



**JUSTICE AND
COMMUNITY
SAFETY
DIRECTORATE**

ANNUAL REPORT 2017-18



ACT
Government



The Justice and Community Safety (JACS) Directorate acknowledges the Ngunnawal people as the traditional owners and custodians of the Canberra region. The region is also an important meeting place and significant to other Aboriginal groups.

We respect the Aboriginal and Torres Strait Islander people, particularly our Aboriginal staff, and their continuing culture and contribution they make to the Canberra region and the life of our city.

Contact for this report

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Information about the directorate and an electronic version of this annual report can be found on the website: www.justice.act.gov.au

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FOREWORD

Figure 1 Director-General Alison Playford



I am pleased to present the Annual Report for the Justice and Community Safety (JACS) Directorate for 2017-18, which outlines how we as a directorate serve our community and our three ministers: Gordon Ramsay MLA as the Attorney-General; Mick Gentleman MLA as the Minister for Police and Emergency Services; and Shane Rattenbury MLA as the Minister for Justice, Consumer Affairs and Road Safety, and the Minister for Corrections.

I would also like to acknowledge the contributions of Yvette Berry MLA, as the Minister for the Prevention of Domestic and Family Violence, and of the Coordinator-General of Family Safety, Jo Wood, whose office transitioned to the Community Services Directorate on 1 July 2017.

The directorate continued to partner with the Coordinator-General on a range of initiatives to improve responses to family violence.

In July 2017, the directorate launched its *Workforce Strategy 2017-19* (the Strategy), which aims to ensure a workforce that is engaged, enabled and empowered to achieve the directorate's strategic goals and operational imperatives into the future. The focus of the Strategy is for the directorate to be seen as an employer of choice, to be achieved through driving best practice in contemporary and responsive workforce management systems.

During the reporting period, as part of the Strategy, the directorate commenced work towards becoming a White Ribbon Accredited Workplace. This work is being strongly supported by staff and we are well towards gaining accreditation in the 2018-19.

The directorate also established the Office of Chief Operating Officer in February 2018, and the Chief Operating Officer position, which supports our 'One JACS, One Corporate' approach. This approach complements the Workforce Strategy to provide a more strategic and coordinated level of services in support of our priorities. As part of this work, we combined our Capital Works, Infrastructure and ICT teams to provide better alignment of service delivery.

I am also proud of the work within the directorate to promote our core values of respect, integrity, collaboration and innovation. I am absolutely committed to promoting the diversity of our workforce, as we continue our commitment to celebrate an inclusive culture where all staff are treated with respect and fairness.

This commitment has been supported in during the reporting period through the continued implementation of:

- > the *JACS Inclusion Statement 2016-2019* - which sets the foundation on which the directorate will progress its efforts to build an inclusive workplace culture.

- > the *JACS Workforce Strategy 2017-2019* - which aims to building an engaged, inclusive and committed workforce.
- > the *Aboriginal and Torres Strait Islander Employment Action Plan 2016-2019*, and
- > the *Employment Action Plan for People with Disability 2016-2019*.

I am also proud of the work of the directorate to promote reconciliation during the reporting period, and am pleased to note we have progressed well towards meeting proportional targets set by the Head of Service for our directorate:

- > 52 (2.8%) of our employees identify as Aboriginal and Torres Strait Islander, against a 2017-18 target of 51.
- > 47 (2.5%) of our employees identify as having a disability, against a 2017-18 target of 48, up from 39 in the 2016-17 reporting period.

As a directorate, together with all our volunteers, key stakeholders and community partners, we are proud of the significant results achieved during the reporting period including:

- > 564 draft Bills provided to Government and individual MLAs by the Parliamentary Counsel's Office, a significant increase from 269 in 2016-17.
- > supporting 454 offenders as part of the Extended Throughcare Program, which is in its fifth year of operation.
- > 64,031 incidents managed by the ACT Emergency Services Agency (ESA)
- > an average response time of 9.1 minutes by the ACT Ambulance Service (ACTAS) to Priority 1 Emergency Triple Zero (000) calls.
- > more than 5,700 kindergarten students receiving fire education from ACT Fire & Rescue (ACTF&R) officers.
- > 260 referrals received by the Restorative Justice Unit (RJU).
- > 2,844 opinions provided by ACT Government Solicitor (ACTGS) Office to its clients and stakeholders, an increase from 2,539 in 2016-17.
- > ensuring access to legal services by the disadvantaged through support to Canberra Community Law, the Women's Legal Centre, Street Law's early intervention legal outreach service, and the Environmental Defenders Office.
- > responding to and commencing implementation of the recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse, including its Criminal Justice Report, which made 85 criminal justice recommendations.
- > implementing policy reforms and programs including:
 - the continued consideration of a Drug and Alcohol Court suitable for the ACT.
 - gaming and racing reforms.
 - strengthening responses to outlaw motorcycle gang activity in the ACT.
 - consultation on an ACT Rights of Victims Charter, and
 - continued implementation of the *ACT Road Safety Strategy 2011-20* to make ACT roads safer for all users including 'vulnerable road users'.

Significant initiatives during the reporting period for the directorate included:

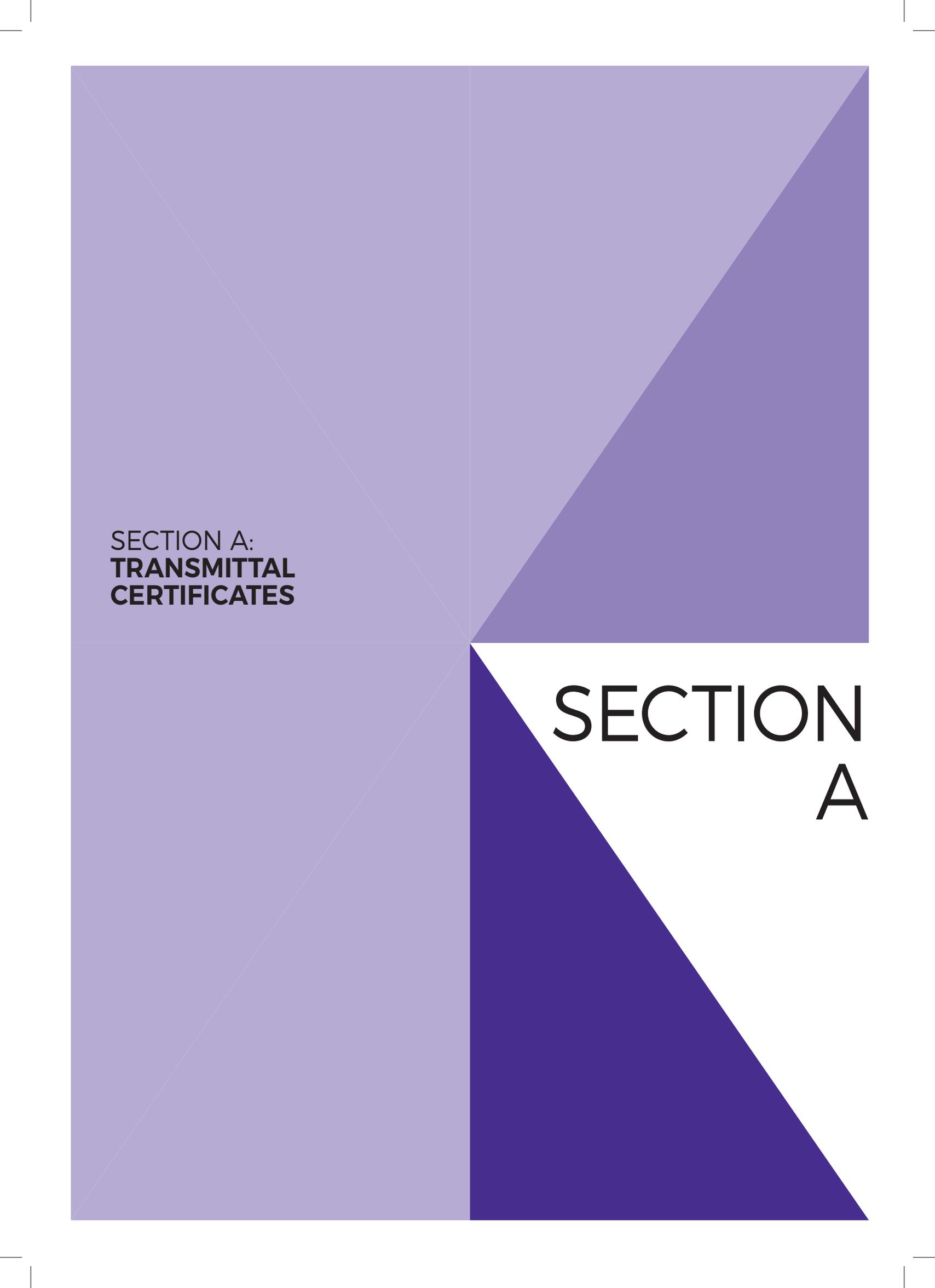
- > supporting the Justice Reinvestment Strategy by continuing the High Density Housing Safety and Security Project, and the Yarrabi Bamirr (Walk Tall) Justice Reinvestment trial which aims to divert Aboriginal and Torres Strait Islander families at risk of coming into contact with the criminal justice system.

- > supporting offender rehabilitation and reducing recidivism by:
 - expanding detainee employment opportunities through the operation of a bakery at the Alexander Maconochie Centre (AMC), and
 - continuing the Extended Throughcare Program.
- > the implementation of the Moss Review recommendations to improve the treatment and care of detainees, including:
 - establishment of an Inspectorate of Custodial Services to independently oversee the ACT adult corrections system.
- > progressing, in partnership with the ACT Aboriginal and Torres Strait Islander Elected Body, commitments under the *Aboriginal and Torres Strait Islander Justice Partnership 2015-18*;
- > increasing the capacity of the Public Advocate to better support children and young people.
- > supporting ACT Courts and Tribunal to build capacity and meet future needs by:
 - progressing the redevelopment of the ACT Supreme and Magistrates Courts through the ACT Courts Public Private Partnership (Courts PPP) project, and
 - further rollout of the new Courts and Tribunal ICT Case Management System.
- > strengthening ACT Policing to build capability and meet future needs by:
 - supporting a strategic review of future ACT Policing service delivery model and accommodation needs, and
 - enhancing public safety and security by equipping more police with TASERs and upgrading security at ACT Policing facilities to better protect staff and visitors.
- > strengthening the ESA to build operational capability and meet future needs by:
 - continuing to deliver against the ESA Strategic Reform Agenda.
 - employing professional call-takers and dispatchers in the Emergency 000 Communications Centre.
 - supporting a recruit college for 16 firefighters with 25% female participation in line with the Women in Emergency Services Strategy.
 - improving mental health services for frontline ESA personnel.
 - subsidising ACT Rural Fire Service volunteers to keep fit and healthy.
 - the development of a new Tuggeranong station for the ACT State Emergency Service.
 - upgrading the Ainslie Fire and Rescue Station for an additional pumper crew, and
 - relocating the ESA's backup communications centre and ACTAS' Non-Emergency Patient Transport Service.

Overall, we continued to deliver on our commitments, but there is still much more to do.

I wish to acknowledge the collective work of all staff, volunteers and each of the Statutory Office holders for the work that takes place every day to support the vulnerable, to protect people's rights, and to ensure a fair, safe and peaceful community for us all.

Alison Playford
Director-General

The image features a large square divided into four quadrants by a vertical and a horizontal line. The top-left and bottom-left quadrants are filled with a light purple color. The top-right quadrant is filled with a medium purple color. The bottom-right quadrant is white, with a dark purple triangle in the bottom-left corner of this quadrant. The text 'SECTION A: TRANSMITTAL CERTIFICATES' is located in the top-left quadrant, and 'SECTION A' is located in the white area of the bottom-right quadrant.

SECTION A:
**TRANSMITTAL
CERTIFICATES**

**SECTION
A**



ACT
Government

Justice and Community Safety

Mr Mick Gentleman MLA
Minister for Police and Emergency Services
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2600

Dear Minister

I am pleased to present the Annual Report for the Justice and Community Safety Directorate for the year ended 30 June 2018.

This report has been prepared under section 6(1) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements under the Annual Report Directions.

It has been prepared in conformity with other legislation applicable to the preparation of the Annual Report by the Justice and Community Safety Directorate.

I certify that the information in the attached annual report, and information provided for whole of government reporting, is an honest and accurate account and that all material information on the operations of the Justice and Community Safety Directorate has been included for the period 1 July 2017 to 30 June 2018.

I hereby certify that fraud prevention has been managed in accordance with *Public Sector Management Standards 2006*, Part 2.

Section 13 of the *Annual Reports (Government Agencies) Act 2004* requires that you present the Report to the Legislative Assembly within 15 weeks after the end of the reporting year.

Yours sincerely

Alison Playford
Director-General

5 October 2018

GPO Box 158 Canberra ACT 2601 | phone: 02 6207 0500 | www.justice.act.gov.au



ACT
Government

Justice and Community Safety

Mr Gordon Ramsay MLA
Attorney-General
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2600

Dear Minister

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Yours sincerely

Alison Playford
Director-General

5 October 2018

GPO Box 158 Canberra ACT 2601 | phone: 02 6207 0500 | www.justice.act.gov.au



ACT
Government
Justice and Community Safety

Mr Shane Rattenbury MLA
Minister for Justice, Consumer Affairs and Road Safety
Minister for Corrections and Justice Health
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2600

Dear Minister

I am pleased to present the Annual Report for the Justice and Community Safety Directorate for the year ended 30 June 2018.

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Yours sincerely

Alison Playford
Director-General

5 October 2018

GPO Box 158 Canberra ACT 2601 | phone: 02 6207 0500 | www.justice.act.gov.au

The background features a large, light purple triangle on the left side, pointing downwards. On the right side, there are two dark purple triangles: one pointing upwards and one pointing downwards, meeting at a horizontal line. The text is placed within these shapes.

SECTION B:
**ORGANISATIONAL
OVERVIEW AND
PERFORMANCE**

SECTION
B

B.1 ORGANISATIONAL OVERVIEW

Mission

Our mission is to maintain a fair, safe and peaceful community in ACT where people's rights and interests are protected.

Values

We pride ourselves on being a directorate whose attitudes and actions are consistent with the ACT Public Service (ACTPS) values and behaviours. These values and behaviours are embraced in the *JACS Strategic Plan 2017-19*.

Respect

- > we take pride in our work
- > we value the contribution of others
- > we relate to colleagues and clients in a fair, decent and professional matter.

Integrity

- > we do what we say we'll do and respond appropriately when the unexpected occurs
- > we take responsibility and are accountable for our decisions and actions
- > we engage genuinely with the community, managing resources entrusted to us honestly and responsibly.

Collaboration

- > we work openly and share information to reach shared goals
- > we take on board other views when solving problems and welcome feedback on how we can do things better.

Innovation

- > we look for ways to continuously improve our services and skills
- > we are open to change and new ideas from all sources.

Our purpose

The directorate seeks to maintain a fair, safe and peaceful community in the ACT where people's rights and interests are respected and protected. This is achieved through the objectives of:

- > maintaining the rule of law and the Westminster style of democratic government
- > promoting the protection of human rights in the Territory
- > providing effective offender management and opportunities for rehabilitation

- > protecting and preserving life, property and the environment
- > providing for effective and cohesive emergency response and management.

To support the achievement of its objectives, the directorate aims to improve service delivery to government and the community and to ensure it continues to meet community needs into the future.

Our functions and services

In line with the 2017-18 ACT Budget Papers, our performance is measured against the following strategic objectives:

- > accessible justice system
- > safe community
- > safe community - emergency services
- > safe community - road safety
- > promotion and protection of rights and interests.

Output 1.1 Policy advice and justice programs

High quality policy, legislation, ministerial support and advice to portfolio Ministers, Cabinet and other agencies on justice, safer families and community safety matters. Administer security coordination and emergency management policy, and innovative justice and crime prevention programs (including the Restorative Justice Program and family violence initiatives) across government and the community.

Output 1.2 Legal services to government

High quality and timely legal advice and representation for the Attorney-General and Government.

Output 1.3 Legislative drafting and publishing services

Provision of high quality and timely legislative drafting and publishing services for ACT legislation and maintenance of the ACT legislation register.

Output 1.4 Public prosecutions (independently reported)

Prosecution of summary and indictable matters, at first instance and on appeal, provision of assistance to the Coroner, and provision of witness assistance services.

Output 1.5 Protection of rights (independently reported)

Provision of advocacy, complaints-handling advice, community awareness raising and other services in connection with the promotion and protection of rights, especially for vulnerable members of society, through services provided by the ACT Human Rights Commission (HRC), including the Public Advocate of the ACT and Victim Support ACT. This output also includes services provided by the Privacy Commissioner.

Output 2.1 Corrective services

Provision of safe and secure custody for detainees with a strong focus on the delivery of rehabilitative, educational and vocational programs, effectively managing un-sentenced offenders and community-based corrections programs, and providing advice and services to the ACT justice system.

Output 3.1 Courts and Tribunal

High quality support to judicial officers and tribunal members in the ACT Courts and Tribunal and high quality services to the public using the courts and the tribunal.

Output 4.1 Emergency services

Prevention and Mitigation: Measures taken in advance of an emergency aimed at decreasing or eliminating its impact on the community and the environment.

Preparedness: Measures to ensure that, should an emergency occur, communities, resources and services are capable of responding to and coping with the effects.

Response: Strategies and services to control, limit or modify an emergency to reduce its consequences.

Recovery: Strategies and services to return the ACT ESA to a state of preparedness after emergency situations and to assist with community recovery.

Our Clients and Stakeholders

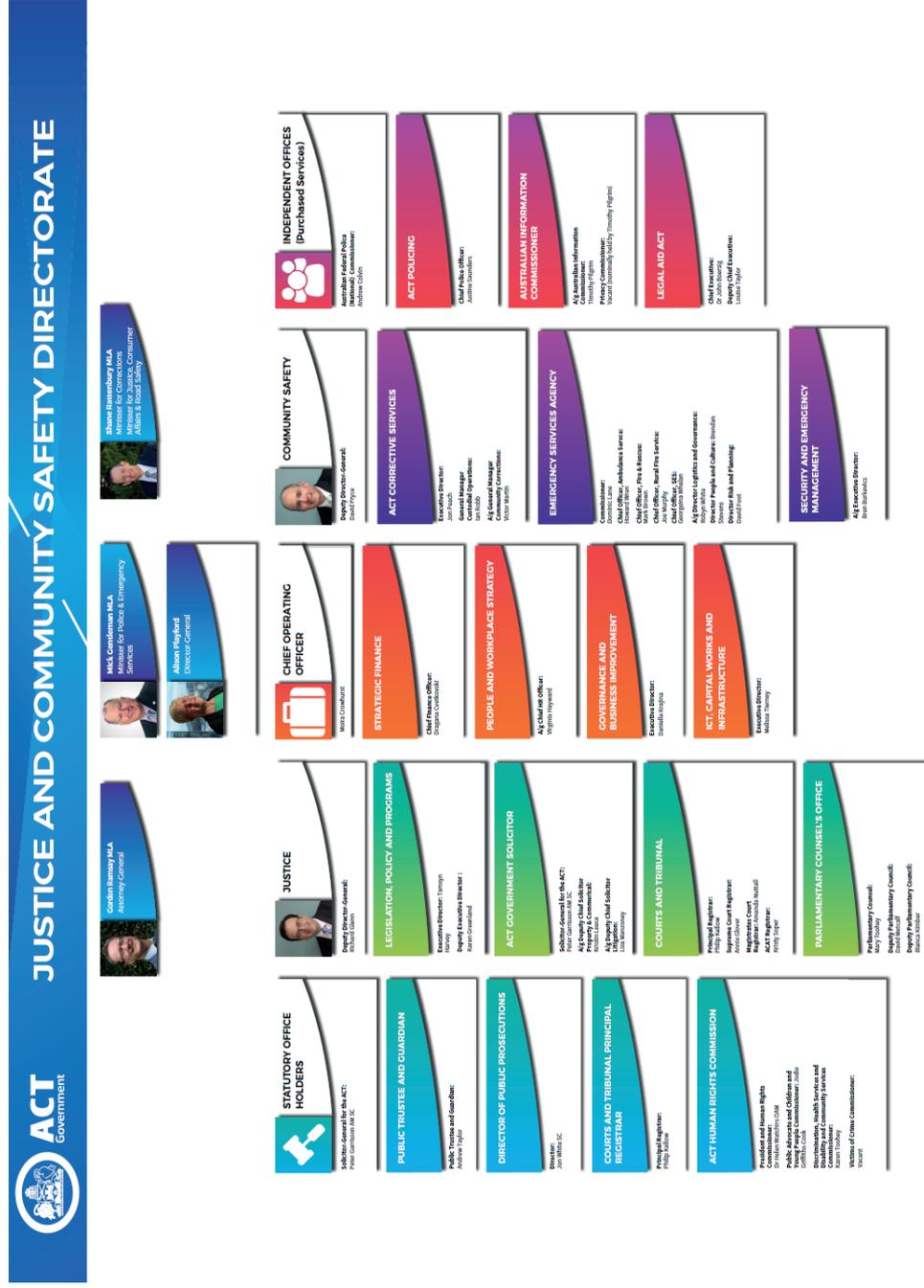
We work with a number of government and non-government entities to deliver effective policing, courts, corrections, justice, legal, emergency and regulatory services across the ACT and the protection of human rights in the community.

Our clients and stakeholders include:

- > the ACT Chief Minister
- > the ACT Attorney-General
- > the ACT Minister for Police and Emergency Services
- > the ACT Minister for Corrections and Minister for Justice, Consumer Affairs and Road Safety
- > the ACT Legislative Assembly
- > Australian, Government State and Territory government agencies and councils
- > the judiciary and the ACT legal profession
- > Statutory Office holders and bodies
- > community service providers
- > volunteers
- > jurors, victims of crime, offenders and witnesses
- > statutory and non-statutory committees
- > suppliers and contractors
- > media.

Organisational Chart

Figure 2 Justice and Community Safety Directorate Organisational Chart



JACS' Planning Framework

The *JACS Strategic Plan 2017-19* (the Plan) sets out the directorate vision, purpose, values and accountability. The Plan takes into account the Government's election commitments and the Labor-Greens Parliamentary Agreement.

The Plan details the directorate's commitment to improve service delivery to the government, monitoring our performance against expectations, and being open and transparent in the delivery of services and programs.

Importantly the plan also identifies the key initiatives in four areas the directorate will focus on including:

- > **emergency services** - increasing community safety and building resilient communities by:
 - implementing the ACT ESA's Strategic Reform Agenda
 - improving bushfire and disaster preparedness
 - improving natural disaster resilience
 - promoting 'Living Safer Together' interventions and social cohesion
 - improving critical infrastructure security
- > **corrective services** - providing effective and integrated corrective services by:
 - contributing to a goal to decrease recidivism by 25% by 2025
 - strengthening engagement with the local Aboriginal and Torres Strait Islander community
 - improving rehabilitation and reintegration of offenders into the community through programs and support
 - enhancing custodial security and compliance
 - reforming policies and procedures to strengthen community confidence.
- > **accessible justice system** - increasing justice access and support by:
 - improving court and tribunal facilities
 - implementing a Drug and Alcohol Court
 - implementing the Integrated Case Management System
 - providing accessible and efficient community legal centres
 - implementing reforms to promote equality for people experiencing vulnerability, including people with disability
 - implementing an ACT Rights of Victims Charter
 - implementing restorative justice for family violence and sexual offences.
- > **safe community** - focusing on crime prevention and a safer community by:
 - implementing the Justice Reinvestment Strategy
 - implementing serious and organised crime amendments
 - improving engagement through the Aboriginal and Torres Strait Islander Justice Partnership
 - implementing 'Vision Zero' to make ACT roads safer for all users including vulnerable users
 - implementing liquor reforms
 - implementing gaming and racing reforms.

Performance during 2017-18

There have been many achievements for the directorate during 2017-18. Priorities identified in the 2017-18 ACT Budget were our key focus and covered as part of output class contribution to the Annual Report and have been referred to in the Director-General's foreword.

Outlook and priorities for 2018-19

The directorate is focusing on a range of strategic and operational initiatives during 2018-19. Key priorities include:

- > supporting survivors of child sexual abuse by joining the National Redress Scheme, including provision of a redress payment, counselling and psychological care, and a direct personal response
- > supporting the efficient operation of the justice system by appointing an additional magistrate and providing additional resources for the ACT Legal Aid Commission, increase to base resourcing for the Office of the Director of Public Prosecutions and to support the retrial of David Eastman
- > ensuring access to legal services by older Canberrans who are experiencing, or are vulnerable to, elder abuse through support to the ACT Legal Aid Commission
- > supporting Canberra as a restorative city with funding for workshops and events that bring people together to consider Restorative City approaches
- > supporting justice reinvestment initiatives by:
 - expanding the High Density Housing Community and Safety Program at public housing sites in the ACT, and
 - establishing a culturally appropriate sentencing process through the Warrumbul Court in the Children's Court.
- > supporting the design of a Drug and Alcohol Court
- > strengthening Corrections systems by replacing the mobile duress system at the AMC to improve safety
- > continuing the Intensive Correctional Order scheme which provides a diversion from full-time imprisonment;
- > improving public safety by:
 - upgrading the CCTV network, including Canberra City, GIO Stadium, Manuka Oval, EPIC, Kingston and Manuka shopping precincts and at Canberra's bus stations and depots
 - developing a whole of government CCTV strategy
 - providing additional resources to continue the implementation of *Australia's Strategy to Protect Crowded Places from Terrorism*, and
 - expanding the CBR Night Crew operating around the Civic nightlife precinct to assist vulnerable people including those affected by alcohol and drugs and people who are vulnerable to assault and sexual assault.
- > strengthening the ACT ESA to build operational capability and meet future needs by:
 - undertaking a recruit college for 18 firefighters
 - providing new protective helmets to firefighters
 - purchasing a new aerial pumper for ACT Fire & Rescue
 - providing new cardiac monitors and defibrillators to all ACT ambulances and new Automatic External Defibrillators to ACT Fire and Rescue appliances, and

- upgrading the ambulance fleet with electronic stretchers and loaders, fast-tracking the replacement of eight ambulances and improving the maintenance and repair arrangements for the fleet.
- > strengthening ACT Policing to build capability and meet future needs by:
 - providing smartphone devices to the highest priority members to improve security and safety
 - providing additional staffing for an enhanced strategic analysis capability to better target crime and support quality and timely reporting to government
 - providing additional resourcing to Taskforce Nemesis to target, disrupt, deter and prevent organised crime, and
 - upgrading police facilities at Tuggeranong Police Station and the Winchester Police Station, including upgrades to meet building standards for people with a disability and / or mobility impairment.
- > improving efficiency and service delivery by building the directorate's digital and ICT capability including:
 - replacing a number of existing ICT systems at the Human Rights Commission with a single new case management system, and
 - replacing the Supreme Court's Jury Management System with a more modern, reliable and functional system.

Internal accountability

The directorate operates in accordance with its published governance framework that informs and introduces staff to best practice governance practices that promote the principles of good governance.

The aim of the framework is to assist staff to understand their personal accountabilities, in the context of their legislated responsibilities as a member of the Australian Capital Territory Public Service (under the *Public Sector Management Act 1994*), in accordance with the *Financial Management Act 1996* and where applicable, as a delegate of the Director-General and in contributing to the performance of the directorate.

The framework is also designed to provide the conditions for:

- > meeting our legal obligations
- > a unified leadership by providing Executive and staff with clearly defined responsibilities
- > high performance through integration of functions as well as strategic, operational and individual performance planning and management processes
- > a decision making environment that considers risk and provides transparency in managing situations that may prevent us from meeting our objectives, and
- > a culture of working respectfully, innovatively and collaboratively to seek solutions and solve problems

Within the JACS Governance Framework, the committee structure that is endorsed and supported as part of the framework as follows:

Table 1 Strategic Management Committee

Strategic Management Committee

Membership:

- > Director-General (Chair)
- > Deputy Director-General, Justice
- > Deputy Director-General, Community Safety
- > Chief Operating Officer

The main objective of SMC is to manage directorate priorities and risks, including:

- > the financial position of the directorate
- > Work Health and Safety obligations
- > Strategic workforce capabilities
- > Strategic ICT risks and priorities
- > Asset management and strategic priorities
- > Assurance and performance obligations

SMC is supported by the following primary committees:

Table 2 Primary Committees

Finance Forum	Audit Performance and Improvement Committee	IMICT Committee	Work Health and Safety Tier 1 Committee
<p>Membership:</p> <ul style="list-style-type: none"> > Chief Finance Officer > One Executive / senior financial representative from each Business Unit. > Finance Managers, Strategic Finance. <p>Other directorate representatives or other agencies (e.g. Shared Services, Treasury) may be invited to present on particular matters.</p>	<p>Membership:</p> <ul style="list-style-type: none"> > An independent chair > An independent representative from another ACT Directorate > Deputy Director-General, Justice > Deputy Director-General, Community Safety 	<p>Membership:</p> <ul style="list-style-type: none"> > Principal Registrar, ACT Courts and Tribunal > Executive Director Risk and Planning, Emergency Services Agency > Director Corporate Services, ACT Corrective Services > Executive Director, Legislation, Policy and Programs 	<p>Membership:</p> <ul style="list-style-type: none"> > Director-General (Chair) > Workplace Representatives > Union representatives > United Firefighters Union > Transport Workers Union > Community and Public Sector Union

Finance Forum	Audit Performance and Improvement Committee	IMICT Committee	Work Health and Safety Tier 1 Committee
		<ul style="list-style-type: none"> > Commissioner, Human Rights Commission > Parliamentary Counsel, Parliamentary Council Office > Senior Director, Security and Emergency Management Branch > Executive Director, Governance > Chief Operating Officer > ICT Portfolio Managers 	<ul style="list-style-type: none"> > Ex-Officio Members

JACS Aboriginal and Torres Strait Islander Programs and Initiatives

During the reporting year, the directorate continued to explore robust ways to increase Aboriginal and Torres Strait Islander representation through our existing key workforce documents; the *JACS Inclusion Statement 2016-2019*, the *Aboriginal and Torres Strait Islander Employment Action Plan 2016-2019* and the *JACS Workforce Strategy 2017-2019*.

Aboriginal and Torres Strait Islander Executive Champion

Mr John Hinchey, Victims of Crime Commissioner, undertook this role until his retirement in December 2017. Mr Mark Brown, Chief Officer ACT Fire and Rescue, was appointed on 5 February 2018 to champion the Aboriginal and Torres Strait Islander workforce and the JACS Reconciliation Action Plan. The Deputy Director-General Justice, Mr Richard Glenn, the executive JACS Respect, Equity and Diversity (RED) sponsor, oversees the ongoing progress of the directorate's commitment to building an inclusive workplace.

Reconciliation Action Plan 2016-19

The JACS Reconciliation Action Plan (RAP) is a stretch plan in which the directorate sets clear and measurable targets to deepen its impact on the actions outlined therein. Three focus areas of the RAP are:

- > to build and maintain confidence between Aboriginal and Torres Strait Islander people and the directorate

- > to deliver services in a way that acknowledges and understands Aboriginal and Torres Strait Islander culture and history, and
- > to support the attraction, retention and capability building of Aboriginal and Torres Strait Islander people as staff in the directorate.

Since the launch of the JACS RAP the following targets have been met:

Table 3 JACS RAP Actions

Action	Highlights	Status
Relationships		
JACS RAP Working Group to actively monitor RAP development and implementation	All targets are completed or on track except one, which states the Working Group should include Aboriginal and Torres Strait Islander people, two or more community members and a representative from each business unit. In 2018, the RAP included an Aboriginal and Torres Strait Islander person as the co-chairperson.	On track
Seek cultural advice and guidance from the ACT Aboriginal and Torres Strait Islander Community	During the reporting period consultation with the ACT ATSIEB and United Ngunnawal Elders Council occurred on policies and programs as appropriate.	On track
Celebrate National Reconciliation Week to strengthen and maintain relationships between Aboriginal and Torres Strait Islander staff and other staff	On 25 May 2018, the RAP Working Group hosted three morning teas at three directorate locations, including 12 Moore Street, 2CA and ESA. These events showcased reconciliation in action in the directorate. JACS were involved in promoting JACS as a directorate at the first annual 'Reconciliation Day' held at Glebe Park.	On track
Maintain and leverage mutually beneficial relationships with Aboriginal and Torres Strait Islander peoples, communities and organisations to support positive outcomes	The directorate continues to promote and implement the Elected Body's <i>Protocols for working with Aboriginal and/or Torres Strait Islander peoples</i> as the guiding principles for engagement between the directorate and the Aboriginal and Torres Strait Islander community.	On track
Raise internal and external awareness of the JACS RAP to promote reconciliation across business units	During the reporting period the JACS Aboriginal and Torres Strait Islander Executive Champion worked with the directorate's senior leaders to encourage engagement with RAP outcomes.	On track
Encourage, promote, support and celebrate dates of significance and cultural events to provide opportunities for Aboriginal and Torres Strait Islander employees and other employees to build relationships	During the reporting period the JACS Aboriginal and Torres Strait Islander Executive Champion worked with the directorate's senior leaders to encourage this support, engagement and celebration.	On track
Respect		
Increase knowledge and	In 2017-18, 57 directorate staff attended Aboriginal	On track

Action	Highlights	Status
understanding of Aboriginal and Torres Strait Islander cultures, histories and achievements	and Torres Strait Islander cultural awareness training. 14 staff attended Aboriginal Cultural Awareness conducted by ACT Council of Social Services (ACTCOSS). Executive Staff received training in Ngunnawal language at its Executive Retreat in March 2018.	
Demonstrate respect to Aboriginal and Torres Strait Islander peoples and communities by embedding cultural protocols as part of the way JACS functions	Many of the targets for this action are completed and the remainder are on track. The RAP Working Group designed and framed a written Acknowledgment of Country, based on the JACS RAP artwork, which was presented to business unit heads during Reconciliation Week.	On track
Demonstrate respect to Aboriginal and Torres Strait Islander peoples and communities by reflecting language and culture in the workplace	All targets are completed or on track, except 3A to name or rename five meeting rooms or shared spaces within the directorate. The JACS Working Group is consulting the United Ngunnawal Elders Council.	On track
Celebrate NAIDOC Week and provide opportunities for Aboriginal and Torres Strait Islander staff to engage with culture and community during NAIDOC Week	All staff were encouraged to participate in NAIDOC events, and were provided an opportunity to attend during working hours. Aboriginal and Torres Strait Islander employees were granted one complete day or for varying periods during the week's activities totalling one complete day. The directorate held a number of events across the directorate.	Completed
Support cultural obligations of Aboriginal and Torres Strait Islander staff	During the reporting period, the directorate promoted and advocated for appropriate leave and other entitlements to support cultural obligations of Aboriginal and Torres Strait Islander staff.	On track
Provide information to encourage understanding between the Aboriginal and Torres Strait Islander community and the directorate through internal and external Aboriginal and Torres Strait Islander web presence	The external Aboriginal and Torres Strait Islander Justice Affairs webpage and internal Reconciliation intranet site were maintained throughout the reporting period.	On track
Recognise and celebrate staff achievements in pursuit of our vision for reconciliation	Achievements towards reconciliation were considered when nominating staff for awards.	On track
Opportunities		
Support, promote and engage with the JACS Aboriginal and Torres Strait Islander Employment Action Plan	The directorate remains actively committed to the employment targets and principles set out in the Aboriginal and Torres Strait Islander Employment Action Plan.	On track
Increase Aboriginal and Torres Strait Islander supplier diversity	The RAP Working Group and the JACS Aboriginal and Torres Strait Islander Executive Champion gave ongoing consideration to procuring goods and services from Aboriginal and Torres Strait Islander suppliers.	On track

Action	Highlights	Status
Increase understanding in the Aboriginal and Torres Strait Islander community about the work of the directorate	Information about the work of the directorate was available for members of the Aboriginal and Torres Strait Islander community at the JACS Reconciliation morning teas.	Completed

JACS Directorate activities

The directorate organised, promoted or implemented activities that supported our RAP during the reporting period. This included:

Reconciliation Week

- > JACS hosted morning teas at three JACS locations, including 12 Moore Street, ACTCS and ESA headquarters on 25 May 2018 which showcased reconciliation in action in the directorate.
- > JACS held a stall at the Reconciliation Day in the Park event, to celebrate the newly appointed public holiday in the ACT. This activity demonstrated the commitment by JACS to building strong and respectful relationships with the community alongside other directorates.

NAIDOC week

- > participation in the ACT NAIDOC Awards Ball
- > encouraged staff to attend and participated in the ACT NAIDOC Family Day
- > attended the NAIDOC Flag Raising Ceremony
- > ACT Corrective Services NAIDOC Family Day at the AMC, which was attended by detainees and their families
- > Annual Combined ACT Corrective Services and Southside Community Services Art Exhibition which showcased artworks from the AMC and the community

Other services and activities undertaken in the reporting period that support the RAP include:

- > the Public Trustee and Guardian prepares wills free of charge for Aboriginal and Torres Strait Islander people if the Public Trustee and Guardian is appointed as executor
- > overseeing the restorative justice scheme which provides voluntary opportunities for adult Aboriginal and Torres Strait Islander people to be involved in their own justice process. An Indigenous Convenor position (currently being trialled) and an Indigenous Guidance Partner work at the Restorative Justice Unit to support people impacted by crime and those responsible to explore what has happened, who has been impacted and what can be done to repair the harm. These workers identify ongoing needs of Aboriginal and Torres Strait Islander participants and can provide referral and connection with relevant agencies in the community.
- > maintaining an Aboriginal and Torres Strait Islander Justice Affairs portal on the internet to assist search for information on Aboriginal and Torres Strait Islander justice issues, justice organisations, policies, research and information about significant dates and events.

Aboriginal and Torres Strait Islander Employment Action Plan 2016- 19

The *Aboriginal and Torres Strait Islander Employment Action Plan 2016-2019* focuses on better understanding our Aboriginal and Torres Strait Islander employees needs and aspirations, so the directorate can provide effective and supportive strategies to retain and develop them. This includes

offering employees access to mentoring programs, developing and implementing peer support for trainees and other entry level staff, and ensuring that they are made available to supporting existing staff.

To promote employment opportunities, the directorate undertook the following activities:

- > continued engagement with Chief Minister, Treasury and Economic Development Directorate (CMTEDD) in relation to ACTPS wide initiatives including the Graduate Program and the ACTPS Vocational Employment Program for Aboriginal and Torres Strait Islander people
- > advertised employment opportunities in the mainstream and Aboriginal and Torres Strait Islander publications media and networks, including with Habitat Personnel (until they ceased operations)
- > conducted mandatory recruitment training for Chairs of selection panel, ensuring they are aware of the proper composition of selection panels for recruiting Aboriginal and Torres Strait Islander identified positions
- > ESA participated in the NSW Indigenous Fire and Rescue Employment Strategy (IFARES) pre-employment pathway program for Indigenous people interested in becoming fire fighters within the ACT region
- > in March 2018, directorate Executives undertook a session on Aboriginal and Torres Strait Islander culture with local custodian Mr. Tyrone Bell (*Dharwra Aboriginal Cultural Tours*). They also participated in a cultural workshop on bush tucker with Mr. Adam Shipp (*Yurbay*). This was designed to provide executives with a broader appreciation in order to lead the directorates Aboriginal and Torres Strait Islander workforce
- > the ACT Supreme Court hosted a careers expo for Aboriginal and Torres Strait Islander students from year nine to 12 on 17 May 2018. Students learnt about careers in the justice sector and learnt about difference job pathways.

Business units promoted the directorate as an employer of choice at a number of events. The directorate participated in CareersXpo 2017 to raise awareness of career opportunities in the directorate and the service and support available to the Aboriginal and Torres Strait Islander community in the ACT. Staff and volunteers from the four services of ESA participated in the CareersXpo. This included:

- > the ACTF&R Kanbi (Ngunnawal word for "Fire") fire pumper that features artwork by a local Indigenous artist
- > ACTSES volunteers spoke to event attendees to promote becoming an ACTSES volunteer.

To support and develop our Aboriginal and Torres Strait Islander employees, the directorate:

- > continued participation in the network for Aboriginal and Torres Strait Islander employees, through the Murranga Murranga ACTPS Aboriginal and Torres Strait Islander Employee Network
- > supported participation in the 6th Indigenous Women's Leadership Summit, National Aboriginal Wellbeing and nationally accredited conflict mediation training
- > provided coaching and mentoring opportunities for Aboriginal and Torres Strait Islander staff
- > encouraged participation in leadership and management programs by allocating places for Aboriginal and Torres Strait Islander employees
- > encouraged all staff to have a current performance and development plan which consists of a learning and development plan and career development plan.

Directorate staff also participated in Aboriginal and Torres Strait Cultural Awareness training. Operational staff from ACT Corrective Services are required to attend this training as part of their induction program.

Many of these achievements echo targets identified in the *Inclusion Statement 2016-19* which sets the foundation to progress efforts to build an inclusive workplace culture.

Community-based Aboriginal and Torres Strait Islander Programs and Projects

Providing an Accessible Justice System

Galambany Court

Galambany Court has existed as part of the ACT Magistrates Court jurisdiction since 2004. Galambany Court recognises the ongoing disadvantage experienced by Aboriginal and Torres Strait Islander people in the criminal justice system and seeks to address offending behaviour within a culturally sensitive framework. Aboriginal and Torres Strait Islander Panel Members assist in the sentencing process by making culturally appropriate recommendations to the presiding Magistrate. In 2017-18 amendments to the Magistrates Court Act were made establishing the Children's Circle Sentencing Court. The new court is called Warrumbul Court, which is the Ngunawal word for 'youth'.

Outward Bound 'Skills for Life' Program

In late 2016-17, Outward Bound Australia was engaged to deliver a further 'Skills for Life' program that will provide Aboriginal and Torres Strait Islander defendants with a culturally appropriate sentencing option. The program targets women and men aged 18 to 25 years and aims to build resilience, self-awareness, self-confidence, teamwork skills and leadership qualities through gender-specific camps. A cultural program has been integrated throughout the high impact adventure therapy course to strengthen cultural knowledge and connection while developing key interpersonal skills. The program was extended in June 2018 for a further 6 month period in order to facilitate more opportunities for eligible Aboriginal and Torres Strait Islander people to attend with camps planned for September and November 2018.

Aboriginal and Torres Strait Islander Experience Court Reports- Ngattai

As part of the program of work under the Justice Reform Strategy, the Government commissioned Legal Aid ACT to design a framework for the creation of *Aboriginal and Torres Strait Islander Experience Court Reports* which has been finalised in June 2017. Based on the Canadian *Gladue* style reports, the aim is to provide the courts with pre-sentence information about an offender's community, family and personal circumstances and the impact of the cultural, social and historical issues confronted by Aboriginal and Torres Strait Islander people.

Restorative Justice Indigenous Guidance Partners

The Restorative Justice Unit (RJU) has two full-time identified Indigenous Guidance Partners (IGP) who support Indigenous youth and adults involved in restorative justice referrals.

The IGP is often the first point of contact for an Indigenous RJU client, building rapport and trust in the process and the convenor. The IGPs support Indigenous participants and their respective communities of care after referrals are received, and before, during and after conferences. The IGPs also liaise with police, courts, correctional and community-based agencies to provide information, encourage referrals and to connect clients with other relevant support services.

The RJU is trialling an Indigenous Convenor role. Convenors are the 'guardians' of the RJ process and make decisions about the suitability of participants and the matter as a whole to proceed. It is important that the RJU has Indigenous people filling roles that enhance a sense of empowerment in process and outcomes which will in turn inspire trust and engagement with the Aboriginal and Torres Strait Islander Community.

Restorative Justice Aboriginal and Torres Strait Islander involvement - Young People

In 2017-18, 11 Aboriginal and Torres Strait Islander young people were referred to restorative justice by ACT Policing. This represents a drop of 45% from the 2016-17 financial year. All of these were referred for less-serious matters and as a diversion from court. A further 10 Aboriginal and Torres Strait Islander young people were referred by the Childrens' Court.

Of these 21 young people, two were found eligible and suitable to proceed to conference, and two other young Indigenous offenders participated in conferences this financial year who were referred the previous year. Reasons for matters not being found suitable are particular to the circumstances of each case and may include a required victim participant declining to be involved. Reasons why young Indigenous young people did not participate included 'failed to attend appointments'(5), 'disputes responsibility'(1), 'declines to participate'(3) or 'was unable to be contacted'(7).

Four agreements were formed in conferences in 2017-18, one conference agreement formed in 2016-17 extended into 2017-18. Of these, one agreement was complied with, three conferences were deemed satisfying without a formal agreement and one agreement was not complied with, resulting in a compliance rate of 80% for Aboriginal and Torres Strait Islander young people referred in 2017-2018.

Restorative Justice Aboriginal and Torres Strait Islander Involvement - Adults

A total of 25 adult Aboriginal and Torres Strait Islander offenders were referred in 2017-18. Four referrals included serious offences and one of those serious offences was addressed in a successful conference. Four adult Indigenous offenders referred in 2017-18 for less serious offences participated in conferences. Of these, one agreement is still being monitored and in the three other matters the conference itself satisfied participant's needs.

Legal Assistance Services

Aboriginal Legal Service (NSW/ACT)

The ACT Government provides funding to the Aboriginal Legal Service (ALS) (NSW/ACT) to ensure that the local community has access to, and receives, much needed services. The ALS assists Aboriginal and Torres Strait Islander men, women and children through representation in court, advice and information, outreach support, referrals and access to brokerage funds. The Government has funded an additional duty lawyer since 2015-16, and has an interim funding arrangement in place for the community justice programs *Front Up*, *Interview Friends*, *Galambany Court Support* and *Extended Throughcare*. The ALS also receives Australian Government funding.

Women's Legal Centre ACT

The Women's Legal Centre ACT and Region receives ongoing funding to deliver the *Aboriginal and Torres Strait Islander Women's Access to Justice Program*. The program continues to provide Aboriginal and Torres Strait Islander women with access to culturally appropriate case management

support for a range of law and justice matters including domestic and family violence, care and protection, family law and employment discrimination.

Supporting a Safe and Resilient Community

New Aboriginal and Torres Strait Islander justice service delivery model

Legislation, Policy and Programs continued to work in partnership with the Aboriginal and Torres Strait Islander Elected Body (ATSIEB) throughout 2017-18 to develop a justice service delivery model. An options paper was circulated following a community forum to seek the views of the local Aboriginal and Torres Strait Islander community on the preferred option for the new model. ALS (NSW/ACT) has been contracted to provide services. The current contract with ALS to deliver the services expires on 31 December 2018, while a rigorous procurement process for the new contract is undertaken in the latter half of 2018.

Aboriginal and Torres Strait Islander Justice Partnership 2015-18

The Aboriginal and Torres Strait Islander Justice Partnership (the Partnership) demonstrates the ACT Government's commitment to improving law and justice services and outcomes for Aboriginal and Torres Strait Islander people in the ACT. The Partnership takes a targeted approach to addressing the over-representation of Aboriginal and Torres Strait Islander people in the ACT criminal justice system and includes detailed actions, measures, and areas of accountability.

The Partnership consists of a total of 21 actions areas with 38 key measures that, in some instances, are jointly addressed by lead agencies bringing the total number of reportable action items to 79.

On 3 April 2018 it was agreed by the ACT ATSIEB that 42 reportable action items could be closed as they had either been completed or been considered to be consistently on track over the term of the Partnership. The object of this decision was to allow reporting agencies to focus on those remaining 37 action items that still required work and attention.

By the end of the 2017-2018 financial year:

- > 16 action items were considered to be on track
- > 13 actions were considered to be stalled as they were not progressing in line with the agreed timeframe, and
- > eight action items were considered to be stopped as they had stalled considerably or were not likely to be delivered in the life of the partnership.

Justice Reinvestment and the Aboriginal and Torres Strait Islander Community

Justice Reinvestment aims to reduce crime, enhance public safety and strengthen communities by developing a smarter, more cost-effective approach to criminal justice. During 2017-18 two trials focused exclusively on the Aboriginal and Torres Strait Islander community - the Yarrabi Bamirr Trial and the Ngurrumbai Bail Support Trial.

Yarrabi Bamirr Trial

Yarrabi Bamirr (meaning Walk Tall in the Ngunnawal language) was officially launched at Winnunga Aboriginal Health and Community Services in April 2017. It involves using a family-centric model of

service support with Aboriginal and Torres Strait Islander families to improve life outcomes and reduce or prevent contact with the criminal justice system.

Yarrabi Bamirr is designed to address complex needs using a comprehensive approach that is co-designed with the client and their family. A range of agencies work collaboratively to support the issues clients are facing. This involves intensive support that, over time, builds the clients own capacity to navigate the issues they face and self-manage their affairs.

As of June 2018, there are three Aboriginal services delivering this trial - Winnunga Nimmityjah Aboriginal Health and Community Services, Aboriginal Legal Service NSW/ACT, and Mulleun Mura (meaning Eagle in Ngunnawal and based at the Women's Legal Service).

In addition to the program funded through Winnunga, the Justice Reinvestment team commenced negotiations with ACTCS in May 2017 to explore how to integrate the Yarrabi Bamirr methodology into the Throughcare support given to Aboriginal and Torres Strait Islander people leaving prison. This resulted in two family-centric service delivery models. The Australian National University is conducting an independent evaluation of the Winnunga element of the trial which is expected to be available in the second half of 2018.

Ngurrambai - Bail Support Trial

Ngurrambai (meaning 'perceive - I see, I hear, I understand' in Ngunnawal) is the ACT's second Justice Reinvestment trial. It is a two year trial, designed to reduce the number of Aboriginal and Torres Strait Islander people on remand, and time spent on remand. The program, launched by the Aboriginal Legal Service ACT/NSW on 7 December 2017, supports compliance with bail orders and provides much needed assistance to navigate the justice and social service systems. Through tailored bail support plans, Aboriginal and Torres Strait Islander people are provided assistance to secure appropriate housing and are referred to programs and services relevant to their needs and circumstances.

Support for Aboriginal and Torres Strait Islanders in the AMC

NAIDOC Family Day

ACTCS holds a Family Day event annually as part of the NAIDOC Week celebrations. It provides the opportunity for detainees in the AMC and their families to come together to mark NAIDOC Week and is an opportunity to acknowledge and celebrate Aboriginal and Torres Strait islander culture. The event was an invitation only event and attracted the inclusion of 70 detainees and 84 adults and 44 children on the day. Activities at the July 2017 celebration included face painting for children, live music delivered by a band of detainee musicians and traditional Aboriginal and Torres Strait Islander dancing by men and women detainees.

The NAIDOC National Committee selects the theme for the event each year. The 2017 theme titled 'Our Languages Matter' aimed to emphasise and celebrate the unique and essential role that Indigenous languages play in both cultural identity, linking people to their land and water, and in the transmission of Aboriginal and Torres Strait Islander history, spirituality and rites, through story and song.

The event received positive feedback from detainees, their families, Aboriginal and Torres Strait Islander community service providers, and the ACT ATSIEB.

Art Programs and Initiatives

Aboriginal and Torres Strait Islander detainees have the opportunity to engage in art production in a number of ways. They may attend formal art classes run by AMC Education, attend the Indigenous Traditional Culture Healing Yarning (ITCHY) Arts program and they also have the opportunity to purchase art supplies through buy-ups and create artwork from within their cells. Detainees also have the opportunity to exhibit and sell their artwork through the annual NAIDOC Community Art Exhibition.

ITCHY Arts Program

The ITCHY Arts Program continued during 2017-18 coordinated by Gugan Gulwan Youth Aboriginal Corporation.

The program focuses on art and music and provides Indigenous detainees an opportunity to meet in a safe, culturally appropriate environment, creating a sense of belonging and pride in participation. The object of participation is to assist in rehabilitation and to encourage detainees to engage in other services both within custody and in the community to enhance community reintegration.

NAIDOC Community Art Exhibition

Since 2013, the Community Services Directorate has partnered with ACTCS as part of NAIDOC celebrations to exhibit and sell detainee and offender artwork within its gallery in Narrabundah over a three week period. This partnership is due to continue in 2018 with a four week exhibition spanning July and including extended Saturday public viewing.

Rehabilitation Programs

Culture and Land Management Program

The Culture and Land Management (CALM) Program (the Program) is a full time, holistic education/employment based program offered at the AMC that integrates many aspects of traditional Indigenous culture including art, dance, music, languages, kinship, weaving, family history, horticulture, construction, conservation and land management. While the significant learning aspects of the course centre around horticulture, conservation and land management, the underlying intention is to develop language, literacy and numeracy foundation skills which have been embedded into the Program. CALM is delivered in collaboration with Greening Australia, Winnunga Nimmityjah Aboriginal Health Service and the Aboriginal Natural Resource Management Facilitator for the Environment, Planning and Sustainable Development Directorate.

At the heart of the Program is a Certificate II in Foundation Skills for Work and Vocational Pathways. This Certificate has Vocational Education (VET) horticulture units as an elective skill set that detainees complete.

The Program has been in operation since 2014 with components being extended, broadened and enhanced over time. In 2016-17, 36 (24 men and 12 women) detainees participated in the program. In 2016-17, one detainee who fully completed the program has now moved to the Transitional Release Cottage at the AMC, and recently accompanied the CALM facilitator and members of Greening Australia, rangers from ACT Parks and Wildlife, and other local cultural individuals on a native plant seed collecting field trip in ACT bushland.

Looking ahead, ACTCS is working to strengthen and improve the Program in the coming year and is considering introducing new components, including a native seed bank and a native grasslands restoration project to provide the opportunity for new learning activities.

The Program was recognised at the 2017 ACT NAIDOC Week Awards, being awarded the 2017 Caring for Country Award.

Elders and Community Leaders Visitation Program

This Elders and Community Leaders Visitation Program was strengthened and refreshed in 2016. It provides cultural connection and strengthening through formal monthly visits to the AMC by local Community Elders and other Community leaders. Additional special visits also occur on an identified needs basis.

Dhunlung Yarra Indigenous Counsellor Service

Fortnightly counselling is provided by the Dhunlung Yarra Service to Aboriginal and Torres Strait Islander detainees. This is a dedicated Aboriginal and Torres Strait Islander therapeutic service staffed by Aboriginal professionals within Relationships Australia Canberra and Region, with detainee specific therapy also available on a needs basis.

Indigenous Pastoral Care

Culturally relevant pastoral care under a specific Indigenous chapel service has been made available to detainees every three weeks.

B.2 PERFORMANCE ANALYSIS - OUTPUT 1.1

POLICY ADVICE AND JUSTICE PROGRAMS

OUTPUT DESCRIPTION

The Legislation, Policy and Programs (LPP) unit provides high quality policy, legislation, ministerial support and advice to portfolio Ministers, Cabinet and other agencies on justice and community safety matters.

LPP also administers innovative justice and crime prevention programs (including the Restorative Justice Program) across the government and the community.

STRATEGIC OBJECTIVE 1 - PROMOTE AND PROTECT RIGHTS AND INTERESTS

LPP plays an important role in promoting and protecting the rights and interests of ACT citizens. LPP also assesses all ACT Government legislation for compatibility with the *Human Rights Act 2004* (ACT).

Inspector of Correctional Services

The early work to deliver on the Government's commitment to create an Inspector of Correctional Services undertaken in 2016-17 was finalised by LPP in 2017-18.

The *Inspector of Correctional Services Act 2017* (ACT) established a new oversight mechanism and independent statutory authority, called the Inspector of Correctional Services, to oversee and critically examine the operations of the adult and youth correctional system with a preventative focus.

The Inspector's role is to:

- > undertake inspections of correctional centres and services every two years against a review framework
- > review critical incidents to ensure policies, procedures and legislation promote best practice
- > undertake the review of a particular issue in the youth or adult corrections environment referred by the responsible Minister or Director-General, to ensure policies, procedures and legislation promote best practice
- > be able to conduct an unannounced visit in accordance with the role
- > provide independent reports to the ACT Legislative Assembly, and
- > if appropriate and practicable, consult with people, or use staff, suitable to the cultural background or vulnerability of any detainee involved in a matter being examined or reviewed. This includes if a review or critical incident relates to an Aboriginal or Torres Strait Islander detainee, female detainee, detainee with disability or detainee from a culturally or linguistically diverse background.

Figure 3 ACT's First Inspector of Correctional Services



Neil McAllister

The passing of the legislation, followed by the appointment of the ACT's first Inspector of Correctional Services, was the culmination of a significant program of work designed to improve the treatment and care of detainees in custody. Mr Neil McAllister commenced his role as ACT's first Inspector of Correctional Services on 14 March 2018 for a term of five years.

Charter of Rights for Victims

In the Parliamentary Agreement for the 9th Legislative Assembly for the ACT, the Government committed to introducing a Charter of Rights for Victims of Crime (the Charter) in the ACT. The Charter aims to recognise the centrality of victims within the criminal justice system, ensure victims receive reliable and consistent treatment and enhance justice system and victim support agency accountability. LPP is supporting the Victims Advisory Board to advise the Minister for Justice, Consumer Affairs and Road Safety on what a Charter would look like and how it could be implemented in the ACT. During the year an options paper formed the basis of community consultations and LPP will continue to work closely with key government stakeholders to develop the recommended model.

Legislative Amendments

During 2017-18, LPP assisted the Government in the development, explanation and implementation of legislation relevant to the promotion and protection of rights. Notable examples include:

- > Implementation of the *Freedom of Information Act 2016*
 - In 2017-18, LPP continued to assist the cross-government Freedom of Implementation Working Group in preparing for commencement of the *Freedom of Information Act 2016* (FOI Act) on 1 January 2018. LPP's continuing role included providing general guidance about the anticipated operation of particular provisions to ACT and preparation of subordinate legislation. Officers supported the Attorney-General in considering and enacting a regulation to define the heads of 'territory authorities' and 'territory instrumentalities' for the purposes of the FOI Act. This regulation provided clarity to public sector bodies and corporations

established under a territory law, such as the Cultural Facilities Corporation and the University of Canberra, about who is responsible for appointing decision-makers under the FOI Act. LPP also prepared and submitted a revised fees determination to the Attorney-General for consideration and signature, to take account of new restrictions on calculating fees for access to Government information.

- > Review of oversight resources
 - Recommendation 15 of the Review into the system level responses to family violence in the ACT was that ‘a review should be undertaken to determine whether the oversight resources of the Public Advocate and Children and Young People Commissioner and the resources to respond in the Community Services Directorate are sufficient to ensure oversight mechanisms are working effectively’. LPP undertook a tender process to select an independent reviewer, and managed the contract. Spring Green Consulting was the successful tenderer, who engaged with a range of stakeholders and provided a review report. At the end of the financial year, that report was being prepared for distribution.
- > Implementation of the Optional Protocol to the Convention Against Torture
 - In anticipation of the Australian Government ratifying the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in December 2017, LPP engaged internal business units and ACT Policing to inform arrangements for the protocol’s implementation. As a result of these discussions, LPP supported the Minister for Justice, Consumer Affairs and Road Safety’s consideration and introduction of the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2017*, which was passed in February 2018. This legislation provides a legal framework for staff to assist the United Nations Subcommittee on the Prevention of Torture when visiting ACT places of detention, including in relation to access to facilities, interviewees and requested information. At the end of the financial year, LPP is continuing to liaise with jurisdictions and the Commonwealth Ombudsman in its newly established role as National Preventive Mechanism Coordinator to prepare for implementation, including the establishment of a National Preventive Mechanism component for the ACT, by December 2021.

STRATEGIC OBJECTIVE 2 - PROVIDE AN ACCESSIBLE JUSTICE SYSTEM

LPP assists the Government to improve access to justice for the ACT community through legislation and policy aimed at supporting and shaping the ACT’s civil and criminal justice systems. LPP also prepares data for public release about criminal justice and justice services.

National Redress Scheme for Institutional Child Sexual Abuse

In 2017-18, LPP led the ACT’s contribution to the development of the National Redress Scheme for Institutional Child Sexual Abuse (the Scheme). The Scheme is in response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

The ACT procured Finity Consulting in 2017 to scope the potential for applications related to abuse which occurred in ACT institutions. Finity Consulting estimated that the ACT would generate 830

redress applications in a national scheme that would include private institutions. It was estimated that 226 of these applications would relate to ACT Government institutions.

The Intergovernmental Agreement on the National Redress Scheme for Institutional Child Sexual Abuse was signed on 1 May 2018 and the ACT Government has declared that all ACT Government institutions will be participating in the Scheme.

In the lead up to the 1 July 2018 launch of the Scheme, LPP initiated and continues to chair a whole of government implementation group that is working to put in place processes which will ensure that ACT Directorates respond effectively to applications which involve abuse which occurred in organisations for which they are, or were, responsible. A position will be established to coordinate the provision of information by ACT Government agencies, in response to applications made under the Scheme.

LPP continues to work closely with the Commonwealth Department of Social Services which is administering the receipt of applications to the Scheme.

Royal Commission into Institutional Responses to Child Sexual Abuse

On 15 June 2018, the ACT Government announced its response to all the recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse, including its Criminal Justice Report which made 85 criminal justice recommendations.

Those recommendations propose legislative and non-legislative reforms across the criminal justice system to better prevent and protect children from child sexual abuse, as well to improve access to justice for victims. The recommendations include new offences for the protection of children from abuse, changes to sentencing processes and evidence laws, and the improvement of measures designed to mitigate trauma in child sexual abuse proceedings – including the introduction of an intermediaries scheme.

A Child Abuse Royal Commission: Criminal Justice Reform Team was established in 2017-18 and progressed a number of the 85 criminal justice recommendations in the Crimes (Legislation Amendment) Bill 2017 (No 2) which was passed by the Legislative Assembly on 20 February 2018. The amendments:

- > Made existing offences for persistent child sexual abuse more effective, better reflecting how child sexual abuse is experienced and remembered
- > Changed to the way child sexual abuse offenders are sentenced by preventing an offender's 'good character' from being considered if that 'good character' enabled them to commit the offence
- > Made two new grooming offences criminalising non-electronic grooming of a child, as well as grooming of people other than a child (e.g. parents).

LPP supported ACT Government consultation with the community and key stakeholders in the first half of 2018, on additional criminal justice reforms. LPP has used the outcome of this consultation and consultation with the Sexual Assault Reform Program to develop reforms for inclusion in legislation in 2018-19.

Legal Assistance Services

In 2017-18, the directorate continued to facilitate service planning for the legal assistance sector as required under the National Partnership Agreement on Legal Assistance Services (NPA). LPP

administers this function on behalf of the ACT Government and represents the directorate as chair of the ACT Legal Assistance Forum.

The National Partnership Agreement on Legal Assistance Services 2015-2020 (NPA) is an agreement between the Commonwealth, States and Territories which sets out arrangements for the delivery of Commonwealth funded legal services by Legal Aid Commissions and Community Legal Centres. The objective of the NPA is a national legal assistance sector that is integrated, efficient and effective, focused on improving access to justice for disadvantaged people and maximising service delivery within available resources.

The NPA requires a review to be completed approximately 18 months prior to the expiration of the NPA on 30 June 2020. This review is currently underway and will assess the effectiveness, efficiency and appropriateness of the NPA as a mechanism for achieving its objective and outcomes within available resources and identify best practice and opportunities for improvement. The review is being conducted by an independent assessor, supported by a Steering Committee (comprised of representatives of the parties to the NPA, being the Commonwealth, States and Territories) and an Advisory Group (comprised of representatives from the legal assistance sector). The directorate represents the ACT Government on the Steering Committee and to date has been involved in the Steering Committee's management of the preliminary stages of the Review, including developing terms of reference and choosing an independent assessor to conduct the review from a tender process. The outcomes of the review will help inform future funding arrangements for legal assistance services from 1 July 2020.

Justice and Community Safety Legislation Amendment Bills

The Justice and Community Safety Legislation Amendment Bill program allows the government to make changes to directorate portfolio legislation that do not amount to major changes to existing policy. Two Justice and Community Safety Legislation Amendment Bills were passed by the Legislative Assembly in 2017-18. These Bills included amendments to the ACT's *Family Violence Act 2016* to ensure that there is no gap in a court's ability to recognise interstate family violence orders in the ACT or have orders declared as recognised orders in the ACT and recognised interstate. The Bills also included corrections to drafting inconsistencies and helped to better align the ACT with a number of different national standards.

Drug and Alcohol Court

The Government is committed to establishing a Drug and Alcohol Court in the Territory which will take a problem-solving approach aimed at reducing recidivism and improving the health and well-being of offenders.

LPP has continued to progress the program of work to design and plan the Drug and Alcohol Court. This includes: supporting the Supreme Court to develop proposals to Government for a suitable model; working with the University of New South Wales to develop an evaluation framework and program logic; and working with government and non-government organisations to identify and plan all aspects of the court.

Disability Justice Strategy

During 2017-18 work was progressed on developing a Disability Justice Strategy for the ACT (the Strategy). When finalised, the Strategy will seek to ensure that people with disabilities have equal access to the law and equal treatment before the law. Working in partnership with the Office for Disability, Community Services Directorate, LPP undertook research into the issues affecting people

with disability, began stakeholder and public consultation and sponsored a Law Week event on disability justice with respected expert Professor Eileen Baldry, Victims of Crime Commissioner Heidi Yates and Ms Jeanette Purkis, a women with lived experience of disability and the justice system.

Aboriginal and Torres Strait Islander Justice Partnership 2015 - 2018

The Aboriginal and Torres Strait Islander Justice Partnership demonstrates the ACT Government's commitment to improving law and justice services and outcomes for Aboriginal and Torres Strait Islander people in the ACT. More information can be found in section B.1 Organisational Overview.

Restorative Justice

'A victim's right to restorative justice is a new robust global policy position which is growing in support today'. The ACT's voluntary Restorative Justice (RJ) Scheme promotes a voice for people affected by crime alongside the more formal criminal justice system. Eligible and suitable victims, offenders and their communities of care are supported to communicate, either face-to-face or by indirect means with the help of a trained restorative justice facilitator. The purpose of this program is to promote citizen empowerment in a non-adversarial justice process and promote understanding, empathy and reparation for victims of crime. Those responsible get the opportunity to explain their actions, reflect on their behaviour at the time and since, respond to victims needs and actively make amends. Sometimes, where appropriate, tasks are agreed to be performed by those who have caused harm and are related not only to making amends but also to what they can do to support their own development and community re-integration. These tasks form RJ Agreements which are signed by informed and consenting main participants and their supporters. Tasks must be reasonable, constructive and within the capacity of the individual to achieve. They often include financial reparation, apologies, counselling, or community volunteer work.

Participation in RJ involves the informed consent of offenders and victims. Declining to participate carries no risk or penalty for either party.

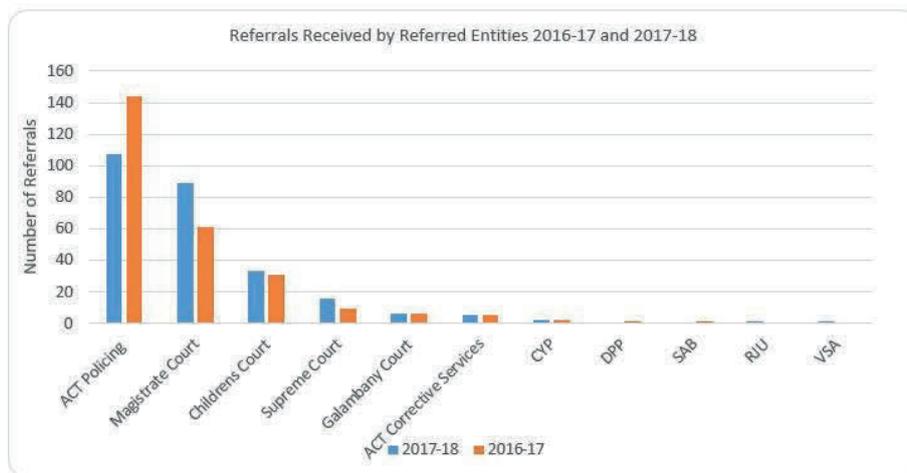
The ACT RJ Scheme has moved through phase one (2005-16) where it only received referrals for less serious offences committed by juvenile offenders to the current phase two (February 2016) including adult offenders and more serious offences for both juveniles and adults. The final phase (phase three) is expected to commence later in 2018 and will allow sexual offences and family violence offences to be eligible for referral. The Restorative Justice Unit (RJU) team has worked hard to collaborate with relevant ACT stakeholders working in these fields and to access appropriate training and development to prepare staff for responding to the needs of victim-survivors and offenders in this more complex and risk laden area. Entering phase three will complete the roll out of all phases of the Scheme.

Referrals

ACT Policing and the ACT Courts and Tribunal remained the strongest providers of restorative justice opportunities in 2017-18. In 2017-18, the RJU received a total of 260 referrals, the same number of referrals received in 2016-17. These referrals involved 555 offences, down 3% from the 573 offences referred in 2016-17, 280 offenders, representing a 6% decrease from the 297 offenders referred in 2016-17 and 476 victims, representing a 6% decrease from the 504 victims referred in 2016-17.

A total of 159 adults and 121 young offenders were referred to RJ in 2017-18. Of the offences referred, 494 were less serious in terms of maximum potential penalties, while 61 were serious offences. Serious offences are those attracting a maximum imprisonment period of more than 10 years for a personal offence and more than 14 years for other offences.

Figure 4 Referrals Received by Referred Entities



Conferences

Statistics related to conferences in 2017-18 include conferences for offences that were referred in 2016-17 (28 referrals received in 2016-17 went to conferences in 2017-18). RJU found 81 matters (28+53) matters eligible and suitable to proceed to conference (74 (46+28) of these referrals were finalised and seven were still actively being monitored in agreement stage). 50 referrals from the 2017-18 FY were still under assessment. 157 referrals received in 2017-18 were declared not suitable or not eligible, (compared to 141 referrals in 2016-17). Of these 157 matters, 16 were found ineligible for multiple reasons, including: the ineligibility of commonwealth offences (includes offences such as trespass on Commonwealth premises); phase 3 offences being referred such as family violence offences which are not yet eligible and double referrals from ACT Policing and the Childrens' Court. Conferences in 2017-18 included 53 young offenders, 35 adults and 102 victims. Sixty seven of these conferences were face-to-face and 17 were indirect (that is, through convenors at a distance, by sound recording, video or written). Total conferences decreased 29% compared to 2016-17. The decrease in matters proceeding to conference may be partially attributable to a rising proportion of adult offender to young offender matters (from 43% to 57% in 2016-17 to 57% to 43% in 2017-18). Adult matters proceed to conference far less readily than juvenile matters which may reflect attitudes among the community (and victims) that adult offenders are set in their ways, do not deserve a victim's time or represent a larger personal threat to a victim.

Another possible reason for a reduction in conferences in 2017-18 is the previously mentioned proportion of ineligible referrals (6%) and a higher rate of participants 58 offenders and 83 victims did not progress past the suitability phase (total of 141) compared with 43 offenders and 61 victims in the 2016-17 financial year. Finally, matters referred by the judiciary and then sentenced prior to conferences taking place or agreements being completed can result in the loss of significant incentive for offenders and alleged offenders to follow through on their obligations to victims. Data will be kept in the next financial year to shine a stronger light on outcome variation according to continued Court oversight of RJ matters to point of completion.

Restorative Justice Agreements and compliance

In 2017-18, 117 Restorative Justice Agreements were formed. Of these, seven are being monitored, 60 were complied with, 16 were not complied with and 30 conferences held satisfied the victim's needs. Four agreements reached in 2017-18 were substantially complied with. Excluding the agreements still being monitored, this has resulted in an average compliance rate of 85% for the financial year and 89% since 2005.

Survey Questionnaires

After RJ conferences occur, follow-up surveys which gauge the experience of offenders, victims and supporting participants are administered by an independent agency. The survey response rate for 2017-18 was 81%. The overall satisfaction rate of 98% in 2017-18 means that the RJU has met its key performance indicator target of 97%.

Case study of adult victim - Offender conference held in the AMC

This scenario involves an Aboriginal and Torres Strait Islander person ('Jeff', in his 30's) and victims ('Paul' and 'James' both in their early 30's) at the AMC late in 2017. Jeff and co-offenders were involved in a destructive after-hours invasion of a local store, leaving the owner and manager (Paul and James) and other staff of this family business significantly affected and financially impacted. They expressed concerns for their staff's future safety.

Jeff was feeling bad about what he'd done. The store was in his local area and the staff had on many occasions showed kindness and generosity to him and his family with gifts of produce. Jeff had started taking Ice with his mates and then ended up involved in this reckless act.

Throughout the preparation phase with the RJ convenor, Jeff was well supported by his AMC Case Manager and the RJU's Indigenous Guidance Partner (IGP).

The IGP was later able to connect Jeff to an appropriate Indigenous support service to address issues affecting him, and his partner's tenuous situation in the community.

Paul and James were initially angry and sceptical. They had some strong ideas about the kind of person Jeff was and were not confident that the conference process would be worth their while.

Jeff was sure that Paul and James would judge him badly and would probably not accept his explanations and apology.

At the conference, Jeff took full responsibility for his actions, explaining what he'd done and how he'd got involved in antisocial associations and offending activity.

Jeff listened as Paul and James spoke about the impacts of the incident and the collective fear now present in the store, especially for the female workers. Jeff found a way to articulate and express his deep shame around having violating the friendly people at his local store.

Importantly, Jeff was able to reassure Paul and James that a co-offender was no longer at large in the community and that their store was not likely to be targeted in future.

Paul and James felt relieved and lighter. The AMC Case Manager was able to provide Paul and James some perspective on the progress that Jeff had made in his engagement with rehabilitation programs while in the AMC. Toward the end of the conference, the three men talked about fatherhood, its responsibilities and opportunities. While Paul and James were not fathers yet, they had been shocked to learn Jeff was a 'dad'. As involved uncles, they both saw themselves as fathers in the future and expressed their hope for Jeff's positive future with his son.

Although Paul and James did not require any particular task of Jeff through a formal RJ Agreement process, they extended an invitation for Jeff to bring his son to their family store to say hello, once he was released and making his way again in the community.

Legislative Amendments

- > The *Courts and Other Justice Legislation Act 2018 (No 1)* introduced a range of amendments to create further improvements and efficiencies in the administration of ACT court and tribunal structures and processes, and the operation of the ACT justice and coronial systems.
 - In particular, the Act modernised the process of empanelling juries, strengthened the jury summons enforcement process, revised the oath and affirmation process, and provided for better support for jurors with a disability, or who have English as a second language, so that they have equal opportunity to take part in this important public services
 - The Act made a number of changes to support the efficient finalisation of coronial inquests by allowing the Coroner to more easily obtain medical records, delegate people to establish coronial investigation scenes and perform non-invasive examinations where appropriate. These changes will enhance the ability of the Coroner's Court to sensitively and quickly gather the evidence they need to establish the cause of death and identify matters of public safety, so the family can have the closure they need after the unexpected death of a loved one
 - The Act provided a wider role for the Associate Judge by vesting in them a jurisdiction that is equivalent to that of a single judge, other than to hear trials on indictment or matters before the Court of Appeal. Amendments to the *Evidence (Miscellaneous Provisions) Act 1991* clarify the process for ACT courts to take evidence and submissions using audio-visual links or audio links with other places (including places outside Australia) in ACT proceedings. This will increase the ability of proceedings to be progressed efficiently.
- > The Residential Tenancies Amendment Bill 2017 was introduced into the ACT Legislative Assembly on 14 September 2017 and passed on 24 October 2017.
 - This Bill amended the *Residential Tenancies Act 1997* to improve consumer protections for users of commercial guarantees as an alternative to a rental bond. The Bill amended the Act to require a commercial guarantee to be registered with the Commissioner for Fair Trading, with the process and criteria for registration to be prescribed by regulation. The amendments also provided for delayed commencement of the provisions relating to the registration process. This suspended the use of commercial guarantee products in the ACT until an appropriate regulatory regime could be developed
 - The Bill also updated the Act to support electronic lodgement of rental bonds and remove the requirements for signatures on rental bond lodgement forms.
- > The Residential Tenancies Amendment Bill 2018 was introduced into the ACT Legislative Assembly on 10 May 2018 and passed on 5 June 2018.
 - This Bill made two significant amendments to the Residential Tenancies Act. The Bill provided an improved framework for residential tenancy agreements by creating greater certainty for vulnerable Canberrans by replacing conditional termination and possession orders (CTPOs) with payment orders. Unlike CTPOs, payment orders do not automatically end a tenancy if a tenant fails to pay rent. The amendments also provided a clear structure for lessors and tenants to manage rental arrears. The Bill also extended the delay on the use of commercial guarantees as an alternative to a rental bond to give the Government further opportunity to consider the legal policy implications and conduct further stakeholder consultation.

STRATEGIC OBJECTIVE 3 - PROVIDE EFFECTIVE REGULATION AND ENFORCEMENT

LPP supports the effective regulation and enforcement of legislation governing the regulatory functions of the ACT Government. This includes preparing policy frameworks and legislation, performing legislative reviews to ensure that the regulatory functions of Government are efficient and appropriate, and promoting integrity by addressing the risks associated with regulated industries.

LPP assists the ACT Government's involvement in national discussions about legislative and policy frameworks by supporting Ministerial attendance at national forums including Councils for Attorneys-General, Ministers for Police and Emergency Management and the Transport and Infrastructure Council.

Motorcycle lane filtering trial evaluation

The two-year motorcycle lane filtering trial ended on 31 January 2017. Lane filtering continues to be allowed in the ACT pending the outcome of an evaluation of the trial. The evaluation will be based on a before and after study of accident data and community awareness of the rules relating to lane filtering. The evaluation will be finalised in 2018-19.

Graduated Licensing Scheme review

Young, less experienced drivers are more vulnerable to being involved in a serious road crash. In the ACT, 15 young drivers were killed on our roads between 2006 and 2017. There is also an over-representation of these drivers in serious injury crashes, with many of those sustaining life changing injuries.

The current ACT Graduated Licensing Scheme (GLS) has limited staged restrictions on learner and provisional drivers such as zero blood alcohol, and restrictions on towing capacity.

The proposed reform of the ACT's GLS involves a staged approach to driver licensing with restrictions and sanctions that are reduced as experience is gained. Evidence supports this approach in addressing major crash factors such as age, inexperience and risk taking.

A public consultation was held via the [YourSay website](#) during April and May 2018, with more than 4000 responses. The purpose of the survey was to inform the timing of reforms, consider the appropriate staging of restrictions, whether they should apply to P1 or P2 drivers and for how long, and the development, design and application of any exemptions to minimise hardship on members of our community.

Interlock Program Evaluation

The ACT's Alcohol Interlock Program (Interlock Program) commenced in 2014. Its primary purpose is to reduce the road safety risk posed by drink drivers to themselves and other road users by preventing the driver from starting, or continuing to operate, a vehicle fitted with an interlock device if the driver has a specified blood concentration of alcohol present in his or her breath.

In August 2016, LPP engaged the Monash University Accident Research Centre to undertake an evaluation of the ACT Interlock Program. The evaluation will provide a mechanism for identifying the extent to which the design, establishment and operation of the Interlock Program reflects best

practice strategies in similar programs elsewhere, including eligibility criteria. It will also provide an assessment of whether the program has helped change attitudes to drinking and driving and investigate any barriers to uptake and completion of the program. The evaluation is due to be published later this year.

