic Violence) Amendment Act 2016* received assent on 5 May 2016. This Act made amendments to the *Penalties and Sentences Act 1992* and the Criminal Code to make provision for DFV to be an aggravating factor on sentence and create an offence of choking, suffocation or strangulation in a domestic setting.

Mornington Island Restorative Justice Project (MIRJP)

The MIRJP works within the community to help people manage their own disputes, divert offenders away from contact with the formal criminal justice system and increase satisfaction within the criminal justice system for victims, offenders and their families.

Long-term, the project is working to develop community management and mediation as a self-sustaining practice on the island.

The MIRJP was awarded a certificate of merit at the Australian Crime and Violence Prevention Awards in Canberra in December 2015. The Dispute Resolution Branch administers the MIRJP in partnership with the local community justice group, which has managed the service locally since 2012. The project is funded by the Commonwealth Government.

Aurukun Restorative Justice Project (ARJP)

We are currently supporting the ARJP which is a community mediation program. It was initially funded as a six-month initiative in 2014 to address ongoing community violence. However, funding provided by the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) has allowed the program to continue until June 2017.

The program is delivered through the Aurukun Community Justice Group (ACJG) with support from employees of the Courts Innovation Program and Dispute Resolution Branch within the Department of Justice and Attorney-General (DJAG). Funding is provided to the ACJG to employ a local ARJP coordinator. The effectiveness of the ARJP relies on local input. The ARJP coordinator is a respected Aurukun community member. Her standing in the community and her ability to conduct mediations in Wik Mungkan contributes to the cultural effectiveness of, and community engagement with, the program.

Mediation referrals have steadily increased, with 46 matters referred in a six-month period, from July to December 2015, compared to 44 matters for the previous 12 months. An evaluation of the program is underway.

Public Guardian

The Office of the Public Guardian (OPG) is an independent statutory body that protects the rights and interests of vulnerable adults with impaired decision making capacity, and vulnerable children and young people, including those in out-of-home care, residential care, and youth detention.

The Queensland Civil and Administrative Tribunal (QCAT) may appoint the Public Guardian, as a last resort, to make decisions on behalf of adults with impaired capacity, including decisions related to legal matters, accommodation, health care and service provision.

Importantly, the OPG provides a community visitor program to protect the rights and interests of adults with impaired capacity at visitable sites and children and young people in out-of-home care. Examples of visitable sites are:

- » disability accommodation provided or funded by the Department of Communities, Child Safety and Disability Services (DCCSDS)
- » authorised mental health services that provide inpatient services, or
- » a residential service registered under the *Residential Service (Accreditation) Act 2002* (level 3 accreditation).

The OPG also provides individual advocacy for children and young people in the child protection system.

In 2015–16, community visitors conducted approximately 5,361 visits to (adult) visitable sites and more than 28,800 visits to children and young people.

In approximately 13,943 instances, child advocates, community visitors and the OPG's state-wide virtual hub raised an issue on behalf of children and young people.

In 2015–16, the Public Guardian:

- » delivered guardianship services to more than 3,500 people, a seven per cent increase compared to the previous year
- » had more than 2,350 active clients at the end of the year
- » received more than 800 new guardianship appointments from QCAT, a nine per cent increase over the previous year
- » conducted 2,250 visits to adult guardianship clients
- » ceased acting as guardian in approximately 730 cases, a 14 per cent increase compared to the previous year
- » made more than 1,640 adult guardianship decisions
- » commenced approximately 213 adult investigations, and
- » made approximately 1,330 adult health care decisions.

Appointment as a statutory health attorney

The Public Guardian may act as an attorney for personal or health matters for any Queenslanders who appoints the Public Guardian under an enduring power of attorney or advance health directive.

The Public Guardian acts as a statutory health attorney of last resort, to make health care decisions for an adult with impaired capacity when there is no one else readily available and it is culturally appropriate to do so.

The Public Guardian has the power to:

- » consent to the withdrawal or withholding of life sustaining measures, or
- » override a family's health care decision if they are acting contrary to the health care principle or are not making decisions which are in the individual's best interests.

In 2015–16, the Public Guardian:

- » made more than 570 decisions as statutory health attorney of last resort
- » made more than 740 health care decisions as guardian attorney appointed for health care
- » made more than 100 decisions to withdraw or withhold life sustaining measures
- » overturned no guardian/attorney's health care decisions, and
- » held approximately 2,280 appointments as attorney under enduring documents.

Child-inclusive and age-appropriate practices

QCAT continues to implement outcomes from the *Taking responsibility: A Roadmap for Queensland Child Protection* report. This includes conducting stakeholder forums, developing training and communication materials for children and adults on QCAT procedures and support resources and formalising professional standards for child-specific processes through practice directions.

QCAT uses compulsory conferences to resolve matters without the need for a tribunal hearing and to clarify issues for resolution.

In 2015–16:

- » QCAT managed 348 applications for matters relating to children and young people (a 17 per cent increase compared to the previous year), and
- » there was a 65 per cent success rate in the child protection list for compulsory conferences.

Tackling alcohol-fuelled violence

On 4 March 2016, the *Tackling Alcohol-Fuelled Violence Legislation Amendment Act 2016* received assent.

This Amendment Act contains the key legislative components of the tackling alcohol-fuelled violence policy, amending the *Liquor Act 1992* in a number of ways, including:

- » from 1 July 2016, reducing available liquor service hours to 2am statewide, except in safe night precincts
- » between 1 July 2016 and 1 February 2017, allowing approved licensees in safe night precincts to serve liquor to 3am
- » from 1 February 2017, allowing approved licensees in declared 3am safe night precincts to serve liquor to 3am, with all late-trading licensed premises in the precinct subject to a 1am lock out
- » stopping new approvals to sell takeaway liquor after 10pm, and
- » from 1 July 2016, banning the sale or supply of rapid intoxication drinks after 12 midnight.

Licensees will be able to stay open beyond the hours of liquor service to provide other offerings and services, such as food, non-alcoholic beverages and entertainment.

Safe night precincts

Safe night precincts have been established in 15 locations across Queensland where there is a concentration of licensed premises.

The *Liquor Act 1992* provides for incorporated associations with a membership of licensees and other relevant local stakeholders to become local boards for the precincts. The board objectives include developing and implementing locally relevant initiatives to minimise the risk of alcohol and drug-related harm and associated violence in the precinct.

Grant funding programs enable local boards to apply for up to \$250,000 per year, from an \$8 million pool to assist in implementing initiatives. Up to \$50,000 in seed funding is also available for each local board to assist with their establishment and management.

In 2015–16, the Office of Liquor and Gaming Regulation (OLGR):

- » continued to contribute to the formation and operation of local boards within safe night precincts, and
- » administered and assessed safe night precinct grant funding programs.

As at 30 June 2016:

- » stakeholders in 14 of the 15 safe night precincts had formed incorporated associations, that were prescribed in the *Liquor Regulation 2002* as the local board for the precinct. Members of one of these associations had chosen to deregister the association. OLGR continues to work cooperatively with stakeholders and local boards across all precincts
- » 10 local boards applied for seed funding with \$127,780 allocated, and
- » six operational grants were approved for a total of \$291,183 for a range of initiatives including CCTV installation, education campaigns, taxi marshals, cleaners and security to allow public toilets to remain open and for a courtesy bus trial.

Mystery shopper

Following the successful completion of the 2014–15 trial of mystery shopper style alcohol service tests, funding was approved for a mystery shopper program to be run for a further three years from 2015–16. The program will incorporate learnings from the trial and will build on its findings to improve the responsible service of alcohol (RSA). The aim of the program is to assess alcohol service patterns in licensed premises as they relate to RSA. The focus of the tests is not enforcement action. The outcomes and observed practices are used as educational tools to assist licensees improve their compliance and to inform OLGR's education and compliance program.

A more targeted approach was adopted for the 2015–16 mystery shopper tests, with venues deemed to be at high risk of requiring improved responsible service of alcohol practices being chosen.

OLGR is also working on further educational material, including a training video which will be made available on its website for all licensees in 2016–17.

In 2014–15, across the 60 alcohol service tests conducted in Southeast Queensland, RSA issues were identified in 38 per cent of venues.

In 2015–16, of 70 tests, including in a regional centre, RSA issues were identified in 54 per cent of venues.

Proactive compliance programs

As part of its contribution to tackling alcohol-fuelled violence, OLGR has enhanced its proactive and reactive compliance programs. OLGR undertakes both overt and covert activities to assess compliance under the *Liquor Act 1992*, including RSA and the provision of safe environments for patrons and staff. Compliance programs are risk-based, with a greater level and intensity of compliance assessment applied where an elevated risk is assessed. In assessing risk, OLGR has regard to a range of factors, including the nature of operations at premises (e.g. type of licence and hours of trade), compliance history and adverse incidents occurring at the premises.

An escalation model of enforcement is used, with the relative seriousness of offences and the compliance history of the licensee having a significant bearing. Remedial action ranges from education, cautions and warnings to punitive action such as issuing infringement notices and prosecution.

In 2015–16, OLGR completed 11,716 liquor-related inspections and investigations resulting in 4,429 remedial actions, including 1,568 warnings, 598 infringements and 11 prosecutions.

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Case study – Licensee prosecuted

Covert activities led to the prosecution of a licensee for allowing the consumption of liquor by an unduly intoxicated patron. In May 2016, the club licensee on Stradbroke Island pleaded guilty to two charges under the *Liquor Act 1992* and was fined a total of \$6,000. The charges were for allowing liquor to be consumed by an unduly intoxicated patron and for failing to ensure a staff member had a current RSA certificate.

The investigation was initiated as a result of a covert compliance operation in March 2015, where officers witnessed the end of a brawl involving up to 15 people. The investigation identified that leading up to the brawl, the patron responsible had been allowed to consume liquor while displaying signs of being unduly intoxicated. The brawl erupted after the patron assaulted another person on the premises.

Raising awareness and tackling alcohol-fuelled violence changes

In 2015–16, OLGR launched its new Follow the Law Responsible Service of Alcohol (RSA) refresher package. Launched in September 2015, it includes six animated videos which are linked to a learning module on RSA. Participants can access the learning modules online and test their knowledge at the end with a quiz. The package has been well received by industry and used by registered training organisations as part of their current programs.

In 2016–17, OLGR will launch two more online training packages aimed at compliance at licensed premises and the responsible service of gaming.

Product safety initiatives

The safety of consumer products is a fundamental part of the Office of Fair Trading's (OFT) regulation of the marketplace.

Each year OFT coordinates a statewide marketplace product safety compliance program. This serves a number of purposes, including:

- » sending a clear message to the marketplace that the government takes product safety seriously and the sale of unsafe products will not be tolerated
- » preventing at risk traders, such as new entrants into the marketplace, owners of 'pop up' shops and market traders, from selling unsafe goods
- » assisting small businesses to develop compliance plans that act as a safeguard against inadvertently stocking and selling unsafe goods
- » identifying emerging issues quickly, and
- » ensuring safety standards are being complied with and no banned goods are being sold.

The compliance program involves inspectors conducting random 'spot checks' at retail premises, warehouses and importers. During 2015–16, 832 compliance spot checks were conducted, resulting in 59 enforcement actions.

During 2015–16, a number of new areas were assessed including hire companies and internet traders. Buying and selling goods via the internet is a rapidly growing market and raises significant safety risks for consumers when purchasing goods. While regulatory oversight of overseas traders presents a number of challenges, OFT is active in this area and during 2015–16, OFT issued two infringement notices for \$10,800 each to a large New Zealand internet-based trader for supplying banned products.

Educating consumers about the safe purchase and use of products helps prevent injuries and also equips consumers with information to make the safest purchasing decisions, which in turn promotes good business practice. In 2015–16, OFT led a national consumer education campaign on the safety of ladders. This initiative will run over two years, is funded jointly by all Australian consumer protection regulators and seeks to raise awareness of ladder safety among older Australians. The project is taking an innovative approach by not only promoting safe use practices but is also attempting to harness the power of industry to educate their customers to purchase the safest ladder for its particular use. It is hoped this campaign will change the behaviour of ladder users who are most at risk of injury.

Youth detention

The department is responsible for the security and management of detention centres and the safe custody and wellbeing of children in detention under section 263 of the *Youth Justice Act 1992*. The department is committed to protecting and promoting the safety of young people and staff in youth detention centres.

Youth detention centres are dynamic and challenging working environments particularly given the cohort of young people that are often admitted to a detention centre. At times, this dynamic has potential to lead to incidents between staff and young people. The department is working to minimise potential incidents through prevention and de-escalation strategies, mandatory staff training and effective management practices.

The department is developing and introducing a range of strategies aimed at reducing incidents within Queensland youth detention centres, including:

- » developing a more robust, evidence-based process to identify and manage young people in detention who pose a safety and security risk
- » developing a targeted and evidence-based incident reduction strategy aimed at systematically reducing incidents in youth detention centres
- » trialling body worn cameras for operational staff
- » continuing the mandatory training of staff in Protective Actions Continuum training which helps staff better respond to young people and to mitigate risk of injury to themselves and young people in detention, and
- » investigating and incorporating the use of trauma-informed practices across all aspects of the business to deliver tailored programs and models that address the unique needs of trauma impacted young people.

Ongoing monitoring and analysis of performance by youth detention centres continues to guide the refinement of practice and management strategies to further reduce the incidence of assaults in the youth detention environment.

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Intensive case management

In 2015–16, Youth Justice trialled an intensive case management model with chronic violent offenders and their families. Intensive case management aims to assist clients and their families with high and complex needs by providing individualised intensive support to divert them from a life of crime.

The complex needs experienced by this cohort of vulnerable young people, including disengagement from school or work, family dysfunction, mental health issues, and drug and alcohol misuse, places them at significant risk of becoming more entrenched in chronic offending.

Evidence suggests that higher intensity interventions and programs should be provided to young people who present the highest risk of re-offending in order to have the most effect on reducing recidivism. Behavioural change achieved in adolescence has the potential benefit of enhanced adult functioning and breaking the cycle of intergenerational criminality.

Investment in the intensive case management of young people in the youth justice system will reduce the demand on youth detention centres, in particular remand numbers, as well as divert young people from further criminal behaviour, re-engage young people with education and reduce victim trauma.

Restorative justice

During 2015–16, we committed to reinstating the capacity for courts to refer young offenders to restorative justice conferencing and allocated \$23.6 million over four years from 2015–16 to support this commitment.

Restorative justice conferencing is about making young people who committed an offence accountable for their offending behaviour, to face their victims, take responsibility for their actions and be supported to make long-term positive changes in their behaviour.

These enhancements will also provide greater opportunities for Aboriginal and Torres Strait Islander young people, their families, Elders and communities to be involved in effectively responding to youth offending and support the young person's cultural reintegration.

The opportunities provided by this legislation to maximise the benefits of restorative justice are based on the growing body of evidence from both Australia and overseas which promote these processes as an effective justice response.

An evaluation will be undertaken to monitor and assess the implementation of the enhanced program, record the types and numbers of police and court referrals, and gather information from staff and program participants.

Transition to Success (T2S)

Achieving success in addressing youth crime is Transition to Success, or T2S—an alternative education and vocational training program for young people aged 14–18 years delivered in a community setting. It targets young people who have typically experienced problems engaging appropriately in mainstream education, training and employment. The program has demonstrated successful education, training and employment outcomes and early indications of a reduction in offending behaviour.

In 2015–16, successes of T2S were:

- » 61 young people graduating from 68 enrolments
- » an 87 per cent average attendance rate
- » 76 per cent of participants had no further offending or their offending is considered significantly less serious than before and once participants are a month into the program, that figure drops even further, and
- » 97 per cent of young people in the program transitioned to further education or employment.

The program is made possible by partnerships between Youth Justice, Education Queensland (i.e. local secondary schools), registered training organisations, not-for-profit organisations and local businesses. T2S provides the job-related training, social skills development and behaviour management services which are vital for young people in the youth justice system to re-engage in education, training or work and transition out of the youth justice system.

Youth Justice is committed to bringing about real change in the lives of young people involved in the youth justice system. There is an atmosphere of change and renewal with a strong focus on helping young people get their lives back on track so they can be contributing members of their community, and have a future to look forward to.

Case study – Transition to Success (T2S)

T2S has changed the life of a young Aboriginal man from Central Queensland who was disengaged from school, and had stopped attending at the end of grade nine. The school had reported behavioural issues, his attendance was sporadic and he didn't pass any subjects in the final semester he attended.

His family life was also poor, coming from a family of intergenerational welfare dependence, with his grandmother being the only person he knew in his family who had a job during his lifetime. The young man had been in trouble with the law, and had been in court on numerous occasions for nuisance offences.

In May 2016, the young man expressed an interest in the T2S program. He accepted a referral to the program and will finish with a Certificate II in Resource and Infrastructure. Throughout the course, staff observed huge growth in his personal development. He has attributed his success in the T2S program to the ongoing support offered by key staff involved in the program.

During the program, a representative from a local business was invited to visit the site to interact with the young people and see the skills they were developing. During this visit, the representative was so impressed with this young man's work ethic, that they offered him a two-year traineeship on the spot. He commenced his placement with the employer and maintained motivation, particularly since receiving his first pay packet.

His family are extremely proud of him as he is the first in his immediate family to have a job, as well as the first in his family who will have completed a qualification. Since commencing in T2S, he has not committed any further offences.

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Queensland Organised Crime Commission of Inquiry

The Queensland Organised Crime Commission of Inquiry (COI) final report was handed down on 30 October 2015 and focuses on:

- » the illicit drug market
- » internet or electronic or technology-enabled child sex offending, including the child exploitation market
- » financial crimes, primarily investment and financial market fraud and financial data theft
- » the relationship between organised crime and corruption in Queensland, and
- » the key enablers of organised crime, in particular: money laundering; cyber and technology-enabled crime; identity crime; violence and extortion; and professional facilitators.

The Queensland Government released its response to the recommendations contained in the COI final report on 4 April 2016.

Taskforce on Organised Crime legislation in Queensland

The Taskforce on Organised Crime Legislation was established as part of the Queensland Government's commitment to combat all aspects of organised crime, not just criminal motorcycle gangs.

The Taskforce was chaired by retired Supreme Court Judge, the Honourable Alan Wilson QC, and included representation from the Queensland Law Society, the Bar Association of Queensland, the Queensland Police Union and Queensland Police Commissioned Officers' Union of Employees, the Queensland Police Service (QPS), the Public Interest Monitor and other representatives from the Department of the Premier and Cabinet, and DJAG.

The Taskforce was given broad terms of reference and had to review the entire 2013 suite of legislation introduced to target criminal motorcycle gangs, including the *Vicious Lawless Association Disestablishment Act 2013*. In formulating its recommendations, the Taskforce took into account the findings of the Queensland Organised Crime COI.

The Taskforce report was delivered on 31 March 2016 and publicly released on 4 April 2016.

Strengthening child protection services

During 2015–16, the *Director of Child Protection Litigation Act 2016* legislation was passed to establish the Director of Child Protection Litigation, a recommendation from the 2013 report of the Queensland Child Protection COI. The Director of Child Protection Litigation will be responsible for independently deciding whether an application for a child protection order should be made for a child, the type of order to be sought and to litigate the application.

Work also progressed on amending the Childrens Court Rules to include the court case management framework recommended by the Court Case Management Committee. On 23 June 2016 the Governor in Council made the Childrens Court Rules 2016.

On 9 October 2015, two further magistrates were appointed by the Governor in Council as specialist Childrens Court Magistrates.

Borallon Training and Correctional Centre

The Borallon Training and Correctional Centre (BTCC) is undergoing a staged recommissioning approach. In April 2016, BTCC commissioned accommodation for 95 prisoners and as at 30 June 2016, BTCC had commissioned accommodation for an additional 153 prisoners. The BTCC has a strong focus on education and training as part of the rehabilitation process and is working towards becoming the leading Australian correctional centre for the rehabilitation of young male prisoners through education, training and employment skills by 2018.

To achieve this, the BTCC is:

- » providing meaningful opportunities to young male prisoners to make positive changes to their lives through education, training and employment, and
- » enabling prisoners to successfully re-integrate into the community by enhancing their employment and reintegration options, thereby reducing the risk of re-offending.

Positive Partnerships Project

The Positive Partnerships Project is a key component of the BTCC's recommissioning and is focused on three foundation principles:

- » co-locating community organisations within the centre, allowing our partners in rehabilitation to work from the inside out
- » encouraging strong prisoner support networks to improve desistance outcomes, and
- » valuing partners as essential to achieving prisoner education, training and employment outcomes.

The Positive Partnerships Project involves key stakeholders and the broader community to play a part in designing the solution to support young male prisoners as they reintegrate back into the community.

Reducing re-offending among female prisoners

Queensland Corrective Services (QCS) is focused on delivering effective strategies to assist the reintegration of female prisoners. These strategies have been co-designed with service users (prisoners) and in accordance with research evidence that demonstrates women's patterns of crime differ significantly to men's, particularly with respect to mental health, substance abuse and victimisation.

As at 30 June 2016, QCS was in the final stages of a co-design and procurement process, where non-government organisations worked in partnership with government to design a new gender-specific service that specifically aims to reduce re-offending at Brisbane Women's Correctional Centre. A new re-entry service will also be available for women at Townsville Women's Correctional Centre. These new services will provide a significantly higher level of access to re-entry support, both in prison and after release. As part of a broader service system, the new provider/s will ensure that all women approaching release are offered support.

In addition, QCS has worked hard to transition suitable female prisoners to low custody facilities, to help alleviate overcrowding in high security facilities.

Dangerous prisoners

QCS dedicates considerable resources to safely supervise and manage offenders under the *Dangerous Prisoners (Sexual Offenders) Act 2003* (DPSOA). These offenders are closely monitored through 24/7 GPS tracking, surveillance, contingency case management and intervention.

As at 30 June 2016, there were 146 offenders being managed under the DPSOA. Of these, 96 were under supervision in the community and 50 were in prison on interim or continuing detention orders, or pending release.

Prisoner escape rates

QCS is committed to maintaining the safety and security of all correctional centres for the Queensland community.

In 2015–16 there were no escapes from high security custodial facilities. There were six escapes from low security custodial facilities.

Assault rates

QCS staff may experience violent individuals or the consequences of violent acts within the course of their jobs. This may include any criminal or threatening behaviour directed toward staff such as physical violence, threats of violence, intimidation, extortion, theft of property, damage to one's reputation, or any other act which inflicts damage, instils fear, or threatens one's sensibilities.

The fundamental approach of the 'Staying Safe' – Safe Environment Action Plan (which was initially implemented during 2014–15), has continued to embed improvement in delivering a safe environment for staff, visitors and offenders in the custodial and probation and parole environments. Examples include:

- » regular profiling and analysis of assault incident data to identify trends and patterns
- » the introduction of the new officer safety training package, which includes contemporary de-escalation training, situational awareness and a situational response model for both new and existing staff, and
- » an ongoing focus on infrastructure blind spot identification, which may be addressed by retro fit and which will inform future building and design.

The *Violence Reduction Framework 2016* has been developed to further enhance the 2014–15 'Staying Safe' – Safe Environment Action Plan initiatives. The Framework aims to reduce the number of assaults and enhance the safety of staff, prisoners, offenders and visitors in Queensland correctional environments. The framework focuses on four key priority areas: secure and functional work units; communication; staff support and training; and prisoner and offender management. In addition, the Framework will guide staff through issue identification, planning and completing of a range of initiatives at the agency and local levels.

In 2015–16, the rate of serious assaults on staff was 0.01, which was less than the target rate of less than 0.02. This was an improvement on the result from 2014–15 of 0.08.

In 2015–16, the rate of assaults on staff was 0.90, which was greater than the target rate of less than 0.24. This was an increase on the result from 2014–15 of 0.25.

Changing offending behaviour

Drug reduction strategies

QCS provides programs and services, both in prison and in the community, to address substance abuse problems and stop the cycle of re-offending. Programs include high intensity substance abuse programs using cognitive behavioural therapy to change antisocial thinking and behaviour associated with offending and substance abuse, and low intensity substance abuse interventions aimed at providing offenders with the skills to manage their substance abuse.

QCS also delivers Positive Futures, which is a culturally-specific program designed for Aboriginal and Torres Strait Islander offenders to help them address aspects of their offending behaviour, which may include substance abuse.

As at 30 June 2016, a number of offenders had completed substance abuse programs, including:

- » 1,252 low intensity in custody
- » 533 low intensity in the community, and
- » 167 higher intensity in custody.

Education strategies

Improving the ability of prisoners and offenders to find work is a key strategy to rehabilitate offenders. QCS facilitates a range of vocational training and literacy programs which provide prisoners with skills to gain and maintain employment when released from custody. Vocational training offered to prisoners includes hospitality, business, horticulture, construction, engineering, agriculture, mining, sport and recreation and information technology.

For 2015–16, a new effectiveness measure for the delivery of education was included in our Service Delivery Statement (SDS):

- » Prisoners in education – with a target of 32 per cent
 - » statewide education participation has exceeded the target of 32 per cent, with a rate of 35.6 per cent achieved.

As at 30 June 2016, participation in training was as follows:

- » vocational training – 4,187 individuals
- » literacy to year 10 level – 3,233 individuals, and
- » tertiary studies – 373 individuals.

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Sexual offender programs

QCS delivers a range of evidence-based sexual offending programs that aim to reduce sexual re-offending and ensure that all eligible sexual offenders in prison are offered a place on their recommended sexual offending program.

There are several programs delivered in custody, including a:

- » nine-month high intensity sexual offending program
- » three to five month moderate intensity sexual offending program
- » five-month adapted inclusion sexual offending program for prisoners with cognitive impairments
- » culturally adapted Aboriginal and Torres Strait Islander sexual offender program
- » preparatory program, and
- » maintenance program.

In 2015–16, there were 409 completions of sexual offending programs across correctional centres and probation and parole offices.

Sexual offenders under community supervision can be referred to preparatory programs, moderate intensity intervention programs, and sexual offending maintenance programs.

Addressing Aboriginal and Torres Strait Islander over-representation

Aboriginal and Torres Strait Islander people have historically been, and continue to be, over-represented in the Australian criminal justice system. We continue to employ a range of strategies to reduce the over-representation of Aboriginal and Torres Strait Islander offenders in Queensland correctional facilities.

During 2015–16, the daily average of Aboriginal and Torres Strait Islander prisoners represented 32.5 per cent of the total prisoner population. In probation and parole, Aboriginal and Torres Strait Islander people represented 23.4 per cent of all offenders under supervision.

QCS provides rehabilitation and reintegration programs for Aboriginal and Torres Strait Islander prisoners and offenders, including:

- » programs in correctional centres and in the community that address substance abuse and family violence in a culturally appropriate and sensitive manner. QCS also delivers a culturally-specific sexual offending program in correctional centres for Aboriginal and Torres Strait Islander prisoners, and
- » the 'Positive Futures' program, designed specifically for male Aboriginal and Torres Strait Islander prisoners and offenders to address family violence, substance abuse and resilience.

Cultural liaison and cultural development officers are employed in secure correctional facilities to provide support and guidance to prisoners. Aboriginal and Torres Strait Islander Elders groups and chaplaincy services are also funded. At Lotus Glen Correctional Centre, prisoners can be allowed access to videoconferencing to stay connected with their families on Thursday Island.

Opportunities for diverting offenders into community-based supervision are supported through the operation of probation and parole in Aboriginal and Torres Strait Islander communities and remote areas of Queensland. QCS operates permanent probation and parole reporting centres in a number of remote communities, including a District Office in Thursday Island and permanent reporting centres in Mornington Island, Doomadgee, Weipa, Cooktown, Palm Island and Woorabinda.

Alternative service delivery methods such as supervision through fly in/fly out or drive in/drive out reporting, phone reports and collateral checks are used by QCS staff in communities that do not have permanent reporting centres to ensure appropriate offender supervision and management is delivered. Some probation and parole locations also use the support of Elders as part of case management with Aboriginal and Torres Strait Islander offenders to help work with offenders to re-connect with their communities and to successfully complete their orders.

A permanent cultural liaison officer operates in the far north region providing advice to staff on specific cultural issues and working with district managers to further establish and strengthen Aboriginal and Torres Strait Islander networks and stakeholder relationships.

Prisoner re-entry services

QCS continues to deliver prisoner re-entry services to help prisoners to desist from re-offending, succeed on parole and remain out of custody for as long as possible.

In 2015–16, QCS commenced several projects to develop and implement new, enhanced re-entry services to reduce re-offending. The government committed funding to continue, expand and specialise the delivery of prisoner reintegration services to manage demand and reduce re-offending. With additional funding provided by the Commonwealth Government under the National Partnership Agreement on Homelessness.

New services under development include a regionally based re-entry service, co-designed centre-based services for BTCC and a co-designed, gender-specific service for female prisoners in southeast Queensland. We are working with community partners to deliver quality intervention and break the cycle of re-offending.

In 2015–16, QCS spent approximately \$6.4 million on re-entry support programs. As at 30 June 2016, 4,038 prisoners had received support.

Services will focus on practical ways to reduce re-offending, by helping prisoners secure stable accommodation, address substance abuse needs, develop social supports, improve their education and gain employment.

Our strategies for keeping Queenslanders safe in 2016–17

Serious and organised crime

On 4 April 2016, the Queensland Government announced a new and comprehensive legislative regime to tackle and confront all forms of organised crime in Queensland. The new package of laws will draw upon the findings of the Queensland Organised Crime Commission of Inquiry, the statutory review of the *Criminal Organisation Act 2009* and the Taskforce on Organised Crime Legislation. The legislative package is expected to be introduced in the first half of 2016–17.

Alcohol-related harm and violence

The continued implementation of the tackling alcohol-fuelled violence policy will help keep Queensland safe by contributing to a reduction in alcohol-fuelled violence. Some of the activities to achieve this policy include:

- » working with safe night precinct local boards regarding their preferred liquor service hours operating model from 1 February 2017, being either:
 - » declaration of the safe night precinct as a 3am safe night precinct, to allow liquor service hours until 3am, with a 1am lockout, or
 - » reverting to liquor service hours until 2am, with no lock out, in line with the rest of the State.
- » where requested by local boards and approved by the Attorney-General, declare 3am safe night precincts by regulation with approval only provided if the objectives of minimising the risk of alcohol and drug-related harm, violence, disturbances and public disorder in the precinct can continue to be achieved
- » continue liquor compliance activities in safe night precincts, particularly during Friday and Saturday nights and publishing information on liquor licensing, compliance and enforcement activities, and
- » continue to work with stakeholders regarding a networked ID scanner system for late-night traders in safe night precincts.

Gambling-related harm

The Office of Regulatory Policy (ORP) will review the strategic gambling policy framework to ensure that it remains responsive, relevant and continues to minimise harm from gambling.