Legislative Amendments

During 2017-18, LPP assisted the Government in the development, explanation and implementation of legislation relevant to providing effective regulation and enforcement. Examples include:

- > The *Road Transport (Driver Licensing) Amendment Regulation 2017 (No 1)* to introduce 10 year driver licences and allow for driver licence photographs to be used for other ACT Government registration and licence types. These amended improved customer service, reduced red tape and supported Access Canberra to introduce online renewal of driver licences
- > The *Road Transport Reform (Light Rail) Legislation Amendment Act 2017*, passed in August 2017, supports the operation of light rail within the road environment of the ACT by integrating light rail vehicles within the ACT's compulsory third party insurance scheme. The Act included additional amendments to the *Criminal Code 2002* to make it an offence to take a light rail vehicle, a bus or heavy vehicle without consent
- > The *Road Transport Reform (Light Rail) Legislation Amendment Act 2018*, passed in May 2018, focused on regulating the operation of the light rail as a public passenger service and provides the foundation for the delivery of light rail passenger services. The Act addressed matters such as ticketing and conduct and behaviour of passengers and persons engaging with the light rail service. The Act also takes the first steps in regulatory reform to create a seamless customer experience across the Territory's public transport network
- > The *Road Transport (Road Rules) Regulation 2017* (the road rules regulation) commenced on 30 April 2018. This regulation applies the requirements of the Australian Road Rules (ARRs) and any local variations to them including provisions providing for "another law of the jurisdiction" in a single local regulation rather than adopting them by reference as had previously been the case. The road rules regulation adopts all nationally agreed packages of ARR amendments up to and including package 11
- > The *Road Transport Legislation Amendment Regulation 2018 (No 1)*, most of which commenced on 1 July 2018, provides for the abolition of registration labels for most heavy vehicles as agreed by the Transport and Infrastructure Council. It also provides for the nationally developed Load Restraint Guide for Light Vehicles 2018, published by the National Transport Commission to apply to light vehicles carrying loads. It also provides for the repeal of the *Interstate Road Transport Act 1985 (Cwth)* which will be complete on 1 July 2019.

STRATEGIC OBJECTIVE 4 - SUPPORT A SAFE AND RESILIENT COMMUNITY

LPP contributes to the safety of the ACT community by providing the framework for an effective and continuously improving justice system. It provides legislative and policy advice on issues including corrections and sentencing, drugs and firearms regulation, child sex offenders, and liquor, racing and gaming. LPP examines and analyses crime indicators to measure the success of legislative and policy approaches to criminal justice issues. In addition, it administers Government programs and strategies targeting road safety awareness, high-density housing and safety, home safety and property crime reduction. LPP also supports the Government's commitment to community safety by developing justice reinvestment approaches and assisting to set performance measures for ACT Policing through the Purchase Agreement for policing services in the ACT.

Justice Reinvestment

LPP continued to progress the Justice Reinvestment (JR) Strategy throughout 2017-18. Justice Reinvestment is about developing a smarter, more cost-effective approach to improving criminal justice outcomes by reducing crime, improving public safety and strengthening communities. Over 2017-18 a number of JR projects, developed through extensive consultation and data gathering, have been delivered or are continuing to be progressed. These include:

- > progressing and evaluating the Yarrabi Bamirr – JR Family Trial
- > commencement of the Ngurrumbai- Bail Support Trial
- > completion of phase 1 analysis of the ACT Justice Services and Programs Map
- > completion of a foundational ACT Justice System costing model
- > completion of two ACT Justice and Human Services data snapshots
- > continued progress on Evaluations – under the JR Framework
- > development of an options paper on financial pathways of reinvestment
- > development of a two day JR and Reducing Recidivism Forum and
- > managing and promoting the High Density Housing Program.

A JR Strategy, developed over the last four years, supports the commitment in the 9th Parliamentary Agreement to reduce recidivism by 25% by 2025. LPP will continue to work across government and with the community sector to use the ACT JR approach to underpin a plan to reduce recidivism. The Strategy is expected to be available in the second half of 2018.

High Density Housing Safety and Security Program

The High Density Housing Community and Safety Program (the Program), operating since 2008, is a collaborative effort between the directorate, ACT Housing, ACT Health, ACT Policing and delivered by Reclink Australia Inc. The Program is recognised as a practical example of placed-based justice reinvestment in action, reduces contact with the criminal justice system, increases community safety and builds community connectedness.

The Australian Institute Criminology (AIC) publically released it's an evaluation of the Program in May 2018. The AIC's evaluation concluded that the Program met its objectives, effectively demonstrating the benefits of implementing community development approaches and facilitating access to services that reduce or prevent crime in public housing areas. In particular, the evaluation demonstrated the program's effectiveness in:

- > reducing the occurrence of violent crime by 50%
- > reducing the occurrence of property crime by 60%
- > reducing the occurrence of disturbance incidents by 49%
- > reducing crime by a realised saving of police time to government of at least \$0.42 to \$0.51 for every \$1 invested
- > increasing the level of social cohesion among residents

The ACT Government is exploring the expansion of the program to another public housing site in the ACT. It provided funding in 2018-19 to extend and expand the program at public housing sites in the ACT.

Yarrabi Bamirr – Justice Reinvestment Family Trial

Yarrabi Bamirr (meaning 'walk tall' in the Ngunnawal language) was officially launched at Winnunga Aboriginal Health and Community Services in April 2017. More information can be found in Section B.1 Organisational Overview.

Ngurrambai – Bail Support Trial

The Bail Support Trial, Ngurrambai (meaning 'perceive - I see, I hear, I understand' in Ngunnawal), was launched with the Aboriginal Legal Service (ALS) on 7 December 2017. More information can be found in Section B.1 Organisational Overview.

ACT Justice Services and Programs Map

The ACT Justice Services and Programs Map aimed to create an evidence base of government and community sector programs and services that support people (adults and juveniles) who have contact, or are at risk of having contact, with the ACT criminal justice system (including victims of crime and perpetrators of crime). Nous Group Consultancy provided a first phase analysis of 56 government and community programs.

ACT Justice and Human Services System data snapshots

The two data snapshots are a key part of the evidence base for the ACT Justice Reinvestment Strategy. They provide local data to local people so they can develop local solutions that change people's contact with the justice system. The first data snapshot is about all ACT citizens. The second specifically presents data about ACT Aboriginal and Torres Strait Islander people.

The development of the ACT data snapshots provided an opportunity for representatives across the community, government and academic sectors to consider what data provides an insight into the experience of vulnerable ACT citizens. It is anticipated that the snapshots will be finalised in 2018.

ACT Justice System Costing model

The ACT Justice System Cost Model is also part of the ACT specific evidence base under the Justice Reinvestment Strategy. It is an innovative system-wide approach to costing the ACT's justice system from the point of apprehension to detention. The Cost Model can demonstrate the impact of a change in one part of the system and how that flows through and impacts another part of the justice system. The Cost Model supports evidenced based decision making by:

- > assisting to understand the costs associated with the ACT adult and youth justice system, and
- > understanding the potential impacts of policy, program, and operational decisions within the justice system on the cost effectiveness of service delivery and broader crime prevention outcomes for the community.

A function of the Cost Model is to project costs into the future to 2025-26. This will help to inform the development of a plan to reduce recidivism by 25% by 2025.

Reducing Recidivism by 25% by 2025

The Justice Reinvestment Strategy is now being transitioned to an approach which will underpin the commitment in the 9th Parliamentary Agreement to reduce recidivism by 25% by 2025. A Literature Review to inform the plan for reducing recidivism will be released in the 2018-19 financial year.

Liquor policy

After several years of review and liquor policy reform, the focus for LPP and the industry in 2017-18 has moved to implementation. Access Canberra and industry are adapting to these red tape reduction and community safety regulatory changes. Through the *Justice and Community Safety Legislation Amendment Act 2017 (No.3)*, the membership provisions of the Liquor Advisory Board in the *Liquor Act 2010* were amended. These changes comprised the membership category of representing ClubsACT being broadened to representing club licensees and the Australian Hotels Association (ACT branch) broadened to representing on-licensees. An additional stakeholder representing the late night economy was also included in the Liquor Advisory Board membership.

LPP continued to participate in the CBR NightCrew Steering Committee which oversaw the trial, delivered by St John Ambulance, which supports vulnerable people in Canberra City's nightlife precinct to stay safe on Friday and Saturday nights between 10pm – 4am. In the 2018-19 Budget, the Government extended and expanded the trial for a further four years, including Thursday nights, and provided for two staff identifying as Aboriginal and Torres Strait Islander, based on the impact the trial has had supporting people out in the city.

Gaming policy

During the 2017-18 financial year, consistent with commitments in the *Parliamentary Agreement for the 9th Legislative Assembly for the ACT*, LPP has been continuing to review and develop policy aiming to reduce harm from gaming. Achievements in this space include the implementation of the *Gaming Machine (Cash Facilities) Amendment Act 2017*, which restricts EFTPOS cash withdrawals in clubs to \$200 per transaction, with all stages of the transaction requiring human interaction with a trained staff member, and the passage of *Casino and Other Gaming Legislation Amendment Act 2018*. That Act establishes independent Casino Advisory Panels to provide advice to the Minister on a range of key decisions about the casino, provides that strict harm minimisation measures for casino gaming machines cannot be circumvented, and establishes the requirements for any Social Impact Assessment undertaken by the casino licensee.

LPP facilitated a number of round table discussions with a wide range of stakeholders to explore how harm reduction measures could be effectively developed in the Territory. The views of these stakeholders will be considered in the development of future policy reform.

LPP also managed the Government's community clubs grants which were made available to small and medium clubs and club groups with a gross gaming machine revenue of under \$4 million per annum. LPP developed the *Gaming Machine Amendment Act 2017*, which improves the community's access to Social Impact Assessments, and provides support to small and medium clubs and club groups through a 50% gaming machine taxation rebate and reduced administrative burden through quarterly tax returns and payments.

LPP also undertook a significant project to establish, through the *Casino (Electronic Gaming) Act 2017*, the legislative framework for the introduction of electronic gaming products in the casino, subject to a redevelopment of the casino and the establishment of a casino precinct. This framework is proponent-neutral and applies to the current Aquis Entertainment redevelopment proposal or any future proposal. The framework includes strong harm minimisation requirements, including a \$2 maximum bet limit and mandatory pre-commitment for casino gaming machines, and the requirement for a centralised monitoring system.

Some of LPP's other work relating to gaming policy included:

- > policy development to reduce the number of gaming machine authorisations in the ACT to 4,000 by June 2020, including Secretariat support for the Club Industry Diversification Support Analysis
- > ongoing contributions to whole-of-government work in considering Aquis Entertainment's redevelopment proposal for Casino Canberra, and
- > participation in a National Taskforce on illegal offshore wagering.

Racing policy

The Parliamentary Agreement for the 9th Legislative Assembly for the ACT includes a commitment to end Government funding for greyhound racing at the expiry of a Memorandum of Understanding (MOU) with the ACT's thoroughbred and harness racing clubs, and take active steps to transition to end the operation of greyhound racing in the ACT. During the year the ACT became the first jurisdiction in Australia to prohibit the racing and trialling of greyhounds in response to the documented and acknowledged animal welfare failures in the greyhound racing industry in NSW.

The directorate contributed to the development of the necessary legislative reforms to give effect to this ban, which included the *Racing (Greyhounds) Amendment Act 2017* and the *Domestic Animals (Racing Greyhounds) Amendment Act 2017*.

Following signing of a new five year MOU with the ACT's thoroughbred and harness racing clubs, LPP has established and provided secretariat support for the Joint Racing Industry and Government Committee, which has a focus on the development and sustainability of racing in the ACT.

ACT Road Safety Strategy 2011–2020

LPP is responsible for coordinating, monitoring and reporting on the ACT Road Safety Strategy 2011-20 (the Strategy) and its supporting action plans that provide the policy framework for addressing road safety issues in the ACT. The Strategy is based on the Vision Zero philosophy and the Safe Systems approach, where efforts must be made to design, construct and manage the road transport system in a way that when road users make mistakes, their mistakes do not result in death or serious injury.

The goals of the Strategy are to contribute to a national reduction of at least 30% in the annual number of fatalities and serious injuries by 2020, develop a community that shares the responsibility for road safety and develop an approach to road safety that involves all stakeholders working together to improve road safety.

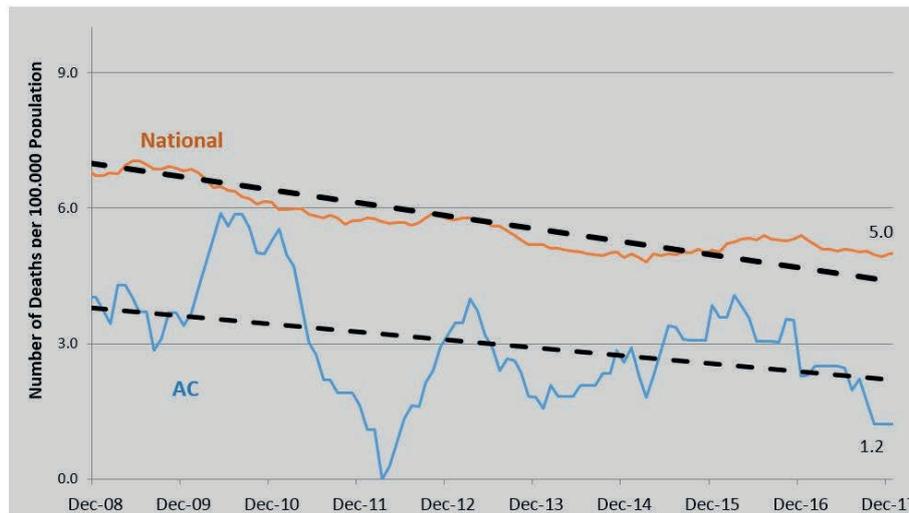
In 2017-18, LPP delivered a number of initiatives to support the Strategy including:

- > an ACT Road Safety Forum focusing on ways to achieve 'Vision Zero' in the ACT through a 'safe systems' approach to road network planning, design and maintenance
- > a social media campaign on the requirement to report, and how to report, all crashes in the ACT, including the distribution of flyers via electronic registration renewal notices
- > a joint partnership and campaign with the Australian New Car Assessment Program (ANCAP) to raise awareness and provide information about the safety benefits of newer cars to young and older drivers
- > a new instalment of the Share the Road campaign to raise public awareness and educate road users on how to better share the road with buses
- > the annual ACT Road Safety Fund grants program
- > promoting National Road Safety Week in partnership with ACT ESA, ACT Policing and the Canberra Raiders.

LPP developed the ACT Road Safety Report Card (the Report) which was tabled in the Legislative Assembly in February 2018. The report included performance data and information on key programs and other initiatives delivered or developed in 2017-18. One of the strategic indicators included in this report is the number of road deaths per 100,000 population.

The graph below compares ACT figures with national figures to the end of December 2017, showing that while the ACT performs quite well when compared to other jurisdictions, there is still some work to be done to achieve Vision Zero.

Figure 5 Annual number of road fatalities per 100,000 populations



Source: Bureau of Infrastructure, Transport and Regional Economics (December 2017). The annual number of road fatalities per 100,000 population allows jurisdictions to compare the road safety performance of their state and territory and is used at the national level to monitor road safety performance.

National Road Safety Week 2018

National Road Safety Week (NRSW) is held annually in May to promote safer driving and raise awareness of road safety. The campaign is an initiative of Safer Australian Roads and Highways (SARAH) which was established by Mr Peter Frazer after his daughter was killed in a road crash on the Hume Highway in February 2012.

The theme this year focused on protecting every life.

In 2017-18, the directorate coordinated a partnership to promote NRSW with the Transport Canberra and City Services (TCCS) Directorate, ESA, ACT Policing and the Canberra Raiders.

- > the directorate organised Canberra International Airport, the Museum of Australian Democracy at Old Parliament House, the National Carillon, Kings Avenue overpass, Questacon, Ian Potter Foundation Technology Learning Centre and the Royal Australian Mint to be illuminated yellow at night for the week
- > TCCS provided four NRSW themed bus backs on ACTION Buses and promoted the week on its social media channels
- > the directorate organised a match day partnership with the Canberra Raiders on Saturday 5 May at GIO Stadium, with NRSW having all naming rights for that match. This included all Raiders coaching staff and mascots wearing yellow lapel pins on match day, and all TV, radio and social media promotion of the week for seven days prior to the game.

- > A photo shoot with Canberra Raiders, ACT Policing and ESA staff for use on bus backs and social media.
- > ACT Policing organised a display of emergency vehicles in partnership with ESA in the forecourt of GIO Stadium prior to the Canberra Raiders match.
- > All ACT Policing, ACTION Buses and ESA operational staff wore yellow lapel pins, and all operational vehicles attached a yellow ribbon.

Figure 6 National Road Safety Week 2018



National Road Safety Week

Figure 7 National Road Safety Week 2018



National Road Safety Week

ACT Road Safety Fund grants program

The ACT Road Safety Fund (the Fund) was established to support the ACT Road Safety Strategy by funding projects and initiatives relating to road safety research and education and road trauma prevention. The Fund is resourced by the road safety contribution levied on ACT vehicle registrations. The contribution of \$2.50 per vehicle generates approximately \$700,000 each year.

The Road Safety Fund Advisory Board (the Board) was appointed in 2015 to provide advice to the Road Safety Minister about the application of the fund, including the delivery of a road safety grants program. The Board is a non-statutory body, comprising an ACT Government executive as chair, nominees of ACT Comprehensive Third Party insurers and road user representatives and road safety experts.

In December 2017, the Road Safety Minister announced the recipients of the second round of the ACT Road Safety Fund grants program. The fund provided funding of \$380,000 to seven innovative projects across the areas of research, training, education and awareness programs.

The successful ACT Road Safety Fund Community Grant recipients for 2017 were:

- > the Centre for Automotive Safety Research (The University of Adelaide)
- > the University of Melbourne
- > the Traffic Management Association of Australia
- > Road Safety Education Limited
- > Stay Upright Rider Training
- > Kidsafe ACT
- > the Aboriginal Legal Service.

Legislative Amendments

During 2017-18, LPP assisted the Government in the development, explanation and implementation of legislation relevant to providing an effective and continuously improving justice system.

Examples include:

- > The *Crimes (Fortification Removal) Amendment Act 2018* introduced changes to provide the Chief Police Officer with the power to apply to the Magistrates Court for an order that the occupier of a premises remove fortifications on the premises. It also prohibits the establishment of fortifications on certain premises
- > The *Crimes (Police Powers and Firearms Offence) Amendment Act 2017* introduced statutory crime scene powers to allow police officers to preserve evidence in a timely manner at crime scenes both in public and private places while taking the least restrictive approach to limiting a person's right to privacy. It also created a new offence of 'drive by shooting' which deals with people shooting at a building, including a home, whether from a car or otherwise. The offence is punishable by a maximum of 10 years imprisonment
- > The *Crimes (Food or Drink Spiking) Amendment Act 2017* created new offences to criminalise and deter food or drink spiking. These offences are punishable by a maximum of five years imprisonment, fines of up to \$75,000, or both
- > The *Crimes (Intimate Image Abuse) Amendment Act 2017* commenced on 30 August 2017. The Act amended the *Crimes Act 1900* to criminalise the distribution of intimate images without consent and threats to capture or distribute intimate images. The Act includes a separate offence with an increased penalty for sharing intimate images of children and young people under 16 years to third

parties. The new offences cover scenarios that have largely emerged due to advances in technology

- > The *Firearms and Prohibited Weapons Legislation Amendment Act 2018* commenced in phases on 1 March 2018 and 1 April 2018. The Act made a range of amendments to improve the operations of firearms and prohibited weapons legislation. The amendments include:
 - clarifying that a firearms instructor can lawfully use a firearm belonging to a friend or relative of the student while demonstrating to that student the proper and safe use of a firearm
 - allowing the Firearms Registrar to withhold the reasons for refusing to issue a firearms licence where to do so would reveal security sensitive information
 - allowing the Firearms Registrar to issue a category C composite entity licence to the owner or operator of a zoo, for the management of animals
 - allowing the registrar to issue a permit authorising the use of suppressors under certain prescribed circumstances
 - prohibiting possession of an article with a blade or spike that is disguised as an article that does not look like a weapon, for example a credit card knife
 - providing that a centre-file rifle magazine (other than a self-loading rifle magazine) with a capacity of more than 10 rounds is a prohibited article
 - providing a new definition of body armour to align with the national definition used for customs purposes, and
 - Inserting an additional description of a prohibited blended weapon.

The remaining provisions relating to storage of firearms commenced on 1 September 2018.

- > The *Crimes Legislation Amendment Act 2018* commenced operation on 2 March 2018. The Act made amendments to a number of pieces of criminal law legislation to address issues that had been highlighted as requiring law reform and implemented a number of recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse in its final Criminal Justice Report published on 14 August 2017. The amendments include:
 - enabling repeated but largely indistinguishable occasions of child sexual abuse to be charged effectively by amending section 56 of the *Crimes Act 1900* (Crimes Act) so that the unlawful sexual relationship, rather than individual sexual acts, constitutes the *actus reus* for the offence of maintaining a sexual relationship with a young person or a person under special care. This aligned with a recommendation made by the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission)
 - creating two new grooming offences in the Crimes Act to criminalise the non-electronic grooming of a child and grooming of persons other than a child, in accordance with two recommendations made by the Royal Commission
 - excluding good character as a mitigating factor in sentencing for child sexual abuse offences where that good character 'enabled' the offending behaviour
 - ensuring that an offender cannot be concurrently subject to a good behaviour order and a parole order to resolve potential constitutional uncertainty and practical difficulties between two parts of a combination sentence running simultaneously, with one administered by the judicial branch of government and one administered by the executive branch
 - extending the jurisdiction of the Childrens' Court to allow circle sentencing to occur for Aboriginal and Torres Strait Islander children and creating a new court called the Warrumbul Court (Childrens' Court Sentencing Court). This gives the

ACT Aboriginal and Torres Strait Islander community an opportunity to work collaboratively with the ACT criminal justice system to address over representation issues and offending behaviour, and

- clarifying that a person can commit the offence of incitement if the person urges another person to aid, abet, counsel, procure, be knowingly concerned in or a party to, the commission of an offence by someone else; to clarify that a person may be found guilty of incitement whether or not the offence incited was actually committed. This was required to address an issue identified by the High Court of Australia and closes the gap on the ability to prosecute crimes where the instigator takes care to distance himself or herself from the criminal activity, as well as crimes proposed at the top levels of criminal organisations utilising more sophisticated means.

B.2 PERFORMANCE ANALYSIS - OUTPUT 1.2 LEGAL SERVICES TO GOVERNMENT

Strategic Objectives Priorities and Performance

The ACT Government Solicitor (ACTGS) is established as a body corporate to act as legal practitioner for the Territory, its Ministers and agencies (including most statutory authorities) with governing provisions detailed in the *Law Officers Act 2011* (Law Officers Act).

In addition to the legal services delivered by the ACTGS, the Solicitor-General for the ACT acts as counsel for the Territory, the Crown in right of the Territory and any other Territory entity, as well as performing other functions as directed by the Attorney-General.

The Solicitor-General also exercises the functions of Chief Solicitor for the ACT, in accordance with a direction from the Attorney-General.

To safeguard the interests of the Territory as a whole, the ACTGS requires a unique breadth of technical legal expertise to support municipal, state and federal administration. The ACTGS provides legal advice and representation to the ACT Government across the full spectrum of government, commercial, litigation and administrative law matters through its three operational sections of:

- > **government law** – advice on systems of government and all government functions and responsibilities and litigation regarding administrative law and regulatory functions
- > **property and commercial** - commercial matters, procurement, land and property
- > **civil litigation** - civil and commercial claims against the Territory.

Together with the Office of the Solicitor-General, the operational sections of the ACTGS support the Attorney-General as the first Law Officer of the Territory by ensuring that the Government has high-quality legal and related services that protect the Territory's interests.

The *Law Officers (General) Legal Services Directions 2012* (the Legal Services Directions) sets out the manner in which Territory legal work must be performed and includes the obligation to act as a model litigant more particularly set out in the Law Officers (Model Litigant) Guidelines 2010. The ACTGS has responsibility to assist agencies to comply with the Legal Services Directions, particularly the obligation to act as a model litigant in the conduct of litigation, including the approval of the engagement of external legal service providers such as Counsel.

Priorities

During the year the ACTGS supported the delivery of client activity through provision of timely legal services and representation in the types of significant matters detailed below.

Occupational licensing

Solicitors of the ACTGS provided advice and appeared on behalf of the Construction Occupations Registrar and the Commissioner for Fair Trading in relation to a number of occupational licensing matters, including a number of proceedings in the ACT Civil and Administrative Tribunal (ACAT).

The ACTGS also advised and represented the Director-General, Education Directorate in relation to licensing of childcare businesses under the *Education and Care Services National Law (ACT) Act 2011*.

The ACTGS has represented the National Boards in proceedings before the ACAT in relation to applications for disciplinary action, as well as applications by practitioners to review decisions of the National Boards regarding professional registration.

Revenue

Legal services provided to the ACT Commissioner for Revenue included advice and representation for various administrative review proceedings relating to land tax, stamp duty, first home owners' grants and rates.

Employment and Industrial Relations

The ACTGS provided advice and representation to Directorates in relation to matters arising under the ACTPS employment framework comprising enterprise agreements, the *Public Sector Management Act 1994* and the *Public Sector Management Standards 2016*. Advice and representation included disputes and claims brought in the Fair Work Commission, the Federal Circuit Court and the Federal Court, as well as before the Human Rights Commission. They included industrial disputes on the interpretation of enterprise agreement provisions and industrial action. Employment claims included unfair dismissal, general protections and discrimination matters.

Areas covered include advice to, and where required representation for, to ACT Directorates on:

1. ACT Public Sector enterprise bargaining, including revisions to enterprise agreement core conditions and industrial action;
2. Employee matters at executive, officer and employee levels, across recruitment and engagement, performance management, misconduct investigation, sanction, termination and redundancy, appeal and review mechanisms, employee entitlements, overpayments and underpayments;
3. Delegations arising from the September 2016 amendments to the *Public Sector Management Act 1994* and the *Public Sector Management Standards 2016*;
4. Amendments to the *Public Sector Management Act 1994* and amendments to the *Public Sector Management Standards 2016*;
5. The ACT Remuneration Tribunal's determinations;
6. Operational and implementation issues arising from the introduction of the reportable conduct scheme to the *Ombudsman Act 1989* via the *Reportable Conduct and Information Sharing Legislation Amendment Act 2016*;
7. Industrial and employment obligations of service providers contracted to the ACT public sector, including with respect to the *Building Code 2016* (Cth) and the *Government Procurement Act 2008*;
8. Obligations under the *Fair Work Act 2009* (Cth) and the *Work Health and Safety Act 2011*, including with respect to rights of entry;
9. Employee claims made as disclosures under the *Public Interest Disclosure Act 2012*.

Public and Constitutional Law

ACTGS continued to provide advice to the Attorney-General and Territory agencies on a wide range of public and constitutional law matters. These areas of law often involve essential aspects with implications for government which can have enduring and/or broader ranging implications which extend beyond the interests of a particular directorate.

The ACTGS represented either the Territory, Territory entities or the Attorney-General in a number of significant cases including:

- > In late 2017, cases were commenced in the Supreme Court and the Federal Court by the Canberra Greyhound Racing Club (the Club) challenging the Territory's decision to ban greyhound racing in the ACT. The orders sought are to compel the Planning and Land Authority to issue the Club a new lease in relation to the land for its racing track. The application was refused on discretionary grounds at first instance (*Canberra Greyhound Racing Club Inc v Planning and Land Authority of the ACT* [2018] ACTSC per Murrell CJ) and is now before the ACT Court of Appeal. In the Federal Court, the Club seeks damages for breach of its lease and declarations that certain Territory laws are invalid on the basis they acquire property from the Club other than on just terms
- > A matter which was commenced in 2013 involving a citizen that had been sentenced to periodic detention in 2008 and then placed in full-time detention in 2009 was concluded during the year. In 2013, the ACT Supreme Court set aside the Sentence Administration Board's 2008 decision to cancel the citizen's periodic detention. The Board's decision had resulted in the citizen's full-time detention. In view of the Board's decision having been set aside, the citizen made a claim for false imprisonment and human right breaches for the time served in full-time detention. The Court found that he was falsely imprisoned, but that no cause of action was available for compensation under the *Human Rights Act 2004*. The Supreme Court awarded the citizen nominal damages of \$1. The Supreme Court found that even if the citizen been given the opportunity to decide whether or not to attend the Board's 2008 hearing and had he chosen to attend, there was nothing he could have said that would have led to an outcome other than the Board deciding to cancel his periodic detention and his subsequent full-time detention. An application for leave to appeal out of time has been made.

Human Rights

The ACTGS provided legal advice and representation to agencies on the interpretation and application of the *Human Rights Act 2004* (HR Act). The HR Act expresses a number of rights drawn from international rights instruments, including the right to privacy of the home, the right to humane treatment when deprived of liberty, the right to equality, the right to fair trial and the rights regarding unlawful imprisonment and wrongful conviction. It applies those rights to the interpretation of Territory laws, to the exercise of powers and functions by Territory public authorities and, in those respects, to the conduct of legal proceedings in the Territory.

The ACTGS continues to advise the Attorney-General in relation to notices given under section 34 of the HR Act of matters in the Supreme Court to which the Territory is not a party, but which involve the application of the HR Act or which may involve the making of a declaration of incompatibility under the HR Act. The Attorney-General has a right to intervene in any such proceeding under section 35 of the HR Act. The ACTGS assists the Attorney-General to discharge his role under the HR Act not only by formal intervention in the proceeding but also by promoting a proper articulation of human rights matters by the moving party and by assisting the responding party to address those matters in their submissions.

Issues under the HR Act arise in a range of areas including detainees, discrimination, mental health and housing.

Detainees

The ACTGS provided legal representation in a number of matters in the Supreme Court and Court of Appeal, including claims brought under the HR Act relating to the right to education, the right to humane treatment when deprived of liberty and the right to freedom of expression. Advice was provided to the Director-General on the lawful segregation of detainees and advice continues to be given to ACT Corrective Services in relation to the lawful sharing of detainee information with other agencies and jurisdictions.

The ACTGS continues to provide advice to ACT Corrective Services and the Sentence Administration Board in relation to the intensive corrections order scheme.

Discrimination

The ACTGS continues to provide advice and assistance to agencies in relation to discrimination complaints before the ACT Human Rights Commission (ACT HRC) and, for those complaints which have been referred by the Commission at the request of the complainant, the ACAT. In so doing, the ACTGS undertakes considerable work to promote the proper articulation of discrimination complaints, and to facilitate the orderly investigation, consideration, conciliation and determination of those complaints through the ACT HRC and the ACAT, consistent with the practice and procedure of other jurisdictions.

During the reporting period:

- > The ACTGS successfully defended a recruitment target to increase the representation of women within the emergency services (*Macca v Australian Capital Territory* represented by Emergency Services Agency [2017] ACAT 101).
- > Advice was provided on the status of the ACAT in hearing a complaint of online vilification involving a resident of another State or Territory and the application of Chapter III of the Constitution in a matter addressed by ACAT (*Botril v Sunol & Anor* [2017] ACAT 81).
- > Advice was provided on the implications under Commonwealth and Territory anti-discrimination laws of amendments to Commonwealth laws consequential on the same-sex marriage amendments to the *Commonwealth Marriage Act 1961*.

The ACTGS works with agencies, the ACT HRC and ACAT to coordinate the handling of discrimination complaints in the context of other complaints and investigation bodies in relation to health treatment, disability services and education.

Mental Health

The ACTGS provided legal advice on a variety of matters relating to the provision of mental health services together with legal representation in relation to applications under the *Mental Health Act 2015*, including internal appeals in the ACAT and appeals to the ACT Supreme Court and Court of Appeal. ACTGS also provided detailed advice on the application of the emergency detention powers under the *Mental Health Act 2015* and sharing of information with the ACT Magistrates Court which led to significant changes to internal operating procedures.

Australian Federal Police

ACTGS delivers legal services to the Australian Federal Police (ACT Policing) in relation to decisions made under Territory law, including as the Firearms Registrar, and on other matters related to the interpretation and application of Territory laws to community policing, along with providing a short term out-placement of a lawyer within ACT Policing. Training was also provided to ACT Policing on the implementation of new provisions of the *Crimes Act 1900*.

ACTGS represented the Registrar of Firearms in merits review proceedings in the ACAT and in an application for judicial review in the ACT Supreme Court. ACTGS also appeared on behalf of ACT Policing in a number of matters relating to the production of documents pursuant to subpoena.

Housing

The ACTGS continued to provide legal advice and representation to the Commissioner for Social Housing in relation to matters in the ACAT and the Supreme Court arising under the *Residential Tenancies Act 1997*.

Child Protection

The ACTGS represented Child and Youth Protection Services in a number of applications to the ACT Children's Court for care & protection orders under the *Children and Young People Act 2008*. The ACTGS has also provided representation in care & protection appeals in the Supreme Court from orders made in the ACT Children's Court.

The ACTGS also acts for the Director-General, Community Services in relation to some aspects of the adoption process, primarily in applications to dispense with parental consent in the ACT Supreme Court. The ACTGS also provided legal advice in relation to the evidence required for applications to dispense with parental consent under the *Adoption Act 1993*.

Workplace Protection Orders

During the last review period, the ACTGS filed a number of applications for workplace protection orders and appeared in contested applications on behalf of Directorates and Territory agencies.

Information Privacy and Access

The ACTGS has provided advice to Directorates and agencies across government in relation to the application of the *Territory Records Act 2002* and the *Information Privacy Act 2014*, compliance with subpoenas, and requests for information under the *Freedom of Information Act 1989*, the *Freedom of Information Act 2016* and the *Health Records (Privacy and Access) Act 1997*. Advice has also been provided as to the effect of the Territory's information management laws on the emerging issue of outsourced government services involving cloud solutions.

The ACTGS provided representation to Directorates and agencies in the ACAT in relation to applications for review of decisions made under the *Freedom of Information Act 1989*. The ACTGS has also advised agencies in relation to responding to complaints made to the Office of the Australian Information Commissioner.

The ACTGS has provided advice and training to the Freedom of Information Implementation Project Working Group in relation to the new *Freedom of Information Act 2016*, and provided whole of

government training for decision-makers in relation to the *Freedom of Information Act 2016*, which commenced on 1 January 2018.

ICT, Commercial and Infrastructure and Construction Projects

The ACTGS has continued its involvement in the implementation of the Territory's Digital Transformation agenda including the adoption of cloud services. The office has provided advice on procurement, implementation, maintenance and support services for a number of major ICT projects including an Asset Management System, the Territory's Traffic Camera Office Adjudication System, an Integrated Diagnostic Imaging Solution and an Enterprise Sustainability Platform.

In addition, the ACTGS provided legal services to support the establishment of a number of the Territory's whole of government arrangements, including the Employee Assistance Program and Trauma and Serious Incident Management Services, salary packaging software, and the Training Providers Panel.

Legal advice and contracts were provided for a series of capital works projects including the delivery phase of the Healthy Waterways Project and the North Gungahlin School.

Contract documentation and legal advice was also provided for a number of significant Territory projects including the Streetlights Energy Performance contract and the Container Deposit Scheme. Advice and supporting documents was also prepared for the Territory's first commercial drone trial and renegotiated arrangements with Singapore Airlines.

The ACTGS has also drafted substantial venue hire arrangements for GIO Stadium, Manuka Oval, Exhibition Park, the National Arboretum Canberra and Stromlo Forest.

Working with the contracted legal services provider, ACTGS have provided legal oversight and input from a government legal perspective into both the Stage 1 and Stage 2 light rail projects during the year.

The ACTGS has been engaged as the Territory's probity adviser in respect of numerous significant commercial, construction and infrastructure projects being delivered for the Territory, as well as on land sale and associated property development projects.

Land Development, Sales and Leasing

ACTGS provided advice, contract drafting and conveyancing services on behalf of Territory and the Suburban Land Agency in relation to commercial, major residential and industrial urban infill blocks and greenfields sites in the Territory, including the Bega Flats site in Braddon, Dame Pattie Menzies House in Dickson and sites in Red Hill, Macgregor, Wright, Narrabundah, Monash, Throsby, Taylor, Hume, Kingston and Denman Prospect.

ACTGS also provided ongoing advice and assistance to the Suburban Land Agency in respect of the sale by tender of the Canberra Brickworks site and Kingston Arts Precinct.

Legal services were also provided to complete the sale of the former motor vehicle registry facility in Dickson and associated leaseback arrangements to the Territory upon completion of construction.

Civil Claims

The ACTGS is currently handling a number of complex medical negligence claims. These claims raise allegations of negligence in relation to the diagnosis, treatment and care provided to patients of

health care services in the Territory. Other claims relate to allegations of negligence prior to and during the birth process allegedly causing adverse outcomes.

The ACTGS is currently handling a number of claims by inmates who allege a failure to provide appropriate care at the Territory's prison.

The ACTGS also continues to handle a variety of claims arising out of the provision of educational services, public transport, social housing, roads and infrastructure and corrective services.

The ACTGS represents the Territory in claims alleging breach of duty of care in relation to the provision of foster care services.

Commercial Disputes

ACTGS provides legal advice and representation in relation to contractual disputes involving the Territory arising out of building and construction, procurement and land sales.

Inquests

ACTGS represented the Territory in relation to several inquests.

Performance

Tables 2.19.1 and 2.19.2 provide a comparison of activity and other performance information for 2017 -18 and previous financial years.

Table 4 Performance Indicators

	2015-16	2016-17	2017-18
Opinions given	2435	2539	2844
Agreements drawn/settled	385	342	262
Instruments settled	61	21	53
Court/Tribunal attendances	1870	1630	1332
Actions completed	280	151	186
Claims finalised	22	34	39
Revenue recovered	\$1,609,532	\$711,399	\$1,337,929
Revenue saved	\$22,387,145	\$20,623,202	\$2,286,989
Criticisms	0	0	1
Compliments	84	83	118
Contract Values	\$1,271,248,238	\$746,722,568	\$681,807,244
Mortgages discharged	12	15	11
Client Training	16	18	27

Table 5 Timeliness of Opinions Provided

	2015-16		2016-17		2017-18	
	Number	%	Number	%	Number	%
Opinions provided						
Urgent	737	31	619	25	571	20
Within 7 days	654	28	828	33	977	34
From 8-28 days	625	27	681	27	792	28
From 29-56 days	200	9	216	9	272	10
57+ days	126	5	195	7	232	8
Total	2342	100	2539	100	2844	100

Solicitor-General

In addition to the legal services delivered by the ACTGS, the Solicitor-General for the ACT acts as counsel for the Territory, the Crown in right of the Territory and any other Territory entity, as well as performing other functions as directed by the Attorney-General.

The Solicitor-General appears in proceedings on the Attorney-General's behalf and for the Territory in the Supreme Court and High Court. Where required, he also appears and advises on a wide range of matters including constitutional, human rights, public law and other sensitive litigation.

This includes briefing the Attorney-General on notices served under s 78B of the *Judiciary Act 1903* (Cth) (Judiciary Act). Section 78B of the Judiciary Act requires parties in court proceedings raising constitutional issues to give the Attorneys-General of the Commonwealth, States and self-governing Territories a notice of the constitutional issues (s 78B notice).

Each Attorney-General then makes a decision whether to intervene in the proceedings under s 78A of the Judiciary Act. During the year, numerous s 78B notices were considered and the Attorney-General intervened in only one matter.

The Solicitor-General also represents the Attorney-General in legal proceedings in which he intervenes to make submissions on points of law under s 27 of the *Court Procedures Act 2004* and s 35 of the *Human Rights Act 2004*, and has represented the Territory and Minister in judicial review proceedings.

The Attorney-General intervened in a commercial dispute involving *Denham Constructions Pty Ltd v Islamic Republic of Pakistan* in the ACT Supreme Court in order to ensure proper arguments were put, first, in relation to the application of the *Building and Construction Industry (Security of Payment) Act 2009* on National Land in the ACT on which Pakistan's High Commission is located and, secondly, upon the accepted field of operation of s 52(i) of the *Commonwealth Constitution*, which provides the Commonwealth Parliament with exclusive powers over the seat of government. The ACT Supreme Court found in favour of the conventional arguments advanced by the ACT Attorney-General in relation to both issues, with no departure from settled principle.

In early 2017, the Attorney-General intervened in ACT Court of Appeal proceedings involving the application of Territory laws on Aboriginal land in the Jervis Bay Territory. The matter arises from a landlord and tenant dispute, which the tenant has asked the ACAT to resolve in its residential

tenancies jurisdiction. In 2015, the ACAT determined it has jurisdiction in relation to the dispute. The landlord subsequently argued unsuccessfully in the Supreme Court and then successfully in the ACT Court of Appeal that the Territory's residential tenancies law does not apply to the dispute. In early 2018, the High Court granted the tenant special leave to appeal. The Attorney-General is a party to the High Court appeal and supports the position that the Territory's residential tenancies law is applicable to the dispute between the other parties.

The Attorney-General also intervened in novel proceedings presently before the Supreme Court seeking a review of a Coroner's findings under s 93 of the *Coroners Act 1997*.

The Solicitor-General continues to participate in meetings of the Special Committee of Solicitors-General (the Committee) which reports to the Standing Council on Law and Justice (formerly the Standing Committee of Attorneys-General). The Committee meets regularly to review current constitutional cases across all Australian jurisdictions and consider issues referred to it or which arise and warrant consideration by the Committee on its own motion.

B.2 PERFORMANCE ANALYSIS - OUTPUT 1.3 PARLIAMENTARY COUNSEL'S OFFICE

Output Description

The Parliamentary Counsel's Office (PCO) is responsible for the provision of high quality and timely legislative drafting and publishing services for ACT legislation and maintenance of the ACT legislation register.

Strategic Objectives Priorities and Performance

The PCO contributes to the directorate's strategic objectives by virtue of its supporting role.

However, more broadly the PCO's objectives are to draft and publish legislation for the Government in accordance with its legislation program and for individual members of the Legislative Assembly and the courts, ensuring that:

- > ACT laws give effect to their intended policy objectives, and assist in compliance and efficient administration
- > ACT laws are legally, including constitutionally, valid, and can withstand vigorous scrutiny
- > ACT laws are clear and simple, reflecting best-practice drafting
- > ACT laws form a cohesive statute book of the highest standard
- > new ACT legislation and other legislative material (for example, bills and explanatory statements) are notified efficiently on the ACT legislation register
- > ACT legislation, as originally made and as in force from time to time, is readily accessible, particularly on the ACT legislation register
- > comprehensive ACT legislative material and information are readily accessible, particularly on the ACT legislation register.

Significant bills prepared in 2017-18 on instructions from the Legislation, Policy and Programs Branch of the directorate include the following:

- > several gaming-related bills:
 - *Gaming Machine (Cash Facilities) Amendment Bill 2017*
 - *Gaming Machine Amendment Bill 2017*
 - *Casino (Electronic Gaming) Bill 2017*
 - *Casino and Other Gaming Legislation Amendment Bill 2018*
- > several crime-related bills:
 - *Crimes (Food or Drink Spiking) Amendment Bill 2017*
 - *Crimes (Police Powers and Firearms Offence) Amendment Bill 2017*
 - *Crimes Legislation Amendment Bill 2017 (No 2)*
 - *Crimes (Fortification Removal) Amendment Bill 2017*
- > *Firearms and Prohibited Weapons Legislation Amendment Bill 2017*
- > *Inspector of Correctional Services Bill 2017*

- > *Racing (Greyhounds) Amendment Bill 2017*
- > *Road Transport Reform (Light Rail) Legislation Amendment Bill 2018*
- > *Prostitution Amendment Bill 2018*
- > 2 bills amending the *Residential Tenancies Act 1997*.

A significant subordinate legislation project completed was the *Road Transport (Road Rules) Regulation 2017* which consolidated the Australian Road Rules in force in the ACT into a single regulation, making them far more accessible than they were previously.

Significant bills prepared in 2017-18 for other agencies include the following:

- > *Lakes Amendment Bill 2017* updating the *Lakes Act 1976* with a modern, appropriate regulatory regime covering activities on the ACT's lakes
- > 2 bills to amend the *Domestic Animals Act 2000* and *Domestic Animals Regulation 2001* in relation to dangerous dogs, dog breeders, and provisions dealing with greyhounds
- > *Waste Management and Resource Recovery Amendment Bill 2017* establishing a container deposit scheme
- > *Reportable Conduct Information Sharing Legislation Amendment Bill 2017* and *Ombudsman Amendment Bill 2018* making amendments to improve the operation of the reportable conduct scheme and expand its coverage to include religious bodies
- > *Land Tax Amendment Bill 2018* changing the way land tax is imposed to introduce a 'principle place of residence' test
- > *Veterinary Practice Bill 2018* introducing a new scheme of occupational regulation for veterinary surgeons
- > *Senior Practitioner Bill 2018* providing a framework for reducing and eliminating the use of restrictive practices and establishing the role of senior practitioner
- > *Animal Diseases Amendment Bill 2018* putting in place the legislative framework for the National Livestock Identification System for cattle, sheep, goats and pigs.

In 2017-18, the PCO also prepared a number of bills on instruction from private members of the Legislative Assembly, with 9 bills presented in the Assembly.

In 2017-18, PCO also prepared a number of bills on instruction from private members of the Legislative Assembly, with the following 9 bills being presented in the Assembly:

- > *Crimes (Invasion of Privacy) Amendment Bill 2017*
- > *Crimes (Criminal Organisation Control) Amendment Bill 2017*
- > *Government Procurement (Financial Integrity) Amendment Bill 2017*
- > *Domestic Animals (Dangerous Dogs) Legislation Amendment Bill 2018*
- > *Health (Improving Abortion Access) Amendment Bill 2018*
- > *Crimes (Consent) Amendment Bill 2018*
- > *Magistrates Court (Retirement Age of Magistrates) Amendment Bill 2018*
- > *Anti-corruption and Integrity Commission Bill 2018*.

Technical Amendments Program

The PCO continues to maintain the technical amendments program which provides for amendments that are minor or technical, and non-controversial, to be dealt with through a regular program of

statute law amendment bills. The program enables minor amendments that would not justify separate bills to be dealt with in an efficient and timely way. It also serves the important purpose of improving the overall quality of the ACT statute book by keeping our laws up-to-date and easy to find, read and understand.

In 2017-18, a statute law amendment bill was presented to the Assembly in August 2017.

Training

In 2017, the PCO released two new guides about ACT legislation:

- > **ACT Legislation: Legislation Basics**
This guide sets out the basics about ACT legislation, for example, where the ACT derives its law-making power, what laws apply in the ACT and what are the different kinds of ACT legislation.
- > **ACT Legislation—Reading Legislation**
This guide explains how to navigate, read and understand ACT legislation. It describes the typical structure of ACT legislation, explains common provisions and identifies interpretation principles and aids.

The guides are available on the PCO website www.pco.act.gov.au.

The PCO has revised its training program to ACT public servants about understanding ACT legislation to accompany the guides, called 'Caught in the Act'. In the 2017-18 financial year, the PCO conducted seven regular training sessions for ACT public servants, two sessions for graduates and a tailored session for the Road Transport Authority. In total, the PCO delivered training to approximately 150 public servants during 2017-18.

Republications

The PCO follows a strict point-in-time publishing policy so that an up-to-date, authorised version of each amended Act or subordinate law is republished on the day the amendment commences.

The PCO places high importance on the currency of republications made available to users on the ACT legislation register. During 2017-18, new versions of amended legislation were made available to users on the day the versions became effective in the form of 425 separate republications.

Notifications

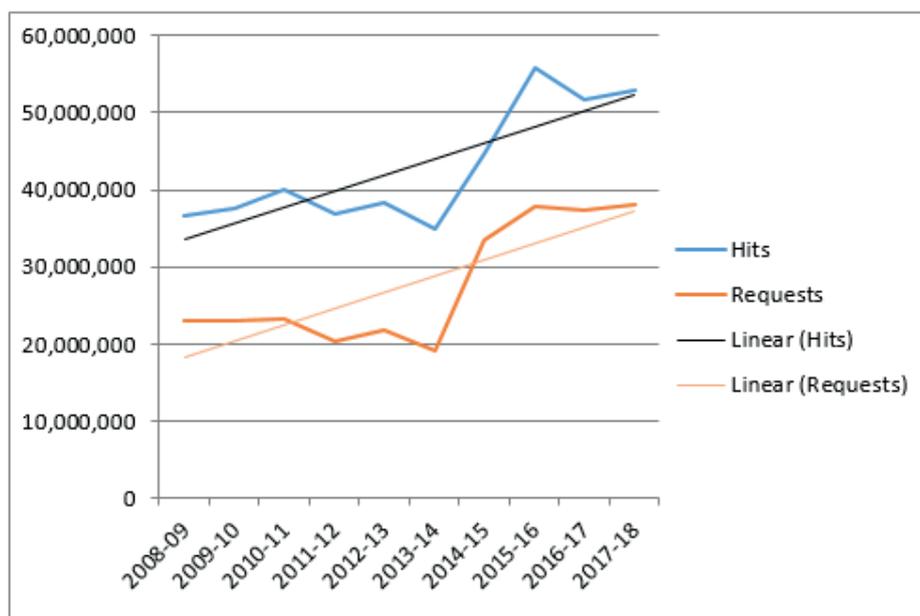
Under the *Legislation Act 2001*, the making of all ACT Acts, subordinate laws, disallowable instruments, notifiable instruments, approved forms and commencement notices must be electronically notified and an authorised version of the text of the law or instrument published on the ACT legislation register.

The PCO notified 1,236 newly-made Acts, subordinate laws and other instruments (including explanatory statements) during 2017-18.

ACT Legislation Register

During 2017-18, the ACT legislation register website usage remained consistent with last year. The number of hits and requests on the website (hits that successfully retrieve content) have remained in the same range as last year.

Figure 8 ACT Legislation Register Usage



ACT Legislation Register Replacement Project

During 2017-18, the PCO continued a project to provide for the replacement of the ACT legislation register and its supporting systems. The register and website systems are more than 15 years old, and are a sophisticated set of interrelated systems that support the drafting, notification, republication and repeal of ACT legislation. The project will ensure critical services provided by this system continue to be provided and that the technology platform used to deliver these services is sustainable. In addition, a range of features will align the register with user needs including modern search capabilities, compliance with Web Content Accessibility Guidelines, the ability for users to subscribe to alerts when content changes and compatibility with mobile devices.

The project is divided into three phases with expected completion in 2019-20.

This financial year PCO focussed on development and implementation of the new legislation register website and its internal database. Various process efficiencies will be realised for PCO staff maintaining the website as well as improved functionality for website users.

Next financial year PCO will develop and implement the subscription service on the new website.

Backcapture

The PCO continues to add superseded point-in-time republications of ACT Acts and subordinate laws to the ACT legislation register. During 2017-18, the PCO added 38 backcapture republications to the register.

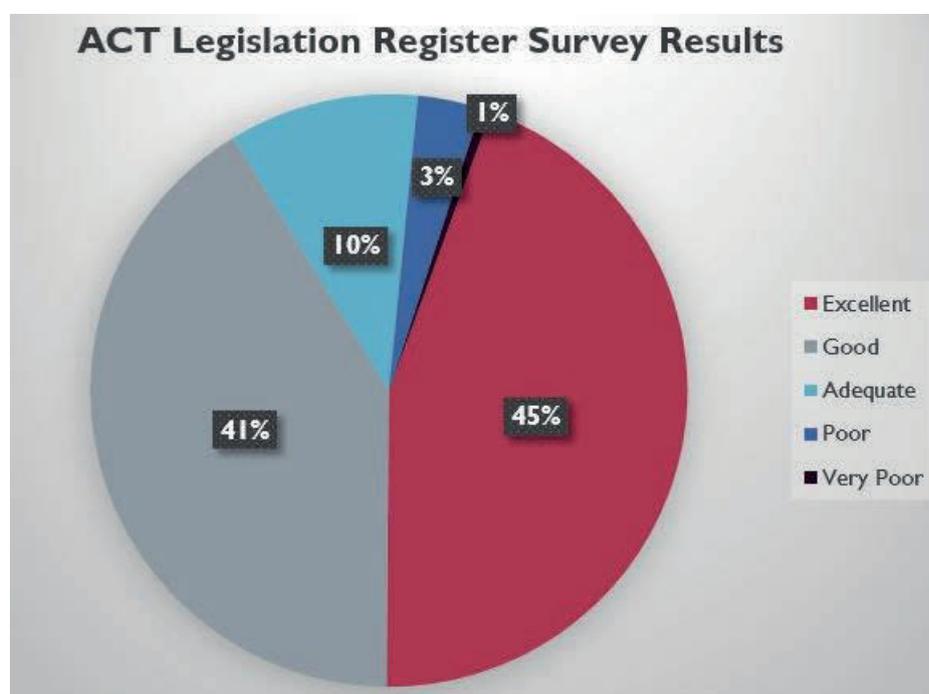
Office Performance — Client Satisfaction

The PCO conducted three client satisfaction surveys in April 2018—a legislation register survey, a notification service survey and a legislative drafting service survey—targeting its main client groups. Overall, 89% of clients were satisfied with the legislative drafting and publishing services provided by the PCO. The main outcomes for each survey are outlined below:

ACT Legislation Register Survey

- > 86% of respondents rated the overall service provided by the register as excellent/good
- > respondents commented that they liked how easy it is to navigate the register, that it is very user friendly and always up-to-date
- > many respondents would like an alert service for new legislation and changes to legislation.

Figure 9 ACT Legislation Register Survey Results



Notification Service Survey

- > 100% of respondents rated the overall notifications service provided by the PCO as excellent/good
- > 100% of respondents rated the timeliness of the PCO's notification services as excellent/good
- > 100% of respondents indicated they have an excellent/good working relationship with PCO staff.

Drafting Service Survey

- > 98% of respondents were satisfied with the PCO's drafting services with 76% rating the service as excellent
- > 90% of respondents rated as excellent the willingness of PCO staff to assist them
- > 90% of respondents rated as excellent their working relationship with PCO staff
- > 93% of satisfied respondents rated the timeliness of the PCO's drafting services as excellent/good.

The results of the surveys, including the comments and suggestions, will help inform priorities for development and improvement in the coming financial year.

The PCO will also continue to work hard to preserve the important things that survey respondents have identified as highly valued in our working relationships and service.

Office Performance - Timeliness

The PCO exceeded its performance targets for timely work in 2017-18. The PCO's timeliness performance indicators measure the timeliness of legislative drafting and publication services.

Table 6 PCO Timeliness

Timeliness indicator	Target	Actual result
% of drafting responses provided within 30 days	95%	99.13%
% of notifications notified on the ACT legislation register on requested notification day	99%	100%
% of republications of changed legislation published on ACT legislation register on the day the change happens	99%	100%

Table 7 Legislation Drafting Services

	2015-16	2016-17	2017-18
Drafts sent out ¹			
Government			
Bills	627	250	517
Amendment sheets	59	66	69
Regulations and other subordinate legislation	136	104	143
Total	822	420	729
Individual MLAs			
Bills	50	19	47
Amendment sheets	11	37	27
Total	61	56	74
Courts			

¹ The drafting workload is driven by the Government legislation program, instructions from individual MLAs and the sitting pattern of the Legislative Assembly. Consequently, it is not constant throughout the year or from year to year. The effect of general elections is reflected in the figures.

	2015-16	2016-17	2017-18
Rules and other subordinate legislation	19	50	13
Total	902	526	856
Proposed legislation for making			
Government			
Bills prepared for presentation	72	27	54
Bills passed prepared for notification	68	37	48
Regulations and other subordinate legislation	46	46	58
Total	186	110	160
Individual MLAs			
Bills prepared for presentation	8	2	11
Bills passed prepared for notification	1	1	4
Total	9	3	15
Courts			
Rules and other subordinate legislation	11	29	12
Total	206	142	187

Table 8 Legislation Publishing Services

	2015-16	2016-17	2017-18
Titles prepared for publication ²			
Presented bills ³	71	27	54
Government	71	27	54
Individual MLAs	7	2	10
	78	29	64
Exposure drafts ⁴			
Government	0	0	0
Individual MLAs	2	2	2
Total	2	2	2
Notifications			
Acts	69	39	52
Regulations ⁵	36	34	40
Courts ⁶	3	1	0
Disallowable instruments ⁷	311	324	343
Notifiable instruments	732	720	704
Commencement notices	24	10	12
Approved forms ⁸	132	213	84
Backcapture	1	0	0
Others	4	3	1
Total	1,312	1,344	1236
Republications			
Acts	471	302	286

² The publishing workload is directly linked to the drafting workload, which in turn is driven by the Government legislation program, instructions from individual MLAs and the sitting pattern of the Legislative Assembly. Consequently, it is not constant throughout the year or from year to year. The effect of general elections is reflected in the figures.

³ Presented bills include associated explanatory statement and compatibility statement.

⁴ Exposure drafts include associated explanatory statement and consultation arrangements.

⁵ Regulations include associated explanatory statement.

⁶ Rules include associated explanatory statement.

⁷ Disallowable instruments include associated explanatory statement.

⁸ Approved forms include associated explanatory and/or approval statement.

	2015-16	2016-17	2017-18
Regulations	142	90	111
Rules	5	4	2
Applied territory laws	0	1	4
Disallowable instruments	0	3	2
Notifiable instruments	15	18	18
Backcapture	8	26	38
Total	641	444	461
Legislation tables	52	52	52
Annual volumes of law	1	1	1
Total items prepared for publication	2,086	1,872	1814

Table 9 Value of drafting and publishing services for ACT Government

Client	Value	%
Government		
Chief Minister, Treasury and Economic Development Directorate	\$980,880	27%
Community Services Directorate	\$183,325	5%
Education Directorate	\$55,068	1%
Environment Planning and Sustainable Development Directorate	\$542,188	15%
Health Directorate	\$114,858	3%
Justice and Community Safety Directorate	\$1,331,788	36%
Transport Canberra and City Services Directorate	\$383,516	10%
Standing Council on Law and Justice (SDCLJ) - PCC	\$79,736	2%
Total	\$3,671,360	100%
Legislative Assembly		
Private Members	\$222,549	95.6%
Secretariat	\$10,126	4.4%
Total	\$232,675	100%
Courts		

Client	Value	%
Rules Advisory Committee	\$50,025	100%
Total	\$50,025	100%
Government	\$3,671,360	92.9%
Legislative Assembly	\$232,675	5.9%
Courts	\$50,025	1.3%
Total	\$3,954,060	100%

B.2 PERFORMANCE ANALYSIS - OUTPUT 2.1 CORRECTIVE SERVICES

Output Description

ACT Corrective Services (ACTCS) is responsible for the provision of safe and secure custody for detainees with a strong focus on the delivery of rehabilitative, educational and vocational programs, effectively managing un-sentenced offenders and community-based corrections programs, and providing advice and services to the ACT justice system.

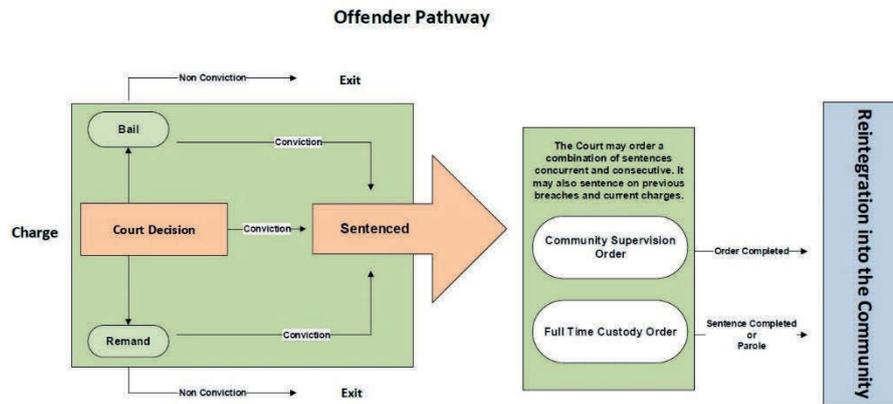
Strategic Objectives Priorities and Performance

Strategic Objective 2 – Safe Community

An effective criminal justice system underpins the safety of the community. Although neither the directorate nor the ACT Government can control all of the factors that impact on community safety, effectiveness can be measured by examining the level of crime against people and property and whether the justice system deals with offenders in a way that reduces the risk of further offending.

ACTCS is an integral part of the criminal justice system. ACTCS' involvement with an offender commences once the court has made an order around custody or supervision. The diagram below provides a basic overview of an offender's interaction with ACTCS. It does not provide visibility of the administrative or operational processes associated with offender management.

Figure 10 Offender Pathway



ACT Corrective Services Offender Management

This diagram provides a basic overview of an offenders interaction with ACT Corrective Services. It does not provide visibility of the administrative or operational processes associated with offender management.

Functional Overview

The Executive Director of ACTCS manages all executive functions of the agency, incorporating both operational and corporate areas. Operationally, the Executive Director is assisted by two General Managers:

- > the General Manager, Custodial Operations, responsible for the AMC and the Court Transport Unit (CTU)
- > the General Manager Community Corrections and Release Planning, responsible for Community Corrections, Programs and Reintegration and Sentence Management.

The corporate areas enable the organisation in its service delivery through the provision of functions associated with workforce development and training, policy and ministerial support services, compliance and assurance, and financial management. ACTCS also works closely with other functions of the directorate on whole of directorate and whole of government matters.

During the year, the Executive Director undertook a functional re-alignment which resulted in the creation of a number of senior management positions focused on service delivery and enhancing ACTCS' capability these positions include the

- > Head of Sentence Management
- > Head of Programs and Reintegration
- > Head of Accommodation at the AMC
- > Head of Security at the AMC
- > Manager Intelligence and Integrity

In addition, during 2018-19 ACTCS will also welcome a newly appointed Deputy General Manger Custodial Operations.

Achievements

ACTCS delivered on a range of key priorities during 2017-18:

- > developed the *ACT Corrective Services Strategic Plan 2017-2019* (Resetting the Foundations)
- > implemented an executive and senior management structure to delivery on key priorities set out in the Strategic Plan
- > developed the ACTCS Rehabilitation Framework which is expected to be published during the first half of 2018-19
- > relocated the female detainees into new accommodation to meet the increase in the number of female detainees
- > continued to build strong working relationships with key stakeholders such as ACT Health, ACT Policing and Winnunga Nimmityjah.

Some of these achievements are described in more detail throughout this section.

Strengthening Foundations

Rehabilitation Framework

The newly developed Rehabilitation Framework (the Framework) provides the theoretical foundation to support the sentence management continuum and related programs across Custodial Operations and Community Corrections.

The Framework is based on the Risk Need Responsivity model (RNR) and the Therapeutic Jurisprudence (TJ) model. The RNR model addresses community safety by managing risk factors for re-offending. This includes employing cognitive behavioural and cognitive social learning strategies to address risks and encourage and reinforce pro-social behaviour. The TJ model highlights the importance of correctional staff engaging offenders in ways that are perceived to be fair, encourage respect for the justice system and the law, and that promote rehabilitation.

This combined approach ensures risk management and community safety objectives are met, while at the same time upholding the human rights of detainees and offenders. The model will underpin detainee/offender sentence plans.

Under the new Framework, rehabilitative programs and activities will be delivered and adapted to accommodate a range of learning styles, as well as being responsive to multiple and complex needs including gender, cultural, language, mental health and disability needs.

Figure 11 New Framework



Policies, Procedures and Intranet

In 2017-18, a project commenced reviewing and updating AMC policies and operating procedures, including Executive Director and General Manager Instructions. Policies and operating procedures are being updated according to priorities and risk and will reflect best practice for corrections in the ACT. Numerous reviews have been conducted on various areas of ACTCS, leading to a large number of recommendations, many have required amendments to existing policy or the development of new policy to maintain the focus on continuous improvement.

All approved policies and operating procedures (and associated documents) are communicated to staff by the Executive Director, with the documents stored and available to staff on the ACTCS SharePoint website. Policies and operating procedures made under the *Corrections Management Act 2007* are notifiable instruments and will be available to the public on the ACT Legislation Register; however, due to operational security some are restricted and are not available to the public.

Enhancing Intelligence and Security Capability

In 2017-18, The ACT Government provided budget funding to enhance the intelligence capacity of ACTCS and the security and good order of the AMC. In light of this funding, ACTCS established the Intelligence and Integrity Unit, strengthening its overarching intelligence capability. A key focus of the unit is enhancing the intelligence gathering and analytical capacity across the Agency, with a robust intelligence framework contributing to the safety of the community, staff, detainees and clients.

With the establishment of this capability, ACTCS is better positioned to proactively identify and respond to strategic and operational risks, ensuring all areas of the Agency are intelligence-informed and risk-based. A holistic approach to intelligence management, supporting both Custodial Operations and Community Corrections, complements physical and dynamic security processes and is integral in identifying emerging issues or trends across the Agency.

A Head of Security has been engaged at the AMC since December 2017. The Head of Security has overseen the formation of a security team at the AMC integrating the existing functions of Intelligence and the Canine Unit, creating a more robust response to, and support for, dynamic security practice and the embedding of security processes at the AMC.

ACTCS is enhancing its operations at the AMC through the development of an Emergency Management Framework, Security Operations Model and Security Strategy. These frameworks will provide governance around emergency management, barrier management, and procedural and dynamic security practices.

First National Corrections Day

On 19 January 2018, ACTCS celebrated National Corrections Day for the first time. National Corrections Day is an important initiative that started in NSW last year and was adopted in 2018 by all jurisdictions across Australia and New Zealand. National Corrections Day formally recognises the valuable contribution ACTCS staff make to the wider ACT Community.

This year the families of all ACTCS staff and key partners were invited to attend the AMC for an afternoon celebration that included lunch, games and tours of the centre. This was an excellent opportunity for our families and community to learn about our unique facility and the work that goes on behind the scenes.

The Minister for Corrections also attended and opened the proceedings following the 'Welcome to Country' delivered by Aunty Violet. The day was a great success with approximately 150 people attending. The facility tour was popular, providing an opportunity for people to gain a greater insight into how the centre is run and the many services that are provided both in custody and in the community to rehabilitate and reintegrate offenders.

The event was extremely positive, with efforts from all business units of ACTCS. It was a true example of the strong teamwork that is the foundation of our work. We look forward to continuing the celebration in 2019, and recognising the efforts of our employees and showcase the unique and skilled work throughout the year.

Alexander Maconochie Centre

The AMC became operational in 2009 and is the ACT's primary adult correctional centre. The AMC caters for the full-time custody of male and female, remand and sentenced detainees of all security classifications in a secure and safe environment.

The AMC is a campus-style correctional centre comprising of freestanding buildings both within and outside of the perimeter fence, occupying a total area of approximately 60 hectares.

The area within the perimeter is divided into precincts or zones, with both remand and sentenced detainee accommodation of two types - cottage units and cells. In the cottages, detainees are able to participate fully in the running of their unit, including meal preparation and laundry. The internal perimeter also houses the Hume Health Centre, women's accommodation and the Management Unit.

The Transitional Release Centre and staff training facility and amenities are outside the perimeter fence.

The core focus for the AMC Senior Management Team has been continual improvement in line with the ACTCS Strategic Plan.

Average daily detainee numbers

Average daily numbers have risen from 342 in 2014-15, 402 in 2015-16, 445 in 2016-17 and 474 in 2017-18. The AMC reached a population peak of 507 detainees on 19 and 25 June 2018.

In late 2017, the number of female detainees increased beyond the capacity of the Women's Cottages and therefore the women detainees were relocated to the Special Care Centre (SCC).

Work continues to review and install additional beds across the centre with a number of areas being identified for additional beds. ACTCS is continuing to look at various strategies to address the increasing detainee population in consultation with Government.

Table 10 Daily Average Sentenced Detainee Population

	2014-15	2015-16	2016-17	2017-18
Non-Indigenous Male	179.9	194.4	202.64	222.38
Aboriginal and Torres Strait Islander Male	43.8	58.2	55.49	53.98
Non-Indigenous Female	10.4	9.1	9.71	12.47
Aboriginal and Torres Strait Islander Female	2	3.6	4.54	5.27
Male with Indigenous status unknown	4.3	6.2	8.56	7.76
Female with Indigenous status unknown	0	0	0.18	0.66
Total	240.48	271.5	281.12	302.52

Table 11 Daily Average Unsentenced Detainee Population

	2014-15	2015-16	2016-17	2017-18
Non-Indigenous Male	71.97	89.5	117.1	112.92
Aboriginal and Torres Strait Islander Male	20.55	26.9	25.9	35.47
Non-Indigenous Female	5.01	7.0	11.7	11.53
Aboriginal and Torres Strait Islander Female	1.32	3.2	5.7	8.22
Male with Indigenous status unknown	3.07	3.6	3.2	3.41
Female with Indigenous status unknown	0.01	0.1	0.7	0.21
Gender unspecified		0.3	0.0	0.0
Total	101.94	130.5	164.3	171.77

Table 12 Total Daily Average Detainee Population

	2013-14	2014-15	2015-16	2016-17	2017-18
Total	331.35	342.42	402.00	445.44	474.28

Table 13 Breakdown by Maximum Imprisonment Period for Full-Time Detainees (as per snapshot on 30 June of each year)

	2014-15	2015-16	2016-17	2017-18
Unsentenced	109	136	176	187
< 2 years	84	126	113	126
2 to 5< Years	81	73	71	76
5 to <20 Years	74	75	75	90
20 Years +	6	7	9	10
Life	4	4	3	4
Total	358	421	447	493

Recidivism

ACTCS' analysis of recidivism rates shows that this financial year there has been a 5.6% increase in the rate of return-to-custody of detainees from 38.6% to 44.2%. There was also an increase of detainees returning to corrective services.

There was a decrease in the number of offenders discharged from community corrections orders returning to either custody or community service.

The tables below provide the rates of return for detainees and offenders. It needs to be recognised that the data provided is based on two years earlier than the current reporting period, therefore allowing detainees and offenders two full years in which to return. This is consistent with Report on Government Services reporting.

While there are many drivers for recidivism including access to health, housing and employment, as well as police and court practice, the Extended Throughcare Program (the Program) continues to work with detainees to address their reintegration needs. Following a review of the Program in 2017, changes were made to the eligibility criteria for the Program in April 2018. These changes have allowed ACTCS to appropriately target clients who are in most need of support by setting a lower eligibility point for Aboriginal or Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees.

Further information on the Extended Throughcare program can be found in this report.

Table 14 ACT detainees released who returned to prison under sentence within two years (as a percentage).

Detainees returning to:	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Prison	46.6	41.2	38.7	41.0	38.6	44.2
Corrective Services ⁹	58.4	61.3	59.8	61.3	58.5	69.9

Table 15 ACT offenders discharged from community corrections orders who returned with a new correctional sanction within two years (as a percentage)

Offenders ¹⁰ returning to:	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Community corrections	16.7	15.5	15.5	15.4	16.3	14.9
Corrective Services ¹¹	18.6	18.0	17.5	15.8	17.9	16.8

Women in detention

The AMC has experienced accommodation pressures due to an increased number of female detainees. The demand for accommodation for women, either remanded in custody or serving custodial sentences, has steadily increased since the AMC was opened.

On 28 November 2017, ACTCS relocated female detainees from the Women's Cottage, to the SCC. Extensive consultation was undertaken with detainees, their families, the ACT Human Rights Commissioner, the ACT Health Services Commissioner, the Community and Public Sector Union and other key stakeholders prior to the move to ensure that the move was a success.

⁹ Includes a prison sentence or a community corrections order

¹⁰ Offender recidivism refers to persons whose earlier offence resulted in them being sentenced to a community-based order.

¹¹ Includes a prison sentence or a community corrections order

The relocation has significantly increased the ability for female detainees to access programs and services and has seen a full structured day created ensuring that there are enhanced opportunities for work, education, recreation and programs, as well as enhancing access to critical services such as health.

ACTCS has introduced a number of new programs for women, including the Pathways from Prison, Circle of Security, PEACE Education, Exploring Being Your Own Boss, Community Service and Life Skills, Yurbay Workshops and the Aboriginal and Torres Strait Islander Women's Yarning Circle.

The proximity of the new accommodation to the bakery has enabled further employment opportunities for the women with dedicated positions and shifts specifically for female detainees.

In addition, ACTCS has partnered with Winnunga Nimmityjah Aboriginal Health Service in the provision of health and wellbeing programs for women.

ACTCS also established the Women's Care team comprising of the Women and Children Services Coordinator, the Women's Case Manager and two Program Facilitators to assist all women with preparation, implementation and monitoring of their rehabilitation plans.

Feasibility Study of AMC Accommodation

In responding to Recommendation 6 of the Moss Review, ACTCS commissioned a feasibility study to identify, prioritise and inform future correctional requirements in a staged, cost effective manner. The study covers the AMC Centre Logic referred to in the Government Response to the Moss Review, in addition to providing high level conceptual architectural drawings, quantity surveyor costings of options, functional design briefs and a capital works plan and procurement strategy.

The feasibility study was completed in early 2018 and is being considered by Government.

Enhanced Security at the AMC

Contraband

ACTCS employs a range of security measures to prevent the introduction of contraband, including physical barriers, closed circuit television surveillance, intelligence led interventions, searches of people and their belongings entering the AMC and patrols by Corrections Officers and the K9 unit.

ACTCS also works closely with ACT Policing in support of preventing the introduction of drugs and other contraband into the AMC.

Corrections Officers executed a number of both planned and random searches at the AMC during 2017-18. The number of area searches conducted was 2,572, resulting in 5,418 searches of individual locations. Of the 5,418 individual location searches, 4,807 resulted in no contraband being located.

Figure 12 Seized items and primary sub categories of contraband items during 2017-2018

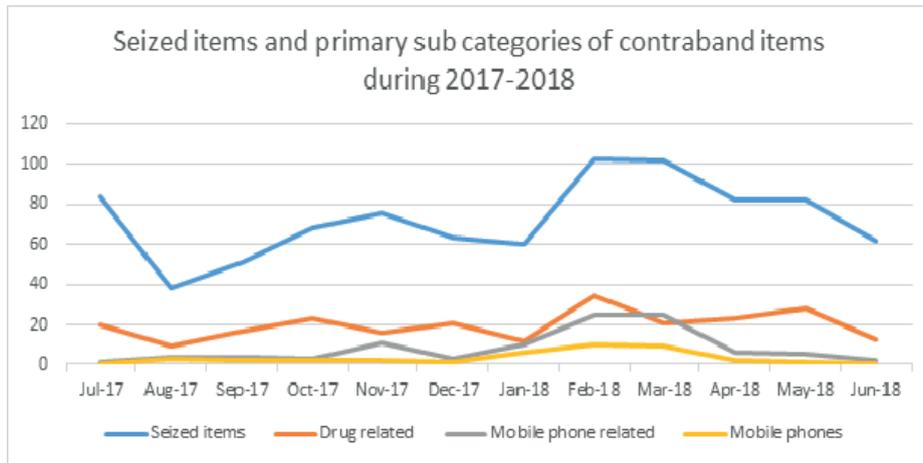
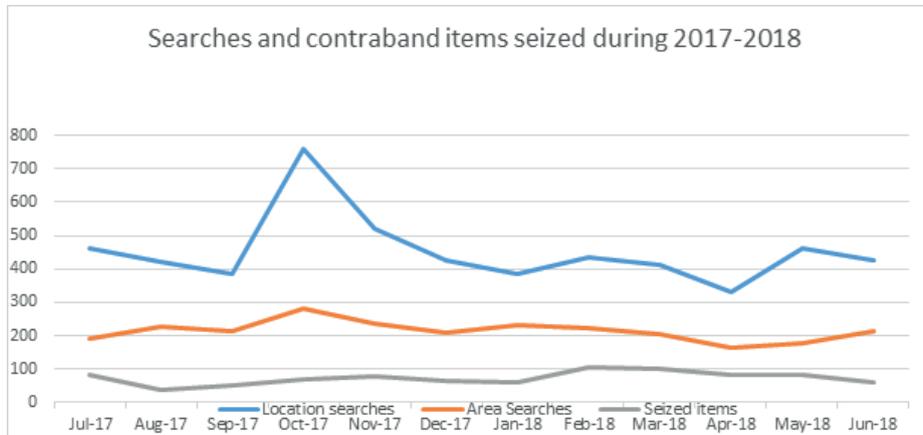


Figure 13 Searches and contraband items seized during 2017-2018



New Member of the K9 Unit – AMC

Uno is a four year old Labrador, Passive Alert Detection (PAD) dog, who has been operating at the AMC since mid-2017. Uno was originally sourced from the AFP after his search speed was deemed too ‘slow’ compared to other dogs on the course for explosive detection work, he was however assessed as perfect for the thorough and systematic search quality required for narcotic detection in a prison environment.

Uno, along with his handler, attended a 14 week PAD narcotic detection course with the Victorian Corrections Safety and Emergency Services Group from Barwon, Geelong, where he not only learned to detect a variety of specific narcotic substances in a variety of different search types and locations, but graduated at the top of a class of ten other PAD dogs.

Uno currently performs many different search functions at the AMC including searches of people (including detainees, visitors and staff), vehicles, property, areas and cells. He has been involved in several successful target search operations and plays a key role in attempting to ensure the safety and security of the AMC.

Figure 14 K9 Unit



Labrador Uno with his handler

Detainee Health and Wellbeing

New Model of Care for Detainees, Health Building Expansion and Refurbishment

In 2016, the Moss Review made a recommendation that Winnunga Nimmityjah Aboriginal Health and Community Service be integrated into the provision of health care at the AMC, in order to introduce its holistic model of care to Indigenous detainees. Winnunga's model of care proposes to integrate social and emotional wellbeing with clinical service provisions by a community controlled Aboriginal health service.

The ACT Government announced funding in the 2017-18 Budget to commence implementation of the recommendations coming out of the Moss Review. This included funding to introduce the a new model of care at the AMC and increased capacity of health service delivery space within the Hume Health Centre, associated office accommodation and staff amenities areas. This project will create temporary office accommodation for both Winnunga and ACT Health staff and reconfigure the current Hume Health Centre to increase service delivery space for detainees.

The Health Building expansion and refurbishment project is expected to be completed in 2019.

A working group was established during the reporting period comprising of ACT Health, Winnunga Nimmityjah Aboriginal Health Service and ACTCS focused on developing the new model of care for detainees at the AMC.

In addition, as part of the women's move ACTCS partnered with Winnunga Nimmityjah Aboriginal Health and Community Services to deliver health and wellbeing programs to female detainees.

Collaboration with ACT Health

During the reporting period, ACTCS and ACT Health worked collaboratively to deliver the agreed recommendations following the Moss Review and enhance the services delivered to detainees at the AMC.

In August 2017, the Directors-General of JACS and ACT Health signed an arrangement for the delivery of health services for detainees (the arrangement). The arrangement recognises that there are certain shared responsibilities in the management of correctional centres and a shared commitment to ensuring, as far as practicable, that:

- > detainee access to suitable health services and health facilities, and a standard of health care equivalent to that available to other people in the ACT, and
- > conditions in detention promote the health and wellbeing of detainees, and detainees are not exposed to risks of infection.

In October 2017, an Information Sharing Schedule to the Arrangement was also signed.

ACTCS has worked in strong collaboration with ACT Health to transfer suicide and self-harm risk assessment to ACT Health as well strengthening information sharing, policies and procedures, cross-agency collaboration and staff supports.

AMC Drug and Blood Borne Virus Strategy

The AMC Drug and BBV Strategy (strategy) is being developed to address health harms associated with alcohol and other drug (AOD) use and the transmission of blood borne viruses at the AMC. The strategy will specifically focus on harm minimisation in a correctional setting, including activities to support demand reduction, supply reduction and harm reduction.

This strategy is being developed and implemented by the JACS and ACT Health directorates to support a collaborative jurisdictional approach. It will align with the *National Drug Strategy 2017-2026* and ACT drug policy frameworks, including the forthcoming ACT Drug Strategy Action Plan.

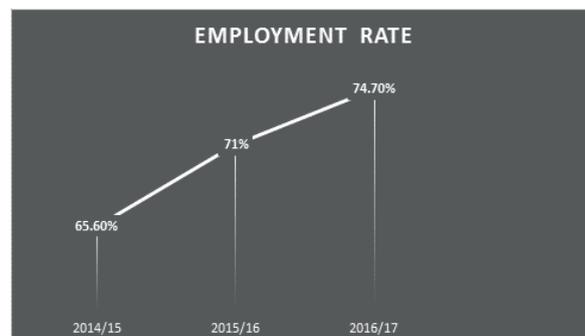
Prison Industries

In 2017-18, Industries and Facilities staff have worked towards consolidating existing service and industry detainee employment in addition to implementing new initiatives. This has resulted in the Detainee Employment Program continuing to meet the demand.

The Detainee Employment Program also works closely with the Education Program to ensure that detainees undertake the mandatory education and training pre-requisites prior to commencing employment. This includes bodily spills, BBV awareness and white card (workplace, health and safety) training. There may also be other education and training requirements depending on the nature of the employment.

The table below demonstrates the positive growth to service industries within the facility over the last four year period (under Report on Government Services definitions).

Figure 15 Employment rate



New Initiatives

Bakery

The Head Baker appointment was finalised in August 2017. The AMC Bakery has initially focused on employing female detainees with up to eight full time detainee employment positions available.

With the appointment of a second Bakery Supervisor in May 2018, the emphasis is now on expanding infrastructure, equipment and operations to two shifts to undertake bakery production in-house (production of bread products alone will exceed 125,000 rolls and 42,000 bread loaves annually). This will assist in making the AMC more sustainable and reduce operating cost in the longer term.

It is anticipated that the second shift of eight detainees will be drawn from a cohort of male detainees with complex needs. This category of detainee is historically problematic to place in employment due to the nature of their offences in addition to their security classification. This will provide them with the opportunity to engage in additional meaningful employment opportunities.

Figure 16 AMC Bakery



Head Chef Darrell Morton with female detainees

Recycling

The Recycling Employment Program commenced in July 2017. It employs eight detainees who undertake a range of socially responsible roles separating waste streams within the AMC. The facility separates waste into 23 waste streams.

The Recycling Employment Program was established to:

- > be compliant with the AMC's biodiversity goals 'All waste awaiting removal from the facility should be secure from access by native wildlife, and by feral animals such as cats and foxes'
- > be suitable for correctional centre security
- > have adequate capacity (to cater for current and future detainee and staffing numbers)
- > to maximise purposeful activity for detainees within the facility
- > include vocational training and employment pathways

- > to cater for detainees with low language, literacy and numeracy skills
- > to support the ACT Government's greenhouse gas emissions reduction targets and waste management strategy
- > to minimise business unit expenditure
- > to support a repurposing principle where waste materials re-enter the economy by being reused or recycled rather than being disposed of in landfill.

In its first year, the recycling area has diverted an impressive 81,943kg of waste from landfill.

During the financial year, the Recycling Employment Program was nominated for the Business Sustainability Awards managed by Actsmart and the ACT Head of Service Awards as part of the innovation category.

Figure 17 AMC Recycling Facility



Male detainees sorting recycling

Metal Fabrication

ACTCS is currently developing a workshop for detainees to undertake previously outsourced sheet metal and welding repairs, upgrades and fabrication work in-house. The workshop is located in the AMC Industries building and will operate under the supervision and guidance of AMC Industries and Maintenance staff.

The workshop will double as a service industry, offering employment to suitably skilled detainees and an environment for detainees wishing to upskill or enter an engineering or construction trade post release.

Figure 18 AMC workshop



Prison to Work

In his February 2016 Closing the Gap address, the then Prime Minister announced that the disproportionately high incarceration rates of Aboriginal and Torres Strait Islander people would be considered in work led by the Minister for Indigenous Affairs and the Minister for Employment.

In December 2016, Council of Australian Governments (COAG) agreed to create positive pathways to employment from prison for all adult Aboriginal and Torres Strait Islander offenders and to continue consultations with Indigenous communities and organisations in the development of action plans, to drive positive, sustainable change.

The Commonwealth Prison to Work report (the Report) was later released by the Department of the Prime Minister and Cabinet (DPM&C) and the ACT Government is responding to its findings through its own 'Prison to Work' action plan. ACTCS has been liaising with DPM&C on suitable pilot programs in the ACT that may be funded as part of the Prison to Work project.

Current discussions with DPM&C have been in relation to a proposal from the 'Worldview Foundation' who have put forward their own 'Wellbeing & Employment Readiness' program which contains a focus on disadvantaged Aboriginal and Torres Strait Islander people in the ACT.

The Worldview program offers a holistic wellbeing, mentoring and employment program that intends to offer training to selected detainees pre-release in preparation for employment and further training on release, initially within their ICT Asset Disposal Service. This program is intended to link with ACTCS Extended Throughcare Program.

The Worldview proposal also has scope for expansion enabling employment within their native food and glass recycling projects, supported with transitional housing options for participants.

The ACT welcomes the Commonwealth's engagement on the issue of employment opportunities for Aboriginal and Torres Strait Islander detainees upon release as flagged in the Report. Employment is a key protective factor in addressing offending behaviour and provides an opportunity to make a

fundamental difference to the lives of Aboriginal and Torres Strait Islander offenders and their families.

The ACT will work with the Commonwealth Government on initiatives that can provide better employment outcomes for Aboriginal and Torres Strait Islander people.

ACTCS has been advised that the Commonwealth Government has funded Worldview's proposal and will continue working with Worldview on implementing the pilot.

Detainee Education and Training

ACT continues to deliver high levels of detainee education and training. Education enrolment levels have been maintained through 2015-16, and 2016-17 at levels previously reported, almost double the national average at approximately 70%. This level of engagement has been maintained despite an increasing detainee population, the complexity of maintaining security classification separation in the AMC and an increased turnover in detainees being admitted and released.

The AMC continues to offer more than 20 Vocational Education and Training (VET) skills sets and general education units. These include units in the Foundation Skills Training Package that embed literacy and numeracy in VET courses as well as direct delivery of the Foundation Skills Training Package competencies. Completion of a Foundation Skills (Australian Core Skills Framework) assessment is required before a detainee can enrol in a VET course. Once assessed, detainees are enrolled in one of three appropriate Foundation Skills Certificates as well as the VET skill sets. AMC Education and Training is in the process of expanding its choice of Vocational Training electives by partnering with other registered training organisations that have additional scope.

As in previous years, the priority in delivering embedded literacy and numeracy skills within the Foundation Skills Training Package, continued either as core or elective VET units, is difficult to breakdown as individual training plans differ dependent upon the elective VET skillset stream selected.

The number of competencies for 2017-18 was similar to previous years.

Table 16 Total number of competencies

Total number of competencies	VET Certificates	Statements of Attainment
742	174	592

In regard to university distance education, the number of detainees enrolled and participating fluctuated widely in 2017-18.

Table 17 Detainees enrolled at university

Number of detainees enrolled Semester 1	Number of detainees completing Semester 1
26	5

At the commencement of Semester 1 of 2018, 26 detainees were enrolled in forms of higher education ranging from the Tertiary Preparation Programs to PhD studies. This included four women and five indigenous detainees. Detainees exiting from the AMC, withdrawing their enrolment and not completing the requirements of the unit impacted on the number of detainees that completed Semester 1.

BBV Awareness education continued to be delivered as a mandatory requirement during education induction and is mandatory for obtaining detainee employment.

Recreational and cultural art and music courses continued to be facilitated and supported on a number of cultural days including NAIDOC week and Waitangi Day (New Zealand Day). Further information on both cultural days can be found later in this report.

Family Connection

Regular contact with family and friends is critical to the rehabilitation of detainees and can assist with strengthening family relationships and successful reintegration into the community upon exiting the AMC. Each year ACTCS facilitates thousands of visits to detainees in the AMC.

The visits schedule provides for two one hour visits per week for each detainee, allocated by accommodation area and aims to give every detainee fair and equitable access to visits.

Table 18 Family and Friend Visits

	2014-15	2015-16	2016-17	2017-18
Total	13,263	15,769	14,754	16,111

Note that a 'visit' may be comprised of more than one visitor, and that these visits described above do not include legal or professional visits.

ACTCS has engaged Shine for Kids, a non-Government organisation, for the provision of family services at the AMC. The services provided consist of the:

- > Prison Invisits Program - the program provides a variety of arts, craft and diversionary activities for children when visiting their parent at the AMC
- > Story Time Program - the program enables parents in custody to strengthen their bond with their children, take a role in their child's education while possibly improving their own literacy levels. The detained parent reads a children's story and it is recorded onto a CD or Hallmark recordable book. The books or CDs are forwarded onto the child so that they can read the book while listening to their parent's voice reading the story
- > Child/Parent Activity Days - activities days are run during the ACT school holiday period at the AMC and attempt to provide an environment in which a child and parent can interact through activities that can be done together for example, creating art and playing games
- > Children's Supported Transport Services - this service aims to transport children safely to the AMC to assist children re-establish and/or maintain positive relationships with their parent(s)/carer(s) while they are in custody.

ACTCS has partnered with West Belconnen Family Centre to deliver Circle of Security Parenting Programs at the AMC.

Aboriginal & Torres Strait Islander – cultural activities

With approximately 21.7% of the detainee population identifying as Aboriginal and/or Torres Strait Islander in 2017-18, ACTCS recognises that culturally appropriate activities and events are critical elements to assist Aboriginal and Torres Strait Islander detainees to succeed in rehabilitation.

In making key decisions around detainee welfare, specific consideration is given to Aboriginal and Torres Strait Islander culture and kinship; one example of this would be in considering relationship when considering a detainee's attendance at funerals or other significant events.

More information is included within B.1. Organisational Overview.

NAIDOC Family Day

ACTCS holds a Family Day event annually as part of the NAIDOC Week celebrations. More information is included within B.1 Organisational Overview.

New Zealand Day

For the first time in 2017-18, ACTCS held a family day event on Waitangi Day, the national day of New Zealand. The day provided the opportunity for detainees in the AMC and their families to come together to mark New Zealand Day and provided an opportunity to acknowledge and commemorate the signing of the Treaty of Waitangi and the history of the day itself.

Families were invited to watch two performances - the Waiata-ringā and Waitangi Haka and share a lunch of traditional Maori food. Twelve male detainees performed although not all identified as Polynesian. There were approximately 48 visitors on the day.

Art Programs and Initiatives

Aboriginal and Torres Strait Islander detainees have the opportunity to engage in art production in a number of ways. More information is available in B.1 Organisational Overview.

Court Transport Unit

The Court Transport Unit (CTU) is located within the ACT court precinct in Canberra City. CTU is responsible for maintaining the secure custody of adults and juveniles who may have been either remanded or sentenced to and from their secure locations to attend court appearances. CTU staff also provide inductions and perform transport risk assessments.

Sentence Administration

The Sentence Administration team ensures that offenders are held in custody in accordance with court orders/warrants by maintaining up-to-date sentence calculations for offenders serving custodial sentences. The area also facilitates the transfer of prison sentences, parole orders and community-based sentences.

Transfers of Community Based Sentences

The transfer of community based sentences between jurisdictions remains the subject of cross-jurisdictional discussions and development of model legislation. A draft framework exists between NSW and the ACT pending the completion of ongoing work across all jurisdictions to resolve a national approach to the transfer of community based sentenced. However, variation in community-based sentences (including combination sentencing) across jurisdictions has slowed the development of this framework. A cross-jurisdictional working group on legislation continues to progress this framework.

Table 19 Community Based Sentences transferred into the ACT from NSW (includes matters pending in one financial year that were finalised in the next financial year)

	2013-14	2014-15	2015-16	2016-17	2017-18
Accepted	7	14	26	8	12
Declined	1	2	3	2	0
Pending	1	8	3	3	4
Withdrawn	3	5	2	3	4
Order expired during application process	0	1	1	0	0

Table 20 Community Based Sentences transferred from the ACT into NSW (includes matters pending in one financial year that were finalised in the next financial year)

	2013-14	2014-15	2015-16	2016-17	2017-18
Accepted	9	9	9	14	12
Declined	0	1	4	5	3
Pending	5	13	7	14	10
Withdrawn	1	5	4	3	2
Order expired during application process	1	13	2	0	0

Transfers of Parole Orders

Offenders in the community on parole, as well as offenders in custody pending release to parole, may apply for an interstate transfer of their order. Applications are made only when an offender is seeking to permanently transfer from one jurisdiction to another. Approval for an interstate transfer may be given by a receiving jurisdiction, prior to the granting of parole, in order that the sending jurisdiction's parole authority may be fully informed of an offender's post-release plans before making a release decision.

Once registered in the receiving state or territory, the parole order becomes an order of that jurisdiction and is subject to the receiving state or territory's laws.

Table 21 ACT parole orders transferred interstate (includes matters pending in one financial year that were finalised in the next financial year)

	2013-14	2014-15	2015-16	2016-17	2017-18
NSW	4	5	9	6	6
Other jurisdictions	0	3	0	3	2
Total	4	8	9	9	8

Table 22 Interstate parole orders transferred into the ACT (includes matters pending in one financial year that were finalised in the next financial year)

	2013-14	2014-15	2015-16	2016-17	2017-18
NSW	14	7	22	12	19
Other jurisdictions	1	1	1	2	2
Total	15	8	23	14	21

Transfer of prison sentences

The *Crimes (Sentence Administration) Act 2005* provides a framework for detainees to apply and serve their sentences in correctional centres in states or territories, other than that in which they were convicted. The two areas for consideration of an application for transfer are ‘welfare’ reasons or ‘trial’ reasons. A transfer for trial purposes may be considered where the detainee needs to deal with matters in another state or territory according to law. Requests for transfer for either welfare or trial reasons are subject to agreement by relevant Ministers in respective states and territories and must be considered within the parameters of the relevant legislation.

In 2017-18, one request to a transfer prison sentence into the ACT on welfare grounds was finalised, and one application to transfer out of the ACT was received.

Victims Register

ACTCS maintains the ACT Victims Register (the Register) in accordance with the *Crimes (Sentence Administration) Act 2005* (the Act). The Register records the names and contact details of victims who have asked to be registered in order to receive information about an offender who is subject to a custodial or community-based sentence.

The ACTCS Victim Liaison Officer (VLO) maintains the Register and engages with victims who wish to become registered. The VLO provides registered victims with the necessary information and support to make submission/s to the Sentence Administration Board regarding the impact that an offender's parole is likely to have on them.

The VLO is able to provide basic support to victims of crime and provides referrals to external agencies when required. This includes referrals to Victims Support ACT and other community support services.

Provisions in the Act allow for the disclosure of offender information to a registered victim.

At the end of the 2017-18 financial year there were 140 victims registered on the ACT Victims Register. Of these, 48 requested placement on the register during the reporting period. This compares with 34 in 2016-17, 36 in 2015-16 and 10 in 2014-15.

Community Corrections and Release Planning

Community Corrections and Release Planning is responsible for supervising offenders on court orders and for the monitoring of compliance with court-imposed conditions. Supervision is focused on reducing the offender’s assessed criminogenic risk.

This function primarily operates from 249 London Circuit, Canberra City. ACTCS also partners with Winnunga Nimmitjiah Health and Community Services to provide a community based reporting hub for Aboriginal and Torres Strait Islander offenders on Community Based Orders. This is located at Winnunga's premises in Narrabundah.

Table 23 Average number of offenders supervised by Community Corrections

	2014-15 ¹²	2015-16	2016-17	2017-18
Non-Indigenous Male	639.1	630.5	673.8	741.1
Aboriginal and Torres Strait Islander Male	99.8	105.8	123.7	127.5
Non-Indigenous Female	112	115.4	137.1	156.3
Aboriginal and Torres Strait Islander Female	30.1	30.9	45	49.5
Male with Indigenous status unknown	69.6	24.6	41.3	14.8
Female with Indigenous status unknown	13.3	6.6	14.7	5.1
Non-Indigenous gender unknown			0.6	0.0
Total	963.8	913.8	1036.1	1094.3

Intensive Correction Orders

Intensive Correction Orders (ICOs) were introduced on 2 March 2016, under the *Crime (Sentencing) Act 2005*, as a sentencing option. ICOs are available as an alternative to full time imprisonment for eligible offenders serving short sentences (generally up to two years, or in exceptional circumstances up to four years). With the consent of the offender, ICOs allow suitable offenders to serve their sentence of imprisonment in the community under the supervision of ACTCS.

An ICO features supervision which is very intensive and significantly greater than what offenders on other types of community orders are subject to. This includes more frequent appointments, more frequent drug testing, field visits to the home and workplace and curfew provisions. The ICO is also designed to provide greater incentive for an offender to address their offending behaviour through attendance at rehabilitation programs. Prior to the court making an ICO, an offender is subject to an assessment conducted by Community Corrections.

On 30 June 2018, there were 69 offenders serving an ICO. Community Corrections and Release Planning completed 248 ICO Assessment Reports at the request of ACT Courts and Tribunal.

There is a suite of sanctions for offenders who fail to meet the conditions including the issuing of a warning, imposing a short-term period of imprisonment of either three or seven days and cancellation of the order and imprisonment for the balance of the sentence. These sanctions are administered by the Sentence Administration Board.

¹² ACTCS has changed the calculation method to comply with national counting methods for persons serving community correction orders in 2014-15. This is reflected in the reduction of total average number of offenders supervised by Community Corrections.

Community Service Orders

The Community Service Work Unit sits within Community Corrections and Release Planning and administers Good Behaviour Orders that have a community service work condition – a reparative and rehabilitative sentencing option. Offenders who are subject to such orders may be required to perform up to 500 hours of community service.

Offenders participate on work crews which currently operate four days per week and undertake projects at various outdoor locations which counts toward their community service hours. Additionally, offenders are sometimes placed directly at agencies (with not-for-profit organisations), or are engaged in the Myna Bird Cage Project, operated by ACTCS.

Table 24 Community Service Work Order

	2014-15	2015-16	2016-17	2017-18
Total number of Offenders with Community Service Work Orders	381	359	372	369
Total Hours Ordered	32,580	31,373	32,547	31,850
Total Hours Worked	26,469	22,521	22,141	27,333

The estimated relative value to the community of work performed during 2017-18 was approximately \$696,644. This is an increase of 23.4%, or approximately \$132,330, from 2016-17, which was \$564,314. This is due the increase in the number of hours worked during the financial year.

Rehabilitation of Offenders

Custodial and Community Correctional Programs

ACTCS has continued to provide high quality criminogenic, psycho-educational programs, and wellbeing programs in the AMC and the community, for both male and female offenders. These programs include:

- > Adult Sex Offender Program
- > Adult Sex Offender Maintenance Program
- > Cognitive Self Change
- > Domestic Abuse Program
- > First Steps Alcohol and Drug Course
- > First Steps to Anger Management Program
- > Seasons for Growth
- > Sex Offenders with Learning and/or Intellectual Disabilities Program
- > Sober Driver Program
- > Violence Intervention Program.

ACTCS has also worked jointly with external providers in delivering:

- > Solaris Therapeutic Community Program
- > Harm Minimisation

- > Alcohol and Drug Abuse Prevention and Treatment Program
- > Coordination of Alcoholics Anonymous Meetings
- > Alcohol and Drug Services Individual AOD counselling
- > Circle of Security Program
- > Parents as Teachers Program
- > Self-Management and Recovery Training Program
- > Pathways from Prison
- > Coming Home Program
- > Culture and Land Management Program
- > Indigenous Traditional Cultural Healing Yarning Arts Program
- > Winnunga Social Well-Being Program
- > Winnunga No More Boondah Program
- > Elders and Community Leaders Visitation Program
- > Peace Education Program
- > Legal Literacy Workshops
- > Being a Man and a Dad
- > Shine for Kids.

Domestic Abuse Program

The Domestic Abuse Program (DAP) is a 20 session rehabilitative group intervention program run by ACTCS for domestic violence perpetrators subject to community-based or custodial sentences who are assessed as being of medium risk of reoffending or higher. The DAP was first offered in 2015. The DAP draws on a gendered understanding of violence and abuse within relationships and addresses these issues from the perspective of power and control. The DAP explores links between behaviours, thoughts and feelings in relation to offending with a clear focus on accountability and assisting them to gaining insight and skills to engage in nonviolent, non-abusive and respectful relationships. Supporting and enabling the conduct of this program is the individual case management of this group of offenders, both before and after the group program.

Three DAPs were conducted in the community, and three were delivered in the AMC during the 2017-18 financial year.

ACTCS has sought to ensure management of domestic violence offenders is consistent with emerging national standards for perpetrator programs. Consistent with these standards we seek to promote the safety and protection of victims and children by offering support provided by the Domestic Violence Crisis Service and other community agencies. The management of the DAP is overseen by a Reference Group that is linked with the Family Violence Intervention Program Coordinating Committee. The purpose of this oversight is to ensure collaboration in the management of higher risk domestic and family violence offenders.

Corrections Psychological and Support Services

Corrections Psychological and Support Services (CPSS) provides support and therapeutic interventions to detainees at the AMC. This includes psychological assessment and intervention for detainees with mild – moderate mental illness, care coordination for detainees with complex needs,

facilitation of the Peer Mentor Program, facilitation of criminogenic and wellbeing programs, and advice on operational matters including segregation reviews and behaviour support planning.

The responsibility for detainee suicide and self-harm assessment and treatment was transitioned from CPSS to ACT Health Forensic Mental Health Services (FMHS) on 16 April 2018. The future role of CPSS is ongoing to ensure that their resources are used to maximum effect across the AMC.

CPSS is comprised of one team leader, who holds qualifications in psychology (clinical). The team leader oversees two full-time ongoing social workers, one full-time contracted social worker, one full-time ongoing occupational therapist, one full-time contracted occupational therapist, and one part-time ongoing psychologist (forensic).

Throughout 2017-18, in line with the arrangement between the Directors-General of Justice and Community Safety and ACT Health for the Delivery of Health Services for Detainees, CPSS continued to build positive and proactive relationships with ACT Health particularly FMHS.

Extended Throughcare

The Extended Throughcare Program continued to provide support to those leaving the AMC and had substantial program developments during the year.

Table 25 Total releases to Throughcare

Total release to Throughcare	2014-15	2015-16	2016-17	2017-18
Male	209	270	344	331
Female	44	75	76	123
Total	253	345	420	454

ACTCS implemented a criteria change for the Extended Throughcare in April 2018 to an eligibility model based on an individual's length of time in custody in response to the findings of the 2017 evaluation of Extended Throughcare conducted by researchers at the Social Policy Research Centre (University of New South Wales) and also stakeholder feedback. This was in recognition that the longer someone has been out of the community, the harder it is to reintegrate into the community, and the more support is likely to be needed. The previous criteria required men to be under sentence, whereas the new criteria is open both to those held on remand and under sentence. Women, and Aboriginal and Torres Strait Islander men are promoted under the new eligibility criteria. This is with the aim of addressing the particular challenges facing both of these cohorts upon release, and as part of addressing the over-representation of Aboriginal and Torres Strait Islander people within the criminal justice system.

As part of the Extended Throughcare Program, a procurement process for a new outreach provider was completed in the reporting year, with CatholicCare Canberra and Goulburn selected to deliver services for participants. This service provides an intensive support outreach package to clients referred by ACTCS, and is designed to provide short term support to some Throughcare clients post custody. The outreach program has a two tiered service design, with clients able to access two or four weeks outreach support, according to their level of need. The service can be accessed by those on a planned release from custody or to Throughcare clients referred from the community immediately post release. Throughcare clients not referred to this service may work with a number of other partner organisations, or receive support directly from ACTCS staff.

In addition, the program is now working with the directorate's Yarrabi Bamirr Program. Yarrabi Bamirr aims to support Aboriginal and Torres Strait Islander program participants and their families, in partnership with other government agencies and community organisations. This initiative is a trial working with a small number of clients.

The Extended Throughcare Program was shortlisted as a finalist in the Institute of Public Administration Australia Public Sector Innovation awards, in the category of Citizen-Centred Innovation. ACTCS representatives attended a pitch event in June 2018.

Enhancing Capability

Correctional Officer Recruitment

As at 30 June 2018, there were 233 correctional officers (including casual correctional officers).

In 2017, ACTCS conducted a bulk recruitment process for correctional officers and attracted over 300 applicants. Of these 17 new recruits (12 male and five females) were selected to complete the ten-week training course and all graduated in November 2017.

Community Corrections Officer Recruitment

In June 2017, ACTCS engaged in one recruitment process for Community Correction Officers, formerly titled Probation and Parole officers. This process attracted nearly 56 applicants and was finalised in October 2017. As at 30 June 2018, there were 36 Community Correction Officers, with recruitment continuing in the 2018-19 financial year.

Attracting and retaining women in Corrections

ACTCS continued to attract women to the workforce during 2017-18. Strategies used as part of the marketing campaign during the correctional officer recruitment drive, emphasised opportunities for women to join the Agency. Nine females applied for positions of corrective officers in the custodial officer recruitment drive in 2017. Of these, five were appointed including two Aboriginal and Torres Strait Islander women. In addition, leadership training and opportunities to act in higher positions have been provided to women within the Agency to enhance career development.

Employing Aboriginal and Torres Strait Islander people

ACTCS continued to attract Aboriginal and Torres Strait Islander candidates to correctional positions, as a result of a successful recruitment round the previous year.

As at 30 June 2018, there were 26 employees who identified as Aboriginal or Torres Strait Islander and the Agency has nine identified positions for Aboriginal and Torres Strait Islanders. This is approximately 6.21 percent of ACTCS' overall workforce.

Increasing Public Awareness

ACTCS held two separate public information sessions during the year to create a wider pool of potential applicants and facilitate a greater understanding of custodial roles. These were advertised across various types of media, including electronic media. These campaigns were designed to raise public awareness of the responsibilities of ACTCS, how custodial roles are carried out, and to diminish negative stereotyping which sometimes accompanies corrective services activities.

During the public information sessions, potential applicants were encouraged to ask questions of current custodial staff and other subject experts on specific topics about working in corrections.

ACTCS has been conducting public information sessions over the past three year as a strategy to improve public awareness and build diversity in our workforce by encouraging greater involvement from Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse background and women. This strategy seems to be working as evidenced by the increased number of applications from women and Aboriginal and Torres Strait Islander people in particular.

Training and Development

Custodial Mandatory Training

Training for correctional officers is delivered according to a schedule of training modules identified through a needs analysis and prioritised according to the Correctional Officers Enterprise Agreement, legislative, government, operational and policy requirements and agreed to by the ACTCS Executive.

Custodial Mandatory Training (CMT) is scheduled to occur one half-day weekly throughout the year and all available officers attend each mandatory session.

In 2017-18, correctional officers undertook over 650 CMT modules. These modules included Fire Awareness; Policies and Procedures; Suicide and Self Harm Awareness; Use of Force; Master Control Room (MCR) which includes 16 competencies including control of cameras and monitors; Radicalisation and Extremism Awareness Program (REAP); and Cardio Pulmonary Resuscitation (CPR) Refresher training.

Other full day training included Breathing Apparatus training delivered by ACT ESA for 28 corrections officers; and the full First Aid qualification for 130 corrections officers.

Three new training programs were introduced this financial year: REAP, Master Control Room (MCR), and Use of Force & Situational Awareness Refresher.

REAP: The Training and Development Unit (TDU) has utilised materials provided by the Commonwealth Attorney General's Department and assimilated them into the ACT context. The Attorney General's Department is seeking to have REAP rolled out across all Corrective Services jurisdictions across Australia. The first REAP session in the ACT was delivered during CMT in June 2018.

MCR: As a result of the Moss Review ACTCS increased competence was identified, the TDU developed MCR training which has been delivered in two blocks:

- > Theory, block one is delivered in a classroom setting and is a three hour theoretical component which aims to revise and update knowledge of procedures and protocols, including changes within the MCR. In November 2017, a compliance module of this training was developed and delivered to supervisors and CO2s.
- > Practical, block two is on-the-job training. The TDU has been coordinating, delivering and supporting supervisors to deliver this training for officers based on an assessment of their training priority and identified training needs.

Use of Force and Situational Awareness: This module trains custodial officers in the safe use of equipment and techniques. It focuses on Use of Force legislation, principles and situational response to force. The practical scenario component emphasises the decision-making processes around when, how and what type of de-escalation is appropriate. The module includes the required 'annual assessment of competency' for the technical application of equipment such as handcuffs.

Work Placements: Traineeships, Graduates, Work Experience, Interns

ACTCS has supported employees with a range of workplace opportunities.

Aboriginal and Torres Strait Islander Traineeship Program

ACTCS hosted a trainee as part of this agency initiative. The trainee was placed in three business units and provided with the opportunity to complete a Certificate III in Business Administration. The trainee, who excelled in her studies, was one of five finalists shortlisted for the NAIDOC Awards, and was also one of six finalists shortlisted for the category of ACT Australian (Apprentice) Trainee of the Year Awards 2017.

ACTPS Graduate program

Two graduates completed a number of rotations in ACTCS and in other Directorates; one was based in Community Corrections on completion of the program and the other is still undertaking the program.

Work Experience and Support Program

One participant of this ACT Government program was placed in the Business Systems team. The program offers four weeks of formal office skills training and eight weeks of practical work experience in an ACTPS workplace which is designed to help Canberrans from culturally and linguistically diverse backgrounds to enter the workforce.

Placements

ACTCS accommodated five intern psychologist placements at 100 hours each based at Community Corrections (4) and Programs (1). In addition, two counselling students were based at the AMC for a placement period of 140 hours each.

Training and Development Activities

- > The TDU continued to coordinate and deliver a broad range of professional development activities for all ACTCS employees. These include mandatory training prescribed by the directorate, ACTPS training and other operational and/or job specific training.
- > Nine week Custodial Recruit Training (CRT) Program for 17 newly recruited Correctional Officers incorporating mandatory, operational and knowledge-based modules.
- > Delivery of over 25 Security Awareness sessions for more than 250 contractors, employees and professional visitors to the AMC.

Two ACTCS employees successfully completed the Public Sector Management Program (PSMP) and were awarded a Graduate Certificate in Business (Public Sector Management) from the Queensland University of Technology. The PSMP is an intensive and demanding program delivered over a 15 month period and focuses on developing management skills in the business of government.

Conferences

Custodial and Community Corrections and Release Planning staff were supported to attend a range of conferences addressing operationally relevant topics and to support staff development and ACTCS strategic priorities including:

- > Mental Health Symposium
- > Australian Correctional Leadership Program

- > Menslink Breakfast
- > Indigenous Justice Workshop
- > Strangulation and Intervention Program
- > Restorative Practice Forum with International Experts
- > Sentencing Conference
- > PACCOA (Probation & Community Corrections Officers Association) Conference, and
- > Women in Leadership Summit.

Information Management and ICT Improvements

Corrective Services Information Management Solution (CSIMS) Project

In July 2016, the Territory entered into a contract with Canadian-based company, Abilis Solutions, to provide and manage a new offender-management system, known as CORIS® for ACTCS. Abilis is contracted to implement the system by mid-2019 and to provide ongoing hosting and support.

ACTCS and the Abilis team have been systematically working to configure CORIS® in accordance with the requirements of the Offender Lifecycle Model. By early August 2018, Abilis will deliver the sandbox version of CORIS® to ACTCS for testing and feedback. The CSIMS project team will undertake vigorous testing to ensure that CORIS® automates and supports ACTCS' operational procedures adequately.

Upgrade of ACTCS Radios

In 2017-18, ACTCS commenced the program of work to replace the existing analogue radio communication infrastructure in use at the AMC with a new digital radio communication system using the Territory Radio Network (TRN). The TRN provides a whole of government radio communication system that is used by a number of other ACT Government agencies. This system will provide greater security and interoperability between various agencies.

As a part of this project, ACTCS has completed the upgrade of radio systems used by the CTU vehicles for detainee escorts to and from various locations such as the AMC, the courts, hospitals, and interstate transfers. This has enabled better radio communication capability and coverage for correctional officers undertaking these escort duties.

ACTCS has also completed TRN infrastructure implementation and testing at the AMC which will support the portable radios used within AMC. Using the whole of government contract set up with Harris Communication (Australia) Pty Ltd, ACTCS has procured the portable radios and related accessories as well as support and maintenance services. Work is continuing with Harris to define and implement the detailed radio profile requirement to meet operational communication requirements for the AMC as well as the CTU. The project is well on track to deliver the fully featured TRN based radio system for whole of ACTCS by the end of 2018.

Reviews and External Scrutiny

Response to Moss Review

Following the death in custody of Mr Steven Freeman, the Minister for Corrections announced on 2 June 2016 a review into his care and supervision at the AMC. Mr Philip Moss AM led this review and publicly released the Moss Review on 10 November 2016. The Government responded to the Moss Review on 16 February 2017 agreeing, or agreeing in principle, to eight of the nine recommendations. The Government noted a ninth recommendation relating to the Health Services Commissioner.

Since the Government released its response to the Moss Review, the ACT Government has taken significant steps to improve the well-being and safety of people in the AMC.

Implementation of the recommendations was led by an Inter-Directorate Project team reporting to a high-level oversight Steering Committee. The Steering Committee is independently chaired by Mr Russell Taylor AM, who was appointed by the Minister for Corrections to lead this work and to report directly to him on the implementation of the recommendations. The Steering Committee comprises the Directors-General of JACS, ACT Health and the Community Services Directorate together with representatives of the Aboriginal and Torres Strait Islander community, including a representative from the ATSIEB, CEO of Winnunga Nimmityjah Aboriginal Health and Community Services and a representative from the Aboriginal Legal Service.

The Steering Committee is playing a crucial role in giving reassurance that the Inter-Directorate Project Team is meeting community expectations about the desired outcomes for each of the recommendations.

The Minister for Corrections provided an update against all the recommendations through a Ministerial Statement to the Legislative Assembly in February 2018.

Significant progress has been made against all the recommendations. The Chair of the Steering Committee is anticipated to provide a final report to the Minister in the first quarter of 2018-19.

Inspector of Correctional Services

Effective and independent oversight is important to build and maintain public confidence in the ACT's corrections system. Establishing an Inspector of Correctional Services was a commitment of government, in response to Recommendation 8 of the Moss Review.

In June 2018, the Inspector began a review of the management and care of remand-only detainees under Section 17(1)(b) of the *Inspector of Correctional Services Act 2017*.

ACTCS looks forward to working closely with the Inspector of Correctional Services in accordance with the Act.

Official Visitors

Official Visitors are appointed to undertake independent inspections of adult correctional facilities in the ACT and take complaints from detainees under the *Official Visitor Act 2012*.

On 17 December 2017, the Minister for Justice, Consumer Affairs and Road Safety appointed Mr Shannon Pickles and Ms Denise Brassier as Corrections Official Visitors for a three year term. Ms Tracey Whetnall continued as the Aboriginal and Torres Strait Islander Official Visitor.

During the year, the Official Visitors regularly attended the AMC, as well as the CTU cells at the ACT Courts precinct. They met with detainees to hear their concerns and liaised with ACTCS staff to discuss any issues. As a result, the Official Visitors have made 20 recommendations around the operations of the AMC. ACTCS has addressed 14 of the 20 recommendation. The remaining six were made in the Official Visitors' April - June 2018 Quarterly Report and will be addressed early in 2018- 19.

Official Visitors are obliged to provide regular written reports directly to the Minister for Corrections, detailing the number and types of complaints including remedial action. The Mental Health Official Visitor, Ms Sue Connor, is also able to visit detainees in receipt of mental health treatment and care in a correctional centre.

Indigenous Official Visitor Annual Report – Tracy Whetnall

I have been the Indigenous Official Visitor since 2011 and continue to enjoy the role and the opportunity to visit Aboriginal and Torres Strait Islander men and women in Canberra's prison.

During financial year 2017-18 I visited detainees at the AMC on 91 occasions.

Complaints raised by detainees have been about lack of opportunities to go to rehab and accommodation on release. The lack of Indigenous Case Managers and new Case Managers is frustrating detainees not knowing who they need to speak to. Throughcare seems to be improving if key staff interact with detainees at least six weeks before release, when this is done detainees leave feeling more reassured.

Other complaints by detainees range from not being aware of or told about programs available to them, and that those programs may assist in their parole applications, or reintegration into the community.

The detainees enjoy when the Indigenous elders do their regular visits but at one time only certain detainees got to meet and speak with them. Lately however the staff having been walking around the AMC with the elders which is slowly removing this concern, as the detainees look forward to these visits.

Yarning groups for both male and female detainees have commenced and these seem to be good and the detainees are enjoying these.

Even though numbers of Indigenous detainees has risen many detainees advise me that they are Indigenous and not down on the list and therefore not recognised, so this in turn confuses our statistics. Maybe an audit needs to be done, with key agencies, to finally identify the correct numbers of Indigenous detainees. Some Indigenous organisations visit the AMC regularly, but detainees will complain not seeing them or having the opportunity to speak to them.

The AMC is getting better each year with approving and arranging escorts to funerals and to see family members in hospital.

Most issues that I have raised over the year are being dealt with by Corrections staff to the best of their abilities. Since the departure of Mr Rushton it's still confusing who to speak to when needing issues dealt with.

Official Visitors Annual Report - Shannon Pickles and Denise Brassier

The last year has seen significant change in both the Official Visitor program and the nature of the AMC. At short notice, the prior Corrections Official Visitor ended her term due to taking up a position

with the Sentence Administration Board. A temporary six month replacement was found in Shannon Pickles an existing Official Visitor for Mental Health.

During this interim period the responsibility for induction and training of the Official Visitor was placed on ACTCS and AMC staff which created confusion. In December 2017 the term of Shannon Pickles was made permanent for a full three year term and an additional Official Visitor Corrections was appointed in Denise Brassier for three years.

During the year a large scale review of the entire Official Visitor scheme was undertaken and some of the practical feedback around difficulties in responsibility for recruitment, induction and training were provided. It is expected the recommendations of this review will come into effect over the next 12 months which may lead to significant change in the functioning and oversight of the Official Visitor scheme.

These changes in the Official Visitor staffing were mirrored in having the General Manager position within the ACTCS structure change, and the long term Deputy General Manager of the AMC retire. This has however proven to be an excellent opportunity to refresh and renew relationships between AMC management and the Official Visitor's, and many positive discussions have occurred to this effect.

Table 26 Official Visitor Visits

Number	AMC	CTU	Other	Total
Official Visits	89	6	17	112

It is noted that whilst the number of visits to the AMC did not significantly increase (70 to 89) the number of complaints rose from 236 to 368. Primary reasons for this could be considered detainees taking advantage of fresh/new faces to raise old/ongoing issues, the increasing number of detainees, and also increased usage of the email system for complaints. An average of 1-2 email complaints per week were received over the year.

The most common type of complaints related to finance (external money transfers not occurring in time for buyup), maintenance (urgent matters not being addressed in a timely fashion), health (waiting times significantly delayed), and probation and parole (reports not being accurate, inability to access housing causing denial of release).

A cause of concern over the year has been another jump in detainee numbers from 450 to over 500 at the time of this report. Increasing number impacts not only concern of overcrowding, but demand on basic infrastructure such as computers, toilets, bathrooms, and kitchens. Flow on effects to waiting times/access to health, and increased levels of lock downs due to association challenges and staffing demand. Without a specific plan of action to either reduce the level of new detainees coming in to the AMC, or concrete plans put in place to expand accommodation and support facilities numbers will inevitably continue to rise, tempers of detainees heighten, and access to basic and regular services falter.

It is recognised part of this problem is a significant lack of exit options for detainees, either those on remand with nowhere appropriate to be bailed to, or those seeking to be released on parole with nowhere appropriate to be paroled to. Many detainees report they do not even bother applying for parole if they know they have nowhere they can stay.

A significant change this year occurred with the transfer of all of the women to the special care unit building and a spill and fill from other blocks/cottages to back fill the gaps. This move was necessary as the number of women detainees has raised at an unexpected rate and inappropriate

accommodation was being sourced in the old management unit. This move was managed extremely well with a minimum of disruption for the unit (in fact the OV received feedback from a number of detainees how impressed they were how smooth the day went). However there has been a large amount of ongoing complaints from the women that were moved, primarily as their living conditions without question are nowhere near as nice as their former quarters.

It should be noted that the transparency and communication from AMC staff and management with the OV's has been excellent. Complaints raised are nearly always investigated and responded to in a prompt and reasonable way, and responsibility is always taken if issues are identified and action promptly taken.

B.2 PERFORMANCE ANALYSIS - OUTPUT 3.1 COURTS AND TRIBUNAL

Output Description

The ACT Courts and Tribunal (ACTCT) is responsible for the provision of high quality support to judicial officers and tribunal members in the Supreme Court, Magistrates Court and ACT Civil and Administrative Tribunal (ACAT) and high quality services to the public using the courts and tribunal.

Strategic Objectives Priorities and Performance

During 2017-18 the ACTCT continued to focus on the following priorities:

- > the new court facilities project
- > the development of the new ICT integrated courts management system
- > strengthening the administration of the courts and tribunal, including implementation of the International Framework for Courts Excellence and the Australasian Framework for Tribunal Excellence, and
- > improving access to the courts and tribunal.

These priorities increase the efficiency, effectiveness and timeliness of court and tribunal operations.

Appointments and retirements

Figure 19 Justice Hilary Penfold's Ceremonial Sitting



Associate Justice Verity McWilliam , Justice Hilary Penfold and Chief Justice Helen Murrell

During the reporting year the Supreme Court had the following changes:

- > Justice Hilary Penfold retired as a Judge of the Supreme Court on 23 March 2018, and
- > Justice Chrissa Loukas-Karlsson commenced as a Judge of the Supreme Court on 26 March 2018.

During the reporting year, Acting Judges Walmsley, Robinson and Ashford were appointed from 1 July 2017 and ending 30 June 2018. Justice Charlesworth of the Federal Court of Australia was appointed as an Additional Judge of the Supreme Court on 14 November 2017.

During the reporting year Special Magistrates Margaret Hunter and Ken Cush were reappointed until 31 December 2018.

During the reporting year, the following ACAT appointments were made:

- > Ms Theresa Warwick as an Ordinary Member for the period 21 July 2017 – 31 December 2022
- > Ms Moira Murray as an Ordinary Member for the period 21 July 2017 – 20 January 2018
- > Mr Stephen Lancken as an Ordinary Member for the period 3 January 2018 – 31 December 2022
- > Mr Dominic Mulligan as an Ordinary Member for the period 3 January 2018 – 31 December 2022
- > Ms Elizabeth Trickett as an Ordinary Member for the period 3 January 2018 – 31 December 2022
- > Dr Katherine Lubbe as a Senior Member for the period 13 June 2018 – 12 June 2023, and
- > Dr Peter Norrie as a Senior Member for the period 13 June 2018 – 12 June 2023.

Disposition times in the courts and ACAT

The ACTCT has supported initiatives by the Supreme Court, Magistrates Court and ACAT to deal with matters in a reasonably expeditious manner having regard to the nature and complexity of each case.

Information about the median times to finalise cases in each jurisdiction is set out in the section on strategic objectives in this annual report.

Further information about the performance of the courts and ACAT are included in the annual review for each court and ACAT.

Eastman Proceedings 2017–18

A large number of pre-trial issues were heard and determined during the reporting year with the last matter finalised on 1 June 2018. Acting Justice Kellam made over 30 rulings, often with extensive written reasons, in relation to pre-trial applications dealing with substantial and complex legal issues. Most of the rulings are the subject of non-publication orders pending the finalisation of the trial.

On 5 June 2018, a jury of 16 was empanelled from a panel of approximately 480 people.

The trial commenced with the opening by the prosecution on 18 June 2018. The trial is estimated to run for six months.

ICT Integrated Case Management System

The ACTCT is implementing a new case management system known as the ICMS. The ICMS is a more efficient business system which will improve service delivery to the judiciary, tribunal members and court and tribunal users and will provide a platform for a number of online services, such as electronic lodgement of court and tribunal documents.

The ICMS system is being rolled out in three stages. The first stage was successfully implemented in the ACAT in December 2015. Stage 2 focused on the civil jurisdiction and was successfully implemented in September 2016. The third and final stage deals with the criminal jurisdiction, online

services such as a criminal portal and electronic lodgement facility, and interfaces with key justice and other agencies. The final stage is due for release and staged uptake from late 2018.

New Court Facilities

In December 2015, the Territory entered into an agreement with Juris Partnership, comprising Laing O'Rourke, Macquarie Capital and their partners, to deliver a new \$165 million justice precinct for the Australian Capital Territory.

The ACT Courts project in the centre of Canberra is the Territory's first public-private partnership.

The project will create a combined courts facility for the ACT which will support operational efficiencies while respecting the jurisdictional separation between the Supreme Court and the Magistrates Court.

The Supreme Court will be located within a new four-storey building to be constructed along Vernon Circle. It will also occupy parts of the existing Supreme Court building following its refurbishment during 2018-19.

Works commenced on the new building in 2016 and are progressing with stage one due for completion during the second half of 2018. This stage will deliver six new courtrooms for the Supreme Court, new library accommodation, jury facilities, remote witness suites, new registry and new public entrance. The second stage (which includes the refurbishment of the existing Supreme Court building) is due for completion in 2019.

When the project is finished the ACT will have modern court facilities that expand capacity for trials and alternative dispute resolution processes, improve jury and vulnerable witness facilities, enhance the custodial areas and support the use of courtroom technologies.

Frameworks for court and tribunal excellence

Work continued during the year on implementation of the frameworks for courts and tribunal excellence. Each court conducted internal surveys to help identify and prioritise areas for improvement, including the use of technology in the conduct of court proceedings. A survey of each court's users is being planned for early 2019.

Review of performance indicators

During the year the ACTCT worked with the heads of jurisdiction to review the strategic and accountability indicators for the courts and ACAT. The ACTCT had a large number of indicators, most of which duplicated the measures set out in the annual Report on Government Services. The changes will streamline and improve the usability of the indicators.

The strategic indicators measuring the median time from lodgement to finalisation of matters will be replaced with the International Framework for Courts Excellence global measure for on-time case processing. This will measure the percentage of cases resolved or finalised within established timeframes. The timeframes have been set having regard to the performance against the proposed measures over the last four years and in some categories are ambitious.

The 22 accountability indicators have been reduced to nine indicators relating to the cost per finalised matter in each court and the case clearance rate for each court and ACAT. These indicators are likely to be of the most interest to the public.

Library review

The ACTCT engaged a consultant to review the Russell Fox Library which manages the library collection, provides legal research and information services, manages public information through websites and social media and delivers a range of other library services.

The review considered:

- > the functions to be performed by modern court libraries, including the management of the collection, support to the Judiciary and tribunal members, educational activities, the use of social media and other functions
- > the needs of the judiciary, members, practitioners and self-represented litigants;
- > usage of services now and in the future
- > management, governance and staffing structures for the Library
- > necessary capabilities, work level standards and training for the staff of the Library
- > administrative systems to prioritise activities, track workload and report on performance;
- > business continuity arrangements
- > opportunities for synergies or improved collaboration with other law libraries, particularly in relation to specialisation and mutual borrowing rights for collections.

The report was delivered in late June and the ACTCT will consider the recommendations in 2018-19.

Development of a Drug and Alcohol Court

During the year the ACTCT continued to engage with the project for the development of a Drug and Alcohol Court. The engagement was primarily through the Supreme Court Working Group. Work will continue during 2018-19.

Legislative reforms

During the year, a range of legislative amendments commenced which affect the courts and ACAT. The largest reforms arose from the *Courts and Other Justice Legislation Amendment Act 2018* ('the Amendment Act') and the *Residential Tenancies Legislation Amendment Act 2016*.

The Amendment Act included amendments which increased the compensation limit for ACAT's energy and water complaints jurisdiction to \$25,000, clarified ACAT's powers and simplified appointment of health practitioner members.

The Amendment Act also included amendments to the *Coroners Act 1997* in relation to obtaining medical records, authorising routine non-invasive ancillary examinations, allowing a deputy coroner to authorise the release of a body and simplifying the process for authorising a person to assist in any examination.

The Amendment Act included substantial reforms to the *Juries Act 1967* including changes to the list of people who may be disqualified, exempt or able to claim exemption from jury duty and to provide for reasonable support for jurors with a disability or with an insufficient understanding of the English language. The amendments to the *Juries Act 1967* also allow for streamlined enforcement processes when people fail to attend for jury service.

The *Residential Tenancies Legislation Amendment Act 2016* (the Act) included a range of residential tenancy reforms which affected the ACAT. In particular, the Act included changes regarding the resolution of tenancies in situations involving family violence.

Business Continuity

During the year the ACTCT updated its business continuity plan and undertook a desktop test to assess its preparedness for dealing with events that might disrupt court or tribunal operations.

Bevington workflow review

A workflow review into the business processes of the bail office and protection unit was undertaken by Bevington Group. The review identified and mapped the time spent on over 1500 activities. It made a range of recommendations for improving the operation of these registry areas including redesigning forms to ensure all necessary information is captured in a clear and consistent manner, updating the checklists for key processes, moving to electronic data capture as close to source as possible, improving information for court users, and strengthening relationships with key stakeholders.

Website redevelopment

During the reporting year the ACTCT worked on the redevelopment of the Supreme Court, Magistrates Court and ACAT websites. The aim of the projects is to create websites that assist court and tribunal users to better access information and services relating to each court and ACAT. The new websites are expected to go live during 2018-19.

The ACAT website redesign is being undertaken by Shared Services ICT (SSICT) which has worked with ACAT staff to analyse the structure, accessibility and usability of the current website, and make recommendations about areas for change and improvement. The project identified common problems experienced by regular users of the website and how their needs could be better met. The architecture and design for the new ACAT website has been finalised and the updating of content continues.

The court websites are being redeveloped to make them more intuitive and usable and to support new online service and information exchange options. A draft information architecture has been prepared and work is underway on updating the content for each website.

Improved communication channels for court and tribunal users

The ACTCT continued to improve its communication channels for court and ACAT users.

During the reporting period, SMS notifications were introduced in the energy and water jurisdiction of ACAT to remind parties of upcoming hearings. It was also introduced in the Sheriff's Office to provide up to date information for jurors. Both initiatives have seen positive results and the use of SMS will be expanded to other areas of the courts and ACAT in 2018-19.

Jury Management

The current ICT jury management system is over 15 years old and is used to support the processes for selecting jurors, managing juror payments and related matters. As the system has limited functionality and is no longer supported, arrangements are underway for it to be replaced.

Following an unsuccessful attempt to procure a new jury management system from another Australian jurisdiction, other options were investigated and a new business case for a replacement system has been approved by Government with procurement to proceed in 2018-19.

Access to courts for Aboriginal and Torres Strait Islander people

During the financial year the ACT Courts Cultural Diversity Committee endorsed the ACTCT 2017/18 Action Plan on Access to Courts for Aboriginal and Torres Strait Islander People in the ACT. In addition, the Supreme Court adopted a Strategic Plan to Facilitate Access to the Court for Aboriginal and Torres Strait Islander People in the ACT.

Flowing from these plans, information on external legal and support services was developed for distribution from the court registry counters and court web sites. The judges and magistrates participated in a cultural competency development session on 18 October 2017 with Professor Sherwood from Sydney University. The judiciary also met with local Indigenous representatives throughout the year to keep abreast of issues affecting the local community.

The Supreme Court, in partnership with the Education Directorate, held a Justice Careers Expo for Years nine – 12 students on 17 May 2018. Almost 50 students participated in the event which included a tour of the Supreme Court and meetings with judges, prosecutors, lawyers, corrective services officers, sheriff assistants and a range of career advisors. A morning tea was followed by mock trials where students undertook a range of court roles.

Supporting people with disabilities

During the year information was developed for people with disabilities and a new role of Courts and Tribunal Assistance Officer was established to provide support for people with a disability who require further information or reasonable adjustments to access or use court and tribunal facilities.

The new courts building has been designed to reflect contemporary design practice for people with a disability. Further information about the new building can be found at www.actlawcourtsproject.com.au.

Supporting the culturally and linguistically diverse community

Consultation with the culturally and linguistically diverse (CALD) community is planned for 2018-19 to obtain feedback from the community on how to improve access for family violence matters before the courts. The ACT Government's additional funding for interpreters for family violence matters has supported court staff to be proactive in helping CALD people to access the courts in this important area.

B.2 PERFORMANCE ANALYSIS - OUTPUT 4.1 EMERGENCY SERVICES

Output Description

The ACT Emergency Services Agency (ESA) is responsible for the following emergency management strategies in supporting the ACT community:

- > **Prevention and Mitigation:** Emergency prevention and mitigation measures are aimed to decrease or eliminate impacts on the ACT community and environment
- > **Preparedness:** Emergency preparedness measures ensure that, in the event of emergency, communities, resources, and services can manage the impact
- > **Response:** Response strategies and services are in place to control, and reduce consequences of emergencies
- > **Recovery:** Recovery strategies are aimed to return the ACT community and ESA to a state of preparedness after an emergency situation.

The ESA applies these strategies to deliver balanced, efficient, and effective emergency management services. Continued partnerships, and shared responsibility between the ACT Government and community are imperative to preserving life, property, and the environment.

Figure 20 ESA Mission



The ESA comprises four operational services

- > ACT Ambulance Service (ACTAS)
- > ACT Fire & Rescue Service (ACTF&R)
- > ACT Rural Fire Service (ACTRFS)
- > ACT State Emergency Service (ACTSES).

These operational services are supported by the ESA's Enabling Services:

Table 27 **ESA's Enabling Services**

ESA Commissioner's Office	Governance and Logistics
<ul style="list-style-type: none"> > Emergency Media and Broadcasting Services > Internal Communications > Executive Support > Strategic Reform Agenda (SRA) 	<ul style="list-style-type: none"> > Governance > Business Services > Fleet and Logistics > Finance > Station Upgrade and Relocation Program (SURP).
People and Culture	Risk and Planning
<ul style="list-style-type: none"> > ESA Training > ESA Workforce Planning > ESA Welfare and Wellbeing > ACTAS Education > ACTF&R Capability 	<ul style="list-style-type: none"> > ESA Information Communications and Technology (ICT) > Emergency Management, Risk, Spatial and Digital Services > ESA Triple Zero Communications Centre (ComCen) > ACTF&R Community Resilience.

Strategic Objectives Priorities and Performance

Strategic Objective: Safe Community – Emergency Services

During the 2017-18 reporting period the ESA made progress on priorities as outlined in the ESA 2015-2020 Strategic Plan and 2017-18 Budget papers. This included:

- > continuing to implement the ESA Strategic Reform Agenda (SRA)
- > progressing the ACTAS Blueprint for Change
- > progressing the Women in Emergency Services (WIES) Strategy
- > progressing the SURP and ICT upgrades.

Incident and Response Reporting

For any single incident, multiple emergency phone calls may be received and ESA vehicles and staff may respond from across the services to ensure the best outcome. From 1 July 2017 to 30 June 2018, ESA managed 64,031 incidents, an increase from 63,011 incidents in 2016-17. These incidents included:

- > 1,061 fire incidents; this number includes structure, vegetation and other fire types
- > 52,426 medical incidents; this number includes ambulance and aero-medical incidents but excludes medical assists at fire, storm and rescue incidents to avoid duplicate reporting
- > 1,147 rescue incidents; this number includes road rescues and search incidents
- > 1,141 storm and flood incidents
- > 8,256 other incidents; these included hazardous materials (Hazmat) and false alarms.

ESA Commissioner's Office

Under the *Emergencies Act 2004*, the ESA Commissioner has responsibility for the overall strategic direction and management of the emergency services, as well as for community education and improving community preparedness for emergencies.

The Commissioner's Office manages liaison and coordination within the ESA, as well as between the directorate, the Minister's Office and key stakeholders.

ESA Commissioner

Dominic Lane is the Commissioner of the ACT ESA, and brings with him 33 years of operational experience ranging from fire-fighter through to Commissioner, as well as 11 years in senior executive leadership and strategic management. His current role covers a wide portfolio including the strategic direction and management of all of the emergency services including the ACTAS, the ACTF&R, the ACTRFS and the ACTSES. Dominic was awarded the Australian Fire Service Medal in 2004 and the National Medal in 2005.

Volunteer Charter

The Volunteer Charter recognises and supports the role of volunteers within the ESA. In 2017, the Commissioner's Office liaised with volunteer organisations to update the ESA Volunteer Charter to closely align it with the ACT Volunteering Statement and ACT Public Service values and behaviours. It was signed by the Chief Minister, Minister for Police and Emergency Services, ESA Commissioner, ACT Volunteer Brigades Association, ACT SES Volunteers Association, Mapping and Planning Support Group, Community Fire Unit Consultative Committee and ACT Fire Brigade Historical Society.

Figure 21 Volunteer charter



Signing of the ESA Volunteer Charter

Emergency Media and Broadcasting Services

The Emergency Media and Broadcasting Services section manages the delivery of news alerts, updates and warnings to the ACT community via the Single Point of Truth (SPOT) application during emergencies, proactively manages media opportunities and enquiries on behalf of the agency, and operates the ESA Facebook page and ESA Twitter platform.

The ESA issued 292 news alerts, updates and warnings via the SPOT application in the 2017-18 financial year. Examples of this include public safety advice and information during:

- > A heavy rain event that impacted the ACT from 25-26 February 2018. A total of ten news alerts were issued via SPOT to keep the community informed of, road closures due to flooding, how to receive emergency assistance, as well as general safety advice. During this event, hundreds of requests for help were received via 132 500
- > A Total Fire Ban in the ACT on 18 March 2018 which coincided with severe winds that carried a dust storm into the ACT from Victoria. During this event, a hazard reduction burn on Potters Hill escaped containment lines and public information disseminated via SPOT kept the community informed of bushfire operations until the fire was extinguished on 20 March 2018. A total of 13 news alerts were issued about this event
- > A gas main rupture that closed the intersection of Northbourne Avenue and Wakefield Avenue during peak hour traffic on 15 February 2018. Traffic diversions communicated via SPOT included visual maps to encourage the public to avoid the area while emergency services made the affected area safe. Six news alerts were issued about this event.

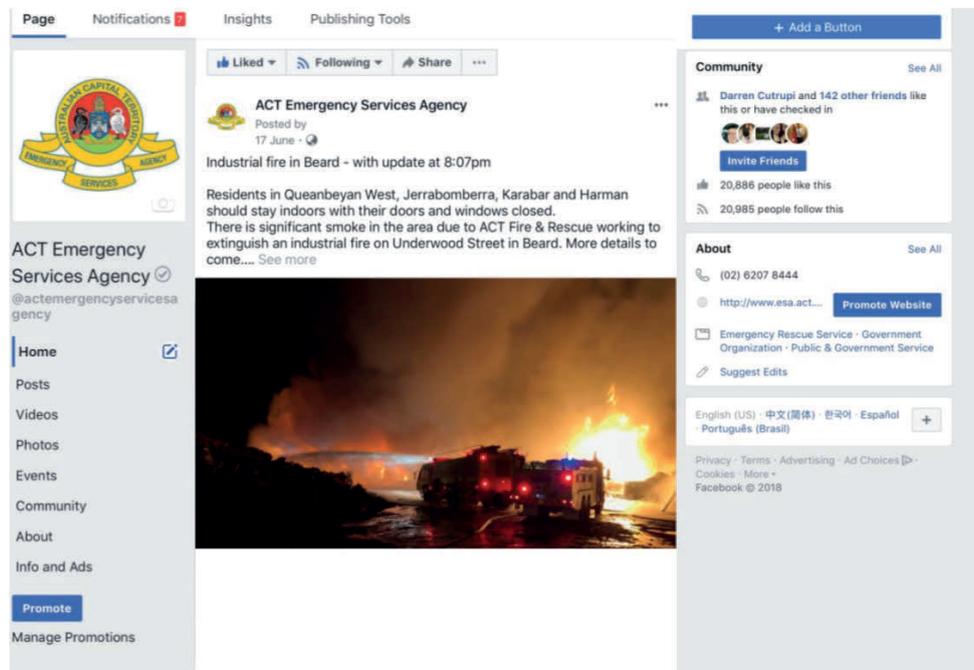
An archive of news alerts can be viewed via <http://esa.act.gov.au/community-information/publications/news-alert-archive/>.

ESA Emergency Media executed a total of 46 proactive media opportunities during the 2017-18 financial year via media launch and/or a media release. Initiatives communicated to the media included seasonal weather safety messages and reminders, the opening of new emergency service facilities, training and emergency preparedness exercises, recruitment, volunteer and staff recognition and awards, vehicle and equipment upgrades or replacements and general safety advice.

The ESA's social media accounts, Facebook and Twitter, mirror the news alerts and also host feature style content to connect and interact with the community on a more personal level.

The ESA Facebook page has more than 20,000 followers. A Facebook post about a fire in Beard on 17 June 2018, which included multiple photos, achieved the highest reach of 70,000 for the 2017-18 financial year.

Figure 22 **ESA Facebook Page**



ESA's Facebook Page

The ESA Twitter account has more than 12,000 followers. A Twitter post about a dust storm impacting the ACT on 18 March 2018 achieved the highest reach of 9,639 for the financial year.

Figure 23 **Media launch**



The media launch of the police and emergency services 40km/h road regulation

Figure 24 Post metrics



Facebook post metrics

Figure 25 Post metrics

Tweets	Top Tweets	Tweets and replies	Promoted	Impressions	Engagements	Engagement rate
	ACT ESA @ACT_ESA · Mar 18 Dust haze in the ACT esa.act.gov.au #DustNotSmoke #CBR View Tweet activity			9,639	446	4.6%
	ACT ESA @ACT_ESA · May 1 Dog rescued from house fire esa.act.gov.au #rescue #housefire #CBR pic.twitter.com/q6znVwNxKF View Tweet activity			9,387	572	6.1%
	ACT ESA @ACT_ESA · Mar 18 Bushfire in Namadgi National Park - ADVICE esa.act.gov.au #Bushfire #Namadgi #CBR View Tweet activity			6,202	322	5.2%
	ACT ESA @ACT_ESA · Mar 14 Explosion near Eucumbene Drive esa.act.gov.au #explosion #carfire #CBR View Tweet activity			5,894	225	3.8%
	ACT ESA @ACT_ESA · Mar 6 Crash on Drakeford Drive esa.act.gov.au #crash #Kambah View Tweet activity			5,653	112	2.0%
	ACT ESA @ACT_ESA · Apr 13 Severe Weather Warning for the ACT - Thunderstorm and strong winds esa.act.gov.au #CBR #WeatherWarning #ThunderStorm View Tweet activity			5,586	156	2.8%

Twitter Metrics

Internal Communications

While the Emergency Media and Broadcasting Services section delivers all of the ESA’s external messaging with the community, internal communications with the ESA workforce were previously delivered on an ad-hoc basis.

In November 2017 the ESA Commissioner established a specialised Internal Communications function to enhance engagement with staff and volunteer members. This was, in part, in response to feedback from staff and volunteers and the need to have a dedicated resource to communicate internally about major projects being delivered under the ESA Strategic Reform Agenda such as the ComCen Reform Project.

The key objectives of the function is to improve the way internal communications are delivered to ESA staff and volunteers and to increase the amount and variety of internal communications products published.

This included the commencement of a trial of a new internal communications app, ESA Workforce Connect.

The app was developed following the ESA's participation in the ACT Government's Digital Canberra Challenge competition.

The competition facilitated engagement between ACT Government agencies and local business to find solutions to digital challenges. The ESA and Three72 Digital won Round Four of the challenge and went on to collaborate on the ESA Workforce Connect app.

The new function has also seen the creation of an Internal Communications Working Group, a Manager, Internal Communications position and the creation of a new monthly digital publication, *THE SNAPSHOT*.

Internal Communications Statistics

ESA activities, milestones and achievements are reported daily to staff and volunteers across multiple digital platforms to accommodate the 24/7 shift patterns of our diverse workforce. Fresh content is published on the ESA intranet home page (for staff) and posted on the ESA Workforce Connect mobile phone app (for staff and volunteers). This included 62 videos published on the ESA Intranet home page between December 2017 and 30 June 2018. These videos were viewed a total of 33,742 views.

Table 28 Most popular videos

Video	Number of views
40k per hour campaign	1551
ACTAS wins the ACTF&R Darren Wall Fun Run again	1508
IMX video report	837
2018 Community Protection Medal Ceremony	817
ESA Program (TRN	763

Of the 528 posts published via the ESA Workforce Connect app, content was viewed a total of 15,115 times.

Strategic Reform Agenda

Strategic Objectives, Priorities and Performance

An important component of the ESA Strategic Plan 2015-2020 is to provide effective and cohesive management of the organisation with a focus on changing priorities. The Strategic Reform Agenda (SRA) was formally launched by the Minister for Police and Emergency Services on 15 April 2015 and was established to deliver an integrated response to several reviews which impact the ESA and its service delivery. This outcome is being delivered by the SRA Program.

Strategic Reform Agenda Program

The SRA Program was announced formally in June 2016 with the key aim of implementing the SRA. The objective of the SRA is to ensure the ESA continues to provide the highest standards of

emergency services to the community through cohesive operations, a collaborative management team and a unified Executive.

Six reform projects were brought together under the SRA Program to progress this vision:

- > **Blueprint for Change:** to enhance the professionalisation of the ACTAS workforce to provide a greater range of services and meet growing demand
- > **Women In Emergency Services (WIES) Strategy:** the first step towards a diverse and inclusive workforce with the capacity to operate in a changing environment, whilst better reflecting the communities we serve
- > **Computer Aided Dispatch (CAD) and Trunk Radio Networking (TRN):** improved modern communications and dispatch technology enables our people to more effectively deliver their services
- > **ComCen Reform:** a single communications centre meeting the needs of four operational emergency services in the midst of variable demand levels to improve our services to the community
- > **Strategic Bushfire Management Plan (SBMP):** achieving the complementary strategies by delivering the 71 actions of the SMPB. (Further information on the SBMP can be found under section O.1)
- > **Station Upgrade and Relocation Program (SURP):** modern sustainable stations with amenities for a diverse workforce, and to improve our delivery of services to the community, by improved response times.

The program coordinates, directs and oversees these projects, with a focus on the realisation of outcomes and benefits. It ensures that effective risk management is in place to deliver achievement of benefits related to the ESA's strategic priorities.

The SRA Program, as identified in the original vision for the SRA, also enables another aspect of the directorate's strategic plan to be achieved - Accountability. The stated aim is "to improve service delivery to the government of the day and the community through the continued monitoring of our performance against expectations". It further states that "We will be open and transparent in our transactions and delivery of all services and programs".

Programs are a significant commitment by any organisation and, in order to operate well, require the commitment and discipline of all the ESA staff and managers. The SRA Program enables the ESA's six reform projects to work as a coherent whole, adding value and consistency in delivery of the changes. This assists with benefit delivery and helps to break down the 'silos' which have so often been the cause of inefficiencies within the ESA.

One of the most important added values of the SRA Program is the provision of overarching governance to the six projects, ensuring that the ESA fully meets the accountability defined in the *JACS Strategic Plan 2017-2019*.

Benefits from the SRA program have been grouped in tranches for delivery. The first tranche of program benefits spanned from the launch of the program to 30 November 2017. Tranche 2 commenced 21 February 2018 and is scheduled for completion on 30 November 2018. This tranche will deliver further capabilities and benefits for the ESA and ACT community.

Key benefits realised in Tranche 1 (1 June 2016- 30 November 2017) through to the first half of Tranche 2 (1 December to present) are outlined in the SRA project updates that follow.

Blueprint for Change

The Blueprint for Change project will continue to deliver a variety of products to support and enhance ACTAS' professionalisation and address workforce concerns around trust, conflict resolution and leadership.

This work is a key priority for the ESA, which is committed to progressing actions collaboratively with staff and industrial representatives. The Transport Workers Union (TWU), representing ACTAS staff, has signed a joint accord with the ESA and ACTAS to collaborate and work proactively towards realising the objectives of the project.

The objectives of the Blueprint for Change Implementation Project are to finalise the implementation of the Blueprint for Change report recommendations and to implement the highest priority and most strategically significant changes brought forward from staff consultation and engagement. Robust governance is provided by the Blueprint Oversight Committee, which is independently chaired by Mr. David Place from the South Australian Ambulance Service, who reports directly to the Minister on progress.

Delivery of the 23 products of the Implementation Project progressed significantly in 2017-18 with the following key initiatives completed:

- > Mental Health and Wellbeing Plan
- > Leadership Framework and ambulance recruitment guidance material
- > Respectful Workplace and Difficult Conversations training
- > Psychological First Aid training
- > Introduction of flexible work arrangements for part time work
- > Implementation of an innovative Peer Support Program for ACT Ambulance.

During 2018-19, the following key activities and products are scheduled to be delivered:

- > ACTAS Staff Development and Performance Framework
- > Support for National Paramedic Registration transition
- > Conflict resolutions guidance material.

The project will also focus on operationalising the Leadership Framework by linking it to Personal Achievement and Development Plan's (PADPs), Leadership Training and Support, Staff Development and Performance and Talent Identification and Development initiatives.

Development work is continuing on a series of Modernised Management and Service Delivery initiatives. The ultimate object of the project is to deeply embed professionalism as a cultural standard in ACTAS and equip the service to address challenges adaptively as they arise. The Blueprint for Change Implementation Project is expected to be finalised in 2019-20.

ComCen Reform

The Communications Centre (ComCen) Project (the Project) is implementing a "One ComCen" model for the ACT ESA Triple Zero (E000) Communications Centre, where, regardless of the type of emergency (e.g., medical emergency, bushfire, house fire, motor vehicle accident, storm), a call taker in the ComCen will have the capability to action the call.

Under the current system, the ACTAS call taking function is undertaken by civilian call takers, while the ACTF&R call taking function is undertaken by trained fire fighters. Under the proposed reform, the ESA ComCen will transition to professional Emergency Triple Zero (E000) call-takers and

dispatchers for all types of calls, trained to national accreditation standards. This will allow qualified firefighters from the ComCen to return to frontline operations.

The Project is being delivered in consultation with front line staff and industrial bodies including the United Firefighters Union (UFU) and the TWU. In order to deliver the project, the following key activities will be undertaken:

- > Recruitment of additional civilian call taking and dispatch staff, along with supporting quality assurance and training staff
- > Redeployment of ComCen firefighters to operational duties, placed as appropriate with the newly recruited and qualified call taker/dispatch personnel
- > Review and enhancement of nationally accredited training and development programs.
- > Operational transition to the “one ComCen” model.

The budget for the delivery of the Project is approximately \$6.616m over four years, for the recruitment of additional civilian call takers and dispatchers to allow for the release of Fire and Rescue ComCen staff.

A Workplace Consultation Committee has been established to manage the issues around the transfer of call taking functions to civilian call takers, with a strong focus on the impact of that transfer on firefighters.

A Working Group with representatives from all services has been established to discuss and advise the Project Board on the various areas that will require attention and development in the gradual transition to the civilian call taker /dispatch model.

An intake for additional call takers was conducted in April 2018, with those personnel due to complete their training early in the new financial year. A call for applications for a second intake was published in May 2018, with two intakes forecast for financial year 2018-19.

Station Upgrade and Relocation Program

The ESA's Station Upgrade and Relocation Program (SURP) is about improving community safety for Canberrans whilst the city expands and the population grows. Strategically locating ESA stations to better service the needs and expectations of the community allows the ESA to continue to deliver high safety outcomes for the ACT. The current station upgrade program has been underway since November 2011 following a review of station locations in 2010.

The priorities for the SURP were updated and confirmed by Government in April 2018. The revised priorities were informed by due diligence and feasibility studies, and response modelling supported by data analysis to identify optimal locations to ensure the maintenance of response times within targets.

The SURP also supported the delivery of Personal Privacy and Dignity Upgrades (PPDU) and infrastructure upgrades during the reporting period as outlined in the following:

Business Continuity Communications Centre and Non-Emergency Patient Transport

In the 2017-18 Budget, the Government announced funding for a replacement ESA Business Continuity Communications Centre (BC ComCen) and relocation of ACTAS Non-Emergency Patient Transport crews (NEPT).

The relocation of the BC ComCen from Curtin to a refurbished facility in Hume is expected to be completed in 2018-19.

Construction for the relocation of the NEPT from Curtin to a refurbished facility in Kambah was completed in June 2018 and crews will be operational in the second half of 2018.

Majura SES Upgrade

This upgrade, which includes a PPDU, plumbing and sewerage upgrades and asbestos remediation, started in May 2018. These works are expected to be complete in 2019-20.

Personal Privacy and Dignity Upgrade

In support of the Women in Emergency Services (WIES) strategy the SURP program funded Personal Privacy and Dignity Upgrades (PPDU) at the ACTSES Majura, ACTRFS Guises Creek and the ACTRFS Molonglo units. These works provide facilities that support the changing demographic profile of the ESA through provision of equitable and appropriate facilities for female members including major renovations to change room areas.

The upgrading of the ACTSES Majura Unit project has addressed immediate Personal Privacy and Dignity issues. A temporary toilet facility has been installed as well as some asbestos removal and remediation. An investigation into what is required to upgrade the Majura SES unit to a fit for purpose facility is currently underway.

The infrastructure upgrade at the ACTRFS Guises Creek Unit included Personal Privacy and Dignity works as well as provision of an access toilet and the expansion of the multipurpose stand up and training room.

The infrastructure upgrade at the Molonglo RFS Station included Personal Privacy and Dignity works that included toilets, locker rooms and expansion of the training room. The capacity of the appliance parking area was also increased to cater for additional vehicles if required.

SouthCare Helicopter Base

Toll Helicopters (NSW) Pty Ltd commenced operations in Canberra in April 2017.

The SouthCare Helicopter Base houses the rostered flight teams that provide aeromedical services. An extensive refurbishment of the SouthCare Helicopter Base at Hume was completed in June 2018. Work included widening of the existing taxiway, a new helicopter landing strip and an extension to the hangar to make the Hume base fit-for-purpose for the new AW139 helicopter.

Operational areas, including accommodation and catering facilities at the base, were also completely refurbished.

Information and Communication Technology (ICT) Upgrades

The SURP successfully rolled out the ACT Government Wi-Fi network to all ACTF&R, ACTAS, ACTRFS and ACTSES stations, improving operational functionality and member amenity across the ESA.

Tuggeranong SES Station

The Government provided \$2.756 million in capital funding over two financial years to construct a new station for the Tuggeranong ACTSES Unit at Calwell. The new purpose built station was officially opened in March 2018 replacing the ACTSES facility in Kambah. The facility was officially opened by the Minister for Police and Emergency Services, Mr Mick Gentleman MLA on 2 March 2018. A community open day was held at the site on 3 March 2018.

It features environmentally sustainable design elements and training and operational areas which will help retain existing volunteer members and attract new ones. It is strategically located in the Canberra's south to meet the needs of the community now and well into the future.

Figure 26 ACTSES



Tuggeranong SES

Strategic Bushfire Management Plan

A Strategic Bushfire Management Plan (SBMP) is a requirement of the *Emergencies Act 2004*. The SBMP is the overarching document that directs all levels of bushfire planning throughout the ACT.

The SBMP Version 3 provides the strategic framework for government agencies with a responsibility for bushfire response and management (including the ESA, ACTRFS, ACTF&R, land managers and other ACT government agencies that support the community and emergency services) and underpins continuous improvement in bushfire management outcomes in the ACT. It is made up of 12 objectives and 72 recommendations.

The SBMP defines the strategies by which the Commissioner and Chief Officers implement their roles and responsibilities. It also recognises the commitment and importance of other government agencies, community service organisations and local media and the role they have in land and bushfire management.

The accomplishments of the SBMP during the 2017-18 financial year are contained in Annexure O of this report.

Territory Radio Network Reform and Website Hosting

Territory Radio Network (TRN) Upgrade Phase 2 and 3

The ESA has undertaken major upgrades at all of its Territory Radio Network sites, known as TRN-Phase 2. This included the expansion and replacement of site repeaters, antennas and backup power (UPS). To protect this investment, the ESA also took the opportunity to address power, cooling and safety issues at each site.

The ESA commenced its program to replace its radio terminals in January 2017, known as TRN – Phase 3. Levering off the regional partnership with NSW Telecommunication Authority, the ESA identified the opportunity to engage all of Government Radio users and establish an all of Government contract for the supply and maintenance of portable radios.

Over 18 months the ESA consulted with all ESA services and other Government radio users, including ACT Health, TSSC, Parks, ACTCS and Community services. The ESA conducted extensive trials of three pre-qualified radios and issued a public tender in September 2017. Following commercial negotiations, Harris was successful in their bid to supply the ESA and all of Government radio users. During 18-19 FY of the radio project, the ESA will seek tender responses for suitably qualified vendors to replace all mobile (fixed installation) radios. To ensure the ESA front line responders are best placed to continue their outstanding service to the ACT community, the project team in consultation with the ESA services considered industry trends, improvement of radio technology, necessary encrypted systems and practical applications to ESA and other government radio user requirements.

Achievements during 2017-18 include:

- > All of Government Contract for the supply of Portable Radios
- > All of Government approach to TRN expansion and integration
- > Highly available GRN backhaul
- > Reduced Telecommunication costs

Figure 27 **Bulls Head Tower**



Bulls Head Tower

Figure 28 **Mt Tennant Tower**



Mt. Tennent Tower

Website Hosting

The ESA identified its website hosting and content management system project is a key initiative/project to be undertaken as part of the Strategic Reform Agenda. The project incorporates the review, redevelopment and redesign of the ESA website in order to improve its website experience for end users. Key areas of focus are: Content, Accessibility, Navigation and Design, Incident Mapping, Social Media, Analytics and Apps.

In April 2018, Adelphi digital was selected as the preferred contractor to redevelop and redesign the ESA website. Phase 1 involved research of the user experience and was completed in June 2018. A research report on findings and recommendations has been provided. Phase 2, design of the new website commenced in July 2018.

Women in Emergency Services Strategy

The Women in Emergency Services Strategy (the Strategy) is intended to provide a pathway to a diverse and inclusive workplace across the ESA, enhancing the capability of the agency to be effective in a changing environment. The objective of the strategy, which was launched by the then Minister for Police and Emergency Services in November 2015, is to recruit more women into emergency services in the ACT, as well as supporting more women into leadership roles.

During 2017-18, a program for gender bias and stereotyping awareness training, known as 'Insight' was developed and delivered to all managers within ESA. The program commenced November 2017 and concluded in May 2018.

In July 2017 a significant step/commitment was made by the Commissioner who became an AFAC Male Champion of Change. The objective of the AFAC Charter for Male Champions of Change is to advance gender equity, inclusive cultures and achieve significant and sustainable improvements in the representation of women in their workplaces, including senior leadership positions, amongst a paid and volunteer workforce.

The ESA continues to progress towards achieving 50:50 recruitment in ACTF&R and the 2018 recruitment round resulted in a female success rate of 22 percent with four new female firefighters graduating. Continued focus in targeted recruitment methodology is expected to continue our

transformation towards this target. A legal challenge to ACTF&R's gender balanced target for 50:50 recruitment processes was dismissed by the ACT Civil and Administrative Tribunal in 2017. A key objective of the WIES strategy is to promote more women into leadership roles and the new Chief Officer of the ACT SES, Ms Georgeina Whelan took up her position during 2017-18.

Also of note this financial year is the development of a draft ACTF&R Pregnancy and Safe Work Policy and factsheet and progress towards a co-design workshop on flexible work arrangements.

ACT Ambulance Service

The ACTAS has a broad range of responsibilities under the *Emergencies Act 2004*. The ACTAS is responsible for providing emergency, non-emergency and aero-medical ambulance services to the ACT community in addition to supporting the other emergency services in the delivery of their responsibilities. The ACTAS delivers these services from eight ambulance stations and the ComCen on a 24/7 basis, as well as from ESA Headquarters, ESA Training Centre and the SouthCare Helicopter facility at Hume.