We will continue to fund help and support services for people affected by problem gambling through a 24/7 Gambling Helpline, face-to-face services across the State, an online service and a residential facility located in Brisbane. In 2016–17, the ORP will work with the DCCSDS to trial a systematic client screening program for problem gambling and train counselling staff in problem gambling in sectors such as drug and alcohol and mental health.

We will also continue to fund education and awareness activities to encourage responsible gambling and alert the community to the risks of problem gambling. Materials are developed for use in gambling venues and for distribution in community-based settings.

In 2016–17, as well as ongoing awareness campaigns, the ORP will continue to support and promote the annual Responsible Gambling Awareness Week held in the last week of July.

In collaboration with the Responsible Gambling Advisory Committee, we will also review Queensland's self-exclusion regime to develop options to enhance the awareness, uptake and operation of self-exclusion programs in Queensland.

Safe and secure incarceration facilities

Safe and secure incarceration facilities are an important aspect of community safety.

In 2016–17:

- » the Brisbane Youth Detention Centre will undergo a \$9.34 million security upgrade to ensure modern and effective security systems, and
- » we will continue to upgrade perimeter security at correctional centres across Queensland.

Reducing crime and re-offending

Youth Justice will continue to expand and enhance the following intervention strategies:

- » T2S – the program is currently operating in Western Districts in Brisbane, Atherton and Townsville. Further funding has been provided in 2016–17 to implement the program at other sites across the state including Hervey Bay, Gold Coast, Redland Bay, Bundaberg and Cairns
- » intensive case management – Youth Justice will continue this initiative in 2016–17 and beyond to ensure those entrenched young offenders are targeted and that programs are effective to reduce their level of offending and ongoing criminality, and
- » restorative justice – the new restorative justice provisions will commence on 1 July 2016 and reinstate pathways for the court to refer matters to a restorative justice conference and provide greater flexibility to deliver restorative justice interventions to young people.

In 2016–17 QCS will continue to improve outcomes and reduce re-offending by delivering:

- » a new, integrated and streamlined re-entry service – the new service will focus on practical ways to reduce re-offending, by assisting prisoners to secure stable accommodation, address substance abuse needs, develop social supports, improve their education, and gain employment. This will include a specialist, co-designed women's re-entry service to reduce the number of women in and returning to custody. New providers will progressively commence service delivery from 1 July 2016
- » a revised framework for managing offenders in the community, including an enhanced probation and parole model and training program focused on quality case management of offenders
- » increased partnerships across government to identify strategies for reducing prisoner numbers
- » expanded contingency accommodation for DPSOA offenders to assist with managing the growing DPSOA population, and
- » increased specialised delivery of sexual offender intervention, including implementation of a forensic treatment service.

Domestic and family violence reforms

We will continue to support DFV initiatives to continue to respond to the *Not Now, Not Ever* report, including:

- » support delivery of specialist domestic and family violence courts
- » enhance the capability of community justice groups located within the state's 18 discrete Aboriginal and Torres Strait Islander communities to develop culturally-appropriate domestic and family violence responses for Aboriginal and Torres Strait Islander people
- » support the Women's Legal Services Helpline for victims of domestic violence
- » establish a Queensland Sexual Assault Counselling Privilege legal assistance service
- » establish an implementation and coordination team to drive and implement the justice reform program arising out of a range of recommendations in the report
- » ensure Queensland Magistrates receive ongoing contemporary professional development on domestic and family violence issues, including impacts on adult victims and children, and
- » participate in High Risk Teams to provide an integrated response across Government and the community to domestic and family violence.

Child safety reform agenda

We will continue to contribute to the child safety reform agenda initiated by the Queensland Child Protection COI by:

- » establishing the operations of the Office of the Director Child Protection Litigation from 1 July 2016
- » responding to justice issues arising from the Royal Commission into institutional responses to child sexual abuse Interim Report, including working with children checks, and
- » continuing the review of the court-related child protection reforms.



Queensland is fair and just

Across the state, the department is working for a fair and just Queensland. We are working to deliver on the Queensland Government's objective for the community to ensure an accessible and effective justice system. We are working to better manage pressure on our court system, improve our use of technology, and modernise the criminal and civil justice system. These reforms will make it faster and easier to engage with Queensland courts, and increase community confidence in the justice system.

We hold offenders accountable and support victims of crime, protect the rights and interests of vulnerable Queenslanders, promote marketplace fairness and provide mechanisms to protect the legal and social rights of Queenslanders.

We are working to deliver better outcomes for people in the justice system by ensuring that people are held accountable for their offending behaviour and are supported to become responsible members of the community through reparation and rehabilitation.

Performance indicators

- ✓ Improved timeliness of services
- ✓ Matters resolved outside of court and tribunal hearings
- ✓ Service demand initiatives
- ✓ Financial value of community service performed by prisoners and offenders
- ✓ Amount of consumer redress
- ✓ Improved access to Justices of the Peace
- ✓ Successful completion of community-based orders
- ✓ Support for victims of crime

Ensuring Queensland is fair and just in 2015–16

Diversiory processes

During 2015–16, we started work to reinstate specialist courts and court diversion processes, including the Murri Court, Drug Court and the Special Circumstances Court Diversion Program (SCCDP).

Specialist courts and court diversion programs seek to reduce the frequency and seriousness of any subsequent contact defendants have with the criminal justice system. They link offenders to health and social services to address the underlying causes of offending and also provide culturally appropriate responses for Aboriginal and Torres Strait Islander people to help address their over-representation in the criminal justice system.

We undertook a review of past and present specialist courts and court diversion programs operating in Queensland and conducted a cross-jurisdictional scan of similar programs operating across Australia.

During late 2015, extensive consultation was undertaken with key stakeholders in relation to the reinstatement of the Murri Court and the SCCDP. The consultation process included face-to-face consultation across the state as well as the distribution of consultation papers. Following consultation, models were developed for the new Murri Court and SCCDP.

Murri Court

Murri Court will operate in 13 locations across Queensland. As at 30 June 2016, Murri Court had been officially launched in nine of these locations (Brisbane, Cairns, Cherbourg, Cleveland, Mackay, Mount Isa, Richlands, Rockhampton and Townsville).

Murri Court replaces the Aboriginal and Torres Strait Islander Sentencing List and provides an opportunity for members of the Aboriginal and Torres Strait Islander communities (including Elders and victims) to participate in a court process which requires defendants to take responsibility for their offending behaviour, and respects and acknowledges Aboriginal and Torres Strait Islander culture.

Queensland Integrated Court Referrals (QICR)

The QICR process replaces the former SCCDP and Queensland Court Referral process. QICR commenced operating in Brisbane on 30 May 2016 and will be expanded to further locations across the state during 2016–17.

QICR allows magistrates and service providers to work with defendants to help them take responsibility for their offending and to address the underlying causes of their behaviour. QICR offers support services and treatment to defendants with a mental illness or cognitive impairment, and those who are experiencing drug or alcohol addiction, or who are homeless.

Drug court

The Drug and Specialist Courts Review, which forms stage 2 of the reinstatement work, commenced in late 2015. The review will support the reinstatement of the Drug Court and includes a review of interstate and international drug court models and other specialist courts and court interventions. The review will develop options for Government for the Drug Court's reinstatement and a broader framework to support the effective operation of all Queensland's specialist courts and court diversion processes.

Conciliation of body corporate disputes

Used as a form of guided mediation and with the aim of bringing parties together to achieve a voluntary, workable outcome, conciliation in the Office of the Commissioner for Body Corporate and Community Management (BCCM) is achieving considerable success in building more harmonious outcomes in community titles schemes.

In 2015–16, 85 per cent of conciliation applications lodged are not proceeding to the more formal and determinative step of adjudication.

Case study – Conciliation using technology

Technology is helping the BCCM conciliation service connect more of its clients through the use of video conferencing.

Many of BCCM's clientele are investors who live interstate or overseas, or are time poor. Previously, overseas clients teleconferenced for conciliation at their own expense, which often meant lengthy delays. Some clients have also had to withdraw their request due to travelling arrangements.

As an innovative response, BCCM has started using videoconferencing as a means of getting people to talk face-to-face sooner, with less expense to them, bringing the potential waiting time from months to just weeks.

Recently, BCCM mediated a dispute about an unpaid invoice due to a false fire alarm. The applicant was overseas in New Zealand, and had never personally met or spoken to members of the body corporate committee. Over the course of three hours, the parties were able to talk through the issues and come to a resolution. Positive feedback was received from each party about the use of videoconferencing and all agreed it was preferable to a teleconference.

Positive feedback has been received through regular customer surveys and BCCM will continue to encourage clients to use videoconferencing technology where possible.

Implementation of the Queensland Child Protection Commission of Inquiry recommendations

The Court Case Management Committee, established in accordance with recommendation 13.1 of the *Taking Responsibility: A Roadmap for Queensland Child Protection* report, has continued its important work on the development of a Case Management Framework for Child Protection matters in the Childrens Court. The Chair of the Court Case Management Committee, Justice Shanahan, issued Interim Reports in June and November 2014, which were considered by the department in the remake of the Childrens Court Rules. The Childrens Court Rules 2016 were made by the Governor in Council on 23 June 2016 and came into effect on 1 July 2016.

The Office of the Chief Magistrate has finalised the Child Protection Benchbook and is in the process of publishing the document.

Implementation of the National Partnership Agreement on Legal Assistance Services 2015–20

On 25 June 2015, Queensland became a party to the National Partnership Agreement on Legal Assistance Services 2015–20 (the NPA). This was the culmination of a significant amount of work undertaken by the department and legal assistance service providers to ensure the NPA aligned with Queensland's strategy for legal assistance services and would deliver real benefits for legal assistance service providers and their vulnerable clients.

Our Legal Assistance Strategy and Funding (LASF) unit has commenced implementation of the NPA in partnership with the legal assistance sector, including allocating additional temporary Commonwealth funding through a tender process. The tender process involved eligible organisations undertaking local planning to propose local or specialist service responses to priority service areas based on the latest evidence of need. The Attorney-General allocated funding to 12 initiatives across Queensland.

These initiatives include:

- » domestic and family violence and child protection law services
- » employment law services, and
- » legal services for people experiencing, or at risk of experiencing, homelessness.

The Queensland Government is committed to working in partnership with the legal assistance sector. LASF has worked closely with the Queensland Legal Assistance Forum (QLAF) to develop a framework for undertaking collaborative service planning under the NPA. The framework provides a shared direction for the sector, including how we will work together to better plan for legal assistance services, build an evidence base, develop best practice in service design and continuously improve services. The QLAF has agreed on a number of practical initiatives to progress collaborative service planning in these areas.

Legal assistance for vulnerable Queenslanders

The Queensland Government allocates funds from the Legal Practitioner Interest on Trust Accounts Fund (LPITAF) and State Budget to Legal Aid Queensland (LAQ) and community organisations to provide legal assistance services.

Legal assistance services are free or low cost legal services that are provided to vulnerable and disadvantaged people. Many of these people experience challenges accessing the legal system. Legal assistance is vital in helping vulnerable people to exercise legal rights and meet legal obligations. These services promote a less expensive resolution of legal matters for parties and Government, particularly avoiding parties having to appear before a court or tribunal.

The Government funds services delivered by community organisations, mostly Community Legal Centres, triennially. This ensures community organisations can plan ahead, retain experienced staff, and promote seamless and sustainable service delivery.

In June 2016, the Queensland State Budget provided ongoing funding to provide sustainable long-term funding for legal assistance and boosted LAQ funding to a level that is equal to the national average population over time.

In 2015–16:

- » LAQ provided close to 400,000 legal information, referral, duty lawyer and advice and task assistance services in the crime, family and civil areas to vulnerable and disadvantaged Queenslanders, and
- » community organisations across Queensland provided more than 713,000 specialist and generalist legal assistance services to these people.

Community court

The Remote Justice of the Peace (Magistrates Court) Program, managed by the Courts Innovation Program, enables Aboriginal and Torres Strait Islander people to play positive roles within the criminal justice system.

The Remote JP Court was established in 1993 in response to recommendations of the Royal Commission into Aboriginal Deaths in Custody. The Remote JP Court involves community members from remote Aboriginal and Torres Strait Islander communities who are appointed as Justices of the Peace (Magistrates Court) convening a Magistrates Court in the community. The Remote JP Court is able to hear simple offences where a plea of guilty is entered, breaches of local community by-laws, bail applications and make temporary domestic violence protection orders. The majority of matters heard by the courts involve alcohol and public nuisance offences.

The Remote JP Court enjoys strong support from local communities and from Elders and Respected Persons. The Remote JP Court also has a positive effect on reducing the court list of the circuiting Magistrates Court, enabling the circuiting magistrate to deal with serious and more complex matters.

During 2015–16, the Remote JP Court sat in Bamaga, Cherbourg, Kowanyama, Lockhart River, Mornington Island and Pormpuraaw. The Remote JP Court heard and determined 1,061 matters and 72 temporary protection orders were granted.

Community Justice Groups

The department currently funds 49 Community Justice Groups (CJG) across the state. The majority of CJGs are located in north and far north Queensland.

CJGs play a vital role in addressing the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system. CJGs provide support to Aboriginal and Torres Strait Islander victims and defendants at all stages of the legal process. CJGs are involved in making submissions to the court to assist the court when making bail or sentencing decisions. They also play an important role in identifying and promoting referral pathways for Aboriginal and Torres Strait Islander defendants and linking victims and defendants to support services. CJGs develop networks with government and non-government agencies to ensure that justice-related issues that impact on Aboriginal and Torres Strait Islander communities are addressed.

CJGs also help reduce the likelihood of conflict and crime in Aboriginal and Torres Strait Islander communities by assisting offenders in prison and upon release, and resolving conflict and mediating disputes before they escalate.

The program is estimated to support more than 5,000 Aboriginal and Torres Strait Islander offenders and 3,000 victims of crime each year in the Magistrates Court.

During 2015–16, CJGs prepared 7,768 court submissions.

Queensland Courts performance

During 2015–16, criminal lodgments increased in all jurisdictions compared to the previous year. In the Supreme Court, criminal lodgments increased by 35 per cent. District Court lodgments increased by 6 per cent, and in the Magistrates Court, lodgments increased by 6.5 per cent.

Increased lodgements impacted criminal clearance rates which were below the 100 per cent target. In the Supreme Court, the criminal clearance rate was 86.7 per cent. The District Court finished 2015–16 with a criminal clearance rate of 94.2 per cent. In the Magistrates Court, the criminal clearance rate was 98.4 per cent.

The lower than expected criminal clearance rates were offset by the clearance rates achieved in the civil jurisdiction. In the Supreme Court, the civil clearance rate for 2015–16 was 103.5 per cent. The District Court civil clearance rate was 103.2 per cent and the civil clearance rate in the Magistrates Court was 102.9 per cent.

Coronial services

The Coroners Court of Queensland provides Queenslanders with a consistent and coordinated system that reviews deaths occurring in circumstances where further explanation is needed. In 2015–16, 5,313 deaths were reported and 4,900 matters were finalised, achieving a clearance rate of 100.5 per cent.

Performance compared nationally

The Commonwealth Report on Government Services 2016 confirms that Queensland continues to perform well in terms of efficiency measures.

Using the average cost per finalised matter, Queensland performed strongly in both the criminal and civil jurisdictions during 2014–15.

Jurisdiction	Average cost (\$ per finalised matter)	National average cost (\$ per finalised matter)
Supreme Court criminal matter	10,015	23,202
Supreme Court civil matter	4,373	7,387
District Court criminal matter	7,557	9,596
District Court civil matter	1,030	2,558
Magistrates Court criminal matter	416	505
Magistrates Court civil matter	320	312

Tribunal performance

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QCAT supports the Government's objective to deliver an accessible and effective justice system for Queenslanders.

In 2015–16, QCAT achieved:

- » a clearance rate of 100 per cent by finalising 30,029 cases, and
- » a client satisfaction rate of 71 per cent.

Lodgments rose across a range of jurisdictions including:

- » retail shop leases (+19 per cent)
- » children's matters (+17 per cent), and
- » building matters (+16 per cent).

High clearance rates were achieved in specific lists:

- » minor civil disputes – 109 per cent
- » appeals – 107 per cent
- » neighbourhood disputes – 100 per cent, and
- » occupational regulation – 104 per cent.

Body corporate services

The Office of the Commissioner for BCCM provides timely information and dispute resolution services to people involved in community titles schemes in Queensland.

With more than 430,000 individual lots and 45,000 community titles schemes in Queensland, BCCM plays an integral role in assisting owners, bodies corporate, body corporate managers and the legal and property sectors to effectively manage affairs and deal with issues as they arise.

The community titles sector comprises apartments, units, duplexes, resorts, hotels and commercial ventures, and as such significantly contributes to the state's property development and tourism industries.

BCCM also has a proactive program of stakeholder engagement, including seminars, forums, meetings and conference presentations. This engagement is vital in assisting the breadth of industry stakeholders to become more aware of services provided by BCCM. In 2015–16, the Commissioner personally attended and presented at 11 seminars around the state (including north Queensland, the Whitsundays, the Gold and Sunshine Coasts as well as Brisbane) on emerging issues and trends. Both the Attorney-General and the Commissioner were keynote speakers at the 2016 Strata Community Australia State conference. The Commissioner hosts quarterly stakeholder roundtable meetings and has initiated educational seminars for individual body corporate firms that are designed to improve managers' knowledge and to ensure they comply with legislative requirements.

BCCM has collaborated with the Residential Tenancies Authority and produced its first webinar around body corporate issues (targeted at tenants) and will be progressing this type of online initiative throughout 2016–17.

BCCM recently implemented an online enquiry form as its latest service delivery development, to further enhance the accessibility of BCCM's Information Service to all members of the public involved in community titles schemes (bodies corporate). Previously clients emailed the general BCCM email address with a body corporate query and this often resulted in a long summary of events with limited relevant information to enable a targeted response that most benefited the customer. With the online enquiry form, the customer is prompted with a series of questions to enable BCCM to obtain those details relevant to the query and provide a more straightforward reply. During a 12-month developmental stage, it was identified that there had been a noticeable increase in the uptake of the service, which has resulted in more focused enquiries.

In 2015–16, BCCM:

- » achieved a clearance rate of 102 per cent by finalising 1,451 cases
- » finalised 46 per cent of conciliation applications within 30 days and 87 per cent of adjudication applications within the target of 60 days from referral to adjudication, and
- » responded to more than 26,620 requests for information.

Parties to a body corporate dispute are legislatively required to try to resolve a dispute themselves, before using BCCM's dispute resolution service. In 2015–16, BCCM delivered public information sessions about a range of body corporate issues, including the steps involved in resolving a dispute.

Alternative dispute resolution

Reducing conflict and violence

Mediation is a timely, non-adversarial and effective means of resolving disputes. It is a process tailored to the needs of the clients and the context, including neighbourhood disputes, family conflicts, business disagreements, issues in the workplace, minor civil and criminal disputes, and disputes and violence in remote Aboriginal and Torres Strait Islander communities. There are six dispute resolution centres servicing Queensland from Brisbane, Hervey Bay, Rockhampton, Mackay, Townsville and Cairns.

The Dispute Resolution Branch (DRB) helps people to resolve their disputes without having to go to court, by providing a range of alternative dispute resolution services, including civil and criminal mediation, child protection conferencing, and training the community in conflict management.

In 2015–16, client satisfaction rates for court ordered child protection conferences were 86 per cent for parents and 97 per cent for professionals.

QCAT's alternative dispute resolution (ADR) service offers people the opportunity to resolve disputes more quickly, productively and cost effectively with a higher chance of maintaining the parties' relationships. There are three main types of ADR. In QCAT:

- » mediations, in which an independent mediator guides parties to an agreed solution, the result of which is a mediation agreement
- » compulsory conferences, in which a QCAT member or adjudicator help parties to clarify issues and/or come to an agreement, the result of which is a written agreement or enforceable order, and
- » hybrid hearings, in which a QCAT member hears the dispute and makes a decision. The member does not disclose the decision but then supports discussion between parties with the intention of the parties reaching an agreement. If the parties cannot reach agreement, the member then discloses the tribunal's decision.

In 2015–16, QCAT achieved:

- » a 57 per cent settlement rate for mediation of minor civil disputes
- » a 91 per cent settlement rate for mediation of other matter types
- » high satisfaction rates for conduct of minor civil dispute mediations (94 per cent) and outcomes of the mediation process (73 per cent), and
- » an encouraging compulsory conference result with 47 per cent of matters resolved or partially resolved.

Increased timeliness

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 2015–16, almost 60 per cent of Land Court matters were finalised through alternative dispute resolution. In the Planning and Environment Court, approximately 55 per cent of matters that took part in the alternative dispute resolution process during 2015–16 were resolved.

DRB mediates minor civil disputes that have been referred by QCAT. In 2015–16, DRB mediated 2,020 minor civil disputes, of which 57 per cent were successfully resolved and did not require a QCAT hearing. DRB also mediates disputes in the community between neighbours, workmates and families. In 2015–16, 87 per cent of these disputes were resolved.

In total, DRB mediated 2,374 civil disputes with an average file completion time of less than 25 days and with 93 per cent of matters completed within 60 days.

Supporting victims of crime

We support victims of crime through court support, referral to specialist support services and, where appropriate, through financial assistance to help those impacted by crime to get their life back on track. Victim Assist Queensland (VAQ) administers funding to support specialist non-government organisations that deliver services for victims of crime including court support.

In 2015–16, VAQ:

- » received 2,207 applications for financial assistance and made more than \$11.66 million in payments for goods and services to assist victims to recover
- » handled more than 16,200 interactions with 7,265 different clients through the Victims LinkUp service, and
- » referred 698 victims to specialist services.

Funding for non-government organisations to support victims of crime

In 2015–16 VAQ administered a total of \$3.1 million funding to nine non-government organisations.

Six organisations were funded under the Victim Services Primary Funding Program and the Victim Services Extended Funding Program including: Relationships Australia Queensland, The Queensland Homicide Victims' Support Group, WWILD Sexual Violence Prevention Association Inc., Anglicare Southern Queensland, Court Network and Protect All Children Today (PACT) Inc.

VAQ also funded five organisations through the Victim Services Building Capacity Funding Program, including:

- » Nundah Community Support Group, which received \$50,000 to train up to 30 generalist workers in north Brisbane to respond effectively to survivors of sexual violence
- » Gold Coast Centre Against Sexual Violence Inc., which received \$46,620 to train 50 community workers in north and southeast Queensland to recognise and respond to intimate partner sexual violence

- » WWILD Sexual Violence Prevention Association Inc., which received \$60,120 to develop online models for training and professional development of workers from all over Queensland, particularly in remote, rural and regional areas to respond to victims with an intellectual disability
- » the Tablelands Rape and Incest Crisis Centre, which received \$35,100 to train 23 community workers who support Aboriginal and Torres Strait Islander victims of sexual assault, and
- » Protect All Children Today (PACT) Inc., which received \$15,000 to further develop the culturally appropriate Child Witness Support Program on Thursday Island with extension to other communities, where appropriate.

Victim coordination officers and court support

VAQ provides court support to victims of violent crime including: pre-court support; support at trial; sentencing and appeal; information on the prosecution process; assistance with victim impact statements and financial assistance applications; familiarisation tours of the court room; and referral to other specialist services for victims of crime.

In 2015–16, this was accomplished through several initiatives, including:

- » the VAQ victim coordination officer program (officers located in Ipswich, Rockhampton and Cairns), that focuses on delivering services to higher needs clients, including those from diverse cultural backgrounds and those living in remote regions
- » funding and referral to the Victim Support Unit (Court Network) in Ipswich and Brisbane
- » funding the Queensland Homicide Victims' Support Group to provide specialist support for victims of homicide, and
- » funding PACT Inc. to provide specialist court support for children.

In 2015–16, VAQ's victim coordination officer program had 3,060 interactions with 1,204 different clients.

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Engagement in the victim services sector

VAQ has interacted with a wide variety of agencies across the state including Community Justice Groups, Homeless Connect, QPS, domestic and family violence agencies, the Department of Health, DCCSDS, local councils, Youth Justice, the courts, Community Legal Centres and the Victims Services Interagency Organisation Network (VISION).

VAQ presented at the 15th International Symposium of the World Society of Victimology providing an overview of the collaboration between the Thursday Island community, local DJAG agencies, VAQ and PACT Inc. in setting up a culturally appropriate model to provide court support to child witnesses in the Torres Strait.

Engagement, training and support has been provided in remote and regional areas including Yarrabah, Cooktown, Aurukun, Torres Strait Islands, Pompokuraaw and Kuranda.

In 2015–16, VAQ participated in and/or presented at 565 meetings, information sessions, community events and training seminars with both government and non-government stakeholders from the victim services sector.

Fundamental principles of justice for victims of crime

The justice principles, contained in the *Victims of Crime Assistance Act 2009*, describe the treatment a victim of violent crime is entitled to receive from government agencies, including: the right to be treated fairly; the right to privacy; the right to information about investigation and prosecution processes; and the right to submit, and if they wish, read out a victim impact statement during the sentencing process detailing how the crime has affected them.

In 2015–16, VAQ facilitated the resolution of 22 complaints involving alleged breaches of the principles.

Victims of sexual violence

In July 2015, VAQ presented the victim relevant components at the Office of the Director of Public Prosecution's (ODPP) Understanding Sexual Offences Training.

In October 2015, VAQ, in partnership with the Queensland Health Sexual Assault Response Team, hosted a statewide sexual assault conference in Brisbane. The one-day conference promoted the implementation of the Response to Sexual Assault: Queensland Government Interagency Guidelines for Responding to People who have Experienced Sexual Assault. Ninety-eight delegates attended from both government and non-government victims of crime sectors. Senior representatives from five multi-disciplinary fields presented at the conference followed by a panel discussion with community organisations.

VAQ also funded three sexual assault response services within the 2015–16 Building Capacity Funding program.

Protecting the rights and interests of adults with impaired decision making capacity

The role of the Public Guardian is to protect the rights and interests of adults with impaired decision making capacity by investigating allegations that an adult with impaired capacity has been neglected, exploited or abused or has inappropriate decision making arrangements in place. Many of these cases involve allegations about an attorney's financial decision making for elderly relatives.

The Public Guardian may suspend an attorney's power (under an enduring document) if it is suspected, on reasonable grounds, that the attorney is not competent. The complexity of investigations conducted continues to increase, primarily due to high levels of family conflict and greater complexity of adults' financial arrangements.

In 2015–16, the Public Guardian:

- » commenced 205 investigations
- » concluded 190 investigations, and
- » authorised 16 suspensions of attorneys' powers.

In 2015–16, QCAT:

- » managed 11,623 applications in the adult guardianship and administration jurisdiction, a 12 per cent increase on last year.

Community Visitor program

The Public Guardian appoints community visitors to protect the rights and interests of vulnerable Queenslanders, including adults with intellectual, psychiatric or cognitive disability living at visitable sites, and children and young people in out-of-home care.

Adult community visitors provide a rights protection and abuse prevention service to more than 6,000 Queensland adults who may be subject to abuse, neglect or exploitation due to their impaired decision making capacity resulting from disability.

The Public Guardian's adult community visitors independently monitor three different types of accommodation called 'visitable sites' where vulnerable adults live. For examples of visitable sites see page 17.

Adult community visitors make inquiries and lodge complaints for, or on behalf of, residents of visitable sites. Community visitors have the power to refer complaints to an external agency, for example, DCCSDS, Queensland Health, or the Department of Housing and Public Works, where appropriate.

The child community visitor program has a different focus to that of the adult program. The child community visitor program focuses on providing help and support to the most vulnerable children and young people in out-of-home care, residential care, mental health facilities, youth detention facilities and adult correctional centres. The program includes advocating in cases where the rights and needs of children are not being met and resolving any identified issues on their behalf.

During 2015–16, the community visitor program facilitated:

- » 5,200 visits to adult visitable sites
- » 28,400 visits to 7,000 children in out-of-home care, and
- » community visitors raising 13,470 issues on behalf of vulnerable children and adults.

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Child advocates – legal officers

The *Public Guardian Act 2014* provides that the Public Guardian has child advocate functions. Child advocates are legal officers in the OPG. Their objective is to support children and young people in the child protection system by:

- » ensuring that their views are heard
- » providing support in court conferences and organising legal representation for the child or young person, and
- » applying on behalf of the child or young person to QCAT or court regarding changes to a placement, contact decisions, or changes to a child protection order.

Child advocates are based in Brisbane, Ipswich, Townsville and Cairns. They also operate statewide in collaboration with the child visiting program across Queensland.

During 2015–16, child advocates:

- » assisted 689 children in the child protection system, and
- » participated in 1,072 events for children, including:
 - » 532 visits to children
 - » 247 court appearances
 - » 99 family group meetings
 - » 91 stakeholder meetings
 - » 31 court ordered conferences
 - » 25 QCAT hearings, and
 - » 47 other court or QCAT meetings.

Adult legal services team

The Public Guardian can be appointed by QCAT, as a last resort, to make decisions on behalf of adults with impaired capacity in relation to their legal matters.

A critical task for each guardian is to ensure that the legal representative engaged to conduct the client's matter has an understanding of the Office of the Public Guardian's role in the legal proceedings. The guardian is responsible for briefing the legal representative about the client's story and circumstances, including information that the client sometimes cannot provide. The guardian's role is an acknowledgement of the complexity of providing legal services to clients with impaired capacity.

During 2015–16, the adult legal services team:

- » had approximately 254 guardianship appointments
- » received approximately 322 new guardianship appointments from QCAT, and
- » ceased acting as guardian in approximately 316 cases.

Statutory systems advocacy for adults with impaired decision making capacity

The Public Advocate is responsible for promoting and protecting the rights and interests of adults with impaired decision making capacity through systemic advocacy. The Office of the Public Advocate seeks to influence and change 'systems' including the legislative policy and practice aspects of systems to achieve positive, long-term changes that remove barriers to people with impaired capacity, improve their opportunities and outcomes, and maximise their right to autonomy.

In 2015–16, two systemic advocacy reports were tabled in the Queensland Parliament. The Public Advocate's report *Upholding the right to life and health: A review of the deaths in care of people with disability in Queensland* was tabled on 16 March 2016. The report presented the findings from the first review of the deaths in care of people with disability in Queensland. The report provided evidence about systemic issues that are critical to improving

health care and support for people with disability and to ensuring the success of Queensland's transition to the National Disability Insurance Scheme. The report made a number of recommendations, ranging from those that could be attended to at the service delivery level through to overarching systemic recommendations that will assist Government in meeting its obligations in respect of the United Nations *Convention on the Rights of Persons with Disabilities*.