Under nationally agreed indicators, the ACTAS measures Priority 1 (E000) response times against 8 minutes or less (50th percentile) and 15 minutes or less (90th percentile). In 2017-18, the ACTAS achieved an average response time of 9.1 minutes against the 50th percentile and 14.7 minutes against the 90th percentile. The less than target response times are attributed to the increased demand for ambulance services in 2017-18.

ACTAS Chief Officer

Jon Quiggin retired from the role of Chief Officer in August 2017 after 14 months of service.

The new Chief Officer, Howard Wren, was appointed to the role in November of 2017 following a national selection process. Prior to this appointment, he had been the Education Manager for ACTAS for over 20 years.

Service Delivery

The ACTAS continues to review operational performance to inform decisions on resource allocation (numbers and station location) to best meet operational demand.

The ACTAS maintains a record of each call received by the ComCen. Some incidents may be managed over the phone, with no ACTAS site response; some incidents will have multiple vehicles respond on site. In 2017-18, the ACTAS managed 52,426 incidents involving 53,345 responses by operational crews. Details of the ACTAS 2017-18 operational activity is provided in the below table.

Table 29 ACTAS Operational Activity

Incident Type	2016-17		2017-18	
	Incidents	Responses	Incidents	Responses
Medical (includes aeromedical)	49,875	50,383	52,426	53,345
Dual Response (fire, storm, etc)	2,209	2,029	2,126	2,218
Total Incidents	52,084	52,412	54,552	55,563

Figure 29 ACTAS



ACT Ambulance Service

ACTAS Capability

The ACTAS conducted recruitment activities for emergency operations and non-emergency patient transport to fill positions that were vacant due to attrition. These recruitment activities assisted ACTAS to manage increasing demand for ambulance services.

In addition, the ACT Government announced funding to support increased recruitment of frontline paramedic staff and vehicles. Funding for additional recruitment of frontline paramedics was announced in the 2017-18 mid-year appropriation on 23 December 2017. This included eight extra paramedics to support leave provisions, and a further fifteen paramedics to come on line during 2018-19. The eight extra paramedics have been employed, and offers of appointment have been made to another 15 applicants. Procurement of associated ambulance vehicles has also commenced.

Following a successful trial and additional funding support from the ACT Government, ACTAS is introducing powered stretchers across the fleet. This introduction has commenced as part of the replacement of five emergency ambulances under the ESA vehicle replacement program, which replaces older vehicles on a scheduled basis in order to maintain a highly functional and safe fleet of vehicles. The remaining ambulance fleet will be progressively equipped with the new stretchers until early 2020. This initiative is expected to provide on-going workplace safety benefits, with a significant reduction in the requirement for ACTAS staff members to undertake repetitive loading and unloading of stretchers.

SouthCare Helicopter

The SouthCare helicopter aero-medical retrieval service is a joint venture funded by the ACT and NSW Governments, which provides aero-medical retrieval and rescue services to the ACT and surrounding region of south-east NSW. Funding for the service is provided on a joint basis with NSW,

with 90% of funding being provided by the NSW Government and the remaining 10% provided by the ACT Government. During 2017-18, this life-saving aero-medical retrieval service flew 476 missions, which included inter-hospital retrieval, search and rescue, and pre-hospital primary taskings. In addition, 114 road retrievals were undertaken by the rostered flight team.

Figure 30 **Flight Crew**



Flight Crew

To meet the requirements for the new helicopter the hangar and base facilities have undergone a major review and upgrade. The new facilities provide the best environment to ensure safety and team work of the flight crew.

Figure 31 **Helibase**



Toll Helicopter at Helibase

2017-18 Highlights in ACTAS

Joint Mass Casualty Exercise

ACTAS and ACTSES conducted a joint mass casualty exercise at Exhibition Park in Canberra (EPIC) in June 2018. As part of the Territory-wide Emergency Management multi-agency preparedness plans, this exercise was designed to test some of the arrangements under the ACT Mass Casualty Plan. It also assessed internal procedures and interaction between ACTAS and ACTSES. In particular, the

exercise tested the integration of the innovative Ambulance Support Volunteer program developed within the ACTSES. This program utilises SES volunteers who have undertaken ACTAS specific familiarisation training to more appropriately support ambulance operations at a multiple patient incident.

Other mass casualty exercises are planned for the future and will look to expand on the scenario to include other agencies.

Figure 32 **Joint Mass Casualty Exercise**



Mass Casualty Exercise

ACTAS Leadership Framework

A priority outcome from the Blueprint for Change program has been the development of a Leadership Framework for all ACTAS staff members. Within the framework, capabilities and expectations of all ACTAS employees, regardless of position or level, are clearly outlined in straightforward terms. Elements of the framework have already been utilised as part of the recruitment process for new staff. The implementation of all aspects of the Leadership Framework will continue to roll out during 2018-19.

Research

In 2017-18, ACTAS continued its research program, which aims to deliver high quality research that improves outcomes for our patients. ACTAS collaborated with world-class research organisations including the Australian National University (ANU), University of Canberra and Deakin University.

This year, ACTAS research was published in national and international journals and presented at conferences. This work included cutting-edge research on pain management, sedation, detection of sepsis, and medical management of mass gatherings.

ACTAS is able to provide professional research supervision to a limited number of undergraduate and postgraduate students from institutions such as the ANU and the University of Adelaide.

The General Manager of Quality, Safety and Risk Management is also providing on-site support for two doctoral candidates from ESA. The two candidates are studying issues related to pharmacological management of agitated patients, and aspects of paramedic diagnostic decision-making processes.

ACT Fire and Rescue

Under the *Emergencies Act 2004*, ACTF&R is responsible for fire response in the built up area, rescue (road accident, vertical, confined space, trench, urban search and rescue), and chemical, biological, radiological hazardous materials incidents across the Territory. ACTF&R also performs emergency medical response in support of ACTAS. ACTF&R has responsibilities for fire safety of the built environment, fire investigation, and supports the other emergency services. ACTF&R delivers 24/7 services from nine stations and ESA ComCen, its Technical and Operational Support Section, ESA Training Centre and ESA Headquarters. ACTF&R also manages the Community Fire Unit (CFU) program, which consists of 50 units located in the urban bushland interface and includes approximately 850 volunteers. These residents are trained and equipped by ACTF&R to prepare and protect their properties in the event of bushfires, increasing the capability of fire crews deployed by ACTF&R and the ACTRFS.

ACTF&R Chief Officer

Mr Mark Brown ASFM has been the Chief Officer ACTF&R since July 2015. Chief Officer Brown has an extensive fire service background in areas including operations, training and capability development and prior to his appointment with ACTF&R he held the rank of Assistant Commissioner with Fire and Rescue NSW.

Service Delivery

In 2017-18, ACTF&R managed 10,597 incidents involving 21,385 responses by operational crews. Details of ACTF&R 2017-18 operational activity is provided in the below table:

Table 30 ACT Fire and Rescue Operational Activity

Incident Type	2016-17		2017-18	
	Incidents	Responses	Incidents	Responses
Fires				
Structure fires	271	1,395	260	1,247
Mobile property fires (vehicles)	264	448	291	490
Landscape fires, bush and grass	173	511	157	399
Other fires	253	558	256	502
Total Fires	961	2,912	964	2638
Other emergencies and incidents				
Hazardous conditions	501	1,131	430	1,019

	2016-17		2017-18	
Severe weather & natural disasters	560	650	389	468
System initiated false alarms	6,068	10,859	5,493	11,365
Other	1,608	2,069	1,592	2,466
Total other emergencies and incidents	8,737	14,709	7,904	15,318
Non-fire rescue calls (including road rescue)				
Road accident rescue operations	1,182	2,817	1,135	2,641
Medical assists	298	399	355	475
Other rescue (includes animal rescue)	179	247	239	313
Total Non-fire rescue calls (including road rescue)	1,659	3,463	1,729	3,429
Total ACTF&R Operational Activity	11,357	21,084	10,597	21,835

Figure 33 ACTF&R



ACT Fire & Rescue

There were over 3,492 automatic fire alarms (AFAs) connected and monitored in the ACT as of 30 June 2018. AFAs provide vital early warning to occupants and automatic notification to ACTF&R in higher risk premises such as multi-storey buildings, hospitals, shopping centres, schools, universities, nursing homes and government infrastructure.

The total number of AFAs-initiated calls received by ACTF&R in 2017-18 was 5,517 (a decrease from 6,068 in 2016-17), the vast majority of which were to premises where the subsequent investigation found there was no fire. The ACT rate of AFA calls is similar to other like jurisdictions.

ACTF&R Capability

Operational Capability

The Operational Capability section provides direct support to ACTF&R operations through the management of equipment and specialist capabilities such as breathing apparatus, uniforms and personal protective clothing, hazardous materials response, chemical, biological, radiological and nuclear response, technical rescue and interstate and international rescue deployment. Maintaining this capability is achieved by effective collaboration with support areas of the ESA and by working closely with other agencies. Operational Capability also develops long term strategies to ensure ACTF&R capability is maintained and remains appropriate for future needs.

The section also provides advice, support and liaison roles to assist in managing the ACTF&R fleet, facilities, workplace health and safety and the ACTF&R requirements with support from the ESA ComCen.

Figure 34 ACTF&R South Tuggeranong



ACTF&R Vehicles

Community Fire Units

ACTF&R manages the Community Fire Unit (CFU) program, which consists of 50 units located in the urban bushland interface with approximately 850 volunteers. These residents are trained and equipped by ACTF&R, thereby increasing the capability of fire crews deployed by ACTF&R and the ACTRFS. During 2017-18, ACTF&R introduced an on-line eLearning package for new CFU members and updated the hand-held radios used by CFUs. CFU members also participated in the Canberra Bushfire Ready campaign, doorknocking and talking to residents living in the bushfire prone area.

2017-18 Highlights in ACTF&R

Major Multi-Agency Exercise

ACTF&R coordinated a major multi-agency exercise on 18 June 2018 to test ACT plans to respond to a major structural collapse to test its response and Urban Search and Rescue capabilities. The exercise involved deploying specialised ACTF&R personnel to a mock collapse of a multi-storey car park, followed by the integration of interstate and overseas Urban Search and Rescue teams into the ACT

response. The deployment of these resources was managed by an incident management team working from ESA Headquarters.

Women in Emergency Services Strategy

As part of our commitment to the ESA's Women in Emergency Services Strategy, ACTF&R continues to focus on attracting more female firefighters as part of its 2017-18 recruitment campaign. This time 25% of the candidates selected were women and ACTF&R also recruited two Indigenous firefighters as part of the Indigenous Fire and Rescue Employment Strategy.

Community Fire Unit Saturday

CFU Saturday was held on 14 October 2017, and provided an opportunity for CFU volunteers to engage with their local communities, educating them about bushfire preparedness, as well as recruiting new members.

Pialligo Estate Fire

A major fire severely damaged the Pialligo Estate restaurant in October 2017. ACTF&R units were assisted by the ACTRFS.

Darren Wall Fun Run

The Annual Darren Wall Fun Run was held by ACTF&R on 19 April 2018 around Lake Burley Griffin. This year the money raised was for Soldier On.

ACT Rural Fire Service

The primary function of the ACTRFS is to deliver services to protect and preserve life, property and the environment from fires in rural areas as directed in the *Emergencies Act 2004*. The ACTRFS volunteers and staff operate out of eight brigade stations, ACT Parks and Conservation Service (PCS) facilities, Hume ACTRFS Helibase and the ESA Headquarters at Fairbairn. The ACTRFS is managed by the Chief Officer and 11 staff and is supported by 391 volunteer firefighters.

The ACTRFS also has a close collaborative working relationship with ACTF&R, ACT Parks and Conservation Service (PCS) NSW Rural Fire Service (NSWRFS) and NSW National Parks & Wildlife Service (NSWP&WS) in combatting fires in and around the ACT region.

ACTRFS Chief Officer

Mr Joe Murphy has been the ACTRFS Chief Officer since June 2016 and is responsible for the general management and control of the rural fire service, matters relating to the professional and technical expertise of the rural fire service, operational planning for fire response in rural areas, including fire preparedness and control, and fire response in rural areas.

Previous to this role, Mr Murphy was the manager of the ACT ESA Communications Centre and a senior firefighter with ACTF&R, an SES volunteer and a manager in a number of roles.

Service Delivery

In 2017-18, the ACTRFS had 348 incidents involving 1,133 responses by members. Details of ACTRFS 2017-18 operational activity is provided in the below table.

Table 31 ACTRFS Operational Activity

Incident Type	2016-17		2017-18	
	Incidents	Responses	Incidents	Responses
Grass and bushfires	82	511	62	285
Smoke investigations	8	20	3	6
Vehicle fire	31	45	35	37
Motor vehicle accident	19	20	7	6
Storm/flood (assisting ACTSES)	378	424	116	159
Structure fires	3	5	3	5
Hazard reductions	29	216	25	325
Other fires/incidents	81	332	97	310
Total Incidents	631	1,436	348	1,133

Figure 35 ACTRFS



ACTRFS at the Corin Fire

ACTRFS Capability

Response occurs from the eight volunteer stations (Guisies Creek, Gungahlin, Hall, Jerrabomberra, Molonglo, Rivers, Southern and Tidbinbilla). ACTPCS have seven parks depots, and from mobile locations where crews are undertaking mitigation or area familiarisation activities. These locations provide for short response distances across urban and rural interface areas of Canberra.

In support of our crews and vehicles, there are 11 ACTRFS headquarters staff, fire weather analysts, media liaison officers, remote area firefighters, mapping specialists, communication specialists and a wider logistical and support capability that supports our crews in the field. To assist in the early detection of fires, the ACT has four fire towers that are staffed on days of high fire danger. These towers are located strategically around the ACT at One Tree Hill (North) Kowen Forest (East), Mount Tennent (South) and Mount Coree (West).

Table 32 ACTRFS Capability

Brigade Members	Number of Members	Male	Female
Volunteers	391	320	71
Headquarters Staff	12	7	5
Total (including PCS)	597	472	125

ACTRFS undertook two in depth reviews of its volunteer membership within the 2017-18. Prompted by the finalisation of the roll out of Working with Vulnerable People (WWVP) with the service, as well as a safety audit of all fire fighter helmets, the audits identified a large number of volunteer members who had resigned from the service or who were no longer active members. These volunteer members had departed over the proceeding four years but had not notified the service of their change in circumstance. The review outcome has resulted in a reduction of the total volunteer membership of the Service to a number that provides a more accurate reflection of the volunteer membership.

With a total of 597 paid and volunteer members the RFS is well placed to protect the ACT community. Targeted recruitment campaigns will commence in 2018-19 to further enhance this capability.

ACTRFS Firefighting Capabilities

Table 33 ACTRFS Firefighting Capabilities

Capability	Details
Remote Area Firefighting Team (RAFT)	RAFT is dry firefighting in remote locations where vehicles cannot access and access is made via either walking or helicopter insertion. This capability allows very remote fires to be tackled, when conditions allow, using non water firefighting techniques. RAFT personnel from the ACT have been deployed across NSW and internationally to Canada to the 2017 British Columbia fires.
Appliances with Compressed Air Firefighting Foam Systems (CAFS)	The ACTRFS has six (6) CAFS units located around the territory. CAFS provides ACTRFS with the capability to extend water supply, by mixing with foam, smothering fires with a foam layer or putting down lines of foam to mitigate fire spread. The ACTRFS CAFS have also been used at landfill and rubbish fires in the ACT.
Appliances and Heavy Tanker	The ACTRFS maintains a fleet of light, medium and heavy tankers located at the eight (8) brigades. In support of this response fleet there are a bulk water carrier, command/support vehicles, quick fill/pump trailers, a retardant batching trailer, a forklift and a tractor for the helicopter dolly.
Aerial Firefighting Capability	For the height of the ACT bushfire season the ACTRFS contracts two (2) helicopters, a small and a medium. Both helicopters are dual purpose with the small operating as an observation platform or water bombing and the medium as RAFT insertion or

Capability	Details
	water bombing. The medium helicopter is contracted in partnership with NSWRFSS. The aircraft are available to attend fires regionally in NSW. The aircraft are contracted via the National Aerial Firefighting Centre. During and outside the contract period the ACT has access to additional aircraft via the NSWRFSS State Air Desk.
Plant for Firefighting	Plant (dozers, graders, etc.) is available on contract during the declared bushfire season. Plant is typically used to construct fire breaks or access trails for tankers.

Incident Management Capability

The ESA conducted two half day Incident Management Exercises (IMX) in December 2017. The exercises prepared the ESA for the 2017-18 fire season and targeted operations in bushfire and grassfire incidents. The exercise included multiple ACT response services and multiple affected jurisdictions, the exercises specifically tested cross jurisdictional incident management arrangements, communications between the Operational, Tactical and Strategic Levels, and the establishment of multi-service, pre-formed Incident Management Teams (IMTs).

The exercises also tested the effectiveness of the dissemination of information, warnings and advice, within Government and to the public utilising existing systems.

In early 2018, ESA Training delivered a pilot program for an all hazards agency wide training and assessment pathway for ESA staff and volunteers, enabling certification to the national unit of competency for 'Control a Level 3 Incident'. A level three incident is characterised by degrees of complexity that may require the establishment of significant resources and structure for the effective management of the situation. Control refers to the overall direction of emergency management activities at an incident. Authority for control is established in legislation or in an emergency plan and carries with it the responsibility for tasking other organisations in accordance with the needs of the situation.

Implementation of Farm FireWise Plans

A key prevention and mitigation initiative overseen by the ACTRFS is the Farm FireWise program. This continued across the Territory engaging leaseholders in developing bushfire mitigation and response measures as part of their lease agreements. The completion of Farm FireWise by the landholder is a requirement of the *Emergencies Act 2004* and also to obtaining a Land Management Agreement with ACTPCS. More information is available in section O.1 Bushfire Risk Management.

2017-18 Bushfire Season

Under section 119 of the *Emergencies Act 2004*, the ACT bushfire season commences each year on 1 October and runs through until 31 March. The Commissioner may declare a different date to be the beginning or end of a particular bushfire season if weather conditions warrant. The 2017-2018 fire season started with predictions of very severe and dangerous conditions for the ACT community and surrounding areas. ACT experienced a dry winter and very little rain in the lead up to the season start on 1 October 2017.

In the 2017-18 bushfire season, two days of extreme fire danger resulted in Total Fire Ban (TOBAN) Declarations, on 14 February 2018 and 18 March 2018. On both TOBAN days the ACTRFS activated a preformed Incident Management Team, (IMT) consisting of members from ACTRFS, ACTF&R, ACTSES, ESA Risk and Planning and the ACTPCS.

During elevated fire danger periods our frontline firefighters were on a higher level of response at stations and aviation resources were on immediate deployment readiness. Throughout the season, the ACTRFS received twice daily weather forecast from the Bureau of Meteorology (BOM), these forecasts in consultation with ESA Risk and Planning assisted the ACTRFS in determining the fire danger rating and standby readiness for the ACT.

During the 2017-18 season, the ACTRFS declared the following number of fire danger ratings:

Table 34 Fire Danger Ratings

Fire Danger Rating	Number of Declarations
Low-moderate	111
High	65
Very high	30
Severe	2
Extreme	0
Catastrophic	0

Fires in the ACT

In the 2017-18 bushfire season incident numbers within the ACT were low despite the dry conditions. There were a total of 167 bush and grass classified fires in 2017-18. With the close proximity of members to stations, quick response and the ability for the RFS and ACTF&R to deploy many vehicles, the majority of the fires in the ACT were kept to under 1 Hectare in size.

A number of local fires of interest were:

Table 35 Local fires

Location	Details
Corin Dam	24th December 2018
Holt	Grassfire on 14th February 2018
Brindabella Road	Grassfire on 3rd February 2018
Power line Road – South of Piccadilly	7th February 2018
Bruce Ridge	Four fires (all less than 1ha) (The four fires also assisted the RFS in a course being conducted the week following these fires. ACTRFS hosted 9 AFP, 2 ACTF&R and 1 ACTRFS personnel who were trained in 'Determine origin and cause of wildfire'. All 12 participants were taken to the 4 locations on Bruce Ridge and assessed on their investigation skills.)
Potters Hill	Potter Hills was a hazard reduction burn that broke containment lines on the 18 March 2018 which was declared a TOBAN. Crews from ACTRFS, NSWRFs and PCS, despite very difficult conditions, managed to contain the outbreak to 200Ha. Heavy plant pushed in

Location	Details
	containment lines that ground crews could work from. A large aviation effort also assisted.

Simpson's Hill,
Chisholm

Grass fire on 2nd April 2018

2017-18 Highlights in ACTRFS

Hazard Reduction

ACTRFS assisted ACTPCS with their annual hazard reduction program. This included participating in Bushfire Operational Plan (BOP) cultural-ecological burns where traditional burning methods are used to introduce fire into the landscape.

A Cultural-Ecological burn is designed and implemented for a specific purpose or purposes. A primary purpose of any such burn is cultural renewal. Outcomes that may be achieved that compliment this outcome include (but are not limited to):

- > Renewal of native vegetation
- > Safeguarding culturally significant sites
- > Hazard reduction
- > Maintaining the health of groundwater sources and water catchment areas.

Cultural-Ecological burns and generally known as 'cool burns'. They are generally of low-intensity and severity. Cultural burns take place within a traditional seasonal calendar indicated by certain native flora and fauna species. Burns are generally lit from multiple ignition points, often without the use of accelerants (drip-torches) and 'creep' or 'trickle' through the surface, near-surface and elevated fuel layers with very little to no crown scorching (under 10% when lit in a forested area).

In addition, the ACTRFS participated in hazard reduction burns on behalf of the National Capital Authority and ecological research burns located in several locations within the Parliamentary Triangle, ACT.

ACT and NSW Memorandum of Understanding and Mutual Aid Agreement

ACTRFS hosted cross-border briefings with staff, and senior volunteers from NSWRFs and NSW Office of Environment and Heritage to maintain the Memorandum of Understanding and Mutual Aid Agreement.

Community Engagement

ACTRFS maintained involvement in community engagement initiatives including the 2018 Royal Canberra Show and attendance at various school and community fetes.

Emergency Services Open Day

ACTRFS coordinated the Emergency Services Open Day at the ESA Headquarters, Fairbairn, on Sunday 29 October 2017.

Pre-season Briefings

ACTRFS hosted the pre-season briefing on 26 September 2017 and also attended the NSWRFs pre-season briefing to ensure continued integration for fire management at a District, Regional and State level.

Canberra Bushfire Ready Campaign

ACTRFS coordinated the delivery of the Canberra Bushfire Ready (CBR) Campaign in the ACT in 2017-18 with ESA volunteers and staff participating in door knocking events and community meetings.

Figure 36 CBR Bushfire Ready



CBR Bushfire Ready Banner

Figure 37 ACTRFS and ACTF&R



ACTRFS and ACTF&R staff doorknocking for CBR Bushfire Ready

ACT State Emergency Service

The ACTSES is established under Section 56 of the *Emergencies Act 2004* and has a broad range of legislative responsibilities. The primary function of the ACTSES is to undertake planning and response operations for storms and floods and to support other emergency services.

The ACTSES is a predominantly volunteer emergency service organisation which gives assistance to the community during emergencies and engages with the community on a regular basis in order to provide public education on emergency matters, and to attract volunteer members.

As of 30 June 2018, there were 325 ACTSES volunteers who provide emergency response to the community. The diversity of ACTSES volunteers and the experience of their career and life balance, greatly enhances the capability of the service. Of these, 295 are considered 'active' members able to respond as requested 24 hours a day, seven days a week.

Figure 38 ACTSES



ACTSES Volunteer responding to call for assistance

ACTSES Chief Officer

In October 2017, Brigadier Georgeina Whelan AM, CSC and Bar was appointed as Chief Officer of the ACTSES, the first permanent female member of the ESA Executive. Georgeina is a highly respected senior executive, with over 30 years' experience in senior leadership and executive roles in the Australian Defence Force. Since her appointment, Ms Whelan has provided strong and well regarded leadership and is making a positive impact producing excellent results. Additionally, Ms Whelan recently qualified as a Level 3 Incident Controller and has capably led a number of Incident Management Teams as Chief Officer, ACTSES.

Service Delivery

During the 2017-2018 reporting period, the ACTSES received 1,417 requests through the SES request line (ph 132 500) for assistance related to storm and flood damage. ACTSES was supported by ACTF&R, ACTRFS and TCCS field teams in responding to and mediating a number of these requests for assistance.

During the reporting year 2017-2018 ACTSES established four Incident Management Teams to control larger storm and flood incidents that required a multi-agency response. The two most significant events resulted in 201 requests for assistance following a storm impact in January 2018, and flash flooding operations resulting in 279 request for assistance in February 2018.

The ACTSES provides continued support to ACT Policing, other emergency services and other ACT Government departments with specialist capability such as lighting towers, flood boats, urban search teams and vehicle recoveries. During operations the ACTSES volunteers provide specialist communications support across the emergency service sector. ACTSES volunteers also provide a range of support and assistance to ACT Ambulance Service. In the 2017-2018 period the ACTSES deployed the field hospital and the mass-casualty incident trailer during operations and in support of four major mass gathering community events. ACTSES volunteers also provided support to ACTAS accessing and retrieving an injured bushwalker in rural ACT. Additionally, ACTSES undertook 36 support to operations activities some of which occurred over a number of days.

Table 36 ACTSES Operational Activity

Incident Type	2016-17		2017-18	
	Incidents	Responses	Incidents	Responses
Storm and flood	1,116	933	636	822
Search and rescue	4	41	12	87
Operational assistance to other services (provision of flood boat service, lighting towers, catering)	28	119	12	37
Total Incidents	1,148	1,093	660	946

Figure 39 ACTSES Exercise



ACTSES exercise

ACTSES Capability

There are seven volunteer ACTSES Units geographically dispersed throughout the ACT. Six units have the ability to respond directly to flood and storm incidents and the seventh Unit supports high level communications to operations.

Table 37 ACTSES Units

ACTSES Unit	Location
Belconnen	21 Egan Court, Belconnen
Gungahlin	Joint Emergency Services Centre (JESC) Corner of Anthony Rolfe Avenue & Gozzard Street, Gungahlin

ACTSES Unit	Location
Majura	Holtz Close, Hackett
Pialligo	ESA Headquarters 17 Amberley Avenue, Fairbairn
Rivers	903 Cotter Road, Stromlo
Tuggeranong	500 Sulwood Drive, Kambah
Woden	54 Parramatta Street, Phillip

As the ACTSES is reliant on its volunteers, it is prudent that flexible volunteering forms part of the ACTSES's strategic outlook and is incorporated into our planning for continuous improvement. In line with the concept of 'volunteering for life', in 2017 the ACTSES established an additional volunteer group from the existing cohort to support the service across the areas of preparation, planning and response. The new group comprises of:

- > *Peer Support Team* – to provide welfare support and assistance
- > *Community Education Team* – to plan, prepare and inform the volunteers, the community and partners in understanding risk and the relevance of taking action before, during and after the emergency events
- > *Moulage Team* – to provide support to realistic training scenarios for all emergency services agencies both local and national
- > *Operations Support Team* – highly skilled and experienced operators who provide coaching, guidance and mentoring to the ACTSES Unit leadership and who lead operational training and leadership development

The volunteers are managed by eight employed staff, each with multiple portfolios to ensure that our personnel are well trained, equipped and supported for operational duty.

The ACTSES maintains a number of specialist roles and equipment on behalf of the ESA in support of the broader emergency services sector.

Flood and Storm Planning and Capability

The ACTSES is responsible for two key sub-plans of the ACT Emergency Plan: the ACT Storm Plan; and the ACT Flood Plan. These plans are supported by the Memorandum of Understanding (MoU) with NSW SES for joint training and operations, the standard operating procedures and policies to give guidance for volunteers and staff during decision making, and Operational Aide Memoirs (OAM) to outline the procedures for operational process and duties.

The ACTSES has the capacity to respond to flood and storm Requests for Assistance (RFAs). The volunteers maintain their competence in core skills such as Undertake Storm and Water Operations, to ensure they are equipped with the skills and knowledge to safely and appropriately provide temporary repairs. A number of members are also competent in supplementary skills such as chainsaw operations and first aid.

An effective storm operational response calls for a holistic approach from across the whole of ACT Government. ACTSES uses the skills and experience of ACTF&R, ACTRFS and TCCS teams to conduct temporary repairs. The SES hotline is managed by both ESA ComCen and Access Canberra. With the

continual improvement of ICT capabilities the management of RFAs will become a more streamlined process.

The ACTSES has specialist flood equipment on hand to respond to different flooding types in the ACT. This includes:

- > 20 x portable pumps;
- > 1 x high capacity pump (6000 litre per minute); and
- > 240m of portable flood barriers for water diversion or capture.

Additionally ACTRFS quick fill pumps may be utilised to assist with minor flooding. The ESA Resource Centre maintains 1000 sandbags ready for deployment and there is approximately 600 sandbags ready for use across the ACTSES Units.

All ACTSES Units are trained and equipped to conduct land based flood rescue. This includes every vehicle having two throw bags and two life jackets, with training conducted regularly. Additionally the ACTSES maintains two flood rescue boats with trained and endorsed members across various Units. The boat crews predominately provide assistance to community water based events, support the ACT Water Police in community events, in operations for search, safety and rescue purposes, and provide assistance to ACTRFS for hazard reduction burns around Lake Burley Griffin.

Search - Land, Air, Water

In support of ACT Policing, land search is the second biggest request for assistance for the ACTSES volunteers after flood and storm. Volunteers maintain their search and navigation skills through specific training. Additionally volunteers are required to maintain a moderate or arduous fitness level for the majority of land search requests. The search capability is further supported by both air and water. The ACTSES has a small team of air observers who train with Australian Maritime Safety Authority to maintain their skills for searching over long periods of time as self-rescue.

2017-18 Highlights in ACTSES

ACTSES Representation at the National Disaster Rescue Challenge

Seven members of the Gungahlin SES Unit, represented the ACTSES at the National Disaster Rescue Challenge held in Hobart, November 2017. The team were challenged in six different storm, flood and land search scenarios typically encountered by an SES volunteer. The spirit of the challenge saw the team network with members representing other jurisdictions to learn new techniques and share ideas. The ACTSES representative team was awarded 4th place.

New Facility in Tuggeranong

In March 2018, the Tuggeranong SES Unit facility was officially opened by the Minister for Police and Emergency Services. The Tuggeranong SES Unit, based in Calwell, was built as part of the ESA Station Upgrade and Relocation Program, which improves community safety for Canberra's residents whilst the city expands and the population grows.

Figure 40 ACTSES Tuggeranong



ACTSES Tuggeranong Facility

Interstate and International Deployment

ACT Support to Canada

Figure 41 British Columbia



Backburn operation in British Columbia August 2017

The ACT regularly provides assistance to other jurisdictions in times of emergencies as part of national and international responses. The rapport established with other jurisdictions in all types of emergencies will assist the ACT in seeking support when faced with any major emergencies of its own in future. The experience and lessons learnt from these deployments also helps to ensure our own capability is well tested and prepared.

In July and August 2017, the Canadian Inter-agency Forest Fire Centre requested Australian assistance in response to an escalating bushfire situation in British Columbia. ACT personnel from the ACTRFS, ACTPCS, and ACTF&R, provided assistance as part of an Australian deployment. At any one point a maximum of 41 ACT personnel were deployed to Canada, with ACT personnel making up 22 per cent of the entire Australian deployment.

The Canadians were very grateful for the assistance from Australian firefighters. Australian personnel were also welcomed by those affected in what was a long, personal and destructive fire season

Rural Fire Support

Crews from the ACTRFS supported interstate colleagues during the season on multiple occasions. ACTRFS supported other jurisdictions in various skill sets for example: resource management, ground crews, Remote Area Firefighting Team (RAFT), aviation and IMT roles. This season the ACTRFS assisted cross border agencies with the following incidents:

Table 38 Incidents

Location	Details
Nerriga Road	20th and 21st January 2018
Long Gully Road, Bannaby	23rd - 27th January 2018
NSWRFS State Strategic Planning Unit	NSWRFS assembled the State Strategic Planning Unit at NSWRFS HQ Homebush, Sydney on 25 January 2018 to determine state-wide sharing of finite resources for the many fires in NSW. The ACTRFS Manager Operations, attended on behalf of ACT.
TJ's Fire, Wollemi National Park, Singleton	28th January to 7th February 2018
NSWRFS Major Incident Centre	18th March 2018 at NSWRFS HQ to manage Total Fire Bans across Central and Southern NSW including the ACT.
British Columbia, Canada	In July and August 2017, the Canadian Inter-agency Forest Fire Centre requested Australian assistance in response to an escalating bushfire situation in British Columbia. Between July and September 2017, the ACT sent four deployments in total. The deployments included volunteers and staff with expertise as Air Attack Supervisor/Air Operations Manager, Fire Behaviour Analyst, In-country Agency Liaison Officer, Section Leader, National Liaison Officer, Remote Area Firefighting Team (RAFT) capability.

Governance and Logistics

ESA Governance and Logistics brings together the teams that provide essential operational support capabilities to ESA's frontline emergency responders. These support functions are Fleet and Logistics (include the ESA Workshop and the Resource Centre), the SURP team, Finance, Governance and Procurement, and Business Services.

Director, Governance and Logistics

Until December 2017, Governance and Logistics was led by Mr Andrew Baker, who retired after many years as the Director of Governance & Logistics (formerly Support Services) in the ESA.

Mr Robyn White commenced as Acting Director in January 2018, joining ESA from Access Canberra. Mr White has over 25 years' experience in financial and general management in both the private and public sector. Prior to joining the ACT Government, Mr White provided financial and facilities support to the Dean of the College of Asia and the Pacific at the Australian National University. Mr White's commercial experience spans over 15 years in the mining and electrical engineering sectors in South Africa before migrating to Australia in 2010.

The recruitment process has commenced for the Director of Governance and Logistics and is due to be finalised in September 2018.

Governance and Business Services

During 2017-18, the Governance and Business Services team provided a range of corporate and governance functions to support ESA. Key activities during the year included:

- > Reviewing and updating ESA's Business Continuity Plan
- > Reviewing and reforming ESA's procurement functions, to enhance transparency and accountability for ESA's procurement activities, and provided advice and support to business units engaged in procurement procurements
- > Preparing ESA for the commencement of Open Access under the *Freedom of Information Act 2016*
- > Reviewing and updating the Emergencies (Fees) Determination
- > Reviewing ESA's Delegations
- > Coordinating and delivering the ESA's contribution for the Report on Government Services
- > Reviewing and reporting on the ESA's Strategic & Accountability Indicators
- > Initiating the ESA Strategic Plan review project
- > Initiating the SmartAsset review project
- > Establishing a breastfeed facility at ESA's Fairbairn Headquarters, and initiating consultation on options to support female staff based at ESA's stations and other facilities across the ACT.

Fleet and Logistics

The ESA Fleet and Logistics section manages the fleet of operational, support and leased vehicles. Currently ESA has nine specialist mechanics that service 264 owned vehicles and 48 leased vehicles including front line response, support, trailers and machinery.

The 2017-18 vehicle replacement program has delivered five new front line ambulances, and partially completed one front line fire pumper due for completion October 2018.

The 2018-19 vehicle replacement program has committed to 10 new front line ambulances. The Fleet and Logistics section will also deliver two additional front line ambulances as part of the Government initiative for additional paramedics.

The Fleet and Logistics section is currently managing three substantial projects including an ACTF&R aerial pumper, the ACTAS electronic stretcher program and the ACTAS and ACTF&R defibrillator and cardiac monitor replacement, due for completion 2018-19.

The Fleet and Logistics section is currently working on a 10 year strategic vehicle replacement program.

Figure 42 ESA Workshop



ESA Workshop

Finance

ESA Finance has broad responsibilities for reporting on both financial and non-financial activities, and undertakes a significant role in assisting a variety of stakeholders in being accountable for operations and the delivery of services.

ESA Finance is also responsible for administrative operations of the ACT & South East NSW Aero-medical Service Ltd (SouthCare), and works closely with the Board of Directors in meeting all the requirements of running a not-for-profit public company. SouthCare is jointly owned by the ACT NSW Governments, who are both equal shareholders.

During 2017-18, ESA Finance:

- > Streamlined internal financial and administrative processes across the ESA with the express purpose of reducing unnecessary costs and creating capacity in other areas
- > Implemented a digital transformation initiative within the accounts payable function
- > In collaboration with Shared Services, enhanced the debt management function so as to deliver more efficient billing of eligible customers.

People and Culture

The People and Culture team provides a range of human resources support and welfare support to all staff and volunteers. Additionally, the People and Culture team continues to coordinate all training elements across the ESA and provides. This supports the delivery of coherent programs across the four services and the coordination of common programs across the ESA such as first aid training, asbestos awareness and vocational education and training.

Director, People and Culture

Mr Brendan Stevens AM has been the Director People and Culture since January 2017. He leads People and Culture to deliver people solutions and training for the ESA. The people solutions provided include rostering and HR support for frontline emergency staff, Work Health and Safety

governance, and welfare programs. His role also oversees the management of the ESA Registered Training Organisation; delivering a range of vocational training, clinical education and skills training for all ESA staff and volunteers.

Volunteers

ESA volunteers from the ACTRFS volunteer brigades, SES volunteer units, ACTF&R, CFU and Mapping and Planning Support units (MAPS) willingly give their time to protect life, property and the environment and to assist the ACT community with recovery following emergency events. By its very nature, much of the work undertaken by volunteers can be inherently dangerous and is often conducted in the worst possible weather and under stressful conditions.

Details of 2017–18 ESA volunteer numbers are provided in the following table:

Table 39 **ESA Volunteer Numbers 2017-18**

Volunteers within the ESA	2015-16	2016-17	2017-18
ACTRFS	531	499	391
ACTSES	280	299	326
ACTF&R CFU	913	865	784
ESA MAPS	57	43	38
Total	1,781	1,706	1,539

Figure 43 **ACTRFS Volunteers**



ACTRFS Volunteers

Awards and Recognition

Ambulance Service Medal

ACTAS Intensive Care Paramedic James Arneman was awarded the Ambulance Service Medal (ASM) for his commitment to delivering cultural reform within the ACTAS, as well as to the improvement of health service delivery to the Canberra community.

Australian Fire Service Medals

ACTF&R Commander Wayne Shaw was awarded the Australian Fire Service Medal (AFSM), for his dedication over 30 years to improving the safety of the citizens of Canberra.

ACTRFS Volunteer Kevin Jeffery a volunteer for over 30 years with the ACTRFS, was also awarded the Australian Fire Service Medal for his contribution to the safety of the ACT community, his outstanding leadership, commitment and continuous improvement to the mitigation and management of bushfires as a firefighter and member of the ACT Bushfire Council.

Figure 44 **AFSM Presentation**



ACT Fire & Rescue Medal presentation

Emergency Service Medal

Graeme Tonge, a volunteer with the ACTSES for more than 50 years, was awarded the Emergency Service Medal (ESM) for his contribution, in particular his role in redesigning the ACTSES Driver Training Program.

Community Protection Medal

Four ACT ESA staff and volunteers were awarded the Community Protection Medal in the 2017-18 reporting period.

Mr Ronald Wardrope (ACTAS) was awarded the Community Protection Medal for dedicated service and protection of the Canberra community, particularly in his involvement in mentoring staff in the Communications Centre over a significant career.

Mr Lee Summerfield (ACTF&R) was recognised for his distinguished service as a firefighter and his outstanding contribution to the ACT Fire Brigade Historical Society and its role in educating the ACT community about the fire service and fire safety.

Mr Michael Joyce (ACTRFS) was awarded the Community Protection Medal for sustained, distinguished and outstanding service to the Canberra community as a rural fire volunteer and a staff member.

Ms Julia Rozycka (ACTSES) was recognised for her outstanding contribution to the ACT Community as an outstanding leader, her devotion to community Service and her commitment to the ESA outcomes.

Long Service Awards

During the reporting period, ACTF&R presented 21 staff with the Long Service Medals for 20 years of service and 11 staff with the First Clasp to the Long Service Medal for 30 years of service. Station Officer Jeff Southwell was presented with the Second Clasp to the Long Service Medal recognising 40 years of service to the community. In addition, 25 members of the CFUs were presented with the Fire & Rescue Volunteer Long Service Medal to recognise their decade of service to the ACT community. The ceremony was held at the Forrest Fire Museum on 10 April 2018 and 16 June 2018.

The ACTRFS Long Service Awards were held on 15 May 2018 at Gold Creek Station in Hall. Nineteen members of the service were honoured, including three with 30 years' service. Four members received the Chief Officer Commendations for Diligent Service Award, Peter Galvin, David Ingram and Chris O'Neil.

This year ACTSES presented 46 awards to staff and volunteers from across the Service and ESA. These awards ranged from 5 to 25 years of service, and commendations for Diligent and Meritorious service.

National Medal

Twenty-five ACTF&R staff were recognised for diligent service totaling almost 500 years of service to the community. Thirteen ACTF&R staff received the National Medal for 15 years of diligent service and 13 staff received the First Clasp to the National Medal for 25 years of diligent service.

One ACTAS member received the National Medal for 15 years diligent service, one member received a first clasp for 25 years, and one member received a second clasp for 35 years.

Twelve ACTRFS members received the National Medal for 15 years diligent service, and three members received a first clasp for 25 years, Matthew Butters, Peter Outteridge and Anthony O'Leary.

Three ACTSES members received the National Medal for 15 years diligent service, and one member received a first clasp for 25 years, Norman Nelson.

Rotary NSW and ACT ESA Community Awards

For the first time, the ACT ESA was invited to participate in the NSW & ACT Rotary Emergency Services Community Awards on 1 June 2018. This award recognises the contribution that emergency services staff and volunteers make to communities through both their role as emergency response

personnel and also the contribution that they make as citizens. The ACT Emergency Services recognised eight personnel as finalists with Rob Thompson (ACF&R) and Sue Elsbury (ACSES) receiving awards for the first time. The ACTESA finalists were:

- > ACTAS – Michael Bohun and Andy Francey
- > ACTF&R – Mark Blake and Rob Thompson
- > ACTRFS – Anthony Kidney and Mark Sedgman
- > ACTSES – Sue Elsbury and Norm Nelson.

Recognition for Volunteers

This year ACTSES presented 46 internal awards to staff and volunteers from across the service and ESA. These awards included recognition for five to 25 years of continuous service by members from across the various ACTSES Units. Awards for commendations for Diligent and Meritorious service were presented to members from ACTSES and ESA recognising the efforts and support to their SES Unit, the Service and the community.

Exercises and Training

Figure 45 Exercises and Training



ACTAS and ACTF&R staff at an exercise

ESA Level 3 Incident Control Program

During the reporting period, the ESA developed and delivered an Australasian Inter-Service Incident Management System (AIIMS) Level 3 Incident Control Program (the Program). The Program was successfully piloted by a number of Executives and senior staff from across the ESA; increasing the capacity of the Agency to command, lead and manage the most complex emergencies.

ACT Fire & Rescue

The Firefighter Training and Development section is responsible for the delivery of training, particularly in relation to skills acquisition, as well as officer development programs. ACTF&R provides specialist skills training, with training meeting the requirements for the awarding of nationally-recognised qualifications under the Public Safety Training Package. In addition to on-shift training activities, ACTF&R personnel undertook 92,887 hours of face-to-face training during the 2017-18 reporting period; this included the delivery of a recruit college and a Station Officer Development Program and Commander Development Program.

During 2017-18, the Firefighter Training and Development section was responsible for training 26 new firefighters in the ACT, 17 from a community-based recruitment, who undertook 20 weeks of training, and nine from a lateral recruitment initiative, who undertook an eight week induction and orientation program. In addition to these programs, the Firefighter Training and Development section also delivered development programs for selected officers to be promoted to Station Officer and Commander ranks.

ACT Ambulance Service

The ACTAS continues to deliver training and education to support vocational qualifications, the induction of tertiary qualified graduate paramedics and comprehensive in-service programs. During the year, ACTAS has successfully delivered vocational training programs for two intakes of call-takers, ACTAS continues to deliver training and education to support vocational qualifications, the induction of tertiary qualified graduate paramedics and comprehensive in-service programs. During the year, ACTAS has successfully delivered vocational training programs for two intakes of call-takers, two intakes of graduate paramedics, one program for paramedics who have laterally transferred from other Ambulance Services and delivered in-service training and education for in excess of 250. Other activities include the provision and facilitation of inter-service training for ACTF&R (Stage 1, 2 and 3 rescue triaging and support to Recruit College 39) and the Australian Federal Police (remote area care), the training and assessment of five intensive care paramedics, support to undergraduate and post graduate university students and ten professional development days for employees returning to work from extended absence.

ACT Rural Fire Service

ACTRFS training programs are conducted at brigade, service, agency and sector levels to deliver effective, efficient and safe operations within community-based and station activities.

In addition to courses that ACTRFS runs to build and maintain core firefighting capabilities (including Basic Firefighter, Advanced Firefighter, Crew Leader, Incident Management Team (IMT) functional positions, Divisional Commander, Village firefighter, chainsaw operator and 4WD) a new course in Icon (ACT/NSW bushfire incident management system) has been introduced. The successful training of ACTRFS volunteers occurs due to the generosity of ACTRFS members who provide their time, expertise and enthusiasm on evenings and weekends.

ACT State Emergency Service

Training is a core activity for maintenance of skills, and optimising capacity and capability of the service to respond to storm and flood. In 2017-2018, the ACTSES continued to refine the training program to ensure a continuous cycle of improvement and innovation. A collaborative training model was introduced which saw Units establish a cycle of collective training in order to spread the training

load, introduce variety and ensure maintenance of national competencies across the whole of the ACTSES.

Figure 46 **ACTSES**



ACTSES Field Hospital Training (supporting ACTAS)

Recruitment

ACTAS Recruitment

During the reporting period, ACTAS recruited 40 additional staff across a variety of disciplines. New staff included Graduate Paramedics, Non-Emergency Patient Transport staff, Emergency E000 Call Takers and a cohort of trained lateral paramedics. Government funding will deliver additional frontline staff in the next reporting period.

ACTF&R Recruitment

In the 2017-18 ACT Budget, the Government funded an ACTF&R recruitment program – Recruit College 39.

Recruit College 39 resulted in an additional 17 firefighters on duty in June 2018 including two IFARES recruits and four women recruits.

The recruitment program actively encourages female participation in line with the Women in Emergency Services Strategy and promotes opportunities for Aboriginal and Torres Strait Islander people to join ACTF&R as firefighters.

Funding for a further recruit college was announced in the 2018-19 ACT Budget.

ACTRFS Recruitment

The ACTRFS continued its program of recruitment in the 2017-18 financial year. In September 2017, the ACTRFS trained 33 new members, with a further 21 new members trained in March 2018. Volunteer recruitment remains a core activity, with recruit training for more new members planned for September 2018.

ACTSES Volunteer Recruitment

Training new members is vital for the sustainment of the ACTSES and to continue to build capacity and capability in support of the community. In the 2017-2018 period, the revised format of the Recruit College enabled 63 new Recruits to be trained and placed across the seven ACTSES Units. This intake of new members of which 46% was female was the single largest recruitment undertaken by the ACTSES. The Recruit training program was conducted centrally, with the current members playing a significant role in training the new recruits within the collaborative training framework. Upon completion of the Recruit College program, the new recruits received training in the skills required to support the ACT Community in flood and storm response and in support of other emergency services.

Staff Welfare

From February 2017, the establishment of the ESA Manager Welfare Programs continues to provide a dedicated person to build on the work undertaken in the ACTAS Blueprint for Change and to develop staff wellbeing and welfare programs for all staff and volunteers in ESA.

During the reporting period, the Manager Welfare Programs has developed and facilitated the first ACTAS Peer Support Training, resulting in 13 Peer Support Officers (PSOs) being available for ACTAS since May 2018. Further cohorts of Peers Support Officers will be trained for ACTAS and ACTSES by December 2018.

Working with *beyondblue*, all Services in ESA have participated in the voluntary National Survey on Mental Health and Wellbeing of Police and Emergency Service Personnel, with the aim of the survey being to explore the effectiveness of mental health programs in our workplaces and make improvements. ESA is expecting the outcome of this survey in October 2018.

Peer Support Officers

As part of the on-going Blueprint for Change program within ACTAS, the first group of PSOs were commissioned in May 2018. This program equips selected staff members from all parts of the organisation to provide initial support to colleagues to assist with the challenging situations faced by ACTAS personnel. Early indications are that the program is greatly valued and utilised extensively. A second group of peer support officers will be trained in August 2018.

Risk and Planning

The Risk and Planning Business unit was established in 2016 under the Strategic Reform Agenda (SRA). Risk and Planning brings together key service delivery areas supporting frontline services including Emergency Management, Risk, Spatial and Digital services, ComCen, Community Resilience (Fire Safety) and ICT. The individual areas work collaboratively to provide specialist support to the directorate, ESA Commissioner, the four operational emergency services and external agencies working together to protect the community

Director, Risk and Planning

David Foot ASM commenced as the Director, Risk and Planning in early 2016 after his appointment was announced on 4 November 2015. Mr Foot brings significant experience to the position with over 30 years of executive and operational experience in emergency services.

2017-18 Highlights

ESA Risk and Planning undertook a range of activities in 2017-18 to support ESA's operational preparedness and response capabilities. Highlights are outlined below.

ComCen

Achievements in 2017-18 included:

- > On 1 July 2017, Risk and Planning assumed responsibility for the E000 ComCen function, this was the first major step towards a One ComCen model for the ESA
- > Completion of major upgrades at all ESA Trunk Radio Networking sites. These works have included the expansion and replacement of site repeaters, antennas and backup power (UPS)
- > Awarding of the tender for Stage 1 of TRN II, and engagement of Harris Communications to supply portable radio terminals on a whole of government approach. This followed an 18 month consultation with all ESA services and other Government radio users, including ACT Health, TSSC, Parks, Corrections and Community services.
- > Recruitment of new staff to the ESA Communications Centre team including the new ESA ComCen Manager Mr Jeff Butler, new call takers, and the inter-agency team with members recruited from ACTF&R and ACTAS.

Spatial and Digital Services

The Spatial and Digital Services team provides ESA with a specialist capability which incorporates the collection and analysis of data from a number of sources which is then used to deliver real time operational information, intelligence and capability development to support front line services and the wider community. Specialist areas include the Computer Aided Dispatch (CAD) system, mobile applications such as the Common Operations Picture (COP), web and content management services, mapping and Geographic Information Services (GIS).

Achievements during 2017-18 included:

- > Development and awarding of the Website Hosting and Content Management Tender, which incorporates the supporting ICT architecture and upgrading of websites including ESA, ACTCS, ACTCT, the ACT Government Solicitor and the Eastman Enquiry
- > Refinement of mobile ready technology platforms to collect, consolidate and report on Rapid Damage Impact Assessments and Combustible Cladding
- > Design and construction of the 'flood study information portal' (FSIP), a whole of government one stop shop for all custodians of flooding information. The FSIP brings together modelling data, dam safety plans, flood plans, development flood reports and community education materials into a single portal. FSIP is also the new home for all flood committees and working groups to record and monitor actions and meeting documents
- > Development of electronic architecture supporting the commissioning of Electronic Fire Danger signage in the community

- > The update and validation of all key mapping layers used in the ESA's computer aided dispatch system.

Community Resilience

Every year, the ACT faces the impacts that bushfires, floods, storms and other hazards have on the community. As per the National Strategy for Disaster Resilience's resilience-based approach, the Community Resilience section, which includes specialist ACTF&R staff, provided high level support to the ACT community during the 2017-18 reporting period, including:

- > Review of 191 Development Applications
- > Provision of specialist advice both within ESA and across Government in a range of areas including Events Management, Liquid Fuels legislation, Waste Management and Recycling, Climate Change Adaptation Working Group, Greenfield and Special Fire Protection Developments
- > Provision of nine dedicated programs for Mapping Volunteers aimed at enhancing their knowledge when utilised for bushfire and missing persons searches
- > provision of specialist support from ESA MAPS Volunteers on 14 occasions including:
 - o 10 Search & Rescue operations
 - o Two bushfire events, and
 - o Two inclement weather pre-emptive Incident Management Team (IMT) standbys.
- > Provision of Bushfire Prone Area Mapping results to inform Canberra Bushfire Ready Campaign community doorknock.

Risk and Planning presented the body of work undertaken to develop AutoBAL to the 2017 AFAC Conference in Sydney. AutoBAL incorporates the use of LIDAR to 'map' a range of factors that are used to calculate Bushfire Attack Levels e.g. proximity of structure to vegetation, type of vegetation (grass/forest/woodland), slope and distances.

Community Engagement

ACT Ambulance Service

Extreme heat preparedness

In 2017-18, as the lead agency responsible for the Extreme Heat Plan, the ACTAS continued to provide information to increase awareness of extreme heat health risks and avoiding heat stress. The effects of heatwave is the second highest identified risk in the 2017 Territory Wide Risk Assessment. Events such as the ESA Open Day, the Canberra Show and the SES Open Day were some of the community platforms used to increase community knowledge and awareness. The Extreme Heat fact sheet and Emergency Medical Information forms are available on the ESA website.

The ACTAS participated in a range of additional health and community events or programs, such as the Special Children's Christmas Party, the ACT Health Party Program, the ACT Careers Expo and school and community group visits by ACTAS Officers in their own time.

Patient Experience

Each year the ACTAS participates in a national survey with all other Australian ambulance services seeking feedback from patients, or the carers of patients, who have been provided with emergency treatment and transport in the two months preceding the survey. Key objectives of the survey are to

benchmark perceived service quality and customer experience levels across all state and territory ambulance services. During 2018, 1300 surveys were sent out to randomly selected patients. The survey results are collated nationally and the outcomes are published after the end of the financial year. In the 2017 survey the ACTAS achieved an overall patient satisfaction of 97%. Overall satisfaction for all Australian services was also 97%. This was a decrease from 98% in 2016 for both the ACTAS and nationally.

International Restart a Heart Day

Restart a Heart Day is an international Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillators (AED) awareness campaign that was initiated in Europe and is held on 16 October each year. The campaign aims to improve bystander participation in early CPR and defibrillation through the use of face-to-face education and social media. In support of the international campaign the Council of Ambulance Authorities (Australia and New Zealand) received support from 10 Australian and New Zealand Ambulance Services to participate in the 2017 campaign. It was a national collaboration with the aim to improve out of hospital cardiac arrest outcomes throughout Australia and New Zealand. Following a launch at the ACT ESA Training Centre at Hume, ACTAS, Australian Catholic University and St John Ambulance staff taught CPR and provided AED training or awareness to 840 students and staff across 7 primary and 2 secondary schools in the ACT. The ACTAS web-site, a national web-site, ESA Twitter and Facebook were used to promote the event and provide educational material more broadly.

ACT Fire & Rescue

Community Fire Unit Saturday

Community Fire Unit Saturday, which was conducted on 15 October 2017, is a program delivered by ACTF&R CFU volunteers and staff members annually.

The program, which is delivered in CFU local areas and adjacent shopping centres, is designed to help educate the Canberra community on a number of topics, including the dangers of bushfire and the preparatory steps ACT citizens can take to help protect their properties from bushfire such as:

- > reduction in flammable overgrowth
- > general tidiness of yards in the urban interface zones
- > protective measures to limit the impact of fire and ember attack
- > the presence and role of the local CFUs in their neighbourhoods.

CFUs not only assist to protect interface properties in specific higher risk areas but are a valuable educational resource due to their training and association with ACTF&R.

Fire Safety Education Campaign

In 2017-18, ACTF&R successfully delivered the annual Fire Safety Education Campaign (Fire Ed) to over 5,700 kindergarten students in ACT schools.

The aim of the Fire Ed Program is to provide students with fun, practical and essential information on fire safety and what to do if a fire starts. ACTF&R starts teaching fire safety to children from a young age to ensure that children and their families are safe at home. Students are educated in a 45-minute lesson delivered by front-line firefighters.

The session highlights the importance of:

- > knowing how to call Emergency Triple Zero (000)
- > 'Stop, Drop and Roll' to extinguish burning clothing
- > 'Getting Down Low' when smoke is inside a home
- > showing students they do not need to be afraid of firefighters in full personal protective gear.

The lesson gives ACT students a chance to sit in a fire truck and see the equipment used to save lives. ACTF&R annually invites all kindergarten classes in the ACT to take part in Fire Ed.

Figure 47 Fire Safety Education Campaign



ACTF&R with a class

ACT Rural Fire Service

ACTRFS takes the lead on the ESA Open Day 2017

ACT Emergency Services Open Day, held on Sunday 29 October 2017, was an extremely successful event enjoyed by over 5,000 visitors. This was the first time the event has been held at the ACT Emergency Services Agency (ESA) Headquarters in Fairbairn. Hosting the Open Day at this site allowed the ESA to showcase a whole range of emergency management activities.

ESA volunteers and staff are very proud of their roles, and spoke passionately about the work they perform. The event was also an opportunity for the community to meet the people who keep them safe, and for the community to learn about how they can take care of what matters during an emergency.

ESA provided tours of facilities, allowing the public into the Incident Management Room, Emergency Coordination Centre, Planning Room, Media Room, and the ESA Workshop. These tours proved to be extremely popular, as was all the equipment on display, and the skills demonstrations by ESA volunteers and staff.

Figure 48 ESA Open Day



ESA Open Day

CBR Bushfire Ready Community Education Campaign

To support building the resilience of Canberra households in the Bushfire Prone Area, the Canberra Bushfire Ready doorknock campaign was developed in 2014, and has been implemented every bushfire season since. It involves the delivery of a targeted message by emergency service volunteers and staff to Canberrans living near the urban bush interface to prepare their homes, property and families to respond to bushfires and natural disasters.

The CBR Bushfire Ready campaign in 2017-18 highlighted the positive influence of delivering community education in an integrated and coordinated approach. With a focus on reaching out to older Canberrans and their carers as well as the general community, this season's doorknock campaign reached a total 1000 residences across 25 suburbs as well as the rural communities of Tharwa, Uriarra and Hall. This has encouraged the ACT community to take greater responsibility for their safety by acting on information, advice and other cues provided before an emergency.

ACT State Emergency Service

In 2017-18, ACTSES completed 102 Community Engagement events. Of these events 25 were targeted educational visits conducted at Schools, Scouts Groups and with the Cultural and Linguistically Diverse (CALD) Community. These interactive presentations and displays are tailored to suit the particular group needs. The presentation also focus on delivering information about the ACTSES, ESA and how to best utilise the emergency numbers 132 500 and Triple-Zero. Other key areas of focus include building community resilience through preparing our community to respond before, during and after a flood.

The ACTSES volunteers participated in a range of community events including Skyfire, ANZAC Day, New Year's Eve and a range of ACT Government supported events. During these activities the volunteers undertake a range of roles such as assisting with car park marshalling, communications support and in assisting ACTAS at large community events.

Legacy Gutter Cleaning

The annual Legacy Gutter Cleaning Campaign in August and September 2017, saw 58 individual homes attended to by the ACTSES volunteers supporting the legacy widows. Volunteers visit each home and help the widow to prepare their homes for the wet weather, heat and other natural hazards. Volunteers provided support through cleaning gutters, trimming hazardous trees and providing education on what to do before, during and after a storm and how to use the emergency service numbers. This campaign continues to build a strong partnership between ACTSES and Legacy House Canberra and helps support vulnerable Canberrans.

National Disaster Rescue Challenge

The ACTSES Gungahlin Unit represented the ACT in the biennial National Disaster Rescue Challenge, held in Hobart, Tasmania in November 2017. The team participated in a range of challenging scenarios in storm, flood, search and navigation activities testing their basic skills and lateral thinking. The challenge gives the ACT the opportunity to collaborate and interact with teams from across Australia to consolidate learnings and techniques and to gain confidence for interstate taskforces. The ACT team placed a respectable 4th place, with the larger states and territories of NSW, South Australia and the Northern Territory on the winners' podium. The next challenge in 2019 will be held in NSW.

StormSafe Campaign

In September 2017, the ACTSES conducted the annual StormSafe campaign and season launch. The campaign was delivered through five displays at local Bunnings Stores interacting with the public and providing advice on home preparation and maintenance. Additionally the StormSafe campaign utilised various social media platforms including interactive videos with the launch of the 'StormSafe Tips with Twisty' videos. Throughout the month long campaign, the videos were viewed over 2000 times through social media with a total reach of 12,945 people and more than 4500 people were spoken to face to face at the displays.

Figure 49 ACTSES



SES StormSafe Launch

Security and Emergency Management Branch

The Security and Emergency Management Branch (SEMB) provides and coordinates whole of government strategic policy and program advice to strengthen ACT public safety and better position the ACT to prevent, plan, respond and recover from security and emergency risks and incidents.

With a focus on public safety and whole-of-government coordination and collaboration, the SEMB's key portfolio responsibilities include:

- > Supporting the Government and Ministers in relation to national and local security and emergency management policy matters
- > Supporting the effective and efficient operation of the ACT's strategic security and emergency management committees including the Security and Emergency Management Cabinet (SEMC), Security and Emergency Management Senior Officials Group (SEMSOG), Countering Violent Extremism Steering Committee (CVE-SC) and the Security and Emergency Management Policy Group (SEMPG)
- > Supporting ACT officials at peak security and emergency management policy bodies including the Australia-New Zealand Counter-Terrorism Committee (ANZCTC) and the Australia-New Zealand Emergency Management Committee (ANZEMC)
- > Supporting SEMSOG to deliver their statutory responsibilities during times of emergency in the ACT
- > Contributing to the national develop of policies and programs through representation on a high number of national committees and working groups
- > Enhancing and maintaining the ACT's Public Safety CCTV Network to enable ACT Policing to better investigate crime and the ACT Government to deliver safe and well managed events
- > Implementing the National Living Safe Together Program to counter violent extremism
- > Enhancing the ACT's critical infrastructure.

Structure

The SEMB includes 10 staff. The Branch Head of SEMB is the Senior Director who reports to the Deputy Director-General, Community Safety. 2017-18 saw a temporary change in the Branch Head that provided the opportunity for additional recruitment into the branch and a reassessment of priorities.

The Senior Director contributes to the development of national security and emergency management policy through membership of the Critical Infrastructure Advisory Council, National Countering Violent Extremism Sub-Committee and the Transport Security Committee. The Senior Director is also the Senior Advisor to the ACT Government member on ANZCTC.

The Senior Director is also a member of SEMSOG, and chairs SEMPG and the ACT's CCTV Working Group.

Key Achievements

The SEMB has progressed a wide range of policy initiatives and programs in the key areas of public safety, security, risk identification and disaster resilience, legislative reform, critical infrastructure and emergency preparedness. Key achievements for this reporting period include:

- > providing briefings for Senior Officials and the Chief Minister who attended the special counter-terrorism meeting of the Council of Australian Governments (COAG) in October 2017

- > working in close partnership with ACT Policing and ACT Government crowded place owners and operators, developed a plan that saw the successful implementation of *Australia's Strategy for Protecting Crowded Places from Terrorism*
- > implementing reforms to the work of SEMSOG and SEMPG including the establishment SEMSOG Strategic Activities and a Risk Register to strengthen future direction and risk management
- > contributing to the Australian Government review of PartIII AAA of the *Defence Act 1903* to enable a more streamlined approach to the use of the Australian Defence Forces by states and territories
- > contributing to the National effort to establish a Public Safety Mobile Broadband (PSMB) capability
- > Contributing to the Australian Government preparation of the *Security of Critical Infrastructure Act 2018* to better protect Australia's critical infrastructure.
- > contributing to the reforms by the Australian Government of Australia's Natural Disaster Funding Arrangements, and progressed the preparation of three ACT claims, one of which has been paid and closed
- > commencing a trial of solar powered CCTV to better support the ACT Government's needs for CCTV where the requirement is temporary, or no infrastructure is available
- > reviewing and updating the ACT *Territory Wide Risk Assessment* to provide a strategic understand of the natural hazard risks faced by the ACT
- > completing a community engagement project in relation to counter violent extremism to better understand ways the ACT Government could continue to build a community that is socially cohesive, safe and aware
- > hosting the 2018 National Transport Security Committee
- > establishing a Protective Security Portfolio Intranet site that provides access to information on the Protective Security Policy Framework and supporting documentation to all ACT Public Servants
- > delivering an enhanced program of travel security and threat assessment briefings to stakeholders across the ACT Government, and
- > managing the extension to the *National Partnership Agreement on Natural Disaster Resilience* that saw a combined ACT Government-Australian Government investment in 13 additional projects in the ACT that builds natural disaster resilience.

National and ACT Committee Engagement and Participation

A significant responsibility of SEMB is to brief and support ACT Government officials who represent the ACT at a wide range of national security and emergency management committees.

In 2017-18, SEMB briefed and supported ACT Ministers and Government officials who attended the following key national meetings:

- > the special counter-terrorism meeting of COAG
- > four ANZCTC meetings
- > three ANZEMC meetings, and
- > two Critical Infrastructure Advisory Council Meetings.

In addition, SEMB prepares meeting papers and provides secretariat support to several security and emergency management committees. In 2017-18, SEMB briefed and supported ACT Government officials who attended the following meetings in 2018-19:

- > three SEMC meetings
- > four SEMSOG meetings
- > four SEMPLG meetings, and
- > three Countering Violent Extremism Steering Committee meetings.

Public Safety Closed Circuit Television

SEMB is responsible for the management and enhancement of the ACT's Public Safety CCTV Network (the Network).

The Network consists of an interconnection of ACT Government owned CCTV systems located at public venues and open spaces including the Canberra City, GIO Stadium, Manuka Oval, EPIC, Kingston and Manuka Shopping Precincts and the Jolimont Bus Station. Live and recorded footage is available for the system to ACT Police to support crime reduction and investigation, and the ACT Government to support safe and well managed events.

2017-18 saw the completion of the program funded in 2016-17 to upgrade the Network. These upgrades included the upgrade of analogue CCTV cameras to high-definition digital, the installation of a new model for CCTV network video recorders that improves efficiency and reduces duplication. This project has seen an enhancement of ACT Policing to investigate crime through the availability of greater coverage and higher quality CCTV images.

The SEMB commenced a trial of using solar powered CCTV units to provide a CCTV capability where the CCTV need is only temporary or no fixated infrastructure is available. Solar powered CCTV units have been installed at the National Arboretum Canberra to enhance the security of car parking locations, and units were installed on a temporary basis at Floriade and Christmas in Glebe Park to enhance crowded place safety and the situational awareness of event manager.

Implementing of Australia's Strategy for Protecting Crowded Places from Terrorism

SEMB lead the implementation for ACT Government of *Australia's Strategy for Protecting Crowded Places from Terrorism* (the 'Strategy') that was launched by the Prime Minister in August 2017. The implementation has involved working closely with ACT Policing and ACT Government directorates to use the tools in the strategy to assess the ACT crowded places and determine what physical security measures may be required. SEMB develop the ACT Government Crowded Place Implementation Plan to provide a whole-of-government approach to the implementation of the Strategy.

Territory Wide Risk Assessment 2017

The Territory Wide Risk Assessment (TWRA) 2017 is the ACT's strategic level analysis of the natural hazards and other emergency risks facing the ACT. The TWRA 2017 builds on the previous TWRA, this time placing a greater emphasis on understanding how emergencies may impact the community.

SEMB led the development and publication of the TWRA in 2017-18 which was endorsed by SEMSOG. The TWRA 2017 is publicly available at <http://esa.act.gov.au/community-information/publications/>

ACT Drill Style Exercise Program

The SEMB administers and coordinates funding allocated to the ACT under the ANZCTC's drill style exercise fund. Funding received by the ACT for 2017-18 supported a wide range of single and multi-agency/directorate drills and training exercises that practice counter-terrorism capabilities.

These drills and exercises included practicing and developing the ACT's decontamination and urban search and rescue capabilities, practicing mass casualty incident preparedness and response, practicing the ACT's evacuation and recovery centre activation and establishment procedures, as well as exercising and enhancing the ACT's major event management and crowded place public safety capabilities.

Critical Infrastructure Resilience Arrangements

In 2017-18 the SEMB strengthened the ACT's understanding of critical infrastructure by completing the Critical Infrastructure Arrangements (CIRA) project. The CIRA project has reviewed and updated of all critical infrastructure information held by the ACT, including the mapping of interdependencies.

The SEMB also contributed to the development of the *Security of Critical Infrastructure Act 2018* by the Australian Government.

Countering Violent Extremism (CVE)

The SEMB is responsible for the development and delivery of policies and programs in the ACT that promote social cohesion and counter violent extremism. This work is coordinated by SEMB through the ACT CVE-SC.

In the 2017-18, SEMB was an active participant in several National committees and working groups that progress CVE policy in relation to fixated threat, mental health, returning foreign fighters and prisoners. CVE training to over 25 internal and external stakeholders to educate and inform their approach to emerging trends and issues in CVE.

To better understand the requirement for CVE awareness raising, the SEMB applied for and received \$45,000 in Commonwealth to progress a CVE community engagement project. This project resulted in the consultation with more than 60 stakeholders across the ACT Government, community service providers, State, Territory, and Commonwealth Governments and CVE researchers on the most appropriate and effective means to educate and raise CVE awareness in the ACT.

B.2 PERFORMANCE ANALYSIS - STRATEGIC INDICATORS AND OBJECTIVES

Strategic Objective 1 – Accessible Justice System

Strategic Indicator 1: Justice System Completion Rates

The ACT justice system seeks to ensure fairness to all persons involved. A fair justice system is accessible, deals with matters in a reasonably expeditious manner and is one in which all persons involved conduct themselves in a way that promotes, protects and respects rights.

Table 40 Justice system completion rates

Success	Strategic Indicator	2013–14 Result	2014–15 Result	2015-16 Result	2016-17 Result	2017-18 Result
Timely completion of civil cases in the courts	Median number of days to finalise civil cases from time of lodgement					
	Magistrates Court ¹³	N/A	47	32	43	36
	Supreme Court ¹⁴	N/A	365	365	291	308
	Coroners Court	N/A	83	75	95	92
Timely completion of criminal cases in the courts	Median number of days to finalise criminal cases from time of lodgement					
	Magistrates Court	N/A	85	81	91	70
	Supreme Court ¹⁵	N/A	211	285	266	254
Timely completion of ACT Civil and Administrative Tribunal (ACAT) cases	Median number of days to finalise ACAT cases from time of lodgement ¹⁶	N/A	49	57	48	63

¹³ The target for 'median number of days to finalise civil cases from time of lodgement in the ACT Magistrates Court' was 50 days and the result was 36 days. This is a positive result and was due to the increased use of mediation and more rigorous case management to resolve matters earlier. These figures exclude Children and Coroners Court matters from calculating the median.

¹⁴ The target for 'median number of days to finalise civil cases from time of lodgement in the ACT Supreme Court' was 365 days and the result was 308 days. This is a positive result and was due to the earlier disposition of matters as a result of referral of all cases to mediation, greater case management and the introduction of central civil listing.

¹⁵ The target for 'median number of days to finalise criminal cases from time of lodgement in the Supreme Court' was 200 days and the result was 254 days. The outcome exceeds the target due to the Supreme Court focussing on the finalisation of older criminal matters.

¹⁶ The target for 'median days to finalise ACAT cases from time of lodgement' was 50 days and the result was 63 days.

Strategic Objective 2 – Safe Community

Strategic Indicator 2: Crime Related Community Safety

An effective criminal justice system underpins the safety of the community. Although neither the directorate or the ACT Government can control all of the factors that impact on community safety, effectiveness can be measured by examining the level of crime against people and property and whether the justice system deals with offenders in a way that reduces the risk of further offending.

Table 41 Crime related community safety

Success	Strategic Indicator	2013–14 Result	2014–15 Result	2015–16 Result	2016–17 Result	2017–18 Result
Reduction in level of crime	Percentage change ¹⁷ and number of known and reported criminal offences:					
	against the person per 100,000 population ¹⁸	–6.7%	–6.5%	+31.5%	+19.3%	-
		655.9	613.1	806.5	961.8	11.3%
						852.9
Perceptions of safety ¹⁹	The proportion of people who felt 'safe' or 'very safe':					
	at home by themselves during the night	Refer to A	92.7%	92.6%	90.6%	92.6%
	walking by themselves in their neighbourhood during the night	Refer to B	58.4%	57.1%	56.1%	59.1%
	by themselves travelling on public transport during the night	Refer to B	32.9%	31.9%	32.4%	40.0%
Escapes/ abscondments from custody	Number of escapes or abscondments per 100 detainees	0	0	0.25	0.45 ²⁰	0

¹⁷ Change refers to the change from the previous financial year.

¹⁸ The increase in offences against the person can be attributed in part to the current focus on family and domestic violence and the increased confidence people have in reporting family and domestic violence incidents to police.

¹⁹ Perceptions of safety indicators are drawn from the National Survey of Community Satisfaction with Policing, a self-reporting survey conducted by the Social Research Centre. The sample size and landline based methodology may limit how representative the results are of the ACT population as a whole.

²⁰ In September 2017, two detainees escaped from the Alexander Maconochie Centre. The result is based on the yearly daily average number of detainees in secure custody.

Table 42 Perceptions of safety

Strategic Indicator	2013–14 Result	2014–15 Result	2015–16 Result	2016–17 Result	2017–18 Result	% change from target	2017-18 National Average	% difference from National Average
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Perceptions of safety at home – A

The percentage of people who felt 'safe' or 'very safe' at home by themselves during the night	93.8	92.7	92.6	90.6	92.6	2.0	88.4	+4.2
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Perceptions of safety in public places – B

The percentage of people who felt 'safe' or 'very safe' walking by themselves in their neighbourhood during the night	54.3	58.4	57.1	56.1	59.1	3.0	53.1	+6.0
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The percentage of people who felt 'safe' or 'very safe' travelling by themselves on public transport during the night	32.5	32.9	31.9	32.4	40.0	7.6	32.0	+8.0
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Strategic Objective 3 – Safe Community – Emergency Services

Strategic Indicator 3: Emergency Related Community Safety

Table 43 Emergency related community safety

Success	Strategic Indicator	2013–14 Result	2014–15 Result	2015-16 Result	2016-17 Result	2017-18 Result
Increased community resilience for emergencies	Percentage of planned community engagement and awareness events conducted	N/A	68%	90%	87%	100%
	Percentage of leaseholders within the Bushfire Abatement Zone with a Farm Fire-wise plan	N/A	68%	75%	68%	60%
	Number of sub-plans to the	5	5	3	5	3

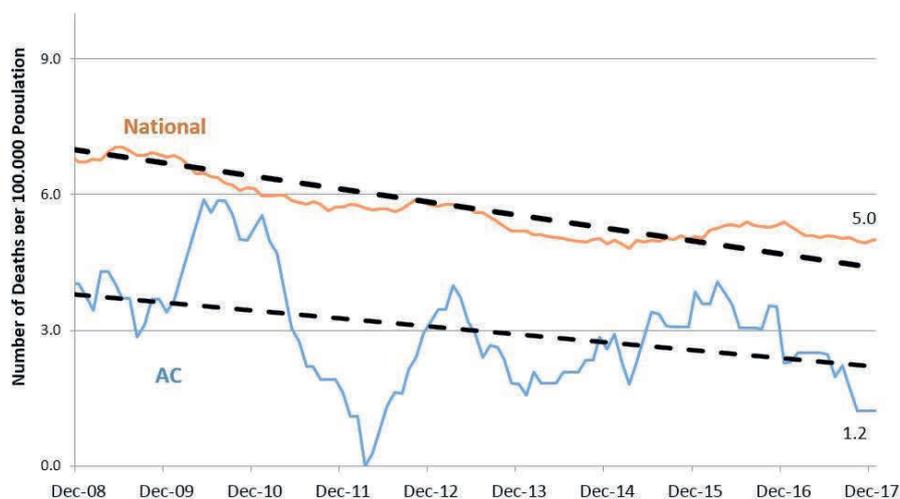
Success	Strategic Indicator	2013–14 Result	2014–15 Result	2015-16 Result	2016-17 Result	2017-18 Result
	ACT Emergency Plan reviewed					
	ACT Public Information Coordination Centre for the ESA lead emergency response – number of exercises conducted	2	2	2	2	3
	Percentage of emergency alerts, updates and warnings to the ACT Community through the use of the SPOT system	100%	100%	100%	100%	100%
	Maintain or increase volunteer levels. Percentage change in levels	N/A	-3.81%	-4.71%	-4.40%	-9.79%
Reduced loss of life and loss/damage of property	Percentage of structure fires confined to room of origin	81.5%	78.23%	76.47%	70.80%	75%
	Percentage of 132 500 storms and flood callouts acknowledged within 24 hours	N/A	100%	98%	100%	100%
Reduced impact on the environment from bushfires	Percentage of bushfires kept below five hectares within the ACT	98%	99%	99%	98%	98%

Strategic Objective 4 – Safe Community – Road Safety

The safety of ACT road users is supported by the ACT Road Safety Strategy 2011-2020 and underpinning Road Safety Action Plans.

Strategic Indicator 4: Improving Road Safety

Figure 50 Figure 4.1 Annual number of road fatalities per 100,000 population to December 2017



Source: Bureau of Infrastructure, Transport and Regional Economics, Road Deaths Australia December 2017

Notes: The annual number of road fatalities per 100,000 population allows jurisdictions to compare the road safety performance of their state and territory and is used at the national level to monitor road safety performance.

Strategic Objective 5 – Promotion and Protection of Rights and Interests

Strategic Indicator 5: Awareness and Compliance with Human Rights and Interests

The ACT Human Rights Commission, now including the Public Advocate of the ACT and Victim Support ACT, protects the rights of vulnerable members of the community. The Commission provides community engagement, information, support and/or advice in relation to the roles and functions of their Commissioners, including how members of the community can access and protect their rights. Additionally, as required under the *Human Rights Act 2004*, the directorate seeks to ensure that all legislation is compatible with human rights.

Table 44 Awareness and compliance with human rights and interests

Success	Strategic Indicator	2012-13 Result	2013-14 Result	2014-15 Result	2015-16 Result	2016-17 Result	2017-18 Result
New Government laws are compatible with human rights legislation at time of introduction	Percentage of new Government laws that are compatible with human rights legislation at the time of introduction	100% (41)	100% (56)	100% (54)	100% (71)	100% (28) ²¹	100% (54)
Increased community awareness of how to access and protect rights	Number of community members made aware of their rights in the area of responsibility for victim support	828	947	1 193	975	390 ²²	1667 ²³
	Number of community engagement activities undertaken by:						
	Human Rights Commission in area of human rights and service provision; and	N/A	35	32	30	59	67 ²⁴
	Public Advocate of the ACT in the area of Public Advocacy.	N/A	86	61	25	8	N/A ²⁵

²¹ Due to an election year and less Legislative Assembly sittings, the number of bills introduced in 2016-17 is lower than previous years.

²² Communities@Work ceased administering Victim Support ACT (VS ACT) Volunteer Program in August 2016. Under its contract with the Commission it was required to distribute 500 information brochures on victims' rights. The results prior to 2016-17 reflect that contractual requirement. In September 2016 the Commission assumed management of the VS ACT Volunteer Program. The 2016-17 result reflects the change. The Commission conducts a range of activities to raise awareness of victims' rights and these will be captured as a measure in future reports.

²³ The higher than target 2017-18 estimated outcome in relation to the number of community members made aware of their rights in the area of responsibility for victim support is attributed to a change in how the strategic indicator is measured. In previous years the indicator was based on the number of pamphlets that were provided to community members. The new indicator is based on the total number of individuals who receive information or support from Victim Support ACT. The target for 2018-19 has been increased to align with the new measure.

²⁴ The 2017-18 figure includes number for activities undertaken by the Public Advocate in the area of public advocacy

²⁵ see above footnote

B.3 SCRUTINY

Introduction

The directorate is scrutinised by a number of bodies including Committees of the ACT Legislative Assembly, the ACT Auditor-General and the ACT Ombudsman.

The directorate actively responds to recommendations and works to ensure they are completed.

Please note that where the Government's initial response to a recommendation indicated that the recommendation was noted or implementation of the recommendation was already complete, the recommendation is not included.

Standing Committee on Justice and Community Safety Report No 4 – Report on the Inquiry into Sentencing – March 2015

Table 45 Standing Committee on Justice and Community Safety Report No 4 – Report on the Inquiry into Sentencing

Recommendation No. and summary	Action	Status
<p>Recommendation 5</p> <p>The Committee recommends that the ACT Government accurately assess resource requirements for an intensive corrections order(s) regime in the ACT and ensure that adequate resources are applied to any future intensive orders regime.</p>	<p>Agreed in principle</p> <p>The intensive correction order scheme has been operating for 2 years. In addition \$6 million was announced in the 2018/19 ACT Budget to continue the Intensive Corrections Order Scheme.</p>	Complete
<p>Recommendation 6</p> <p>The Committee recommends that the ACT Government investigate reports that the number of custodial sentences has increased in NSW when periodic detention was abolished and with an intensive corrections order regime in place, and apply any lessons learned to a future ACT intensive corrections orders regime.</p>	<p>Agreed in principle</p> <p>A review of the intensive correction order regime will occur at the end of the third year of operation (March 2019).</p>	In progress
<p>Recommendation 8</p> <p>The Committee recommends that the ACT Government propose legislative amendments to the Legislative Assembly that would, if passed, see the ACT adopt legislative provisions requiring that appeals be lodged with courts within 28 days of sentence decisions being brought down.</p>	<p>Agreed in principle</p> <p>The Attorney-General's agreement has been sought to include an amendment to address this issue in the Courts and Other Justice Legislation Amendment Bill (no.3) which is forecast for introduction in the Legislative Assembly in 2019.</p>	In progress
<p>Recommendation 9</p>	<p>Agreed in principle</p>	In

Recommendation No. and summary	Action	Status
The Committee recommends that the ACT Government introduce legislative amendments to the Legislative Assembly, which, if passed, would allow greater judicial discretion over sentencing in cases which include forfeiture of property by an offender.	The Commonwealth has only recently released a draft inter-governmental agreement on the national co-operative scheme on unexplained wealth which will introduce a commonwealth scheme. It is anticipated any legislation will apply to the ACT.	progress
<p>Recommendation 10</p> <p>The Committee recommends that the ACT Government introduce legislation in the Legislative Assembly which, if passed, would provide a remedy in statute for delays causing loss to an accused through no fault of that accused.</p>	<p>Agreed in principle</p> <p>The Justice and Community Safety Directorate is continuing to work on issues in connection with costs in criminal matters. Options under consideration include a principles-based approach to the award of costs which may include an award of costs in the case of delay. A consultation plan is being developed and is subject to the Attorney-General's agreement.</p>	In progress
<p>Recommendation 11</p> <p>The Committee recommends that the ACT Government propose legislative changes to the Legislative Assembly which, if passed, would increase options available to judicial officers so as to provide alternatives to placing accused persons on remand.</p>	<p>Agreed in principle</p> <p>A trial of the ACT bail support program is underway focusing on Aboriginal and Torres Strait Islander offenders. Further work in this area will depend on the outcomes of this trial.</p>	In progress
<p>Recommendation 17</p> <p>The Committee recommends that the ACT Government institute enhanced reporting on recidivism in the ACT and focus on measuring performance against those figures.</p>	<p>Agreed in principle</p> <p>The directorate is looking to develop a reduce recidivism plan which will include measuring on performance against those figures.</p>	In progress
<p>Recommendation 18</p> <p>The Committee recommends that the ACT Government introduce changes to legislation in the Legislative Assembly which, if passed, would explicitly require courts to consider the Indigenous status of offenders at sentencing.</p>	<p>Agreed</p> <p>The Government is proposing to conduct a trial of Ngattai reports (similar to Gladue reports) in this term of Government.</p>	In progress
<p>Recommendation 20</p> <p>The Committee recommends that the ACT Government create a specific mechanism for the creation of reports similar to Gladue reports in Canada, informing courts of any relationship between an accused's offending and his or her Indigenous status.</p>	<p>Agreed in principle</p> <p>The Government is proposing to conduct a trial of Ngattai reports (similar to Gladue reports) in this term of Government.</p>	In progress
<p>Recommendation 21</p> <p>The Committee recommends that the ACT Government ensure that Indigenous case-workers make a significant contribution to the creation of reports informing courts of any relationship between an accused's offending and his or her Indigenous status.</p>	<p>Agreed in principle</p> <p>Options for the provision of these reports will be explored as part of the work to develop the trial of Ngattai reports.</p>	In progress
Recommendation 22	Agreed	In

Recommendation No. and summary	Action	Status
<p>The Committee recommends that the ACT Government ensure that it engages the ACT Indigenous community, and provides a diversity of sentencing options, so as to foster appropriate pathways for the punishment and rehabilitation of Indigenous offenders and reduce rates of Indigenous imprisonment in the ACT.</p>	<p>Work to address this recommendation includes the trial of Ngattai reports and the trial of the ACT Bail Support Program which is designed to reduce the number of Aboriginal and Torres Strait Islander people on remand, and the time spent on remand. The Directorate continues to work with the ACT Aboriginal and Torres Strait Islander community to address incarceration rates</p>	<p>progress</p>
<p>Recommendation 25 The Committee recommends that the scope of the ACT Community and Work Order Program be expanded so that it becomes a sentencing option available to courts with respect to drug and drink driving and the Simple Cannabis Offence Notice Scheme</p>	<p>Agreed in principle There are a range of penalties for drink and drug driving in the ACT - fines, imprisonment, and licence disqualification. The directorate released an options paper in 2016 about expanding the number of offences which could be dealt with as infringement notice offences. This included the option of level 2 prescribed concentration of alcohol offences being subject to infringement notices. Further work is being undertaken by the directorate on any expanded infringement notice scheme. Additionally, the ACT Government is currently working on developing a drug driving strategy. Part of this work involves looking into diversionary programs for drug drivers</p>	<p>Complete</p>
<p>Recommendation 29 The Committee recommends that the ACT Government introduce in the Legislative Assembly legislative amendments which would, if passed, allow the conditional release in certain circumstances of a detainee who is the primary carer of a young child or young children, to serve the sentence in an appropriate and approved environment away from the Alexander Maconochie Centre.</p>	<p>Agreed in principle A review of the intensive correction order regime will occur at the end of the third year of operation (March 2019). This recommendation will be considered further following this review.</p>	<p>In progress</p>
<p>Recommendation 30 The Committee recommends that if it is not considered practicable for the primary carer of a young child or young children, to serve a sentence in an appropriate and approved environment away from the AMC, then facilities should be provided, and permission given, so that they can continue to be primary carer within the confines of the Alexander Maconochie Centre.</p>	<p>Agreed in principle A draft Memorandum of Understanding (MOU) is currently with NSW for consideration. Until such time as the MOU is signed, ACTCS will continue to liaise with NSW on a case by case basis.</p>	<p>In progress</p>
<p>Recommendation 33 The Committee recommends that the ACT Government create a coordinating function</p>	<p>Agreed The directorate will request that this recommendation is placed on the agenda for</p>	<p>In progress</p>

Recommendation No. and summary	Action	Status
that ensures that courts and other agencies are provided with up-to-date information on services that are available for the referral of children, young people and adult offenders in the ACT.	the Criminal Law Sub-Committee of the ACT Law Society.	
<p>Recommendations 41 and 42</p> <p>41: The Committee recommends that the ACT Government introduce legislative amendments to the Legislative Assembly which, if passed, would require the Sentence Administration Board to publish its decisions as a matter of course.</p> <p>42: The Committee recommends that the ACT Government provide further resources to the Sentence Administration Board to support publication of its decisions, if legislation so provides.</p>	<p>Agreed in principle</p> <p>Further resourcing is not being sought in the current fiscal climate to progress these recommendations.</p>	Complete
<p>Recommendation 47</p> <p>The Committee recommends that the expansion of the ACT restorative justice scheme, subsequent to the Attorney-General's proclamation of 'phase 2 application day', take the form of a stepped or incremental expansion which sees restorative justice applied to 1) more serious offences of which young offenders are accused and (2) adult offenders, beginning with less serious offences.</p>	<p>Agreed</p> <p>Extensive training, including from international and interstate providers, has assisted the RJU to understand appropriate models for working with adults and young people in phase three. It has also allowed the RJU to demonstrate the value of RJ phase three to stakeholder agencies who were included in the training. The phase 3 guidelines are nearing completion.</p>	Complete
<p>Recommendation 49</p> <p>The Committee recommends that the restorative justice scheme be funded and resourced consistent with these assessments of the funding and resource cost of supporting restorative justice processes for real-world scenarios.</p>	<p>Agreed</p> <p>The RJU resources have remained sufficient throughout phase two. Phase three, is anticipated to begin in October 2018, and will be monitored for resource sufficiency. No additional funding was provided in the 2018-19 budget to RJU for Phase three.</p>	Complete
<p>Recommendation 52</p> <p>The Committee recommends that the ACT Government introduce in the Legislative Assembly legislative amendments which would, if passed, result in the Galambany Circle Sentencing Court being provided for and recognised under statute, and that these amendments set out the objects and purposes of the Court.</p>	<p>Agreed</p> <p>Chapter 4C of the <i>Magistrates Court Act 1930</i> now provides for and recognises the Galambany Court under statute.</p>	Complete
<p>Recommendation 53</p> <p>The Committee recommends that the JACS Directorate develop and report on key indicators for the Galambany Circle Sentencing Court in its Annual Report for the</p>	<p>Agreed</p> <p>The Galambany database was recently redeveloped. As of July 1, 2018, recording includes the services defendants are referred to as well as the culturally relevant programs</p>	Complete

Recommendation No. and summary	Action	Status
next and subsequent reporting periods.	developed to meet the needs of the defendants and their families. Galambany data is included within the Justice Statistical Profile which is released publicly every 6 months on the directorate's website. As the data was manually recorded in the 2017-18 financial year, updates will be included in the directorate's 2018-19 Annual Report.	
<p>Recommendation 54</p> <p>The Committee recommends that the ACT Government further develop, and fund appropriately, the suite of programs to which the Galambany Circle Sentencing Court can refer offenders.</p>	<p>Agreed in principle</p> <p>The Government is committed to tackling recidivism and has set a goal to reduce recidivism by 25 per cent by 2025. To achieve this ambitious target will require a cross government package of work to effectively change the life trajectories of some of Canberra's most vulnerable citizens who have complex needs. The directorate has commenced work on this and it will include programs that support Galambany participants and their rehabilitation.</p> <p>The Outward Bound 'Skills for Life' Program was piloted in 2015/16 as a culturally appropriate sentencing option for Aboriginal and Torres Strait Islander offenders. The program targets those at risk of offending, or involved in the criminal justice system between ages 18 and 25 years. 'Skills for Life' is an outdoor training program that aims to build interpersonal</p> <p>In addition a Young Adults Self Determination and Leadership Program was run in 2017.</p>	Complete

Standing Committee on Public Accounts Report No 18 - Inquiry Into The Elements Impacting on the Future of the ACT Clubs Sector – October 2015

Table 46 Inquiry into elements impacting on the future of the ACT Clubs sector

Recommendation No. and summary	Action	Status
<p>Recommendation 12</p> <p>The Committee recommends that the Government update regulations for entry to community clubs to enable contemporary access to ACT residents.</p>	<p>Agreed in principle</p> <p>This has been considered as part of Neville Stevens' review, which was finalised on 4 June 2018. Further consultation with ACT Clubs is occurring.</p>	In progress
<p>Recommendation 32</p> <p>The Committee recommends that the Government move to an electronic-based system</p>	<p>Agreed in principle</p> <p>This has been considered as part of Neville Stevens' review, which was finalised on 4</p>	In progress

Recommendation No. and summary	Action	Status
for the reporting of Electronic Gaming Machine movements and any other activities rather than the current paper-based system.	June 2018. The Government is actively considering a Central Monitoring System as part of its broad harm minimisation reform agenda	
<p>Recommendation 33</p> <p>The Committee recommends that the Government investigate the feasibility of introducing a central, electronic, linked monitoring system or Electronic Gaming Machines.</p>	<p>Agreed in principle</p> <p>This has been considered as part of Neville Stevens' review, which was finalised on 4 June 2018. The Government is actively considering a Central Monitoring System as part of its broad harm minimisation reform agenda</p>	In progress

Standing Committee on Public Accounts Report No 20 - Review of Auditor-General's Report No.5/2013 – Bushfire Preparedness– 9 February 2016

Table 47 Standing Committee on Public Accounts Report No 20 - Review of Auditor-General's Report No.5/2013 – Bushfire Preparedness

Recommendation No. and summary	Action	Status
<p>Recommendation 12</p> <p>The Committee recommends that the ACT Government provide the ACT Legislative Assembly, before the last sitting day in March 2016, with an update on the development of the new database intended to report, record and cost tasks through the Oracle system, and copies of the quarterly reports produced by the database, with the website address that the public can use to access the reports.</p>	<p>Agreed.</p> <p>The TM1 database is currently operational Regular monthly updates will be available and presented to the ACT Bushfire Council. To assist with data input and reporting, further refinements to the TM1 software and database will occur as required during the 2018-19 financial year.</p>	Complete
<p>Recommendation 19</p> <p>The Committee recommends that the ACT Government consider updating the information records systems used to maintain information regarding training, skill sets and experience of personnel, including volunteers, in one system that can be accessed by ESA and Territory and Municipal Services Directorate (now Environment, Sustainability and Development Directorate) if required.</p>	<p>Agreed</p> <p>The ACT Government has procured a new web based learning management system.</p>	Complete
<p>Recommendation 23</p> <p>The Committee recommends that the ACT Government review the applicability of the fitness test by which the fitness of RFS staff and volunteers is accessed.</p>	<p>Agreed</p> <p>The ACT RFS and ACT Land Managers utilise the Pack test for fitness testing as this meets National and International requirements. The ACT 2017-18 Budget provided additional funding of \$220,000 for ACT RFS volunteers to keep fit and</p>	Complete

Recommendation No. and summary	Action	Status
	healthy. Additionally, the ACT RFS Fitness Reimbursement Initiative was launched in August 2017, allowing members to claim \$100 back on eligible purchases made for health and wellbeing products and services. Saturday morning walking sessions, including fitness testing, are also taking place.	
Recommendation 38 The Committee recommends that the ACT Government work with all other jurisdictions to establish a National Bushfire Museum in the ACT.	Agreed in principle. An ACTRFS Centenary Exhibition opened at the Tuggeranong Arts Centre from 1 October 2015 to 11 November 2015. A small amount of memorabilia from the exhibition is now located at the entrance of the ESA Training Centre at Hume and at the Namadgi Visitors Centre. The Chief Officer ACT Rural Fire Service continues to explore options for a National Bushfire Museum in the ACT via the Australasian Fire and Emergency Service Authorities Council (AFAC).	Complete

ACT Auditor-General's Report No.03/2016 – ACT Policing Arrangement - 26 May 2016

Table 48 ACT Auditor-General's Report No. 03/2016 – ACT Policing Arrangement

Recommendation No. and summary	Action	Status
Recommendation 1 The Justice and Community Safety Directorate should initiate action to develop, with ACT Policing, a system that provides the Justice and Community Safety Directorate with an increased awareness of all Memorandums of Understanding that ACT Policing has entered into with other organisations.	Agreed In October 2017, the directorate requested information from each directorate on any agreements or Memorandums of Understanding (MOUs) with ACT Policing to establish a register. To ensure all MOUs are captured, the request will also be raised with the ACT Policing/JACS Performance Measure Working Group to also request that ACT Policing provide a summary of active MOUs.	In progress
Recommendation 2 The Justice and Community Safety Directorate should, with ACT Policing, define the directorate's role and responsibilities, including in relation to strategic police policy development, in future Policing Arrangements and Purchase Agreements. This should be commensurate with the details currently included regarding ACT Policing's role and responsibilities.	Agreed The 2017-2021 Policing Arrangement and Purchasing Agreement better defines the directorate's role	Complete

Recommendation No. and summary	Action	Status
<p>Recommendation 3</p> <p>The Justice and Community Safety Directorate should develop a risk management plan for its management of the Policing Arrangement and associated Policing Agreement. The risk management plan should include risks associated with negotiating each Policing Arrangement and Purchase Agreement and the risks to the Justice and Community Safety Directorate and ACT Government in their implementation.</p>	<p>Agreed</p> <p>The directorate is working to develop the risk management plan for its management of the Policing arrangement and associated Policing Agreement by July 2019.</p>	In progress
<p>Recommendation 4</p> <p>The Justice and Community Safety Directorate should undertake a formal evaluation of the Policing Arrangement and the Purchase Agreement, against their objectives, when negotiating new Arrangements and Agreements.</p>	<p>Agreed</p> <p>The next formal evaluation of the Policing Arrangement and the Purchase Agreement will be initiated by no later than July 2020.</p>	Complete
<p>Recommendation 5</p> <p>The Justice and Community Safety Directorate should, in consultation with ACT Policing, assess the merits of increasing the length of the Policing Arrangement and the Purchase Agreements.</p>	<p>Agreed</p> <p>The duration of the Arrangement has been increased from the traditional 5 years to an enduring/ongoing agreement.</p>	Complete

Standing Committee on Justice and Community Safety Report No 7 - Inquiry into Auditor-General's Report on Rehabilitation of Male Detainees at the AMC – 2 August 2016

Table 49 Inquiry into Auditor-General's Report on Rehabilitation of Male Detainees at the AMC

Recommendation No. and summary	Action	Status
<p>Recommendation 1</p> <p>The Committee recommends that Corrective Services meet as fully as possible its statutory obligations with respect to the rehabilitation of detainees at the AMC, and further, noting the practical differences and possibilities for each category of detainee, the ACT government make provision for the agency to fulfil this obligation.</p>	<p>Agreed</p> <p>During 2016-17, ACTCS engaged an external consultant to develop the Operating Philosophy for the AMC. The Operating Philosophy then informed the Rehabilitation Framework, which was completed in March 2018 and is currently being implemented.</p>	Complete
<p>Recommendation 2</p> <p>The Committee recommends that ACTCS undertake enhanced training and programs to support rehabilitation practitioners at the AMC in</p>	<p>Agreed</p> <p>ACT Corrective Services now manually collects monthly data regarding the delivery of programs, further data capture</p>	In progress

Recommendation No. and summary	Action	Status
<p>their compilation, capture, management and retrieval of data on rehabilitation at the AMC.</p>	<p>systems will be implemented once CORIS™ (the new corrective services information management solution) is operational. Training will be provided as part of the implementation of CORIS™.</p>	
<p>Recommendation 3 The Committee recommends that ACTCS ensures that it acquires an information system able to support contemporary best-practice in data capture, supporting consistent data input and providing flexible reporting facilities to support the rehabilitation of detainees in the ACT corrections system, and that effective project management ensures that such facilities are implemented once the system is acquired.</p>	<p>Agreed Implementation of CORIS (the new corrective services information system) is progressing.</p>	<p>In progress</p>
<p>Recommendation 5 The Committee recommends that the ACT Government advise the Legislative Assembly for the ACT on progress regarding the appointment of an ACT Inspector of Prisons, or an equivalent office, as soon as practicable</p>	<p>Agreed The ACT's first Inspector of Correctional Services was appointed in March 2018.</p>	<p>Complete</p>
<p>Recommendation 6 The Committee recommends that ACTCS acknowledge, accept and implement the Auditor-General's view that the rehabilitation effort at the AMC should adopt a systematic approach, including by:</p> <ul style="list-style-type: none"> > establishing clear, coordinated, and consistent goals and objectives in the form of a comprehensive policy framework > aligning practice with policy > performing timely update of policy documents and guidelines > conducting evaluation as an integral part of program delivery > ensuring consistent creation, management and retrieval of data > implementing continuous improvement for all practices designed to support rehabilitation. 	<p>Agreed A rehabilitation framework for the Alexander Maconochie Centre (AMC) was completed in March 2018 and is currently being implemented. The Sentence Management Planning Guidelines are currently being developed.</p>	<p>In progress</p>
<p>Recommendation 7 The Committee recommends that ACTCS implement prison industries which cater to demand external to that generated by the AMC, as a matter of urgency, with a view to creating the 'structured day' envisaged for detainees in early planning documents for the AMC.</p>	<p>Agreed The expansion of the laundry and additional bakery, as well as the multi-purpose facility, were completed in 2017. These facilities will create an employment opportunity for female detainees. A structured day has been introduced within the female accommodation and this will now be considered for the remainder of the prison. In addition in excess of 100 detainees are</p>	<p>Complete</p>

Recommendation No. and summary	Action	Status
	employed across the site as cleaners, all have undertaken specific qualifications appropriate. Further initiatives continue to be explored and ACTCS will continue to develop industries over time.	
Recommendation 8 The Committee recommends that ACTCS engages the local ACT business community regarding planning and implementation of more extensive prison industries, and that it find ways to draw on existing business acumen within the ACT business community in order to develop and deliver successful prison industries.	Agreed A feasibility study has been completed which included market research, and options for engagement with the local community and businesses to assess opportunities for commercial expansion. ACTCS continues to engage with the ACT business community to develop prison industries.	Complete
Recommendation 9 The Committee recommends that the ACT Government continue support to organisations which work with detainees, and families of detainees, with a view to maintaining support networks for offenders and ultimately reducing rates of recidivism in the ACT	Agreed ACTCS has strong governance arrangements in place. Decisions related to Throughcare are brought to the Executive Governance Committee, and where relevant the Minister. In 2017 Throughcare was provided recurrent funding. Now that the service is operating as 'business as usual', stakeholder consultation occurs through a range of avenues including the Aboriginal Caucus and the Aboriginal and Torres Strait Islander Elected Body.	Complete

Standing Committee on Justice and Community Safety Report No 1 – Report on Annual and Financial Reports 2015-2016 – May 2017

Table 50 Standing Committee on Justice and Community Safety Report No 1 – Report on Annual and Financial Reports 2015-2016

Recommendation No. and summary	Action	Status
Recommendation 2 The Committee recommends that the ACT Education Directorate and the ACT Human Rights Commission, to the extent that work is not already taking place, coordinate their respective work to implement any relevant recommendations or responses to findings from the Royal Commission into Institutional Responses to Child Sexual Abuse.	Agreed in Principle The Royal Commission into Institutional Responses to Child Sexual Abuse released its Final Report on 15 December 2017. The Public Advocate and Children & Young People Commissioner, together with the Education Directorate, are members of the ACT Government's Royal Commission working group and have provided input into the ACT Government Response to the Royal Commission's recommendations, which is	Complete

Recommendation No. and summary	Action	Status
	<p>currently being finalised. The Human Rights Commission and Education Directorate will continue to work together to ensure that the implementation of any relevant recommendations are undertaken in a coordinated way.</p> <p>In addition, work is being undertaken by Legislation, Policy and Programs, with the recent establishment of the Royal Commission team to lead the ACT Government's engagement with the Commonwealth led Redress Scheme for survivors of institutional child sexual abuse and implement the Royal Commission's criminal law reform recommendations.</p>	
<p>Recommendation 16 The Committee recommends that the ACT Government:</p> <p>i) ensure that the Justice and Community Safety Directorate's new integrated computer management system (ICMS) be able to report on bail offences; and</p> <p>ii) inform the ACT Legislative Assembly as to when the new IMCS will be fully functional.</p>	<p>Agreed The ACTCT is continuing to implement the Integrated Courts Management System (ICMS).</p>	<p>In progress</p>
<p>Recommendation 18 The Committee recommends that the ACT Government prioritise an increase in accommodation available to women detainees at the Alexander Maconochie Centre (AMC).</p>	<p>Agreed in principle On 28 November 2017, ACTCS relocated female detainees from the Women's Cottage, to the Special Care Centre (SCC). Extensive consultation was undertaken with detainees, their families, the ACT Human Rights Commissioner, the ACT Health Services Commissioner, the Community and Public Sector Union and other key stakeholders prior to the move to ensure that the move was a success.</p>	<p>Complete</p>
<p>Recommendation 19 The Committee recommends that the Minister for Corrections detail to the ACT Legislative Assembly, by the last sitting day in 2017, the extent of their responsibilities and jurisdiction with regard to the Medical centre at the Alexander Maconochie Centre (AMC) where the methadone treatment program is administered.</p>	<p>Agreed in principle The Moss Review Annual Report was tabled in the ACT Legislative Assembly in February 2018.</p>	<p>Complete</p>
<p>Recommendation 20 The Committee recommends that, to the extent that work is not already taking place, the ACT Government commence the process of strategic planning for an ageing cohort of prisoners at the Alexander Maconochie</p>	<p>Agreed in principle ACT Corrective Services undertook a feasibility study to consider options for detainee accommodation. The feasibility study was completed in early 2018 and is being considered by Government.</p>	<p>Complete</p>

Recommendation No. and summary	Action	Status
Centre (AMC).		
<p>Recommendation 21 The Committee recommends that the ACT Government, as part of the upgrade of ACT Corrective Services' Offender Management System, ensure that its functionality provides for robust reporting on, and capacity for interrogation of, offender data from custodial and community based sentences. This enhanced functionality should also extend to the Sentence Administration Board.</p>	<p>Agreed Implementation of CORIS (the new corrective services information system) is progressing, and will include this functionality.</p>	In progress
<p>Recommendation 23 The Committee recommends that the ACT Government discuss and consult with key stakeholders, including the ACT community, as to the parameters and priorities of phase three of the Restorative Justice (RJ) scheme, in order to protect victims</p>	<p>Agreed The RJU is engaged in consultation for the use of restorative justice for phase three matters of the RJ Scheme. Reference groups have been held and stakeholders have been given the opportunity to view proposed guidelines for phase three. Additionally, manuals are being developed in consultation with key service providers.</p>	In progress
<p>Recommendation 26 The Committee recommends that the ACT Government deploy resources so that Rural Fire Service volunteers who have done basic training can be assessed in a timely way on competencies, and that the outcome of these matters be reported back to the Standing Committee on Justice and Community Safety before the start of the next ACT bushfire season</p>	<p>Agreed The Minister for Police and Emergency Services provided information on the assessment of ACT Rural Fire Service volunteers to the Standing Committee on Justice and Community Safety on 29 September 2017.</p>	Complete

Select Committee on Estimates 2017-18 Inquiry into Appropriation Bill (Office of The Legislative Assembly) Bill 2017-2018 – July 2017

Table 51 Select Committee on Estimates 2017-18 Inquiry into Appropriation Bill (Office of the Legislative Assembly) Bill 2017-2018

Recommendation No. and summary	Action	Status
<p>Recommendation 76 The Committee recommends that the ACT Government start collecting information and statistics on offences committed by those who were subject to either bail or parole orders.</p>	<p>Agreed in principle The ACT Government is continuing to progress a significant body of work to implement new information management systems including the Integrated Case Management System for the ACT Law Courts and the Corrective Services Information Solution for ACT Corrective Services. This will see significant improvements in the way information is</p>	In progress

Recommendation No. and summary	Action	Status
	recorded and available for reporting and other purposes.	
Recommendation 85	Agreed	
The Committee recommends that the Attorney General provide the ACT Legislative Assembly with an update on progress of the courts construction project by the last sitting day in August 2017.	An update to the Legislative Assembly was tabled by the Attorney-General in May 2018.	Complete
Recommendation 87 The Committee recommends that the ACT Government advise the Assembly as to the timeline for the Emergency Services Agency to acquire a fully operational aerial pumper, a crew to operate the aerial pumper, and an estimated budget.	Agreed in principle Funding for an aerial pumper was announced in the 2018-19 Budget. The procurement process has been initiated.	Complete

ACT Auditor-General's Report No.11/2017 –2016-17 Financial Audits – 6 December 2017

Table 52 ACT Auditor-General's Report No.11/2017 – 2016-17 Financial Audits

Recommendation No. and summary	Action	Status
<p>Recommendation 1</p> <p>The directorate did not always document the review by an independent officer of reconciliations of daily takings of court fees and fines to the record of takings. This increases the risk of errors and fraud not being detected in a timely manner.</p> <p>i)The directorate should consistently document the independent review by a separate officer of the reconciliation of daily takings to the record of takings recorded in the MAX system</p> <p>ii)Documentation should include the date of review, name and position of the independent reviewing officer and resolution of any errors or irregularities identified from the review</p>	<p>Agreed</p> <p>ACTCT have reminded all relevant staff of the need to include their name, position and date when signing the daily takings report as either the primary officer or the checking officer.</p> <p>In addition a number of steps have been taken to ensure compliance with this finding:</p> <ul style="list-style-type: none"> · The Procedures for Counter Officers has been updated and staff complete a new Daily Takings Cover Sheet that includes takings from MAX, library and photocopying, and the Integrated Courts Management System (ICMS). · All counter staff and backup staff have been walked through the process and have signed a new declaration form to be retained by the counter team leader. · ACTCT Governance have uploaded the revised counter procedures to a central location to provide easy access by all counter staff. · ACTCT will review the new counter 	Complete

Recommendation No. and summary	Action	Status
	procedures in late 2018 to ensure that they are practical and effective.	
<p>Recommendation 2</p> <p>The directorate should:</p> <p>i)Consistently review salary reports for each cost centre on a timely basis (e.g. within two weeks of the end of the pay fortnight); and</p> <p>ii)Maintain documentation of the reviews, including the date of review, name and position of the reviewing officer and resolution of any issues identified from these reviews.</p>	<p>Agreed</p> <p>The directorate is currently discussing the implementation of an electronic salary report review module with Shared Services to improve compliance with salary reporting requirements.</p> <p>A review of salary report sign off will be undertaken by the directorate's internal audit team in early 2019 to ensure controls implemented are practical and effective.</p>	In progress
<p>Recommendation 3</p> <p>The directorate should:</p> <p>i)review and improve its processes for the preparation of its statement of performance, where systems relied on for accountability indicators have been changed or updated, to provide assurance that the reported results of accountability indicators are accurate; and</p> <p>ii)provide its certified statement of performance to the Audit Office in accordance with the whole-of-government reporting timetable.</p>	<p>Agreed</p> <p>The directorate issued a corrigendum to correct its errors in the 2016-17 annual report on 1 November 2017.</p> <p>In addition, the directorate:</p> <p>a) internally reviewed the accuracy of the data that has been migrated to the ICMS and corrected it where necessary</p> <p>b) engaged an external service provider to undertake an additional independent review of first quarter and mid-year statements of performance</p> <p>c) sought programming changes to the ICMS to resolve issues as to how it has classified some migrated data in terms of case types of status</p> <p>d) introduced monthly checks and other quality assurance measures to verify the accuracy of data in the ICMS on an ongoing basis</p> <p>e) arranged for an expert from WA to review ACTCT reporting tools</p>	Complete

ACT Auditor-General's Report No.04/2018 –2016-17 Financial Audits – Computer Information Systems – 28 February 2018

Table 53 ACT Auditor-General's Report No.04/2018 –2016-17 Financial Audits – Computer Information Systems

Recommendation No. and summary	Action	Status
<p>Recommendation 5</p> <p>The Canberra Institute of Technology, Chief Minister, Treasury and Economic Development Directorate, Community Services Directorate, Cultural Facilities Corporation, Environment, Planning and Sustainable</p>	<p>Partially agreed.</p> <p>The directorate has requested that Shared Services ICT update their Generic Account Form to include final authorisation from Directorate Chief</p>	In progress

Recommendation No. and summary	Action	Status
<p>Development Directorate, Health Directorate, Justice and Community Safety Directorate, Office of the Legislative Assembly and Transport Canberra and City Services Directorate should:</p> <ol style="list-style-type: none"> 1. remove all generic (shared) user accounts and assign all users with a unique user name and password; 2. require passwords for generic (shared) user accounts to be changed every 90 days in accordance with the ACT Government's Password Standard; and 3. implement alternate secure network logon methods (in consultation with Shared Services ICT) that facilitate fast access to systems, where such access is required. This may include, for example, swipe card or biometric (e.g. fingerprint or facial recognition) readers. 	<p>Information Officers. JACS is also currently investigating alternative options for the use of generic user accounts.</p> <p>Additionally, during 2018-19, the directorate will collect and review all authorised Generic Account Forms from Shared Services ICT. Director-General level Risks Statements for any remaining generic user accounts will then be authorised and the 90-day password change policy will be applied.</p>	
<p>Recommendation 8 The Community Services Directorate, Health Directorate, Justice and the Community Safety Directorate and ACT Electoral Commission should:</p> <ol style="list-style-type: none"> 1. for any of their systems that are government critical, implement arrangements that provide assurance these systems are continuously available. This could be achieved by duplicating ICT systems (data and infrastructure) at a location other than where they are housed; and 2. document these arrangements (e.g. duplicate information technology infrastructure arrangements) in their business continuity and disaster recovery plans. 	<p>Agreed.</p> <p>Back-up (redundancy) of ACT Emergency Services Agency Feature Manipulation Engine (ESA-FME) was completed in September 2016 with a primary and secondary data centre in place.</p> <p>In addition, the FLAMES disaster recovery review was completed in mid-2018 and High Availability has been implemented.</p>	<p>Complete</p>

B.4 RISK MANAGEMENT

Risk Management

Risk management is a fundamental part of the directorate's governance framework, and assists the directorate in meeting its strategic and operational objectives.

The directorate will generally not accept High and Extreme risk levels; however, circumstances may mean that some High and Extreme risks are necessarily accepted by the Director-General and the Senior Management Committee (SMC) due to no practical treatment option being available to avoid, transfer or reduce the risk to a lower level and the opportunities, benefits or situation sufficiently outweighs and justifies the risk

The directorate is currently reviewing its Risk Management Plan in line with the ACT Insurance Authority's (ACTIA) review of the Whole of Government Risk Management Framework. JACS' current Risk Management Plan provides the necessary foundations and guidance on risk management processes throughout the directorate and ensures a consistent, efficient and effective approach to identifying and managing risk. Our risk management processes currently comply with AS/ NZS ISO 31000:2009 Risk Management—Principles and Guidelines and will be updated during 2018-19 to comply with ISO 31000:2018 - Risk Management Standard.

Risk Management Statement

Risk management in the directorate supports the ACT Government's commitment to 'managing risk to meet its fiscal, social and environmental responsibilities'.

Risk is inherent in all directorate functions; the elimination or avoidance of all risk is not practical or appropriate. A strategic systematic approach to risk management, aligned with organisational objectives and strategies, will enable sound judgements and decision making and cost effective use of resources and will maximise potential opportunities while minimising adverse consequences.

Sound risk management principles are integrated into all aspects of the directorate's work to identify and mitigate risks, while fostering a culture of innovation, continuous improvement and high performance.

The key objectives of the directorate's risk management framework are:

- > consistent, confident and accountable planning and decision making
- > identifying and taking opportunities to improve performance but also avoiding or reducing the risk of something going wrong
- > anticipating future risks and recognising external factors that may impact the organisation
- > effective allocation of resources
- > sound stakeholder confidence and trust
- > compliance with relevant legislation and governance requirements
- > an appropriate balance between the cost of managing risk and the anticipated benefits, and

> a clear understanding by all staff of their roles, responsibilities and authorities for managing risk.

The directorate will generally not accept High or Extreme risk levels. However, circumstances may mean that some High and Extreme risks are necessarily accepted by the Director-General and the Strategic Management Committee due to no practical treatment option being available to avoid, transfer or reduce the risk to a lower level and the opportunities, benefits or situation sufficiently outweighs and justifies the risk. Having noted that overall position, it is inappropriate to:

- > threaten the health and safety of the directorate's staff, customers or stakeholders
- > breach the directorate's legislative obligations, including the ACT Public Sector Code of Conduct and the Code of Ethics
- > damage the interests or reputation of the ACT Government or the directorate
- > damage the directorate's credibility with the government, the Legislative Assembly, the ACT community or other key stakeholders
- > incur a significant financial loss or other liability to the ACT Government or the directorate, and
- > accept any form of fraud or integrity breach.

All risks are to be treated, monitored and escalated in accordance with the directorate's Risk Management Plan and managed to a level that is as low as reasonably practicable.

Risk Registers

The directorate has and business unit risk registers which itemise risks at the strategic, business and operational levels, and also identify the directorate's fraud risk exposure.

The risk registers are reviewed and refined regularly. The process for identifying risks has matured considerably over the past few years, with greater understanding being developed by the directorate in the value of risk management to the organisation.

During 2017-18, JACS formally reported on strategic risk to the SMC. The strategic and business unit risk registers are also presented to the Audit and Performance Committee (APIC) on a regular basis. Both APIC and SMC identify action items to be undertaken to enhance the risk management program. This is a process of continuous improvement and maturity of risk management capability. The APIC Chair reports to the Director-General on the directorate's governance, risk and internal control environment after each APIC meeting.

Business unit heads are routinely required to present to APIC on the identification of risk, as well as the way in which risks are controlled by the business unit in practice.

Risk Awareness and Training

Further investment has been made by the directorate in supporting staff to attend relevant ACTIA risk management training programs which are aimed at assisting teams to develop and continue to refine their risk registers. During the 2017-18 financial year, three directorate staff attended Introduction to Risk Management training provided by ACTIA, and workshops were held with a further 33 staff and executives to undertake environmental scans and validate the effectiveness of the controls and treatments included in a range of risk registers. In 2018-19, the directorate will continue to engage with ACTIA to further develop the directorate's risk maturity.

Additionally in 2017-18, 93 directorate staff attended five project management and governance training courses, each of which included a risk management and awareness component.

Table 54 Risk awareness and training courses offered in 2017-18

Program	Number of staff
ACTIA Introduction to Risk Management	3
ACTIA Risk Register Review Workshops	33
Project Management and Governance: Fundamentals	47
Project Management and Governance: Practising Project Management	17
Project Management and Governance: Project Steering Committee	5
Project Management and Governance: Executive Project Boards	23
Prince 2 Foundation & Practitioner	1
Total	129

B.5 INTERNAL AUDIT

Internal Audit

The Governance, Coordination and Reporting section is responsible for internal audit and provides an independent, objective review and advisory service which:

- > provides assurance to the Director-General that the directorate has financial and operational controls in place to manage risks and achieve the directorate's objectives, including assurance that controls are operating in an efficient manner, and
- > assists in improving the directorate's business performance

Internal audit activity encompasses the review of all financial and non-financial policies and operations. Internal audits and reviews may cover any of the programs and activities of the directorate, together with associated entities as provided for in relevant business agreements, Memoranda of Understanding or contracts, and may be conducted by the directorate's Internal Audit staff or by an external contractor.

The directorate's responsibility under the *Financial Management Act 1996* includes the maintenance of an APIC to consider governance structures as outlined in the ACT Government's Internal Audit Framework.

Audit Performance and Improvement Committee

The Audit and Performance Improvement Committee (APIC) is a key part of the governance arrangements of the directorate, with particular emphasis being placed on better practices, continuous improvement, internal control mechanisms, risk management strategies, internal audit and ethical behaviour and integrity. The APIC does not replace or duplicate any established management responsibilities, accountabilities or delegations and, through the Chair, provides independent advice and reports directly to the Director-General.

The APIC Charter was reviewed during 2017-18, resulting in a new Terms of Reference being established in its place for implementation during 2018-19.

The APIC oversees the development and implementation of the three-year strategic internal audit plan and the 12-month audit work plan. Both plans use a risk-based methodology to identify areas of strategic and operational risk.

As part of the annual audit program, ten audits and reviews were presented to APIC for consideration in 2017-18:

- > JACS Assurance Map
- > Procurement Audit
- > AMC Detainee Trust Account Fraud Risk Assessment
- > Review of Security of Ambulance Medication Kits
- > HP Records Manager & Access Controls Review
- > Warrant Procedural Review
- > Accountability Indicators Review

- > Statement of Performance Recommendations Review
- > Human Rights Commission, Public Trustee and Guardian and 12 Moore Street Business Continuity Tests, and
- > Bushfire Preparedness Risk Assessment.

Field work was in progress for a further two audits, both of which are expected to be presented to APIC in September 2018. These audits are as follows:

- > ACT Courts and Tribunal Travel Entitlements, and
- > Security and Emergency Management Branch Grant Management.

APIC Members

From 1 July 2017 – 30 June 2018, the APIC comprised four members: an independent chair, an external member from another ACT Government directorate, the directorate's Deputy Director-General, Justice and the directorate's Deputy Director-General, Community Safety.

During 2017-18, APIC met five times including to review the directorate's financial statements. The table below provides more information regarding the membership and attendance of APIC.

Table 55 APIC Members 2017-2018

Name of Member	Position	Duration	Meetings attended
Peter Hoefer (left during 2017-18)	Independent Chair (end of appointment April 2018) (Kate Freebody attended the meeting of 25 July 2017 as the Acting Independent Chair)	January 2012 to April 2018	4
Kate Freebody	Independent Chair (appointed March 2018) (attended the meeting of 28 March 2018 as an observer)	April 2018 to June 2018	2
Richard Glenn	Member, Deputy Director-General Justice	November 2017 to June 2018	3
David Pryce	Member, Deputy Director-General Community Safety (Cherie Hughes attended the meeting of 23 May 2018 as the Acting Deputy Director-General, Community Safety)	February 2017 to June 2018	3
David Hart (left during 2017-18)	Independent Member, Senior Manager, Governance (Chief Minister, Treasury and Economic Development Directorate)	April 2015 to March 2018	2
Cherie Hughes	Independent Member, Chief Operating Officer, Transport Canberra and City Services (Vanessa Little attended the meeting of 23 May 2018 as the Acting Chief Operating Officer, Transport Canberra and City Services)	March 2018 to June 2018	2

B.6 FRAUD PREVENTION

Fraud and Corruption Prevention Planning

The directorate revised and published the Fraud and Corruption Prevention Plan in 2017. The plan provides the framework for raising awareness of, and reducing and managing instances of fraud and corruption in the directorate.

The directorate maintains a SharePoint register which captures fraud risks at the strategic, business, and operational level, which is reported to the APIC on a regular basis.

Fraud Awareness Training

The directorate continues to increase staff awareness in relation to ethics, integrity, and fraud and corruption prevention through staff training and development. Fraud and ethics training is mandatory for all directorate staff.

In 2017-18, the directorate conducted five programmed sessions, which supported the attendance of 71 staff.

The awareness program for supervisor and manager-level employees focuses on understanding accountabilities, identification of fraud/ethical risks and promotion of ethical workplaces.

The awareness program for all staff focuses on understanding responsibilities and reporting suspected fraud or corruption. Elements of the all-staff awareness program have also been incorporated into the induction program for new starters.

The JACS directorate continues to raise awareness of fraud and corruption risks through various mechanisms such as the directorate intranet, the newsletter and regular all staff emails from the Senior Executive Responsible for Business Integrity Risk (SERBIR).

Senior Executive Responsible for Business Integrity Risk

The Executive Director, Governance, is the directorate's SERBIR and manages information pertaining to actual, alleged or suspected cases of fraud.

Fraud Detection – Incidents of Potential Fraud Detected in 2017-18

As a result of reporting and review mechanisms within the directorate, two instances of alleged or suspected cases of fraud were reported in 2017-18, as detailed in the table below.

Table 56 Suspected fraudulent behaviour reported

No.	Allegation	Outcome
1	False reimbursement claim	Under investigation.
2	Missing cash	Strengthened cash management and handling processes implemented.

B.7 WORK HEALTH AND SAFETY

In 2017-18, the directorate undertook a number of Work Health and Safety (WHS) activities including:

- > during the reporting period the Director-General's Tier 1 WHS Committee met quarterly. Tier 2 and 3 WHS meetings were also held throughout the directorate's business units ensuring ongoing compliance with WHS legislation and due diligence obligations
- > assessing all accidents and incidents reported via the ACT Government's incident reporting system Riskman
- > promoting WHS Due Diligence requirements via the directorate's WHS consultative framework
- > ongoing promotion of early incident reporting to all of the directorate's business units
- > providing advice and support to the directorate's 77 Health and Safety Representatives on safety related matters
- > providing WHS risk awareness sessions to business units when requested
- > promoting the Employee Assistance Program (EAP)
- > identifying, assessing and monitoring workplace related risks, and
- > engagement and consultation with relevant union bodies.

Improvement Notices

There were no improvement, prohibition, enforceable undertaking or non-disturbance notices issued for the reporting period.

There were no recorded instances of failure to comply with a safety duty under Part 2 Division 2.2, 2.3 or 2.4 of the *Work Health and Safety Act 2011*.

Serious Injury or Illness and Dangerous Incidents that required Notification

There were 667 incidents submitted via the ACT Government online accident/incident reporting system, Riskman, by directorate employees in the reporting period. Of these, 16 were deemed to be notifiable to WorkSafe ACT in accordance with section 38 of the *Work Health and Safety Act 2011*. the directorate's WHS team continues to encourage employees to report near misses to assist the directorate to prevent future incidents.

Injury prevention programs

In 2017-18, the directorate undertook a number of WHS activities to contribute to injury prevention and positive return to work outcomes. These included:

- > four WHS information sessions for ACTF&R, with 20 firefighters participating during the reporting period
- > ACTSES, ACTAS and ACTCT participated in a WHS baseline gap analysis program
- > coordination of a National Safe Work Month event 'Climate Change a Risk to Workers'

- > promotion of WHS legislation and due diligence obligations at Work Health and Safety Committees
- > educating business units in the use of root cause analysis as a methodology to assist in identifying the underlying causes of an incident
- > utilising the using the ACTPS early physiotherapy intervention program to minimise time off work for people injured in the course of their work
- > development of a Managing Ill and Injured Employees handbook for managers
- > conducting mental health awareness programs
- > the directorate's EAP providers conducted mental health awareness programs, and
- > appointment of a Senior Injury Management Coordinator who assists in supporting injured workers.

Consultation Arrangements

Outside of the Director-General's committee, newly developed policies and guidelines are provided to business units' WHS committees for comment and feedback as part of the directorate's established consultation process. Business units continue to include WHS as a standing agenda item in team meetings.

The directorate has 77 Health and Safety Representatives (HSRs) who are elected to represent the health and safety interests of workers in a work group. HSRs assist in developing and maintaining a partnership between the directorate and workers on health and safety issues and assist in contributing and maintaining health and safety workplaces.

The directorate has ongoing liaison with unions who represent workers' views on health and safety matters.

Training

In 2017-18, the directorate offered a range of programs directed towards increasing knowledge and awareness of injury prevention principles and practices. These included:

- > conducting work health and safety risk assessment workshops
- > providing training and maintenance skills for emergency wardens, first aid officers and health and safety representatives
- > presenting information to new employees about their WHS responsibilities as part of the directorates induction program
- > conducting workshops in the principles of root cause analysis
- > conducting de-escalation training, and
- > supporting and training health and safety representatives.

Health and Wellbeing

The directorate offered a range of health and wellbeing activities throughout the reporting period:

- > access to gymnasiums and equipment for ESA and ACTCS employees
- > supporting employees with financial assistance towards the purchase of health promotion activities and supporting equipment
- > 863 employees and volunteers received a flu vaccination, and

- > promotion of the ACTPS EAP, peer support program and the REDCO network.

Injury Management (National WHS Targets)

Target 1 – Reduce the incidence rate of claims resulting in one or more weeks off work by at least 30 per cent

There was a 4.5 per cent increase in the rate of claims resulting in one or more weeks off work during the reporting period. The WHS team continues to work with business units to implement prevention strategies and to carry out root cause analysis of incidents resulting in one or more days off work to reduce incidents resulting in claims within this category.

Table 57 Target 1 – Reduce the incidence rate of claims resulting in one or more weeks off work by at least 30 per cent

Financial Year	New 5 day claims	Rate per 1000 employees	Agency Target	ACTPS new 5 day claims	Rate per 1000 employees	ACTPS Target
2012-13	42	27.68	21.59	274	13.42	12.08
2013-14	31	20.11	20.92	257	12.20	11.70
2014-15	22	13.91	20.25	228	10.49	11.33
2015-16	26	15.78	19.58	205	9.36	10.96
2016-17	38	23.38	18.92	243	10.91	10.58
2017-18	44	24.44	18.25	202	8.93	10.21

Data is based on those claims received by Comcare in each financial year.

Past year's claim numbers may differ from results published in previous annual reports due to maturation of claims data.

Target 2: Reduce the incidence rate of claims for musculoskeletal disorders (MSD) resulting in one or more weeks off work by at least 30%

There was a 24 per cent increase in the number of claims linked to Target 2. While there are specific injury prevention strategies in place, this figure highlights the risk profile of the directorate's business units compared to the broader ACTPS.

The WHS team continues to work with business units to promote employee access to the ACT Government physiotherapy early intervention. The directorate acknowledges that paramedics suffer musculoskeletal injuries as they perform heavy physical work in uncontrolled environments. To assist, the ACTAS commenced the introduction of electric stretchers during the reporting period to operational vehicles.

Table 58 Target 2: reduce the incidence rate of claims for musculoskeletal disorders (MSD) resulting in one or more weeks off work by at least 30 per cent

Financial year	# new 5 day MSD claims	Rate per 1000 employees	Agency Target	ACTPS new 5 day MSD claims	Rate per 1000 employees	ACTPS Target
2012-13	25	16.48	15.52	183	8.96	8.29
2013-14	22	14.27	15.04	175	8.31	8.03
2014-15	13	8.22	14.56	144	6.63	7.78
2015-16	16	9.71	14.08	146	6.67	7.52
2016-17	24	14.77	13.60	150	6.73	7.26
2017-18	33	18.33	13.12	128	5.66	7.01

Data is based on those claims received by Comcare in each financial year.

Past year's claim numbers may differ from results published in previous annual reports due to maturation of claims data.

B.8 HUMAN RESOURCES MANAGEMENT

Introduction

In July 2017, the directorate launched its Workforce Strategy 2017-19 (the Strategy) which aims to build a workforce that is engaged, enabled and empowered to achieve the directorate's strategic goals and operational imperatives into the future.

The Strategy focuses on six key domains of contemporary human resource management:

1. Planning – a planned and sustainable workforce
2. Recruitment – the right people in the right jobs at the right time
3. Engagement – an engaged, included and committed workforce
4. Wellness – a healthy and resilient workforce
5. Capability – a knowledgeable, skilled and able workforce, and
6. Performance – a high performing, empowered and accomplished workforce

To support the implementation of the Strategy, a governance structure was established that consists of an executive level implementation committee supported by a Workforce Practitioners Working Group. This structure enables early development of initiatives in consultation with business areas to ensure that the policy initiative is fit for purpose.

The following initiatives in the Strategy have been progressed during 2017-18:

- > developed a Strategic Workforce Planning Framework and Guideline
- > strengthened HR analytics and reporting activities for business units
- > upgraded the Kronos workforce rostering system in ACTAS and work is in progress to expand the system to support rostering in ACTF&R and ACTCS
- > conducted a review of recruitment and selection processes to ensure fair, transparent, equitable and effective practices
- > ensured appropriate placement and support for employees who have been injured during the course of undertaking their duties through the development and implementation of a Redeployment and Placement initiative
- > implemented a cascading approach to performance planning
- > engaged a workplace coach to assist managers in developing the skills to manage complex people issues and provide support to business units to prevent the escalation of conflict in teams
- > developed and implemented an Injury Management policy to better manage injury and illness in the workplace
- > strengthened the capability of our managers through the development and implementation of an Essential of People Management training program
- > building workforce capability in critical skills including business writing and project management, and
- > White Ribbon Workplace Accreditation.

The directorate continues to implement its Inclusion Statement 2016-2019 to build an inclusive workplace culture. Senior Executives have been appointed to champion the directorate's plans in each of the focus areas.

New Administrative Arrangements during the reporting year included the transfer of the Office of the Coordinator-General for Family Safety to the Community Services Directorate.

Learning and Development

The directorate continues to invest in building the capability of its workforce to meet its service delivery requirements. Within the directorate there are two Registered Training Organisations (RTOs) which deliver nationally recognised qualifications for employees of the ACTCS and employees and volunteers of ESA.

Programs delivered also supported the ACTPS core terms and conditions of the Enterprise Agreements 2013-2017, with reference to developing our people in the relevant enterprise agreements and whole of government learning and development activities.

Training

The directorate's employees were provided with access to a range of learning and development opportunities delivered by internal and external training providers.

During the reporting period, there were 2,566 attendances in learning and development programs including studies assistance (excluding the DPP, PTG and vocational training provided by ACTCS and ESA RTOs). These programs were facilitated by the directorate's Organisational Development Unit and CMTEDD's Public Sector Management Group Workforce Learning and Development Unit, and included specialist programs facilitated within the business unit.

The learning and development highlights for 2017-2018 include:

- > 32 staff undertook leadership programs
- > customised fraud and ethics awareness training for 125 directorate managers and staff
- > new starters in the directorate attended Performance and Development Plans sessions as part of the directorates induction program
- > 142 staff attended RED awareness sessions which include identifying and responding to incidents of inappropriate behaviours, and
- > ongoing support of RED contact officers with 35 (including PTG).

Directorate staff also participated in ACTPS-wide learning and development initiatives including the ACTPS Graduate Program, ANZSOG Executive Master of Public Administration, IPAA ACT Future Leaders Program and IPAA ACT Mentoring Program.

Of the participants who attended these programs, 44.4% were male and 55.6% were female.

During the reporting period, the directorate's executives also participated in the ACTPS and directorate executive leadership development events and workshops.

ACT Training Calendar

The directorate continued to support participation in training coordinated by the Workforce Learning and Development Unit of the CMTEDD via the ACTPS Training Calendar. During the reporting period, there were 295 attendances valued at \$109,198 in these training activities.

Study Assistance

The directorate continued its support for staff through its study assistance scheme. In 2017-18 the directorate invested \$118,530 in study assistance for 79 staff (excluding PTG), including two Aboriginal and Torres Strait Islander staff members.

Registered Training Organisations

ACTCS and ESA continue to maintain their status as RTOs, providing nationally-accredited packages for staff.

ACTCS RTO

The ACTCS RTO is managed by the Training and Development Unit (TDU). The RTO continues to deliver nationally-recognised training and assessment from the Corrective Services Training Package for new staff working as correctional officers in ACTCS. The provision of training supports officers to develop the range of skills and knowledge required to meet the operational needs of ACTCS. The RTO Operations Manager manages the delivery of nationally recognised training according to standards and a continuous improvement strategy to enhance ongoing compliance.

During the reporting year, the RTO enrolled 41 students in the Certificate III in Correctional Practice, with 24 completing the qualification and a further 16 expected to complete by the end of July 2018.

Of the newly-enrolled and continuing students, eight self-identified as Aboriginal or Torres Strait Islander.

The RTO has developed and commenced the rollout of a pilot of a Certificate IV in Correctional Practice (Community) qualification as a Recognition of Prior Learning (RPL) program for Community Corrections Officers.

In relation to professional development, ACTCS trainers and assessors hold the required qualifications for training and assessment and have maintained currency through ongoing operational exposure to policies, procedures and practice.

ESA RTO

The ESA RTO maintained registration under the *Standards for RTOs*, externally validated by the Australian Skills Quality Authority (ASQA); and extended the Funding Agreement with Skills Canberra, allowing for ongoing delivery of qualifications under Australian Apprenticeship arrangements.

ESA Training continued delivery of skills acquisition and refresher training in Australasian Interagency Incident Management System (AIIMS) for ESA staff, volunteers, and individuals from external agencies supporting the ESA during coordination of major emergencies. Additionally, ESA Training successfully delivered a pilot program to provide qualifications for AIIMS Level 3 Incident Controllers.

A total of 192 individuals participated; 88 from external agencies. The ESA exceeded its performance target of 50% of all staff to hold accredited AIIMS training, achieving 71%.

An additional 139 staff and volunteers completed training in asbestos awareness. Mental Health First Aid training continued with 67 staff and volunteers and external agencies completing this program.

ESA RTO issued 90 qualifications from the Public Safety Training Package and eight from Health Training Package during the financial year, to both employees and volunteers.

Qualifications and units of competency were obtained through structured programs, including:

- > ACTF&R Recruit College; Senior Firefighter Development Program and Station Officers Development Program.
- > ACTAS delivered a Call Taker program and a Non-Emergency Patient Transport program.
- > ACTRFS Bushfire Fighter, Advanced Firefighter and Crew Leader programs. All ACT RFS programs now include RPL pathways; allowing members to transition seamlessly from interstate fire agencies, as well as gaining formal certification for their skills, knowledge and experience.
- > ACTSES Induction and Team Leader programs have been successfully delivered. Changes to SES recruitment and induction processes has resulted in over 30% of the current induction cohort being women.

Twenty students from ACTF&R began training under Australian Apprenticeship arrangements.

Provision of Other Training

During the reporting period, the ACTGS, ACTCT, HRC and PCO delivered training to staff and clients. The purpose of the training was to improve understanding of their business and/or compliance with the relevant ACT legislation.

Future Staff Development

Staff development for 2018-2019 will continue be guided by the directorate's Workforce Strategy 2017-2019 and be informed by Performance and Development Plans. The Strategy provides a platform to ensure the directorate's workforce is engaged, enabled and empowered to achieve the directorate's future strategic goals and operational imperatives.

Business units and RTOs will continue to deliver relevant training to their employees.

Graduate Program

In 2017-18, the directorate engaged four graduates under the ACTPS Graduate Program with all four graduating in December 2017. These graduates attended the directorate's induction as well as graduate network meetings. They had the opportunity to meet senior management whom they would not normally engage on a regular basis. Graduate supervisors were provided with additional training to support the graduates in their transition to the Public Sector. Six graduates joined the directorate in February 2018.

Internships and Work Experience

Throughout the reporting period, the directorate offered 24 internship and seven work experience places across its business units.

The directorate also offered work experience opportunities for six people under the Work Experience and Support Program (WESP).

Respect, Equity and Diversity and Social Inclusion

The directorate values the diversity of its workforce and continues to promote an inclusive culture where all staff are treated with respect and fairness. This commitment is supported through the implementation of:

- > the directorate's *Inclusion Statement 2016-2019* - which sets the foundation on which the directorate will progress its efforts to build an inclusive workplace culture
- > the directorate's *Workforce Strategy 2017-2019* - which aims to building an engaged, inclusive and committed workforce
- > the *Aboriginal and Torres Strait Islander Employment Action Plan 2016-2019*, and
- > the *Employment Action Plan for People with Disability 2016-2019*.

Senior executives are supported by the Senior Advisor Social Inclusion who is responsible for developing and promoting inclusive practices in the directorate. The directorate's RED Executive Sponsor, Deputy-Director General Justice, oversees the program of work and the directorate's progress.

The directorate organised and participated in a number of activities to reinforce the RED message and social inclusion, including:

- > conducting RED awareness training for 126 staff
- > supporting 35 directorate RED Contact Officers (including one from the PTG)
- > promoting RED and social inclusion through our internal newsletter, JACS News
- > conducting Aboriginal and Torres Strait Islander Cultural Awareness training for 57 staff, including operational staff from ACTCS who attend this training as part of their induction program
- > conducting the directorate's Indigenous Scrabble Tournament to raise money for the Indigenous Literacy Foundation
- > conducting disability discrimination and awareness training facilitated by the HRC
- > attending the Menslink Business Breakfast
- > supporting staff participating in LGBTIQ awareness training facilitated by Aids Action Council and the A Gender Agenda
- > continued provision of carers and breastfeeding rooms
- > conducting Pride in Diversity networking events, and
- > celebrating Harmony Day.

The directorate celebrated a number of other significant days including:

- > International Day Against Homophobia, Biphobia and Transphobia on 17 May 2018
- > Wear it Purple Day on 25 August 2017 in support of sexuality and gender diversity as well as broader support of the LGBTIQ community
- > Mental Health Week, 8-14 October 2017, and
- > International Day of Persons with Disabilities on 3 December 2017.

On 25 November 2017, White Ribbon Day, the Director-General announced that the directorate would commence White Ribbon Workplace Accreditation in 2018. A number of events were conducted to support White Ribbon Day including:

- > ESA held a 2017 White Ribbon Breakfast at the Legislative Assembly hosted by Minister Gentleman. Sue Salthouse spoke about the intersection between violence against women and women with disability.
- > attendance at the 2017 *International Day for the Elimination of Violence against Women* lunch, hosted by Domestic Violence Prevention Council (DVPC) and Domestic Violence Crisis Service (DVCS), and
- > attendance at the Domestic Violence Crisis Service 2018 gala ball for directorate staff and various community sector stakeholders.

The accreditation process commenced in early 2018 with a strong staff response to the White Ribbon Baseline Survey

Aboriginal and Torres Strait Islander Staff

The directorate's staff participated in a number of events to support our Aboriginal and Torres Strait Islander workforce throughout the reporting period including:

- > NAIDOC week activities including:
 - ACT NAIDOC Awards Ball
 - ACT NAIDOC Family Day where the Human Rights Commission held a stall
 - NAIDOC Flag Raising Ceremony
 - ACTCS NAIDOC Family Day at the AMC, which was attended by detainees and their families; and Annual Combined ACTCS and Southside Community Services Art Exhibition which showcased artworks from the AMC and the community.
- > Fourteen staff participated in the ACT Council of Social Services (ACTCOSS) Aboriginal Cultural Awareness program. Attendees included the Executive Champion for Aboriginal and Torres Strait Islander staff, Mark Brown.

More information about the directorate's programs to increase Aboriginal and Torres Strait Islander representation can be found in section B.1 Organisational Overview.

People with Disability

People with disability remains a high priority for the directorate. The Employment Action Plan for People with Disability provides the platform to drive the key objectives to:

- > attract people with disability to the directorate - the directorate will increase employment opportunities and outcomes by improving internal recruitment processes and supporting materials, and actively engage the community to increase employment opportunities for people with disability
- > improve the retention of employees with disability - the directorate will work towards changing its culture from within by increasing staff awareness about people with disability, making reasonable workplace adjustments and improving staff management practices, including promoting self-identification through our internal systems
- > provide career development for staff with disability and enhance the capability of all staff to better understand, encourage and support colleagues and clients with disability.

To support these activities the directorate has formed the Director-General Advisory Group on People with Disability. This advisory group will play an integral role in assisting the directorate to ensure our approaches are inclusive and consistent with community values and expectations.

At 27 June 2018, 47 employees (2.5% of the workforce) self-identified as people with disability. The directorate has seen an ongoing increase in the number of employees who self-identify and this is reflective of a range of initiatives that have been implemented.

During the reporting period, the directorate:

- > promoted flexible workplace arrangements to support employees to work part-time to enable them to balance work and life responsibilities
- > provided staff with access to relevant training on disability and mental health awareness
- > continued to ensure reasonable adjustments are made for people with disability
- > employed two graduates who identified as a people with disability
- > established a network for staff with disability
- > promoted and recognised Mental Health Week, R U OK Day and the International Day of People with Disability and participated in the Chief Minister's Inclusion Awards Dinner
- > supported the ACTPS Disability Employment Pathways program
- > participated in the Disability Employment Provider Expo in August 2017
- > provided information and guidance for trainers and assessors on incorporating reasonable adjustment strategies into assessment processes through the directorate's RTO Operating Policy, and
- > provision of disability discrimination training to stakeholder by the HRC.

Women

During the reporting period, the directorate undertook specific recruitment activities targeting women.

The ESA continues its efforts under the Women in Emergency Services Strategy (WIES) to increase the number of women representation. In the most recent recruit college (Recruit College 39) four of the 17 fire fighters to graduate were females.

The directorate also continued to contribute to the ACT Women's Action Plan focusing on ways to increase female representation at all levels in the organisation. This work is driven by the directorate's workforce Executive Champion for Women, ESA Commissioner, Dominic Lane.

The directorate celebrated 2018 International Women's Day with a range of events including:

- > A presentation by Sally Moyle (CEO of Care Australia) and Nipuni Wijewickrama (Co-founder of social enterprise GGs Flowers) providing an international and ACT perspective on 'Leave no Woman Behind'
- > Brigadier Natasha Fox (Australian Defence Force) spoke to ESA staff on the topic 'blazing a trail to the top in the military', and
- > ACTCS staff participation in a morning tea provided by the male staff of 2CA.

We continue to develop our women who participated in a range of leadership programs including:

- > ANZSOG Executive Master of Public Administration
- > IPAA Future Leaders Program
- > IPAA Mentoring Program
- > Public Sector Management Program
- > Women in Leadership Summit

- > YWCA She Leads Diploma of Leadership and Management, and
- > Australian Institute of Policy Management - Balance: Women Leaders in Public Safety Program.

Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ)

To continue to ensure that the directorate mirrors the community we serve, and also to create safe places for an inclusive working environment, in 2017-18 the directorate undertook the Aids Action Council and the A Gender Agenda education and training on LGBTIQ awareness and inclusivity. The basic training program covered a wide range of topics and encouraged individuals to contemplate their own level of awareness and workplace inclusiveness.

The directorate will continue to explore further developmental opportunities through our Inclusion Statement 2016-2019 and further work with the current workforce Executive Champion, Commissioner for Disability, Health and Community Services, Karen Toohey.

Culturally and Linguistically Diverse (CALD) Staff

As at 27 June 2018, the directorate had 170 employees (9.1% of the workforce) who identify as being from a culturally and linguistically diverse background. As part of valuing workplace diversity and inclusion the directorate provides ongoing contribution to the ACT Multicultural Framework 2015-2020. This framework provides a clear focus to work with the CALD community and provides avenues for employment and career development. The directorate participates in the whole of government Work Experience and Support Program (WESP).

The directorate continues to celebrate days of cultural significance. Of particular note was the 2018 Harmony Day celebrations. These included:

- > Tensin Phuntosho, a Canberra-based film maker from Bhutan, screened his film *A Yak Herder's Son*, which provided insights into Bhutanese culture. This event was combined with a multicultural lunch, and
- > ACTCS conducted a Harmony Day luncheon with money raised (\$211.85) donated to the Canberra Refugee Support.

Chief Operating Officer Moira Crowhurst is the directorate's appointed Executive Champion for the CALD workforce.

Ageing

The directorate has a diverse workforce with 44% of our workforce over the age of 45 and 17% over the age of 55. This represents a significant workforce challenge to manage across a range of issues including succession planning, knowledge transfer, transition to retirement and supporting employees through their career.

The Executive Champion for this section of our workforce is ACT Government Solicitor General Manager Lana Junakovic.

Awards and Recognition

2017 ACT Public Service Awards for Excellence

The ACTPS Awards for Excellence recognise teams and individuals who have provided exceptional service to both their workplaces and to the people of the ACT and demonstrated the ACTPS values and signature behaviours: Respect, Integrity, Collaboration and Innovation. The directorate's winners and finalists in the Awards were:

Bill Harris Executive Leadership Award (Highly Commended)

Virginia Hayward

Awarded for dedication, drive and commitment to improving culture and performance in the key areas of security, emergency preparedness and public safety.

Respect (Finalist)

Public Trustee and Guardianship (PTG) Guardianship and Financial Management Services Team

(Christina Thompson, Kim Nicholls, Bronwyn Smith, Helen Warren, Sarah Cramond, Sean Ehlers, Sue Graham, Tina Martinovic, Denise Caldwell, Tracey Jay, Kathryn Toy, Anne Dupe, Jodie Petersen, Peta Duggan, Lee-Ann Cottrell, Therese Cunningham, Lisa Hal, Shari Johnson, Helina Merritt, Robyn Milligan, Jodie Travis)

Awarded for commitment and successful delivery on the Government's vision for joined up guardianship and management services for vulnerable Canberrans.

Leadership (Finalist)

Daniela Mojsoska

Awarded for outstanding commitment and contribution to the Justice and Community Safety Directorate reconciliation journey.

ACT Community Protection Medal

Four emergency services members were honoured with the ACT Community Protection medal for demonstrating exemplary service to the community. The 2018 recipients of the medal were:

Ronald Wardrope – ACTAS

Lee Summerfield – ACTF&R

Michael Joyce – ACTRFS (volunteer)

Julia Rozycka – ACTSES (volunteer).

Rotary NSW and ACT ESA Community Awards

This was the first time the ACT was eligible to participate in these awards, recognising emergency services volunteers and staff. Congratulations to all ACT Emergency Services finalists:

ACTAS – Michael Bohun and Andy Francey

ACTF&R – Mark Blake and Robert Thompson

ACTRFS– Anthony Kidney and Mark Sedgman

ACTSES– Sue Elsbury and Norm Nelson.

Congratulations to Robert Thompson and Sue Elsbury for receiving the main awards for volunteers and staff.

Queen's Birthday Honours

The Queen's Birthday Honours list celebrates the outstanding achievements of Australians. The 2018 recipients were:

Linda Crebbin – Medal of the Order of Australia (AM)

Robin Creyke – Order of Australia (AO)

Wayne Shaw – Australian Fire Service Medal

Kevin Jeffery – Australian Fire Service Medal (AFSM)

James (Jim) Arneman – Ambulance Service Medal (ASM)

Graeme (Duck) Tonge – Emergency Services Medal (ESM)

Attraction and Retention Incentives (ARIs)

Throughout the 2017-18 reporting period, the directorate used attraction and retention incentives under the terms of the ACTPS enterprise agreements to attract and maintain a skilled and diverse workforce.

Table 59 ARIs within the Directorate

Description	Number of Individual ARIs
Number of ARIs at 30 June 2018	8
Number of new ARIs commenced during the reporting period	1
Number of ARIs for employees who have transferred from Special Employment Arrangements (SEAs) during the period	0
Number of ARIs terminated during the period	7
Number of ARIs providing for privately plated vehicles as at 30 June 2018	0

Table 60 Individual ARIns

Classification Range	Remuneration as at 30 June 2018
SOGA and Equivalent	\$146,138 to \$167,363
FB8	\$140,614

Full Time Equivalent (FTE), Headcount and Demographics as at 27 June 2018

Table 61 FTE and Headcount by Division

Division	FTE	Headcount
ACT Corrective Services	404.4	419
ACT Courts and Tribunal	182.2	196
ACT Government Solicitor	112.2	126
Corporate	87.4	89
Director of Public Prosecutions	84.5	87
Emergency Services Agency	691.0	716
Human Rights Commission	47.3	51
Inspectorate of Custodial Services	0.8	1
Legislation, Policy and Programs	78.2	86
Office of Director-General	8.9	9
Parliamentary Counsel's Office	21.1	23
Public Trustee and Guardian	54.0	56
Security and Emergency Management Branch	8.8	10
Total	1781.0	1869

Table 62 FTE and Headcount by Gender

	Female	Male	Total
FTE	810.4	970.5	1781.0
Headcount	866	1003	1869
Percentage of Workforce (based on headcount)	46.3%	53.7%	100.0%

Table 63 Headcount by Classification Group and Gender

Classification Group	Female	Male	Total
Administrative Officers	345	162	507
Ambulance Officers	78	137	215
Ambulance Support Officers	24	24	48
Correctional Officers	53	164	217
Executive Officers	19	18	37
Fire and Rescue Officers	14	322	336
General Service Officers and Equivalent	0	13	13
Health Professional Officers	13	2	15
Judicial Officers	7	7	14
Legal Officers	100	30	130
Legal Support	15	5	20
Professional Officers	1	1	2
Prosecutors	25	19	44
Senior Officers	163	92	255
Statutory Office Holders	6	6	12
Technical Officers	3	1	4
Total	866	1003	1869

Table 64 Headcount by Employment Category and Gender

Employment Category	Female	Male	Total
Casual	17	21	38
Permanent Full-time	576	860	1436
Permanent Part-time	106	32	138
Temporary Full-time	153	83	236
Temporary Part-time	14	7	21
Total	866	1003	1869

Table 65 Headcount by Diversity Group

	Headcount	Percentage of Total Staff
Aboriginal and/or Torres Strait Islander	52	2.8%
Culturally and Linguistically Diverse	170	9.1%
People with a disability	47	2.5%

Table 66 Headcount by Age Group and Gender

Age Group	Female	Male	Total
Under 25	55	33	88
25-34	272	194	466
35-44	218	273	491
45-54	199	302	501
55 and over	122	201	323

Table 67 Average Length of Service by Gender

Gender	Female	Male	Total
Average years of service	7.5	11.3	9.5

Table 68 Recruitment and Separation Rates by Classification Group

Classification Group	Recruitment Rate	Separation Rate
Administrative Officers	18.0%	11.3%
Ambulance Officers	5.4%	2.2%
Ambulance Support Officers	25.1%	7.5%
Correctional Officers	7.7%	2.9%
Fire and Rescue Officers	7.2%	5.4%
General Service Officers and Equivalent	34.0%	0.0%
Health Professional Officers	15.8%	15.8%
Judicial Officers	7.9%	7.9%

Classification Group	Recruitment Rate	Separation Rate
Legal Officers	8.3%	8.3%
Legal Support	55.9%	37.3%
Professional Officers	0.0%	0.0%
Prosecutors	21.5%	10.8%
Senior Officers	8.4%	6.6%
Statutory Office Holders	0.0%	0.0%
Technical Officers	189.5%	126.3%
Total	11.4%	7.0%

Table 69 Recruitment and Separation Rates of Executives

Classification Group	Recruitment Rate	Separation Rate
Executive Officers	17.6%	0.0%

B.9 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The directorate is committed to sustainable development, including carbon neutrality, and undertakes numerous measures to support environmentally sustainable development (ESD) across its property portfolio.

The directorate has developed policies and programs to promote ecologically ESD considerations in decision-making processes, as required by the *Climate Change and Greenhouse Gas Reduction Act 2010* and the *Environment Protection Act 1997*. The directorate:

- > participates in the ACT Government's carbon neutral implementation committee and reports on sustainable initiatives
- > developed a sustainability management plan (SMP) 2018-20 which identifies objectives, improvement targets and sustainability initiatives, and
- > has a Sustainability Manager within the corporate division to provide guidance, leadership and coordination to the directorate to achieve identified environmental targets.

The directorate's SMP 2018-20 is aligned to the ACT carbon neutral government (CNG) framework, and provides a roadmap for JACS to transition to zero greenhouse emissions. The SMP seeks to:

- > drive value for money energy supply and water upgrades with a return on investment over the life of the infrastructure at high usage and emitting sites
- > embed sustainability principles into all aspects of our business, including new build/expansion of sites
- > harness the CNG fund to deliver energy efficiency opportunities
- > commence coordinated planning for electric vehicles and charging infrastructure, and
- > accredit sites under the ACT Government's Actsmart waste recycling program.

The directorate will continue to undertake a range of energy efficiency works to implement ESD measures across the property portfolio of the directorate through:

- > targeted energy audits to understand energy usage and to inform potential opportunities and energy efficiency projects
- > upgrades to building management systems, heating ventilation and air conditioning systems, and power factor correction at high energy use sites
- > installation and expansion of solar panels and solar hot water systems at selected sites, and
- > incorporate sustainable solutions for all new facilities.

Sustainability initiatives that have been taken to improve ESD outcomes are as follows:

Energy

- > monitoring of energy performance of our facilities using the enterprise sustainability platform (ESP)
- > dedicated funding for energy efficiency works through the better infrastructure fund (BIF) appropriated annually and distributed across selected sites within the property portfolio of the directorate

- > Gungahlin, Joint Emergency Services Centre (JESC) installation of light-emitting diode (LED) lighting, upgrade of the building management system, improved lighting controls, installation of light sensing technology
- > ACTESA Training Centre heating and ventilation improvements and building management system upgrade, and
- > ACTRFS Jerrabomberra external lighting upgrade.

Water

- > monitoring of water consumption using the ESP
- > grey water recycling for toilet flushing and irrigation at the Alexander Maconochie Centre, and
- > potable water conservation strategies including tanks for water collection.

Waste

- > Participation in the Actsmart business recycling program training and accreditation
- > Engaging facility managers to review and improve waste management plans
- > Waste streaming (landfill, mixed recyclables, paper, card board, organics, fluorescent tubes, and toner cartridges).

Resource Efficiency

- > Adopting the sustainable procurement framework in capital works and infrastructure projects
- > Adopting sustainable principles in stationery procurement
- > Reducing paper and resource consumption through smart printing
- > Purchasing recycled office paper.

Transport

- > Adopting the ACT transition to zero emissions vehicles action plan 2018-21 for ACT Government fleet vehicles
- > Maintaining efficient performance of emergency operation vehicles
- > Monitoring developments in low emissions vehicle technologies for future adoption.

Table 70 Sustainable Development Performance 2016-17 and 2017-18

Indicator as at 30 June 2018 ²⁶	Unit	2016-17	2017-18	Percentage change (%)
Agency staff and area				
Agency staff	FTE	1,729.4	1781.0	3.0%
Workable floor area (net lettable area)	Area (m ²)	83,124.62	83,676.62	0.66%

²⁶ For consistency with carbon budget reporting under the CNG framework, energy and greenhouse emissions data includes ACT Policing (ACTP) sites and excludes ACTP vehicles. Water data for ACTP is also included in the table. Differences between ESP sourced data to original 2016-17 data is due to changes such as updates to agency occupancy and historical consumption data and retrospective emissions factors.

Indicator as at 30 June 2018 ²⁶	Unit	2016-17	2017-18	Percentage change (%)
Stationary energy usage				
Electricity use	Kilowatt hours	14,890,102	14,330,297	-3.8%
Natural gas use				
Diesel	Kilolitres	0	0	0
Transport fuel usage				
Electric vehicles	Number	0	0	
Hybrid vehicles	Number	4	5	25%
Other vehicles (that are not electric or hybrid)	Number	248	264	6.3%
Total number of vehicles	Number	252	269	6.5%
Total kilometres travelled	Kilometres	3,706,812	2,271,805	-39.8%
Fuel use – Petrol	Kilolitres	50.47	46.12	-8.6%
Fuel use – Diesel	Kilolitres	524.36	489.02	-6.7%
Fuel use – Liquid petroleum gas (LPG)	Kilolitres	0	0	
Fuel use – Compressed natural gas (CNG)	Kilolitres	0	0	
Water use				
Water use ²⁷	Kilolitres	94,776	130,360	37.5%
Resource efficiency and waste				
Reams of paper purchased	Reams	18,894	17,879	-3.4%
Recycled content of paper purchased ²⁸	Percentage	52.79	93.4	40.6%
Waste to landfill	Litres	4,015,720	1,687,520	-58.0% ²⁹

²⁷ The increase in the directorate's water use is predominantly due to infrastructure and detainee growth at the AMC. In 2017-18, AMC infrastructure growth included a multipurpose centre, laundry, bakery and sporting field.

²⁸ This figure represents the total amount of recycled paper purchased across the directorate compared to the amount of non-recycled paper purchased.

²⁹ The directorate has conducted a rationalisation of the existing waste arrangements. This has led to a reduction in the number of bins, bin sizes and frequency of bin pick-ups for all required waste services (waste to landfill, paper and cardboard, secure destruction and co-mingled waste). This rationalisation has led to a significant decrease in both waste to land fill, paper and cardboard and an increase in co-mingled waste.