The report *Decision-making support and Queensland's guardianship system* was tabled in the Queensland Parliament on 15 June 2016. This report highlighted the current and forthcoming pressures on the guardianship system and identified a number of barriers to the full and effective implementation of Queensland's guardianship legislation. The report drew attention to opportunities to enhance Queensland's legislative framework for guardianship and its implementation, which could help mitigate demand and ensure that Queensland's guardianship system better upholds and supports the right of a person to make their own decisions.

In addition to self-initiated research, in 2015–16 the Public Advocate lodged eight submissions in response to federal, state and local level inquiries and legislative consultation processes of relevance to Queenslanders with impaired decision making capacity.

In 2015–16, the Public Advocate committed to be a partner investigator to an Australian Research Council Linkage Grant research project led by La Trobe University into *Effective decision-making support for people with cognitive disability*. The Public Advocate has been an active contributor to the initial stages of the research and led a consortium of Queensland agencies who are industry partners to this four-year research project.

Redress for consumers

OFT works to protect the rights of Queenslanders by helping consumers to obtain redress in their disputes with traders. Redress is the compensation or the in-kind value to address issues a consumer has complained about. Redress is calculated as dollar value and replacement or repair equivalent value, and can be achieved through conciliation, investigations, prosecutions, restitution and from the *Agents Financial Administration Act 2014* claim fund.

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In 2015–16, OFT obtained \$6.078 million redress for consumers.

Case study – Trader prosecuted

On 13 April 2016, a Sunshine Coast trader was ordered to pay more than \$557,000 in fines and restitution by the Maroochydore Magistrates Court after being charged by OFT with failing to supply camper trailers paid for by consumers.

The trader pleaded guilty to eight counts of accepting payment and failing to supply under the Australian Consumer Law and was fined \$40,000. The trader's two companies were fined \$100,000 each with convictions recorded against both companies.

The court heard the trader took payments from eight consumers between late 2013 and mid 2014 for camper trailers. The consumers were given a series of delivery dates, but they were not met and refunds were not provided.

The trader was ordered to pay \$317,939.61 in restitution to the eight affected consumers.

Young consumers

OFT educates young consumers about their rights and how to make smart decisions in the marketplace.

The Buy Smart competition is the cornerstone of the OFT's youth strategy. It has been run annually since 2002 and attracts entries from young people in years four to 12 inclusive from all over the state. The aim of the competition is to encourage students to think about their role in the marketplace, identify a consumer issue such as refund rights, scams or budgeting, and devise a way to convey their newfound knowledge to a target audience such as their classmates or peers. The 2015 competition attracted 627 entries – the highest in the competition's history. Winners of the 2015 competition included students of Aspley State High School, Bundaberg State High School and Worongary State School who, along with runners up, shared in more than \$11,000 in prize money for themselves and their schools.

OFT conducts information sessions to students in primary, secondary and tertiary settings about a variety of topics and issues specifically related to young people, including what to look for when buying your first car, how to be scam smart, consumer rights and responsibilities, and basic financial literacy issues.

In 2015–16, OFT spoke to 3,318 students across the state, including students in rural and remote townships such as Winton, Tara and Gin Gin.

Aboriginal and Torres Strait Islander consumer protection

An Australia-first community partnership was launched in Wujal Wujal on 21 April 2016 with the unveiling of roadside signage designed to minimise consumer harm from unlawful door-to-door trade. The signage is a joint initiative between the Queensland Office of Fair Trading, the Australian Competition and Consumer Commission, the Aboriginal and Torres Strait Islander Consumer Assistance Network and the Wujal Wujal Aboriginal Shire Council.

Door-to-door traders have been a focus of regulator enforcement action in recent years, particularly in Aboriginal and Torres Strait Islander communities. Aboriginal and Torres Strait Islander consumers, particularly those in remote locations, can face challenges in enforcing their consumer rights. Wujal Wujal is a small, remote community and residents have been affected by predatory door-to-door trading practices on a number of occasions.

The signage, placed on both entrances into the far north Queensland community, reminds door-to-door traders they have legal obligations to consumers and cannot approach houses displaying 'do not knock' notices. The signage does not ban door-to-door trade, more importantly it gives residents the choice to opt-out of all door-to-door approaches by placing a 'do not knock' notice at their residence. Free 'do not knock' stickers were provided to residents of Wujal Wujal. It is also hoped that the signage helps to empower Wujal Wujal residents to understand and assert their rights under the Australian Consumer Law.

The community partnership is an example of OFT's commitment to Aboriginal and Torres Strait Islander consumer protection.

Youth Justice reforms

Youth Justice has made some significant changes to Queensland's youth justice system to better support young people and their reintegration into the community.

On 18 June 2016, Parliament passed the Youth Justice and Other Legislation Amendment Bills 2015 and 2016. The Bills remove provisions such as publishing identifying information for repeat offenders, other than in exceptional circumstances, as well as reinstating the principle that detention should be used as a last resort.

The Bills also provided for enhanced restorative justice provisions to reinstate court-referred conferencing in Queensland. These amendments will provide greater flexibility in the delivery of diversionary interventions and support the delivery of restorative justice interventions to children and young people subject to supervised youth justice orders.

Outlook services

Youth Justice operates three Outlook services which provide adventure-based learning. These services work closely with youth justice service centres and detention centres to provide adventure-based intervention programs for young people in the youth justice system and their families.

These programs aim to achieve behavioural change and positive outcomes for participants by providing the tools to plan, set goals, make constructive choices and actively review their decisions and actions within a challenging environment.

In addition to specific outlook services programs, Outlook facilities in Cairns, Boonah and Crows Nest are also available to government and non-government agencies that work with young offenders.

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The Southern Outlook partnered with the Brisbane Youth Detention Centre transition team and youth justice service centres to challenge the lack of connection between traditional practice inside and outside of detention. The resulting program demonstrated an ability to respond positively to change practice and to work across boundaries to develop effective solutions.

Outcomes included:

- » engaging and building positive relationships between young people, Youth Justice staff and non-government organisation staff
- » supporting the transition of young people from detention to the community, and
- » providing opportunities for young people to take ownership, autonomy and responsibility for their actions.

Standardised Program Evaluation Protocol (SPEP)

Youth Justice in Queensland is the first jurisdiction outside of the United States to implement the Standardised Program Evaluation Protocol (SPEP).

SPEP was developed by world-renowned youth justice expert and contributor to the evidence base, Dr Mark Lipsey from Vanderbilt University, and his team, Dr Gabrielle Chapman and Dr Jill Robinson.

SPEP will be a critical part of youth justice system reform. As well as optimising local youth justice programs and services, SPEP will provide a window into the system reform needed to support effective intervention.

In 2016, Youth Justice partnered with Griffith University to host a symposium, Using the Evidence Base to Shape the Youth Justice System, where more than 90 delegates attended from a range of organisations including Youth Justice, local universities and our partner agencies across government and the non-government sector.

The symposium focused on key elements of the youth justice system and building an evidence base for programs and initiatives including:

- » effective programs and services
- » meeting the needs of girls and young women
- » addressing health needs
- » working with families
- » collaborating across service systems, and
- » addressing the disproportionate representation of Aboriginal and Torres Strait Islander young people in the youth justice system.

Youth Justice will continue to work with its partners locally and internationally to strive for a world class youth justice system that is based on research and evidence and produces positive, successful outcomes for young people.

Case study – Young guns

A newly formed relationship between Youth Justice and East Coast Apprenticeships resulted in more than just pathways to apprenticeships for young people who are, or have been in detention.

Young people from BYDC worked with officers from the Royal Australian Artillery to refurbish a World War II, 25lb Howitzer artillery gun. Known as Operation Shelldrake, the group of young people were mentored by trainers from Queensland TAFE SkillsTech Australia, East Coast Apprenticeships and Ipswich RSL. The project provided the opportunity for vocational training for young people as well as exposure to military personnel.

Some good relationships were developed between the young people and soldiers who volunteered their time. A mural depicting an ANZAC theme was also developed and painted on a wall at BYDC with strong participation from the young people in detention.

Youth Justice First Nations Advisory Board

In 2016, Youth Justice established the First Nations Advisory Board to advise senior management within Youth Justice and to guide the organisation's priority focus on reducing the over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system.

The Board will ensure that youth justice policy, programs and interventions are designed and delivered appropriately for Aboriginal and Torres Strait Islander children, young people, their families and communities.

The Board is made up of Aboriginal and Torres Strait Islander youth justice staff members employed at different levels from across the state. The Board will provide advice on three key priorities for Youth Justice:

- » restorative justice
- » Trauma-Informed Practice, and
- » workforce development.

The Board reports to Youth Justice's Board of Management and will continue to advise senior management regarding the most effective ways to work with young people and their families to address the ongoing over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system.

Promote integrity and transparency and develop laws that take account of community expectations

Statutory review of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*

The Queensland Law Reform Commission's final report on its statutory review of the 'operation and effectiveness' of the *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011* was delivered to the Attorney-General and Minister for Justice and Minister for Training and Skills on 18 December 2015, and the report was tabled in Parliament on 11 May 2016.

Review of child protection mandatory reporting laws for the early childhood education and care sector

The Queensland Law Reform Commission's final report on its review of child protection mandatory reporting laws for the early childhood education and care sector was delivered to the Attorney-General and Minister for Justice and Minister for Training and Skills on 21 December 2015, and the report was tabled in Parliament on 25 February 2016.

Review of expunging of criminal convictions for historic gay sex offences

In January 2016, the Attorney-General and Minister for Justice and Minister for Training and Skills asked the Queensland Law Reform Commission to review and recommend how Queensland can expunge criminal convictions for historical gay sex offences from a person's criminal history and consider various matters, including what the features of an expungement scheme should be. The final report for the review is due by 31 August 2016.

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Review of the *Victims of Crime Assistance Act 2009*

In October 2013, we commenced a review of the *Victims of Crime Assistance Act 2009* (VOCA Act). A reference group of government and non-government organisations was established to provide expert advice to the review team. The report of the review was tabled in Parliament on 16 December 2015.

The review considered:

- » the effectiveness of the financial assistance scheme
- » the effectiveness of the state in recovering grants of assistance from convicted offenders
- » whether the fundamental principles of justice for victims of crime have been implemented by government and whether the principles advance the interests of victims
- » the role of the Victim Services Coordinator
- » improving partnerships with non-government agencies, and
- » reducing the regulatory burden on business and the community.

Overall, the review found that the financial assistance scheme works well and plays an important role in assisting victims to recover from acts of violence. The review identified some improvements to ensure the VOCA Act continues to provide an effective response to assist victims of crime.

The report contained 15 recommendations that will:

- » make the application for financial assistance process easier for victims
- » enhance the rights of victims and how they are treated
- » simplify the assessment of amounts of financial assistance paid to victims, including an increase to the maximum payments for some categories of financial assistance
- » expand the scope of the financial assistance scheme to ensure all victims of DFV, including elder abuse, are able to access financial assistance
- » improve the decision making process by allowing VAQ greater flexibility and access to information, as well as imposing certain requirements on applicants when other financial assistance may be available
- » expand the role of the Victim Services Coordinator to help victims resolve complaints, and
- » limit when actions for the recovery of financial assistance from an offender may be initiated to six years to ensure timely debt recovery action.

Sentencing Advisory Council

On 24 May 2016, the Penalties and Sentences (Queensland Sentencing Advisory Council) Amendment Bill 2016 was passed to enable the establishment of the Queensland Sentencing Advisory Council (QSAC). QSAC will play an important role in promoting consistency in sentencing, stimulating balanced public debate on sentencing issues and strengthening public confidence in the justice system by educating and incorporating informed public opinion into sentencing reform.

QSAC members will have experience or expertise in criminal and justice-related matters. Work is underway to finalise appointment to the Council.

Crime and Corruption Act 2001

The *Crime and Corruption Amendment Act 2016* commenced on 5 May 2016 and delivered a number of government commitments to restore the independence and integrity of the Crime and Corruption Commission (CCC).

The CC Amendment Act made important changes to the CCC's structure and appointment processes by:

- » removing the CCC Chief Executive Officer (CEO) as a commissioner, while maintaining a five member commission with an additional ordinary commissioner, consistent with best practice governance
- » requiring bipartisan Parliamentary Crime and Corruption Committee (PCCC) support for the CEO's appointment to provide transparency and accountability in this important appointment, and
- » limiting temporary appointments for the commissioners and CEO to three months, unless there is bipartisan PCCC support, to prevent long-term politically partisan appointments.

The CC Amendment Act also:

- » reinstated the CCC's corruption prevention function
- » reinstated the CCC's research function
- » removed the requirement that complaints about corruption be made to the CCC by statutory declaration, and
- » restoring gender neutral language to the title of the CCC chair and deputy chair.

On 25 February 2016, the issues paper 'Corrupt conduct' under the *Crime and Corruption Act 2001* was released on the Get Involved website. The issues paper sought information about whether there is any particular conduct that is not captured within the current definition of 'corrupt conduct', but that should be; and to identify potential changes to the current definition to ensure this conduct is captured.

Civil Partnerships

The *Relationships (Civil Partnerships) and Other Acts Amendment Act 2015* commenced on 22 March 2016 (renaming the *Relationships Act 2011* as the *Civil Partnerships Act 2011*). The legislation reinstates civil partnership ceremonies by enabling a couple, regardless of their gender, to hold a ceremony before registering their relationship as a civil partnership and ensures that couples, irrespective of their gender are given the opportunity to officially declare their commitment to their significant other, and to celebrate and acknowledge their relationship in front of friends and family.

Community partnerships

Cat Fostering Program

QCS has partnered with the RSPCA to deliver the Cat Fostering Program at the Brisbane Women's Correctional Centre (BWCC). The Cat Fostering Program gives prisoners the opportunity to be a part of a program which can add a bit of normality to their lives. The program provides prisoners with a sense of purpose and structure and gives them somebody to come home to after they go to work. The program also offers physical and mental health benefits.

Eight units at BWCC can accommodate foster cats, either two adult cats or one adult cat and up to three kittens. The majority of the cats fostered at the prison go on to be adopted, but some cats with ongoing medical problems, remain long-term residents.

Julia Creek Train Derailment Recovery

Julia Creek Work Camp officers and prisoners assisted in restoring a vital transport link to western Queensland after a train transporting approximately 819,000 litres of sulphuric acid derailed near the town. The closure of the rail line impacted on the ability to transport food, materials and other important resources to and from western Queensland towns, causing a serious disruption.

The closure of the Flinders Highway in several places due to flooding also hampered efforts to get clean-up crews to the area and the work camp stepped in to help.

On top of the work carried out in assisting with the clean-up, prisoners contributed to the construction of two temporary roads to access the site to enable Queensland Rail to move machinery in to clean up the derailment.

Statewide projects enabling offenders to make amends for offending behaviour

Community service is an excellent opportunity for offenders to make reparation to the community harmed by their offending behaviour and develop skills for the workforce. QCS currently partners with hundreds of not-for-profit organisations and local councils to supervise offenders performing unpaid community work as part of their court order.

Brisbane Region – Clean Up Australia Day

Low security prisoners from the Helana Jones Centre and offenders from Brisbane North Probation and Parole completed community service hours and worked off State Penalties Enforcement Registry fines by targeting Nudgee Beach for Clean Up Australia Day.

Teams cleaned up rubbish from the shoreline, parks and roads in Nudgee Beach's marine national park zone. With plastics and rubbish endangering turtles and marine life, their efforts have contributed to a healthier Moreton Bay.

South Coast Region – Loders Creek community service project

The Loders Creek Catchment Area is a community service project managed by the Southport Probation and Parole Office. This project teaches offenders skills in botany and horticulture and provides them with the opportunity to put their skills to practical use in maintaining the community gardens and creek.

This process instils within the offenders a sense of responsibility for the work they are engaged in and involves them in creating a sustainable green future for the Gold Coast. This project accepts eight community service workers at any one time and has facilitated the completion of more than 42,000 unpaid community service hours since it commenced in 2000.

Southern Region – One Million Stars Project

Ipswich Probation and Parole is working with local domestic violence action groups to help create one million stars to raise awareness of domestic violence. The project aims to bring people together around the world to say “no” to all forms of violence. The donated stars from this project will be used to create a hanging display in the Ipswich Mall during domestic violence awareness events.

Due to the nature of the project, it is a viable option for participants who may have young children, a disability, work full-time, or require low impact community service due to medical reasons.

Since the commencement of the project in April 2015, 7,170 hours have been completed and approximately 44,611 stars have been donated to the local domestic violence action centre.

North Coast Region – Mandatory Community Service Project

In June 2015, the North Coast Mandatory Community Service Project increased from two to three days per week—a reflection of the program’s success. The project engages offenders in the beautification of local parks and gardens on the Sunshine Coast. This project has enabled improvements to many local sites, such as the Cotton Tree Park, the Maroochydore Library, Marina Walk Park and the Buderim Dog Park.

It is anticipated that this project will grow to include more local parks and gardens on the Sunshine Coast with the local council’s support. The success of this project has been acknowledged by the general public who have congratulated the community service workers on improving the look of their local community.

Central Region – Alcohol-Fuelled Violence Strategy

Gladstone Probation and Parole Service and Bundaberg Probation and Parole Service have had positive results from employing a project supervisor under the Alcohol-Fuelled Violence Strategy.

Graffiti removal and community service for alcohol-fuelled violence offences has a funded supervision model to enable offenders to perform community service with additional flexibility to perform weekend work. In Gladstone and Bundaberg, the projects generate the most community service hours for both districts with high attendance and exceptional beautification results for the respective communities. This work involves rubbish collection, cleaning and graffiti removal.

Northern Region – Mornington Island Probation and Parole

The exterior painting of Mornington Island Probation and Parole office was recently undertaken as a community service project. Sean Durant of Mornington Shire Council, Lloyd Chong, supervisor of the men’s group working party (a community service project of Mornington Island’s Junkuri Laka Justice Group), and Patrick McKenna of Probation and Parole brought together a number of local Lardil men subject to community service orders to paint traditional artwork on the walls of the office over what was once a graffiti covered eyesore.

The rainbow serpent is prominently featured along with some of the creatures that abound in the waters surrounding this island, including turtles, dugongs and reef fish. Feedback from the local community has been encouraging and respect for the work done by the men on community service who participated can be measured by the fact that not a single piece of graffiti has been found on the building since the project was completed.

Far Northern Region – Conquer the Corrugations

Conquer the Corrugations is an event that raises awareness for suicide prevention and involves a 40 plus kilometre walk from the Archer River Road House to the Coen Wellbeing Centre. This event began a few years ago when a young man, living with his family in Cape York, committed suicide. Since then, his family and friends have rallied to spread awareness.

Most of the staff at the Weipa Reporting Centre eagerly participated in this event during October 2015 and were joined by representatives from the Department of Communities, Child Safety and Disability Services in Weipa. Staff at the Weipa Reporting Centre have a strong stakeholder relationship with the Wellbeing Centre and their participation was welcomed.

In 2015–16, a total of 354,792 hours of court ordered community service was completed, equating to a value of approximately \$8.4 million.

The successful completion rate for reparation orders in 2015–16 was 82.9 per cent, greater than the SDS target of 68 per cent.

Victims register

QCS supports victims through administering a Victims Register prescribed under the *Corrective Services Act 2006*.

Eligible victims registered with the department are proactively provided with information about significant events in the sentences of those who have offended against them and who have been convicted and sentenced to a term of imprisonment.

The register also advises victims when a prisoner has made an application for parole and provides the victims with an opportunity to make a submission to a Queensland Parole Board. These submissions will usually be in relation to whether the prisoner should be released and what conditions should be placed on the prisoner, for example, that they not contact their victims or their families or live within a certain distance of them.

For those prisoners who fall under the *Dangerous Prisoners (Sexual Offenders) Act 2003*, the Victims Register helps victims with the relevant form to make a submission to the Supreme Court about a prisoner's initial orders and any subsequent contravention hearings in the Supreme Court.

As at 30 June 2016:

- » there were 1,195 active registered parties on the Victims Register, and
- » 2,318 notifications were received through the Integrated Offender Management System in relation to registered parties. The Victims Register also provides other prisoner/offender-related notifications and information to registered parties.

Prosecution services

The Office of the Director of Public Prosecutions (ODPP) represents the state in criminal matters. The main function of the ODPP is to prosecute criminal matters in the Magistrates (limited), District, Supreme and Mental Health Courts, the Childrens Court of Queensland, the Court of Appeal and the High Court of Australia.

The ODPP is structured into 15 criminal chambers and one civil litigation team. There are seven chambers based in Brisbane, eight chambers in major regional centres and the civil litigation team (Confiscations Unit), which is based in Brisbane.

During 2015–16, ODPP received 50,685 offences for consideration, relating to 9,081 accused. ODPP prepared and conducted 1,441 committal matters in the Brisbane, Ipswich and Southport magistrates courts (limited), prepared and/or conducted trials in relation to 857 accused and conducted sentences in relation to 3,703 accused in the Supreme Court, District Court and Childrens Court of Queensland.

ODPP also appeared at 599 Supreme Court, District Court and Childrens Court of Queensland bail hearings and finalised 600 appeals in the Court of Appeal, High Court and District Court jurisdictions.

Office of the Director of Public Prosecutions performance measures

For 2015–16, ODPP implemented and monitored two new performance measures:

- » an efficiency measure recording the percentage of indictments signed within 4 months of committal, which is targeted at 60 per cent, and
- » an effectiveness measure recording the conviction rate of defendants who are prosecuted on indictment by ODPP, which is targeted at 75 per cent.

During 2015–16, ODPP met each target (62.3 per cent efficiency measure and 90.7 per cent effectiveness measure). This means that ODPP prepared more than 62 per cent of its indictments within four months of committal and achieved nearly a 91 per cent conviction rate for defendants prosecuted on indictment.

Confiscating the proceeds of crime

The role of the ODPP Confiscations Unit is to confiscate the proceeds of crime. ODPP is responsible for administering Chapter 3 of the *Criminal Proceeds Confiscation Act 2002*. In relation to Chapter 3 proceedings, a direct connection between the property and the criminal charges must exist.

The Confiscations Unit also conducts the legal work on behalf of the CCC as the ‘solicitor on the record’ for Chapters 2 and 2A proceedings. In relation to Chapter 2 proceedings, CCC instructs ODPP to apply for the restraining order and subsequent forfeiture of the relevant assets or proceeds of crime. Under Chapter 2, there is no need to show that the property is derived from illegal activity.

During 2015–16, \$589,185 was collected as a result of the execution of forfeiture orders under the Chapter 3 conviction-based scheme. Also during 2015–16, \$82,265 was collected as a result of the execution of pecuniary penalty orders ordered under Chapter 3.

In 2015–16, the CCC restrained \$19.052 million in assets under Chapter 2 of the Act and assets to a value of \$10.01 million were confiscated by the state during this period.

A total of 582 Serious Drug Offence certificates were issued in 2015–16.

The work of the ODPP Confiscations Unit and the CCC has had a significant and positive impact on the recovery of proceeds of crime by the state. This is achieved by discouraging certain types of major crime in Queensland by diminishing the financial incentive to commit the crime.

Victim liaison service

The ODPP has an obligation to act in accordance with the fundamental principles of justice, including treating victims with courtesy, compassion and respect in accordance with the *Victims of Crime Assistance Act 2009*. The ODPP victim liaison service provides a critical link between victims of crime, their families and the prosecution.

ODPP provides information to victims of crime regarding the court process through Victim Liaison Officers across the state. Victim liaison officers are allocated to all Chambers ensuring timely information is provided to victims and their families regarding the prosecution of the offender, the trial process and the victim's role as a prosecution witness. Referral to support agencies, including VAQ, is also provided.

The Director's Guidelines provide advice to ODPP staff on their obligations in relation to the fundamental principles of justice for victims of violent crime, including treating victims in a way that is responsive to their age, gender, ethnic, cultural and linguistic background, disability or other special needs.

During 2015–16, Victim liaison officers with the ODPP recorded 32,861 instances of contact, either by telephone, correspondence or in person, with victims of crime or family members. The ODPP continued to use SMS messaging to victims of crime and their families to provide timely information on court events.

In 2014–15, ODPP conducted Understanding Sexual Offences Training (USOT), which was mandatory for all ODPP staff. The aim of the training was to increase the awareness of existing staff of the unique needs of victims of sexual assault and other vulnerable witnesses, including persons with an intellectual disability, the young and the elderly, as they progress through the criminal justice system. In 2015–16, ODPP incorporated the USOT material into the ODPP Induction Program, which is a mandatory program for all new ODPP staff.

The ODPP is also developing a USOT refresher program aimed at consolidating the USOT message to existing staff on an annual basis. The USOT refresher program will be implemented in 2016–17. Also planned for 2016–17, ODPP will incorporate external and internal experts to present specific USOT topics aimed at further increasing the awareness of ODPP staff.

Our strategies for ensuring Queensland is fair and just in 2016–17

Diversions processes

During 2016–17, we will continue work to reinstate specialist courts and court diversion processes. These courts and court processes are aimed at reducing offending by linking offenders into services and programs to address underlying issues associated with their offending.

The Murri Court launches will continue across the state with the Murri Court operating in 13 locations by the end of 2016. Queensland Integrated Court Referrals will be expanded to further locations across Queensland by the end of 2016. The availability of suitable referral services and the likely volume of referrals will be considered when determining suitable locations.

The current review of drug courts and other specialist courts and court programs will develop options for Government for reinstatement of a drug court based on contemporary best practice. The review will also support the development of a broader framework for Queensland's specialist courts and court programs to ensure these courts and programs work together effectively in an integrated way. The review will be completed in 2016–17.

Promoting marketplace fairness

During 2016–17, we will continue to work collaboratively with Commonwealth, state and territory agencies responsible for consumer protection and fair trading to review the Australian Consumer Law (ACL). The review will assess the effectiveness of the ACL, and consider whether the ACL is operating as intended and addressing the risk of consumer and business detriment at an appropriate level of regulatory burden.

During 2016–17, we will assist the Government with assessing the findings and recommendations of the Queensland University of Technology property law review report on lot entitlements (the system of sharing body corporate expenses among unit owners) with a view to establishing a system that is fair to unit owners.

Youth justice reforms

During 2016–17, we will implement amendments to the *Youth Justice Act 1992* resulting from both the 2015 and 2016 Youth Justice and Other Legislative Amendment Bills, so that:

- » repeat offenders' identifying information cannot be published, other than in exceptional circumstances and at the court's discretion
- » breach of bail is no longer an offence
- » all children's law matters are held in a closed court
- » childhood findings of guilt for which no conviction was recorded are inadmissible in relation to adult offences
- » the principle of detention as a last resort is reinstated, and
- » 17-year-olds who have six months or more left to serve in detention are not automatically transferred from detention to an adult corrective service facility.

Young consumers

In 2016–17, OFT will continue to help improve consumer awareness and financial literacy skills in young people, empowering them as savvy consumers in the marketplace.

Public Guardian – future decision making planning

In 2016–17, OPG will participate in a whole-of-government education strategy to encourage long-term financial planning and proactive independent planning in relation to future decision making, including improved uptake of enduring powers of attorney, advanced health care directives and will making.



Queensland can get on with the job

The department's red tape reduction programs make it easier and less costly for Queenslanders to get on with the job and do business in the state. Red tape reduction programs are contributing to improvements that make it easier for people to use our services.

The reduction in regulatory burden on Queensland businesses, community and the not-for-profit sector has been achieved by stripping out unnecessary regulation, simplifying legislation and moving the department's regulatory programs from a reactive, enforcement approach to a more proactive collaboration with business.

Additionally, we have been making it easier for business, the community and not-for-profit sectors to comply with regulations by developing a range of online or more integrated services.

Performance indicators

- ✓ Red tape reduction initiatives
- ✓ Increased online services

Helping Queenslanders to get on with the job in 2015–16

Justice services online

Justice Services' digital transformation team is creating better access for customers by improving and putting more services online, including:

- » plead guilty online service (52 per cent uptake)
- » online search and copy service (99 per cent uptake)
- » online birth registrations, which eliminates the need for paper-based applications
- » online completion of minor civil disputes applications and payments
- » online dispute resolution process mapping tool to assist and provide clients with information on how to resolve their specific disputes
- » eSeals and digital signatures pilot for certain Childrens' Court processes. This is reducing service delivery times by up to 6.4 minutes per application and reducing cost to serve by \$2.90 per application
- » online applications to become a Justice of the Peace or Commissioner for Declarations
- » online resignation as a Justice of the Peace or Commissioner for Declarations
- » online change of name request for Justices of the Peace or Commissioner for Declarations
- » list your Justices of the Peace or Commissioner for Declarations details on the after-hours register, and
- » online application for civil mediation through the Dispute Resolution Branch.

Putting services online has saved approximately 15,000 offline service hours.

Case study – Online birth registration

In September 2015, Queensland released Australia's first fully online birth registration service, enabling parents to use electronic identity verification to 'sign' their birth registration application. The service uses the Commonwealth Government's existing Document Verification Service to validate identification and leverages hospital information and data matching protocols to mitigate fraud risks.

The online service enables busy parents to engage with the Registry of Births, Deaths and Marriages (BDM) at a time and location most convenient to them using a laptop, tablet or smartphone of their choice.

In addition to the accessibility and convenience gains for Queensland parents, electronic processes have reduced the time taken to administer birth registrations and improved data quality by removing BDM manual data entry. Between the release and 30 June 2016, more than 22,000 Queensland parents had used the new service.

Domestic and family violence

We are investigating ways to streamline domestic violence order applications and court processes for police and victims to reduce the stress and complexity of the process. The DFV information on the courts website has been improved by including safety information and installing translation software to increase equity of access. The development of an electronic interface between courts and police to manage domestic violence matters more efficiently is underway.

The Integrated Criminal Justice program, working with Queensland Courts Service, QPS and the Public Safety Business Agency, is developing solutions for automated, electronic transmission of applications for a domestic violence protection order between courts and QPS, and automated uploading of DFV court event results into QPS systems. These interfaces will allow domestic violence protection orders to be enforced in a more timely and effective manner.

Case study – Improving access to protection orders

During 2015–16 more than 32,000 protection order applications were made to magistrates courts.

Improving access includes revising the application form for a protection order to make it easier for applicants to use. An interactive online form, supported by IT help tools to assist applicants, has been developed and is in the final stages of testing before release. Queensland Courts Service is also revising the application form for a domestic violence order to make it simpler and more intuitive, taking into account feedback from support services, community groups and people who experience DFV.

Based on research and stakeholder engagement across the DFV sector, six video pieces were produced in June 2016 and will be available from October 2016. These videos help to demystify the court process and present information about what can be expected throughout the court process in a way that is easy to understand. The videos cover the following topics:

- » What is domestic and family violence?
- » What is a domestic violence order?
- » How to apply for a protection order.
- » What happens in the courtroom?
- » What if I'm served?
- » Understanding conditions on a domestic violence order.

The Queensland Courts Service has also revised its DFV content on its website to help ensure the information is easy to understand. Visit www.courts.qld.gov.au/dv for more details.

Red tape reduction

Retail shop leases

On 10 May 2016, Parliament passed the *Retail Shop Leases Amendment Act 2016* to give effect to the consultation outcomes from a comprehensive statutory review of the *Retail Shop Leases Act 1994*. The 2016 amendments are directed to streamlining the Act and reducing the regulatory burden for the Queensland retail sector, while continuing to safeguard the interests of retail tenants.

Key measures in the 2016 amendments include:

- » narrowing the coverage of the Act by excluding certain categories of lease where the application of the Act cannot be justified, including leases with a floor area greater than 1,000m²
- » ensuring that appropriate disclosure is given to incoming franchisees and sub-lessees, and to sitting tenants on lease renewals
- » safeguarding prospective buyers of a retail business by requiring the seller to give disclosure on the lease pre-contract
- » improved transparency for tenants in relation to landlords' marketing fees, refurbishment requirements and shopping centre marketing expenditures
- » providing for reasonable exclusions from landlord compensation requirements, and
- » various amendments to clarify and improve the operational efficiency and effectiveness of the Act, including providing flexibility for tenant waiver of the landlord disclosure period and streamlining current market rent determination processes.

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Director liability

During 2015–16, amendments were passed to align directors' liability provisions of the *Fair Trading Act 1989* with broader Queensland and national policy. The amendments provide business with a more consistent approach to vicarious liability of directors under Queensland legislation.

Ensure regulatory models encourage business growth while meeting community standards

In April 2016, the Queen's Wharf Brisbane Bill 2015 and Brisbane Casino Agreement Amendment Bill 2016 were passed by Parliament. The Bills commenced in late May 2016 and provide the legislative framework to support the \$3 billion Queen's Wharf Brisbane Integrated Resort Development project. The Integrated Resort Development, which is due for completion in 2022, will provide significant construction, tourism and hospitality benefits for the state.

We are also partnering with the Department of State Development to assess two regional Integrated Resort Development proposals which may also incorporate a casino.

Office of Fair Trading online

In 2015–16, OFT released 28 services online using the SmartForm platform. These forms integrate into backend databases, saving time for licensees and community associations, and reducing internal costs associated with manual processing.

Case study – Office of Fair Trading online

OFT has hit the ground running in One-Stop Shop (OSS) implementation. A number of SmartForms are available online and provide customers with a quick and easy alternative to completing OFT transactions.

The dynamically-displayed forms are easier for customers to complete because they only present the information necessary and particular to that client. OFT were the first, as part of the OSS program, to integrate the Commonwealth Government ‘SmartForms platform for business’ into backend applications.

Not only will customers be prompted and guided through the form filling process, but regular users will see that pre-filled data and field validation are built into the forms. This functionality aims to reduce the number of forms submitted with incorrect information—reducing the burden on the OFT teams who process the forms. OFT has previously followed up clients more than 25,000 times in a year requesting more information or clarification.

Feedback from customers and industry representatives has been very positive, with more than 4,000 forms submitted in 2015–16.

New forms are currently in the works and will be made available once completed. Visit OFT online at www.qld.gov.au/fairtrading.

Our strategies for helping Queenslanders to get on with the job in 2016–17

Reducing red tape

In 2016–17, we will continue to find ways to streamline services and make it easier for people to fulfil their compliance obligations. We will reduce the regulatory burden on Queensland businesses by removing unnecessary regulation, simplifying legislation and continuing to focus on collaboration and engagement.

A discussion paper is planned for release during 2016 seeking public feedback on proposals to reduce regulatory burden and modernise not-for-profit legislation including the *Associations Incorporation Act 1981*, *Collections Act 1966* and *Charitable and Non-Profit Gaming Act 1999*.

Triennial funding

From 1 July 2016 for the first time triennial agreements will be entered into with four funded entities:

- » Legal Aid Queensland
- » Legal Services Commission
- » Bar Association of Queensland, and
- » Supreme Court Library of Queensland.

Triennial agreements will provide funding certainty for these entities, facilitate longer-term decision making, promote innovation and reduce the administrative burden for both the government and the specified entities.

Making it easier for people to use our services

In 2016–17, OFT will look to integrate with the whole-of-government online account to further streamline the online forms transaction experience and introduce client self-serve for information updates and progress.

We will also enhance service delivery for Gambling Community Benefit Fund grant applicants through the introduction of a new online application management system.

Property law review

We will also consider and assess findings and recommendations arising from the QUT property law review aimed at streamlining how Queenslanders buy, sell and manage property. These include options for streamlining seller disclosure requirements, body corporate governance arrangements, reducing costs and regulatory burdens on unit owners, bodies corporate and businesses providing body corporate related services.

BIRTHS in the COLONY of QUEENSLAND

PARENTS

(1) Name and Maiden Name of the Mother
(2) Age, and (3) Birthplace

Date	Name and Surname of Child, and (4) Birthplace	FATHER		MOTHER	
		(1) Name and Surname, and (4) Birthplace	(2) When and where Married, (3) Previous issue, living and deceased.	(1) Name and Maiden Name of the Mother	(2) Age, and (3) Birthplace
18 th June 1859	Michael Co. Clare Ireland	(1) Michael Co. Clare Ireland	(2) Living 6 years 16 do 2 1/2 do	(1) Susan formerly Mc Grath	(2) 25 years (3) Co. Clare Ireland
1 st June 1859	James Co. Clare Ireland	(1) James Co. Clare Ireland	(2) Living 8 years 6 do 12 do	(1) Susan formerly Mc Grath	(2) 28 years (3) Co. Clare Ireland
28 th February 1860	Michael Martin Upwich Queensland	(1) Michael Martin Upwich Queensland	(2) Farmer 35 years	(1) Margaret formerly Mullin	(2) 25 years (3) Co. Clare Ireland
2 nd June 1860	Daniel O'Brien Upwich Queensland	(1) Daniel O'Brien Upwich Queensland	(2) Farmer 33 years	(1) Bridget formerly Cavanagh died 1859	(2) 36 years (3) Co. Clare Ireland
22 nd February 1861	Patrick Carmody Upwich Queensland	(1) Patrick Carmody Upwich Queensland	(2) Laborer 41 years	(1) John William died 1859	(2) 36 years (3) Co. Clare Ireland

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Queensland gets great service

The department is committed to delivering professional, helpful, high quality services that meet the needs of all Queenslanders. We achieve this by maintaining traditional methods of face-to-face customer service while embracing technological advances in service delivery and responding and customising our services to meet customer needs. We are constantly looking for innovative, cost effective and streamlined service delivery methods to improve customer service experience. By implementing innovative and accessible service delivery models, we are working to make it easier for people to access and use our services.

We foster a consultative approach by engaging with our stakeholders and customers to seek their feedback and identify areas for improvement. In partnership with other Queensland Government agencies and industry, we are working together to deliver seamless and connected services to Queenslanders.

Performance indicators

- ✓ Service improvements in response to customer feedback
- ✓ Stakeholder and customer satisfaction
- ✓ Service delivery innovation

Ensuring that Queenslanders get great service in 2015–16

Courthouse audit

In 2015–16, we created a baseline assessment of courthouse facilities against current Australian Standards by:

- » engaging an external contractor, Cardno, to audit 84 courthouses and QCAT
- » conducting light touch audits of a further ten remote circuit courts, and
- » conducting courtroom technology condition assessments of 258 courtrooms.

The audit data will help us to identify gaps between existing facilities and the current standards to improve accessibility, confidentiality and the use of technology within our courthouses. The baseline data will be analysed and will inform current and future needs-based planning and a physical presence strategy for Queensland Courts.

Queensland Civil and Administrative Tribunal Justice of the Peace trial

The QCAT Justice of the Peace (JP) trial is an innovative model where JPs hear some minor civil disputes up to \$5,000 (excluding urgent residential tenancy matters) before QCAT. JP panels comprise two JPs, one of whom must be legally qualified.

Since implementation, the initiative has almost halved the average time from application to hearing of all minor civil disputes before QCAT.

In 2015, the ongoing trial operating in Brisbane, Ipswich, Maroochydore, Southport and Townsville was extended for a further 12 months.

In 2015–16, an independent evaluation recommended embedding the trial in QCAT's business-as-usual operations. The Queensland State Budget 2016–17 provided ongoing funding to permanently establish the model in Brisbane, Ipswich, Maroochydore, Southport and Townsville.

As at 30 June 2016, 27 legally qualified and 55 non-legally qualified JPs are appointed to QCAT.

During 2015–16:

- » non-urgent residential tenancy and other minor civil matters determined by JPs achieved, on average, four weeks to hearing, comfortably within the five week benchmark
- » JPs heard 3,332 minor civil dispute matters, and
- » there have been low levels of adjournment, complaints and appeals, for JP determined matters.

Regional Services Outlet project

We have been partnering with the Department of Transport and Main Roads (DTMR) to improve service delivery in three regional locations, Ayr, Ingham and Yeppoon. This Regional Services Outlet project has resulted in an expansion of DTMR licensing and registration services being offered at these courthouses. So far the project has:

- » increased the availability of DTMR licensing services at these three locations by 123 per cent (from 17.5 hours to 39 hours per week)
- » reduced customer waiting time
- » increased opening hours from 35 to 39 hours per week in Ingham
- » increased the number of physical customer service counters in Ingham (two to three) and Ayr (three to four), and
- » enabled customers to access all transport services in one place.

As QPS in these locations no longer have to process DTMR queries, increased resources are available for community policing.

The department and DTMR are working together to identify additional locations where a similar approach can be taken to improve service delivery.

Case study – Gatton One-Stop Shop

We have partnered with the Department of Science, Information Technology and Innovation (DSITI) and DTMR to pilot a consolidated One-Stop Shop customer centre from the Gatton courthouse. A team of DJAG and DTMR staff are delivering an increased range of local, state and federal services to the Lockyer Valley community from the one location. This includes the full suite of DTMR licensing and registration services, birth, death and marriage certificates, plant and animal permits, court registry services, fine and tax payments, as well as Federal Government Medicare and Centrelink services.

Consolidating services in Gatton has freed up QPS resources in the adjacent police station and also reduced wait times for customers. The number of customer service counters in Gatton has increased from two to five, with additional services available via self-help kiosks and phones with direct lines to service agencies, including GoVia, 13Health, Policelink, Translink and interpreter services.

The partner agencies continue to work together during the pilot to support each other in the efficient delivery of these multi-agency services.

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Jury Management System

DJAG has entered into an arrangement with the New South Wales Department of Justice to use and adapt its Jury Management System (JMS). This state-of-the-art system will provide a number of features which will improve our service to jurors and reduce the amount of manual processes performed by staff.

JMS is expected to be introduced in the second half of 2016. Some of the features available in JMS are:

- » being able to send SMS text messages to jurors, which will allow the courts to inform them about attendance
- » an Interactive Voice Response (IVR) service which will be able to respond to standard queries from jurors
- » an automated interface to QPS for criminal history checks, and
- » a web portal for jurors and potential jurors to update personal information, answer questionnaires and check on their juror status.

Early guilty pleas online

The second phase of the department's plead guilty online project included a statewide roll-out, minor enhancements to the online form based on customer and business area feedback and opening up the ability to plead guilty:

- » to any non-indictable offence, and
- » when a notice to appear has been received.

The online service delivery channel is now by the most used channel for this service with 52 per cent of 'early guilty pleas in-writing' being submitted online, which is up from 36 per cent achieved in 2014–15.

During 2015–16:

- » 2,515 early pleas of guilty online were completed, and
- » 293 offline hours were saved.

Court ordered child protection conferences

Child protection conferences are ordered by the court when Child Safety seeks to remove children from their families and the parents contest the application. Conferences are convened by our Dispute Resolution Branch and all parties are surveyed at the end of the conference about their satisfaction with the process.

During 2015–16:

- » 523 court ordered child protection conferences were convened
- » 86 per cent of parents indicated that they felt listened to and respected and they were able to have their say, and
- » 97 per cent of professionals (which includes lawyers, Child Safety officers and separate representatives) indicated that the conferences were collaborative, inclusive and constructive and that the conveners were impartial and fair.

Youth Justice Digital Toolkit

The Youth Justice Digital Toolkit concept was developed out of a need to deliver services to young people differently, in a developmentally appropriate manner that is engaging, fun and helps young people understand their behaviours better. The digital toolkit is designed to support caseworkers and youth workers to deliver a range of early intervention services, case management and transition planning services through providing a platform for a variety of interactive programs. The digital toolkit also incorporates gaming techniques to encourage young people to continue progressing through the range of interventions online.

Trauma-Informed Practice

Trauma-Informed Practice (TIP) is a way of working with young people and their families, which Youth Justice is introducing into all aspects of its operations. This includes practice, policies and procedures and especially in the way Youth Justice relates to young people.

TIP is a sophisticated approach that holds young people accountable for their actions while working towards rehabilitating them from offending behaviour, so they can live a productive and crime-free life in the community.

The TIP approach involves:

- » improving staff knowledge and skills enabling them to work more effectively with young people regarding the function of their behaviour, trauma impacts and behavioural triggers
- » providing young people with more appropriate and adaptive ways of responding when they experience a behavioural trigger, which can then be replicated in multiple situations, and
- » extending an organisational culture that acknowledges the trauma young people have experienced, holds them accountable for their actions through appropriate consequences and works towards rehabilitating young people so they can live a productive and crime-free life.

During 2015–16, more than 700 officers were trained in TIP. This included Youth Justice officers and officers from partner agencies including Queensland Corrective Services, the Department of Education and Training and non-government organisations in local communities.

Case study – Puppy love

The puppy fostering program at Cleveland Youth Detention Centre in Townsville is one example of the way TIP has been integrated in our work with young people. The program brings adorable bundles of energy into the centre, which has obvious benefits for the dogs and for the RSPCA, but is also bringing results for the young people involved.

Young people are encouraged to feed the dogs, wash them, walk them, clean up after them and play with them. There is a responsibility that goes with fostering animals and the young people seem to be enjoying the challenge.

Interaction with the dogs is a very tactile and safe experience for young people who have often experienced significant trauma in their lives. The puppies give unconditional affection and have a calming effect on the young people who moderate their behaviour so that they don't frighten or scare the dogs.

This jointly run program with the RSPCA will continue in future years as it has already shown to be effective for young people in detention to assist them with their rehabilitation and reintegration back into the community.

Youth Justice policy

In 2016, the department took steps towards developing a whole-of-government youth justice policy to guide reform to reduce offending; over-representation of Aboriginal and Torres Strait Islander young people; and the high levels of remand and recidivism within the youth justice system in Queensland.

The policy will focus on:

- » increasing the participation of young people in the youth justice system in education, training, skills and employment
- » health and mental health support
- » family support, and
- » evidence based therapeutic interventions that reduce offending.

The evidence shows this focus yields the most positive and substantial outcomes for young people, as opposed to increasing the investment in detention or hard line approaches to youth offending. This policy will guide action to reduce pressures on the youth justice system, specifically on detention centres.

The policy is being developed in consultation with partner government agencies, drawing on a comprehensive, statewide service supply analysis and the outcomes of targeted stakeholder consultation.

Barristers list

On 1 January 2015, the *Engaging barristers to undertake legal work for government departments* policy commenced. Under this policy only barristers who have completed an expression of interest form and nominated a government rate (which is capped at \$300 per hour and \$3,000 per day for junior barristers and \$500 per hour and \$5,000 per day for senior barristers) can be engaged to undertake legal work for government departments.

The policy provides a consistent and fair approach to remunerating barristers on behalf of Queensland Government departments.

Whole-of-government Legal Services Panel

DJAG manages the whole-of-government Legal Services Panel which commenced on 1 April 2015, and is a standing offer arrangement between the State of Queensland and solicitors' firms selected to provide legal services to government departments and other entities, replacing a number of panels managed separately by various government departments.

By organising and managing this activity into one centrally managed arrangement, the government seeks to achieve better access to legal services by:

- » providing ready access to high quality legal services that meet the broad range of government legal needs
- » better value for money by simplifying procurement and tendering
- » providing more competitive pricing for aggregated legal services
- » facilitating alternative fee arrangements in appropriate circumstances
- » better management of activity and expenditure through informed purchasing and consistent contracts
- » better performance management and reporting, and
- » governance activities to continuously improve the panel arrangement.

Crown Law continues to represent the government in all areas of law affecting the public sector and the State of Queensland. Crown Law competes with private law firms for government business in certain categories of law.

Response to coronial recommendations

Since 2008, we have coordinated the Queensland Government's response to recommendations made at coronial inquests directed to government. The government informs coroners, family of the deceased, and the community of the measures government is taking to prevent similar deaths in the future. In January 2016, DJAG commenced publishing government responses on the Coroners Court website next to the Coroner's findings.

Videoconferencing in courts and correctional centres

Videoconferencing has made a significant and positive impact on the operation of Queensland's justice system. The use of videoconferencing in correctional centres eliminates the need to transport defendants to court, saves legal professionals and practitioners significant time by reducing the need for travel to correctional centres, and often leads to matters being resolved in a more timely manner.

The implementation of videoconferencing facilities is delivering more cost-effective justice and increasing the time police and correctional officers can devote to frontline duties.

The department's videoconferencing project commenced on 1 July 2015 to deliver the statewide rollout of initiatives trialled during the Integrated Criminal Justice videoconferencing program.

The videoconferencing network operates across 71 court locations and 14 correctional centres in Queensland. Within high security correctional centres, there are 34 systems, with an additional two within maximum security units, and two within low security correctional centres, bringing the total to 38.

The project includes:

- » implementing refreshed videoconferencing models
- » revising videoconferencing court calendars
- » rolling out an online booking system
- » trialling a 'dispersed' videoconferencing model
- » expanding videoconferencing to private law firms, and
- » exploring reporting capability to replace manual data collection methods.

Refreshed videoconferencing models have been implemented at the Brisbane Women's Correctional Centre (CC), Arthur Gorrie CC (offline schedule only), Wolston CC, Woodford CC and Lotus Glen CC.

The number of videoconferences facilitated within correctional centres increased by 27 per cent from 2014–15:

- » 2014–15 – 28,184 (61 per cent of court matters)
- » 2015–16 – 35,795 (67 per cent of court matters).

The number of court videoconferences increased by 33 per cent from 2014–15:

- » 2014–15 – 16,829 (61 per cent of court matters)
- » 2015–16 – 22,415 (68 per cent of court matters).

Work camps

The QCS Work Camp Program is one of the most successful prisoner rehabilitation schemes in Australia. Work camps provide valuable labour for community service projects in regional Queensland, while also providing prisoners with an opportunity to make reparation. The work completed by prisoners includes the ongoing maintenance of cemeteries, parks and showgrounds, to restoring significant landmarks and buildings of historical importance.

In 2015–16, prisoners on the Work Camp Program completed 176,487 hours of community service equating to approximately \$4.16 million worth of labour provided to support regional Queensland.

Our strategies for ensuring that Queensland gets great service 2016–17

Youth justice policy

We will continue to develop and implement a comprehensive youth justice policy to support an effective youth justice system which reflects contemporary best practice in the management of juvenile offenders and their families, with a focus on prevention and rehabilitation.

This will include undertaking public consultation on the policy, and developing an evidence-based system that will provide for better youth justice practice and programs.

Service delivery innovation

We will continue to improve service delivery models by:

- » continuing the use of videoconferencing to reduce the risk and cost associated with prisoner transports
- » modernising the technology used to electronically monitor high-risk sex offenders in the community and implementing a Geographic Information System, and
- » permanently establishing the QCAT Justice of the Peace services following a successful trial aimed at reducing the time take to finalise minor civil disputes.



DJAG is responsive and high performing

Performance indicators

- ✓ Services are delivered within approved budgets
- ✓ Staff satisfaction and engagement
- ✓ Improved governance practices

The department is changing the way we deliver services and growing a high-performance culture by focusing on our vision, strategies and leadership. We are driving business objectives to transform the way corporate services are delivered and will continue to develop our digital and mobile first approach to customer-centric service.

Corporate Services is creating a business partnership model, bringing together the best ideas and capabilities from across government, the private and non-government sector to support innovative frontline service delivery. It is intended that improvements to the department's service delivery will drive down costs, increase productivity, and encourage innovation.

Corporate governance and accountability

The department has internal accountability mechanisms in place to ensure we operate effectively and transparently. These enable us to manage risks, realise opportunities, monitor, evaluate and report on our performance.

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.

The Board meets monthly and supports the Director-General to set strategic direction. Three special purpose committees support the Board of Management in its strategic leadership functions by monitoring performance and identifying and implementing business improvement opportunities in their key areas of responsibility.

The Board provides the following:

- » leadership, direction and guidance to the department
- » strategic planning, policy setting, risk management and resource allocation, including directing resources to high priority services
- » performance management and reporting oversight
- » ensuring that the department is responsive to changing community needs and government priorities
- » coordinating with other government agencies to deliver seamless government services and policy, and
- » reviewing, monitoring and directing the department's governance committees.

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Membership of BOM as at 30 June 2016 included the following officers:



David Mackie
Director-General — Chair

David was appointed Director-General of the Department of Justice and Attorney-General on 4 June 2015.

Over his 26 years in the Queensland Public Sector, David has held executive and senior management positions responsible for both the delivery of front line services and corporate support services. Having originally joined the department in 1990, David initially performed a range of roles in the areas of finance, policy and corporate governance before heading up corporate services areas within the Anti-Discrimination Commission Queensland (1996–2002) and the Commission for Children and Young People and Child Guardian (2004).

Returning to the department in 2006, David served as the Director of the Director-General's Office from 2006–07; Registrar-General of Births, Deaths and Marriages from 2007–08; Executive Director, Community Justice Services from 2008–12; Secretary (Executive Director) of the Commission of Inquiry into the Queensland Health Payroll System Implementation (2013); and Deputy Director-General, Justice Services from 2013–15; before being appointed to his current role as Director-General.

David holds a Bachelor of Commerce with majors in Economics and Public Policy.



Jennifer Lang
Acting Deputy Director-General, Justice Services — Co-deputy Chair

As Acting Deputy Director-General in DJAG, Jennifer is responsible for a diverse range of business units including the courts, tribunals and Commissioner for Body Corporate and Community Management, Dispute Resolution Branch, Justices of the Peace Branch and Victim Assist Queensland.

Prior to her current role, Jennifer was the Assistant Director-General of the department's Strategic Policy and Legal Services division. In this role, Jennifer was responsible for providing policy advice to the Attorney-General and Minister for Justice on a range of issues, overseeing an extensive legislative policy agenda and for the implementation of key Government commitments.

Jennifer holds a Bachelor of Laws and graduate diploma in legal practice and is admitted as a solicitor of the Supreme Court and High Court. She has been a solicitor in private practice and has 15 years' experience in the public sector.



Sean Harvey
Assistant Director-General, Youth Justice

Sean was appointed as Assistant Director-General, Youth Justice in May 2014. Sean has worked in various disciplines involving finance, human services and justice administration. Before Youth Justice, Sean led the Courts and Innovation Program as Director, delivering a number of innovative strategies and was a Regional Director in Justice Services.

Sean is responsible for the Youth Justice division, which includes two youth detention centres and 26 youth justice service centres across Queensland.



David Ford
Deputy Director-General, Liquor, Gaming and Fair Trading — Co-deputy Chair

David was appointed Deputy Director-General, Liquor, Gaming and Fair Trading and also Commissioner for Fair Trading in April 2009. He was appointed Commissioner for Liquor and Gaming in January 2013. 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 holds a Bachelor of Arts with Honours in Government and is an Associate Fellow of the Australian Institute of Management and a member and former chair of the International Association of Gaming Regulators.



Mark Rallings
Commissioner, Queensland Corrective Services

Mark was appointed in December 2014, after acting as the Commissioner, Queensland Corrective Services, since October 2013. Mark has worked in Queensland Corrective Services in various roles since 2004, including Executive Director, Specialist Operations and Deputy Commissioner, Statewide Operations.

Educated at the University of Queensland, Mark has a BA (Hons) and PhD in psychology. Mark has worked across the public and private sector, specialising as a consultant psychologist and private practitioner, Head of Research and Evaluation with Her Majesty's Prison Service, Sex Offender Treatment Program and as a Queensland Police Service Officer.



Leanne Robertson

Acting Assistant Director-General, Strategic Policy and Legal Services

Leanne acted as Assistant Director-General Strategic Policy and Legal Services from May to June 2016; and has also acted in the position on previous occasions. Leanne's substantive position is that of Director within the department's Strategic Policy and Legal Services division. Leanne has more than 20 years' legal policy experience in both Queensland and the Northern Territory.

Leanne holds a Bachelor of Laws and Bachelor of Arts.



Peter Cook

Assistant Director-General, Corporate Services

Peter was appointed Assistant Director-General, Corporate Services in May 2014. Before commencing with the public sector in 1996, Peter worked in the banking and finance sector.

Peter has worked in a number of departments and he commenced with the Department of Justice and Attorney-General as a result of the 2007 machinery-of-government changes. Peter held the positions of the department's Executive Director of the Financial Services Branch and Chief Financial Officer.

Peter is a Fellow of CPA Australia.



Greg Cooper

Crown Solicitor, Crown Law

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 Cabinet, 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 matter being handled by Crown Law and is responsible for setting the professional and ethical standards of the Crown Law office.

Before Greg's appointment, he spent four years as Deputy Crown Solicitor of the Litigation Branch and six years as Crown Counsel when he acted as Junior Counsel to the then Solicitor-General, Mr P A Keane QC (as His Honour then was). Greg has extensive expertise in the fields of constitutional and public law.



Garry Davis

Executive Director, Financial Services Branch — Chief Financial Officer

Garry was appointed Executive Director, Financial Services Branch and Chief Financial Officer in September 2014. Garry had previously acted in this role from March to July 2013 and February to September 2014. Before his appointment to this role, he served as the Director, Budget and other senior financial positions within the department.

Garry provides leadership in the provision of financial and management accounting, procurement and corporate governance services across the department and strategic financial advice and direction to assist senior management achieve departmental objectives.

Garry is a member of CPA Australia.

Also attending Board of Management as observers were: Michael Byrne QC, Director of Public Prosecutions and Roger McCarthy, Director, Office of the Director-General.

Audit and Risk Management Committee

The Audit and Risk Management Committee (ARMC) is an independent advisory body to the Director-General. It assists the Director-General to discharge his responsibilities under the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*. The Committee operates under an approved Terms of Reference, and has due regard to Queensland Treasury's Audit Committee Guidelines: Improving Accountability and Performance.

Membership of ARMC as at 30 June 2016 comprised the following positions and officers:

Position	Officer
Chair (external) ¹	Len Scanlan
Standing members²	
A/Deputy Director-General, Justice Services (Deputy Chair)	Jennifer Lang
Commissioner, Queensland Corrective Services	Mark Rallings
Assistant Director-General, Youth Justice	Sean Harvey
A/Assistant Director-General, Strategic Policy and Legal Services	Leanne Robertson
Assistant Director-General, Corporate Services	Peter Cook
Executive Director, Office of Liquor and Gaming Regulation	Mike Sarquis
Observers	
Executive Director, Financial Services Branch	Garry Davis
Director, Corporate Governance	Cameron Bunkum
Director, Internal Audit	Leon Smith
Director, Queensland Audit Office	Ross Hodson
Audit Manager, Queensland Audit Office	Pandy Pang

1. The Chair received remuneration during this financial year.

2. No other ARMC Standing Members or Observers received, nor were entitled to receive, any financial remuneration for their participation.

Risk management framework

The department's risk management framework is based on *AS/NZS ISO 31000:2009, Risk Management—Principles and Guidelines*, and has been designed to integrate 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 ARMC.

During 2015–16, the department undertook a number of initiatives to enhance its risk management practices. BOM completed a review of strategic risk facilitated by KPMG. They were engaged in rigorous discussions to identify and evaluate strategic risks and develop mitigating actions, as well as affirm the department's risk appetite.

In the report to BOM, several recommendations for improvement in relation to the framework, risk appetite and risk reporting were made, which were agreed and implemented.

The Corporate Governance Unit also delivered a number of divisional workshops across the department, focusing on enhancing awareness and understanding of the risk management framework and practices and its integration with business planning. Benefits of risk management in improving decision making practices, as well as work prioritisation and resource allocations were highlighted.

Improvements in the risk management framework in 2015–16 included:

- » a revised risk matrix that more suitably aligns with the department’s operations
- » the department’s risk appetite was affirmed and reflected in the framework, and
- » a new reporting mechanism to assist BOM’s monitoring of strategic risk mitigation action.

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 ARMC.

Internal Audit adheres to the approved Internal Audit Charter, developed in line with the Institute of Internal Auditors’ *International Standards for the Professional Practice of Internal Auditing*. An independent review by the Institute of Internal Auditors in 2014–15 assessed that Internal Audit conformed to the *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.

Internal Audit outputs	2015–16 performance and achievements
Delivery of annual and strategic plans audit 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
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

Governance framework review

In 2015–16, the department’s governance framework was reviewed by Deloitte Touche Tohmatsu, with a key focus on the department’s governance committees. The review examined the effectiveness of the governance framework, practices and associated tools through comparison with relevant organisations and better practice. During 2016–17, the department will consider the review report and recommendations for improvement, to achieve a best-practice, fit-for-purpose governance framework for the department.

Public sector ethics

Education and training

From 1 July 2015 to 30 June 2016, the department (through its Ethical Standards Unit) complied with section 12K of the *Public Sector Ethics Act 1994* by conducting face-to-face training in workplace ethics for new and existing departmental employees.

There were 89 face-to-face workplace ethics training sessions held across the state. Additionally there were 12 ‘Tools of the Trade’ training sessions dedicated to further strengthening the ethical decision making, knowledge and skills of managers and supervisors in the department.

Face-to-face workplace ethics training was provided to all QCS and Youth Detention Centre recruits across the state as part of their induction training. The opportunity was also taken to conduct general face-to-face workplace ethics training sessions at correctional centres across the state and for QCS staff in the Brisbane CBD.

In total, 1,761 departmental staff received the face-to-face workplace ethics training, an increase from the previous financial year of approximately 35 per cent. Additionally, 201 supervisors and managers received the Tools of the Trade training.

The face-to-face workplace ethics training is supplemented by online refresher training available to all staff in the department; this was completed by 2,949 staff in the period.

These education and training initiatives and related ethics advisory services provided by the Ethical Standards Unit have, over time, improved accountability and understanding by staff of their obligations under the Code of Conduct for the Queensland public service and DJAG Workplace Policy.