Indicator as at 30 June 2018 ²⁶	Unit	2016-17	2017-18	Percentage change (%)
Co-mingled material recycled	Litres	1,380,593	2,567,460	86.0% ³⁰³¹
Paper & cardboard recycled (incl. Secure paper)	Litres	289,200	93,907	-67.5% ³²
Organic recycled material	Litres	36,261	56,753	56.5%
Greenhouse gas emissions				
Emissions from stationary energy use	Tonnes CO ₂ -e	11,899	8,500	-28.6%
Emissions from transport	Tonnes CO ₂ -e	1,560	1,449	-7.1%
Total emissions	Tonnes CO ₂ -e	13,459	9,949	-26.1%

Emissions factors reflect the increasing contribution of renewable electricity generated under the ACT's 100 per cent renewable energy target (RET). Consequently they are lower than those reported in the latest national greenhouse accounts (NGA) factors. The ESP uses greenhouse emissions factors based on the latest (May 2018) ACT electricity emissions factor report as follows:

- > A factor of 0.667 kilogram (kg) CO₂-e / kilowatt hour (kWh) or 0.667 tonne (t) CO₂-e / megawatt hour (MWh) has been used to calculate electricity emissions for the 2016-17 period. It is based on actual historical data and is a retrospective adjustment of the original 0.525 factor used for 2016-17 annual reporting.
- > A factor of 0.455 kilogram (kg) CO₂-e / kilowatt hour (kWh) or 0.455 tonne (t) CO₂-e / megawatt hour (MWh) has been used to calculate electricity emissions for the 2017-18 period

³⁰ The directorate has conducted a rationalisation of the existing waste arrangements. This has led to a reduction in the number of bins, bin sizes and frequency of bin pick-ups for all required waste services (waste to landfill, paper and cardboard, secure destruction and co-mingled waste). This rationalisation has led to a significant decrease in both waste to land fill, paper and cardboard and an increase in co-mingled waste.

³¹ Co-mingled waste reported at AMC includes both co-mingled (mixed plastics, glass / cartons and metals) and paper/cardboard recycled material. A co-mingled recycling compactor is used on site at AMC. Shredded paper is put into a worm farm for organic material recycling.

³² The directorate has conducted a rationalisation of the existing waste arrangements. This has led to a reduction in the number of bins, bin sizes and frequency of bin pick-ups for all required waste services (waste to landfill, paper and cardboard, secure destruction and co-mingled waste). This rationalisation has led to a significant decrease in both waste to land fill, paper and cardboard and an increase in co-mingled waste.

SECTION C:
**FINANCIAL
MANAGEMENT
REPORTING**

**SECTION
C**

C.1 FINANCIAL MANAGEMENT ANALYSIS

Management Discussion and Analysis Justice and Community Safety Directorate For the Year Ending 30 June 2018

General Overview

Objectives

The Justice and Community Safety Directorate (the Directorate) seeks to maintain a fair, safe and peaceful community in the ACT where people's rights and interests are respected and protected. This is achieved through the objectives of:

- maintaining the rule of law and the Westminster style of democratic government;
- promoting the protection of human rights in the Territory;
- providing effective offender management and opportunities for rehabilitation;
- protecting and preserving life, property and the environment; and
- providing for effective and cohesive emergency response and management.

To support the achievement of its objectives, the Directorate aims to improve service delivery to government and the community to ensure it continues to meet community needs into the future.

Performance

The following financial information is based on audited Financial Statements for 2016-17 and 2017-18.

Total Net Cost of Services

	Actual 2017-18 \$m	Original Budget 2017-18 \$m	Actual 2016-17 \$m
Total Expenses	336.1	339.7	320.8
Total Own Source Revenue	37.3	27.1	40.1
Net Cost of Services	298.8	312.6	280.7

1. Comparison to Original Budget

The Directorate's net cost of services for 2017-18 of **\$298.8 million** was **\$13.8 million** or **4.4%** lower than the 2017-18 original budget (see also **Attachment A**) due to:

- higher own source revenue of **\$10.2 million** or 37.6%, as outlined at **Total Own Source Revenue – Comparison to Original Budget**; and

- lower expenditure of **\$3.6 million** or **1%**, as outlined at **Total Expenses – Comparison to Original Budget**.

2. Comparison to 2016-17

The Directorate’s 2017-18 net cost of services of **\$298.8 million** was **\$18.1 million** or **6.5%** higher than 2016-17 due to:

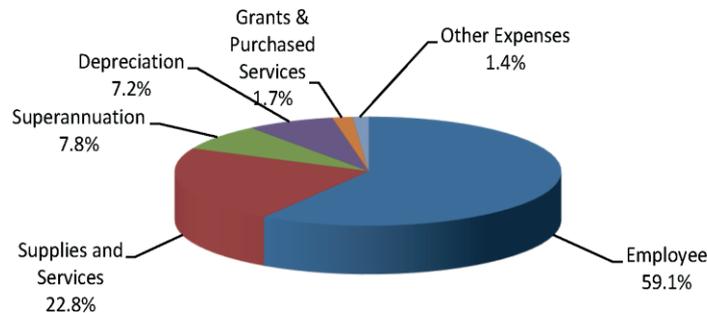
- higher total expenses of **\$15.3 million** or **4.8%**, relating mainly to the employee and Supplies and Services, as outlined at **Total Expenses – Comparison to 2016-17 Expenditure**.
- lower own source revenue of **\$2.8 million** or **7.0%**, as outlined at **Total Own Source Revenue – Comparison to 2016-17 Own Source Revenue**.

Total Expenses

1. Components of Expenses

Figure 1: Components of Expenses indicates the components of actual expenses for 2017-18. Total expenses was **\$336.1 million**, comprising employee expenses of **\$198.7 million**, supplies and services of **\$76.8 million**, superannuation of **\$26.1 million**, depreciation and amortisation of **\$24.3 million**, grants and purchased services of **\$5.7 million**, and borrowing costs and other expenses of **\$4.5 million**.

Figure 1: Components of Expenses



2. Comparison to Original Budget

Total expenses in 2017-18 was **\$336.1 million**, which was **\$3.6 million**, or **1.1%** lower than the 2017-18 original budget primarily due to lower supplies and services expenses (\$5.0 million), superannuation (\$1.1 million), depreciation (\$6.1 million); borrowing costs (\$5.3 million) and grant and purchased services (\$0.3 million). These are partially offset by higher employee (\$11.8 million) and other expenses (\$2.4 million).

3. Comparison to 2016-17 Expenses

Total 2017-18 expenses of **\$336.1 million** was **\$15.3 million**, or **4.8%** higher than 2016-17 mainly due to higher:

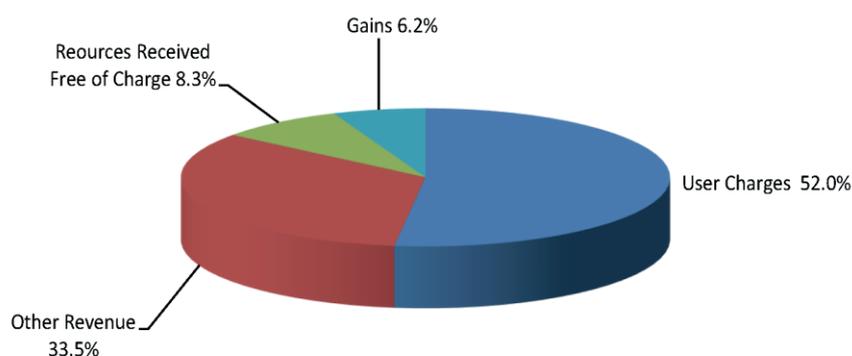
- employee expenses of **\$7.3 million** primarily relating to wages agreements increases, indexation and additional staffing from client funded services, increased workload and other activities; and
- supplies and services of **\$5.3 million** primarily relating to higher Information and Communication Technology (ICT) costs; higher rent and outgoing expenses incurred by ACT Corrective Services; higher service agreements expenses with community sector organisations and other expenses.

Total Own Source Revenue

1. Components of Own Source Revenue

Figure 2: Components of Own Source Revenue identifies the components of revenue for 2017-18. Total own source revenue was **\$37.3 million**, comprising total user charges of \$19.4 million, other revenue of \$12.5 million, resources received free of charge of \$3.1 million and other gains of \$2.3 million.

Figure 2: Components of Own Source Revenue



2. Comparison to Original Budget

Own source revenue for 2017-18 was **\$37.3 million**, which was **\$10.2 million**, or **37.6%** higher than the 2017-18 original budget. This was primarily due to higher than expected User Charges (\$3.2 million); Resources Received Free of Charge (\$2.7 million); Gains (\$2.3 million); and Other Revenue (\$1.9 million).

3. Comparison to 2016-17 Own Source Revenue

Total 2017-18 own source revenue of **\$37.3 million** was **\$2.8 million** or **7.0%** lower than 2016-17 mainly due to lower:

- resources received free of charge of **\$3.2 million** predominately relating to workers' compensation supplementation associated with lower premium rate driven by better claim performance; and
- gains of **\$1.7 million** relating to the recognition in 2016-17 financial year of a leasehold asset for 2 Constitution Avenue which was partially offset by the contribution to the construction and fitout for the hangar upgrade at the Helicopter base in Hume in 2017-18.

These decreases are partially offset by an increase in other revenue of **\$2.4 million** mainly relating to Emergency Services Agency cost recovery associated with overseas deployments and higher Commonwealth grants.

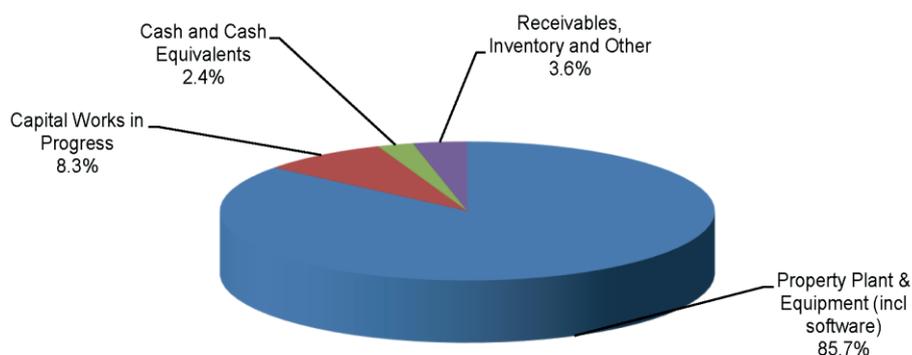
Directorate Financial Position

Total Assets

1. Components of Total Assets

Figure 3: Total Assets at 30 June 2018 identifies the categories of assets held by the Directorate. Total assets held were **\$437.3 million**, comprising non-current assets of \$374.9 million, Capital Works in Progress of \$36.5 million; Cash and Cash Equivalents of \$10.3 million; and Receivables, Inventory and Other Assets of \$15.5 million.

Figure 3: Total Assets at 30 June 2018



2. Comparison to Original Budget

Total assets of **\$437.3 million** at 30 June 2018 was \$126.9 million, or 22.5% lower than the 2017-18 original budget. This was primarily due to lower Property Plant and Equipment \$121.9 million, which is a direct result of delays in the completion and capitalisation of stage 1 of Courts Public Private Partnership (PPP). The \$109 million Stage 1 of the project was due to be completed in November 2017 and is now expected to be completed in mid-September 2018.

3. Comparison to 30 June 2017 Assets

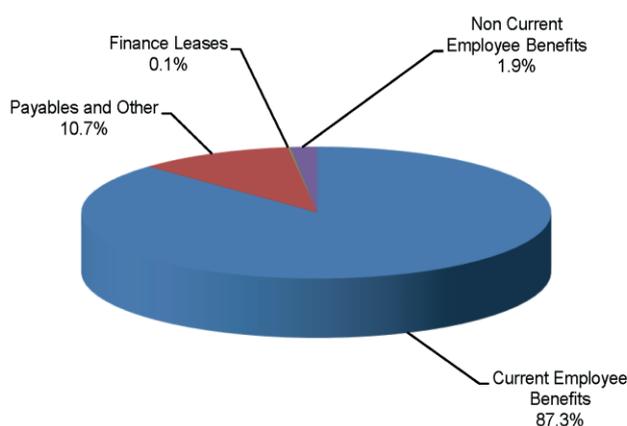
Total assets of **\$437.3 million** at 30 June 2018 were consistent with prior year.

Total Liabilities

1. Components of Total Liabilities

Figure 4: Total Liabilities at 30 June 2018 identifies the categories of liabilities held by the Directorate. Total liabilities were **\$93.5 million**, comprising total employee benefits of \$83.3 million; payables and other liabilities of \$10.1 million; and Finance Leases \$0.1 million.

Figure 4: Total Liabilities at 30 June 2018



2. Comparison to Original Budget

Total liabilities at 30 June 2018 of **\$93.5 million** were **\$106.8 million**, or **53.3%** lower than the 2017-18 original budget. The majority of this relates to the \$109 million Finance Lease associated with Stage 1 of Courts Public Private Partnership (PPP). Stage 1 of the project was due to be completed in November 2017, however has been delayed and is now expected to be completed in mid-September 2018, at which time the liability will be recognised.

3. Comparison to 2016-17 Liabilities

Total liabilities at 30 June 2018 of **\$93.5 million** were **\$2.0 million** or **2.2%** higher than at 30 June 2017. This predominately relates to higher employee benefits (\$3.4 million) relating to accrued salaries for Enterprise Bargaining Agreements increase. This was offset by lower Other Provision and Payables (\$1.4 million) predominately due to payments made to creditors prior to 30 June 2018.

Management Discussion and Analysis
Justice and Community Safety Directorate
For the Year Ending 30 June 2018

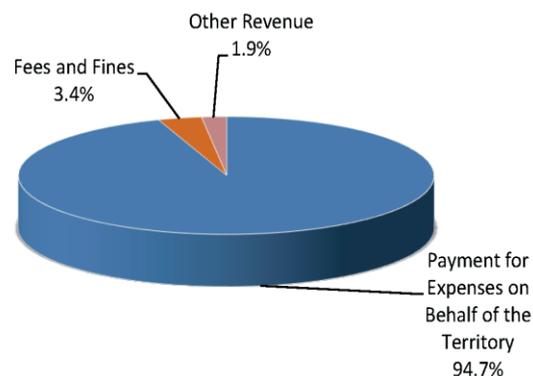
Territorial Statement of Income and Expenses

Total Income

1. Components of Income

Figure 5: Sources of Territorial Income identifies major components of income for 2017-18. Total income was **\$187.3 million**, comprising payments for expenses on behalf of the Territory of **\$177.4 million**, fees and fines of **\$6.3 million** and other revenue of **\$3.6 million**.

Figure 5: Sources of Territorial Income



2. Comparison to Original Budget

Territorial income for 2017-18 totalled **\$187.3 million**, which was **\$2.8 million**, or **1.5%** higher than the original budget in 2017-18. This was mainly due to higher than expected payments for expenses on behalf of the Territory (EBT) of \$0.9 million, higher court fees and fines of \$1.0 million and other revenue of \$0.9 million predominately insurance recoveries and legal cost recoveries.

3. Comparison to 2016-17 Income

Territorial income of **\$187.3 million** for 2017-18 was **\$7.3 million**, or **4.1%** higher than 2016-17 which is predominately due to the higher payments for EBT (\$7.3 million) and court fees and fines (\$0.5 million). These are partially offset by lower other revenue (\$0.5 million).

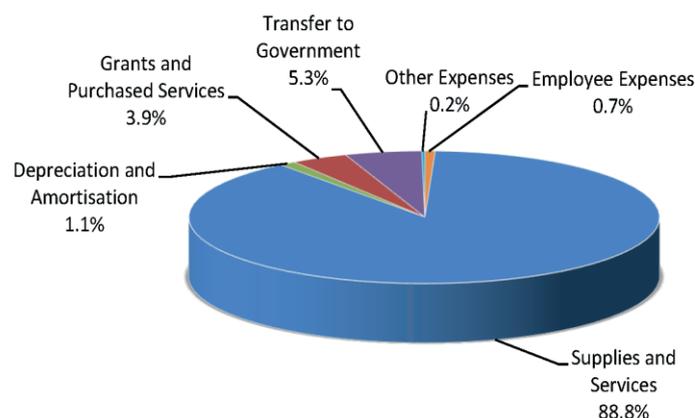
The higher payments for EBT in 2017-18 predominately relates to the full year impact of Racing and Gaming (R&G) policy function transfer from Chief Minister, Treasury and Economic Development Directorate (CMTEDD) following Administrative Arrangement (AA) changes from 1 November 2017 (\$3.3 million); higher funding for ACT Policing services (\$3.0 million); increased income to meet the higher Territorial legal and Employee Expenses (1.0 million).

Total Expenses

1. Components of Expenses

Figure 6: Sources of Territorial Expenses identifies major components of actual expenses for 2017-18. Total expenses were **\$189.4 million**, comprising supplies and services of **\$168.2 million**, transfers to Government of **\$10.0 million**, grants and purchased services of **\$7.4 million**, depreciation of **\$2.1 million**, employee expenses of **\$1.3 million** and other expenses of **\$0.4 million**.

Figure 6: Sources of Territorial Expenses



2. Comparison to Original Budget

Total expense in 2017-18 was **\$189.4 million**, which was **\$2.5 million**, or **1.3%** higher than the original budget in 2017-18. This was mainly due to higher revenue transfers to government (\$2.5 million) and higher legal, compensation and other expenses (\$2.8 million). These are partially offset by lower payments to ACT Policing relating to transfer of funding to future years (the *Retrial of Mr David Eastman* and the *Equipping more ACT Police with TASERS*) and delays in signing the Australian Federal Police Enterprise Agreement (\$2.2 million); lower depreciation, grants and other expenses (\$0.6 million).

3. Comparison to 2016-17 Expenses

Total 2017-18 expenses of **\$189.4 million** was **\$7.2 million**, or **4%** higher than in 2016-17. This was predominately due to full year impact of grants and purchased services as a result of R&G function transfer from CMTEDD following the AA changes from 1 November 2017 (3.3 million); higher supplies and services (\$3.8 million) relating mainly to payment to ACT Policing (\$3.0 million), higher legal and compensation cost (\$0.5m) and recognition of a provision associated with incorrectly imposed Court levies (\$0.3 million); and higher employee costs and depreciation expenses.

Attachment A

Comparison of Net Cost of Services to Original Budget 2017-18

Description	Original Budget 2017-18 \$'000	Actual 2017-18 \$'000	Variance	
			\$'000	%
Expenses				
Employee and Superannuation	214,040	224,878	-10,838	-5%
Supplies and Services	81,765	76,763	5,002	6%
Depreciation and Amortisation	30,416	24,311	6,105	20%
Borrowing Costs	5,343	3	5,340	100%
Grants and Purchased Services	5,982	5,690	292	5%
Other Expenses	2,138	4,491	-2,353	-110%
Total Expenses	339,684	336,136	3,548	1%
Own Source Revenue				
User Charges	16,172	19,419	3,247	20%
Resources Received Free of Charge	399	3,117	2,718	681%
Gains	0	2,288	2,288	0%
Other Revenue	10,574	12,501	1,927	-18%
Total Own Source Revenue	27,145	37,325	5,604	21%
Total Net Cost of Services	312,539	298,811	13,728	4%

Territorial – ACT Policing

Description	Original Budget 2017-18 \$'000	Actual 2017-18 \$'000	Variance	
			\$'000	%
Total Cost (a)	163,791	161,461	2,330	1%
Payment for Expenses on Behalf of the Territory (b)	161,331	159,330	-2,001	-1%

(a) Total Cost includes depreciation and amortisation expenses.

(b) Payment to ACT Policing (the ACT branch of the Australian Federal Police) for the provision of police services to the ACT Community. These services include the protection of persons and property, crime prevention and detection, maintaining peace and good order and the enforcement of ACT laws.

C.2 FINANCIAL STATEMENTS



AUDITOR-GENERAL AN OFFICER
OF THE ACT LEGISLATIVE ASSEMBLY 

Sensitive: Auditor-General

A18/09

Ms Alison Playford
Director-General
Justice and Community Safety Directorate
Level 9, 12 Moore Street
CANBERRA CITY ACT 2601

Dear Ms Playford

**AUDIT REPORT - JUSTICE AND COMMUNITY SAFETY DIRECTORATE
FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2018**

The ACT Audit Office has completed the audit of the financial statements of the Justice and Community Safety Directorate for the year ended 30 June 2018.

I have attached the audited financial statements and an unqualified audit report.

I have provided a copy of the financial statements and unqualified audit report to the Ministers responsible for the Justice and Community Services Directorate, Mr Gordon Ramsay MLA, Mr Mick Gentleman MLA, and Mr Shane Rattenbury MLA.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ajay Sharma'.

Ajay Sharma
Acting Auditor-General
14 September 2018

c.c. Ms Kate Freebody, Chair, Audit and Performance Improvement Committee
Ms Dragana Cvetkovski, Chief Finance Officer
Ms Danielle Krajina, Executive Director, Governance

Level 4, 11 Moore Street Canberra City ACT 2601 PO Box 275 Civic Square ACT 2608
T 02 6207 0833 F 02 6207 0826 E actauditorgeneral@act.gov.au W www.audit.act.gov.au

INDEPENDENT AUDIT REPORT
JUSTICE AND COMMUNITY SAFETY DIRECTORATE

To the Members of the ACT Legislative Assembly

Audit opinion

I am providing an **unqualified audit opinion** on the financial statements of the Justice and Community Safety Directorate (the Directorate) for the year ended 30 June 2018. The financial statements comprise the following financial statements and accompanying notes:

- Controlled financial statements – operating statement, balance sheet, statement of changes in equity, cash flow statement and controlled statement of appropriation.
- Territorial financial statements – statement of income and expenses on behalf of the Territory, statement of assets and liabilities on behalf of the Territory, statement of changes in equity on behalf of the Territory, cash flow statement on behalf of the Territory and territorial statement of appropriation.

In my opinion, the financial statements:

- (i) are presented in accordance with the *Financial Management Act 1996*, Australian Accounting Standards and other mandatory financial reporting requirements in Australia; and
- (ii) present fairly the financial position of the Directorate and results of its operations and cash flows.

Basis for the audit opinion

The audit was conducted in accordance with the Australian Auditing Standards. I have complied with the requirements of the Accounting Professional and Ethical Standards 110 *Code of Ethics for Professional Accountants*.

I believe that sufficient evidence was obtained during the audit to provide a basis for the audit opinion.

Responsibility for preparing and fairly presenting the financial statements

The Director-General is responsible for:

- preparing and fairly presenting the financial statements in accordance with the *Financial Management Act 1996* and relevant Australian Accounting Standards;
- determining the internal controls necessary for the preparation and fair presentation of the financial statements so that they are free from material misstatements, whether due to error or fraud; and
- assessing the ability of the Directorate to continue as a going concern and disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting in preparing the financial statements.

Responsibility for the audit of the financial statements

Under the *Financial Management Act 1996*, the Auditor-General is responsible for issuing an audit report that includes an independent audit opinion on the financial statements of the Directorate.

As required by Australian Auditing Standards, the auditors:

- applied professional judgement and maintained scepticism;
- identified and assessed the risks of material misstatements due to error or fraud and implemented procedures to address these risks so that sufficient evidence was obtained to form an audit opinion. The risk of not detecting material misstatements due to fraud is higher than the risk due to error, as fraud may involve collusion, forgery, intentional omissions or misrepresentations or the override of internal controls;
- obtained an understanding of internal controls to design audit procedures for forming an audit opinion;
- evaluated accounting policies and estimates used to prepare the financial statements and disclosures made in the financial statements;
- evaluated the overall presentation and content of the financial statements, including whether they present the underlying transactions and events in a manner that achieves fair presentation;
- reported the scope and timing of the audit and any significant deficiencies in internal controls identified during the audit to the Director-General; and
- assessed the going concern* basis of accounting used in the preparation of the financial statements.

(*Where the auditor concludes that a material uncertainty exists which cast significant doubt on the appropriateness of using the going concern basis of accounting, the auditor is required to draw attention in the audit report to the relevant disclosures in the financial statements or, if such disclosures are inadequate, the audit opinion is to be modified. The auditor's conclusions on the going concern basis of accounting are based on the audit evidence obtained up to the date of this audit report. However, future events or conditions may cause the entity to cease to continue as a going concern.)

Limitations on the scope of the audit

An audit provides a high level of assurance about whether the financial statements are free from material misstatements, whether due to fraud or error. However, an audit cannot provide a guarantee that no material misstatements exist due to the use of selective testing, limitations of internal control, persuasive rather than conclusive nature of audit evidence and use of professional judgement in gathering and evaluating evidence.

An audit does not provide assurance on the:

- reasonableness of budget information included in the financial statements;
- prudence of decisions made by the Directorate;
- adequacy of controls implemented by the Directorate; or
- integrity of the audited financial statements presented electronically or information hyperlinked to or from the financial statements. Assurance can only be provided for the printed copy of the audited financial statements.



Ajay Sharma
Acting Auditor-General
14 September 2018

**Justice and Community Safety Directorate
Financial Statements
For the Year Ended 30 June 2018**

Statement of Responsibility

In my opinion, the Financial Statements are in agreement with the Directorate's accounts and records and fairly reflect the financial operations of the Directorate for the year ended 30 June 2018 and the financial position of the Directorate on that date.



Alison Playford
Director-General
Justice and Community Safety Directorate
13 September 2018

**Justice and Community Safety Directorate
Financial Statements
For the Year Ended 30 June 2018**

Statement by the Chief Finance Officer

In my opinion, the financial statements have been prepared in accordance with the Australian Accounting Standards, and are in agreement with the Directorate's accounts and records and fairly reflect the financial operations of the Directorate for the year ended 30 June 2018 and the financial position of the Directorate on that date.



Dragana Cvetkovski
Chief Finance Officer
Justice and Community Safety Directorate
13 September 2018

**JUSTICE AND COMMUNITY SAFETY
DIRECTORATE**

**CONTROLLED FINANCIAL
STATEMENTS**

**FOR THE YEAR ENDED
30 JUNE 2018**

**Justice and Community Safety Directorate
Operating Statement
For the Year Ended 30 June 2018**

	Note No.	Actual 2018 \$'000	Original Budget 2018 \$'000	Actual 2017 \$'000
Income				
<i>Revenue</i>				
Controlled Recurrent Payments	4	267,925	281,299	253,406
User Charges	5	19,419	16,172	19,826
Resources Received Free of Charge	6	3,117	399	6,262
Other Revenue	7	12,501	10,574	10,068
Total Revenue		302,962	308,444	289,562
<i>Gains</i>				
Other Gains	8	2,288	-	3,972
Total Gains		2,288	-	3,972
Total Income		305,250	308,444	293,534
Expenses				
Employee Expenses	9	198,744	186,847	191,440
Superannuation Expenses	10	26,134	27,193	24,983
Supplies and Services	11	76,763	81,765	71,458
Depreciation and Amortisation	12	24,311	30,416	26,306
Borrowing Costs		3	5,343	31
Grants and Purchased Services	13	5,690	5,982	3,624
Other Expenses	14	4,491	2,138	2,974
Total Expenses		336,136	339,684	320,816
Operating (Deficit)		(30,886)	(31,240)	(27,282)
Other Comprehensive Income				
<i>Items that will not be reclassified subsequently to profit or loss</i>				
Increase/(Decrease) in the Asset Revaluation Surplus	25	4,156	-	(444)
Total Other Comprehensive Income/(Deficit)		4,156	-	(444)
Total Comprehensive (Deficit)		(26,730)	(31,240)	(27,726)

The above Operating Statement should be read in conjunction with the accompanying notes.

**Justice and Community Safety Directorate
Balance Sheet
As at 30 June 2018**

	Note No.	Actual 2018 \$'000	Original Budget 2018 \$'000	Actual 2017 \$'000
Current Assets				
Cash and Cash Equivalents	16	10,322	11,419	17,567
Receivables	17	12,482	12,842	8,211
Inventories		1,933	1,631	1,872
Other Assets		1,079	1,011	875
Total Current Assets		25,816	26,903	28,525
Non-Current Assets				
Property, Plant and Equipment	18	368,568	453,118	376,781
Intangible Assets	19	6,351	43,733	7,816
Capital Works in Progress	20	36,525	40,393	23,905
Total Non-Current Assets		411,444	537,244	408,502
Total Assets		437,260	564,147	437,027
Current Liabilities				
Payables	21	5,646	9,543	6,413
Finance Leases		23	2,278	23
Employee Benefits	22	81,601	73,752	76,864
Other Provisions	23	468	336	351
Other Liabilities	24	871	620	1,418
Total Current Liabilities		88,609	86,529	85,069
Non-Current Liabilities				
Finance Leases		76	108,569	102
Employee Benefits	22	1,744	3,279	3,011
Other Provisions	23	3,032	1,877	3,184
Total Non-Current Liabilities		4,852	113,725	6,297
Total Liabilities		93,461	200,254	91,366
Net Assets		343,799	363,893	345,661
Equity				
Accumulated Funds		280,096	303,903	286,114
Asset Revaluation Surplus	25	63,703	59,990	59,547
Total Equity		343,799	363,893	345,661

The above Balance Sheet should be read in conjunction with the accompanying notes.

**Justice and Community Safety Directorate
Statement of Changes in Equity
For the Year Ended 30 June 2018**

		Asset			Original Budget 2018 \$'000
		Accumulated Funds Actual 2018 \$'000	Revaluation Surplus Actual 2018 \$'000	Total Equity Actual 2018 \$'000	
Note No.					
	Balance at 1 July 2017	286,114	59,547	345,661	352,831
	Comprehensive Income				
	Operating (Deficit)	(30,886)	-	(30,886)	(31,240)
	Revaluation Surplus	-	4,156	4,156	-
25	Total Comprehensive (Deficit)/Income	(30,886)	4,156	(26,730)	(31,240)
	Transactions Involving Owners Affecting Accumulated Funds				
	Capital Injections	24,652	-	24,652	42,302
	Net liability transferred out as part of an Administrative Restructure	216	-	216	-
	Total Transactions Involving Owners Affecting Accumulated Funds	24,868	-	24,868	42,302
	Balance at 30 June 2018	280,096	63,703	343,799	363,893

		Asset		
		Accumulated Funds Actual 2017 \$'000	Revaluation Surplus Actual 2017 \$'000	Total Equity Actual 2017 \$'000
Note No.				
	Balance at 1 July 2016	283,566	59,991	343,557
	Comprehensive Income			
	Operating (Deficit)	(27,282)	-	(27,282)
	(Decrease) in the Asset Revaluation Surplus	-	(444)	(444)
25	Total Comprehensive (Deficit)	(27,282)	(444)	(27,726)
	Transactions Involving Owners Affecting Accumulated Funds			
	Capital Injections	29,915	-	29,915
	Net liability transferred (in) as part of an Administrative Restructure	(85)	-	(85)
	Total Transactions Involving Owners Affecting Accumulated Funds	29,830	-	29,830
	Balance at 30 June 2017	286,114	59,547	345,661

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

**Justice and Community Safety Directorate
Cash Flow Statement
For the Year Ended 30 June 2018**

	Note	Actual	Original	Actual
	No.	2018	Budget	2017
		\$'000	\$'000	\$'000
Cash Flows from Operating Activities				
Receipts				
Controlled Recurrent Payments		267,925	281,299	253,406
User Charges		13,022	15,007	17,273
Interest Received		10	-	5
Other (including Goods and Services Tax)		16,549	24,385	36,037
Total Receipts from Operating Activities		297,506	320,691	306,721
Payments				
Employees		194,989	186,764	188,958
Superannuation		25,830	27,193	24,875
Supplies and Services		75,819	80,956	69,542
Borrowing Costs		-	5,566	-
Grants and Purchased Services		5,690	5,982	2,288
Other (including Goods and Services Tax)		3,600	15,385	18,616
Total Payments from Operating Activities		305,928	321,846	304,279
Net Cash (Outflows)/Inflow from Operating Activities	29	(8,422)	(1,155)	2,442
Cash Flows from Investing Activities				
Receipts				
Cash Receipts from Contributed Assets		2,013	-	3,972
Total Receipts from Investing Activities		2,013	-	3,972
Payments				
Payments for Property, Plant and Equipment and Capital Works in Progress		11,105	18,431	30,977
Payments for Land and Intangibles Works in Progress		14,383	23,871	254
Total Payments from Investing Activities		25,488	42,302	31,231
Net Cash (Outflows) from Investing Activities		(23,475)	(42,302)	(31,231)
Cash Flows from Financing Activities				
Receipts				
Capital Injections		24,652	42,302	29,915
Total Receipts from Financing Activities		24,652	42,302	29,915
Payments				
Net Cash Inflows from Financing Activities		24,652	42,302	29,915
Net (Decrease)/Increase in Cash and Cash Equivalents		(7,245)	(1,155)	1,126
Cash and Cash Equivalents at the Beginning of the Reporting Period		17,567	12,574	16,441
Cash and Cash Equivalents at the End of the Reporting Period	29	10,322	11,419	17,567

The above Cash Flow Statement should be read in conjunction with the accompanying notes.

**Justice and Community Safety Directorate
Summary of Directorate Output Classes
For the Year Ended 30 June 2018**

	Output Class 1	Output Class 2	Output Class 3	Output Class 4	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
2018					
Total Income	66,060	69,164	37,023	133,003	305,250
Total Expenses	68,539	79,394	44,893	143,310	336,136
Operating (Deficit)	(2,479)	(10,230)	(7,870)	(10,307)	(30,886)
2017					
Total Income	60,387	69,359	35,845	127,943	293,534
Total Expenses	62,785	76,751	42,280	139,000	320,816
Operating (Deficit)	(2,398)	(7,392)	(6,435)	(11,057)	(27,282)

The income and expenses of each Output Class are reported inclusive of overhead allocation. This method ensures each output class is measured at the full cost of the output.

Justice and Community Safety Directorate
Operating Statement for Output Class 1 – Justice Services
For the Year Ended 30 June 2018

Description

Policy Advice and Justice Programs: High quality policy, legislation, ministerial support and advice to portfolio Ministers, Cabinet and other agencies on justice and community safety matters. Administer security coordination and emergency management policy; and innovative justice and crime prevention programs (including the Restorative Justice) across Government and the community.

Legal Services to Government: High quality and timely legal advice and representation for the Attorney-General and Government.

Legislative Drafting and Publishing Services: Provision of high quality and timely legislative drafting and publishing services for ACT legislation and maintenance of the ACT legislation register.

Public Prosecutions: Prosecution of summary and indictable matters, at first instance and on appeal, provision of assistance to the Coroner, and provision of witness assistance services.

Protection of Rights: Provision of advocacy, complaints-handling, advice, community awareness raising and other services in connection with the promotion and protection of rights, especially for vulnerable members of society through services provided by the ACT Human Rights Commission, including the Public Advocate of the ACT and Victim Support ACT. This output also includes services provided by the Privacy Commissioner.

	Actual 2018 \$'000	Original Budget 2018 \$'000	Actual 2017 \$'000
Income			
<i>Revenue</i>			
Controlled Recurrent Payments	55,435	56,688	51,837
User Charges	8,283	4,445	7,456
Resources Received Free of Charge	255	-	547
Other Revenue	2,087	1,192	547
Total Revenue	66,060	62,325	60,387
Total Income	66,060	62,325	60,387
Expenses			
Employee Expenses	41,433	34,465	38,991
Superannuation Expenses	5,816	5,452	5,545
Supplies and Services	14,252	17,129	13,611
Depreciation and Amortisation	1,442	2,915	1,203
Borrowing Costs	3	12	6
Grants and Purchased Services	5,569	5,891	3,104
Other Expenses	24	20	25
Total Expenses	68,539	65,884	62,785
Operating (Deficit)	(2,479)	(3,559)	(2,398)

Justice and Community Safety Directorate
Operating Statement for Output Class 2 – Corrective Services
For the Year Ended 30 June 2018

Description

Provision of safe and secure custody for detainees with a strong focus on the delivery of rehabilitative, educational and vocational programs, effectively managing un-sentenced offenders and community based corrections programs; and providing advice and services to the ACT justice system.

	Actual	Original	
	2018	Budget	Actual
	\$'000	\$'000	2017
			\$'000
Income			
<i>Revenue</i>			
Controlled Recurrent Payments	69,055	68,771	63,704
User Charges	30	-	-
Resources Received Free of Charge	20	-	2,200
Other Revenue	59	56	96
Total Revenue	69,164	68,827	66,000
<i>Gains</i>			
Other Gains	-	-	3,359
Total Gains	-	-	3,359
Total Income	69,164	68,827	69,359
Expenses			
Employee Expenses	47,124	46,321	47,080
Superannuation Expenses	5,643	5,351	5,300
Supplies and Services	18,102	17,388	16,174
Depreciation and Amortisation	8,363	9,080	8,054
Borrowing Costs	-	-	15
Grants and Purchased Services	56	90	87
Other Expenses	106	-	41
Total Expenses	79,394	78,233	76,751
Operating (Deficit)	(10,230)	(9,406)	(7,392)

Justice and Community Safety Directorate
Operating Statement for Output Class 3 - Courts and Tribunal
For the Year Ended 30 June 2018

Description

High quality support to judicial officers and tribunal members in the ACT Courts and Tribunal and high quality services to the public using the courts and the tribunal.

	Actual 2018 \$'000	Original Budget 2018 \$'000	Actual 2017 \$'000
Income			
<i>Revenue</i>			
Controlled Recurrent Payments	28,549	39,221	27,581
User Charges	1,044	960	1,167
Interest	-	-	5
Resources Received Free of Charge	660	399	637
Other Revenue	6,770	6,989	6,155
<i>Total Revenue</i>	<u>37,023</u>	<u>47,569</u>	<u>35,845</u>
Total Income	<u>37,023</u>	<u>47,569</u>	<u>35,845</u>
Expenses			
Employee Expenses	25,062	23,848	22,415
Superannuation Expenses	3,152	3,066	2,881
Supplies and Services	11,136	16,295	11,382
Depreciation and Amortisation	5,205	5,539	5,559
Borrowing Costs	-	5,288	-
Other Expenses	38	-	40
Total Expenses	<u>44,893</u>	<u>54,036</u>	<u>42,280</u>
Operating (Deficit)	<u>(7,870)</u>	<u>(6,467)</u>	<u>(6,435)</u>

Justice and Community Safety Directorate
Operating Statement for Output Class 4 - Emergency Services
For the Year Ended 30 June 2018

Description

Prevention and Mitigation:

Measures taken in advance of an emergency aimed at decreasing or eliminating its impact on the community and the environment.

Preparedness:

Measures to ensure that, should an emergency occur, communities, resources and services are capable of responding to and coping with the effects.

Response:

Strategies and services to control, limit or modify an emergency to reduce its consequences.

Recovery:

Strategies and services to return the ACT Emergency Services Agency to a state of preparedness after emergency situations and to assist with community recovery.

	Actual 2018 \$'000	Original Budget 2018 \$'000	Actual 2017 \$'000
Income			
<i>Revenue</i>			
Controlled Recurrent Payments	114,886	116,619	110,284
User Charges	10,062	10,767	11,203
Resources Received Free of Charge	2,182	-	2,878
Other Revenue	3,585	2,337	2,965
Total Revenue	130,715	129,723	127,330
<i>Gains</i>			
Other Gains	2,288	-	613
Total Gains	2,288	-	613
Total Income	133,003	129,723	127,943
Expenses			
Employee Expenses	85,125	82,213	82,954
Superannuation Expenses	11,523	13,321	11,251
Supplies and Services	32,973	30,953	30,291
Depreciation and Amortisation	9,301	12,882	11,490
Borrowing Costs	-	43	10
Grants and Purchased Services	65	1	133
Other Expenses	4,323	2,118	2,868
Total Expenses	143,310	141,531	139,000
Operating (Deficit)	(10,307)	(11,808)	(11,057)

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

DISAGGREGATED DISCLOSURE OF ASSETS AND LIABILITIES

At 30 June 2018

	Output Class 1 \$'000	Output Class 2 \$'000	Output Class 3 \$'000	Output Class 4 \$'000	Unallocated \$'000	Total \$'000
Current Assets						
Cash and Cash Equivalents ^(a)	-	-	-	-	10,322	10,322
Receivables	4,729	28	943	6,782	-	12,482
Inventories	-	-	-	1,933	-	1,933
Other Assets	200	254	161	464	(1)	1,079
Total Current Assets	4,929	282	1,104	9,179	10,321	25,816
Non-Current Assets						
Property, Plant and Equipment	3,336	182,116	40,529	142,587	-	368,568
Intangible Assets	834	1,604	2,245	1,668	-	6,351
Capital Works in Progress	3,996	4,751	16,194	11,584	-	36,525
Total Non-Current Assets	8,166	188,471	58,968	155,839	-	411,444
Total Assets	13,095	188,753	60,072	165,018	10,321	437,260
Current Liabilities						
Payables	1,048	1,331	841	2,426	-	5,646
Finance Leases	4	4	2	13	-	23
Employee Benefits	13,618	13,016	6,488	48,479	-	81,601
Other Provisions	46	16	-	406	-	468
Other Liabilities	331	-	66	474	-	871
Total Current Liabilities	15,047	14,367	7,397	51,798	-	88,609
Non-Current Liabilities						
Finance Leases	7	7	3	59	-	76
Employee Benefits	712	645	139	248	-	1,744
Other Provisions	564	611	6	1,851	-	3,032
Total Non-Current Liabilities	1,283	1,263	148	2,158	-	4,852
Total Liabilities	16,330	15,630	7,545	53,956	-	93,461
Net (Liabilities)/Assets	(3,235)	173,123	52,527	111,062	10,321	343,799

(a) Unallocated Cash and Cash Equivalents

Cash and cash equivalents have been included in the 'Unallocated' column above, as this class cannot be 'reliably attributed' to the Directorate's output classes. As the amount of cash and cash equivalents held by the Directorate is comprised of a number of disparate components, no single allocation driver can be used to 'reliably attribute' this asset class.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

DISAGGREGATED DISCLOSURE OF ASSETS AND LIABILITIES - CONTINUED

At 30 June 2017

	Output Class 1 \$'000	Output Class 2 \$'000	Output Class 3 \$'000	Output Class 4 \$'000	Unallocated \$'000	Total \$'000
Current Assets						
Cash and Cash Equivalents ^a	-	-	-	-	17,567	17,567
Receivables	1,942	521	1,877	3,871	-	8,211
Inventories	-	-	-	1,872	-	1,872
Other Assets	167	198	139	371	-	875
Total Current Assets	2,109	719	2,016	6,114	17,567	28,525
Non-Current Assets						
Property, Plant and Equipment	3,101	195,615	42,929	135,136	-	376,781
Intangible Assets	309	2,188	3,165	2,154	-	7,816
Capital Works in Progress	3,430	2,546	11,622	6,307	-	23,905
Total Non-Current Assets	6,840	200,349	57,716	143,597	-	408,502
Total Assets	8,949	201,068	59,732	149,711	17,567	437,027
Current Liabilities						
Payables	1,221	1,452	1,022	2,718	-	6,413
Finance Leases	4	4	2	13	-	23
Employee Benefits	12,664	11,710	5,660	46,830	-	76,864
Other Provisions	11	15	-	325	-	351
Other Liabilities	358	-	346	714	-	1,418
Total Current Liabilities	14,258	13,181	7,030	50,600	-	85,069
Non-Current Liabilities						
Finance Leases	10	12	5	75	-	102
Employee Benefits	864	793	343	1,011	-	3,011
Other Provisions	605	624	7	1,948	-	3,184
Total Non-Current Liabilities	1,479	1,429	355	3,034	-	6,297
Total Liabilities	15,737	14,610	7,385	53,634	-	91,366
Net (Liabilities)/Assets	(6,788)	186,458	52,347	96,077	17,567	345,661

(a) Unallocated Cash and Cash Equivalents

Cash and cash equivalents have been included in the 'Unallocated' column above, as this class cannot be 'reliably attributed' to the Directorate's output classes. As the amount of cash and cash equivalents held by the Directorate is comprised of a number of disparate components, no single allocation driver can be used to 'reliably attribute' this asset class.

**Justice and Community Safety Directorate
Controlled Statement of Appropriation
For the Year Ended 30 June 2018**

	Original Budget 2018 \$'000	Total Appropriated 2018 \$'000	Appropriation Drawn 2018 \$'000	Appropriation Drawn 2017 \$'000
Controlled				
Controlled Recurrent Payments (CRP)	281,299	284,239	267,925	253,406
Capital Injections	42,302	57,637	24,652	29,915
Total Controlled Appropriation	323,601	341,876	292,577	283,321

The above Controlled Statement of Appropriation should be read in conjunction with the accompanying notes below:

Column Heading Explanations

The *Original Budget* column shows the amounts that appear in the Cash Flow Statement in the Budget Papers. This amount also appears in the Cash Flow Statement.

The *Total Appropriated* column is inclusive of all appropriation variations occurring after the Original Budget.

The *Appropriation Drawn* is the total amount of appropriation received by the Directorate during the year. This amount appears in the Cash Flow Statement.

Variances between 'Original Budget', 'Total Appropriated' and 'Appropriation Drawn'

	Controlled Recurrent Payments \$'000	Capital Injections \$'000
Reconciliation of Appropriation for 2017-18		
Original Appropriation for 2017-18	281,299	42,302
Administrative Arrangements Transfer (FMA s.16)	(1,423)	-
Transfer of funds to capital injection (FMA s.14)	(3,520)	3,520
Rollover of Undisbursed Appropriation (FMA s.16B)	4,549	9,054
2017-18 Second Appropriation	3,334	2,761
Total Appropriated ¹	284,239	57,637
Budget Rollovers / Undrawn	(10,646)	(31,950)
Savings	(5,668)	(1,035)
Controlled Appropriation Drawn ²	267,925	24,652

1. Variances between 'Original Budget' and 'Total Appropriated'

Controlled Recurrent Payments (CRP)

The increase of \$2.94 million between the Original Budget for the Directorate and the Total Appropriated is mainly due to 2nd appropriation (\$3.334 million), transfer of funding from 2016-17 to 2017-18 (\$4.549 million). These are partially offset by transfer of the function of the Coordinator-General for Family Safety to Community Services Directorate following Administrative Arrangement changes from 1 July 2017 (\$1.344 million) and transfer of funds related to ACT Courts Public Private Partnership (PPP) project from CRP to capital injection (\$3.520 million).

Capital Injections

The increase of \$15.335 million between the Original Budget and the Total Appropriated is mainly due to 2nd appropriation (\$2.761 million), transfer of funds related to ACT Courts PPP project from CRP to capital injection (\$3.520 million) and transfer of funding from 2016-17 to 2017-18 (\$9.054 million) for various projects including ICT Projects (\$4.138 million), new Courts Facilities (\$0.826 million), ESA Station Upgrade and Relocation Program (\$1.310 million), Alexander Maconochie Centre (AMC) capital works projects (\$0.682 million) and ACT Corrective Services Accommodation fit-out (\$0.793 million).

Justice and Community Safety Directorate Controlled Statement of Appropriation For the Year Ended 30 June 2018

2. Variances between 'Total Appropriated' and 'Appropriation Drawn'

Controlled Recurrent Payments

The variance of \$16.314 million between the Total Appropriated and Appropriation Drawn is due to funds not drawn down in 2017-18 and transferred to 2018-19 through the 2018-19 Budget process (\$9.280 million) including undrawn funds for the Eastman Retrieval due to delay in proceedings (\$2.855 million), revised timing of the Natural Disaster Resilience Program (\$1.305 million), the remediation for Belconnen Fire and Ambulance station (\$1.067 million) which will be transferred to CMTEDD in 2018-19 and other recurrent initiatives (\$1.053 million); savings associated with the delay in the construction of the new ACT Courts through the PPP contract (\$5.668 million) and other undrawn funds (\$1.366 million).

Capital Injections

The difference of \$32.985 million between the Total Appropriated and Appropriation Drawn is primarily due to transfer of capital project funding from 2017-18 to later financial years including the ESA ICT Projects (\$5.902 million), new Courts Facilities (\$7.355 million), ESA Station Upgrade and Relocation Program (\$2.275 million), Replacement of Courts and Tribunal ICT Case Management System (\$2.527 million), ACT Legislation Register (\$0.95 million), ACT Corrective Services Information Management (\$6.077 million), Alexander Maconochie Centre (AMC) capital works projects (\$2.742 million), Vehicle Replacement Program (\$1.245 million), Upgrading ESA communications centre and Non-Emergency Patient Transport facilities (\$1.121 million); and savings associated with the delay in the construction of the new ACT Courts through the PPP contract (\$1.035 million).

Justice and Community Safety Directorate CONTROLLED NOTE INDEX

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Note	2	Significant Accounting Policies (see Appendices A,B, and C) Appendix A – Basis of Preparation of the Financial Statements Appendix B – Significant Accounting Policies Appendix C – Impact of Accounting Standards Issued But Yet to be Applied
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Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 1. OBJECTIVES OF THE JUSTICE AND COMMUNITY SAFETY DIRECTORATE

Operations and Principal Activities

The Justice and Community Safety Directorate (the Directorate) seeks to maintain a fair, safe and peaceful community in the ACT where people's rights and interests are respected and protected.

This is achieved through the objectives of:

- maintaining the rule of law and the Westminster style of democratic government;
- promoting the protection of human rights in the Territory;
- providing effective offender management and opportunities for rehabilitation;
- protecting and preserving life, property and the environment; and
- providing for effective and cohesive emergency response and management.

The Directorate consists of:

- Legislation Policy and Programs;
- ACT Courts and Tribunal;
- ACT Government Solicitor's Office;
- ACT Parliamentary Counsel's Office;
- ACT Corrective Services;
- Security Emergency Management; and
- Emergency Services Agency.

Independent statutory offices within the Directorate include:

- the Director of Public Prosecutions; and
- the ACT Human Rights Commission.

Administrative Arrangements

Administrative Arrangements 2017 (No 1) (Notifiable Instrument N12017-329) came into effect on 1 July 2017, which resulted in the transfer of the Coordinator-General for Family Safety function from the Directorate to the Community Services Directorate.

Purchased Services

The Directorate is also responsible for the management of services provided by the Commonwealth via the Australian Federal Police (ACT Policing) and the Privacy Commissioner.

NOTE 2. SIGNIFICANT ACCOUNTING POLICIES

Refer to the following appendices for the notes comprising significant accounting policies and other explanatory information.

- Appendix A - Basis of Preparation of the Financial Statements
- Appendix B - Significant Accounting Policies
- Appendix C - Impact of Accounting Standards Issued But Yet to be Applied

NOTE 3. CHANGE IN ACCOUNTING POLICY AND ACCOUNTING ESTIMATES

There were no changes in accounting policy and accounting estimates during the 2017-18 financial year.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 4. CONTROLLED RECURRENT PAYMENTS

Controlled Recurrent Payments (CRP) is revenue received from the ACT Government to fund the costs of delivering outputs.

	2018 \$'000	2017 \$'000
Revenue from the ACT Government		
Controlled Recurrent Payments ^a	267,925	253,406
Total Controlled Recurrent Payments	267,925	253,406

a) Increase of \$14.5m in CRP from 2016-17 is mainly due to additional funding (\$15.6m) received from the government, salary and wage agreements increases and indexation (\$4.8m), partially offset by funding transferred to 2018-19 (\$4.6m) and transfer of the function of the Coordinator-General for Family Safety to Community Services Directorate following Administrative Arrangement changes from 1 July 2017 (\$1.3m).

NOTE 5. USER CHARGES

User charges revenue is derived by providing goods and services to other ACT Government agencies and to the public. User charges revenue is legally retained by the Directorate and driven by consumer demand.

	2018 \$'000	2017 \$'000
User Charges - ACT Government		
Professional Services	8,251	7,364
Other ^a	166	189
Total User Charges - ACT Government	8,417	7,553
User Charges - Non-ACT Government		
Ambulance Transport Fees	4,609	5,560
False Alarm/Fire Alarm Monitoring Fees ^b	3,927	4,182
Ambulance Transport Fees for Department of Veterans' Affairs Patients	830	896
Workers' Compensation Levy	655	641
Other ^c	657	689
Helicopter Charges	324	305
Total User Charges - Non-ACT Government	11,002	12,273
Total User Charges for Goods and Services	19,419	19,826

- a) The ACT Government's 'Fire Alarm Monitoring Fees' reported under 'Other' in 2016-17 has been appropriately classified as Non-ACT Government in the 2017-18 financial statements.
- b) The 'Fire Safety Certifier Fees' in 2016-17 has been reclassified to 'False Alarm/Fire Alarm Monitoring Fees' in 2017-18 financial statements.
- c) The 'Professional Services' in 2016-17 has been reclassified to 'Other' in 2017-18 financial statements for better presentation and comparison purposes.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 6. RESOURCES RECEIVED AND PROVIDED FREE OF CHARGE

Resources received free of charge relate to goods and/or services being provided free of charge by other agencies within the ACT Government. Goods and services received free of charge from entities external to the ACT Government are classified as donations. Donations are presented in Note 8 *Other Gains*.

Resources Received Free of Charge		2018	2017
		\$'000	\$'000
Received From	Service Provided		
Australian Federal Police	Police Checks - Jury Panellists	121	315
Federal Court of Australia	Visiting Judges and Staff	75	121
Chief Minister, Treasury and Economic Development Directorate (CMTEDD)	Land Title Searches	48	36
	Workers' Compensation ^a Supplementation	2,570	5,544
Education Directorate ^b	In kind employee resources	-	129
Community Services Directorate ^b	In kind employee resources	-	98
Health Directorate ^b	In kind employee resources	-	19
Total Resources Received Free of Charge		3,117	6,262

a) The lower workers' compensation supplementation in 2017-18 is mainly due to lower premium rate which is partially driven by better claim performance.

b) The 'in kind employee resources' relate to resources received to support the Safer Families team in 2016-17. The function was transferred to the Community Services Directorate on 1 July 2017.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 6. RESOURCES RECEIVED AND PROVIDED FREE OF CHARGE – CONTINUED

Resources Provided Free of Charge		2018	2017
		\$'000	\$'000
Provided To	Service Provided		
Chief Minister, Treasury and Economic Development Directorate	Legal Services	3,622	3,024
	Drafting and Publishing Services	981	621
	Network (Territory Radio Network) Access and FleetCare	59	57
Total		4,662	3,702
Transport Canberra and City Services Directorate	Legal Services	1,197	559
	Drafting and Publishing Services	384	209
	Network (Territory Radio Network) Access and FleetCare	351	343
Total		1,932	1,111
Health Directorate	Legal Services	1530	1539
	Drafting and Publishing Services	115	85
	Network (Territory Radio Network) Access and FleetCare	6	6
Total		1,651	1,630
Education Directorate	Legal Services	626	595
	Drafting and Publishing Services	55	15
Total		681	610
Office of the Legislative Assembly	Legal Services	26	26
	Drafting and Publishing Services	233	273
Total		259	299
Australian Federal Police	Legal Services	314	284
	Network (Territory Radio Network) Access and FleetCare	8	8
Total		322	292

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 6. RESOURCES RECEIVED AND PROVIDED FREE OF CHARGE - CONTINUED

Resources Provided Free of Charge - Continued

		2018 \$'000	2017 \$'000
Provided To	Service Provided		
Community Services Directorate	Legal Services	1,486	1,583
	Drafting and Publishing Services	183	65
Total		1,669	1,648
Environment, Planning and Sustainable Development Directorate (EPSDD)	Legal Services	941	984
	Drafting and Publishing Services	542	305
	Network (Territory Radio Network) Access and Fleetcare	5	5
Total		1,488	1,294
ACTION Buses	Legal Services	11	-
	Network (Territory Radio Network) Access and Fleetcare	431	422
Total		442	422
Cultural Facilities Corporation	Legal Services	79	59
Canberra Institute of Technology	Legal Services	157	47
Independent Competition and Regulatory Commission (ICRC)	Legal Services	7	4
ACT Government Executive	Legal Services	634	207
ACT Audit Office	Legal Services	44	8
ACT Electoral Commission	Legal Services	19	-
Public Trustee and Guardian	Legal Services	38	-
ACT Teacher Quality Institute	Legal Services	7	9
ACT Legal Aid	Legal Services	5	-

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 6. RESOURCES RECEIVED AND PROVIDED FREE OF CHARGE - CONTINUED

Resources Provided Free of Charge - Continued

Provided To	Service Provided	2018 \$'000	2017 \$'000
Department of Defence	Network (Territory Radio Network) Access and FleetCare	10	10
ACT Long Service Leave Authority	Legal Services	19	1
Hospitals - The Canberra Hospital and Calvary	Network (Territory Radio Network) Access and FleetCare	5	5
Snowy South Care Helicopter	Network (Territory Radio Network) Access and FleetCare	2	2
New South Wales Fire and Rescue Services	Network (Territory Radio Network) Access and FleetCare	4	4
St John Ambulance	Network (Territory Radio Network) Access and FleetCare	5	5
Department of Foreign Affairs and Trade	Network (Territory Radio Network) Access and FleetCare	6	6
City Renewal Authority	Legal Services	7	-
Suburban Land Agency	Legal Services	290	-
Total Resources Provided Free of Charge		14,444	11,375

For comparison and consistency purpose, 2016-17 'Network (Territory Radio Network) Access and FleetCare' services associated with Environment, Planning and Sustainable Development Directorate (EPSDD) and ACTION Buses have been removed from Transport Canberra and City Services Directorate (TCCS) and included into those agencies services in line with 2017-18 classification.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 7. OTHER REVENUE

Other Revenue arises from the core activities of the Directorate.

	2018	2017
	\$'000	\$'000
General Grants including Grants from the Commonwealth	1,580	1,105
Insurance Recoveries from the ACT Insurance Authority	143	219
Trust Recoveries	7,460	7,202
Other Revenue ^a	3,318	1,542
Total Other Revenue^a	12,501	10,068

a) The 'Interest Revenue' in 2016-17 has been reclassified to 'Other Revenue' in 2017-18 financial statements.

b) The increase of \$2.4m from 2016-17 mainly relates to Emergency Services Agency cost recovery associated with overseas deployments and higher Commonwealth grants.

NOTE 8. OTHER GAINS

Other gains are transactions that are not part of the Directorate's core activities.

	2018	2017
	\$'000	\$'000
Other Gains ^a	2,288	3,972
Total Other Gains	2,288	3,972

a) The decrease of \$1.7m from 2016-17 mainly relates to the recognition in 2016-17 financial year of a leasehold asset for 2 Constitution Avenue (\$3.4m) and the transfer of Aranda land from the Chief Minister, Treasury and Economic Development Directorate and the Transport Canberra and City Services Directorate (\$0.5m) which did not occur in 2017-18, partially offset by the contribution to the construction and fitout for the hangar upgrade at the helicopter base in Hume (\$2.2m) in 2017-18.

NOTE 9. EMPLOYEE EXPENSES

	2018	2017
	\$'000	\$'000
Wages and Salaries ^a	186,774	177,663
Annual Leave	1,615	1,992
Long Service Leave ^b	(1,095)	(2,720)
Workers' Compensation Insurance Premium ^c	10,708	13,606
Other Employee Benefits and On-Costs	742	899
Total Employee Expenses	198,744	191,440

a) The increase of \$9.1m from 2016-17 primarily relates to wages and Remuneration Tribunal increases and indexation (\$4.1m), additional staffing from client funded services, increased workload and other activities (\$3.4m) and 2nd appropriation initiatives (\$2.2m). These are partially offset by full year impact of lower employee costs (\$0.6m) for Safer Families transfer to the Community Services Directorate effective from 1 July 2017.

b) Lower long service leave expenses in 2017-18 are mainly due to the lower rate used to estimate the present value of long service leave liabilities.

c) The decrease of \$2.9m from 2016-17 is mainly due to lower workers' compensation premium costs in 2017-18 driven by better claim performance.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 10. SUPERANNUATION EXPENSES

	2018	2017
	\$'000	\$'000
Superannuation Contributions to the Territory Banking Account	12,433	12,463
Productivity Benefit	1,609	1,638
Superannuation to External Providers ^a	12,092	10,882
Total Superannuation Expenses^a	26,134	24,983

a) 'Superannuation Payment to ComSuper (for the PSSAP)' in 2016-17 (\$0.6m) has been appropriately reclassified to 'Superannuation to External Providers' in 2017-18.

b) The increase of \$1.2m from 2016-17 primarily relates to wage agreement increases and indexation (\$0.5m), additional staffing (\$0.4m) and 2nd appropriation initiatives (\$0.3m).

NOTE 11. SUPPLIES AND SERVICES

	2018	2017
	\$'000	\$'000
Accommodation, Rent, Hire and Utilities	15,031	13,756
Computing, Information Technology and Telecommunications	17,179	14,700
Repairs and Maintenance and Security	7,313	6,711
Service Agreements	6,533	5,281
Legal, Jurors, Court and other Professional Services ^a	4,504	3,931
Contractors and Consultants	3,146	4,298
Medical and Operational	5,540	4,700
Training and Recruitment	2,890	3,373
Insurance	2,327	2,247
Protective Clothing, Uniforms, Minor Equipment and Consumables	2,271	1,920
Office Supplies, Printing and Stationary	1,617	1,938
Transport and Vehicle Lease	2,043	1,841
Library, Subscriptions and Memberships	1,221	1,585
Advertising, Marketing and Promotion	336	839
Travel and Related Accommodation	691	725
Other Expenses	4,121	3,613
Total Supplies and Services^b	76,763	71,458

a) Audit Fees paid or Payable to the ACT Audit Office are \$0.234m in 2017-18 (\$0.225m in 2016-17).

b) The increase of \$5.3m from 2016-17 is primarily due to higher rent and outgoing expenses (\$1.3m), Information Communication Technology (ICT) support and related services costs (\$2.5m) and service agreements expenses to Commonwealth and community sector organisations (\$1.3m).

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 12. DEPRECIATION AND AMORTISATION

	2018	2017
	\$'000	\$'000
Depreciation		
Buildings ^a	13,914	17,204
Plant and Equipment	5,110	4,899
Leasehold Improvements	2,852	2,442
Assets under Finance Lease	17	11
Community and Heritage Assets	34	32
Total Depreciation	21,927	24,588
Amortisation		
Intangible Assets	2,384	1,718
Total Amortisation	2,384	1,718
Total Depreciation and Amortisation	24,311	26,306

a) The decrease of \$3.3m from 2016-17 is mainly due to the old Belconnen Fire and Ambulance Stations being fully depreciated in 2016-17.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 13. GRANTS AND PURCHASED SERVICES

Grants are amounts provided to ACT Government agencies and non-ACT Government agencies for general assistance or for a particular purpose. Grants may be for capital, current or recurrent purposes and the name or category reflects the use of the grant. The grants given are usually subject to terms and conditions set out in the contract, correspondence, or by legislation.

Purchased services are amounts paid to obtain services from other ACT Government agencies and external parties.

	2018	2017
	\$'000	\$'000
Grants and Purchased Services ^a	5,690	3,624
Total Grants and Purchased Services	5,690	3,624

a) The increase of \$2.1m from 2016-17 is mainly due to higher grant payments to community sector organisations (\$0.9m), Natural Disaster Resilience Program (\$0.7m) and Road Safety initiatives (\$0.5m).

NOTE 14. OTHER EXPENSES

	2018	2017
	\$'000	\$'000
Waivers, Impairment Losses and Write-offs ^{a,b}	1,076	2,806
Losses from the Sale of Assets/Write-down in Assets	165	168
Losses from transfer of Assets ^c	3,250	-
Total Other Expenses	4,491	2,974

a) The decrease of \$1.7m from 2016-17 is primarily due to lower provision and impaired ambulance debts.

b) \$0.02m 'Waivers, Impairment Losses and Write-offs' in 2016-17 has been reclassified to 'Losses from the Sale of Assets/Write-down in Assets' in 2017-18 financial statements.

c) The increase of \$3.3m from 2016-17 is due to the loss arising from the land transfer of the old Belconnen Fire and Ambulance Station to Chief Minister, Treasury and Economic Development Directorate.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 15. WAIVERS, IMPAIRMENT LOSSES AND WRITE-OFFS

Under section 131 of the *Financial Management Act 1996* the Treasurer may in writing, waive the right to payment of an amount payable to the Territory. According to the *Court Procedure Act 2004* Section 15 (2) (b), Courts can make orders to waive payment of debts owing to the Directorate from third parties.

A waiver is the relinquishment of a legal claim to a debt. The write-off of a debt is the accounting action taken to remove debt from the books, but does not relinquish the legal right of the Directorate to recover the amount. The write off of debt may occur for reasons other than waivers.

The waivers, impairment losses and write-offs listed below have occurred during the reporting period for the Directorate.

	2018		2017
	No.	\$'000	No.
			\$'000
Waivers			
Waivers	80	30	63
Total Waivers^{a,c}	80	30	63
Impairment Losses			
<i>Impairment Losses from Receivables</i>			
Trade Receivables Increase ^{b,c}	-	(448)	-
<i>Total Impairment Losses from Receivables</i>	-	(448)	-
<i>Impairment Losses from Property, Plant and Equipment</i>			
Plant and Equipment	14	157	6
<i>Total Impairment Losses from Property, Plant and Equipment</i>	14	157	6
Total Impairment Losses	14	(291)	6
Write-Offs			
Irrecoverable Debts ^{a,c}	1,779	1,494	2,733
Losses or Deficiencies in Public Monies	-	-	2
Total Write-Offs	1,779	1,494	2,735
Total Waivers, Impairment Losses and Write-Offs	1,873	1,233	2,804

a) Waivers mainly relate to Magistrates Court Transcript fees.

b) The decrease from 2016-17 predominantly relates to lower provision and impaired ambulance debts.

c) The \$1.076m 'Waivers, Impairment Losses and Write-off' in Note 14 is a sum of 'Waivers', 'Impairment Losses from Receivables' and 'Irrecoverable Debts' above.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 16. CASH AND CASH EQUIVALENTS

The Directorate holds a number of bank accounts with Westpac as part of the whole-of-government banking arrangements. As part of these arrangements, the Directorate does not receive any interest on these accounts.

	2018	2017
	\$'000	\$'000
Cash at Bank*	10,300	17,545
Cash on Hand	22	22
Total Cash and Cash Equivalents	10,322	17,567

a) The decrease of \$7.2m from 2016-17 is mainly due to lower cash received from customers (\$4.3m) and payments made to creditors prior to 30 June 2018.

NOTE 17. RECEIVABLES

	2018	2017
	\$'000	\$'000
Current Receivables		
Trade Receivables	6,633	6,015
Less: Allowance for Impairment Losses	<u>(1,858)</u>	<u>(2,306)</u>
	4,775	3,709
Accrued Revenue	5,886	3,011
	<u>10,661</u>	<u>6,720</u>
Net Goods and Services Tax (GST) Receivable	1,821	1,491
Total Current Receivables*	12,482	8,211

a) The increase of \$4.3m from 2016-17 predominately relates to one-off accrued revenue in 2017-18 associated with ACT Civil and Administrative Tribunal (ACAT) Trust Recovery to cover expenses incurred by the Directorate for ACAT related activities and the higher level of trade and GST receivables.

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 17. RECEIVABLES - CONTINUED

Ageing of Receivables

	Not Overdue \$'000	Overdue ^b			Total \$'000
		Less than 30 Days \$'000	30 to 60 Days \$'000	Greater than 60 Days \$'000	
2018					
Not Impaired^f					
Receivables	11,144	541	507	290	12,482
Impaired^c					
Receivables	-	-	-	1,858	1,858
2017					
Not Impaired^f					
Receivables	6,970	488	298	455	8,211
Impaired^c					
Receivables	-	-	-	2,306	2,306

a) 'Not Impaired' refers to Net Receivables (that is Gross Receivables less Impaired Receivables).

b) Overdue debtors are mostly Ambulance receivables. Some of these outstanding debts are covered by Private Health Insurance.

c) Impaired Receivables refer to debts more than 90 days overdue.

	2018 \$'000	2017 \$'000
Reconciliation of the Allowance for Impairment Losses		
Allowance for Impairment Losses at the Beginning of the Reporting Period		2,306
Additional Allowance Recognised/Written Off	(448)	614
Allowance for Impairment Losses at the End of the Reporting Period	1,858	2,306

Classification of ACT Government/Non-ACT Government Receivables

Receivables with ACT Government Entities

Net Trade Receivables	2,142	437
Accrued Revenue	4,411	1,773
Total Receivables with ACT Government Entities	6,553	2,210

Receivables with Non-ACT Government Entities

Net Trade Receivables	2,633	3,272
Accrued Revenue	1,475	1,238
Net Goods and Services Tax Receivable	1,821	1,491
Total Receivables with Non-ACT Government Entities	5,929	6,001
Total Receivables	12,482	8,211

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 18. PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment includes the following classes of assets – land, buildings and improvements, leasehold improvements, plant and equipment, and community and heritage assets.

Land includes leasehold land held by the Directorate

Buildings and improvements include both office buildings, warehouses and land improvements. Land improvements are additions to areas of land that increase the utility of the land, have a limited useful life and are depreciated e.g. parking lots and retaining walls.

Leasehold improvements represent fit-outs in leased buildings.

Plant and equipment includes specialised vehicles, mobile plant, air conditioning, heating systems, office and computer equipment, furniture and fittings, plant and equipment (including those under a finance lease), other mechanical and electronic equipment and libraries.

Community and Heritage Assets are defined as those non-current assets that the ACT Government intends to preserve indefinitely because of their unique historical, cultural or environmental attributes. A common feature of community and heritage assets is that they cannot be replaced and they are not usually available for sale or for redeployment. Community and heritage assets held by the Directorate include historical buildings.

Land, and Buildings and Improvements

	2018	2017
	\$'000	\$'000
Land at Fair Value ^{ab}	43,633	39,816
Total Land Assets	43,633	39,816
Buildings and Improvements at Fair Value ^a	289,056	319,225
Less: Accumulated Depreciation	(11,512)	(28,890)
Total Written Down Value of Buildings and Improvements^c	277,544	290,335
Total Land and Written Down Value of Buildings and Improvements	321,177	330,151

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 18. PROPERTY, PLANT AND EQUIPMENT - CONTINUED

	2018 \$'000	2017 \$'000
Leasehold Improvements		
Leasehold Improvements at Fair Value*	17,291	22,155
Less: Accumulated Depreciation	-	(4,458)
Total Written Down Value of Leasehold Improvements	17,291	17,697
Plant and Equipment		
Plant and Equipment at Cost	78,836	77,056
Less: Accumulated Depreciation	(51,631)	(50,175)
Total Written Down Value of Plant and Equipment	27,205	26,881
Community and Heritage Assets		
Community and Heritage Assets at Fair Value*	2,895	2,116
Less: Accumulated Depreciation	-	(64)
Total Written Down Value of Community and Heritage Assets	2,895	2,052
Total Written Down Value of Property, Plant and Equipment	368,568	376,781

a) The Directorate's land, buildings, leasehold Improvements, and community and heritage assets were revalued as at 30 June 2018 by independent valuer, Colliers International. Assets within each of these classes are reported at fair value. The next valuation is scheduled in 2020-21.

The ACT Courts have 2 main assets for the Supreme Court and Magistrates Court which currently belong to the Buildings asset class. They are both part of the Public Private Partnership (PPP) construction project with Stage 1 expected to be completed around the first quarter of 2018-19 and Stage 2 in June 2019. Both these assets will be valued as part of the completion of the PPP and relevant accounting treatment applied for the valuation of these assets as service concession assets and taken up as a separate asset class in 2018-19. These assets are immaterial compared with total non-current assets, and as such, JACS have removed both assets from the standard valuation process for 2018 and will continue to report them at estimated value in use for the 2017-18 financial reporting period. The land for both assets was revalued as part of the 2017-18 asset revaluation. Please refer to Appendix B, Note 18 Property, Plant and Equipment, Significant Accounting Judgements and Estimates – ACT Courts Facilities, Public Private Partnership (PPP).

b) The net increase of \$3.8m from 2016-17 is due to increment from asset revaluation partially offset by the land transfer of the old Belconnen Fire and Ambulance Station to Chief Minister, Treasury and Economic Development Directorate.

c) The decrease of \$12.8m from 2016-17 is mainly due to accumulated depreciation of revalued buildings being written back against the gross carrying amounts of the assets and decrement from asset revaluation partially offset by the commissioning of the new State and Emergency Services Station for Tuggeranong, and additional facilities at the Southcare Helicopter base and building upgrades.

	2018 \$'000	2017 \$'000
Carrying Amount of Assets under a Finance Lease		
Plant and Equipment under a Finance Lease	200	200
Less: Accumulated Depreciation of Plant and Equipment under a Finance Lease	(142)	(134)
Total Written Down Value of Plant and Equipment under a Finance Lease	58	66
Total Written Down Value of Assets under a Finance Lease	58	66

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 18. PROPERTY, PLANT AND EQUIPMENT - CONTINUED

Reconciliation of Property, Plant and Equipment

The following table shows the movement of Property, Plant and Equipment during 2017-18.

	Land	Buildings and Improvements	Leasehold Improvements	Plant and Equipment	Community and Heritage Assets	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying Amount at the Beginning of the Reporting Period	39,816	290,335	17,697	26,881	2,052	376,781
Additions	-	6,968	484	5,564	129	13,145
Disposals	-	-	-	(113)	-	(113)
Revaluation Increment/(Decrement)	7,067	(5,845)	1,962	-	748	9,932
Assets Transferred	(3,250)	-	-	-	-	(3,250)
Depreciation	-	(13,914)	(2,852)	(5,127)	(34)	(21,927)
Carrying Amount at the End of the Reporting Period	43,633	277,544	17,291	27,205	2,895	368,568

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 18: PROPERTY, PLANT AND EQUIPMENT - CONTINUED

Reconciliation of Property, Plant and Equipment

The following table shows the movement of Property, Plant and Equipment during 2018-17.

	Land	Buildings and Improvements	Leasehold Improvements	Plant and Equipment	Community and Heritage Assets	Total
Carrying Amount at the beginning of the Reporting Period	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Additions	39,326	277,096	12,598	25,005	2,250	356,275
Disposals	490	30,443	4,182	6,334	-	41,449
Assets Transferred	-	-	3,359	(-48)	-	(148)
Asset Impairment	-	-	-	-	(166)	(166)
Depreciation	-	(7,704)	(7,447)	(4,910)	(32)	(24,598)
Carrying Amount at the End of the Reporting Period	39,816	290,335	17,697	26,861	2,052	376,761

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 18. PROPERTY, PLANT AND EQUIPMENT – CONTINUED

Fair Value Hierarchy

The Directorate is required to classify property, plant and equipment into a Fair Value Hierarchy that reflects the significance of the inputs used in determining their fair value. The Fair Value Hierarchy is made up of the following three levels:

- Level 1 – quoted prices (unadjusted) in active markets for identical assets or liabilities that the Directorate can access at the measurement date;
- Level 2 – inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly; and
- Level 3 – inputs that are unobservable for particular assets or liabilities.

Details of the Directorate's property, plant and equipment at fair value and information about the Fair Value Hierarchy at 30 June 2018 are as follows:

2018	Classification According to the Fair Value Hierarchy			
	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Total \$'000
Property, Plant and Equipment at Fair Value				
Land	-	43,633	-	43,633
Buildings and Improvements	-	-	277,544	277,544
Leasehold Improvements	-	-	17,291	17,291
Community and Heritage Assets	-	2,330	565	2,895
	-	45,963	295,400	341,363

Details of the Directorate's property, plant and equipment at fair value and information about the Fair Value Hierarchy at 30 June 2017 are as follows:

2017	Classification According to the Fair Value Hierarchy			
	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Total \$'000
Property, Plant and Equipment at Fair Value				
Land	-	39,816	-	39,816
Buildings and Improvements	-	-	290,335	290,335
Leasehold Improvements	-	-	17,697	17,697
Community and Heritage Assets	-	1,864	188	2,052
	-	41,680	308,220	349,900

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 18. PROPERTY, PLANT AND EQUIPMENT – CONTINUED

Valuation Techniques, Inputs and Processes

Level 2 Valuation Techniques and Inputs

Valuation Technique: The valuation technique used to value land is the market approach which values a selection of land with similar approximate utility.

Inputs: Prices and other relevant information generated by market transactions involving comparable land and buildings were considered. Regard was taken of the Crown Lease terms and tenure, The Australian Capital Territory Plan and the National Capital Plan, where applicable, as well as current zoning.

Level 3 Valuation Techniques Significant Unobservable Inputs

Valuation Technique: Buildings and improvements, leasehold improvements and community and heritage assets were considered specialised assets by the Valuers and measured using the cost approach.

Inputs: In determining the value of buildings and improvements, leasehold improvements and community and heritage assets, regard was given to the age and condition of the assets, their estimated replacement cost and current use. This required the use of data internal to the Directorate.

There has been no change to the above valuation techniques during the year.

Transfers in and out of a fair value level are recognised on the date of the event or change in circumstances that caused the transfer.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 18. PROPERTY, PLANT AND EQUIPMENT – CONTINUED

Fair Value Measurements Using Significant Unobservable Inputs (Level 3)

	Buildings and	Leasehold	Community
	Improvements	Improvements	and Heritage Assets
2018	\$'000	\$'000	\$'000
Fair Value at the Beginning of the Reporting Period	290,335	17,697	188
Additions	6,968	484	129
Revaluation increments/(decrements)	(5,845)	1,962	282
Depreciation	(13,914)	(2,852)	(34)
Fair Value at the End of the Reporting Period	277,544	17,291	565

Fair Value Measurements Using Significant Unobservable Inputs (Level 3)

	Buildings and	Leasehold	Community
	Improvements	Improvements	and Heritage Assets
2017	\$'000	\$'000	\$'000
Fair Value at the Beginning of the Reporting Period	277,096	12,598	386
Additions	30,443	4,182	-
Acquisition from Transfers	-	3,359	-
Asset Impairment	-	-	(166)
Depreciation	(17,204)	(2,442)	(32)
Fair Value at the End of the Reporting Period	290,335	17,697	188

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 19. INTANGIBLE ASSETS

The Directorate has internally generated software and externally purchased software.

	2018	2017
	\$'000	\$'000
<i>Internally Generated Software</i>		
Computer Software at Cost	10,031	9,317
Less: Accumulated Amortisation	(5,603)	(3,769)
<i>Total Internally Generated Software</i>	4,428	5,548
<i>Externally Purchased Software</i>		
Computer Software at Cost	6,251	6,046
Less: Accumulated Amortisation	(4,328)	(3,778)
<i>Total Externally Purchased Software</i>	1,923	2,268
Total Intangible Assets^a	6,351	7,816

a) The decrease of \$1.5m from 2016-17 is mainly due to the amortisation movement partially offset by commissioning of new computer software assets in Corporate and ACT Parliamentary Counsel's Office.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
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NOTE 19. INTANGIBLE ASSETS - CONTINUED

Reconciliation of Intangible Assets

The following table shows the movement of each class of Intangible Assets from the beginning to the end of 2017-2018.

	Internally Generated Software \$'000	Externally Purchased Software \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	5,548	2,268	7,816
Additions ¹	714	205	919
Amortisation	(1,834)	(550)	(2,384)
Carrying Amount at the End of the Reporting Period	4,428	1,923	6,351

b) This relates to the commissioning of computer software assets in Corporate and ACT Parliamentary Counsel's Office.

Reconciliation of Intangible Assets

The following table shows the movement of each class of Intangible Assets from the beginning to the end of 2016-2017.

	Internally Generated Software \$'000	Externally Purchased Software \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	3,223	351	3,574
Additions ²	3,788	2,172	5,960
Amortisation	(1,463)	(255)	(1,718)
Carrying Amount at the End of the Reporting Period	5,548	2,268	7,816

c) This relates to the commissioning of computer software assets in ACT Courts and Tribunal and ACT Corrective Services.

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 20. CAPITAL WORKS IN PROGRESS

Assets under construction include buildings and improvements, plant and equipment, leasehold improvements and computer software.