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 values and principles of the Act. These are reflected in:

- » human resource management policies, practices and procedures, as well as workplace ethics training
- » strategies identified in objective five of the department’s 2015–19 Strategic Plan, including ‘act with integrity and accountability’ and ensure robust governance practices. These strategies are consistent with the Act’s ethics principles, and the Code of Conduct, and
- » business area plans that support the objectives of the strategic plan. In turn, staff performance effectiveness plans align with business area plans, the strategic plan, the Act’s ethics principles and the Code of Conduct.

Considerable effort continues to be invested in aligning the integrity and accountability processes of diverse business areas within the department.

The Ethical Standards Unit also administers the functions of the Youth Detention Inspectorate to meet the obligations imposed by s263 of the *Youth Justice Act 1992*. During 2015–16, Youth Detention Inspectors completed eight statutory inspections of Queensland’s youth detention centres. Inspection reports are provided to the Director-General and include an assessment of nominated areas and recommendations for improved effectiveness.

Department information systems and recordkeeping

The department complies with the *Public Records Act 2002*, keeping full and accurate records of activities. Information management is governed by the *Public Records Act 2002*, Recordkeeping (IS40) and Retention and Disposal of Public Records (IS31) Information Standards as well as whole-of-government recordkeeping policies and guidelines issued by the Queensland State Archivist.

The department uses both paper-based records and 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 recordkeeping and corporate information systems. The services it provides supports the confidentiality, integrity and availability of business information contained within departmental information systems.

ITS branch has produced extensive electronic user guides available to all staff relating to information management concepts within eDOCS, including a number focusing specifically on information security concepts. The branch 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.

No serious security breaches occurred during the 2015–16 period for the agency.

Case management systems

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

Open Data

The Open Data initiative helps make government more transparent and encourages individuals, businesses, researchers and non-government organisations to develop innovative solutions to improve public services.

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 www.publications.qld.gov.au/dataset/open-data-strategy-justice-and-attorney-general.

The department has published more than 100 datasets. Examples of datasets provided by the department in support of the Open Data Strategy are:

- » Victims Financial Assistance Applications
- » Top 100 Baby Names
- » Custodial offender snapshot, and
- » Community Service Work Performed.

To access further information and government data please visit www.data.qld.gov.au.

The Business Innovation and Enablement Platform

In 2015–16, the department initiated stage two of the Business Innovation and Enablement Platform (BIEP) program. The BIEP program has implemented a new computing platform underpinned by Windows 8 and Office 365. Stage two of the program is focusing on working with business units to support business change, promote innovation and revitalisation of business processes and service delivery methods through optimal use of the new platform.

ICT review

In 2015–16, the Information and Communication Technology (ICT) service delivery model was reviewed by KPMG. The review delivered recommendations focused on establishing clear demarcation between centralised ICT functions and the divisional ICT functions which will deliver holistic, business-centric, ICT services to the department. The report recommended a service delivery model focused on an increase or uplift in capability in the following areas:

- » ICT strategic planning
- » architecture and risk management
- » service design and service level management
- » business relationship management and collaboration, and
- » change management and communications.

A three to four year transformation program of work to implement the recommendations from the review is underway.

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Queensland Audit Office reports

In 2015–16, the Queensland Audit Office (QAO) conducted a number of performance management system audits and cross-sector audits which included coverage of the department.

»» Report to Parliament 1 of 2015–16

Internal control systems 2014–15

This report summarises the results of the evaluation of the financial control systems and select internal controls that operated within the 21 government departments during the 2014–15 financial year.

In addition to the results of audits of internal control systems, QAO provided entities with two better practice guides to assist with the self-assessment of disaster recovery planning and internal financial management reporting.

QAO recommended that all departments:

- » update and approve disaster recovery plans
- » define disaster recovery targets for all business units
- » increase the frequency of disaster recovery testing to twice yearly
- » obtain and monitor periodic reports on disaster recovery testing
- » use emerging technology for cost effective backup and disaster recovery testing, and
- » develop and manage a plan to improve the maturity of the disaster recovery program.

In relation to disaster recovery planning, and as part of moving to 'ICT-as-a-service', the department is currently piloting external hosting services for information technology infrastructure under the whole-of-government SOA ICTSS – 1307 – Infrastructure-as-a-service. Progression of these pilot exercises will assist in developing ICT disaster recovery model options that will address the ongoing risk issues and overall QAO recommendations.

The department is committed to continually reviewing its financial management practices to identify opportunities for improvement.

[»» Report to Parliament 6 for 2015–16](#)

State public sector entities for 2014–15

This report outlines the results of QAO's audits of 2014–15 financial statements of state government departments, statutory bodies, government owned corporations and the entities they control in the general government sector with a balance date of 30 June 2015. No specific recommendations were noted within the report.

The Auditor-General assessed that processes to prepare the department's financial statements were satisfactory and prepared in accordance with the legislated deadline.

[»» Report to Parliament 9 for 2015–16](#)

Provision of court recording and transcription services

This report details whether the provision of court recording and transcription services to the Queensland Government is being managed effectively and whether the services deliver value for money.

The following recommendations were noted within the report:

- » resolve known contract issues with Auscript as a matter of priority and vary the contract as needed
- » ensure all contractual rights are appropriately exercised and obligations met
- » assess the effectiveness of existing performance measures and change as needed
- » conduct a cost-benefit analysis
- » conduct a detailed assessment of service delivery requirements, user needs and market capability, and
- » evaluate feasible alternative service delivery options, and develop a strategy and plan to progress to the best value for money option at the end of the current contract.

The department has commenced immediate action to identify and resolve contractual issues with Auscript, and developed a roadmap of activities to ensure an informed and deliberate sourcing decision can be made for recording and transcription services before the end of the current contract term.

[»» Report to Parliament 10 for 2015–16](#)

Queensland state government financial statements 2014–15

This report outlines the results of QAO's audit of the consolidated 2014–15 financial statements of the Government of Queensland (state government financial statements). No specific recommendations were noted within the report.

[»» Report to Parliament 11 for 2015–16](#)

Management of privately operated prisons

This report examines whether the expected benefits to the state of privately operated prisons are being realised, through delivering cost savings while maintaining an acceptable level of prison services.

This report recommends that the department:

- » in conjunction with Queensland Health, complete a cost-benefit analysis of options for delivering medical services more effectively
- » work with Queensland Health to agree terms for the delivery of health services in prisons
- » investigate ways to incentivise private operators to increase employment opportunities for prisoners
- » compare and contrast the operating standards of public and private prisons, and implement better practice operating methods in public prisons where gaps exist
- » develop an outcome-focused performance management system for private prison contracts, and
- » enhance management of operator performance.

The department has commenced action in relation to all recommendations of the report. New outcomes-focused contracts are currently being developed for implementation by 1 January 2018.

»» [Report to Parliament 12 for 2015–16](#)

Follow up report 12: 2012–13 Community benefits Funds: Grant management

This report examines the status and effectiveness of the implementation of nine recommendations made in Report 12: 2012–13 *Community benefit funds: grant management*.

The department has fully implemented six and partially implemented two of the nine recommendations, and has begun working with the Queensland Reconstruction Authority on the development of a new grants management system that will implement recommendation 1 by allowing equitable access for all applicants and also address the partially implemented recommendations 6 and 8.

»» [Report to Parliament 13 for 2015–16](#)

Cloud computing

This report examines whether Queensland Government departments are using cloud technology to deliver business value while managing the risks.

QAO recommended that all departments:

- » update their ICT strategies to articulate reasons for adopting cloud and evaluate their current ICT assets and services portfolio to develop roadmaps and identify activities for transforming ICT service delivery incrementally
- » identify the impact of cloud computing on ICT operations and workforce capability and develop transition plans
- » establish ICT due diligence and information management processes for user-initiated cloud solutions
- » evaluate the overall risks and control environment based on formal assurance reports from service providers and implement controls and contingency plans where there are gaps, and
- » implement processes to detect and monitor user-initiated cloud services and a user awareness program relating to information on the risks of unapproved cloud services.

Queensland Coroner recommendations

In the 2015–16 financial year, 20 recommendations arising from three coronial inquests were directed to the department.

The Queensland Government responds to recommendations and comments made at coronial inquests. The department publishes responses to coronial recommendations on the Coroners Court of Queensland website, next to the findings' of inquest. The community is kept informed of the government's progress in implementing recommendations with the publication of implementation updates twice a year until recommendations are delivered.

Human resources and planning

Our people

As at 30 June 2016, the department employed 8,135.22 full time equivalent (FTE) staff. This is a decrease from the 2014–15 period. This decrease is due to the machinery-of-government change which resulted in the transfer of the Office of Industrial Relations to Queensland Treasury. Some divisions did increase their FTE staff primarily to accommodate growth in adult prisoner and youth detention numbers and to facilitate the recommissioning of BTCC.

The above FTE figures relate only to staff employed out of controlled funds. Judicial officers are employed out of administered funds.

As at 30 June 2016, the department had a permanent staff retention rate of 93.2 per cent and a permanent staff separation rate of 6.8 per cent (not including judicial officers).

During the 2015–16 period, two employees received an offer of a voluntary redundancy package, with both accepting at a cost to the department of \$255,953.45.

Strategic workforce planning

The department is strongly committed to an engaged and capable workforce that delivers excellence in public service. Strategic workplace planning is an important factor to support this commitment and ensures a sustainable, highly skilled workforce for the future. The department's Human Resources branch has engaged with frontline divisions and business units to develop both an agency Strategic Workforce Plan and local business unit workforce plans to identify, recruit and grow a diverse workforce needed to deliver now and into the future. Strategies to minimise workforce risk include targeted management capability development, expert online training for both general and specific occupational groups, a strong performance management culture and modern reward and recognition initiatives.

Employee engagement and a high performance culture

With a focus on building effective relationships, meaningful employee engagement in the workplace and establishing clear performance expectations, the department's performance management framework ensures that managers, teams and individuals are supported to achieve excellence in service delivery that aligns with and promotes the department's vision. The framework is reviewed annually to ensure it remains relevant and reflective of best practice.

Learning and development

The department is committed to developing and supporting employees through blended and workplace learning and development opportunities such as higher duties and job rotation. In particular, effective leadership and management development continues to be a key strategy for the department's success in the delivery of quality services to the community.

The department supports managers and leaders to build capability, leadership and management skills in line with business priorities and agreed, identified learning needs. The department coordinates applications for public service and departmental scholarships with five mid-level managers participating in the Public Sector Management Program (PSMP). Other scholarships being made available are the Executive Masters in Public Administration (EMPA) for AO8 and above and the Executive Fellows Program (EFP) for SES3 and above. Executives, program managers and team leaders are encouraged to undertake the Executive Capability Assessment and Development or Leaders Capability Assessment and Development Programs to assist in identifying strengths and development strategies.

In 2016, the department developed a six-month pilot program – Practical HR for Managers. This initiative aims to support our goal of being responsive and high performing by building managers' people management capability. The pilot will assist in developing managers' HR capabilities and will be presented using adult, action, and blended learning principles with:

- » a focus on relevant, baseline information
- » learning through experience, reflection and action, and
- » creation of supportive conditions for self-directed learning.

In addition, the department encourages managers and leaders to build their personal self-awareness, essential people management skills and leadership behavioural skills and knowledge, in order to establish a development mindset that facilitates employee learning and development within teams.

Learning management system and instructional design

The department's learning management system offers access to online training and information resources.

During 2015–16, 4,605 employees completed training through more than 155 online courses, achieving 32,178 course completions—a 56 per cent increase since 2014–15.

To support the growing challenge for developing effective online training solutions, the department launched the Instructional Design (ID) Hub in February 2016. Developed by an award-winning instructional designer, the ID Hub features an instructional design framework and custom library of resources that steps users through each stage of the training development process. The ID Hub provides guidance and support for:

- » performance analysis and the identification of business issues and needs
- » selecting an appropriate strategy
- » implementing good instructional design and activity-based training approaches
- » using the design framework and resources to maximise impact, and
- » evaluation.

The Hub also provides guidance for developing alternatives to, and supporting resources for, online training. Together, these tools are helping staff create more effective and engaging training with measurable results.

Reward and recognition

In June 2016, the annual Staff Excellence Awards recognised outstanding contributions and performance across the department by 24 individuals and teams. A divisional Staff Excellence Awards program identified many examples of excellence in customer focus, leadership, performance, courage and integrity, and innovation. Winners of these progressed to the Departmental Awards.

This year, there were a total of 44 nominations, of which 19 were for individuals and 25 were for teams. From these nominations there were a total of 11 winners (six individuals and five teams) and 13 highly commended (five individuals and eight teams) across the awards categories.

The awards winners may also be put forward for the Premier's Awards for Excellence.

Our formal recognition of outstanding contributions complements our increasing focus on high performance and excellence in public service, in line with the Queensland Public Service values, and the department's vision and purpose.

Case study – Public Service Medal

Having two Public Service Medals (PSM) awarded to departmental employees during 2015–16 is a prime example of our strong commitment to an engaged and capable workforce that delivers excellence in public service. PSM recipients, Nicola Doumany and Phil Venables, have both been recognised for their outstanding public service in Queensland.

The establishment of VAQ in 2009 heralded a new time in Queensland's history regarding the public service response towards victims of violent crime, and Nicola has been there from the start. Nicola's leadership, strong governance, solid policy knowledge and importantly her ability to remain connected to the 'spirit' of the legislation, enables her to provide support and care for some of Queensland's most vulnerable victims of violent crime. Nicola encourages a culture of continual improvement, but without a 'change for change-sake' attitude. This award acknowledges Nicola's 30-year public service career and her outstanding commitment to Victim Assist Queensland which has continued to grow in reputation and recognition.

Phil has been a mediator and project manager in remote Aboriginal and Torres Strait Islander communities, firstly on Mornington Island and now in Aurukun, since 2008. He worked with the Elders and families on the Mornington Island Restorative Justice Project between 2008 and 2012 to create a local peacemaking or mediation service that was inclusive of traditional Aboriginal and Torres Strait Islander culture and conformed to the requirements of the more formal justice system. He used a community development approach; consulting all families and assisting Elders develop their own rules and kinship model of mediation. With community support he then managed the fledgling mediation service in partnership with the Elders, building local skills and experience, until the local community justice group was able to take over the management themselves. Since 2014, Phil has been endeavouring to apply the learnings from Mornington Island in Aurukun, a remote community on Cape York. This award acknowledges his outstanding peacemaking service in those communities and is a culmination of a 30 plus year public service career working with vulnerable families and young people in remote and far north Queensland.

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Staff health and wellbeing

The department strongly supports the health and wellbeing of its valued employees. Services are promoted through established staff communication channels, such as emails, newsletters and intranet updates.

Services include free annual influenza vaccinations to employees; active case-managed rehabilitation and return to work programs to assist employees for earlier return to their job; providing family/sick rooms; promoting contemporary flexible work arrangements to balance family and work responsibilities; and an employee assistance program which provides professional, free and short-term counselling and support for all employees and immediate family members.

In addition to these services, the department participates in national campaigns such as R U OK? Day and Mental Health Week to raise awareness about mental health.

Queensland Corrective Services Employee Health, Safety and Wellbeing working party project

QCS's Employee Health, Safety and Wellbeing working party conducted a review of rostering operational requirements and guidelines in consultation with staff and the union. The Working Party had a strong commitment to improving rostering and fatigue management systems in order to meet safe, secure, fair and reasonable work environment objectives.

Staff were consulted and encouraged to take the opportunity to provide meaningful feedback to ensure QCS systems are the best they can be. The project delivered an intranet page with updates, links to documents and presentations and provides further opportunity for staff input.

Domestic and family violence reform and awareness

Strategic communication activities to support this work have been developed to engage departmental staff and a broader external audience of key stakeholders and Queenslanders. Departmental internal messaging reinforces that high-level action is being taken to end DFV and that staff have a role to play in changing people's lives. The department's Communication Services branch has also provided educational messaging highlighting resources to assist staff who deal directly with DFV and potential DFV victims.

Key initiatives:

- » new DFV intranet pages including resources, news and media, HR policy and support information for staff affected by DFV, link to Recognise, Respond, Refer training
- » development of a suite of DFV collateral including document templates, e-signatures, social media banners, and intranet 'carousel' images
- » DFV-themed issue of DJAG staff magazine *Just Us*
- » two staff engagement videos featuring the Director-General and three staff videos promoting DFV staff advocates and the work of the Southport specialist domestic violence court, and
- » departmental internal communication and DFV research report to inform future strategies.

Employee opinion survey

The results of the Working for Queensland Survey provides guidance for workplace development.

The 2015 survey saw a positive improvement in all three workplace outcomes: job engagement and satisfaction, agency engagement and intention to leave, with a sense of job empowerment providing the key driver, supported by a strong positive response to role clarity and goal alignment. Learning and development, and workload and health are key areas for ongoing support and development. Strong scores for job engagement and satisfaction, relationships with local and senior managers and workgroups provide support for our continued emphasis on assisting managers to provide on-the-job experiences and social learning opportunities for staff, and manage workloads as well as an increased focus on health, safety and wellbeing across the department.

The results of the 2016 Survey were received in late June 2016 and are being analysed to assist in the development and implementation of workforce improvement strategies to support the department being an "employer of choice".

Industrial and employee relations

The department has ensured its processes, practices and procedures support the government's Employment Security and Union Engagement policies.

The department has re-established the Agency Consultative Committee as an effective avenue for the department and industrial parties to engage in meaningful discussion about industrial issues impacting on, or which may impact on, the department's workforce. During 2015–16, the committee met on four occasions which has further strengthen union engagement and enhanced the working relationship between the department's senior management and the relevant industrial unions.

In addition, the department has been involved with some extensive work in relation to the sector-wide Award Modernisation Process. In June 2015, the *Industrial Relations (Restoring Fairness) and Other Legislation Amendment Act 2015 (Qld)* (the Amendment Act) was released and provided for the Queensland Industrial Relations Commission (QIRC) to continue with an award modernisation process in accordance with the Amendment Act.

The QIRC has completed the Award Modernisation process for the award covering general employees (Queensland Government Departments) and other employees, Queensland Public Service Officers and other employees, youth workers employed in youth detention centres and custodial correctional officers in QCS.

The modernised *General Employees (Queensland Government Departments) and Other Employees Award 2015*, the *Queensland Public Service Officers and Other Employees Award 2015*, and the *Youth Detention Centre Employees Award – State 2016* became effective on 1 June 2016 when the *State Government Entities Certified Agreement 2015* was certified by the QIRC.

The modernised *Correctional Employees Award – State 2015* was approved by the Full Bench of the QIRC on 11 December 2015 but will not become effective until a modernised certified agreement is certified by the QIRC. Negotiations for a modernised corrective services certified agreement has achieved in principle agreement with consultation sessions with staff currently being undertaken.

The department has also facilitated the successful defence of four public service appeals, and provided industrial representation before the QIRC in relation to industrial disputes, unfair dismissal conferences and arbitrations.

Queensland Youth Justice Registered Training Organisation

The Queensland Youth Justice Registered Training Organisation provides two nationally-accredited qualifications to frontline staff (Diploma and Certificate IV of Youth Justice) as part of our strong commitment to professional development. The qualifications are free for staff and are a great way of recognising and building upon the existing skills and knowledge staff have gained from their on-the-job experience. Upon completion, detention centre youth workers employed in the operational stream are able to apply for progression as per the *State Government Departments Certified Agreement 2009*.

Graduates from the qualifications report a sense of personal achievement and greater commitment to the Youth Justice workforce, with the additional knowledge and skills giving them the confidence to be more competitive for job promotions. Additionally, they are able to use the qualification as recognised credit towards university studies. In early 2016, 22 students graduated with a Diploma of Youth Justice and there are 50 staff enrolled in the Certificate IV in Youth Justice for 2016–17.



Summary of financial performance

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

Financial snapshot	2015–16 Actual \$'000	2015–16 Adjusted Budget \$'000	2014–15 Actual \$'000
Income	1 401 229	1 384 686	1 454 948
Expenses	1 399 645	1 382 326	1 457 433
Operating results from continuing operations	1 584	2 360	(2 485)
Total assets	4 104 724	4 017 951	4 062 764
Total liabilities	91 905	79 363	100 876
Net assets	4 012 819	3 938 588	3 961 888

The department reported an operating surplus of \$1.584 million for the year ending 30 June 2016.

The variance between 2015–16 and 2014–15 actuals mainly relates to the impact of the machinery-of-government change to transfer the responsibility of the Office of Industrial Relations from the Department of Justice and Attorney-General to Queensland Treasury from 1 July 2015.

A more detailed view of the department's financial performance is provided in the department's 2015–16 financial statements.

Department services

The department provides services to support Queensland Government priorities across the following service areas:

- » Justice services includes Queensland's courts and tribunals, coronial, community justice programs, Registry of Births, Deaths and Marriages, Victim Assist Queensland and guardianship services. This service area provides Queensland with fair, timely and accessible justice services.
- » Legal and prosecution services which includes Crown Law, Strategic Policy and Legal Services, and the Office of the Director of Public Prosecutions. The services provided by these areas include commissioned legal advice and representation, administration of the department's right to information and privacy obligations and prosecution on behalf of the state.
- » 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. The services provided by these areas include regulatory and consumer protection services.
- » Youth justice services which includes youth detention centres, youth justice conferencing, youth justice service centres and court services. The services provided by these areas include early intervention programs and statutory youth justice and detention services.
- » Corrective services which includes Custodial, Probation and Parole and Correctional Intervention services. The services provided by these areas manage Government and privately operated custodial facilities and support the rehabilitation of offenders within and outside its facilities.

Income

Revenue for the department totalled \$1.401 billion against the adjusted budget of \$1.385 billion. The variance of \$16.543 million, or 1.2 per cent, is mainly due to additional funding for enterprise bargaining, growth in offender numbers, the COI into the Barrett Adolescent Centre, the DFV response, revenue from additional goods and services received below fair value from other Queensland State Government agencies and Queensland Government Insurance Fund claim recoveries.

These increases are partially offset by a funding realignment to meet departmental priorities between 2015–16 and 2016–17 and savings following the completion of the COI into Queensland Organised Crime.

The department's primary funding 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 \$1.281 billion, or 91.4 per cent, of total revenue.

Expenses

The 2015–16 expenditure of \$1.4 billion is \$17.319 million higher than the adjusted budget of \$1.382 billion, a variance of 1.25 per cent.

Employee expenses for 2015–16 totalled \$748.381 million, which was \$11.323 million higher than the adjusted budgeted of \$737.058 million. The increase is primarily due to increased expenditure:

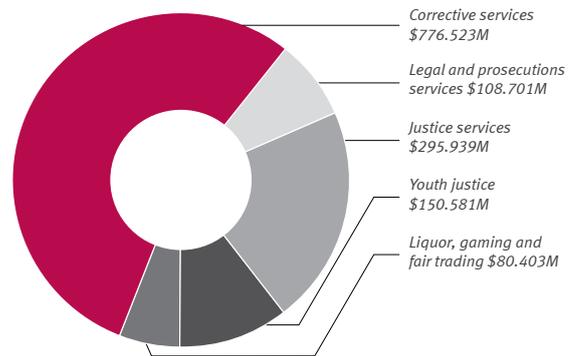
- » for enterprise bargaining following ratification of new Certified Agreement for Core Public Service employees from 1 September 2015
- » for additional resources to meet the growth in prisoner numbers, in 2015–16 prisoners numbers increased from 7,292 at 30 June 2015 to 7,720 at 30 June 2016 (an increase of 5.9 per cent), and
- » for additional resources in response to the *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland* report, including the establishing the Southport specialist DFV court trial.

Supplies and services expenses 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.

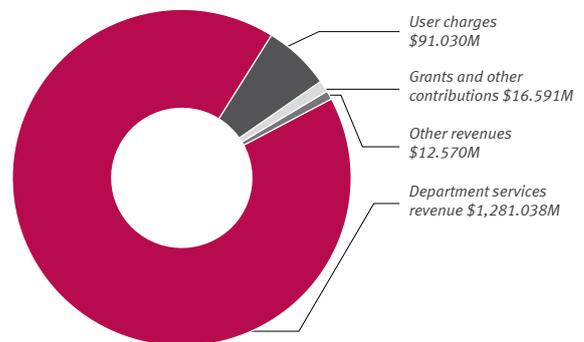
The supplies and services expenditure for 2015–16 was \$445.688 million, an increase of \$5.407 million compared to the adjusted budgeted of \$440.281 million. This increase is primarily due to recognition of additional services received below fair value from other Queensland State Government agencies and additional expenditure associated with the growth in offender numbers which is partially offset by the realignment of funding to meet the operational needs of the department to 2016–17.

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

2015–16 Income by department service area

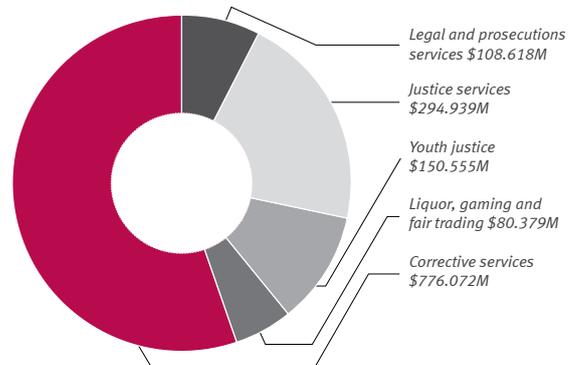


2015–16 Income — where our funds come from

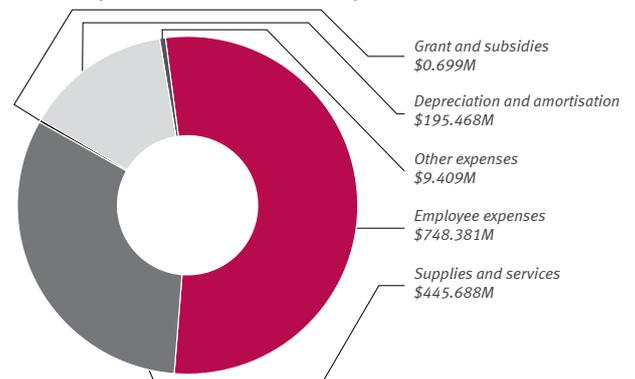


Note: The above graphs do not agree as the income by department service area graph includes inter-department service revenue of \$10.918 million which has been excluded in the income—where our funds come from graph.

2015–16 Expense by department service area



2015–16 Expense — how funds are spent



Note: The above graphs do not agree as the department service area graph includes inter-department service expenditure of \$10.918 million which has been excluded in the expense—how our funds are spent graph.

Assets

At 30 June 2016, the department held assets valued at \$4.105 billion comprising mainly land, buildings and construction work in progress. The department forecast an asset balance of \$4.018 billion for the year. The variance of \$86.773 million is primarily attributed to the increase in the value of land and buildings subject to revaluation, this increase is offset by lower than expected capital expenditure.

Capital acquisitions for 2015–16 were \$43.8 million; the highlight being significant works on the BTCC re-commissioning project. This ongoing project will recommission the facility in stages, on 11 April 2016 the centre was re-commissioned with 95 residential beds open and 153 secure cells were upgraded with safe cell modifications by 30 June 2016.

Projects continuing in 2016–17 include BTCC re-commissioning, Queensland Corrective Services Perimeter Security Upgrade (Stage 2) and Brisbane Youth Detention Centre Security Management System Upgrade program.

Liabilities

As at 30 June 2016, the department had liabilities of \$91.905 million which is \$12.542 million higher than the budget forecast of \$79.363 million. The variance is mainly due to additional appropriation funding received during 2015–16 due to be returned to the consolidated fund.

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 Adjusted Budget published in the State Budget papers 2016–17 Service Delivery Statements. This is consistent with the government's commitment to more transparent financial reporting.

Comparison of actual Income and Expenses against original Adjusted Budget for the year ended 30 June 2016 is provided in the department's 2015–16 financial statements.