	2018	2017
	\$'000	\$'000
Buildings and Improvements ^a	14,812	10,405
Leasehold Improvements ^b	1,019	129
Plant and Equipment	1,964	2,246
Computer Software ^c	18,730	11,125
Total Capital Works in Progress	36,525	23,905

a) Increase of \$4.4m from 2016-17 is mainly due to increase in buildings and improvements works in progress including the works for ACT Courts facilities (\$2.5m), upgrades to Emergency Services Agency (ESA) communications centre and Non-Emergency Patient Transport facilities (\$0.8m), Aero-medical services and hanger upgrades (\$0.6m) and security upgrades at the Alexander Maconochie Centre (\$0.5m).

b) Increase of \$0.9m is mainly due to work in progress for the upgrades and fit-out to various leased accommodation.

c) Increase of \$7.6m is mainly due to increase in software works in progress including the ESA Territory Radio Network Upgrade - Phase 2 & 3 (\$4.5m), Replacement of Courts & Tribunal ICT Case Management System (\$1.9m), Digital Radio Communication System (\$1.8m).

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 20. CAPITAL WORKS IN PROGRESS – CONTINUED

Reconciliation of Capital Works In Progress

The following table shows the movement of Capital Works in Progress during 2017-18.

	Buildings and Improvements Works In Progress \$'000	Leasehold Improvements Works In Progress \$'000	Plant and Equipment Works In Progress \$'000	Software Works In Progress \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	10,405	129	2,246	11,125	23,905
Additions	11,612	1,317	2,182	11,393	26,504
Capital Works in Progress Completed and Transferred to Property, Plant and Equipment	(7,205)	(427)	(2,463)	(3,788)	(13,884)
Carrying Amount at the End of the Reporting Period	14,812	1,019	1,965	18,729	36,525

a) Buildings and Improvements includes works in progress relating to the new ACT Courts Facilities project \$10.2 m.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 20. CAPITAL WORKS IN PROGRESS – CONTINUED

Reconciliation of Capital Works in Progress

The following table shows the movement of Capital Works in Progress during 2016-17.

	Buildings and Improvements Works in Progress \$'000	Leaschold Improvements Works in Progress \$'000	Plant and Equipment Works in Progress \$'000	Software Works in Progress \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	28,030	1,109	5,205	6,961	41,305
Additions	13,023	2,090	2,558	10,906	28,583
Capital Works in Progress Completed and Transferred to Property, Plant and Equipment	(30,651)	(3,070)	(5,517)	(6,712)	(45,983)
Carrying Amount at the End of the Reporting Period	10,405	129	2,245	11,125	23,905

b) Included in Buildings and Improvements is \$9.0m works in progress relating to the new ACT Courts Facilities project. (\$7.6m in 2015-16).

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 21. PAYABLES

	2018	2017
	\$'000	\$'000
Current Payables		
Trade Payables	(23)	1,105
Other Payables	-	27
Accrued Expenses	5,669	5,281
Total Current Payables^a	5,646	6,413
Payables are aged as follows:		
Not Overdue	5,682	6,401
Overdue for Less than 30 Days	3	50
Overdue for 30 to 60 Days	3	-
Overdue for more than 60 Days	(42)	(38)
Total Payables^a	5,646	6,413
Classification of ACT Government/Non-ACT Government Payables		
Payables with ACT Government Entities		
Trade Payables	-	599
Accrued Expenses	1,007	2,271
Total Payables with ACT Government Entities	1,007	2,870
Payables with Non-ACT Government Entities		
Trade Payables	(23)	506
Other Payables	-	27
Accrued Expenses	4,662	3,010
Total Payables with Non-ACT Government Entities	4,639	3,543
Total Payables^a	5,646	6,413

a) The decrease of \$0.8m is mainly due to payment made to creditors prior to 30 June 2018.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 22. EMPLOYEE BENEFITS

At 30 June 2018, the Directorate employed 1,727 Full Time Equivalent (FTE) staff. There were 1,677 FTE at 30 June 2017.

Current Employee Benefits	2018	2017
	\$'000	\$'000
Annual Leave	33,265	31,739
Long Service Leave ^a	42,016	41,927
Accrued Salaries ^b	6,320	3,198
Total Current Employee Benefits	81,601	76,864
Non-Current Employee Benefits		
Long Service Leave ^a	1,744	3,011
Total Non-Current Employee Benefits	1,744	3,011
Total Employee Benefits	83,345	79,875
Estimate of when Leave is Payable		
Estimated Amount Payable within 12 months		
Annual Leave	17,645	16,529
Long Service Leave	3,468	3,021
Accrued Salaries	6,320	3,198
Total Employee Benefits Payable within 12 months	27,433	22,748
Estimated Amount Payable after 12 months		
Annual Leave	15,620	15,210
Long Service Leave	40,292	41,917
Total Employee Benefits Payable after 12 months	55,912	57,127
Total Employee Benefits	83,345	79,875

a) The movements from 2016-17 predominately relates to the lower rate used to estimate the present value of long service leave liabilities in 2017-18.

b) The increase of \$3.1m in accrued salaries is mainly due to accrual for wage agreements increase (\$2.5m) and higher staffing level in 2017-18.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 23. OTHER PROVISIONS

	2018 \$'000	2017 \$'000
Current Other Provisions		
Provision for Removal of Underground Fuel Tanks and Contamination Assessment	378	296
Provision for Make Good	90	55
Total Current Other Provisions	468	351
Non-Current Other Provisions		
Provision for Removal of Underground Fuel Tanks and Contamination Assessment	777	770
Provision for Make Good	2,255	2,414
Total Non-Current Other Provision	3,032	3,184
Total Other Provisions^a	3,500	3,535

a) Total Other Provisions consist of the recognition of a provision for make good of the Directorate's leased accommodation (\$2.3m); and a provision for removal and minor remediation associated with decommissioned fuel tanks and per-and poly-fluoroalkyl substances (PFAS) contamination assessment (\$1.2m) on Emergency Services Agency sites. Also refer to Note 28 Contingent Liabilities and Contingent Assets for further disclosure.

Provision for Restoration of Contaminated Sites

The Directorate has made provision through an estimation of costs for the removal of decommissioned fuel tanks and PFAS contamination assessment at Emergency Services Agency sites.

	2018 \$'000	2017 \$'000
Reconciliation of the Provision for Removal of Underground Fuel Tanks and Contamination Assessment		
Provision at the Beginning of the Reporting Period	1,066	830
(Decrease)/increase in Provision:		
ESA Fuel Tanks	(289)	236
PFAS assessment	378	-
Provision for Removal of Underground Fuel Tanks and Contamination Assessment at the End of the Reporting Period	1,155	1,066

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 23. OTHER PROVISIONS – CONTINUED

Provision for Make Good

The Directorate has entered into a number of lease agreements for office space in Civic and Fairbairn. There are clauses within the lease agreements which require the Directorate, upon cessation of the tenancy, to return the office space to the condition it was in before it was leased (this is referred to as 'make good'). The tenancy agreements run for different periods between 2 to 20 years.

The fair value as at end of reporting period for the Directorate leasehold improvements is \$17.3m. The estimated costs to make good those improvements was \$2.8m. The present value of the make good obligation, using the respective Government bond rate as at 30 June 2018, is approximately \$2.3m.

	2018	2017
	\$'000	\$'000
Reconciliation of the Provision for Make Good		
Provision for Make Good at the Beginning of the Reporting Period	2,469	1,237
(Decrease)/increase in the Provision	(124)	1,232
Provision for Make Good at the End of the Reporting Period	2,345	2,469

NOTE 24. OTHER LIABILITIES

Current Other Liabilities

Revenue Received in Advance ^a	871	1,418
Total Current Other Liabilities	871	1,418

a) The decrease of \$0.5m from 2016-17 is mainly due to revenue recognition of funding received in advance for completed services in 2017-18 associated with Natural Disaster Resilience Program (NDRP).

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
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NOTE 25. ASSET REVALUATION SURPLUS

The Asset Revaluation Surplus is used to record the increments and decrements in the value of property, plant and equipment.

	2018	2017
	\$'000	\$'000
Balance at the Beginning of the Reporting Period	59,547	59,991
Increment in Land	7,067	-
(Decrement) in Buildings and Improvements	(5,845)	(2)
Increment/(Decrement) in Leasehold Improvements ^a	2,186	(276)
Increment/(Decrement) in Community and Heritage Assets	748	(166)
Total Increase/(Decrease) in the Asset Revaluation Surplus	4,156	(444)
Balance at the End of the Reporting Period^b	63,703	59,547

a) Leasehold improvements include asset revaluation increment (\$1.962m) and increase in make good value.

b) The Directorate revalued its land, building and improvements, leasehold improvements and community and heritage assets at 30 June 2018.

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 26. FINANCIAL INSTRUMENTS

Details of the significant policies and methods adopted, including the criteria for recognition, the basis of measurement, and the basis on which income and expenses are recognised, with respect to each class of financial asset and financial liability are disclosed in Note 2 (see Appendix B) *Significant Accounting Policies*.

Credit Risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss. The Directorate's credit risk is limited to the amount of the financial assets it holds net of any allowance for impairment. The Directorate expects to collect all financial assets that are not past due or impaired.

There have been no changes in credit risk exposure since last reporting period.

The Directorate's receivables cover various entities classified between other ACT Government agencies and external to ACT Government, and these receivables are unsecured. Of these receivables, a significant portion relate to individuals who have received ambulance transport. The Directorate's receivables are dispersed across a large number of individual debtors, therefore there is no significant concentration of receivables. The Directorate manages the credit risk through ongoing debt recovery action undertaken by Shared Services and the review of the collectability of receivables by debt recovery measures and/or payment by instalments.

Liquidity Risk

Liquidity risk is the risk that the Directorate will encounter difficulties in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset. The main source of cash to pay these obligations is received through appropriation from the ACT Government which is paid on a fortnightly basis during the year. The Directorate manages its liquidity risk by forecasting appropriation drawdown requirements to enable payment of anticipated obligations.

The Directorate is able to draw down additional Controlled Recurrent Payments in the next reporting period to cover its financial liabilities when they fall due. This ensures the Directorate has enough liquidity to meet its emerging financial liabilities.

The Directorate's exposure to liquidity risk is not considered material based on experience from prior years and the current assessment of risk. See the maturity analysis below for further details of when financial asset and financial liabilities mature.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 26. FINANCIAL INSTRUMENTS – CONTINUED

Fair Value of Financial Assets and Liabilities

The carrying amounts and fair values of financial assets and liabilities at the end of the reporting period are:

	Note No	Carrying Amount 2018 \$'000	Fair Value Amount 2018 \$'000	Carrying Amount 2017 \$'000	Fair Value Amount 2017 \$'000
Financial Assets					
Cash and Cash Equivalents	16	10,322	10,322	17,567	17,567
Receivables ^a	17	10,661	10,661	6,720	6,720
Total Financial Assets		20,983	20,983	24,287	24,287
Financial Liabilities					
Payables	21	5,646	5,646	6,413	6,413
Total Financial Liabilities		5,646	5,646	6,413	6,413

a) Receivables above exclude Goods and Services tax.

The Directorate's financial assets and financial liabilities are Non-interest bearing and are measured, subsequent to initial recognition, at amortised cost, therefore no Fair Value Hierarchy or maturity analysis disclosures have been made.

NOTE 27. COMMITMENTS

Capital Commitments

Capital commitments contracted at reporting date that have not been recognised as liabilities, are payable as follows:

	2018 \$'000	2017 \$'000
Capital Commitments		
Within one year	721	6,057
Later than one year but not later than five years	-	265
Total Capital Commitments^a	721	6,322

a) The decrease of \$5.6m from 2016-17 predominately relates to completion of Emergency Services Agency (ESA) capital projects.

Other Commitments

Other commitments contracted at reporting date that have not been recognised as liabilities, are payable as follows:

	2018	2017
Within one year	16,930	8,536
Later than one year but not later than five years	21,467	19,477
Later than five years	374	10,458
Total Other Commitments	38,771	38,471

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 27. COMMITMENTS – CONTINUED

Operating Lease Commitments	2018	2017
	\$'000	\$'000
Non-cancellable operating lease commitments are payable as follows:		
Within one year	11,913	10,778
Later than one year but not later than five years	34,983	37,995
Later than five years	20,662	26,955
Total Operating Lease Commitments^b	67,558	75,728

b) The decrease of \$8m from 2016-17 is predominately due to the ESA's Fairbairn and other corporate building leases being one year closer to their expiry date.

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 27. COMMITMENTS – CONTINUED

Public Private Partnership Commitments

During 2015, the Territory entered into a public private partnership contract for the construction of the new ACT Courts. Service payments will be payable in the first quarter of 2018-19 after commercial acceptance of Stage 1. The following shows the total amounts that are expected to be paid as monthly service payments.

	Total Minimum lease payments ^e		Interest		Present Value of minimum lease payments	
	2018 \$'000	2017 \$'000	2018 \$'000	2017 \$'000	2018 \$'000	2017 \$'000
Public Private Partnership Commitments						
Within one year	8,390	3,365	7,042	2,950	1,348	415
Later than one year but not later than five years	59,505	58,753	49,922	48,812	9,583	9,941
Later than five years	299,886	314,762	157,845	166,135	142,041	148,627
Total Public Private Partnership Commitments^d	367,781	376,880	214,809	217,897	152,972	158,983

	Capital Commitments ^f		Operating Commitments		Total PPP Capital and Operating Commitments	
	2018 \$'000	2017 \$'000	2018 \$'000	2017 \$'000	2018 \$'000	2017 \$'000
Public Private Partnership Commitments						
Within one year	-	-	4,224	1,447	4,224	1,447
Later than one year but not later than five years	5,195	1,981	28,695	27,546	33,890	29,527
Later than five years	125,430	128,644	191,303	198,718	316,733	327,362
Total Public Private Partnership Commitments Including GST	130,625	130,625	224,222	227,711	354,847	358,336
Total Public Private Partnership Commitments Excluding GST					322,588	325,760

c) The Total Public Private Partnership Commitments as 30 June 2018 is \$690.4m (excluding GST) consisting of Total PPP Finance Lease Commitments of \$367.8m and Total PPP Capital and Operating Commitments of \$322.6m. The Total PPP Commitments relates to the Directorate entering into a contract for a PPP for the construction and operation of the new ACT Court facilities.

d) The PPP Finance Lease Commitments are exclusive of GST.

e) The Capital Commitments relate to payments of lifecycle replacement costs which represent the cost of capital improvements during the operating period.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 28. CONTINGENT LIABILITIES AND CONTINGENT ASSETS

The ACT Government Solicitor is acting for the Directorate in relation to an estimated amount of \$2.3m unresolved legal matters at 30 June 2018. The estimated amount of contingent liabilities includes the excess amount for matters covered by the ACT Insurance Authority (ACTIA) and legal matters not covered by ACTIA. Under the arrangement with ACTIA, if the Directorate pays the full amount of a successful claim, the amount less the excess amount is reimbursed to the Directorate by ACTIA.

The Directorate has recognised a provision for the removal of decommissioned fuel tanks and per-and poly fluoroalkyl substances (PFAS) contamination assessment on Emergency Service Agency sites (refer Note 23). This provision is the estimated cost of removal of the tanks, soil testing, PFAS assessment and investigations. The soil testing and PFAS assessment may identify contamination of the site that will require further remediation. In addition to provision made under Note 23 Other Provision, the possible cost associated with remediation is not able to be determined until the tanks are removed and the PFAS assessment and investigations are completed.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 29. CASH FLOW RECONCILIATION

	2018	2017
	\$'000	\$'000
(a) Reconciliation of Cash and Cash Equivalents at the End of the Reporting Period in the Cash Flow Statement to the Equivalent Items in the Balance Sheet		
Total Cash and Cash Equivalents Disclosed in the Balance Sheet	10,322	17,567
Cash and Cash Equivalents at the End of the Reporting Period as Recorded in the Cash Flow Statement	10,322	17,567
(b) Reconciliation of the Operating Surplus/(Deficit) to the Net Cash Outflows from Operating Activities		
Operating (Deficit)	(30,886)	(27,282)
Add/(Less) Non-Cash Items		
Depreciation and Amortisation	24,311	26,306
Administrative Arrangements - Net Liability Transfer	216	(85)
Make Good Provision	124	-
Add/(Less) Items Classified as Investing or Financing		
Net (Gain) on Assets/Assets Transferred or Contributed	962	(3,972)
Loss or Deficiencies in Public Monies/waiver of debt	-	(1)
Increase/(Decrease) in Borrowing Costs (Finance Leases)	3	(23)
Accrual of Capital Works/Vehicles	(868)	3,026
Assets Written Off / Loss on Disposal / Gain on Sale of Asset	157	148
Net Cash (Outflow) Before Changes in Operating Assets and Liabilities	(5,981)	(1,883)
Changes in Operating Assets and Liabilities		
(Increase)/Decrease in Receivable	(4,271)	6,557
(Increase) in Inventories	(61)	(241)
(Increase)/Decrease in Other Asset	(204)	136
(Decrease) in Payables	(767)	(2,705)
(Decrease) in Provisions	(35)	-
Increase/(Decrease) in Employee Benefits	3,470	(220)
(Decrease)/Increase in Other Liabilities	(547)	798
(Decrease) in Lease Incentives	(26)	-
Net Changes in Operating Assets and Liabilities	(2,441)	4,325
Net Cash (Outflow)/Inflow from Operating Activities	(8,422)	2,442

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 30. THIRD PARTY MONIES

The Directorate holds the following third party monies in trust:

Third Party Trust Monies	2018	2017
	\$'000	\$'000
Directorate General Trust Accounts		
Balance at the Beginning of the Reporting Period	5,579	4,992
Cash Receipts ^a	1,550	1,936
Cash Payments ^a	(1,524)	(1,349)
Balance at the End of the Reporting Period	<u>5,605</u>	<u>5,579</u>
Supreme Court Registrar's Trust Account		
Balance at the Beginning of the Reporting Period	679	508
Cash Receipts	23,808	24,107
Cash Payments	(22,917)	(23,936)
Balance at the End of the Reporting Period	<u>1,570</u>	<u>679</u>
Magistrates Trust Account		
Balance at the Beginning of the Reporting Period	174	106
Cash Receipts	7,014	1,659
Cash Payments	(6,912)	(1,591)
Balance at the End of the Reporting Period	<u>276</u>	<u>174</u>
Corrective Services Trust Account		
Balance at the Beginning of the Reporting Period	50	109
Cash Receipts	1,921	1,739
Cash Payments	(1,928)	(1,798)
Balance at the End of the Reporting Period	<u>43</u>	<u>50</u>
Rental Bonds Trust Account		
Balance at the Beginning of the Reporting Period	67,974	65,377
Cash Receipts	6,854	4,693
Cash Payments	(1,760)	(2,096)
Balance at the End of the Reporting Period	<u>73,068</u>	<u>67,974</u>
Consumer Compensation Fund		
Balance at the Beginning of the Reporting Period	3,506	3,508
Cash Receipts	90	94
Cash Payments	(89)	(96)
Balance at the End of the Reporting Period	<u>3,507</u>	<u>3,506</u>

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 30. THIRD PARTY MONIES – CONTINUED

	2018	2017
	\$'000	\$'000
ACT Civil and Administrative Tribunal Trust Account (ACAT)		
Balance at the Beginning of the Reporting Period	47,334	57,563
Cash Receipts ^a	6,461	7,460
Cash Payments ^{a, b}	(6,879)	(17,689)
Balance at the End of the Reporting Period	<u>46,916</u>	<u>47,334</u>
ESA Trust Account		
Balance at the Beginning of the Reporting Period	8	8
Cash Receipts	1	-
Balance at the End of the Reporting Period	<u>9</u>	<u>8</u>
ACT Rural Fire Service		
Balance at the Beginning of the Reporting Period	20	20
Cash Receipts	2	-
Cash Payments	(1)	-
Balance at the End of the Reporting Period	<u>21</u>	<u>20</u>
ACT State Emergency Services		
Balance at the Beginning of the Reporting Period	17	14
Cash Receipts	24	12
Cash Payments	(6)	(9)
Balance at the End of the Reporting Period	<u>35</u>	<u>17</u>
ACT Ambulance Service		
Balance at the Beginning of the Reporting Period	3	2
Cash Receipts	1	1
Cash Payments	(1)	-
Balance at the End of the Reporting Period	<u>3</u>	<u>3</u>
Total Third Party Trust Monies held by the Directorate	<u>131,053</u>	<u>125,344</u>

a) Manual adjustments have been made to both 2016-17 cash receipts and payments (\$0.2m) to eliminate transfers between Directorate Trust accounts.

b) The lower payments in 2017-18 relate to partial reimbursement of 2017-18 ACAT related expense with remaining reimbursement being made in 2018-19. The higher level of payments in 2016-17 relates to cash reimbursement (\$17.4m) for ACAT related expenses that agencies incurred in 2015-16 (\$7.0m) and 2016-17 (\$10.4m).

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 31. RELATED PARTY DISCLOSURES

A related party is a person that controls or has significant influence over the reporting entity, or is a member of the Key Management Personnel (KMP) of the reporting entity or its parent entity, and includes their close family members and entities in which the KMP and/or their close family members individually or jointly have controlling interests.

KMP are those persons having authority and responsibility for planning, directing and controlling the activities of the Justice and Community Safety Directorate (the Directorate), directly or indirectly.

KMP of the Directorate are the Portfolio Minister, the Director-General and certain members of the Senior Management Committee.

The Head of Service and the ACT Executive comprising the Cabinet Ministers are KMP of the ACT Government and therefore related parties of the Directorate.

This note does not include typical citizen transactions between the KMP and the Directorate that occur on terms and conditions no different to those applying to the general public.

(A) CONTROLLING ENTITY

The Directorate is an ACT Government controlled entity.

(B) KEY MANAGEMENT PERSONNEL

B.1 Compensation of Key Management Personnel

Compensation of all Cabinet Ministers, including the Portfolio Ministers, is disclosed in the note on related party disclosures included in the ACT Executive's financial statements for the year ended 30 June 2018.

Compensation of the Head of Service is included in the note on related party disclosures included in the Chief Minister, Treasury and Economic Development Directorate's (CMTEDD) financial statements for the year ended 30 June 2018.

Compensation by the Directorate to KMP is set out below.

	2018	2017
	\$'000	\$'000
Short-term employee benefits	1,325	1,831
Post employment benefits	209	285
Other long-term benefits	30	43
Total Compensation by the Directorate to KMP ^a	1,564	2,159

a) The decrease in 2018 is mainly due to reduction in number of KMP during the year after the Coordinator-General for Family Safety position has been transferred from the Justice and Community Safety Directorate to Community Services Directorate following the Administrative Arrangements (AA) changes from 1 July 2017. There were also more executives acting in KMP positions during 2016-17.

B.2 Transactions with Key Management Personnel

There were no transactions with KMP that were material to the financial statements of the Directorate.

B.3 Transactions with parties related to Key Management Personnel

There were no transactions with parties related to KMP, including transactions with KMP's close family members or other related entities that were material to the financial statements of the Directorate.

(C) TRANSACTIONS WITH OTHER ACT GOVERNMENT CONTROLLED ENTITIES.

There were no transactions with other ACT Government controlled entities that were material to the financial statements of the Directorate.

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 32. BUDGETARY REPORTING CONTINUED

Cash Flow Statement Line Items	Actual	Original	Variance	Variance
	2017-18 \$'000	Budget 2017-18 \$'000	\$'000	%
Cash Receipts from Contributed Assets	2,013	-	2,013	#
Payments for Property, Plant and Equipment and Capital Works in Progress	11,105	18,431	(7,326)	(39.7%)
Payments for Land and Intangibles Works in Progress*	14,383	23,871	(9,488)	(39.7%)
Capital Injections*	29,652	42,302	(12,650)	(41.7%)

Cash Flow Statement These line items are covered in other financial statements

Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2017-18 Budget Statements). These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

Note: In the Item variance 10% column represents a variance that is greater than 999 percent or less than -999 percent.

Explanations

- f) The higher Proceeds from Sale of Property, Plant and Equipment from 2017-18 Original Budget is mainly due to the contribution and fitout for the hangar upgrade at the helicopter base in Turin.
- g) The lower payments for Property, Plant and Equipment and Capital Works in Progress, Land and Intangibles Works in Progress and Capital Injections from 2017-18 Original Budget is mainly due to unspent capital project funding being transferred to 2018-19 for the purpose of progressing/finishing projects.

**JUSTICE AND COMMUNITY SAFETY
DIRECTORATE**

**TERRITORIAL FINANCIAL
STATEMENTS**

**FOR THE YEAR ENDED
30 JUNE 2018**

Justice and Community Safety Directorate
Statement of Income and Expenses on Behalf of the Territory
For the Year Ended 30 June 2018

	Note No.	Actual 2018 \$'000	Original Budget 2018 \$'000	Actual 2017 \$'000
Income				
<i>Revenue</i>				
Payment for Expenses on Behalf of the Territory	34	177,344	176,464	170,069
Fees and Fines	35	6,330	5,326	5,791
Other Revenue	36	3,631	2,686	4,117
Total Income		187,305	184,476	179,977
Expenses				
Employee Expenses		1,335	1,291	1,054
Supplies and Services	37	168,252	167,570	164,459
Grants and Purchased Services	38	7,358	7,603	4,134
Transfers to Government		9,961	7,498	9,908
Depreciation		2,153	2,460	2,215
Other Expenses		378	514	424
Total Expenses		189,437	186,936	182,194
Operating (Deficit)		(2,132)	(2,460)	(2,217)
Other Comprehensive Income				
Increase in the Asset Revaluation Surplus	45	6,747	-	-
Total Other Comprehensive Income		6,747	-	-
Total Comprehensive Surplus/(Deficit)		4,615	(2,460)	(2,217)

The above Statement of Income and Expenses on Behalf of the Territory should be read in conjunction with the accompanying notes.

**Justice and Community Safety Directorate
Statement of Assets and Liabilities on Behalf of the Territory
As at 30 June 2018**

	Note No.	Actual 2018 \$'000	Original Budget 2018 \$'000	Actual 2017 \$'000
Current Assets				
Cash	40	411	153	168
Receivables	41	4,703	3,604	3,892
Total Current Assets		5,114	3,757	4,060
Non-Current Assets				
Property, Plant and Equipment	42	79,258	71,048	73,401
Capital Works in Progress	43	241	1,267	344
Total Non-Current Assets		79,499	72,315	73,745
Total Assets		84,613	76,072	77,805
Current Liabilities				
Payables	44	4,277	3,146	3,443
Employee Benefits		10	3	8
Other Provisions		306	-	-
Total Current Liabilities		4,593	3,149	3,451
Total Liabilities		4,593	3,149	3,451
Net Assets		80,020	72,923	74,354
Equity				
Accumulated Funds		49,563	49,214	50,644
Asset Revaluation Surplus	45	30,457	23,709	23,710
Total Equity		80,020	72,923	74,354

The above Statement of Assets and Liabilities on Behalf of the Territory should be read in conjunction with the accompanying notes.

**Justice and Community Safety Directorate
Statement of Changes in Equity on Behalf of the Territory
For the Year Ended 30 June 2018**

	Asset			Original Budget 2018 \$'000
	Accumulated Funds Actual 2018 \$'000	Revaluation Surplus Actual 2018 \$'000	Total Equity Actual 2018 \$'000	
	For the Year Ended 30 June 2018			
Balance at 1 July 2017	50,644	23,710	74,354	74,113
Comprehensive (Deficit)/Surplus				
Operating (Deficit)	(2,132)	-	(2,132)	(2,460)
Increase in Asset Revaluation Surplus	-	6,747	6,747	-
Total Comprehensive (Deficit)/Surplus	(2,132)	6,747	4,615	(2,460)
Transactions Involving Owners Affecting Accumulated Funds				
Capital Injections	1,051	-	1,051	1,270
Total Transactions Involving Owners Affecting Accumulated Funds	1,051	-	1,051	1,270
Balance at 30 June 2018	49,563	30,457	80,020	72,923

	Asset		
	Accumulated Funds Actual 2017 \$'000	Revaluation Surplus Actual 2017 \$'000	Total Equity Actual 2017 \$'000
	For the Year Ended 30 June 2017		
Balance at 1 July 2016	52,550	23,710	76,260
Comprehensive (Deficit)			
Operating (Deficit)	(2,217)	-	(2,217)
Total Comprehensive (Deficit)	(2,217)	-	(2,217)
Transactions Involving Owners Affecting Accumulated Funds			
Capital Injections	311	-	311
Total Transactions Involving Owners Affecting Accumulated Funds	311	-	311
Balance at 30 June 2017	50,644	23,710	74,354

The above Statement of Changes in Equity on Behalf of the Territory should be read in conjunction with the accompanying notes.

**Justice and Community Safety Directorate
Cash Flow Statement on Behalf of the Territory
For the Year Ended 30 June 2018**

	Note	Actual	Original	Actual
	No.	2018	Budget	2017
		\$'000	\$'000	\$'000
Cash Flows from Operating Activities				
Receipts				
Cash from Government for Expenses on Behalf of the Territory		177,344	176,464	170,069
Fees and Fines		5,370	5,126	5,102
Goods and Services Tax Collected from Customers/Suppliers		304	-	350
Input Credits from the Australian Taxation Office		519	574	614
Other		3,462	2,686	4,117
Total Receipts from Operating Activities		186,999	184,850	180,252
Payments				
Employee Expenses		1,333	1,291	1,049
Supplies and Services		168,160	167,570	164,376
Grants and Purchased Services		7,358	7,603	4,133
Transfer of Territory Receipts to the ACT Government		9,021	7,812	9,622
Goods and Services Tax Input Credits to the Australian Taxation Office		289	-	373
Goods and Services Tax Paid to Suppliers		595	574	614
Total Payments from Operating Activities		186,756	184,850	180,167
Net Cash Inflow from Operating Activities		243	-	85
Cash Flows from Investing Activities				
Payments				
Payments for Property, Plant and Equipment		919	1,270	223
Payments for Capital Works		132	-	158
Total Payments from Investing Activities		1,051	1,270	381
Net Cash (Outflows) from Investing Activities		(1,051)	(1,270)	(381)
Cash Flows from Financing Activities				
Receipts				
Capital Injections		1,051	1,270	311
Total Receipts from Financing Activities		1,051	1,270	311
Net Cash Inflows from Financing Activities		1,051	1,270	311
Net Increase in Cash and Cash Equivalents Held		243	-	15
Cash and Cash Equivalents at the Beginning of the Reporting Period		168	153	153
Cash and Cash Equivalents at the End of the Reporting Period	48	411	153	168

The above Cash Flow Statement on Behalf of the Territory should be read in conjunction with the accompanying notes.

**Justice and Community Safety Directorate
Territorial Statement of Appropriation
For the Year Ended 30 June 2018**

	Original Budget 2018 \$'000	Total Appropriated 2018 \$'000	Appropriation Drawn 2018 \$'000	Appropriation Drawn 2017 \$'000
Territorial				
Expenses on Behalf of the Territory (EBT)	176,464	179,874	177,344	170,069
Capital Injections	1,270	1,270	1,051	311
Total Territorial Appropriation	177,734	181,144	178,395	170,380

The above Territorial Statement of Appropriation should be read in conjunction with the accompanying notes.

Column Heading Explanations

The *Original Budget* column shows the amounts that appear in the Cash Flow Statement on Behalf of the Territory in the Budget Papers.

The *Total Appropriated* column is inclusive of all appropriation variations occurring after the Original Budget.

The *Appropriation Drawn* is the total amount which was received by the Directorate during the year.

Variations between Original Budget and Total Appropriated

Expenses on Behalf of the Territory

The increase of \$3.410 million between the Original Budget and the Total Appropriated is due to *Financial Management Act 1996* (FMA) Section 18 – mainly Territorial criminal injury compensation and victim financial assistance payments (\$3.3 million), 2nd Appropriation and additional funding received for Retiring Judge's Entitlements (\$0.11 million).

Variations between Total Appropriated and Appropriation Drawn

Expenses on Behalf of the Territory

The decrease of \$2.530 million between the Total Appropriated and the Appropriation Drawn is mainly due to transfer of funding to future financial years for the *Equipping more ACT Police with TASERs* (\$0.448 million) and the *Retrial of Mr David Eastman* initiatives (\$0.695 million); and undrawn appropriation for the ACT Policing due to delay in signing the Australian Federal Police Enterprise Agreement (\$1.330 million).

Capital Injections

The decrease of \$0.219 million between the Total Appropriated and the Appropriation Drawn is due to undrawn capital project funding related to ACT Policing facility upgrades.

Justice and Community Safety Directorate

Territorial Note Index

Note	33	Significant Accounting Policies - Territorial Appendix A – Basis of Preparation of the Financial Statements Appendix B – Significant Accounting Policies Appendix C – Impact of Accounting Standards Issued But Yet to be Applied
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Income Notes

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Expenses Notes

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Assets Notes

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Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 33. SIGNIFICANT ACCOUNTING POLICIES – TERRITORIAL

All the Directorate's accounting policies are contained in the Appendices A and B referred to in Note 2 *Significant Accounting Policies*. The policies outlined in Note 2 Appendices A and B apply to both the Controlled and Territorial financial statements.

NOTE 34. PAYMENT FOR EXPENSES ON BEHALF OF THE TERRITORY

Under the *Financial Management Act 1996*, funds can be appropriated for expenses incurred on behalf of the Territory. The Directorate receives this appropriation to fund a number of expenses incurred on behalf of the Territory. The main payment is for community policing services provided by the Australian Federal Police.

	2018	2017
	\$'000	\$'000
Payment for Expenses on Behalf of the Territory ^a	177,344	170,069
Total Payment for Expenses on Behalf of the Territory	177,344	170,069

a) Increase of \$7.3m from 2016-17 mainly relates to full year impact of prior year's transfer of Racing and Gambling Policy function from Chief Minister, Treasury and Economic Development Directorate (CMTEDD) following Administrative Arrangement (AA) changes (\$3.3m), additional ACT Policing funding and higher Territorial legal related expenses.

NOTE 35. FEES AND FINES - TERRITORIAL

Fees for Regulatory Services	4,775	4,548
Traffic, Court and Other Fines	1,555	1,243
Total Fees and Fines	6,330	5,791

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 36. OTHER REVENUE - TERRITORIAL

	2018	2017
	\$'000	\$'000
Legal Recoveries	82	130
Insurance Recoveries	3,210	3,652
Other	339	335
Total Other Revenue	3,631	4,117

NOTE 37. SUPPLIES AND SERVICES - TERRITORIAL

Australian Federal Police ^a	159,091	156,058
Legal Expenses, Criminal Injuries Compensation and Damages and Settlements	8,801	8,350
Other ^b	360	51
Total Supplies and Services	168,252	164,459

- a) The increase of \$3m from 2016-17 is mainly due to higher payments to the Australian Federal Police for additional ACT Policing services.
- b) The increase of \$0.3m from 2016-17 is mainly due to recognition of Court levies which were incorrectly imposed. Also refer to Other Provisions within the Statement of Assets and Liabilities on Behalf of the Territory.

NOTE 38. GRANTS AND PURCHASED SERVICES - TERRITORIAL

Grants to Racing Industry ^a	7,358	4,134
Total Grants and Purchased Services	7,358	4,134

- a) 2017-18 grants represent a full year impact of the transfer of Racing and Gaming Policy function from the Chief Minister, Treasury and Economic Development Directorate following the Administrative Arrangements changes from 1 November 2016.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 39. OTHER EXPENSES, WAIVERS, IMPAIRMENT LOSSES AND WRITE-OFFS - TERRITORIAL

Under section 131 of the *Financial Management Act 1996* the Treasurer may, in writing, waive the right to payment of an amount payable to the Territory. There are also a number of Legislative provisions, including the *Court Procedure Act 2004* Section 15 (2) (b), and the *Road Transport (General) Act 1999*, Part 3, Section 31G, that allow Courts to make decisions to waive payment of debt owing to the Territory from third parties. The waivers reported relates to Courts only.

The waivers, impairment losses and write-offs listed below have occurred during the reporting period for activities on behalf of the Territory.

	No.	2018 \$'000	No.	2017 \$'000
Waivers				
Other Waivers	253	280	60	66
Total Waivers	253	280	60	66
Impairment Losses				
<i>Impairment Losses from Receivables</i>				
Trade Receivables Increase ^a	194	175	64	59
Total Impairment Losses	194	175	64	59
Write-Offs				
Irrecoverable Debts ^a	302	204	446	365
Total Write-Offs	302	204	446	365
Total Waivers, Impairment Losses and Write-Offs^b	749	659	570	490

a) 'Other Expenses' of \$0.38m in the Statement of Income and Expenses on Behalf of the Territory is a sum of 'Trade Receivables Increase' and 'Irrecoverable Debts' above.

b) The increase of \$0.2m is mainly due to higher Courts Civil fees waivers and movement in impairment losses from receivables, partly offset by lower level of debt write-off.

NOTE 40. CASH - TERRITORIAL

	2018 \$'000	2017 \$'000
Cash at Bank	411	168

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 41. RECEIVABLES – TERRITORIAL

	2018	2017
	\$'000	\$'000
Current Receivables		
Trade Receivables ^a	170	2
Fees and Fines ^b	5,659	4,902
Less: Allowance for Impairment Losses	(1,219)	(1,044)
Total Trade Receivables, Fees and Fines	4,610	3,860
Net Goods and Services Tax (GST) Receivable	93	32
Total Current Receivables	93	32
Total Current Receivables^c	4,703	3,892

a) The increase of \$0.2m from 2016-17 is mainly associated with ACT Civil and Administrative Tribunal Trust related recoveries.

b) The increase of \$0.8m from 2016-17 mainly relates to court imposed traffic infringement debtors.

c) All receivables are Non-ACT Government Receivables.

Ageing of Receivables

	Not Overdue	Overdue ^c			Total
	\$'000	Less than	30 to	Greater	
		30 Days	60 Days	than 60 Days ^b	
	\$'000	\$'000	\$'000	\$'000	\$'000
2018					
Not Impaired^a					
Receivables	940	106	143	3,514	4,703
Impaired					
Receivables	-	-	-	1,219	1,219
2017					
Not Impaired^a					
Receivables	584	93	119	3,096	3,892
Impaired					
Receivables	-	-	-	1,044	1,044

a) 'Not Impaired' refers to Net Receivables (that is Gross Receivables less Impaired Receivables).

b) The Directorate does not hold any collateral for receivables that are overdue or determined to be impaired.

c) Majority of overdue debts are courts receivables. Some of which are interstate debtors with some difficulties to recover under the current legislative framework.

	2018	2017
	\$'000	\$'000
Reconciliation of the Allowance for Impairment Losses		
Allowance for Impairment Losses at the Beginning of the Reporting Period	1,044	985
Additional Allowance Recognised During the Reporting Period	175	59
Allowance for Impairment Losses at the End of the Reporting Period	1,219	1,044

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 42. PROPERTY, PLANT AND EQUIPMENT – TERRITORIAL

Property, plant and equipment includes the following classes of assets - land, buildings and plant and equipment.

Buildings include both office buildings and operational buildings.

Plant and equipment includes other mechanical and electronic equipment and furniture.

	2018	2017
	\$'000	\$'000
Land and Buildings		
Land at Fair Value ^a	33,990	22,900
Total Land Assets	33,990	22,900
Buildings at Fair Value ^a	44,025	54,412
Less: Accumulated Depreciation	-	(4,288)
Total Written-Down Value of Buildings	44,025	50,124
Total Land and Written-Down Value of Buildings	78,015	73,024
Plant and Equipment		
Plant and Equipment at Cost	2,848	2,154
Less: Accumulated Depreciation	(1,605)	(1,777)
Total Written-Down Value of Plant and Equipment	1,243	377
Total Written Down Value of Property, Plant and Equipment	79,258	73,401

a) The Territorial land and building assets were revalued at 30 June 2018 by independent valuer Colliers International. Assets within each of these classes are reported at fair value. The next valuation is scheduled for 2020-21.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 42. PROPERTY, PLANT AND EQUIPMENT – TERRITORIAL – CONTINUED

Reconciliation of Property, Plant and Equipment 2017-18

2018	Land \$'000	Buildings \$'000	Plant and Equipment \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	22,900	50,124	377	73,401
Additions		365	894	1,263
Revaluation Increment/(Decrement)	11,090	(1,343)	-	6,747
Depreciation	-	(2,125)	(28)	(2,153)
Carrying Amount at the End of the Reporting Period	33,990	44,025	1,743	79,758

Reconciliation of Property, Plant and Equipment 2016-17

2017	Land \$'000	Buildings \$'000	Plant and Equipment \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	22,900	52,021	472	75,393
Additions	-	723	-	723
Depreciation	-	(2,120)	(195)	(2,215)
Carrying Amount at the End of the Reporting Period	22,900	50,124	377	73,401

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 42. PROPERTY, PLANT AND EQUIPMENT – TERRITORIAL – CONTINUED

Fair Value Hierarchy

The Directorate is required to classify property, plant and equipment into a Fair Value Hierarchy that reflects the significance of the inputs used in determining their fair value. The Fair Value Hierarchy is made up of the following three levels:

- Level 1 – quoted prices (unadjusted) in active markets for identical assets or liabilities that the Directorate can access at the measurement date;
- Level 2 – inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly; and
- Level 3 – inputs that are unobservable for particular assets or liabilities.

Details of the Directorate's property, plant and equipment at fair value and information about the Fair Value Hierarchy at 30 June 2018 are as follows:

	Classification According to Fair Value Hierarchy			
	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Total \$'000
Property, Plant and Equipment at Fair Value				
Land	-	33,990	-	33,990
Buildings	-	-	44,025	44,025
	-	33,990	44,025	78,015

Details of the Directorate's property, plant and equipment at fair value and information about the Fair Value Hierarchy at 30 June 2017 are as follows:

	Classification According to Fair Value Hierarchy			
	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Total \$'000
Property, Plant and Equipment at Fair Value				
Land	-	22,900	-	22,900
Buildings	-	-	50,124	50,124
	-	22,900	50,124	73,024

Transfers between Categories

There have been no transfers between Levels 1, 2 and 3 during the reporting period.

Valuation Techniques, Inputs and Processes

Level 2 Valuation Techniques and Inputs

Valuation Technique: The valuation technique used to value land is the market approach which values a selection of land with similar approximate utility.

Inputs: Prices and other relevant information generated by market transactions involving comparable land were considered. Regard was taken of the Crown Lease terms and tenure, the Australian Capital Territory Plan and the National Capital Plan, where applicable, as well as current zoning.

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 42. PROPERTY, PLANT AND EQUIPMENT – TERRITORIAL – CONTINUED

Level 3 Valuation Techniques and Inputs

Valuation Technique: Buildings were considered specialised assets by the valuer and measured using the cost approach that reflects the cost to a market participant to construct assets of comparable utility adjusted for depreciation.

Inputs: In determining the value of building assets, regard was given to the age and condition of the assets, their estimated replacement cost and current use. This required the use of data internal to Directorate.

There has been no change to the above valuation techniques during the year.

Transfers in and out of a fair value level are recognised on the date of the event or change in circumstances that caused the transfer.

Fair Value Measurements Using Significant Unobservable Inputs (Level 3)

	Buildings
	\$'000
2018	
Fair Value at the Beginning of the Reporting Period	50,124
Additions	369
Revaluation decrements recognised in Other Comprehensive Income	(4,343)
Depreciation	(2,125)
Fair Value at the End of the Reporting Period	44,025

Fair Value Measurements Using Significant Unobservable Inputs (Level 3)

	Buildings
	\$'000
2017	
Fair Value at the Beginning of the Reporting Period	52,021
Additions	223
Depreciation	(2,120)
Fair Value at the End of the Reporting Period	50,124

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 43. CAPITAL WORKS IN PROGRESS – TERRITORIAL

Capital Works In Progress are assets being constructed over periods of time in excess of the present reporting period. These assets often require extensive installation work or integration with other assets, and contrast with simpler assets that are ready for use when acquired, such as motor vehicles and equipment.

Capital Works in Progress are not depreciated as the Directorate is not currently deriving any economic benefits from them.

The following capital works projects had not been completed at the end of the reporting period:

	2018	2017
	\$'000	\$'000
Buildings	241	344
Total Capital Works in Progress	241	344

Reconciliation of Capital Works in Progress 2017-18

	Buildings Works in Progress \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	344	344
Additions	1,160	1,160
Capital Works in Progress Completed and Transferred to Property, Plant and Equipment	(1,263)	(1,263)
Carrying Amount at the End of the Reporting Period	241	241

Reconciliation of Capital Works in Progress 2016-17

	Buildings Works in Progress \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	260	260
Additions	307	307
Capital Works in Progress Completed and Transferred to Property, Plant and Equipment	(223)	(223)
Carrying Amount at the End of the Reporting Period	344	344

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 44. PAYABLES – TERRITORIAL

	2018 \$'000	2017 \$'000
Current Payables		
Trade Payables	-	220
Accrued Expenses	115	1
Payable to the Territory Banking Account ^{a,b}	4,162	3,222
Total Current Payables^b	4,277	3,443
Payables are Aged as Follows:		
Not Overdue	4,277	3,365
Overdue for Less than 30 Days	-	77
Overdue for More than 60 Days	-	1
Total Payables	4,277	3,443

- a) The 'Payable to the Territory Banking Account' was classified as 'Other Liabilities' in the 2016-17 Financial Statement. This is re-mapped to the 'Payables' note in 2017-18 Financial Statement.
- b) The 'Payable to the Territory Banking Account' is internal to ACT Government. All others are payables to external parties.

NOTE 45. ASSET REVALUATION SURPLUS - TERRITORIAL

The Asset Revaluation Surplus is used to record the increments and decrements in the value of property, plant and equipment.

	2018 \$'000	2017 \$'000
Balance at the Beginning of the Reporting Period	23,710	23,710
Increment in Land due to Revaluation	11,090	-
Decrement in Buildings and Improvements due to Revaluation	(4,343)	-
Total Increase in the Asset Revaluation Surplus	6,747	-
Balance at the End of the Reporting Period^a	30,457	23,710

- a) The Directorate revalued its Territorial land and building assets at 30 June 2018, the next valuation is scheduled for 2020-21.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 46. DISAGGREGATED INCOME AND EXPENSE – TERRITORIAL

The following table sets out the Directorate's Territorial Income and Expense disaggregated on an output class basis:

	ACT Policing		General/ Not Attributable		Total	
	Actual 2018 \$'000	Actual 2017 \$'000	Actual 2018 \$'000	Actual 2017 \$'000	Actual ^a 2018 \$'000	Actual 2017 \$'000
Territorial Income						
Payment for Expense on Behalf of the Territory	159,091	156,066	18,253	14,003	177,344	170,069
Fees and Fines	-	-	6,330	5,791	6,330	5,791
Other Revenue	-	-	3,631	4,117	3,631	4,117
Total Territorial Income	159,091	156,066	28,214	23,911	187,305	179,977
Territorial Expenses						
Employee Expenses	-	-	1,335	1,054	1,335	1,054
Supplies and Services	159,144	156,110	9,108	8,349	168,252	164,459
Grants and Purchased Services	-	-	7,358	4,134	7,358	4,134
Transfer to Government	-	-	9,961	9,908	9,961	9,908
Depreciation	2,153	2,215	-	-	2,153	2,215
Other Expenses	-	-	379	424	379	424
Total Territorial Expenses	161,297	158,325	28,141	23,869	189,438	182,194

- a) The increase from 2016-17 predominately relates to full year impact of prior year's transfer of Racing and Gaming Policy function from CMTEDD following Administrative Arrangement (AA) changes, additional funding for ACT Policing and increased costs related to Territorial Legal matters.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 47. RESTRUCTURE OF ADMINISTRATIVE ARRANGEMENTS - TERRITORIAL

Restructures of Administrative Arrangements – Territorial 2016-17^a

On 1 November 2016, *Administrative Arrangements 2016 (No 4)*, Notifiable Instrument N12016-608 came into effect. This Instrument transferred the Racing and Gaming (R&G) Policy function from the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) to the Justice and Community Safety Directorate (JACSD). The following table shows the Territorial income and expense items associated with the R&G policy function recognised by CMTEDD for the period up to 31 October 2016. It also shows the income and expenses for the period between 1 November 2016 and 30 June 2017 after the R&G function was transferred to JACSD. These income and expense figures were agreed by both JACSD and CMTEDD to provide the total Territorial income and expenses relating to the transferred function for the 2016-17 financial year.

	Amounts Relating to when		Total 2016-17 \$'000
	Racing and Gaming Policy function was held by CMTEDD from 1 July 2016 to 31 October 2016 \$'000	JACSD from 1 November 2016 to 30 June 2017 \$'000	
Income			
Revenue			
Payments for Expenses on Behalf of the Territory	4,134	4,294	8,428
Total Revenue	4,134	4,294	8,428
Expenses			
Grants and Purchased Services	4,134	4,134	8,268
Total Expenses	4,134	4,134	8,268

a) There is 'nil' restructuring of administrative arrangements occurred during 2017-18 in the Territorial account.

**Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018**

NOTE 48. CASH FLOW RECONCILIATION – TERRITORIAL

a) Reconciliation of Cash and Cash Equivalents at the End of the Reporting Period in the Cash Flow Statement on Behalf of the Territory to the Related Items in the Statement of Assets and Liabilities on Behalf of the Territory.

	2018 \$'000	2017 \$'000
Cash at Bank	411	168
Cash and Cash Equivalents at the End of the Reporting Period as Recorded in the Cash Flow Statement	411	168

b) Reconciliation of the Operating (Deficit) to the Net Cash (Inflows/(Outflows)) from Operating Activities

Operating (Deficit)	(2,132)	(2,217)
Add/Less Non-Cash Items		
Depreciation of Property, Plant and Equipment	2,153	2,215
Less Investing Activities		
(Decrease)/Increase in Asset Purchase ^a	(110)	74
Cash Before Changes in Operating Assets and Liabilities	(89)	72
Changes in Operating Assets and Liabilities		
(Increase) in Receivables	(811)	(288)
Increase in Payables	835	296
Increase in Other Liabilities	306	-
Increase in Employee Benefits	2	5
Net Changes of Operating Assets and Liabilities	332	13
Net Cash Inflow from Operating Activities	243	85

a) Decrease/Increase in Asset Purchases relates to assets acquisition accrual.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 49. FINANCIAL INSTRUMENTS – TERRITORIAL

Details of the significant policies and methods adopted, including the criteria for recognition, the basis of measurement, and the basis on which income and expenses are recognised, with respect to each class of financial asset and financial liability are disclosed in Note 33 *Significant Accounting Policies Territorial*.

Credit Risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss. The Directorate's credit risk is limited to the amount of the financial assets it holds net of any allowance for impairment losses. The Directorate expects to collect all financial assets that are not past due or impaired. There is no collateral held as security for financial assets.

Credit risk is managed by the Directorate for receivables by undertaking an analysis of the concentration of credit risk. The majority of the Territorial receivables are ACT Courts and Tribunal (Courts) related.

An analysis of total receivables is undertaken to assess collectability by debt recovery measures and/or payment by instalments, or where appropriate, recognition of impairment loss. The Courts may determine other recovery or penalty measures. Total receivables amounts are dispersed amongst a large number of debtors; therefore no significant concentration of credit risk has been identified by the Directorate for Territorial receivables.

Liquidity Risk

Liquidity risk is the risk that the Directorate will encounter difficulties in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial assets. To limit its exposure to liquidity risk, the Directorate ensures that, at any particular point in time, it has a sufficient amount of current financial assets to meet its current financial liabilities. Also, where necessary, the Directorate has the ability to request additional appropriation in order to meet its Territorial payables. This ensures the Directorate has enough liquidity to meet its emerging financial liabilities. As a result, the Directorate's liquidity risk is not considered to be material.

The Directorate's exposure to liquidity risk and the management of this risk has not changed since the previous reporting period.

NOTE 50. COMMITMENTS – TERRITORIAL

Other Commitments

Other Commitments contracted at reporting date that have not been recognised as liabilities, are payable as follows:

	2018 \$'000	2017 \$'000
Within one year	174,638	161,752
Later than one year but not later than five years	358,066	493,228
Total Other Commitments^a	532,704	654,980

a) The decrease of \$122.3m from 2016-17 predominately aligns commitments with the duration of the ACT Policing Agreement.

NOTE 51. CONTINGENT LIABILITIES AND CONTINGENT ASSETS – TERRITORIAL

The ACT Government Solicitor is acting for the Directorate's Territorial account in relation to an estimated amount of \$0.05m unresolved legal matters at 30 June 2018.

Justice and Community Safety Directorate
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2018

NOTE 52. BUDGETARY REPORTING – TERRITORIAL

The following are brief explanations of major line item variances between budget estimates and actual outcomes. Variances are considered to be major variances if **both** of the following criteria are met:

- (a) The line item is a significant line item: the line item actual amount accounts for more than 10% of the relevant associated category (Income, Expenses and Equity totals) or sub-element (e.g. Current Liabilities and Receipts from Operating Activities totals) of the financial statements; and
- (b) The variances (original budget to actual) are greater than plus (+) or minus (-) 10% of the budget for the financial statement line item.

Statement of Assets and Liabilities on Behalf of the Territory	Actual 2017-18	Original Budget¹ 2017-18	Variance	Variance
	\$'000	\$'000	\$'000	%
Property, Plant and Equipment ^a	79,258	71,048	8,210	11.6
Payables ^b	4,277	3,146	1,131	36.0

¹ Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2017-18 Budget Statements). These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

Explanation

- a) The higher property, plant and equipment from 2017-18 Original Budget is mainly due to asset revaluation increment.
- b) The higher payables from 2017-18 Original Budget is mainly due to higher Territory fees, fines and other revenue payables to Government at 30 June 2018.

Cash Flow Statement on Behalf of the Territory	Actual 2017-18	Original Budget¹ 2017-18	Variance	Variance
	\$'000	\$'000	\$'000	%
Payments for Property, Plant and Equipment ^c	919	1,270	(351)	(27.6)
Payments for Capital Works ^c	132	-	132	#

¹ Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2017-18 Budget Statements). These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

Note: # in the line item variance % column represents a variance that is greater than 999 percent or less than -999 percent.

Explanation

- c) The net lower payments for property, plant and equipment and capital works from the 2017-18 Original Budget (\$0.219m) mainly relates to capital upgrades funding for ACT Policing facilities transferred from 2017-18 to 2018-19.

Justice and Community Safety Directorate
APPENDIX A - BASIS OF PREPARATION OF THE FINANCIAL
STATEMENTS
FORMS PART OF NOTE 2 OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

LEGISLATIVE REQUIREMENT

The *Financial Management Act 1996* (FMA) requires the preparation of annual financial statements for ACT Government Agencies.

The FMA and the *Financial Management Guidelines* issued under the FMA, requires the Justice and Community Safety Directorate's financial statements to include:

- i. an Operating Statement for the year;
- ii. a Balance Sheet at the end of the year;
- iii. a Statement of Changes in Equity for the year;
- iv. a Cash Flow Statement for the year;
- v. an Operating Statement for each class of output for the year;
- vi. a Statement of Appropriation for the year;
- vii. the significant accounting policies adopted for the year; and
- viii. other statements as necessary to fairly reflect the financial operations of the Directorate during the year and its financial position at the end of the year.

These general-purpose financial statements have been prepared to comply with Australian Accounting Standards as required by the FMA. The financial statements have been prepared in accordance with:

- i. Australian Accounting Standards; and
- ii. ACT Accounting and Disclosure Policies.

ACCRUAL ACCOUNTING

The financial statements have been prepared using the accrual basis of accounting. The financial statements have also been prepared according to the historical cost convention, except for assets such as those included in property, plant and equipment, which were valued at fair value in accordance with the re/valuation policies applicable to the Directorate during the reporting period, where applicable.

CURRENCY

These financial statements are presented in Australian dollars.

Justice and Community Safety Directorate APPENDIX A - BASIS OF PREPARATION OF THE FINANCIAL STATEMENTS

INDIVIDUAL REPORTING ENTITY

The Directorate is an individual reporting entity.

CONTROLLED AND TERRITORIAL ITEMS

The Directorate produces Controlled and Territorial financial statements. The Controlled financial statements include income, expenses, assets and liabilities over which the Directorate has control. The Territorial financial statements include income, expenses, assets and liabilities that the Directorate administers on behalf of the ACT Government, but does not control, for example community policing services provided by the Australian Federal Police.

The purpose of the distinction between Controlled and Territorial is to enable an assessment of the Directorate's performance against the decisions it has made in relation to the resources it controls, while maintaining accountability for all resources under its responsibility.

The basis of preparation described applies to both Controlled and Territorial financial statements except where specified otherwise.

COMPARATIVE FIGURES

Budget Figures

To facilitate a comparison with the Budget Papers, as required by the *Financial Management Act 1996*, budget information for 2017-18 has been presented in the financial statements. Budget numbers in the financial statements are the original budget numbers that appear in the Budget Papers.

Prior Year Comparatives

Comparative information has been disclosed in respect of the previous period for amounts reported in the financial statements, except where an Australian Accounting Standard does not require comparative information to be disclosed.

Where the presentation or classification of items in the financial statements is amended, the comparative amounts have been reclassified where practical. Where a reclassification has occurred, the nature, amount and reason for the reclassification is provided.

Rounding

All amounts in the financial statements have been rounded to the nearest thousand dollars (\$'000). Use of "-" represents zero amounts or amounts rounded down to zero.

GOING CONCERN

As at 30 June 2018, the Directorate's current liabilities (\$88.6m) exceeded the current assets (\$25.8m) by \$62.8m. However, this is not considered a liquidity risk as the Directorate is funded through appropriation from the ACT Government on a cash-needs basis. This is consistent with the whole-of-government cash management regime, which requires excess cash balances to be held centrally rather than within individual agency bank accounts.

The 2017-18 financial statements have been prepared on a going concern basis as the Directorate has been funded in the 2018-19 Budget and the Budget Papers include forward estimates for the Directorate.

Justice and Community Safety Directorate
APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES
FORMS PART OF NOTE 2 OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

Appendix B – Significant Accounting Policies applies to both the Controlled and Territorial financial statements. Accounting policies specific to Territorial Account are listed below under the heading Significant Accounting Policies – Specific to Territorial.

TAXATION

The Directorate is liable for Goods and Services Tax (GST) and Fringe Benefits Tax (FBT).

SIGNIFICANT ACCOUNTING POLICIES – INCOME

REVENUE RECOGNITION

Revenue is recognised at the fair value of the consideration received or receivable in the Operating Statement.

NOTE 4 – CONTROLLED RECURRENT PAYMENTS

Controlled Recurrent Payments are recognised as revenues when the Directorate gains control over the funding. Control over appropriated funds is obtained upon the receipt of cash.

NOTE 5 – USER CHARGES

Rendering of Services

Revenue from the rendering of services is recognised when the stage of completion of the transaction at the reporting date and the costs of rendering those services can be measured reliably.

NOTE 6 – RESOURCES RECEIVED FREE OF CHARGE

Resources received free of charge are recorded as a revenue and expense in the Operating Statement at fair value. The revenue is separately disclosed under resources received free of charge, with the expense being recorded in the line item to which it relates. Goods and services received free of charge from ACT Government agencies are recorded as resources received free of charge, whereas good and services received free of charge from entities external to the ACT government are recorded as donations. Services that are received free of charge are only recorded in the Operating Statement if they can be reliably measured and would have been purchased if not provided to the Directorate free of charge.

Resources provided free of charge represents the costs of providing these services.

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – EXPENSES

NOTE 9 – EMPLOYEE EXPENSES

Employee benefits include:

- a) Short-term employee benefits such as wages and salaries, annual leave loading, and applicable on-costs, if expected to be settled wholly before twelve months (see Appendix B - Note 22 Employee Benefits after the end of the annual reporting period in which the employees render the related services;
- b) Other long-term benefits such as long service leave and annual leave; and
- c) Termination benefits.

On-costs include annual leave, long service leave, superannuation and other costs that are incurred when employees take annual leave and long service leave.

(See Appendix B – Note 22 Employee Benefits for accrued wages and salaries, and annual and long service leave).

NOTE 10 – SUPERANNUATION EXPENSES

Employees of the Directorate will have different superannuation arrangements due to the type of superannuation scheme available at the time of commencing employment, including both defined benefit and defined contribution superannuation scheme arrangements.

For employees who are members of the defined benefit Commonwealth Superannuation Scheme (CSS) and Public Sector Superannuation Scheme (PSS) the Directorate makes employer superannuation contribution payments to the Territory Banking Account at a rate determined by the Chief Minister, Treasury and Economic Development Directorate. The Directorate also makes productivity superannuation contribution payments on behalf of these employees to the Commonwealth Superannuation Corporation, which is responsible for administration of the schemes.

For employees who are members of defined contribution superannuation schemes (the Public Sector Superannuation Scheme Accumulation Plan (PSSAP) and schemes of employee choice) the Directorate makes employer superannuation contribution payments directly to the employees' relevant superannuation fund.

All defined benefit employer superannuation contributions are recognised as expenses on the same basis as the employer superannuation contributions made to defined contribution schemes. The accruing superannuation liability obligations are expensed as they are incurred and extinguished as they are paid.

SUPERANNUATION LIABILITY RECOGNITION

For the Directorate employees who are members of the defined benefit CSS or PSS the employer superannuation liabilities for superannuation benefits payable upon retirement are recognised in the financial statements of the Superannuation Provision Account.

NOTE 11 – SUPPLIES AND SERVICES

Insurance

Major risks are insured through the ACT Insurance Authority. The excess payable, under this arrangement, varies depending on each class of insurance held.

Repairs and Maintenance

Maintenance expenses which do not increase the service potential of an asset are expensed.

Operating Leases

Operating lease payments are recorded as an expense in the Operating Statement on a straight-line basis over the term of the lease.

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – EXPENSES CONTINUED

NOTE 12 – DEPRECIATION AND AMORTISATION

Amortisation is used in relation to intangible assets and depreciation is applied to physical assets such as buildings, plant and equipment. Land has an unlimited useful life and is therefore not depreciated.

Leasehold improvements and plant and equipment under a finance lease are depreciated over the estimated useful life of each asset, or the unexpired period of the relevant lease, whichever is shorter.

Depreciation is calculated after first deducting any estimated residual values, where applicable, which remain for each asset.

Depreciation/amortisation for non-current assets is determined as follows:

Class of Asset	Depreciation/Amortisation		Useful Life
		Method	Years
Buildings and Improvements		Straight Line	5 - 39
Community and Heritage Assets		Straight Line	20
Leasehold Improvements		Straight Line	2 – 7
Plant and Equipment (incl Motor Vehicles)		Straight Line	2 - 50
Generated & Purchased Intangibles		Straight Line	3 - 5

The useful lives of all major assets held are reassessed on an annual basis.

NOTE 15 – WAIVERS, IMPAIRMENT LOSSES AND WRITE-OFFS

Waivers

Debts that are waived under section 131 of the *Financial Management Act 1996*, or in accordance with other relevant legislative provisions where applicable are expensed during the year in which the right to payment was waived. Further details of waivers are disclosed at Note 15 - *Waivers, Impairment Losses and Write-offs* and Note 39 *Waivers, Impairment Losses and Write-offs - Territorial*.

Impairments Losses – Assets

Expense impairment losses of assets include: land, buildings, infrastructure, community and heritage assets, plant and equipment, leasehold improvements and intangible assets (see Appendix B – Note 18 *Impairment of Assets*).

Impairment Losses and Write-Offs - Receivables

See Appendix B – Note 17 *Receivables - Impairment Loss – Receivables*.

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – ASSETS

ASSETS – CURRENT AND NON-CURRENT

Assets are classified as current where they are expected to be realised within 12 months after the reporting date. Assets, which do not fall within the current classification are classified as non-current.

NOTE 16 – CASH AND CASH EQUIVALENTS

Cash includes cash at bank and cash on hand.

Cash equivalents are short term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

NOTE 17 – RECEIVABLES

Accounts Receivables

Accounts receivable (including trade receivables and other trade receivables) are initially recognised at fair value and are subsequently measured at amortised cost, with any adjustments to the carrying amount being recorded in the Operating Statement (see Appendix B - Note 15 Waivers, impairment losses and write-offs).

Impairment Loss – Receivables

The allowance for impairment losses represents the amount of trade receivables and other receivables the Directorate estimates will not be paid. The allowance for impairment losses is based on objective evidence and a review of overdue balances. The factors that the Directorate considers as objective evidence of impairment include:

- (a) becoming aware of financial difficulties of debtors;
- (b) becoming probable that the debtor will not make payment;
- (c) default payments; or
- (d) debts more than 90 days overdue.

The amount of the allowance is recognised in the Operating Statement (see Appendix B - Note 15 Waivers, impairment losses and write-offs). The allowance for impairment losses is written-back against the allowance account when the Directorate ceases action to collect the debt as it considers that it is likely to be irrecoverable or uneconomical to recover.

The total Territorial receivables comprise of fees and fines receivables that the Directorate manages on behalf of the Territory. Assessment has been undertaken at the end of financial year to determine collectability by debt recovery measures and/or payment by instalments, or where appropriate, recognition of impairment loss in the financial statements.

Significant Accounting Judgements and Estimates – Allowance for Impairment Losses

The Directorate has made an estimate in the calculation of the allowance for impairment losses for receivables in both the Controlled and Territorial Financial Statements. Receivables not collected within one year are generally written-off unless assessed as recoverable or alternative payment arrangements are in place, or further debt recovery action is expected to be undertaken.

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – ASSETS CONTINUED

NOTE 18 – PROPERTY, PLANT AND EQUIPMENT

Acquisition and Recognition of Property, Plant and Equipment

Property, plant and equipment is initially recorded at cost.

Where property, plant and equipment is acquired at no cost, or minimal cost, cost is its fair value as at the date of acquisition. However, property, plant and equipment acquired at no cost or minimal cost as part of a restructuring of Administrative Arrangements is measured at the transferor's book value.

Property, plant and equipment with a minimum value of \$5,000 (ex GST) is capitalised.

Measurement of Property, Plant and Equipment after Initial Recognition

Property, plant and equipment (PPE) is valued using the cost or revaluation model of valuation. Land, buildings and improvements, leasehold improvements and community and heritage assets are measured at fair value. Plant and equipment are measured at cost.

Land, buildings and improvements, leasehold improvements, and community and heritage assets are revalued every three years. The revaluation occurred as at 30 June 2018. However, if at any time management considers that the carrying amount of an asset materially differs from its fair value, then the asset will be revalued regardless of when the last valuation took place. Any accumulated depreciation relating to buildings and improvements, leasehold improvements and community and heritage assets at the date of revaluation is written-back against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

Significant Accounting Judgements and Estimates - Fair Value of Assets

The Directorate has made a significant estimate regarding the fair value of its assets. Land and buildings have been recorded at the market value of similar properties as determined by an independent valuer. In some circumstances, buildings that are purpose built may in fact realise more or less in the market. Infrastructure assets and some community and heritage assets have been recorded at fair value based on current replacement cost as determined by an independent valuer. The valuation uses significant judgements and estimates to determine fair value, including the appropriate indexation figure and quantum of assets held. The fair value of assets is subject to management assessment between formal valuations.

Significant Accounting Judgements and Estimates – Useful lives of Property Plant and Equipment

The Directorate has made an estimate in determining the useful lives of its PPE. The estimation of useful lives of PPE is based on the historical experience of similar assets and in some cases has been based on valuations provided by officers of the Directorate or independent valuation. The useful lives are assessed on an annual basis and adjustments are made when necessary.

Disclosures concerning assets useful life (see Appendix B - Note 12 Depreciation and Amortisation).

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – ASSETS CONTINUED

NOTE 18 – PROPERTY, PLANT AND EQUIPMENT CONTINUED

Significant Accounting Judgements and Estimates – ACT Courts Facilities, Public Private Partnership (PPP)

ACT Courts Facilities PPP: During 2015-16, the Directorate entered into a public private partnership (PPP) for the redevelopment of the ACT Courts Facilities. This will be a 25-year contract with private sector consortium to finance, construct, maintain and operate the required infrastructure assets. The Directorate will make service payments over the life of the contract, intended to cover the costs incurred by the consortium in constructing, financing, maintaining and operating the assets for the use by the Territory. At the end of the contract, the infrastructure will become Territory assets. For more detail on the arrangement refer to Appendix B - Note 27 Commitments.

There is currently no Australian Accounting Standard (AAS) which prescribes the accounting treatment for this type of arrangement from the perspective of a government grantor. In the absence of an AAS the Directorate has adopted an accounting policy issued in 1998 by the United Kingdom Accounting Standards Board as an amendment to its Financial Reporting Standard 5 *Reporting the Substance of Transactions* (FRS 5).

FRS 5 applies a risks and rewards approach. The application of the requirements of FRS 5 results in the property component of this project being accounted for as a finance lease in accordance with AASB 117 *Leases*.

Under the arrangement, no assets or liabilities will be recognised by the ACT during the construction period. At construction completion (also referred to as Commercial Acceptance), an infrastructure asset and a corresponding financial liability will be recognised by the ACT.

Initial direct costs incurred by the Directorate are capitalised when incurred and are added to the finance lease assets on initial recognition at Commercial Acceptance.

The existing Supreme Court and Magistrates Court land and building assets continue to be recognised as assets by the ACT. The Directorate has made an estimate of the remaining life of the existing Supreme Court and Magistrates Court building assets as at 30 June 2018.

Directorate has assessed the application of the new accounting standard 'AASB 1059 Service Concession Arrangements: Grantor' effective from 1 January 2019. Refer to Appendix C – *Impact of Accounting Standards Issued But Yet To Be Applied*.

Significant Accounting Judgements and Estimates – Impairment of Assets

The Directorate has made an estimate regarding its impairment of major assets by undertaking a process of reviewing likely impairment factors. Business Units across the Directorate were required to make an assessment of any indication of impairment by completing the impairment checklist. Any impairments identified through this process have been included in the financial statements and are outlined in Note 18 - Property, Plant and Equipment and Note 19 - Intangible Assets.

NOTE 19 – INTANGIBLE ASSETS

The Directorate's intangible assets are comprised of internally generated and externally acquired software for internal use.

Externally acquired software is recognised and capitalised when:

- a) it is probable that the expected future economic benefits attributable to the software will flow to the Directorate;
- b) the cost of the software can be measured reliably; and
- c) the acquisition cost is equal to or exceeds \$50,000 (ex GST).

Internally generated software is recognised when it meets the general recognition criteria outlined above and where it also meets the specific recognition criteria relating to intangible assets arising from the development phase of an internal project.

Capitalised software has a finite useful life. Software is amortised on a straight-line basis over its useful life, over a period not exceeding 5 years. Intangible assets are measured at cost.

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – LIABILITIES

LIABILITIES – CURRENT AND NON-CURRENT

Liabilities are classified as current when they are due to be settled within 12 months after the reporting date or the Directorate does not have an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

Liabilities which do not fall within the current classification are classified as non-current.

NOTE 21 – PAYABLES

Payables are initially recognised at fair value based on the transaction cost and, subsequent to initial recognition, at amortised cost, with any adjustments to the carrying amount being recorded in the Operating Statement. All amounts are normally settled within 30 days after the invoice date.

Payables include Trade Payables, Accrued Expenses and Other Payables.

NOTE 22 – EMPLOYEE BENEFITS

Employee Benefits are listed in Appendix B – Note 9 Employee Expenses.

Wages and Salaries

Accrued wages and salaries are measured at the amount that remains unpaid to employees at the end of the reporting period.

Annual and Long Service Leave

Annual and Long service leave including applicable on-costs that are not expected to be wholly settled before twelve months after the end of the reporting period when the employees render the related service are measured at the present value of estimated future payments to be made in respect of services provided by employees up to the end of the reporting period. Consideration is given to the future wage and salary levels, experience of employee departures and periods of service. At the end of each reporting period end, the present value of future annual leave and long service leave payments is estimated using market yields on Commonwealth Government bonds with terms to maturity that match, as closely as possible, the estimated future cash flows.

Annual leave liabilities have been estimated on the assumption that they will be wholly settled within three years. At 30 June 2018, the rate used to estimate the present value of future annual leave payments is 99.7% (99.8% at 30 June 2017).

At 30 June 2018, the rate used to estimate the present value of long service leave is 100.9% (103.4% at 30 June 2017).

The long service leave liability is estimated with reference to the minimum period of qualifying service. For employees with less than the required minimum period of seven years of qualifying service, the probability that employees will reach the required minimum period has been taken into account in estimating the provision for long service leave and applicable on-costs.

The provision for annual leave and long service leave includes estimated on-costs. As these on-costs only become payable if the employee takes annual and long service leave while in service, a probability that employees will take annual and long service leave while in service has been taken into account in estimating the liability for on-cost.

Annual leave and long service leave liabilities are classified as current liabilities in the Balance Sheet where there are no unconditional rights to defer the settlement of the liability for at least 12 months. Conditional long service leave liabilities are classified as non-current because the Directorate has an unconditional right to defer the settlement of the liability until the employee has completed the requisite years of service.

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – LIABILITIES CONTINUED

NOTE 22 – EMPLOYEE BENEFITS CONTINUED

Significant Accounting Judgements and Estimates – Employee Benefits

Significant judgements have been applied in estimating the liability for employee benefits. The estimated liability for annual and long service leave requires a consideration of the future wage and salary levels, experience of employee departures, probability that leave will be taken in service and periods of service. The estimate also includes an assessment of the probability that employees will meet the minimum service period required to qualify for long service leave and that on-costs will become payable.

The significant judgements and assumptions included in the estimation of annual and long service leave liabilities include an assessment by an actuary. The Australian Government Actuary performed this assessment in May 2014. The assessment by an actuary is performed every 5 years. However, it may be performed more frequently if there is a significant contextual change in the parameters underlying the 2014 report. The next actuarial review is expected to be undertaken by May 2019.

Enterprise Bargaining Agreements (EBAs) that commenced during 2017-18 are now expected to be finalised during 2018-19. As a result, the Directorate has recorded a provision for back payments estimated to be paid to staff affected by EBAs once they are finalised.

NOTE 23. OTHER PROVISIONS

Provision for Make Good: The obligation to dismantle, remove and restore items of leasehold improvements to their original condition at the conclusion of the lease is often referred to as 'make good'. The cost of make good asset is required to be capitalised, depreciated and revalued in accordance with Directorate's asset policies.

Other Provisions: The Directorate has made provision for the removal of decommissioned fuel tanks and soil testing located on Emergency Services Agency sites. The soil testing may identify contamination of the site that will require further remediation. This potential further remediation work is not included in the provision recognised. The cost associated with further remediation is not able to be determined at 30 June 2018 as it is subject to the outcome of soil testing that occur post tanks removal.

Significant Accounting Judgements and Estimates – Other Provisions

Provision for Make Good: The Directorate recognised a provision for make good in the 2017-18 Financial Statements. The initial estimate of the future cost is based on present value of making good obligation leasehold improvements using government bond rate at the end of financial year.

Other Provisions: The provision for the removal of decommissioned fuel tanks and per-and poly-fluoroalkyl substances (PFAS) contamination assessment is based on the best estimation of cost to undertake required work. Refer to Note 23 – *Other Provisions*.

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – EQUITY

EQUITY CONTRIBUTED BY THE ACT GOVERNMENT

Contributions made by the ACT Government, through its role as owner of the Directorate are treated as contributions of equity.

Increases or decreases in net assets as a result of Administrative Restructures are also recognised in equity.

SIGNIFICANT ACCOUNTING POLICIES – OTHERS

NOTE 27. COMMITMENTS

Commitments are contractual arrangements that were put in place before the end of reporting period, between the Directorate and third party organisations to undertake activities in a given way at a given time in the future.

ACT Courts Facilities – Public Private Partnership (PPP)

The Directorate entered long term contract with Juris Partnership (the Consortium) since December 2015 for the construction of the new ACT Courts. This is a 25-year contract with private sector consortium to finance, construct, maintain and operate the required infrastructure assets. The Directorate will make service payments over the life of the contract, intended to cover the costs incurred by the Consortium in constructing, financing, maintaining and operating the assets for the use by the Territory. At the end of the contract, the infrastructure will become Territory assets.

Construction involves upgrades to the existing Magistrates Court and construction of a new Supreme Court (Stage 1) and complete renovation of the existing Supreme Court building (Stage 2). The Consortium has advised that the timing of Stage One of the new facilities coming into service (Commercial Acceptance) is expected in the first quarter of 2018-19. This will deliver all of the new-build facilities, including six new Supreme Court courtrooms. Stage 2 is expected to be in service in June 2019 and will deliver the remaining two Supreme Court courtrooms, the new custody area, the mediation suite and the remaining functional areas.

Under the terms of the arrangement, the Territory will pay monthly service payments to the Consortium during the Services Phase. These payments are fixed as per the terms of the contract. The payments are mostly fixed under the terms of the contract. The payments will include amounts for:

- the servicing of debt and equity raised by the Consortium to finance the construction of the Courts (including interest);
- the provision of services by the Consortium (for example cleaning, security and transcription services related to the court);
- insurance costs;
- maintenance costs; and
- lifecycle costs.

Interim service payments will also be made for services provided by the Consortium to the Territory in the Interim Services phase which spans from March 2016 to until Commercial Acceptance of Stage 1.

The term of the Agreement expires in August 2043. There are no extension rights included in the Agreement. At the conclusion of the concession period, the constructed assets will become the property of the Territory.

Where the Project Agreement is terminated before the natural expiry of the Services Phase, the Consortium may be entitled to a termination payment. Compensation payments to be made on termination are calculated in accordance with the Termination Payments Schedule of the Project Agreement. The amount of any payment due from the Territory will depend on the circumstances of the termination (i.e. for fault, for convenience, or force majeure) and the stage of the project (i.e. construction of service delivery stages). The amount of the termination payment can be established in two ways:

- through an open market tender to deliver the contract over the remaining term; or
- by an appointed independent expert appointed by the parties.

Justice and Community Safety Directorate APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – OTHERS CONTINUED

NOTE 27. COMMITMENTS CONTINUED

Open market tender is only applicable (at the Territory's election) under a termination for fault scenario and where a market exists for the project. There are no specific provisions in the contract for negotiations, although in practice a negotiation may occur. Both parties are also able to make submissions to the independent expert and engage in conferences to argue their respective positions.

THE PROJECT AGREEMENT CAN BE TERMINATED AS A RESULT OF THE FOLLOWING:

- Default Termination Event
- a Force Majeure Termination Event (including an uninsurable event)
- by the Territory for Convenience

In addition to triggering termination rights (or potential termination rights), events of Major Default and Default Termination Events may trigger additional Territory rights and remedies including:

- the right to step-in to remedy the situation (i.e. the right to assume control and management of the Project, the Works or the Services).

Refer to Appendix B – Note 18 – Property, Plant and Equipment: *Significant Accounting Judgement and Estimates – ACT Law Courts Facilities, PPP.*

Justice and Community Safety Directorate
APPENDIX B - SIGNIFICANT ACCOUNTING POLICIES

SIGNIFICANT ACCOUNTING POLICIES – SPECIFIC TO TERRITORIAL

NOTE 34 – PAYMENT FOR EXPENSES ON BEHALF OF THE TERRITORY

The payment for expenses on behalf of the Territory is recognised as revenue when the Directorate receives the funding. Due to the nature of territorial accounting, the Statement of Assets and Liabilities on Behalf of the Territory includes (as applicable) liabilities to, and receivables from, the Territory Banking Account.

NOTE 35 – FEES AND FINES – TERRITORIAL

Fees are either recognised as revenue at the time of receipt or when the fee is incurred. Fines are recognised as revenue on the issue of the relevant infringement notice. Where the fine attracts a penalty for late payment, the penalty amount is recognised as revenue on issue of the late payment notice.