Service standards and other measures

Service standards and other measures	Notes	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2015-16 Target/est	2015-16 Actual
Justice Services¹							
Court services							
Supreme Court – Court of Appeal							
Backlog indicator (greater than 24 months)							
» Civil law		0%	0%	0%	3%	0%	3.8%
» Criminal law		0%	0%	0%	0.4%	0%	0%
Clearance rate (finalisations/ lodgments) per cent							
» Civil law	2	98.5%	99.6%	104.2%	75.5%	100%	127%
» Criminal law	3	104.1%	92.8%	101.4%	94.4%	100%	106.6%
Supreme Court – Trial Division							
Backlog indicator (greater than 24 months)							
» Civil law		10.1%	10.1%	7.9%	7.2%	5%	7.6%
» Criminal law		6.4%	10.1%	6.4%	5.3%	5%	2.4%
Clearance rate (finalisations/ lodgments) per cent							
» Civil law		129.2%	112.6%	111.9%	101.7%	100%	103.5%
» Criminal law	4	105.8%	118.4%	89.8%	89.6%	100%	86.7%
District Court							
Backlog indicator (greater than 24 months)							
» Civil law		3%	3.9%	4.1%	4.2%	5%	3.9%
» Criminal law		5.5%	5.4%	4.4%	4.3%	5%	4.8%
Clearance rate (finalisations/ lodgments) per cent							
» Civil law		94.9%	107.4%	95.7%	100.7%	100%	103.2%
» Criminal law	5	104.5%	105.9%	96.8%	96.5%	100%	94.2%
District Court - Appeals							
Backlog indicator (greater than 24 months)							
» Civil law	6	4.4%	10.5%	6.3%	9.8%	0%	9.3%
» Criminal law	7	2.1%	3.7%	1%	4.8%	0%	8.9%

Service standards and other measures	Notes	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2015-16 Target/est	2015-16 Actual
Clearance rate (finalisations/ lodgments) per cent							
» Civil law		109.2%	118.9%	83.8%	91.8%	100%	97.5%
» Criminal law		83.5%	271.9%	87.4%	91.1%	100%	103.5%
Magistrates Court							
Backlog indicator (greater than 12 months)							
» Civil law	8	8%	9.9%	7.2%	10.6%	7.5%	9.4%
» Criminal law	8	11.2%	11.1%	12.2%	13.3%	10.5%	14.1%
Clearance rate (finalisations/ lodgments) per cent							
» Civil law	8	99.9%	97.5%	97.9%	104.8%	100%	102.9%
» Criminal law	8	100.1%	97.5%	95.4%	97.4%	100%	98.4%
Childrens Court							
Backlog indicator (greater than 12 months)							
» Civil law	8	10.7%	8.6%	9.3%	11.3%	8%	11.8%
» Criminal law	8	9.1%	10.9%	9.4%	14.1%	7%	11.1%
Clearance rate (finalisations/ lodgments) per cent							
» Civil law	8	94%	99.2%	103.1%	98.4%	100%	98%
» Criminal law	8	101.1%	106.9%	101.3%	102.4%	100%	110.5%
Coroners Court							
Backlog indicator (greater than 24 months)	9	14.1%	10.2%	11%	12%	5%	13.6%
Clearance rate (finalisations/ lodgments) per cent		106.9%	105%	105%	93%	100%	100.5%
Land Court and Tribunals							
Backlog indicator (greater than 24 months)		26%	37%	21%	9%	10%	7%
Clearance rate (finalisations/ lodgments) per cent		84%	124%	129%	113%	95%	95%
Dispute resolution							
Agreement rate per cent							
» Civil law - mandatory mediations for QCAT	10	-	-	52%	52%	55%	57%
» Civil law – voluntary community mediations	10	84%	85%	83%	89%	85%	88%
» Criminal law		98%	99%	99%	99%	95%	100%
Overall client satisfaction with court ordered conferencing (child protection)							
» Parents	10	-	-	89%	89%	85%	86%
» Professional	10, 11	-	-	96%	98%	85%	97%

Service standards and other measures	Notes	2011–12 Actual	2012–13 Actual	2013–14 Actual	2014–15 Actual	2015–16 Target/est	2015–16 Actual
Percentage of matters finalised within target timeframes							
» Civil mediations (40 days)	12	-	-	-	-	85%	86%
» Criminal mediations (65 days)	12, 13	-	-	-	-	70%	57%
Child protection conferencing (individual conference dates set by the courts)	12	-	-	-	-	95%	99%
Tribunals							
Body Corporate and Community Management							
Percentage of conciliations where an agreement has been reached	12, 14	-	-	-	-	65%	72.8%
Clearance rate (finalisations/ lodgments) per cent	15	103%	98%	101%	99%	95%	102%
Queensland Civil and Administrative Tribunal							
Overall client satisfaction with services provided		-	74%	72%	72%	70%	71%
Clearance rate (finalisations/ lodgments) per cent		91%	109%	106%	109%	100%	100%
Life event registration							
Percentage of accurate registration of life events	16	-	-	-	-	100%	97%
Average time to register life events (days):							
» births	17	6.9	5.2	6.9	7.1	6	4.9
» marriages		5.5	5.7	6.3	5.1	5	4.3
» deaths	18	3	0.04	0.3	1.2	2	2.4
» changes of name	19	15	5.2	6.1	4.2	7	5.8
Average time to issue life event certificates	20	4.1	4	5	4.4	4.5	5.5
Victims of crime assistance							
Percentage of clients satisfied with the overall service:							
» financial assistance	21, 22	96%	84.3%	82.42%	84.5%	75%	88%
» LinkUp	21, 23	98%	97.9%	99%	100%	85%	99%

Service standards and other measures	Notes	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2015-16 Target/est	2015-16 Actual
Average length of time (calendar days) for financial assistance applications to be assessed:							
» interim assessments	24	12	15.50	16.22	15.48	21	21.2
» funeral assessments	24, 25	7	22	9.88	12.63	21	11.2
» general assessments	24, 26	70	74.5	83.75	71.5	90	51.8
» general assessments for secondary and related victims	24, 26	90	102.6	124.58	89.32	140	85.9
Public Guardianship							
Percentage of Community Visitor (adult) sites visited in accordance with the designated visiting schedule		-	-	-	91%	90%	88.7%
Percentage of vulnerable children visited by the Community Visitors (child) in accordance with the designated visiting schedule	27	-	-	-	84%	90%	81%
Percentage of restrictive practice reports submitted by Community Visitors (adult) to QCAT within required timeframe	28	-	-	-	64%	85%	83.2%
Percentage of locally resolvable issues within the scope of Community Visitors (child) resolved at the local level	27, 29	-	-	-	82%	85%	73.7%
Legal and Prosecutions³⁰							
Legal services to government							
Overall client satisfaction with services provided (feedback rating 1-5)	31	4.48	4.05	4.55	4.6	4.0	4.5
Productivity for chargeable hours		101%	104%	97%	96%	100%	98%
Average cost of services per professional author (lawyer)	32, 33	-	-	-	-	\$275,000	\$288,000
Prosecution							
Conviction rate of defendants who are prosecuted on indictment by the ODPP	32, 34	-	-	-	-	75%	90.7%
Percentage of indictments signed in under four months from committal	32	-	-	-	-	60%	62.3%

Service standards and other measures	Notes	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2015-16 Target/est	2015-16 Actual
Youth Justice							
Percentage of orders supervised in the community that are successfully completed:							
» Aboriginal and Torres Strait Islander young offenders		78%	75%	76%	78%	75%	74%
» Other young offenders		86%	80%	82%	83%	85%	84%
» All young offenders		82%	77%	79%	80%	80%	78%
Percentage of youth justice conferencing participants (including the victim) that are satisfied with the outcome							
		98.2%	98%	99%	99%	98%	99%
Rate per 1,000 young people (aged 10-16 years) in detention:							
» Aboriginal and Torres Strait Islander young people	35	3.2	4.05	4.4	3.4	3.7	4.0
» Other young people	35	0.13	0.14	0.16	0.16	0.2	0.1
» All young people	35	0.33	0.39	0.44	0.40	0.4	0.4
Average daily number of young people in detention:							
» Aboriginal and Torres Strait Islander young people	36	86	108	118	109	-	128
» Other young people	36	52	52	62	60	-	58
» All young people	36	137	160	180	169	-	186
Proportion of young offenders who have another charged offence within 12 months of an initial finalisation for a proven offence							
	37	-	-	-	-	70%	71%
Youth detention centre utilisation rate							
	37, 38	-	-	-	-	85%	88%
Liquor, Gaming and Fair Trading							
Fair trading							
Percentage of consumer complaints finalised with a positive outcome							
	39, 40	-	-	-	-	80%	91%
Proportion of licensing applications and registration services processed within timeframes							
	41	90.5%	84.25%	89.56%	91.36%	90%	99%
Percentage of consumer complaints finalised within 30 days							
	39, 42	-	-	-	-	80%	83%

Service standards and other measures	Notes	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2015-16 Target/est	2015-16 Actual
Liquor and gaming regulation							
Proportion of complaint investigations finalised within 3 months	39	-	-	-	-	80%	79.4%
Proportion of licensing applications processed within timeframes	39	-	-	-	-	90%	88%
Corrective Services⁴²							
Custodial							
Escape rate:							
» High security facilities		0	0	0	0	0	0
» Low security facilities	44	0.20	0	0.31	0.82	<0.63	0.90
Assault rate:							
Serious assault (prisoner on officer)	45	0.12	0.07	0.06	0.08	<0.02	0.01
Assault (prisoner on officer)	45	0.60	0.36	0.34	0.25	<0.24	0.90
Serious assault (prisoner on prisoner)	45	1.01	0.63	1.54	1.80	<0.69	2.25
Assault (prisoner on prisoner)	45	3.77	3.35	5.20	5.00	<3.40	7.09
Deaths from apparent unnatural causes:							
» Indigenous prisoners	46, 47	0.06	0	0.05	0.09	0	0.04
» Non-Indigenous prisoners	46	0.03	0.07	0.04	0.02	0	0.04
» All prisoners	46, 47	0.04	0.05	0.04	0.04	0	0.04
Prisoners returning to corrective services with a new correctional sanction within two years (per cent)							
Prisoners returning to:							
» Prison	48	36.1%	38.3%	39.8%	40.9%	<39.8%	39.7%
» Corrective services	48	45.8%	47.1%	48%	49.1%	<48.4%	49.8%
Prisoner employment (per cent)	49	75.5%	72.4%	69.2%	66%	>75%	68.9%
Facility utilisation (per cent):							
» High security facilities	50	90.2%	93.4%	99.6%	106.1%	<95%	115.7%
» Low security facilities	51	53.3%	63.3%	85.1%	77.5%	<95%	82.2%
» All facilities	52	84.9%	89.8%	98.0%	102.8%	<95%	111.7%
Cost of containment per prisoner per day	53	\$205	\$190	\$180.29	\$177.86	\$194	\$177.26
Proportion of prisoners who are Indigenous		29.5%	30.6%	31.5%	31.9%	<30%	32.5%

Service standards and other measures	Notes	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2015-16 Target/est	2015-16 Actual
Probation and parole							
Proportion of offenders who are Indigenous		22.3%	22.5%	23.3%	23.2%	>20%	23.4%
Percentage of successfully completed orders:							
Supervision orders		71.1%	70.9%	71.1%	69.6%	>68%	72.6%
Reparation orders		74.7%	81.2%	83.5%	81.6%	>68%	83.1%
All orders		72.6%	75.7%	77.3%	75.6%	>68%	77.7%
Offenders discharged from community corrections orders who returned with a new correctional sanction within two years (per cent) Offenders returning to:							
» community corrections	54	11.9%	11.4%	12.1%	12.2%	<11.9%	15.8%
» Corrective services	54	16.3%	15.7%	17.5%	17%	<16.8%	21.7%
Cost of supervision per offender per day		\$13.78	\$13.64	\$13.21	\$14.01	\$15	\$12.69
Correctional intervention							
Program completions:							
» Sex offender programs	55	373	411	441	395	380	409
» Community reintegration	55	3,835	3,741	3,754	3,877	3300	4,038
Other programs	55	1,171	1,298	1,620	1,691	1600	2,762
Prisoners in education (per cent)	56	26.5%	24.5%	26.4%	27.9%	32%	35.6%
Financial value of work performed in the community by prisoners from low security facilities	57	\$3.2 million	\$3.5 million	\$5.5 million	\$5.7 million	>\$3 million	\$6.4 million
Financial value of community service work performed (court ordered)	57	\$6.2 million	\$6.3 million	\$7.0 million	\$7.5 million	>\$6.2 million	\$8.4 million

Notes

Justice Services

1. This new service area combines the previous Criminal and Civil Justice service area with the Human Rights Protection service area to accurately reflect the broader outcomes delivered by Justice Services.
2. A decrease in lodgments of 21.3 per cent compared to last year, combined with an increase of 34.2 per cent in finalisations, resulted in a higher than expected clearance rate. The progression of matters to finalisation depends on the readiness of parties to proceed and the complexity of the litigation which is not entirely within the court's control.
3. While lodgments increased by 19.9 per cent compared to last year, finalisations increased by 35.3 per cent, resulting in a higher than expected clearance rate. This variance is based on a small number of matters and is therefore subject to fluctuation.
4. The court has no control over of lodgments, which continued to increase. There was a 35 per cent increase in lodgments compared to last year. While finalisations increased by 30.6 per cent over the same period, the greater increase in lodgments resulted in the clearance rate target of 100 per cent not being reached.
5. There was a 6 per cent increase in lodgments in 2015–16. While finalisations increased by 3.3 per cent during the same period, the greater increase in lodgments resulted in the clearance rate target of 100 per cent not being reached.
6. There were only five civil appeals greater than 24 months old from date of lodgment. The variance is based on a small number of appeals and is therefore subject to fluctuation.
7. There were only 21 criminal appeals greater than 24 months old from date of lodgment. The variance is based on a small number of appeals and is therefore subject to fluctuation.
8. Performance results for 2014–15 have been amended to reflect updated end of year data.
9. This result is due the number of cases awaiting the outcome of prosecution. Coroners are required to wait for outcomes of investigative processes (for example, workplace health and safety investigations) and criminal proceedings before proceeding to inquest.
10. In 2015–16, the target for this measure was increased to reflect ongoing positive results.
11. This positive result reflects the quality of the services provided to professionals and that the conferences are productive and being run impartially.
12. This was a new measure in 2015–16.
13. This result was due to unplanned vacancies in positions which are now filled. While the timeframe lengthened, the quality of mediation remained high with 100 per cent reaching agreement. The department's Internal Audit Unit has commenced a performance audit of the criminal mediation program. Findings will be considered, which may drive improvements in future performance.
14. The conciliation manager and case managers continued to work together to ensure applicants focused on what they wanted to achieve, managed the expectations of clients and therefore assisted conciliators in facilitating resolutions. Recruitment of new conciliators and professional development of staff also contributed to this positive outcome.
15. The Office of the Commissioner for Body Corporate and Community Management continued to refine its processes and improve service delivery, which resulted in improvement to its overall clearance rates for both conciliation and adjudication applications.
16. This was a new measure in 2015–16.
17. The implementation of online registration continued to impact favourably on service delivery timeframes. The Registry of Births, Deaths and Marriages (BDM) expects this trend to continue in 2016–17. The target will remain at six days as an additional planned compliance check will be introduced in 2016–17.
18. Inaccurate reporting in prior years resulted in this measure exceeding last year's target and as a result BDM will consider increasing the target for this measure from two days to three days in the department's 2017–18 Service Delivery Statement.
19. This positive variance was a result of a minor structural change and additional training completed throughout the year. BDM will continue to monitor this measure to ensure that resources allocated are optimised without impacting on benchmarks.
20. This variance was influenced by a number of certificate applications which were non-compliant (i.e. did not contain all information or supporting documentation) and were therefore unable to be issued. Issuing of these certificates is dependent on third parties to provide information. BDM continues to invest in a range of reporting tools,

system enhancements and follow up processes aimed at ensuring non-compliant applications are identified and finalised earlier. While some of these enhancements have been implemented, the results will not be realised until 2016–17. BDM anticipates the result for this measure will be 4.5 days by the end of quarter 1, 2016–17, therefore meeting the target.

21. This measure has been discontinued in the *2016–17 Department of Justice and Attorney-General Service Delivery Statement* (2016–17 DJAG SDS) and has been replaced by a new measure that combines financial assistance and LinkUp services which more accurately reflects current service delivery models. The new combined measure will replace the discontinued measure in the *2016–17 Department of Justice and Attorney-General Annual Report* (2016–17 DJAG Annual Report). This discontinued measure will not be reported in the 2016–17 DJAG Annual Report.
22. This positive result was achieved through effective and efficient financial assistance services to clients.
23. This positive result was achieved through the delivery of responsive customer service to clients and comprehensive staff training.
24. The target for this measure has been amended for 2016–17 to reflect a more accurate indication of efficiency.
25. This result is due to the high prioritisation of funeral assessments. The average time taken to conduct assessments for funeral assistance can vary due to the relatively small number of applications and the need to seek information from other sources regarding the cause of death. At times, it can take some months to receive this information.
26. VAQ have implemented a number of processes that have had an ongoing positive effect on efficiency which have resulted in improved client service and provision of timely financial assistance.
27. Due to the casual and regional nature of the Community Visitor role, recruitment and retention of staff continues to influence performance results. Recruitment strategies continue to be implemented to address this issue. Strategies have also been implemented to ensure ongoing contact with children, carers, the Department of Communities, Child Safety and Disability Services and other stakeholders.
28. This measure has been discontinued for the purposes of the 2016–17 DJAG SDS as it was originally transitioned from the former Commission

for Children and Young People and Child Guardian and does not reflect the oversight model of OPG. This measure will continue to be reported in regular internal operational reporting, but will not be reported in the 2016–17 DJAG Annual Report.

29. This measure has been discontinued for the purposes of the 2016–17 DJAG SDS as it was not an effective measure of efficiency due to the impact of factors outside the control of the OPG. This measure will not be reported in the 2016–17 DJAG Annual Report.

Legal and Prosecutions

30. This new service area includes prosecution services provided by the Office of the Director of Public Prosecutions (ODPP) in the previous Legal Service area, together with legal services to Government (Crown Law) and justice policy services.
31. This positive result has been achieved through a robust client relationship framework, investing in business improvement initiatives and reviewing staff capability frameworks including learning and development opportunities.
32. This was a new measure in 2015–16.
33. This measure was discontinued for the purposes of the 2016–17 DJAG SDS and will not be reported in the 2016–17 DJAG Annual Report. This measure has been replaced by a better efficiency measure of ‘average revenue earned per day, per professional author’.
34. A high conviction rate demonstrates the ODPP has the expertise to appropriately deal with matters referred for prosecution and therefore meet its obligations to the community of Queensland.

Youth Justice

35. This measure has been discontinued for the purposes of the 2016–17 DJAG SDS as the number and rate of young people in detention are not necessarily reflective of Youth Justice’s effectiveness, as performance is impacted by multiple factors, many of which are outside the control of Youth Justice. These include social and economic factors, policing practices and court decision making. This measure has been replaced with ‘Rate per 10,000 young people (aged 10–16) in detention – sentenced

detention, remanded in custody'. Youth Justice continues to monitor the rate per 100,000 young people in detention aged 10–17 years by Indigenous status, as reducing the over-representation of Aboriginal and Torres Strait Islander youth in detention is an integral focus for Youth Justice. The discontinued measure will continue to be published by the Australian Institute of Health and Welfare in the annual Report on Government Services, but will not be reported in the 2016–17 DJAG Annual Report.

36. This measure has been discontinued for the purposes of the 2016–17 DJAG SDS as the number and rate of young people in detention are not necessarily reflective of Youth Justice's effectiveness, as performance is impacted by multiple factors, many of which are outside the control of Youth Justice. These include social and economic factors, policing practices and court decision making. This measure has been replaced with 'Rate per 10,000 young people (aged 10–16) in detention – sentenced detention, remanded in custody'. Reducing the over-representation of Aboriginal and Torres Strait Islander youth in detention is an integral focus for Youth Justice and the rate per 100,000 young people in detention aged 10–17 years by Indigenous status will continue to be reported in the annual Report on Government Services. It will not be reported in the 2016-17 Annual Report.
37. This was a new measure in 2015–16.
38. As youth detention centres must make provision for separately detaining varying cohorts of young people (e.g. boys and girls, different age groups, risk factors), an operating capacity of 85 per cent or less is considered best practice for safe and secure management of these young people. Increased numbers of young people held in custody during 2015–16 resulted in periods when the detention centres exceeded safe operating capacity. Youth Justice employs a number of short, medium and long-term strategies to respond to population increases, plan for projected future demand and ensure the ongoing safety of both young people and staff at youth detention centres.

Liquor, Gaming and Fair Trading

39. This was a new measure in 2015–16.
40. This measure reports the effectiveness of the Office of Fair Trading's (OFT) response to consumer complaints. Complaints are matters affecting or likely to affect the interests of consumers. Where no breach of legislation is detected, OFT undertakes conciliation between the parties. However, obtaining a satisfactory outcome on a complaint is dependent upon the willingness of the consumer and trader to agree on an acceptable resolution. The percentage

of complaints finalised with a positive outcome may vary depending on the types of complaints on hand. This positive outcome reflects on the OFT's commitment to respond to consumer complaints and achieve positive outcomes for consumers and traders.

41. This positive result reflects efficiency gains from recent online service initiatives and an internal process review. Performance will likely return closer to the target figure in future years as an increase in demand for services is anticipated.
42. This measure reports the responsiveness of the OFT to consumer's complaints. The OFT attempts to resolve conciliated complaints within 30 days.

Corrective Services

43. This new service area amalgamates the previous service area of Custodial and Probation and Parole, with a new Correctional Intervention service to form the new Corrective Services service.
44. Escape risks from low security facilities is managed through a thorough assessment of prisoners to determine suitability before transfer to these facilities. Queensland Corrective Services (QCS) continues to enforce strict requirements to be assessed as suitable for low custody.
45. QCS works closely with the Queensland Police Service (QPS) and encourages the reporting of all incidents of assault for investigation. QCS will continue to monitor both the frequency and the penalties handed to the perpetrators of assault. During 2013–14, QCS developed a staff safety action plan called "Staying Safe". The Staying Safe Action Plan is aimed at continuous improvement in delivering a safe workplace for staff—with a zero tolerance for violence—in both the custodial and probation and parole environments. QCS is also responding to the increase in prisoner assaults by increasing out of cell activity, increasing the use of behaviour management strategies, including implementing specialist management units, intensive management plans and a maximum security orders, and monitoring of 'hot spots' for prisoner violence.
46. One of Queensland's primary corrective services objectives is to provide a safe, secure and humane custodial environment with a focus on the rehabilitation of offenders. When a death occurs, the QPS, officers in the Corrective Services Investigation Unit (CSIU), the State Coroner and the Chief Inspector QCS, conduct a full investigation into the circumstances of each death. Recommendations as a result of investigations into deaths in custody are taken into account when designing and/or upgrading QCS facilities. Strategies, including risk assessments,

observations and placement considerations, are also implemented to identify and manage prisoners at risk of self-harm and/or suicide.

47. Performance results for 2013–14 have been amended to reflect a 2016 Coroner's report which determined that a prisoner who died in custody in 2013–14 died from unnatural causes. The cause of death was previously reported as apparent unknown causes.
48. The 2015–16 results are a measure of all prisoners released from prison in 2013–14 following a term of sentenced imprisonment and then returned with a new correctional sanction within two years of discharge. Returns to corrective services include return to a prison sentence or a community corrections order.
49. This measure combines participation in commercial industries which employ prisoners operating on a commercial fee-for-service basis and service industries which employ prisoners to maintain the self-sufficiency of the correctional system, as well as prisoners involved in community projects and other unpaid work. Participation in prison industries provides prisoners with the opportunity to acquire vocational skills and contributes to their ability to gain and retain employment upon release. The percentage of prisoners employed is defined as the number of prisoners employed as a percentage of those eligible to work. Those prisoners unable to participate in work programs because of full-time education, ill health, age, or other reasons, are excluded.
50. The utilisation rate for high security facilities averaged 115.7 per cent for the reporting period – with an average of 6,858 prisoners accommodated in secure custody and an average built cell capacity (for secure centres) of 5,929 cells. The full year result is significantly above the target rate of less than 95 per cent.
51. The utilisation rate for low security facilities averaged 82.2 per cent for the reporting period – with an average of 664 prisoners accommodated in low custody and an average built bed capacity (for low security centres) of 807 built beds.
52. The full year utilisation rate for all facilities averaged 111.7 per cent, significantly exceeding the 2015–16 target/estimate of less than 95 per cent.
53. For 2015–16, the Report on Government Services measure of net cost per prisoner per day has been amended to exclude prisoner health costs incurred by corrective services. The majority of prisoner health costs are incurred by Queensland Health who is responsible for the delivery of health services in publicly operated correctional centres. The

figures for previous financial years have not been retrospectively amended to exclude health costs.

54. The 2015–16 results refers to offenders who were discharged in 2013–14 after serving a direct-from-court order (excluding post prison orders such as parole or licence) administered by community corrections, and then returned with a new correctional sanction within two years of discharge. Returns to corrective services include a return to prison sentence or a community corrections order.
55. This is a measure of the number of programs completed by offenders to reduce their risk of re-offending. Program targets are developed based on demand, resource availability and business practice. Programs and community reintegration deliver activities that support prisoners to desist from further offending, enhancing community safety. Sex offender programs include preparatory, medium, high and maintenance programs for sexual offenders. Community reintegration includes delivery of support and assistance to prisoners. Other programs include drug and alcohol interventions.
56. The percentage of eligible prisoners participating in education is defined as the number of prisoners participating in one or more accredited education and training courses under the Australian Qualifications Framework, as a percentage of those eligible to participate (i.e. excluding those unable to participate for reasons of ill health, or other reasons). Education figures do not include participation in non-accredited education programs or a range of offence-related programs that are provided in prisons, such as drug and alcohol programs, psychological programs, psychological counselling and personal development courses.
57. In 2015–16, 354,792 hours of court ordered community service was completed. A further 271,529 hours of community service was completed by prisoners from low security facilities. The financial value of work performed in the community by prisoners from low security facilities and court ordered community service work is representative of making offenders accountable and providing reparation to the community as part of their rehabilitation. The result is influenced by the availability of suitable community service projects. QCS assesses the suitability of prisoners and offenders for a range of work sites to ensure placements are suitable and maximise the work performed.



CROWN LAW ANNUAL REPORT



Message from the CROWN SOLICITOR

Reflecting on the past 12 months, I continue to marvel at the level of dedication and expertise in Crown Law. 2015–16 was no exception with several significant legal matters demanding the full attention of the practice.

Almost all of Crown Law's 223 legal and non-legal staff assisted with a commission of inquiry at one time or another over the past 12 months. Our involvement in the Barrett Adolescent Centre Commission of Inquiry required the support of more than 100 lawyers in addition to a significant number of support staff to meet deadlines with regard to disclosure, witness statements and providing evidence.

Crown Law was also engaged to represent the State before the Royal Commission into Institutional Responses to Child Sexual Abuse. Under the leadership of Senior Deputy Crown Solicitor, Tony Keyes, Crown Law coordinated the State's representation before the Commission. My thanks and gratitude are extended to all members of the Crown Law team who supported these historical and very significant inquiries.

Crown Law played a key role in the establishment of the new statutory authority, the Director of Child Protection Litigation. This new authority has been set up within the Department of Justice and Attorney-General to manage child protection matters on behalf of the State. Crown Law assisted from the outset in establishing the office, including recruitment, IT support and developing their online presence.

Our practice continues to support and inform the Government through our comprehensive training program. In the 2015–16 year, our lawyers presented 51 events for clients, including a series of training workshops on statutory interpretation which has attracted unprecedented demand at all levels of government.

The highlight of our events calendar for the year was our annual Crown Law Legal Conference. This event was a great success. We received very positive feedback from officers across various government departments who attended. Our practice maintained a positive financial position, even exceeding some targets for the period. Our quarterly Client Satisfaction Surveys continued to show high levels of client satisfaction and excellent performance in key areas of service delivery. The results of our performance during the past 12 months have placed us in a strong position to begin 2016–17.

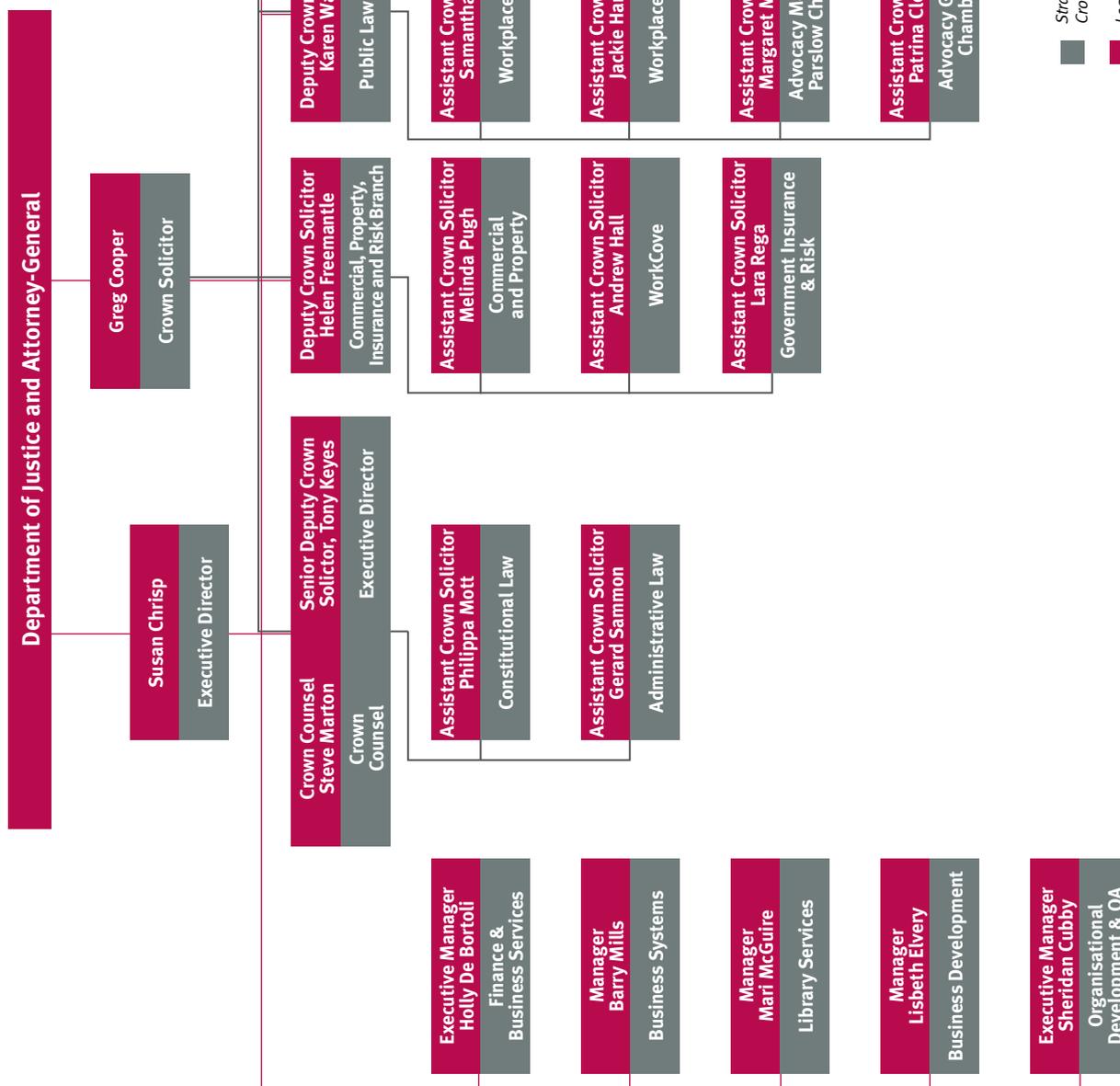
Our achievements and progress in recent years have provided us with the opportunity to refine our strategic planning to a greater level of focus and a higher standard of quality in all areas. In the coming year, we will target a number of areas aimed at affirming our position as an exemplary law firm and employer.

Finally, I would like to acknowledge and thank our clients. Their support, trust and input are vital components to our business.

GR Cooper
Crown Solicitor

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About Crown Law

Crown Law’s extensive pool of experienced lawyers advises and represents the Queensland Government in all areas of law affecting the public sector and the State of Queensland. We operate as a self-funded business unit of the Department of Justice and Attorney-General, providing legal services to Queensland Government only.

Working exclusively for Queensland Government means all Crown Law’s resources and skills are focused on the government’s priorities and legal needs. Our clear understanding of the environment in which departments and agencies operate is enhanced by the fact that we too are part of the Queensland State Government.

While Crown Law is the government’s own legal unit, departments and agencies are not obliged to use our services for certain categories of law. Law firms in the private sector can also provide services to Queensland Government which means Crown Law competes for this business. What legal services can and cannot be offered by the private sector are determined by the Cabinet document entitled *Principles and Categories of Tied Legal Work*.

Crown Law manages thousands of legal matters every year, many of which are complex, sensitive and involve multiple agencies. We advise State Government departments and agencies on the key policy areas of health, education, transport, infrastructure and mining.

One of our most important roles is to assist the Attorney-General in significant civil and criminal legal matters before the State’s courts, extending to the High Court of Australia.

Our services

After 155 years serving the legal needs of the Queensland State Government, our practice continues to provide advice and representation on the areas of law that government needs.

Crown Law revolves on the legal needs of our clients. Our lawyers are versatile — teams are created and moved within the practice to cater for demand. This occurs seamlessly, with uninterrupted client service. We are always ready, with a range of skills and advanced case management systems at hand, to support clients with their legal matter — from quick advice to commissions of inquiry.

Crown Law provides commissioned legal advice and representation exclusively to Queensland Government departments and agencies. Areas of legal expertise in Crown Law include:

- » Administrative law
- » Advocacy
- » Anti-discrimination
- » Commissions of Inquiry
- » Constitutional law
- » Corporate and commercial
- » Debt recovery
- » Dispute resolution
- » Employment law
- » Health law
- » Information and Communications Technology
- » Insurance and risk
- » Intellectual property
- » Native title
- » Property law
- » WorkCover
- » Attorney-General and Solicitor-General legal support.

Our organisation

Vision, purpose, values

Crown Law's vision, purpose and core values provide the foundation for a dynamic, refocused and more efficient government legal practice.

Vision

Crown Law will be the Queensland Government's first choice by being the best provider of legal services.

Purpose

Crown Law's purpose is to protect and support government in the public interest.

Values

- » Integrity – absolute impartiality and honesty
- » Excellence – total attention to detail, consistency and client needs
- » Respect – treating people as you would want to be treated
- » Responsibility – everyone taking responsibility for their own work and doing their best.

These values are embedded in the practice's professional culture, providing the foundation for a dynamic, focused and efficient government legal practice, providing exemplary service from legal and non-legal branches.

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Organisational structure

The Crown Solicitor is the most senior officer in Crown Law with the Executive Director being responsible for the day-to-day business operations of the practice.

Crown Law has four legal branches, each led by a Senior Deputy Crown Solicitor or a Deputy Crown Solicitor. Within these branches are team leaders known as Assistant Crown Solicitors who head our 12 legal teams.

In addition, Crown Law has a dedicated corporate services branch, known as the Practice Management Branch (PMB), which includes five teams, each led by a manager.

Leadership

The Strategic Leadership Team (SLT) comprises of six senior Crown Law executives:

- » the Crown Solicitor
- » Executive Director
- » Senior Deputy Crown Solicitor, and
- » three Deputy Crown Solicitors.

The SLT is responsible for developing and implementing short and long-term business strategies for Crown Law and ensuring the continued delivery of high-quality legal services to our clients across Queensland Government.



Greg Cooper

Crown Solicitor

Greg has accumulated a wealth of experience over three decades practising in public law, common law and constitutional law. He was appointed Queensland's 22nd Crown Solicitor in 2008. Greg has extensive expertise in complex and specialised areas of law with particular impact on government departments and agencies, particularly State and Commonwealth constitutional law and administrative law.

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Susan Chrisp

Executive Director

Susan is among our longest-serving senior officers, having joined the Department of Justice and Attorney-General in 1993. Susan has held a number of varied roles across Queensland Government.



Tony Keyes

Senior Deputy Crown Solicitor
Constitutional and Administrative Law Branch

Tony leads Crown Law's Constitutional and Administrative Law Branch. He has a wide knowledge of government law affecting the State of Queensland and is widely recognised for his expertise and wisdom in coordinating and advising on complex whole-of-government matters.



Helen Freemantle

Deputy Crown Solicitor
Commercial, Property, Insurance and Risk Branch

Helen is a highly skilled and experienced legal adviser, proficient in dealing with complex and multi-faceted legal issues from a whole-of-government perspective.



Peter Dwyer

Deputy Crown Solicitor
Native Title, Resources and Dispute Resolution Branch

Peter leads Crown Law's Native Title, Resources and Dispute Resolution Branch. He is a highly experienced government lawyer with expertise across a range of legal practice areas including commercial and contract law, property law, corporate governance, dispute resolution, native title and resources law.



Karen Watson

Deputy Crown Solicitor
Public Law Branch

As the Deputy Crown Solicitor of Crown Law's Public Law Branch, Karen is responsible for four legal teams and is a member of Crown Law's Strategic Leadership Team.

Legal branches and teams

Constitutional and Administrative Law Branch

Constitutional Law Team

Crown Law's Constitutional Law Team has significant experience in advising clients in the area of constitutional law and addressing complex questions involving statutory interpretation.

The team provides a broad range of legal services, which include:

- » state constitutional statutes and constitutional conventions
- » advising on complex questions of statutory interpretation
- » advising on complex constitutional law issues (State and Commonwealth)
- » advising the Attorney-General on intervention in constitutional litigation
- » providing support to the Solicitor-General when he represents the state in litigation and provides advice on significant matters
- » advising on whether draft legislation, if enacted, will be valid and will meet the client's requirements
- » advising the Attorney-General in relation to matters involving judicial officers, and
- » advising in relation to issues involving Cabinet and Parliament.

This team works closely with the Crown Solicitor and Crown Counsel and is the contact for clients seeking the Solicitor-General's advice on significant matters.

Administrative Law Team

The Administrative Law Team has broad experience in the application and operation of administrative law in the public sector, particularly the *Judicial Review Act 1991* and the *Right to Information Act 2009*.

The team provides expert legal advice dealing with administrative law generally and statutory interpretation issues, as well as representation in litigation commenced to challenge decisions made under the various Queensland statutes. The matters undertaken within the Administrative Law Team include:

- » advice and representation in matters involving the *Judicial Review Act 1991*
- » advice and representation in matters involving the *Right to Information Act 2009* and the *Information Privacy Act 2009*
- » representation in administrative law appeals, and
- » representation in applications for non-party disclosure and subpoenas.

Public Law Branch

Workplace Law Team

This team provides legal services on all aspects of employment and workplace relations, including those areas of practice which are unique to government.

The legal services offered by the Workplace Law Team include:

- » advising agencies on policies and risk management
- » providing representation and advice in cases involving discrimination, sexual harassment and workplace bullying
- » advising government agencies on their statutory powers and functions
- » drafting and advising on all aspects of employment contracts, from appointment through to discipline and termination, including dispute settlement and representation
- » advising and representing the State in unfair dismissal cases
- » advising on industrial relations matters
- » advising clients about workplace health and safety matters, and
- » acting for government employers in WorkCover appeals and applications for review concerning psychological injuries, including applications to intervene.

Advocacy Chambers

Crown Law's Advocacy Chambers provide representation for agencies and advise on the conduct of activities of professional, administrative, industrial and disciplinary boards and tribunals.

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The chambers are divided into two specialist areas — Mackenzie Parslow Chambers and Galligan Chambers.

Lawyers in Mackenzie Parslow Chambers specialise in:

- » coronial inquiries
- » dangerous prisoners (sexual offenders) matters
- » family law, and
- » Hague Convention.

Galligan Chambers comprises court-going advocates, barristers, solicitors and associated support staff with expertise in:

- » disciplinary proceedings
- » coronial inquiries
- » statutory prosecution
- » youth justice matters, and
- » the Mental Health Court.

Native Title, Resources and Dispute Resolution Branch

Commercial Dispute Resolution Team

The Commercial Dispute Resolution Team provides advice and representation in all courts on matters including commercial disputes, claims for damages alleging negligence, claims alleging breaches of the Australian Consumer Law under the *Competition and Consumer Law Act 2010*, compensation claims under the *Land Titles Act 1994* and injunctions. They also specialise in alternate dispute resolution and have successfully participated in numerous mediations and without prejudice conferences.

The team provides legal services on all aspects of commercial and general litigation issues including:

- » commercial and contractual disputes
- » injunctive relief
- » trade practices breaches
- » consumer credit breaches
- » land title issues
- » debt recovery and insolvency
- » land fraud claims
- » misfeasance allegations
- » trespass claims
- » negligence claims, and
- » alternate dispute resolution.

Native Title

Crown Law's native title practice comprises two teams — the Native Title and Resources Team and the Native Title Claims and Agreements Team.

The lawyers within these teams have specific experience and expertise in:

- » native title determination applications filed in the Federal Court
- » negotiating and drafting Indigenous Land Use Agreements
- » advising on the extinguishment of native title and the application of the *Native Title Act 1993* (Cth)
- » advising on the operation of mining and petroleum legislation
- » advising on native title issues relating to proposed legislation
- » advising on native title issues relevant to major infrastructure projects
- » proceedings in the Federal Court for review of registration test decisions
- » proceedings in State or Federal courts and tribunals relating to native title and resources law, and
- » right to negotiate and other proceedings in the National Native Title Tribunal.

Commercial, Property, Insurance and Risk Branch

Commercial and Property Team

The Commercial and Property Team provides advice on all aspects of commercial and contract law, intellectual property, information technology and communication and property law.

Lawyers in the Commercial and Property Team specialise in drafting documents for and advising on:

- » contracts for state agencies and state-controlled entities in a commercial context
- » government funding contracts
- » tender and procurement processes
- » consultancy contracts
- » standing offer arrangements
- » structuring, regulatory and governance issues for existing, and proposed government entities, such as statutory bodies and State-owned or controlled companies
- » trade practices issues
- » intergovernmental agreements
- » taxation and public sector finance
- » information privacy
- » charities and trusts
- » copyright, Crown copyright, trade marks, patents, designs and confidential information
- » information technology, internet and e-commerce transactions and advice
- » commercial dealings with intellectual property, including assignments, licenses, consultancy and research and development agreements
- » formation and management of contracts under the Government Information Technology Contracting (GITC) Framework including major ICT procurement projects
- » major infrastructure projects including roads, toll roads, busways, hospitals, port and marine facilities and state development areas
- » commercial and retail leases and residential tenancies
- » easements, licences and statutory covenants
- » dealings with Crown land including reserves and various forms of tenure under the *Land Act 1994*
- » dealings with freehold land under the *Land Title Act 1994*
- » commercial and property aspects of Indigenous Land Use Agreements
- » Conservation Agreements and other authorities under the *Nature Conservation Act 1992*
- » conveyancing and title correction
- » resumption and compensation agreements, and
- » infrastructure agreements under the *Sustainable Planning Act 2009* and land development projects.

WorkCover

Crown Law’s WorkCover Team provides legal services to WorkCover Queensland as they relate to common law workers’ compensation claims. These include claims on behalf of Emergency Services personnel such as police, corrective services, ambulance and fire officers, as well as claims arising from incidents at building sites, in national parks and at schools. They also specialise in handling psychiatric injury claims arising from bullying and harassment, trauma, excessive workloads and asbestos exposure.

Matters that the team deal with on a regular basis include:

- » conducting complex civil proceedings
- » dispute resolution including negotiating settlements, conducting conferences and mediations
- » conducting and preparing for complex trials in all jurisdictions, and
- » identification and evaluation of risk management in personal injuries litigation.

Government Insurance and Risk

The Government Insurance and Risk Team has conducted the majority of personal injury claims against the State of Queensland. Lawyers across these two teams advise on:

- » personal injury
- » public liability
- » transport infrastructure and development litigation
- » dispute resolution
- » risk management
- » insurance, and
- » medical negligence.

Practice management

The Practice Management Branch (PMB) provides a range of corporate services and business systems in its role as the support branch of Crown Law. Its objective is to ensure administrative and support functions are streamlined and are efficiently managed to allow our lawyers to focus on their core business.

PMB is led by the Executive Director and comprises of the following teams:

- » finance and business services
- » business systems
- » business development
- » organisational development and quality assurance, and
- » library services.

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.

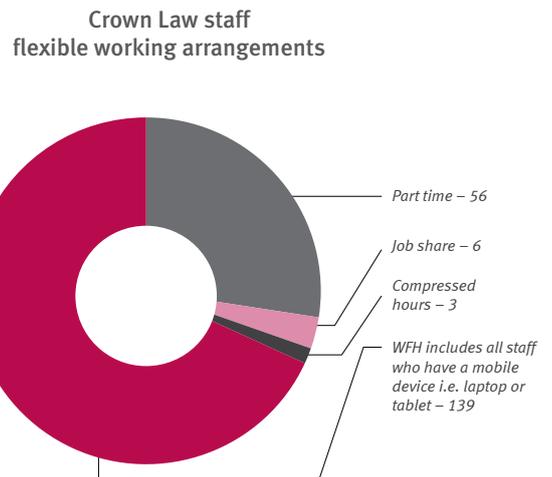
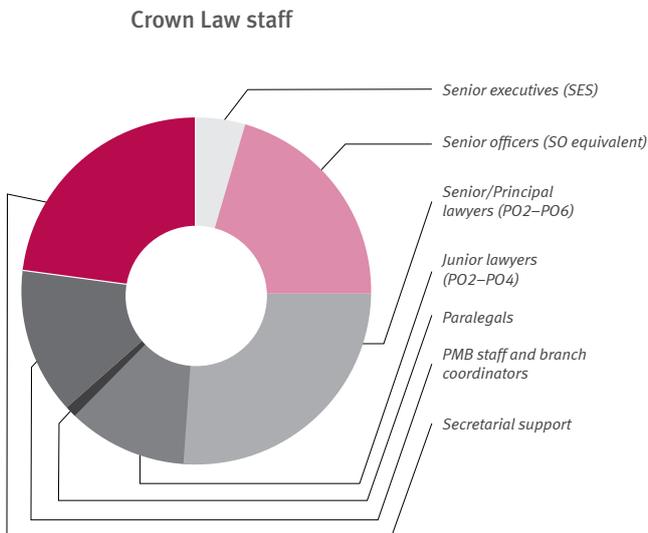
Crown Law's success is driven by our committed and dedicated staff, who maintain focus on excellent client service.

Crown Law has 140 legal officers with 53 secretarial support staff. In addition, there are 30 staff across five teams in the Practice Management Branch providing support in 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. Crown Law offers various work/life balance arrangements such as telecommuting, part time, job share arrangements or compressed hours to staff at all levels of the practice.



Among the 47 officers to receive a Crown Law Excellence Award in 2015–16 were (from left) Senior lawyer, Samantha Amos and Lawyers, Patrick Molomby and Alexandra Atanasov. Presenting the awards were the Director-General of the Department of Justice and Attorney-General, David Mackie and Crown Solicitor, Greg Cooper. The awards were held in the Banco Court in the QEII Courts of Law Complex, George Street, Brisbane.



Our clients

Client Service Charter

Crown Law’s Client Service Charter identifies your responsibilities to our clients. In addition to our vision, purpose and core values, the Client Service Charter sets out our commitment to consistently provide excellent client service that is:

- » accessible
- » accurate
- » timely and responsive
- » solution focused
- » value for money, and
- » commercially attuned.

Client Management Framework

We are committed to providing the highest quality service to our clients, as set out in our Client Service Charter.

Our key clients are those departments/agencies that use Crown Law to handle a large number of matters each year, and with whom we have built strong and mutually-beneficial working relationships.

Crown Law’s Client Management Framework requires Client Relationship Managers (CRM) to identify opportunities, resolve issues and ensure a consistently high level of service.

Client Relationship Managers

CRMs are usually at the Assistant Crown Solicitor (ACS) level or higher and are allocated at least one key client. The CRM role is designed to be a single point of contact, on behalf of all of Crown Law, for that client.

The key responsibility of a CRM is to ensure a consistently high level of client service.

Significant matters

Barrett Adolescent Centre Commission of Inquiry

Crown Law assisted with the Barrett Adolescent Centre Commission of Inquiry with regard to disclosure, interviewing witnesses, taking witness statements and providing evidence.

At various stages, Crown Law had more than 100 lawyers involved in the Inquiry, along with a significant number of support staff, to meet the required time frames.

The inquiry investigated the closure of the Barrett Adolescent Centre in January 2015 and the subsequent deaths of three teenagers.

The Commissioner, the Honourable Margaret Wilson QC, presented her report to the Queensland Premier on 24 June 2016.

Royal Commission into Institutional Responses to Child Sexual Abuse

The Royal Commission into Institutional Responses to Child Sexual Abuse was commissioned to investigate how institutions such as schools, churches, sports clubs and government organisations have responded to allegations and instances of child sexual abuse.

In February 2013, Crown Law was engaged by the Department of the Premier and Cabinet to represent the state before the Royal Commission. Senior Deputy Crown Solicitor, Tony Keyes and Senior Lawyer, Ben Cramer provided representation for the state's whole-of-government response at public hearings into the experience of former students of Brisbane Grammar School and St Paul's School in Brisbane (Case Study 34); and into the experiences of survivors of child sexual abuse in an institutional context in the criminal justice system as complainants against an accused who was the subject of allegations by more than one complainant (Case Study 38).

In addition, Crown Law continued to coordinate state representation before the Commission. A number of officials represented the state at private and public roundtables, including in relation to criminal justice issues, witness assistance services, Director of Public Prosecution complaints and oversight, making organisations child safe and adult sex offender treatment programs.

The Royal Commission's report on redress and civil litigation was released on 14 September 2015. The Royal Commission also published a number of individual investigation reports and consultation papers. Its final report is due at the end of 2017.

Queens Wharf Casino

Crown Law advised and assisted the Office of Liquor and Gaming Regulation in relation to various aspects of the casino agreement for the Queens Wharf project, under the *Casino Control Act 1982* and the *Queens Wharf Brisbane Act 2016*, as well as the proposed casino licence for the Queens Wharf project.

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Ellison v State of Queensland (Department of Health – Queensland Ambulance Service) [2015] QIRC 191

Crown Law successfully represented the Queensland Ambulance Service (QAS) in an application for reinstatement brought by a former employee who had been dismissed for misconduct.

The misconduct involved allegations of inappropriate text messaging to a junior female employee after a work function and touching the junior female employee on the buttocks, in breach of the QAS Sexual Harassment Policy and the Code of Conduct for the Queensland Public Service.

On 9 November 2015, Industrial Commissioner Black held that the decision made by the decision maker to substantiate the allegations in relation to the above conduct was clearly open on the evidence before the decision maker, and on the evidence adduced in the proceedings.

Commissioner Black went on to say that the more substantial decision to be made was the determination of disciplinary penalty.

Having considered the decision maker's evidence that he had assiduously canvassed the viability of disciplinary options other than termination of employment, Commissioner Black concluded that the decision taken to terminate the applicant's employment was reasonably open on the material and on the balance of probabilities. Commissioner Black was not persuaded that the dismissal was harsh, unjust or unreasonable.

Scott Gorringe & Ors on behalf of Mithaka People v State of Queensland & Ors

On 27 October 2015, Justice Rangiah of the Federal Court of Australia made a determination of native title, by consent, recognising the non-exclusive native title rights of the Mithaka People in far western Queensland. The Mithaka determination recognises the continuing existence of native title rights and interests over 33,840 sq. km between Birdsville and Windorah and is one of the largest determinations made in Queensland.

Crown Law Principal Lawyer, Georgia Morrison travelled to Windorah to appear on behalf of the state at the determination hearing. In delivering his determination, Justice Rangiah acknowledged and commended the work undertaken by Crown Law in progressing the claim to final determination.

Cronin v Department of Agriculture, Fisheries and Forestry [2015] QIRC 178

Crown Law represented the Department of Agriculture, Fisheries and Forestry in an application for reinstatement brought by a former employee who had been dismissed for, amongst other things, releasing departmental information to external parties, including media organisations.

The disclosures were not authorised and resulted in articles being published that were highly critical of a decision by the government to close a departmental facility in Toowoomba. The applicant opposed the closure. The applicant also deleted information from his departmental issued mobile phone before returning it as directed.

Significantly, the applicant claimed that he had been dismissed because an email from the then Crime and Misconduct Commission (CMC) to the department had identified him as a having made a public interest disclosure to the CMC. The applicant claimed that his identity should not have been disclosed to the department. The person who received the email from the CMC was not the decision maker in relation to the disciplinary action, although they were involved in overseeing the investigation and disciplinary process.

Deputy President (DP) Swan, who heard the matter over nine days in the Queensland Industrial Relations Commission, found that there was a reasonable basis for substantiating each of the allegations against the applicant. DP Swan also found that the CMC email was not a trigger for the applicant's ultimate dismissal. She found that the applicant took his involvement in disputing the closure of the facility to an unacceptable level and in doing so, failed to comply with his obligations under the *Public Service Act 2008*. The dismissal was held not to be harsh, unjust or unreasonable.

Hamcor Pty Ltd & Anor v State of Qld [2015] ACA 183

Crown Law successfully defended an appeal on behalf of the Queensland Fire and Rescue Service (QFRS) concerning alleged breaches of duty of care in negligence in fighting one of the State's largest chemical fires.

On 2 October 2015, the Court of Appeal confirmed the statutory immunity then available to QFRS under the *Fire and Rescue Service Act 1990*.

Wyman on behalf of the Bidjara People v State of Queensland [2015] FCAFC108

In February 2014, following a 2013 hearing involving five overlapping native title applications brought by three separate applicants, Justice Jagot of the Federal Court determined that neither the Bidjara People, Karingbal People nor Brown River People held native title in the area of the Carnarvon Gorge National Park where their various claims overlapped.

Justice Jagot made a determination that native title does not exist in the overlap area. In November 2014, appeals brought on behalf of the Bidjara and Brown River People were heard before the Full Court of the Federal Court and on 13 August 2015, the Full Federal Court delivered judgment in the appeals, confirming the findings at first instance.

Crown Law acted for the State of Queensland at first instance and on appeal. The Full Federal Court decision is important as it confirms the level of evidence required to successfully prosecute an application for a determination of native title under the *Native Title Act 1993* (Cth) and confirms that the state is not required to make a non-claimant application to enliven the court's discretion to make a determination that native title does not exist.

The appeal outcome also provides certainty in relation to the status of native title over the Camarvon Gorge National Park.

Wotton and Ors v State of Queensland and Anor (QUD535/2013)

Lex, Cecelia and Agnes Wotton (applicants) have brought a Federal Court application against the Commissioner of the Queensland Police Service (QPS) and the State of Queensland (respondents), claiming unlawful racial discrimination under the *Racial Discrimination Act 1975* (Cth) (RD Act). The application is a representative proceeding on behalf of approximately 2,000 Indigenous people who were residents of Palm Island between 19 November 2004 and 25 March 2010 (group members). All group members are bound by the outcome of the proceeding unless they 'opt out'. To date, no group members have opted out.

The applicants allege that the actions of the respondents in relation to the QPS investigation into the death in custody on Palm Island of Mulrunji Doomadgee on 19 November 2004, the management of tensions on Palm Island in the week following Mulrunji's death, the declared emergency situation on Palm Island following the riot on 26 November 2004, and in relation to various subsequent related events, constituted unlawful racial discrimination under the RD Act.

The application is being heard by Justice Mortimer of the Federal Court. The first tranche of the hearing was held from 21 September 2015 to 2 October 2015, on Palm Island and in Townsville. The second of the hearing was held from 7 March 2016 until 18 March 2016, in Townsville. The parties have now filed their final written submissions, and their final oral submissions were heard in Townsville from 10 May 2016 to 12 May 2016. Justice Mortimer has reserved her decision in relation to the matter.

Gaye Prudence Lyons v State of Queensland – Appeal to High Court (B56/2015)

On 11 December 2013, the Queensland Civil and Administrative Tribunal (QCAT) dismissed a complaint by Ms Gaye Lyons, which alleged the state (through its court staff in the District Court of Queensland) had directly and indirectly discriminated against her on the basis of her impairment. In particular, Ms Lyons claimed that she was precluded from being selected as a juror because she has a hearing impairment in that she is deaf.

QCAT, at first instance, found there had not been any unlawful discrimination on the basis that, in essence, the Deputy Registrar had believed the *Jury Act 1995* (the Jury Act) did not permit a person to perform jury service if that person required the assistance of an Auslan interpreter in order to do so, and because to do so would contravene the confidentiality of jury deliberations.

Ms Lyons subsequently appealed to the Appeal Tribunal and the Court of Appeal, but the state successfully defended both appeals. On 25 September 2015, Ms Lyons brought an application for special leave to appeal to the High Court of Australia, and on 11 March 2016 the High Court granted her leave to appeal. A hearing before the Full Bench of the High Court commenced on 25 July 2016 with judgment reserved.

Coast and Country Association of Queensland Inc v Smith [2015] QSC 260

Crown Law acted for the Minister for Environment and Heritage Protection (EHP) and the Minister for Natural Resources and Mines (NRM) in *Coast and Country Association of Queensland Inc v Smith* [2015] QSC 260 in which Justice Douglas of the Supreme Court delivered judgment on 4 September 2015.

Coast and Country Association of Queensland (CCAQ) sought judicial review of the following decisions about Hancock Coal's proposed Alpha Coal Mine in the Galilee Basin:

1. Land Court recommendations to the NRM Minister after an objections hearing under the *Mineral Resources Act 1989* (the MR Act).
2. the NRM Minister's advice to the EHP Minister that if a mining lease was granted, the NRM Minister would impose a special condition requiring Hancock to make arrangements to obtain water licences to satisfy the Land Court's recommendations.

CCAQ submitted to the Land Court that the mining lease should be refused because of the environmental damage that would be caused, including by the burning of the coal, most likely in China or India. CCAQ submitted that the environmental damage to be taken into account included carbon emissions caused by mining and transporting the coal.

The Land Court made recommendations in the alternative, namely that:

- (a) the Minister should not grant a mining lease because of the potential environmental damage, or
- (b) if the mining lease was to be granted, it should be subject to conditions about Hancock gaining licences under the *Water Act 2000*.

CCAQ claimed that the Land Court could not make recommendations in the alternative because of the principle of finality in decision-making.

The Ministers did not participate in the judicial review of the Land Court recommendations but Crown Law, on their behalf, resisted the review of their conduct or decision. CCAQ claimed that invalidity of the Land Court recommendations 'infected' the Ministers' actions. There was also an argument that the NRM Minister proposing to impose a condition on the mining lease (which had not been decided by the Minister for NRM) also offended the finality principle.

Justice Douglas held:

1. The Land Court recommendations did not offend the finality principle. The MR Act made clear that the Land Court's function was to make recommendations which did not bind the Ministers. Nothing prevented the Land Court from making recommendations in the alternative.
2. The Land Court recommendation that if a mining lease is granted, Hancock should obtain Water Act licences did not offend the finality principle because the Water Act process was a separate statutory process to the MR Act mining lease process.
3. The Land Court's approach to the greenhouse effect of overseas coal combustion, that transportation and use of coal fall outside the scope of the 'operations' referred to in the Mineral Resources Act, was correct following the earlier Land Court decision in *Xstrata Coal Queensland Pty Ltd v Friends of the Earth* (2012) 33 QLCR 79.

As at 30 June 2016, an appeal against Justice Douglas' decision was pending in the Court of Appeal.

BAW v Department of Justice and Attorney-General, Office of Fair Trading [2015] QCAT 285

Crown Law's Administrative Law team acted for the department in successfully resisting one of the few privacy claims decided by QCAT under the *Information Privacy Act 2009* (the IP Act).

BAW was an employee of the department. BAW had claimed WorkCover benefits on the basis that a proposed co-location of two business units would result in him sitting near SDD. BAW suspected that SDD had made an anonymous complaint against BAW and another which BAW considered was 'homophobic and vexatious'.

In BAW's WorkCover claim, he said that he believed that SDD was the anonymous complainant. For the purposes of reporting to WorkCover on the claim, the department gave SDD a copy of the claim and included in its report information SDD gave in response. BAW claimed that this was a breach of privacy.

QCAT decided that the information privacy principles (IPPs) on which BAW relied had not been breached because it was appropriate and reasonable for the purposes of reporting to WorkCover for the department to disclose the information to SDD and to include SDD's response in the report.

Because the IPPs had not been breached, it was not necessary for QCAT to determine the extent to which the IPPs even applied because of the effect of ss 4, 5 and 7(2) of the IP Act.

Duncan v Independent Commission Against Corruption (2015) 89 ALJR 835

Crown Law acted for the Attorney-General intervening in the High Court in *Duncan v ICAC* (NSW) which was heard on 5 August 2015.

Mr Duncan challenged a validation provision in the *Independent Commission Against Corruption (ICAC) Act 1988*. The validation provision arose from the earlier High Court decision of *ICAC v Cunneen* (2015) 89 ALJR 475. *Cunneen* held that ICAC had been misinterpreting 'corrupt conduct' in the ICAC Act to include conduct that adversely affects not only the probity but also the efficacy of the exercise of official functions.

Cunneen therefore potentially invalidated many ICAC investigations, including one involving Mr Duncan, former NSW Minister Ian Macdonald, Obeid family members and others. The NSW Parliament amended the ICAC Act to validate such investigations. Mr Duncan argued that the validation provision contravened the principle in *Kirk* (2010) 239 CLR 531.

The Solicitor-General and Felicity Nagorcka of Crown Law's Constitutional Law Team appeared for the Attorney-General intervening in support of ICAC. The Court unanimously dismissed Mr Duncan's challenge: *Duncan v Independent Commission Against Corruption (NSW)* (2015) 89 ALJR 835.

Boonthamurra People, Juru People and Budjiti People

Crown Law's Native Title Claims and Agreements Team concluded three long-running native title claims, bringing to a successful end a combined total of 22 years of litigation. The determination in favour of the Boonthamurra People on 25 June 2015 marked the 119th determination made in Queensland which exceeds the number made in any other state or territory. Consent determinations were also made on 22 June 2015 in favour of the Juru People and on 23 June 2015 in favour of the Budjiti People.

The determinations recognise a range of native title rights and interests (including the right to possession, occupation, use and enjoyment against all others in some areas) that derive from the traditional laws and customs which have been acknowledged and observed by the respective claim groups since sovereignty.

Each of the claims involved the negotiation of the terms of a determination recognising the rights of the claimants, the rights of others in the area, and describing the relationship between those rights, together with the negotiation of Indigenous Land Use Agreements (ILUAs) or framework agreements for further ILUAs to address practical considerations in each of the claim areas.

Crown Law's work in native title was acknowledged by Justice Mansfield who said: "The court is greatly assisted by the State's generous approach to assisting the court to conduct determination hearings on country". Principal Lawyer, Georgia Morrison made a 3,000km round trip to represent the state at two of the determinations.

Palmer & Ors v State of Queensland

Crown Law successfully defended at first instance claims by four plaintiffs against their mutual employer, State of Queensland.

The plaintiffs claimed to have suffered psychological illness as a result of various workplace events, principally concerning accusations by other employees against each of them which were the subject of internal investigations. At trial, the Court was asked to decide whether the way in which workplace conflict and the investigations had been handled involved some breach of the employer's duty of care to any of the plaintiffs.

All four claims were dismissed following a trial in late 2014.

The plaintiffs appealed against the rejection of their claims. The four appeals were heard all together by the Queensland Court of Appeal in October 2015 and the state was again represented by Crown Law.

In the appeal, the state submitted that the original District Court decision should be upheld. In doing so it argued the state owed no duty to take care for the psychological health of employees whose conduct was the subject of investigation and possible discipline. The state relied on a significant line of authority which indicated that, in cases such as this, the imposition of such a duty would have the tendency to discourage the due performance of statutory duties or distort the focus of a decision-making process.

The Court of Appeal has reserved its decision.

Carlson & Garard v State of Queensland

Crown Law successfully defended the state in the hearing of claims for nervous shock brought by plaintiffs who were the relatives of a man killed in a motor vehicle accident on the Bruce Highway in 2010.

The young man was tragically killed at an intersection on the Bruce Highway after exiting from a service station. The plaintiffs alleged that the state was negligent in relation to the design and construction of the intersection. The case involved complex disputed engineering evidence about the design and construction of the intersection and the standards that were relied on to design and construct the intersection.

The court found that the allegations of negligence were not made out and the facts of the case did not amount to a breach of duty by the State of Queensland.

Investing in the future

Crown Law's Graduate Program, which welcomed two graduates in 2015–16, has been comprehensively designed to provide law graduates with the practical skills and experience they need to develop as confident, knowledgeable public sector lawyers.

Graduates participate in a rotation schedule across all four branches of law in the practice. From the outset, they are exposed to a range of matters, including complex high-level cases, but always under the watchful eyes of senior lawyers. From experience, we have seen the benefits of this direct exposure to 'real world' legal matters in developing invaluable technical skills and confidence across the areas of law that are directly relevant to Queensland Government agencies and entities.

While most of our graduates do choose to continue their legal careers with Crown Law, our aim is to provide the best possible start for young lawyers to take with them on their professional journeys, regardless of where that may take them.

Graduates who join Crown Law can expect to experience:

- » access to a wide variety of legal work
- » the opportunity to work directly with clients
- » real legal challenges affecting the State of Queensland, and
- » the benefit of guidance and mentoring from some of the state's most experienced lawyers.

Legal education and training

Crown Law has a long-standing, respected reputation for delivering quality legal training relevant to varied client groups. Our lawyers regularly develop and provide practical training workshops, briefings and manuals on topics relevant to officers at all levels across government. We also provide legal training tailored to the needs of government officers and their agency's legislation.

Annual conference

The highlight of our events calendar is the Crown Law Legal Conference which was held on Wednesday 22 July 2015 and attended by more than 100 government officers.

The conference was opened by the Honourable Yvette D'Ath, Attorney-General and Minister for Justice and Minister for Training and Skills before 10 lawyers from across the practice presented eight topics:

1. Discipline and employee management: Karen Watson and Lara Hues
2. Licensing of investigators under the *Security Providers Act 1993*: Louise Syme
3. QCAT: representation and guidance for state agencies: John Prior
4. Ethics for government lawyers: Tony Keyes
5. Legal issues in e-government: Chris Maxwell
6. What government lawyers need to know; developments in administrative law: Gerard Sammon
7. (Almost) everything you need to know about ILUAs: John Heaney
8. Recent cases on third party contribution and contractual indemnity: Bill Rogers and Melinda Pugh.



The 2016 Crown Law Conference was held in Room Three Sixty at QUT.

Workshops

Demand for Crown Law’s ‘statutory interpretation’ training sessions continued at a high level throughout 2015–16.

The original three sessions in early 2015 were extended to 10 to meet client demand. At the close of the 2015–16 year, Crown Law had presented eight workshops to 120 government officers.

The series was developed and presented by Senior Principal Lawyer, Joseph Kapeleris, supported by Principal Lawyer, Wendy Ussher, both of our Constitutional Law Team.

During 2015–16, the practice hosted a total of 51 events for government officers, including information sessions.

Other training sessions throughout the year included:

- » public interest disclosure and suspension of employees under ss 137 and 189 of the *Public Service Act 2008*
- » non-party disclosure training
- » standard government terms of supply
- » employment discipline under the *Public Service Act 2008*
- » obligations of DGs/CEOs with respect to significant litigation, and
- » powers of authorised persons and inspectors under public health legislation.

Continuing Legal Education

Crown Law’s Continuing Legal Education (CLE) Program continued throughout 2015–16 with clients and legal staff attending lunchtime sessions on:

- » Electoral laws and level playing fields: The constitutional freedom of political communication since *McCloy v NSW* [2015] HCA 34, 89 ALJR 857, 325 ALR 15
- » 2015 amendments to the WorkCover legislation and how they affect common law rights
- » Native title refresher
- » Public Interest Disclosure (PID) claims under the *Anti-Discrimination Act 1991*
- » Native title: multiple-group claims and society, and
- » Mental health law.



The Assistant Crown Solicitor of the Commercial and Property Team, Melinda Pugh hosting a lunchtime Continuing Legal Education (CLE) session.

Online education

During 2015–16, there were 63 enrolments in Crown Law’s free Online Continuing Professional Development (CPD) Training Program.

Online access to free training assists lawyers and non-lawyers in Queensland Government with the development and maintenance of their legal knowledge. All course content is comprehensive and practical and has been developed specifically for government officers by senior Crown Law lawyers.

On successful completion, participants will be eligible to claim one CPD point per module. Each module takes about one hour to complete.

Crown Law has four free online CPD modules available to all government officers:

- » Introduction to Government Law
- » The Model Litigant Principles
- » Legal Professional Privilege, and
- » Statutory interpretation.

Crown Law Library

Crown Law offers one of the most extensive public sector law libraries in Queensland, in addition to expert information retrieval services, primary and secondary resources and online research tools.

Our library technicians are recognised for their outstanding research skills, particularly their dedication to quick retrieval of rarely sourced or unusual cases, legal commentary and other legal data.

Clients from across Queensland Government have direct access to Crown Law Library resources, including legal commentary databases, legal and medical journal research and legislation.

The Crown Law Library provides services not only to Crown Law and the Department of Justice and Attorney-General but all Queensland Government departments and agencies.

Crown Law Choir

Formed in 2002, the Crown Law Choir comprises volunteer singers from across the legal system including past and present Crown Law staff, members of the judiciary and the Bar, judge’s associates, staff from the various courts and other departmental staff.

Each year, the Choir spreads cheer around the CBD at Christmas and have become a fixture of the annual launch of the law year. Our Choir has performed in past years with wonderful success, including performances at the request of the Premier, Chief Justice, the President of the Queensland Law Society and at Government House.



The Crown Law Choir performs at the opening of the 2016–17 law year at St John’s Cathedral, Brisbane.

Quality assurance

In early 2016, Crown Law again achieved certification against both the ISO9001:2008 and the LAW9000 Legal Best Practice standards. This is Crown Law's sixth certification, a process which is subject to external audit by SAI Global.

Certification under the International Organisation for Standardisation's ISO9001:2008 signifies that Crown Law has strong management practices focused on realising clients' expectations of quality and outcomes.



LAW9000 builds on the ISO9001:2008 base set of standards and practices, adding specific requirements for legal practices, including:

- » knowledge, understanding and compliance with processes and standards
- » demonstrating how processes add value to business and client outcomes
- » evaluating ongoing results of system performance, effectiveness and outcomes, and
- » continuous improvement of processes based on objective management.

Performance and accountability

As a part of the Queensland State Government, Crown Law is bound, as are all agencies, to monitor and report on staff performance and remain accountable at all times.

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 Practice ensuring clients' needs are understood and met.
- » Client reviews—one-on-one discussions to obtain further insight into client needs and direct feedback on our performance.
- » Client satisfaction surveys—quarterly online surveys of clients to measure Crown Law's 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.

Client satisfaction surveys

Crown Law introduced Client Service Scorecards in 1998 as hardcopy feedback forms posted to clients. The practice of using feedback from clients to inform how we interact with and provide legal services to them continues 18 years later with online surveys sent to a random sample of clients each quarter.

As at 30 June 2016, Crown Law's overall satisfaction rating based on these surveys was 4.5 out of 5. This is a decrease of 0.11 from the previous financial year.

The survey data provides 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.

2011–12 Score out of 5	2012–13 Score out of 5	2013–14 Score out of 5	2014–15 Score out of 5	2015–16 Score out of 5
4.48	4.05	4.55	4.61*	4.5

**In the 2014–15 Annual Report, the incorrect figure of 4.62 for Crown Law's Client Satisfaction Survey for 2014–15 was published. The result for the 2014–15 year was 4.61.*

Operating results

Crown Law reported a profit of \$76,000 for the 2015–16 financial year.

Annual profit / (loss) comparison

2011–12 \$000	2012–13 \$000	2013–14 \$000	2014–15 \$000	2015–16 \$000
(310)	(27)	1,090	745*	76

**In the 2014–15 Annual Report, incorrect figures of \$750,000 and \$767,000 for Crown Law's reported profit for 2014–15 were published. The profit for the 2014–15 financial year was \$745,000.*

Annual productivity comparison

2011–12	2012–13	2013–14	2014–15	2015–16
100%	93%	97%	96%	98%

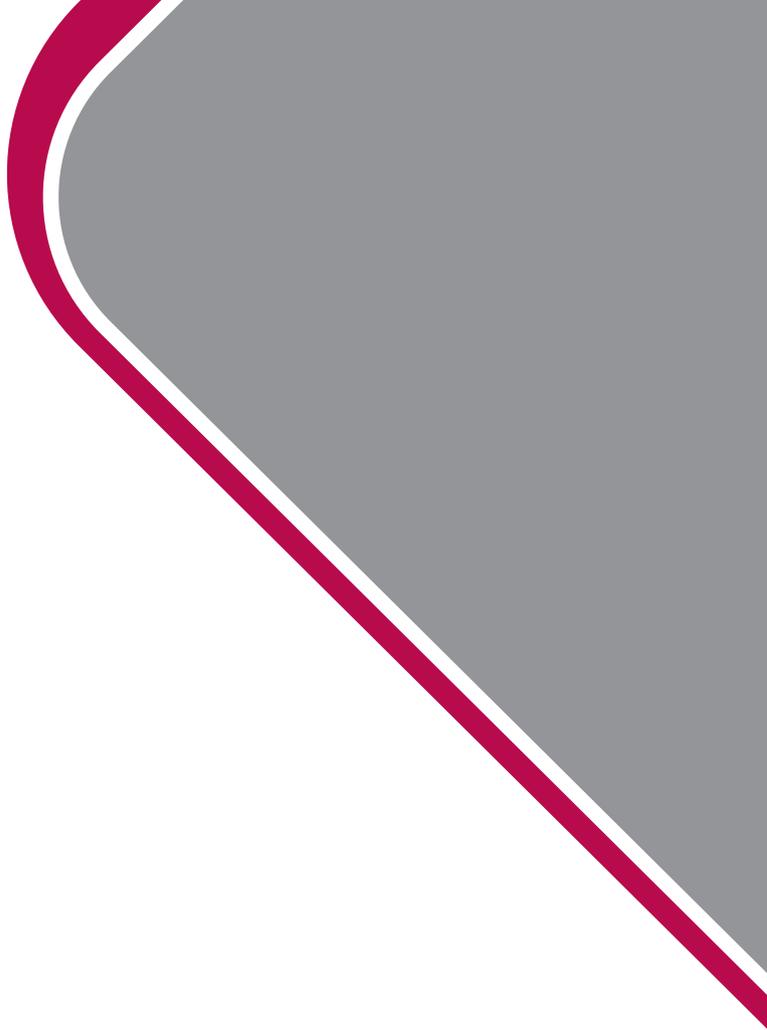
Glossary of terms

ACJG – Aurukun Community Justice Group
ACL – Australian Consumer Law
ADG – Assistant Director-General
ADR – Alternative Dispute Resolution
AG – Attorney-General
ARJP – Aurukun Restorative Justice Project
ARMC – Audit and Risk Management Committee
BCCM – Office of the Commissioner for Body Corporate and Community Management
BDM – Registry of Births, Deaths and Marriages
BIEP – Business Innovation and Enablement Platform
BOM – Board of Management
BTCC – Borallon Training and Correctional Centre
BWCC – Brisbane Women’s Correctional Centre
CCC – Crime and Corruption Commission
CGU – Corporate Governance Unit
CJG – Community Justice Groups
CLLO – Cabinet Legislation and Liaison Officer
COI – Commission of Inquiry
DATSIP – Department of Aboriginal and Torres Strait Islander Partnerships
DCCSDS – Department of Communities, Child Safety and Disability Services
DDG – Deputy Director-General
DFV – Domestic and Family Violence
DG – Director-General
DJAG – Department of Justice and Attorney-General
DPSOA – *Dangerous Prisoners (Sexual Offenders) Act 2003*
DRB – Dispute Resolution Branch
DTMR – Department of Transport and Main Roads
DVO – Domestic Violence Order
eDOCS – DJAG’s electronic document records management system (eDRMS)
FMPM – Financial Management Practice Manual
FROG – Fraud Risk Operational Group
FSB – Financial Services Branch
FTE – Full Time Equivalent
HR – Human Resources
ICT – Information and Communication Technology
ID – Instructional Design
IMC – Information Management Committee
ITS – Information Technology Services
IVR – Interactive Voice Response
JMS – Jury Management System
JP – Justice of the Peace

JS – Justice Services
LASF – Legal Assistance Strategy and Funding unit
LAQ – Legal Aid Queensland
LGFT – Liquor, Gaming and Fair Trading
LPITAF – Legal Practitioner Interest on Trust Accounts Fund
MIRJP – Mornington Island Restorative Justice Project
NPA – National Partnership Agreement
ODG – Office of the Director-General
ODPP – Office of the Director of Public Prosecutions
OFT – Office of Fair Trading
OLGR – Office of Liquor and Gaming Regulation
OPA – Office of the Public Advocate
OPG – Office of the Public Guardian
ORP – Office of Regulatory Policy
OSS – One-Stop Shop
OST – Opioid substitution treatment
PSC – Public Service Commission
PSM – Public Service Medal
QAO – Queensland Audit Office
QCAT – Queensland Civil and Administrative Tribunal
QCS – Queensland Corrective Services
QFCC – Queensland Family and Child Commission
QFRC – Family Responsibilities Commission
QICR – Queensland Integrated Court Referrals
QIRC – Queensland Industrial Relations Commission
QLAF – Queensland Legal Assistance Forum
QO – Queensland Ombudsman
QPS – Queensland Police Service
QSAC – Queensland Sentencing Advisory Council
RSA – Responsible Service of Alcohol
SCCDP – Special Circumstances Court Diversion Program
SDS – Service Delivery Statement
SPEP – Standardise Program Evaluation Protocol
SPLS – Strategic Policy and Legal Services
T2S – Transition to Success
TIP – Trauma-Informed Practice
USOT – Understanding Sexual Offences Training
VAQ – Victim Assist Queensland
VRC – Vacancy Review Committee
YJ – Youth Justice

in the State of QUEENSLAND, Registered by John Francis Newman





Appendices

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APPENDIX 1

Government bodies (Statutory bodies and entities) and appointments^{1, 4}

- » Anti-Discrimination Committee Queensland²
- » Appeal Costs Board
- » Central and Northern Queensland Regional Parole Board
- » Council of the Queensland Law Society Incorporated²
- » Crime and Corruption Commission²
- » Crime Reference Committee
- » Criminal Organisation Public Interest Monitor²
- » Director (and Deputy Director) of Public Prosecutions²
- » Disaster Appeals Trust Fund Committee
- » Gambling Community Benefit Fund Committee²
- » Land Tribunal (Aboriginal)
- » Legal Aid Board and Legal Aid Queensland²
- » Legal Practice Committee
- » Legal Practitioners Admissions Board²
- » Legal Services Commission²
- » Office of the Information Commissioner
- » Professional Standards Council²
- » Prostitution Licensing Authority²
- » Public Advocate²
- » Public Interest Monitor²
- » Public Guardian²
- » Public Trustee of Queensland²
- » Public Trust Office Investment Board
- » Queensland Civil and Administrative Tribunal²
- » Queensland Law Reform Commission²
- » Queensland Ombudsman²
- » Queensland Parole Board³
- » Registrar-General (and Deputy) of Births, Deaths and Marriages
- » Responsible Gambling Advisory Committee
- » Solicitor-General
- » Southern Queensland Regional Parole Board
- » State Coroner²
- » Supreme Court Library Committee²

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. The department is jointly responsible with the Minister for Corrective Services.
 4. Additional government bodies information on functions, achievements and remuneration can be found online at www.justice.qld.gov.au/corporate/publications/annual-report/2015-16-djag-annual-report.

APPENDIX 2

Acts Administered by the Department of Justice and Attorney-General

Minister for Police, Fire and Emergency Services and Minister for Corrective Services

- » *Corrective Services Act 2006*
- » *Parole Orders (Transfer) Act 1984*

Attorney-General and Minister for Justice and Minister for Training and Skills

- » *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 Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships)*
- » *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)*
- » *Agents Financial Administration Act 2014*
- » *All Saints Church Lands Act 1924*
- » *All Saints Church Lands Act 1960*
- » *Anglican Church of Australia Act 1895*
- » *Anglican Church of Australia Act 1895 Amendment Act 1901*
- » *Anglican Church of Australia Act 1977*
- » *Anglican Church of Australia Constitution Act 1961*
- » *Anglican Church of Australia (Diocese of Brisbane) Property Act 1889*
- » *Ann Street Presbyterian Church Act 1889*
- » *Anti-Discrimination Act 1991*
- » *Appeal Costs Fund Act 1973*
- » *Associations Incorporation Act 1981*
- » *Attorney-General Act 1999*
- » *Australia and New Zealand Banking Group Limited (NMRB) Act 1991*
- » *Australian Consular Officers' Notarial Powers and Evidence Act 1946*
- » *Bail Act 1980*
- » *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 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 State Development and 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 Protection Act 1999* (jointly administered with the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for Multicultural Affairs)
- » *Childrens Court Act 1992*
- » *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*
- » *Companies (Acquisition of Shares) (Application of Laws) Act 1981*
- » *Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*
- » *Companies (Application of Laws) Act 1981*
- » *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 Corruption Act 2001*
- » *Crimes at Sea Act 2001*
- » *Criminal Code Act 1899 (including Criminal Code)*
- » *Criminal Code Amendment Act 1922*
- » *Criminal Law Amendment Act 1892*
- » *Criminal Law Amendment Act 1894*
- » *Criminal Law Amendment Act 1945*
- » *Criminal Law (Rehabilitation of Offenders) Act 1986*
- » *Criminal Law (Sexual Offences) Act 1978*
- » *Criminal Organisation Act 2009*
- » *Criminal Proceeds Confiscation Act 2002*
- » *Crown Proceedings Act 1980*
- » *Dangerous Prisoners (Sexual Offenders) Act 2003*
- » *Debt Collectors (Field Agents and Collection Agents) Act 2014*
- » *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*
- » *Drugs Misuse Act 1986* (except to the extent administered by the Minister for Agriculture and Fisheries and Minister for Sport and Racing)
- » *Electoral Act 1992*
- » *Electronic Transactions (Queensland) Act 2001*
- » *Evidence Act 1977*
- » *Evidence and Discovery Act 1867*
- » *Evidence (Attestation of Documents) Act 1937*
- » *Evidence on Commission Act 1988*

- » *Factors Act 1892*
- » *Fair Trading Act 1989*
- » *Fair Trading Inspectors Act 2014*
- » *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, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships)
- » *Guardianship and Administration Act 2000*
- » *Guides Queensland Act 1970*
- » *Imperial Acts Application Act 1984*
- » *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, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships)
- » *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*
- » *Lotteries Act 1997*
- » *Magistrates Act 1991*
- » *Magistrates Courts Act 1921*
- » *Maintenance Act 1965*
- » *Mercantile Act 1867*
- » *Motor Dealers and Chattel Auctioneers Act 2014*
- » *Neighbourhood Disputes (Dividing Fences and Trees) Act 2011*
- » *Oaths Act 1867*
- » *Ombudsman Act 2001*
- » *Partnership Act 1891*
- » *Peace and Good Behaviour Act 1982*
- » *Peaceful Assembly Act 1992*
- » *Penalties and Sentences Act 1992*
- » *Personal Injuries Proceedings Act 2002*
- » *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 International Transfer (Queensland) Act 1997*
- » *Prisoners (Interstate Transfer) Act 1982*
- » *Professional Standards Act 2004*
- » *Property Law Act 1974*
- » *Property Occupations Act 2014*
- » *Prostitution Act 1999*
- » *Public Guardian Act 2014*

- » *Public Interest Disclosure Act 2010*
- » *Public Trustee Act 1978*
- » *Queensland Civil and Administrative Tribunal Act 2009*
- » *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 Lands Act 1985*
- » *Roman Catholic Church (Northern Lands) Vesting Act 1941*
- » *Roman Catholic Relief Act 1830*
- » *Sale of Goods Act 1896*
- » *Sale of Goods (Vienna Convention) Act 1986*
- » *Salvation Army (Queensland) Property Trust Act 1930*
- » *Scout Association of Australia Queensland Branch Act 1975*
- » *Sea-Carriage Documents Act 1996*
- » *Second-hand Dealers and Pawnbrokers Act 2003*
- » *Securities Industry (Application of Laws) Act 1981*
- » *Security Providers Act 1993*
- » *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*
- » *Tattoo Parlours Act 2013*
- » *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*
- » *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*
- » *Vicious Lawless Association Disestablishment Act 2013*
- » *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*
- » *Young Offenders (Interstate Transfer) Act 1987*
- » *Youth Justice Act 1992* (jointly administered with the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for Multicultural Affairs)

APPENDIX 3 Funding for legal assistance services

Legal assistance services provided to vulnerable and disadvantaged Queenslanders

The Queensland Government allocates funds from the Legal Practitioner Interest on Trust Accounts Fund (LPITAF) and State Budget Consolidated Fund to Legal Aid Queensland (LAQ) and community organisations (mostly Community Legal Centres) for the delivery of legal assistance services across the state.

In 2015–16, LAQ provided close to 400,000 legal assistance services regarding State law matters, legal information and referral services, advice and task assistance, duty lawyer services and legal representation. LAQ provides detailed information about its service delivery in its annual report.

In 2015–16, it is estimated that the following total numbers of services were provided by community organisations with funds allocated by the Queensland Government.

Information Activities	58,960
Legal Advice Activities	71,362
Legal casework services (new cases opened during period)	5,245
Community legal education projects delivered	685

Service delivery funding

In 2015–16 LAQ received total funding of \$109 million for service delivery being \$67.3 million of Queensland funding (\$16.6 million from the LPITAF and \$50.7 million from the consolidated fund) and \$41.7 million in Commonwealth funding.

In 2015–16 community organisations received \$18.2 million in combined State and Commonwealth funding. This included \$10.4 million from the Queensland Government (\$5.9 million from the LPITAF and \$4.5 million from the consolidated fund) and a further \$7.8 million in Commonwealth funding to provide free or low-cost legal services to vulnerable and disadvantaged Queenslanders.

In 2016–17, LAQ will receive \$112.9 million including \$70.5 million in Queensland funding and \$42.4 million in Commonwealth funding. Community organisations will receive \$20.4 million (\$10.9 million being Queensland funding and \$9.5 million being Commonwealth funding).

A breakdown of the service delivery funding over 2014–17 allocated to individual community organisations is set out on the following pages.

Community organisation	2014–17 Queensland funding
Aboriginal and Torres Strait Islander Women's Legal Service NQ Inc	\$140,094
Aged and Disability Advocacy Australia Ltd ¹	\$380,334
Banana Shire Emergency Accommodation and Support Centre Inc	\$370,305
Basic Rights Queensland Inc ²	\$1,243,667
Bayside Community Legal Service Inc	\$364,726
Cairns Community Legal Centre Inc	\$755,547
Care Goondiwindi Association Inc	\$366,507
Carers Queensland Inc	\$732,573
Caxton Legal Centre Inc	\$1,066,282
Centacare	\$468,399
Central Queensland Community Legal Centre Inc	\$239,329
Court Network Inc	\$1,235,760
Community Legal Centres Queensland Inc ³	\$656,143
DVConnect Ltd	\$380,334
Environmental Defenders Office (Qld)	\$200,000
Environmental Defenders Office North Qld	\$200,000
Gladstone Community Legal Advice Program	\$370,305
Gold Coast Community Legal Centre and Advice Bureau Inc ⁴	\$664,020
Mackay Regional Community Legal Centre Inc	\$714,131
Moreton Bay Regional Community Legal Service Inc	\$364,726
North Queensland Women's Legal Service Inc	\$957,472
Nundah Community Support Group Inc	\$366,507
Pine Rivers Community Legal Service	\$677,823
Prisoners' Legal Service Inc	\$1,133,322
Queensland Advocacy Incorporated	\$1,348,351
Queensland Indigenous Family Violence Legal Service	\$377,994
Queensland Public Interest Law Clearing House Inc	\$3,133,899
Refugee and Immigration Legal Service Inc	\$1,371,610
Roma Community Legal Service Inc	\$330,926

South West Brisbane Community Legal Centre Inc	\$1,724,205
Suncoast Community Legal Service Inc	\$779,404
TASC National Limited ⁵	\$2,652,481
Taylor Street Community Legal Service	\$377,374
Tenants Queensland Inc ⁶	\$635,534
Townsville Community Legal Service Inc	\$287,270
Women's Legal Service Inc	\$1,991,648
Youth Advocacy Centre Inc	\$597,363
YFS Ltd ⁷	\$1,005,167

1. Formerly Queensland Aged and Disability Advocacy Inc
2. Formerly Welfare Rights Centre Inc
3. Formerly Queensland Association of Independent Legal Services Inc
4. Formerly Citizens Advice Bureau and Gold Coast Legal Service
5. Formerly The Advocacy and Support Centre Inc
6. Formerly Tenants' Union of Queensland Inc
7. Formerly Logan Legal Advice Centre Association Inc and Logan Youth Legal Service

Note: To preserve the quality and quantity of legal assistance services, community organisations will receive indexation on all service delivery funding for the 2014–17 financial years. The total 2014–17 amounts shown above include confirmed 2014–15 and 2015–16 amounts and indicative amounts for indexation in 2016–17.

Emergency funding

In 2015–16, \$500,000 was set aside to address emergency community legal needs, with no applications for emergency funding received.

Project funding

The Queensland Government allocates funding for projects that have a legal assistance sector-wide focus or benefit. The projects produce a predetermined product or outcome, have no ongoing costs, and ideally involve collaboration between organisations.

In 2015–16, \$450,000 was set aside for one-off projects. A total of \$445,000 of project funding was allocated. A breakdown by project is set out below.

Project name and timeframe	2015–16 project funding allocation
Mental health collaborative service delivery project (2015–16)	\$42,000
Self-evaluation toolkit project (2015–17)	\$75,000
Enduring Power of Attorney project (2015–17)	\$75,000
Supported decision-making resource project (2016–17)	\$55,000
Queensland Legal Assistance Forum project (2016–17)	\$78,000
Community legal sector sustainability and development project (2016–17)	\$120,000

APPENDIX 4

Funding for legal profession regulation and law library services

Legal profession regulation and law library services

The Queensland Government allocates funds from the LPITAF and State Budget Consolidated Fund for the delivery of legal profession regulation and law library services.

A breakdown of the funding allocated for these services is set out below.

Specified entity	2015–16 budget	2015–16 actual	2016–17 approved budget
Legal Profession Regulation			
» Legal Services Commission	\$5.412 million	\$4.136 million	\$4.912 million
» Bar Association of Queensland	\$0.158 million	\$0.158 million	\$0.161 million
Supreme Court Library Queensland	\$3.543 million	\$3.543 million	\$3.608 million

APPENDIX 5

Disbursement of funds – community benefit

Role and membership	Activities	Achievements
Consumer credit fund		
<p>The Consumer Credit Fund holds money generated by fines imposed on financial institutions under the <i>Credit (Commonwealth Powers) Act 2010</i>. OFT uses these funds to undertake consumer engagement, education, research and surveys.</p> <p>\$62,752 disbursements from the fund. The fund balance was \$625,678 as at 30 June 2015 and \$562,925 as at 30 June 2016.</p>	<p>There was no revenue during 2015–16.</p>	<p>Supported the annual Buy Smart competition, the cornerstone of OFT's youth engagement strategy. Young people can face serious risks as consumers and the competition helps them to become financially literate, avoid scams and learn about their consumer rights. The 2015 competition involved 3,367 students and attracted 627 formal entries from across Queensland.</p> <p>Supported OFT's Outreach Program which ensures fair trading services are available to rural and remote Queenslanders. In 2015–16, five programs were conducted visiting over 33 towns. Activities included:</p> <ul style="list-style-type: none"> » visited 17 schools and spoke with over 650 students » conducted 16 presentations to over 260 attendees » conducted 33 compliance spot checks » completed over 275 trader visits, and » met with over 35 community organisations and stakeholder groups.
Disaster Appeals Trust Fund Committee		
<p>The Disaster Appeals Trust Fund committee is constituted under the <i>Collections Act 1966</i>. The committee comprises five members. The Public Trustee holds the position of ex-officio and the remainder of the committee is appointed by the Governor in Council.</p> <p>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.</p>	<p>There was no activity during 2015–16.</p>	

Role and membership	Activities	Achievements
Responsible Gambling Advisory Committee		
<p>The Responsible Gambling Advisory Committee is a non-statutory advisory body to the Queensland Government that provides advice on gambling-related issues to the Minister responsible for gambling. The committee also provides a forum for the community sector, gambling industry and the Queensland Government to work together to develop ethical responsible gambling approaches to gambling.</p> <p>Membership of the Responsible Gambling Advisory Committee includes gambling help service providers, the gambling industry, community group representatives and departmental officers.</p> <p>Gambling industry representation occurs through Clubs Queensland, Queensland Hotels Association, Tabcorp Holdings Ltd, UBET Limited, Star Entertainment Group and Tatts Lotteries.</p> <p>The community sector representation is achieved through the Gambling Help Network, the Queensland Council of Social Service and Ethnic Communities Council of Queensland.</p> <p>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.</p>	<p>The committee formally held two meetings during 2015–16.</p>	<p>Supported the establishment of responsible gambling networks (RGNets) to provide a forum for the discussion of gambling related issues at local level, including conducting the inaugural combined meeting with the Brisbane RNet on 21 October 2015.</p> <p>Formed working party to review gambling self-exclusions in Queensland with the purpose of developing a range of potential options to improve the awareness uptake and operation of self-exclusion programs in Queensland.</p> <p>Continued to monitor gambling related research to inform relevant policy issues.</p>
Gambling Community Benefits Fund		
<p>The Gambling Community Benefit Fund was established in 1994 under the <i>Gaming Machine Act 1991</i>. The fund aims to enhance the capacity of community organisations to provide services and activities to Queenslanders.</p> <p>The committee comprises 12 members who make funding recommendations to the Minister.</p>	<p>The committee held four meetings during 2015–16.</p>	<p>2,360 applications were approved, totalling more than \$52.4 million.</p>