Justice and Community Safety Directorate

APPENDIX C - IMPACT OF ACCOUNTING STANDARDS ISSUED BUT YET TO BE APPLIED

Appendix C - impact of accounting standards issued but yet to be applied concerns both the Controlled and Territorial financial statements. Where specific to Territorial they are listed below under the heading Territorial.

ACCOUNTING STANDARDS ISSUED BUT YET TO BE APPLIED

The following new and revised accounting standards and interpretations have been issued by the Australian Accounting Standards Board but do not apply to the current reporting period. These standards and interpretations are applicable to future reporting periods. The Directorate does not intend to adopt these standards and interpretations early. Where applicable, these Australian Accounting Standards will be adopted from their application date.

- AASB 16 *Leases* (application date 1 January 2019)

AASB 16 is the new standard for leases. It introduces a single lessee accounting model and requires a lessee to recognise assets and liabilities for all leases with a term of more than 12 months, unless the underlying asset value is low. This will result in the Directorate recognising a number of its operating leases as assets alongside the associated liability, rather than accounting for these as operating lease expenditure. The right-of-use asset will initially be recognised at cost and will give rise to a depreciation expense. The lease liability will initially be recognised as the present value of the lease payments during the term of the lease. Lease payments made will reduce this liability over time and also result in an interest expense.

The Directorate estimates that the Directorate's assets and liabilities will increase by approximately \$60 million following the implementation of AASB 16.

- AASB 1059 *Service Concession Arrangements: Grantor* (Application date 1 January 2019)

The Directorate had made an assessment that 1059 is unlikely to apply to the Courts Public Private Partnership (PPP) project as the operator will not be responsible for providing public services through the service concession asset and for managing at least some of the public service and related services, which is a requirement of the standard. A detailed analysis of supply contracts with private operators is required to confirm whether a service concession exists. If AASB 1059 is applicable, then on transition to AASB1059, any court assets that are part of PPP and are currently recognised on balance sheet will be required to be reclassified as 'service concession assets' and where required re-measurement to fair value with any difference going to an asset revaluation reserve.

C.3 CAPITAL WORKS

The directorate continued to deliver successful capital works outcomes during 2017-18 which has strengthened its ability to support the provision of services to the ACT community.

The directorate's Capital Works and Infrastructure Branch amalgamated with the directorate's ICT Programs and Project Delivery Branch in late 2017. This amalgamation has combined the planning, procurement, contract and project management expertise and enhanced project delivery capacity within the directorate. To further strengthen project delivery, capability and capacity, The directorate embedded a project manager with ACT Policing (ACTP). This officer will work in conjunction with ACTP to manage and deliver better infrastructure fund (BIF) works and capital project initiatives.

The directorate has worked in conjunction with Infrastructure, Finance and Capital Works (IFCW) of the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) to complete a number of capital upgrades to directorate-owned facilities. Works were undertaken for various agencies including ACTP, ACT Emergency Services Agency (ESA), ACT Corrective Services (ACTCS) and the ACT Courts and Tribunal (ACTCT). Works included but were not limited to:

- > delivery of a new State Emergency Service unit in Tuggeranong (Calwell)
- > continuation of the New Courts Facilities Project
- > continuation and completion of the privacy and dignity project at Fyshwick Fire and Rescue Station, and
- > delivery of the privacy and dignity project at Guises Creek Rural Fire Service Facility.

Case Study: New Tuggeranong State Emergency Service unit in Calwell

The ESA unveiled its first new purpose-built ACT State Emergency Service (ACTSES) unit in more than four decades when the Tuggeranong unit in Calwell in March 2018.

The state of the art Tuggeranong unit, built under the ESA's station upgrade and relocation program (SURP), satisfies the need for a modern, fit for purpose building for SES operations and volunteers in southern Canberra.

It is the first purpose-built facility for the ACTSES since the current Woden SES unit in Phillip was built in 1975.

The unit was constructed as part of the ESA's SURP strategy to optimise the ACT's emergency response facilities for the protection of the ACT community now and into the future.

More than \$2.5 million was allocated over two year in the ACT's 2016-17 Budget to construct the fit for purpose facility, which will not only help retain volunteers but also attract new ones and provide an important community service to southern Canberra.

The Tuggeranong unit has many design features to make it more environmentally sustainable including hydronic in-slab heating and cooling, rainwater tanks, solar electricity and hot water and community meeting rooms that can be booked and used by approved groups free of charge.

In keeping with the ESA's commitment to building emergency facilities in strategic locations, the Tuggeranong unit is on Johnson Drive which will help reduce response times due to its location on a main arterial road.

SURP strives to improve the positioning of new stations and upgrading existing facilities to more efficiently and effectively respond to the current and future needs of the community.

This is achieved through detailed studies focusing on the ideal placement of emergency service facilities. These studies identify where emergency services should be located to provide optimum coverage to the ACT community well into the future.

Figure 51 **Figure New Tuggeranong State Emergency Service Unit**



ACTSES Tuggeranong

Improved functionality and design for new stations, like the Tuggeranong unit, will help to maximise the efficiency of emergency services operations and their ability to respond to the growing and changing needs of the Canberra community.

Case Study: New Courts Facilities

In December 2015, the Territory entered into an agreement with Juris Partnership, comprising Laing O'Rourke, Macquarie Capital and their partners, to deliver a new \$165 million justice precinct for the Australian Capital Territory.

The new courts facilities project in the centre of Canberra is the Territory's first public-private partnership.

The project will create a combined law courts facility for the ACT which will maximise operational efficiencies while still respecting the jurisdictional separation between the Supreme Court and the Magistrates Court.

The new Supreme Court will be located within a four storey building constructed along Vernon Circle and will also occupy parts of the existing Supreme Court building following its reconfiguration.

Work commenced on the new building in 2016 and stage one works are due for completion in September 2018. The second stage works, the refurbishment of the existing Supreme Court, are forecast for completion in 2019.

Figure 52 **New Courts Facilities**



New Courts Facilities

Case Study: Alexander Maconochie Centre - multi-purpose centre and industries facility

The completion of the Alexander Maconochie Centre (AMC) multi-purpose centre and industries facility project was completed in the first quarter of 2017-18.

The Government multidisciplinary project team, which consisted of staff with subject matter expertise from ACTCS, CMTEDD and JACS Corporate. The team worked collaboratively with Industry to design and deliver facilities that would increase the recreational capacity of detainee's at the AMC, by constructing a new ball court, barber shop, gymnasium and separated sporting fields.

The project has allowed for the implementation of a staged employment program for detainees in the expanded laundry, new bakery and barber shop. ACTCS have also been able to increase staffing levels of custodial officers, to meet the operational needs of the new and expanded facilities.

Governance of the \$9.912 million budget was provided through scope, cost, and program reporting to a project control group and steering committee, with direct reporting to ACT Treasury and the Minister for Corrections Shane Rattenbury. The project was completed on schedule and within budget.

This project was able to be delivered due to the savings delivered on the additional facilities project at the AMC, project funding was able to be redirected in 2014-15 financial year to facilitate the construction of this infrastructure initiative.

Figure 53 **AMC Multipurpose Centre**



AMC Multipurpose Centre

Figure 54 **Figure 1.3.2 Multipurpose Centre Ball Court**



Ball court

Figure 55

Figure 1.3.3 Multipurpose Centre Gymnasium



Gymnasium

Figure 56

Figure 1.3.4 AMC Industries Bakery



AMC Industries Bakery

Figure 57

Figure 1.3.5 AMC Industries Laundry



Laundry

Table 71 The Capital Works Reconciliation Schedule for 2017-18

	Directorate	Territorial
Reconciliation of Total Current Year Financing	\$'000	\$'000
Current Year Capital Works Financing	19,411	1,270
Add: Financing for other Capital Projects	22,421	-
Less: Net Movement - Rollovers, Savings and Reprofiting	-17,180	-219
Capital Injections as per cashflow statement	24,652	1,051
Reconciliation of Total Current Year Expenditure to Capital Injection		
Current Year Capital Works Expenditure	11,703	1,160
Add: Other Works Expenditure funded by Capital Injection	13,348	-
Add: Capital Injections relating to Prior Year's Expenditure	3,782	-
Less: Other Works Expenditure not funded by Capital Injection	-4,182	-109
Capital Injections as per Cashflow Statement	24,652	1,051
Reconciliation of Total Current Year Expenditure to Purchases of PPE		
Current Year Capital Works Expenditure	9,058	1,160
Add: Other Works Expenditure funded by Capital Injection	13,730	-

	Directorate	Territorial
Add: Net Accrued Capital Expenses and Other Movements	-46,262	-109
Total Payments from Investing Activities as per Cashflow Statement	-23,475	1,051

Table 72 Capital Works Management Table for 2017-18

Directorate and Territorial Projects		Program	Completion Date		Project Value		Prior Year	2017-18	Total	Commentary
Year	Original	Revised	Original	Revised	Expenditure	Expenditure	Expenditure	Expenditure		
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000		
New Works										
Directorate										
Better Support When It Matters - More Frontline Firefighters - Second Crew at Ainslie Station	2017-18	Jun-18	Jun-20	576	576	0	24	24		Works in progress
Better Support When It Matters - Upgrading ESA Communications Centre and Non-Emergency Patient Transport Facilities	2017-18	Jun-19	Jun-19	2,899	2,899	0	776	776		Works in progress
Better Support When It Matters - Drug and Alcohol Court Establishment	2017-18	Jun-18	Sep-18	300	300	0	0	0		Works in progress
Better Support When It Matters - Integrating the Winnunga Model of Care and enhancing health services in the Alexander Maconochie Centre	2017-18	Jun-20	Jun-20	4,022	4,022	0	0	0		Works in progress
Territorial										
Better Support When It Matters - Enhanced Security for ACT Policing	2017-18	Jun-19	Jun-19	1,989	1,989	0	919	919		Works in progress
Better Infrastructure Fund										
Directorate										

Directorate and Territorial Projects		Program	Completion Date		Project Value		Prior Year	2017-18	Total	Commentary
Directorate Projects		2017-18	Jun-18	Jun-18	508	508	0	439	439	Works in progress
Corrective Services Upgrade		2017-18	Jun-18	Jun-18	614	614	0	601	601	Works in progress
ESA Facilities Upgrades, Security and Work Health and Safety Upgrades		2017-18	Jun-18	Jun-18	383	383	0	206	206	Works in progress
Territorial										
ACT Policing		2017-18	Jun-18	Jun-18	264	264	0	241	241	Physically complete, not financially complete
Prior Year Works (Including Completed Works in 2017-18)										
ACT Corrective Services – Accommodation Fit-out		2016-17	Mar-17	Mar-17	1,636	1,636	1,305	328	1,634	Physically complete, not financially complete
Reforming Emergency Services – Aero-medical Services and Hangar Upgrade		2016-17	Jun-17	Jun-19	395	395	9	2,653	2,661	Works in progress
Reforming Emergency Services – Fyshwick Fire and Rescue Station Upgrade		2016-17	Jun-17	Jun-18	602	854	399	404	803	Physically complete, not financially complete
Reforming Emergency Services – Guises Creek Station Upgrade		2016-17	Jun-17	Nov-17	220	220	15	205	220	Physically and financially complete
Reforming Emergency Services – New SES Station for Tuggeranong		2016-17	Dec-17	Jun-18	2,756	3,056	253	2,388	2,641	Physically complete, not financially complete
Alexander Maconochie Centre – Detainee Industries and Activities Enforcement Project		2014-15	Jun-16	Jun-19	54,090	54,090	53,075	608	53,683	Physically complete, not financially

Directorate and Territorial Projects	Program	Completion Date	Project Value	Prior Year	2017-18	Total	Commentary
Courts Public Private Partnership (PPP) – (Formerly called ACT Court Facilities Early Works Package)	2015-16	Jun-17	14,196	1,570	2,540	4,110	complete Works in progress
Emergency Services Agency Station Upgrade and Relocation – Aranda Station	2014-15	Feb-16	18,864	15,644	26	15,670	Physically complete, not financially complete
ESA – Station Relocation and Upgrade – Phase 2 Due Diligence	2012-13	Jun-13	1,650	1,361	63	1,423	Works in progress
New ACT Court Facilities	2013-14	Mar-18	0	5,493	153	5,646	Physically and financially complete
Victims of Crime Financial Assistance Scheme Reforms	2015-16	Jun-16	136	126	10	136	Physically and financially complete
2016-17 Better Infrastructure Fund - Directorate Projects	2016-17	Jun-17	1,468	1,190	278	1,468	Physically and financially

C.4 ASSET MANAGEMENT

In accordance with the ACT Government asset management strategy and the *Financial Management Act 1996*, the directorate managed assets with a total value of \$490.9 million as at 30 June 2017. A breakdown is provided in the table below.

During 2017-18, the following assets were added to the directorate's asset register.

Table 73 JACS Asset Management

Asset	Directorate \$'000	Territorial \$'000	Total \$'000	Appropriate Measure	Total Units for the directorate
Land	43,633	33,990	77,623	Area	989,700m2
Buildings	277,544	44,025	321,569	Number of properties	113
Leasehold Improvements	17,291	-	17,291	Number of properties	35
Plant and Equipment	27,205	1,243	28,448	Number of plant and equipment	768
Community and Heritage Assets	2,895	-	2,895	Number of properties and area	2 and 1,864m2
Total Property, Plant and Equipment	368,568	79,258	447,826		
Software	6,351	-	6,351	Number of Assets	30
Capital Works in Progress	36,525	241	36,766		
Total Non-Current Assets	411,444	79,499	490,943		

During 2017-18, the following assets were added to the directorates asset register.

Table 74 Assets Added During 2017-18

No	Asset Class	Asset Details
21	Building	New Tuggeranong State Emergency Services unit; additional facilities at the SouthCare Helicopter base, upgrades to existing AMC building; and upgrades to the existing ESA facilities.
4	Leasehold	Upgrades to existing leasehold properties at Hackett State and Emergency Station, 12 Moore Street, Reserve Bank Australia, and at 2 Constitution Avenue.
42	Plant and Equipment	Includes 4 vehicles; 3 items of hardware for ESA Territory Radio Network Upgrade and ESA Computer Aided Dispatch Refresh; 1 item for furniture and fittings; and 34 items

No	Asset Class	Asset Details
		of various operational equipment.
4	Computer Software	Includes the Job Management System for ACT Legislation Register; new TM1 Financial Reporting Tool for Corporate; new financial application system data bases for Victim of Crime; and Legal Practice Management System upgrade for ACT Government Solicitor.

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During 2017-18, the following assets were removed from the directorate's asset register.

Table 75 Assets Removed During 2017-18

No	Asset Class	Reason for Disposal
2	Land	Transfer of the old Belconnen Fire and Ambulance Station to Chief Minister, Treasury and Economic Development Directorate.
2	Leasehold Improvement	Disposals of leasehold improvements at Eclipse House and North Building.
36	Plant and Equipment	Includes retirement of 3 vehicles, 26 items of plant and equipment, 4 pieces of furniture, 2 item of computing equipment and 1 item of communications equipment.
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Asset maintenance and upgrade

Asset upgrades (not including works funded and reported through the capital works program) completed during 2017-18 were:

Table 76 2017-18 Repairs and Maintenance on Directorate Assets by Category

Asset Category	\$'000	%	NBV (\$'000)
Land	122	0%	43,633
Buildings and Leasehold Improvements ³³	3,193	1%	294,835
Plant and Equipment	3,997	15%	27,204
Total R&M Expenses	7,313	2%	365,672

The expenditure on repairs and maintenance for the directorate was \$365.7m which represented 2 per cent of the asset replacement value.

³³ Includes buildings, leasehold improvements, community and heritage assets.

Office Accommodation

The directorate has 658 employees occupying 13,839m² at the following sites identified in the table below. The average area occupied by each employee is 2,1.03m².

A further 904.44 full time employee's (FTE) are employed in non-office environments. These include staff located at emergency services sites (i.e. ambulance, fire, rural fire and state emergency service), ACT Courts and Tribunal (Magistrates, Supreme Court and Forensic Medical Centre) and custodial sites (i.e. the AMC and ACT Magistrates Court).

Table 77 Office Accommodation Occupied by JACS Staff

Location	Property	Owned/Leased	Business Unit	Staff numbers by head count as at 30 June 2018	Area (m ²)	Usable Office Area	Utilisation Rate (m ²)
Civic	1 Moore Street, L4	Leased	ACAT, ACTCT, ICMS	34	1642	697	20.50
Civic	11 Moore Street, L2	Leased	HRC, Victim Support	47	1129	1129	23.86
Civic	12 Moore Street – GF, L1, L2, L3, L4, L5, L6, L7, L9	Leased	Various	317	6162	5712	17.99
Civic	Reserve Bank – GF, L1, L2	Leased	DPP	87	1591	1591	18.28
Civic	221 London Circuit	Leased	PTG	54	1028	1028	19.04
Civic	2 Constitution Avenue, L2	Leased	ACTCS	119	2287	2287	19.21

C.5 GOVERNMENT CONTRACTING

Procurement Principles and Processes

Procurement Governance

As with preceding years, the directorate has continued to foster strong working relationships with Goods and Services Procurement and Infrastructure, Finance and Capital Works within the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) to ensure continued adherence to the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007*.

The directorate has worked closely with CMTEDD to develop a procurement training program for staff at all levels. These programs are aimed to raise staff awareness and to assist staff in making empowered and informed decisions whilst conducting procurement activities on behalf of the Territory.

The directorate has developed a procurement, contract management and assurance framework. This framework assists with instructing directorate staff regarding the various pieces of legislation covering procurement, contract management and assurance measures and also includes the directorate's internal procurement policies and procedures. This framework is a living document and is regularly checked and updated to ensure that the information contained within is update and consistent with overall government policy.

During the 2017-18 financial year, the directorate procurement activities were focused on delivering strategic objectives of the directorate particularly in the delivery of capital works and other services.

The directorate continues to ensure that prior to the engagement of all building contractors, contractors hold a current industrial relations and employment (IRE) certificate compliant with the ACT Government's compliance with industrial relations and employment strategy.

Social Procurement

As an advocate of the Government's commitment to social procurement, the directorate facilitated and implemented several community based services and initiatives during this financial year period.

Government Contracting

Table 78 Government Contracting

Contract Number	Contract Title	Procurement Methodology	Procurement Type	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small To Medium Enterprise	Exemption From Quotation
2017.28602.210	Provision of Halal Meat and Smallgoods at the Alexander Maconochie Centre	public	goods	Murrays Quality Meats	\$3,007,560.00	04-Jul-17	06-Jul-20	Yes	No
18/07/2017	Provision of Electronic Fire Danger Rating Signs	quotation	goods	BARTCO TRAFFIC EQUIPMENT PTY. LTD.	\$174,042.00	18-Jul-17	31-Dec-17	No	No
PO0004143	Installation of Electronic Fire Danger Rating Signs	quotation	goods	Screenmakers Pty Ltd	\$39,160.00	19-Jul-17	31-Dec-17	Yes	No
ACTGOVRFQ-1-677	Provision of Waste Management Services AMC	quotation	services (non-consultancy)	J.J. Richards & Sons Pty Ltd	\$200,000.00	24-Jul-17	23-Jul-18	No	No
26446.110	Provision of Maintenance and Support Services for the Electronic Security System at the Alexander Maconochie Centre.	public	services (non-consultancy)	Chubb Fire & Security	\$6,000,000.00	31-Jul-17	30-Jul-22	Yes	No
2017.328601.210	Purchase of Dairy and Egg Products at The	public	goods	CAPITOL CHILLED FOODS	\$1,525,921.40	01-Aug-17	09-Jul-20	No	No

Contract Number	Contract Title	Procurement Methodology	Procurement Type	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small To Medium Enterprise	Exemption From Quotation
	Alexander Maconochie Centre			(AUSTRALIA) PTY. LIMITED					
28299.110	Provision of Dry and Frozen Goods at the Alexander Maconochie Centre	public	goods	Cold seas Pty Limited	\$2,700,000.00	01-Aug-17	01-Aug-20	Yes	No
07/2017	Evaluation Framework for Drug and Alcohol Court	single select	services (non-consultancy)	UNSW Australia	\$130,000.00	03-Aug-17	03-Dec-17	No	Yes
7/8/17	ACT F&R Recruitment	public	services (non-consultancy)	HorizonOne	\$100,000.00	14-Aug-17	30-Jun-18	Yes	No
2017.28025.210	Supply of Detainee Clothing and Footwear for the Alexander Maconochie Centre	public	goods	One Sport	\$600,000.00	22-Aug-17	21-Aug-19	Yes	No
2017.29226.310	Feasibility Study of Alexander Maconochie Centre (AMC) Future Plan Options	public	consultancy	GHD Pty Ltd	\$275,000.00	23-Aug-17	29-Jun-18	Yes	No
JACS2017-1-716	Evaluation of the ACT Road Safety Camera Program	quotation	consultancy	Monash University	\$150,252.00	24-Aug-17	28-Feb-18	No	No
4/9/17	Review of Vehicle Maintenance	public	services (non-consultancy)	Noetic Solutions	\$45,000.00	04-Sep-17	03-Nov-	No	Yes

Contract Number	Contract Title	Procurement Methodology	Procurement Type	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small To Medium Enterprise	Exemption From Quotation
	Consultancy		consultancy)				17		
2015.26376.210	Provision of Managed ICT Services	public	services (non-consultancy)	OPC	\$977,488.90	08-Sep-17	07-Sep-20	Yes	No
14/09/2017	Provision of First Response Medical Training	quotation	services (non-consultancy)	Aspen Medical	\$109,725.00	12-Sep-17	11-Sep-18	Yes	No
171808	ACTAS Fyshwick Ablutions and Kitchen upgrade	select	works	Peters Building Company Pty Ltd	\$78,045.00	16-Sep-17	30-Jun-18	No	No
2017.23958.366.01	ACT Law Courts Artwork Commission	public	works	Creative Road Art Projects	\$296,000.00	19-Sep-17	19-Oct-18	Yes	No
171812	ESA Hume Training Centre - Retention Pond Stormwater Works	select	works	Peters Building Company Pty Ltd	\$98,689.00	27-Sep-17	30-Jun-18	No	No
171813	ESA Hume Training Centre - Change rooms/Ablutions HVAC Upgrade	select	works	Pacific Facilities Maintenance ACT	\$42,500.00	03-Oct-17	30-Jun-18	No	No
ACTGOVRFQ-1-740	SME to Assist with the Establishment of a Support and Maintenance Contract,	quotation	consultancy	Northrop Consulting Engineers Pty Ltd	\$108,900.00	04-Oct-17	03-Oct-18	Yes	No

Contract Number	Contract Title	Procurement Methodology	Procurement Type	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small To Medium Enterprise	Exemption From Quotation
	for the Fire Detection System at the AMC								
17-10-2017	Provision of Tyres for ESA Workshops	quotation	goods	One Stop Auto & Tyres	\$27,500.00	16-Oct-17	15-Apr-18	No	No
16102017	Legislation, Policy and Programs (LPP) Review	quotation	consultancy	Spring Green Consulting	\$49,104.00	16-Oct-17	01-Dec-17	Yes	No
632643.09.17	Legal Services in Relation to the ACT Container Deposit Scheme	single select	consultancy	Clayton Utz	\$200,000.00	20-Oct-17	20-Oct-18	No	Yes
P26162	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	Fraser Fire and Rescue Ltd	\$0.00	24-Oct-17	02-Nov-20	No	No
2017.26162.212	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	R.A.Bell	\$0.00	24-Oct-17	24-Oct-20	No	No
2017.26162.215	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	Amtek Pty Ltd	\$0.00	24-Oct-17	24-Oct-20	No	No
2017.26162.216	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	Mader International Pty Ltd	\$0.00	24-Oct-17	24-Oct-20	No	No

Contract Number	Contract Title	Procurement Methodology	Procurement Type	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small To Medium Enterprise	Exemption From Quotation
2017.26162.217	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	Specialised & Emergency Vehicles Australasia Pty Ltd	\$0.00	24-Oct-17	24-Oct-20	No	No
2017.26162.210	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	Fraser Fire and Rescue Ltd	\$0.00	24-Oct-17	24-Oct-20	No	No
2017.26162.213	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	SEM Fire and Rescue Pty Ltd	\$0.00	24-Oct-17	24-Oct-20	No	No
2017.26162.211	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	Liquip Sales (Qld) Pty Ltd	\$0.00	24-Oct-17	24-Oct-20	No	No
ACT Courts TRN 2017	Territory Radio Network Infrastructure Equipment	single select	goods	Motorola Solutions Australia Pty Ltd	\$318,433.64	30-Oct-17	30-Oct-18	No	Yes
2017/6710	CCH Multi-Year Agreement 2017-2020	single select	goods	TeamMate	\$141,947.34	01-Nov-17	31-Oct-20	No	Yes
2017.26162.214	Panel of Providers for Emergency Services Vehicle Body Builds	public	goods	Varley Specialised Vehicles Pty Limited	\$0.00	02-Nov-17	02-Nov-20	No	No
171819	Forensic Medical Centre Autopsy Benches	select	works	ACT Stainless Steel Pty Ltd	\$38,700.75	03-Nov-17	30-Jun-18	Yes	No

Contract Number	Contract Title	Procurement Methodology	Procurement Type	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small To Medium Enterprise	Exemption From Quotation
VP89924	ACT Courts and Tribunal Warrant Withdrawal Process Review	select	services (non-consultancy)	KPMG Forensic Pty Ltd	\$27,890.00	06-Nov-17	28-Mar-18	No	Yes
171822	AMC Oval Remediation	single select	works	Dale & Hitchcock Civil Engineering & Landscaping	\$352,102.30	20-Nov-17	30-Jun-18	Yes	Yes
2017.27599.110	LEGAL EDUCATION AND RESOURCE NETWORK (LEARN)SYSTEM	Single Select	services (non-consultancy)	Cyber IT Solutions	\$408,043.50	30-Nov-17	30-Nov-19	No	Yes
AMCTRN201705	Provision of supply design and construction service for the microwave link between AMC and Isaacs Ridge Radio site.	quotation	services (non-consultancy)	SAT PTY LTD	\$67,336.13	19-Dec-17	19-Aug-18	Yes	No
14 November 2017	Respectful Workplace and Difficult Workplace Conversations' Training	select	goods	Yellow Edge	\$50,000.00	21-Dec-17	20-Dec-18	No	No
JACS2017-1-776	ACT Safe System Performance Review	quotation	consultancy	ARRB	\$198,000.00	11-Jan-18	11-Dec-18	No	No
ACTGOVRFO-1-796	JACS Audit and	quotation	services	FREEBODY COGENT	\$44,550.00	13-Mar-	31-	Yes	No

Contract Number	Contract Title	Procurement Methodology	Procurement Type	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small To Medium Enterprise	Exemption From Quotation
	Performance Improvement Committee Chair 2018 - 2021		(non-consultancy)	PTY LTD		18	Jan-21		
<u>171831</u>	Gungahlin JESC LED Lighting Upgrade	select	works	Austin Electrical Pty Ltd	\$100,251.80	14-Mar-18	30-Jun-18	Yes	No
<u>2018-01-09-T10</u>	Review of the Russell Fox Library at the ACT Courts and Tribunal	quotation	consultancy	Mukurta Pty Ltd	\$28,200.00	20-Mar-18	30-Jun-18	No	No
<u>171833</u>	Remove & Replace Compressor One York Chiller at Winchester Police Centre	single select	works	Fredon Air	\$40,013.60	22-Mar-18	30-Jun-18	Yes	No
<u>2017.28772.210</u>	ACTCS Extended Throughcare Program Outreach Services	public	community-based services	CatholicCare Canberra & Goulburn	\$1,236,315.00	26-Mar-18	25-Mar-21	No	No
<u>26808.110</u>	Provision of a Content Management System and Managed Hosting Services.	public	services (non-consultancy)	Adelphi Digital Consulting Group	\$830,576.27	27-Mar-18	27-Mar-23	No	No
<u>2018 N.Stevens</u>	Club Industry Diversification Support Analysis	single select	consultancy	Mr Neville Stevens	\$66,000.00	04-Apr-18	31-May-18	No	Yes
<u>171836</u>	Gungahlin JESC LED Lighting Upgrade-	select	works	Austin Electrical Pty ltd	\$30,786.80	06-Apr-18	30-Jun-18	Yes	No

Contract Number	Contract Title	Procurement Methodology	Procurement Type	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small To Medium Enterprise	Exemption From Quotation
Variation									
171837	Gungahlin JESC BMS upgrade	select	works	Electrical Solutions ACT Pty Ltd	\$40,172.00	10-Apr-18	30-Jun-18	Yes	Yes
26751.111	Supply, Support and Maintenance of Portable Radios	public	goods	HARRIS COMMUNICATIONS (AUSTRALIA) PTY LTD	\$9,990,231.15	20-Apr-18	20-Apr-25	No	Yes
171839	Ablutions Blocks for ACTF&R TOSS Fyshwick	select	works	Ausco Modular Pty Limited - Canberra	\$114,033.46	20-Apr-18	30-Jun-18	Yes	No
ACTGOVRFQ-1-833	Upgrade of Corrections Instructions Library Sub-Site of ACTCS Intranet	quotation	consultancy	Cyrusoft Pty Ltd	\$78,210.00	07-May-18	07-Sep-18	Yes	No
ACTGOVRFQ-1-854	Management and Delivery of SafeHome Program	public	consultancy	Supportlink Australia Limited	\$175,000.00	04-Jun-18	30-Jun-20	Yes	No
633407	Learning Management System and Support Services Agreement Provision of a Learning Management System	single select	services (non-consultancy)	Veritec Pty Ltd	\$196,669.00	07-Jun-18	06-Jun-20	Yes	Yes

C.6 STATEMENT OF PERFORMANCE



AUDITOR-GENERAL AN OFFICER
OF THE ACT LEGISLATIVE ASSEMBLY 

Sensitive: Auditor-General

A18/09

Ms Alison Playford
Director-General
Justice and Community Safety Directorate
Level 9, 12 Moore Street
CANBERRA CITY ACT 2601

Dear Ms Playford

**REPORT OF FACTUAL FINDINGS - JUSTICE AND COMMUNITY SAFETY DIRECTORATE
STATEMENT OF PERFORMANCE FOR THE YEAR ENDED 30 JUNE 2018**

The ACT Audit Office has completed the review of the statement of performance of the Justice and Community Safety Directorate for the year ended 30 June 2018.

I have attached the statement of performance and an unqualified report of factual findings.

I have provided a copy of the statement of performance and report of factual findings to the Ministers responsible for the Justice and Community Safety Directorate, Mr Gordon Ramsay MLA, Mr Mick Gentleman MLA, and Mr Shane Rattenbury MLA.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ajay Sharma'.

Ajay Sharma
Acting Auditor-General
18 September 2018

c.c. Ms Kate Freebody, Chair, Audit and Performance Improvement Committee
Ms Dragana Cvetkovski, Chief Finance Officer
Ms Danielle Krajina, Executive Director, Governance

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REPORT OF FACTUAL FINDINGS
JUSTICE AND COMMUNITY SAFETY DIRECTORATE**To the Members of the ACT Legislative Assembly****Review opinion**

I am providing an **unqualified review opinion** on the statement of performance of the Justice and Community Safety Directorate (the Directorate) for the year ended 30 June 2018.

During the review no matters were identified which indicate that the results of the accountability indicators reported in the statement of performance are not fairly presented in accordance with the *Financial Management Act 1996*.

Basis for the review opinion

The review was conducted in accordance with the Australian Auditing Standards. I have complied with the requirements of the Accounting Professional and Ethical Standards 110 *Code of Ethics for Professional Accountants*.

I believe that sufficient evidence was obtained during the review to provide a basis for the review opinion.

Responsibility for preparing and fairly presenting the statement of performance

The Director-General is responsible for:

- preparing and fairly presenting the statement of performance in accordance with the *Financial Management Act 1996* and *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*; and
- determining the internal controls necessary for the preparation and fair presentation of the statement of performance so that the results of accountability indicators and accompanying information are free from material misstatements, whether due to error or fraud.

Responsibility for the review of the statement of performance

Under the *Financial Management Act 1996* and *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*, the Auditor-General is responsible for issuing a report of factual findings on the statement of performance of the Directorate.

As required by Australian Auditing Standards, the auditors:

- applied professional judgement and maintained scepticism;
- identified and assessed the risks of material misstatements due to error or fraud* and implemented procedures to address these risks so that sufficient evidence was obtained to form a review opinion; and
- reported the scope and timing of the review and any significant deficiencies in reporting practices identified during the review to the Directorate.

(*The risk of not detecting material misstatements due to fraud is higher than the risk due to error, as fraud may involve collusion, forgery, intentional omissions or misrepresentations or the override of internal controls.)

Limitations on the scope of the review

The review was conducted in accordance with Australian Auditing Standards applicable to review engagements, to provide limited assurance that the results of the accountability indicators reported in the statement of performance have been fairly presented in accordance with the *Financial Management Act 1996*.

A review is primarily limited to making inquiries with representatives of the Directorate, performing analytical and other review procedures and examining other available evidence. These review procedures do not provide all of the evidence that would be required in an audit, therefore, the level of assurance provided is less than that given in an audit. An audit has not been performed and no audit opinion is being expressed on the statement of performance.

This review does not provide assurance on the:

- relevance or appropriateness of the accountability indicators reported in the statement of performance or the related performance targets;
- accuracy of explanations provided for variations between actual and targeted performance due to the often subjective nature of such explanations;
- adequacy of controls implemented by the Directorate; or
- integrity of the reviewed statement of performance presented electronically or information hyperlinked to or from the statement of performance. Assurance can only be provided for the printed copy of the reviewed statement of performance.



Ajay Sharma
Acting Auditor-General
18 September 2018

**Justice and Community Safety Directorate
Statement of Performance
For the Year Ended 30 June 2018**

Statement of Responsibility

In my opinion, the Statement of Performance is in agreement with the Directorate's records and fairly reflects the service performance of the Directorate for the year ended 30 June 2018 and also fairly reflects the judgements exercised in preparing it.



Alison Playford
Director-General
Justice and Community Safety Directorate

September 2018



ACT
Government

Justice and Community Safety

Justice and Community Safety Directorate

Statement of Performance

Year Ending 30 June 2018

Justice and Community Safety Directorate
Statement of Performance
For the Year Ended 30 June 2018

Output Class 1 Justice Services

Output 1.1 Policy Advice and Justice Programs

Description High quality policy, legislation, ministerial support and advice to portfolio Ministers, Cabinet and other agencies on justice, safer families and community safety matters. Administer security coordination and emergency management policy, and innovative justice and crime prevention programs (including the Restorative Justice Program and family violence initiatives) across government and the community.

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note
Total Cost (\$'000)	23,665		21,624	(9%)	
Controlled Recurrent Payments (\$'000)	21,965		19,769	(10%)	1
Accountability Indicators					
a Percentage of legislation requested by the JACS portfolio ministers is developed within timeframes agreed by the JACS portfolio ministers	92%		100%	9%	
b Proportion of surveyed users of restorative justice programs satisfied with service received ⁱ	97%		98%	1%	
c Number of initiatives that reduce regulatory burden ⁱⁱ	2		5	150%	2
d Family Violence Statement presented to the ACT Legislative Assembly ⁱⁱⁱ	1	n/a	n/a	n/a	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*.

Notes

- i Following a restorative justice conference, surveys designed to monitor convenors' delivery of the process and participant experience for quality assurance and service improvement, are provided to each offender, victim and support person. Nine key questions are included in the surveys. These questions capture feedback on different aspects of the restorative justice process to provide an insight into the level of participant satisfaction. 207 out of 255 participants responded to the survey in 2017-18.
- ii Relevant initiatives include changes or innovations, made as part of legislative reforms or policy or program design or modification, and which have been identified as reducing regulatory burden.
- iii This is a new indicator in 2017-18 associated with the Safer Families function. This indicator was to outline the Government's progress and achievements in addressing family and domestic violence. This indicator was transferred to the Community Services Directorate following Administrative Arrangement changes from 1 July 2017.

Explanation of Material Variances ($\geq \pm 10\%$)

- 1 Total Controlled Recurrent Payments is lower than target primarily due to revised timing of the Natural Disaster Resilience Program and the transfer of the function of the Coordinator-General for Family Safety to Community Services Directorate.
- 2 The higher than target outcome is mainly due to five bills which were passed and identified as reducing regulatory burden initiatives in 2017-18. The five initiatives are: 1. Gaming Machine Amendment Bill 2017; 2. Justice and Community Safety Legislation Amendment Bill 2017 (No 2); 3. Courts and Other Justice Legislation Amendment Bill 2018; 4. Residential Tenancies Amendment Bill 2018 and 5. Prostitution Amendment Bill 2018.

Justice and Community Safety Directorate
Statement of Performance
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Output Class 1 Justice Services

Output 1.2 Legal Services to Government

Description High quality and timely legal advice and representation for the Attorney-General and Government.

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note
Total Cost (\$'000)	13,962		19,169	37%	1
Controlled Recurrent Payments (\$'000)	8,968		9,403	5%	

Accountability Indicators

a Timely legal services provided by the ACT Government Solicitor: percentage of advices completed within 28 days	85%		82%	(4%)	
b Timely legal services provided by the ACT Government Solicitor: percentage of urgent court and contentious matters undertaken and completed within courts, tribunal or any applicable statutory timetable	95%		100%	5%	
c Timely legal services provided by the ACT Government Solicitor: percentage of routine court and contentious matters undertaken and completed within courts, tribunal or any applicable statutory timetable	95%		97%	2%	
d High quality legal services provided by the ACT Government Solicitor: percentage of client survey respondents satisfied with quality of advice and representation ⁱ	95%		93%	(2%)	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*.

Notes

- i The client survey was conducted online using Survey Monkey. In 2017-18 there were a total of 241 responses to the survey question in relation to the satisfaction with the quality of legal services. The responses are calculated using the results of the Survey Monkey tool. The calculation is based on the number of 'excellent' and 'satisfactory' responses as a % of total responses received.

Explanation of Material Variances ($\geq \pm 10\%$)

- 1 Total Cost is higher than target primarily due to the engagement of additional staff to undertake work on a fee for service basis for client agencies.

Justice and Community Safety Directorate
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Output Class 1 Justice Services

Output 1.3 Legislative Drafting and Publishing Services

Description Provision of high quality and timely legislative drafting and publishing services for ACT legislation and maintenance of the ACT legislation register.

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note
Total Cost (\$'000)	5,206		4,535	(13%)	1
Controlled Recurrent Payments (\$'000)	4,348		4,369	0%	
Accountability Indicators					
a High level of client satisfaction for legislative drafting and publishing services by the Parliamentary Counsel's Office: percentage of satisfied client survey respondents ⁱ	90%		89%	(1%)	
b Timely legislative drafting and publishing services by the Parliamentary Counsel's Office:					
– Percentage of drafting responses provided within 30 day standard	95%		99%	4%	
– Percentage of notifications notified on ACT Legislation Register on requested notification day	99%		100%	1%	
– Percentage of republications of changed legislation published on ACT legislation register on day the change happens	99%		100%	1%	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*.

Note

- i Parliamentary Counsel Office (PCO) annually conducts 3 client surveys over a two week period: the ACT Legislation Register Survey, the Legislative Drafting Service Survey and the ACT Legislation Register Notifications Service Survey. Satisfied client survey respondents means respondents who indicated an overall level of satisfaction of 'good' or 'excellent'. 206 out of 232 participants indicated an overall level of satisfaction to the survey in 2017-18.

Explanation of Material Variances ($\geq \pm 10\%$)

- 1 Total Cost is lower than target primarily due to lower depreciation associated with timing in completion of a capital project and lower long service leave due to the lower rate used to estimate the present value of long service leave liabilities.

Justice and Community Safety Directorate
Statement of Performance
For the Year Ended 30 June 2018

Output Class 1 Justice Services

Output 1.4 Public Prosecutions

Description Prosecution of summary and indictable matters, at first instance and on appeal, provision of assistance to the Coroner, and provision of witness assistance services.

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note
Total Cost (\$'000)	14,056		14,925	6%	
Controlled Recurrent Payments (\$'000)	13,240		13,674	3%	
Accountability Indicators					
a Percentage of cases where court timetable is met in accordance with Courts' rules	80%		80%	0%	
b Average cost per matter finalised	\$2,800		\$2,983	7%	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*.

Justice and Community Safety Directorate
Statement of Performance
For the Year Ended 30 June 2018

Output Class 1 Justice Services

Output 1.5 Protection of Rights

Description Provision of advocacy, complaints-handling, advice, community awareness raising and other services in connection with the promotion and protection of rights especially for vulnerable members of society, through services provided by the ACT Human Rights Commission, including the Public Advocate of the ACT and Victim Support ACT. This output also includes services provided by the Privacy Commissioner.

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note
Total Cost (\$'000)	8,995		8,286	(8%)	
Controlled Recurrent Payments (\$'000)	8,167		8,220	1%	

Accountability Indicators

ACT Human Rights Commission

a High level of client satisfaction with Human Rights Commission complaints process:					
– Percentage of survey respondents who consider the process fair, accessible and understandable ⁱ	75%		81%	8%	
– Percentage of complaints concluded within Commission standards	75%		86%	15%	1
b High level of community education, information and advice in relation to human rights and (i) services for children and young people, (ii) disability services, (iii) discrimination, (iv) health services, and (v) services for older people:					
– Number of community engagement activities undertaken by the Commission	30		67	123%	2

Public Advocate of the ACT

c The Public Advocate of the ACT's actions towards achieving a caring community where the rights and interests of vulnerable people are protected:					
– Proportion of client survey respondents for whom advocacy services are provided by the Public Advocate of the ACT where a high level of satisfaction is reported ⁱⁱ	75%		83%	11%	3

Public Advocacy

Individuals, excluding guardianship clients, brought to the attention of the Public Advocate:					
– Proportion of individuals brought to the attention of the Public Advocate for whom direct advocacy is provided	25%		30%	20%	4
– Percentage for clients referred to the Public Advocate for whom a review of the documentation was undertaken ⁱⁱⁱ	75%		82%	9%	

Victim Support ACT

d Percentage of referrals to Victim Support ACT or the Victims of Crime Commissioner - actioned within five working days ^{iv}	95%		92%	(3%)	
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The above Accountability Indicators should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*.

Justice and Community Safety Directorate
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Output Class 1 Justice Services

Output 1.5 Protection of Rights - Continued

Notes

- i An evaluation form is sent out to both the complainant and the respondent with a reply-paid envelope each time a complaint is closed. In 2017-18, 38 ACT Human Rights Commission (HRC) Evaluation Forms were completed and returned. Three questions included in the Evaluation Form allow clients to provide feedback on whether the HRC's process was fair, accessible and understandable.
- ii The Public Advocate (PA) of the ACT surveys stakeholders using the online tool Survey Monkey. This online process has significantly increased the number of responses, while the additional anonymity it provides has allowed respondents to provide clearer feedback about the services provided than was previously available.
- iii Documentation refers primarily to compliance documents received from Mental Health services and the Office for Children, Youth and Family Support; and reports provided with individuals requests or referrals for advocacy.
- iv Actioned refers to all initial contacts taken to directly communicate with people who are referred to the services. These include telephone calls, emails and written correspondences.

Explanation of Material Variances ($\geq \pm 10\%$)

- 1 The higher than target outcome is mainly due to increased attention to early resolution and ongoing review and streamlining of handling processes.
- 2 The higher than target outcome is mainly due to a high level of activity conducted by the Human Rights Commission during the year, engaging with the community at a wide range of functions that enable the Commission to reach its client base effectively.
- 3 The higher than target outcome reflects stakeholder's high level of satisfaction with the PA's professional, respectful and responsive manner in addressing concerns raised, providing required information and/or referring to appropriate alternate agencies.
- 4 The higher than target outcome is primarily due to the PA continuing to actively respond to matters brought to its attention by members of the public. In addition to that, PA also constantly reviews statutory compliance documents, to ensure adequate monitoring of cases and identify clients who may require direct advocacy to protect their rights and facilitate effective outcomes.

Justice and Community Safety Directorate
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Output Class 2 Corrective Services

Output 2.1 Corrective Services

Description Provision of safe and secure custody for detainees with a strong focus on the delivery of rehabilitative, educational and vocational programs, effectively managing un-sentenced offenders and community based corrections programs, and providing advice and services to the ACT justice system.

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note
Total Cost (\$'000)	78,233		79,394	1%	
Controlled Recurrent Payments (\$'000)	68,771		69,055	0%	

Accountability Indicators

a	Completion rates of Community Corrections Orders:				
	- The proportion of Community Corrections supervision orders successfully completed within the counting period	80%	68%	(15%)	1
	- The proportion of Community Corrections reparation orders successfully completed within the counting period	60%	62%	3%	
b	Average cost per detainee per day for all detainees ¹	\$310	\$316	2%	
c	Average cost per day for community based offenders	\$39	\$34	(13%)	2

The above Accountability Indicators should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*.

Note

- i This indicator closely aligns with the Report of Government Services (ROGS) reporting from net recurrent expenditure per community based offenders per day. This does not include superannuation and depreciation, in line with the ROGS counting method.

Explanation of Material Variances (\geq +/-10%)

- 1 The lower than target result is due to a combination of factors including more breaches identified by improved compliance activity.
- 2 The decrease in average cost per day for community based offenders is due to an increase in the average number of offenders.

Justice and Community Safety Directorate
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Output Class 3 Courts and Tribunal

Output 3.1 Courts and Tribunal

Description High quality support to judicial officers and tribunal members in the ACT Law Courts and Tribunal and high quality services to the public using the courts and the tribunal.

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note	
Total Cost (\$'000)	54,036		44,893	(17%)	1	
Controlled Recurrent Payments (\$'000)	39,221		28,549	(27%)	1	
Accountability Indicators						
Courts						
a	Number of judicial officers per 100 finalisations ⁱ		0.14	0.11	(21%)	2
b	Real average civil court fees collected per lodgement - ACT Supreme Court		\$2,900	\$2,690	(7%)	
c	Real average civil court fees collected per lodgement - ACT Magistrates Court		\$205	\$170	(17%)	3
d	Cost per finalised criminal case ⁱⁱ :					
	- Supreme Court		\$23,000	\$19,681	(14%)	4
	- Magistrates Court		\$2,000	\$1,156	(42%)	5
e	Cost per finalised civil case:					
	- Supreme Court		\$12,500	\$13,228	6%	
	- Magistrates Court		\$3,500	\$2,330	(33%)	4
f	Supreme Court Criminal Case Backlog Indicator – Percentage of pending criminal cases for more than:					
	– 12 months		10%	11%	10%	6
	– 24 months		0%	4%	4%	
g	Magistrates Court Criminal Case Backlog Indicator – Percentage of pending criminal cases for more than 12 months		5%	10%	100%	7
h	Supreme Court Civil Case Backlog Indicator – Percentage of pending civil cases for more than:					
	– 12 months		10%	13%	30%	8
	– 24 months		5%	6%	20%	9
i	Magistrates Court Civil Case Backlog Indicator – Percentage of pending civil cases for more than 12 months		10%	10%	0%	
j	Coroners Court Case Backlog Indicator – Percentage of pending cases for more than 12 months		35%	48%	37%	10
k	Criminal Case Clearance Indicator - Percentage of Supreme Court finalisations, divided by the number of lodgements		100%	102%	2%	
l	Criminal Case Clearance Indicator - Percentage of Magistrates Court finalisations, divided by the number of lodgements		100%	131%	31%	11
m	Civil Case Clearance Indicator - Percentage of Supreme Court finalisations, divided by the number of lodgements		100%	91%	(9%)	

Justice and Community Safety Directorate
Statement of Performance
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Output Class 3 Courts and Tribunal

Output 3.1 Courts and Tribunal - Continued

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	YTD Variance %	Note
n Civil Case Clearance Indicator - Percentage of Magistrates Court finalisations, divided by the number of lodgements ⁱⁱⁱ	100%		101%	1%	
Tribunal					
o Number of presidential members per 100 finalisations	0.12		0.12	0%	
p Real average fees collected per lodgement - ACAT ^{iv}	\$160		\$170	6%	
q Total number and relative percentage of pending cases in the ACAT for more than 12 months	5%		8%	60%	12
r Clearance Indicator - Percentage of ACAT finalisations, divided by the number of lodgements	100%		94%	(6%)	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the Financial Management Act 1996.

The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the Financial Management (Statement of Performance Scrutiny) Guidelines 2017.

Notes

- i 2017-18 judicial resources do not include visiting judges nor judicial officers on long service leave.
- ii For the purpose of this report a 'case' is defined as per the counting rules detailed in the Report on Government Services (ROGS) Data Collection Manual Courts, Chapters 6, 7 and 8. It is the measurement of workload in the civil jurisdiction. It is the issues, grievances or complaints that constitute a single and related series of disputes brought by an entity (or group of entities) against another entity (or group).
- iii The civil case clearance indicator for the Magistrates Court includes the Coroners Court.
- iv ACAT - ACT Civil and Administrative Tribunal

Explanation of Material Variances ($\geq \pm 10\%$)

- 1 Total Controlled Recurrent Payments (CRP) and Total Cost are lower than target primarily due to the delay in the construction of new courts facilities. The target included payments under the post construction contract that did not eventuate.
- 2 The outcome is below the target because of the 1,880 failure to vote charges lodged last financial year being finalised in this financial year. If these charges are excluded then the actual outcome would be 0.13 or 7% below the target.
- 3 The outcome is below the target because of a higher than expected proportion of matters being subject to no fee (particularly family violence applications) or to a fee exemption or waiver.
- 4 The outcome is below the target because of the delay in the construction of new courts facilities. The target included payments under the post construction contract that did not eventuate.
- 5 The outcome is below the target because of the delay in the construction of new courts facilities and the 1,880 failure to vote charges finalised in this financial year. The target included payments under the post construction contract that did not eventuate.
- 6 The outcome is above the target because of the focus on finalising older cases which take more time.
- 7 The outcome is above the target because of a higher than expected number of defended hearings which take more time to finalise.
- 8 The outcome is above the target because the Supreme Court continued to give priority to reducing civil matters pending for more than 24 months which means the listing time for matters less than 24 months is reduced.
- 9 The outcome is above the target because of the extent of the backlog and a higher than expected number of complex matters, which take more time to finalise. During the time required to deal with these cases other pending cases increase in age.
- 10 The outcome is above the target because of the focus on finalising older and more complex matters. During the time required to deal with these cases other pending cases increase in age.

Justice and Community Safety Directorate
Statement of Performance
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Output Class 3 Courts and Tribunal

Output 3.1 Courts and Tribunal - Continued

Explanation of Material Variances ($\geq \pm 10\%$) - Continued

- 11 The outcome is above the target because of the 1,880 failure to vote charges lodged in last financial year that were finalised in this financial year. If these charges are excluded then the actual outcome would be 103% or 3% above target.
- 12 The outcome is above the target because the finalisation of 68 civil dispute matters has been delayed pending a ruling on a question of law under section 77 of the *ACAT Act*.

Justice and Community Safety Directorate
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Output Class 4 Emergency Services

Output 4.1 Emergency Services

Description *Prevention and Mitigation:* Measures taken in advance of an emergency aimed at decreasing or eliminating its impact on the community and the environment.
Preparedness: Measures to ensure that, should an emergency occur, communities, resources and services are capable of responding to and coping with the effects.
Response: Strategies and services to control, limit or modify an emergency to reduce its consequences.
Recovery: Strategies and services to return the ACT Emergency Services Agency to a state of preparedness after emergency situations and to assist with community recovery.

	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note
Total Cost (\$'000)	141,531		143,310	1%	
Controlled Recurrent Payments (\$'000)	116,619		114,886	(1%)	

Accountability Indicators

Prevention and Preparedness

a Desktop audit of ACT Government Directorate Bushfire Operational Plans activity progress reports	100%		97%	(3%)	
b Field assessment of Access Management Upgrades and Hazard Reduction burns conducted in accordance with Bushfire Operational Plans of ACT Government Directorates	100%		93%	(7%)	
c Percentage of ESA staff who have completed accredited training in AIIMS ⁱ	70%		71%	1%	

Response and Recovery

d Structure Fire incidents responded to within target ⁱⁱ	90%		91%	1%	
e Road Rescue incidents responded to within target ⁱⁱⁱ	90%		91%	1%	
f Ambulance priority 1 - Incident Response Time 50 th percentile (minutes) ^{iv}	8		9	13%	1
g Ambulance priority 1 - Incident Response Time 90 th percentile (minutes) ^{iv}	15		15	0%	
h Percentage of Patient Transport Service 'fixed booking' attended by booked time	65%		74%	14%	2
i Total cost per head of population ^v	\$348.89		\$344.58	(1%)	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2017*.

Notes

- i AIIMS – Australasian Inter-Service Incident Management System. This accountability indicator captures training provided to Emergency Services Agency (ESA) staff only on the AIIMS system.
- ii Target refers to the response to structure fires within 10 minutes.

Justice and Community Safety Directorate
Statement of Performance
For the Year Ended 30 June 2018

Output Class 4 Emergency Services

Output 4.1 Emergency Services - Continued

Notes - continued

- iii Target refers to the response to road rescues within 13 minutes.
- iv Priority 1 records that are incomplete due to operator or system errors, or where incidents are outside the ACT, or where the priority rating has been changed, are excluded.
- v The 2017-18 original target is based on an estimated population of 405,665. The 2017-18 Actual is based on the most recent estimated population for the Australian Capital Territory by the Australian Bureau of Statistics per Catalogue 3101.0 of 415,900 (Catalogue 3101.0 Australian Demographic Statistics, December 2017 released on 21 June 2018).

Explanation of Material Variances ($\geq \pm 10\%$)

- 1 The slower response time as compared to target is due to an overall increase in demand for ambulance services.
- 2 The higher than target outcome is due to improved booking procedures with a focus on avoiding conflicts in booking time.

SECTION L

SECTION L:
VICTIMS OF CRIME

L. VICTIMS OF CRIME

Introduction

The Annual Reports (Government Agencies) Notice 2017 requires reporting on the following:

- > the number of applications made during the financial year
- > particulars of awards of financial assistance made in respect of those applications
- > brief descriptions of the facts and circumstances of each award made during the financial year
- > any other particulars relating to the operation of the Act considered appropriate.

In previous years reporting has provided information to be gathered regarding occupation of the victims. The directorate does not consider this is relevant information to the operation of the scheme and has concerns that in some circumstances may lead to the identification of victims. The directorate has therefore, determined not to report this information.

Explanation as to the operation of the Act for 2017-18

Establishment of the Scheme

The scheme was established by the Act, which commenced on 24 December 1999. The Act vests jurisdiction in the ACT Magistrates Court for all matters commenced after that date. Prior to this date, the ACT Supreme Court and the ACT Magistrates Court exercised jurisdiction of criminal injury matters under the *Criminal Injuries Compensation Act 1983*.

The scheme has now been replaced by the *Victims of Crime (Financial Assistance) Act 2016* which commenced on 1 July 2016. The ACT Magistrates Court continues to have jurisdiction to determine matters where an incident occurred prior to 1 July 2016 and an application was made on or before 30 June 2017. Matters that commenced in the court prior to 30 June 2017 remain within the jurisdiction of the court. Where a compensable incident occurred from 1 July 2016 the matter will be determined by the Victims of Crime Commissioner.

Determination of Applications

The procedure for the determination of applications from a victim of crime requires that each matter be listed before a Deputy Registrar for a conference prior to a hearing. The purpose of the conference is to assess whether the matter is ready to proceed to determination.

Most applications are resolved by the Territory providing an assessment to the applicant and the Court making an award in accordance with an agreement reached between the parties.

The types of matters that were determined during the reporting year are identified in a below table.

Recovery of Financial Assistance

Provisional orders for restitution can only be made by the Court upon application by the Territory. The Registrar received 26 applications in the reporting year, all of which resulted in provisional

orders for restitution being made by the Court. One was confirmed during the reporting year from a previous financial year.

Table 79 Awards made in the reporting period

	Total amount awarded	Number of awards
Payments made in 2017-18	\$1,156,575.09	50

Table 80 Detail of awards made during the reporting period

Crime	Number of awards	Total award	Average award
Assault (including domestic violence and assaults which included kidnapping or robbery)	30	\$386,712.00	\$12,890.40
Sexual assault	14	\$655,000.00	\$46,785.71
Burglary and robbery	4	\$61,417.99	\$15,354.50
Other	2	\$53,445.10	\$26,722.55
Total	50	\$1,156,575.09	\$23,131.50

2017-18 Summaries

Magistrates Court

Table 81 Magistrates Court

Number	Description	Total award	Date of award
CI 16/72	Applicant was the victim of a sexual assault. The person was known to the victim. Final award pursuant to s10(1)(f).	\$50,000.00	10 July 2017
CI 16/89	The applicant was a victim of domestic violence. An interim award pursuant to s10(1)(a) and 10(1)(b).	\$1,550.98	27 July 2017
CI 05/26	The applicant was a victim of an assault. Award pursuant to s10(1)(a).	\$6,180.84	1 August 2017
CI 17 / 4	The applicant was the victim of several sexual assaults by a person known to her. Award granted pursuant to s10(1)(f)	\$50,000.00	2 August 2017
CI 16 / 67	The applicant is a Police Officer who was assaulted when trying to restrain a person who was under arrest. Award granted pursuant to s10(1)(a) and s10(1)(e).	\$4,120.00	7 August 2017

Number	Description	Total award	Date of award
CI 17/21	The applicant, as a young person, was the victim of sexual assault over the period of a few years by a person known to her. An award pursuant to s10(1)(f) was made.	\$50,000.00	21 August 2017
CI 12/116	An unknown male threw an item forcibly into a person's face. A final award pursuant to section 10 (1) (a) was made.	\$28,854.25	9 August 2017
CI 16/24	The applicant was the victim of domestic violence. A final award pursuant to section 10 (1) (a) was made.	\$4,546.20	22 August 2017
CI 15/96	A young person was sexually assaulted by another young person. An award pursuant to section 10 (1) (f) was made.	\$50,000.00	16 August 2017
CI 16/82	After an altercation the applicant was assaulted by 2 males known to him. An award pursuant to s10(1)(a), 10(2)(b) and s10(1)(e) was made.	\$17,169.19	28 August 2017
CI 14/12	Applicant was the victim of a home burglary and was assaulted by offender. Further interim award pursuant to s10(1)(a).	\$977.99	28 August 2017
CI17/14	Applicant was assaulted by two males, unknown to him in the course of his employment. An award pursuant to sections 10 (1) (a), 10(1)(b) and 10(1)(c) was made.	\$3198.18	8 September 2017
CI 16/84	The applicant was sexually assaulted by a person known to her. An award pursuant to section 10 (1) (f) was made.	\$10,000.00	19 September 2017
CI 17/15	The applicant was a victim of armed hold up. An award pursuant to section 10 (1) (d) was made.	\$30,000.00	21 September 2017
CI 06/39	The applicant was the victim of an assault.	\$522.87	22 September 2017
CI 12/40	Applicant assaulted by unknown offender. Interim award made pursuant to s10(1)(a)	\$170.00	28 September 2017
CI 16/31	The applicant was assaulted by an unknown male. An interim award made pursuant to s10(1)(a) and 10(1)(c) was made.	\$4,527.54	6 October 2017
CI 16/85	A young person was sexually assaulted by a person known to her. An award pursuant to section 10 (1) (f) was made.	\$50,000.00	6 October 2017
CI 16/86	As a child the applicant was the victim of sexual	\$50,000.00	6 October

Number	Description	Total award	Date of award
	assault by someone known to her. An award pursuant to section 10 (1) (f) was made.		2017
CI 11/73	The applicant was a child when he was the victim of a random assault. 2 interim awards were made pursuant to section 10(1)(a).	\$2,015.54+ \$671.00 = Total: \$2,686.54	6 October 2017
CI 17/30	The applicant was assaulted in an unprovoked attack. An award made pursuant to s10(1)(a) and 10(1)(c) was made.	\$1,269.00	16 October 2017
CI 16/39	The applicant was the victim of a sexual assault by a person known to her. An award pursuant to section 10 (1) (f) was made.	\$50,000.00	16 October 2017
CI 17/12	The applicant was sexually assaulted by a person known to the family as a young person. An award pursuant to section 10 (1) (f) was made.	\$50,000.00	6 November 2017
CI 12/80	The victim of domestic violence was assaulted by her former partner. An award pursuant to section 10 (1) (d) was made.	\$30,000.00	6 November 2017
CI 17/15	The applicant was a victim of armed hold up. An award pursuant to section 10 (1) (a) was made.	\$440.00	20 November 2017
CI 94/23	The applicant was sexually assaulted by a family member. The applicant received an award pursuant to S 6 (1) (a) and S 6 (1) (c).	\$45,000.00	29 November 2017
CI 17/25	The applicant was a victim of an assault and armed robbery up by an unknown person. An award pursuant to section 10 (1) (d) was made.	\$30,000.00	29 November 2017
CI 16/93	The applicant was a victim of an assault by a family member. An award pursuant to section 10 (1) (d) was made.	\$30,000.00	5 February 2018
CI 17/16	The applicant suffered injury caused by an offender whilst performing duties as a police officer. An award pursuant to section 10(1)(e) was made.	\$10,000.00	16 February 2018
CI 15/13	The applicant suffered injury and financial hardship as a result of the murder of a family member. An award pursuant to Section 17 (1)(a) and (1)(d) was made.	\$44,358.65 Section 17(1)(a) \$14,358.65 Section 17(1)(d) \$30,000.00	27 February 2018
CI 17/19	The applicant suffered injuries as result of a sexual assault. An award pursuant to S10(1)(f) was made.	\$50,000.00	26 February 2018

Number	Description	Total award	Date of award
CI 14/12	The applicant suffered injury when held at gunpoint. An award pursuant to Section 10(1)(d) was made.	\$30,000.00	27 February 2018
CI 24/17	The applicant suffered injury caused by an offender whilst performing duties as a police officer. An award pursuant to section 10(1)(e) and 10 (1) (c) was made.	\$5625.00	6 March 2018
CI 09/15	The applicant was a victim of assault at home by a known offender. An award pursuant to section 10 (1) (d) for an extremely serious and permanent injury.	\$30,000.00	6 March 2018
CI 54/16	The applicant was the victim of sexual abuse by a person known to her.	\$50,000.00	14 March 2018
CI 16/93	The applicant was the victim of an assault. An award pursuant to section 10(1)(d) was made.	\$30,000.00	5 February 2018
CI 16/31	The applicant was the victim of an assault by an offender previously unknown to him. An award pursuant to section 10(1)(d) was made.	\$30,000.00	22 March 2018
CI 17/35	The applicant was abused by a person known to her. An award pursuant to section 10(1)(f) was made.	\$50,000.00	26 April 2018
CI 17/11	The applicant was sexually abused by a person known to her. An award pursuant to section 10(1)(f) was made.	\$50,000.00	26 April 2018
CI 17/36	The applicant was the victim of a physical assault by a person previously unknown to her. The following award was made: Section 10(1)(a) \$5,240.40. Section 10(1)(c) \$34.36.	Section 10(1)(a) \$5,240.40. Section 10(1)(c) \$34.36.	26 April 2018
CI16/88	The applicant was injured during an incident he attended in the course of his duties as a police officer. An award under S10(1)(e) was made.	\$4,000.00	26 April 2018
CI 11/73	The applicant was a child when he was the victim of a random assault. A further interim awards were made pursuant to section 10(1)(a).	2950.00	3 May 2018
CI17/32	The applicant was the victim of an attack by a person unknown to him. An award pursuant to S10(1)(a) \$5,592.69, S10(1)(c) \$37.17 and S10(1)(d) \$30,000.00.	S10(1)(a) \$5,592.69 S10(1)(c) \$37.17 S10(1)(d) \$30,000.00	9 May 2018
CI 17/1	The applicant was assaulted by a person previously unknown to him. An award pursuant to S10(1)(a) \$90.32, S10(1)(c) \$26.00, S10(1)(d) \$30,000.00 was made.	S10(1)(a) \$90.32 S10(1)(c) \$26.00 S10(1)(d) \$30,000.00	14 May 2018
CI 17/36	The applicant was the victim of a physical assault by	\$400.00	14 May 2018

Number	Description	Total award	Date of award
	a person previously unknown to her. An interim award under S10(1)(a) was made.		
CI 81/16	The applicant was the victim of assault by a person not known to him. An award under section 10 for \$30,251.57	S10(1)(a) 214.40 S10(1)(c)\$37.14 S10(1)(d) \$30,000.00 \$30,251.57	23 May 2018
CI 13/50	The applicant was assaulted and robbed. An interim award in the amount of \$2,620 was made.	S10(1)(b) 2874.00 S10(1)(c) 37.00 S37(1) -291.00	13 June 2018
CI 73/11	The applicant was a child when he was the victim of a random assault. A further interim awards were made pursuant to section 10(1)(a).	S10(1)(a) \$2996.00	13 June 2018
CI 79/16	The applicant was assaulted by a known person. An interim award was made pursuant to Section 10(1)(a).	S10(1)(a) \$2052.90	13 June 2018
CI 15/103	The applicant was a related victim of a homicide and was awarded an interim amount under section 17(1)(a).	\$9086.45	27 June 2018

SECTION O

SECTION O:
**JUSTICE AND
COMMUNITY
SAFETY**

O.1 BUSHFIRE RISK MANAGEMENT

Overview

The Emergency Services Agency (ESA) Commissioner has the responsibility under Section 72 of the *Emergencies Act 2004* (the Act) for the preparation of the ACT Strategic Bushfire Management Plan (SBMP). The SBMP is the overarching strategic document that directs all levels of bushfire planning for the ACT.

ACT Strategic Bushfire Management Plan

The SBMP (Version 3) was tabled in the ACT Legislative Assembly as a Disallowable Instrument on 23 September 2014 and is valid to September 2019. The first SBMP was developed for 2004 – 2009 (Version 1) and second 2009– 2014 (Version 2). The SBMP has reinforced continuous improvement in bushfire management outcomes in the ACT.

The Bushfire Council plays an important role in the SBMP and must be consulted by the ESA Commissioner to monitor the scope and effectiveness of the plan as per Section 72(7) of the *Emergencies Act 2004*.

The SBMP contains strategies and actions that:

- > recognise the value of our volunteers in the ESA
- > promote awareness in the community about the risk posed from bushfire
- > outline responsibilities on land owners and managers to prevent bushfires
- > implement bushfire prevention and preparedness activities
- > reduce bushfire ignitions
- > support our firefighters to respond to bushfires rapidly, and
- > ensure that our activities are holistic and supported by contemporary research, urban planning and design, community engagement and community resilience.

Bushfire Council

The Bushfire Council is an advisory body established by the *Emergencies Act 2004*. Section 130 of the Act sets out the functions of the Bushfire Council which are to advise the Minister for Police and Emergency Services about matters relating to bushfires and advise the Emergency Services Commissioner when requested.

The Bushfire Council provides advice and an Annual Preparedness Report to the Minister on matters relating to bushfire management in the ACT in the areas of prevention, preparedness, response and recovery.

In 2017-18, the Bushfire Council held monthly meetings. The ACTRFS and ACT Parks and Conservation Service (PCS) hosted a field trip for members of the Bushfire Council and the Justice and Community Safety Director-General as the Chair of the Security and Emergency Management Senior Officials Group (SEMSOG). The purpose of this field trip was to show participants the scope and scale of suburban development, bushfire protective measures requirements for community safety, and best practice vegetation management of Asset Protection Zones (APZs).

At the Parkwood site, participants viewed the scale of the Ginninderry development, proposed Murrumbidgee River Corridor reserves/APZs, the location for the high voltage switch yard and additional residential development proposals to the South within the existing rural land. Discussions were held regarding APZs along the Western urban interface, which contains one of the few areas within the ACT where urban development will adjoin forest vegetation.

Strategic Bushfire Management Plan Project Board

The SBMP Project Board is the principal forum for monitoring progress of the 71 actions in the SBMP. It is set up to support the 12 objectives of the SBMP, which is a requirement of the *Emergencies Act 2004*. It is chaired by the Chief Officer, ACT Rural Fire Service and includes senior representation from all ACT Government agencies with responsibilities under the SBMP.

The following provides a summary regarding the implementation of a number of key action items progressed throughout 2017-18 by ACT Government directorates.

Bushfire Operational Plans

Section 77 of the *Emergencies Act 2004* requires an owner of land or manager of unleased Territory land or land occupied by the Territory to, as far as practicable, ensure the land is managed in accordance with the SBMP and comply with any bushfire management requirements.

Section 78 of the *Emergencies Act 2004* requires a manager of an area of unleased Territory land or land occupied by the Territory to prepare a Bushfire Operational Plan (BOP) in accordance with the SBMP. The Act also specifically outlines the requirement for ACT Government directorates and other prescribed entities to develop a BOP for Bushfire Prone Area (BPA) every two years.

The ESA Commissioner approves all BOPs.

BOPs need to outline prevention and preparedness activities along with the performance indicators and reporting applicable for these activities. A BOP also details the specific timing, type and location of fuel-reduction, access and infrastructure activities that are proposed over the life of the BOP.

The SBMP also provides a series of bushfire management standards, which must be met in relation to vegetation management. The standards are available on the ESA website at: <http://cdn.esa.act.gov.au/wp-content/uploads/Fire-Management-Standards-ACT-SBMPv31.pdf>.

Rural leaseholders within the Bushfire Abatement Zone (BAZ) are required under Section 78 of the *Emergencies Act 2004* to provide a draft bushfire operational plan. Participation in the ACT Farm FireWise program, which is implemented by RFS staff working closely with landholders, satisfies this requirement.

Auditing of Bushfire Operational Plans

ACTRFS audits directorate and utility BOPs. The audit process is an opportunity to monitor progress, identify opportunities for improvement and priorities for future BOPs. The audits verify that directorates and utilities are conducting the BOP activities approved by the ESA Commissioner. Audit results are summarised and provided to the Chief Officer ACTRFS, the ESA Commissioner and the Bushfire Council. Performance results are reported against the accountability indicator 'Desktop audit of ACT Government Directorate Bushfire Operational Plans activity progress reports' within section C.6 'Statements of Performance'.

Field audits of hazard reduction burning activities and access upgrades to the strategic access network are conducted to ensure that these activities are being completed as scheduled, and in accordance with the standards of the SBMP. No significant anomalies were found during 2017-18. Where slight discrepancies in activity counts have been identified, they have been attributed to counting or report extraction errors. Anomalies such as these are investigated, discussed with auditors, and noted on audit reports.

ACTRFS personnel undertake these audits which are also used to contribute to ongoing and future mitigation planning such as the Regional Fire Management Plans.

In compliance with section 78 of the Act, the ESA Commissioner receives and approve BOPs from ACT Government directorates and other entities.

The following agencies or entities are required to have an approved bushfire operational plan:

Table 82 **Approved Bushfire Operational Plans**

Directorate	BOPs
Chief Minister, Treasury and Economic Development Directorate (CMTEDD)	Stromlo Forest Park National Arboretum Strathnairn Arts ACT Property Group rural leases
Environment, Planning and Sustainable Development Directorate (EPSDD). Two business units have BOP responsibilities	Parks and Conservation Service(PCS) Suburban Land Agency (SLA) formerly (Land Development Agency LDA)
Health Directorate	Ngunnawal Bush Healing Farm - Miowera Secure Mental Health Unit
Community Services Directorate	Housing
Education Directorate (ED) and Transport Canberra and City Services (TCCS)	Birrigai
Cultural Facilities Corporation	Lanyon Homestead Calthorpes' House Mugga-Mugga

Other entities which submit BOPs for approval include ICON Water and Uriarra Village.

ACT Government Directorates' Bushfire Operational Plans

Schedule 2 of the SBMP specifically outlines the requirement for ACT Government directorates and other prescribed entities to develop a BOP for properties within Bushfire Prone Areas (BPAs) on an annual basis.

The BOPs for ACT Government directorates and other prescribed entities are detailed in the following section:

Chief Minister, Treasury and Economic Development Directorate

The CMTEDD has the following locations - Strathnairn Arts, Stromlo Forest Park and National Arboretum Canberra and ACT Property Group rural leases.

During 2017-18, the CMTEDD reviewed and updated the Bushfire Preparedness Framework providing overarching support and direction for its bushfire activities. BOPs for the above locations were reviewed or approved by the RFS. The functions within the operation plans for Stromlo Forest Park and the National Arboretum Canberra are conducted under their respective BOPs, while artsACT and Strathnairn Arts Association are responsible for BOP functions at Strathnairn Arts. ACT Property Group have a schedule for maintenance and bushfire preparedness activities that are implemented for rural leases.

In addition, Strathnairn Arts, Stromlo Forest Park and National Arboretum Canberra have an individual approved Elevated Fire Danger Action Plan.

Environment, Planning and Sustainable Development Directorate

An extensive BOP for the ACT is prepared by EPSDD, which manages the majority of public land in the Territory. EPSDD develops their BOP on an annual basis and these are publicly available on the [EPSDD website](#).

ACT Parks and Conservation Service BOP

This year, EPSDD's ACT Parks and Conservation Service completed 96.9% of the actions required under the 2017-18 BOP.

The BOP is divided into nine main sections and covers all areas of fire protection including fuel management, access management, infrastructure, equipment purchase, training, auditing and monitoring, planning and research, education, response and standby.

The annual EPSDD BOP is a yearly works program based on the activities identified in the more strategic Regional Fire Management Plans (RFMPs) which are developed by the EPSDD every ten years (with a five year review) and cover the entire ACT. The RFMPs integrate landscape factors including soil type, vegetation, slope, threatened species, cultural issues, water quality and biodiversity into the one plan and program of activities.

The implementation of the EPSDD BOP fulfils the legal requirements of the SBMP Version 3 and the five year RFMPs. A summary of the activities undertaken in 2017-18 is provided below.

Fuel Management

Fuel management aims to reduce fire fuel loads to an acceptable level. Actions to achieve this fuel modification include slashing, prescribed burning, grazing, physical removal and chemical treatment of vegetation as detailed in the following:

(i) Slashing

Strategic areas adjacent to the urban edge and along roadside verges and rural roads are slashed to reduce potential fire intensity and to increase suppression capability. In 2017-18, the BOP identified 4,705 hectares of slashing across 245 sites, of which 100% was completed.

(ii) Prescribed Burning

The 2017-18 BOP identified 45 burns, totalling 8259 hectares (ha). A total of 37 burns were completed across an area of 2004 ha. Three of eight uncompleted burns were located in the higher alpine regions of the ACT and constant unfavourable weather conditions prevented their implementation. The other five uncompleted burns included two cultural, two ecological and one urban burns. These burns were not completed due to unfavourable ecological and weather conditions.

Any burns that were not completed will be carried over and considered for implementation in the 2018-19 program.

ACT Bushfire Council and the ACT Emergency Services Agency have been updated by email from PCS and through the PCS website every month throughout the autumn period on PCS prescribed burning progress and have been routinely provided with weather and fuel information highlighting the obstacles faced.

The last four years has seen over 15,000 hectares of hazard reduction burning delivered across the ACT. Considered together, this treated landscape continues to provide a patchwork of reduced fire fuels on a landscape scale – a key outcome sought by land managers from their fuel reduction program.

(iii) Grazing

Strategically placed grazing by livestock is an effective method of managing fire fuel loads in many areas across the ACT. The 2017-18 BOP identified 6041 hectares of strategic grazing across 73 sites, of which 100% was achieved.

(iv) Physical Removal

In certain specific areas, the elimination or reduction of fire fuels through physical removal is undertaken by either hand or machinery. This operation is predominantly undertaken to enable an area to be included for slashing treatments in the future. In 2017–18, the BOP identified 312 hectares of physical removal across 34 sites, of which 31 jobs are complete totalling 235 hectares. Work is continuing on the three remaining jobs across 77 hectares.

(v) Chemical

Chemical herbicide is used to treat re-growth in areas that have had previous work (predominantly physical removal) undertaken. In 2017–18, the BOP identified 372ha of chemical treatment across 33 sites. A total of 214ha was treated with the remaining 158ha across four sites not completed, due to weather conditions, however this work will be rolled over to the 2018-19 BOP.

Access Management

Access management includes routine road maintenance, vegetation management, upgrading and construction of fire trails and investigating proposed new trails. EPSDD manages more than 4500 kilometres of fire trails which provide for essential rapid access to bushfires and serve as control lines for prescribed burning operations. Actions to achieve this includes the following:

(i) Road Maintenance

The maintenance of fire trails is undertaken to maintain the accessibility of existing trails for different standards of vehicles. In 2017–18, the BOP identified 206km of road maintenance across 85 sites of which 84 sites totaling 205km were completed. One job along 1km of trail was not completed but will be placed on the 2018-19 BOP.

(ii) Vegetation Management

This operation is predominantly mulching or physical removal of roadside vegetation and then application of herbicide to reduce regrowth. It is a crucial part of maintaining a strong open network of fire trails. In 2017-18, the BOP identified 273km of road side vegetation control across 24 sites, of which all were completed.

(iii) Upgrading of fire trails and water crossings

The upgrading of fire trails is undertaken to improve the accessibility of existing trails for different standards of vehicles. In 2017-18, the BOP identified 35 kilometres of road construction across four sites. Work is continuing on one job covering just one kilometre and is expected to be completed in 2018-19. The remaining three jobs covering 34 kilometres are complete.

Fire Infrastructure Development

Fire infrastructure development includes constructing or developing features or facilities to assist in fire suppression or managing bushfire fuels. A total of 15 projects were identified in the 2017-18 BOP of which all were completed.

Equipment

Fire management and fighting equipment purchased in 2017-18 focused on the supply of Fire Personal Protective Equipment and Software maintenance for GIS applications. All eight jobs identified have been completed.

Training

Ensuring staff have comprehensive and up-to-date training is an essential component of fire management. The training program identified in the BOP is extensive and is aimed at attaining and maintaining competency levels while also building capacity. Training also includes representation at national level meetings and conferences. A total of 62 training activities were listed in the 2017-18 BOP involving over 4,500 staff hours. A total of 56 activities were completed, four training sessions were unable to be attended by EPSDD staff and two activities were not delivered due to staffing changes and unavailability of course material.

Auditing and Monitoring

For quality assurance, PCS internal monitoring and auditing against the EPSDD BOP includes specific audits on grazing, fire equipment and appliances, fuel hazard assessments, radio communications, fire trails and emergency vehicle access. The 2017-18 BOP identified 23 audit and monitoring activities, of which 21 were completed. The two tasks not completed included a desktop erosion risk modelling and a post burn assessment by the Murumbung Rangers – both to be included in next years' BOP.

Planning and Research

In the 2017-18, BOP there were 59 planning and research activities, including acquisition of aerial imagery, Development of Agency wide availability system and the development of concise descriptor guidelines for Incident Action Plans. A total of 53 activities were completed, with the remaining six activities currently underway. These six activities have been carried forward for delivery as part of the 2018-19 BOP and include a road maintenance database and works involving the Murumbung Rangers who require more time to undertake greater community consultation.

Education

Education activities are designed to keep the public informed about the work undertaken in the BOP. In the 2017-18 BOP, the target was seven education activities, which included the publication of the 2017-18 BOP on the EPSDD website, advertising of the prescribed burn program and promoting

positions within the unit to the Aboriginal and Torres Strait Islander community. All activities were completed.

Response and Standby

The 2017-18 Bushfire Season was characterised by a late start and a late finish with a patch of milder weather in the middle. During the 2017-18 Bushfire Season, EPSDD staff undertook fire standby on 48 days, as follows:

- > 41 days of Level 2 (Fire Danger Index 12 to 24)
- > 5 days of Level 3 (Fire Danger Index 25 to 49)
- > 2 days of Level 4 (Fire Danger Index 50 to 74)

Seasonal Crew and Plant

In 2017-18, the EPSDD recruited 19 seasonal fire fighters. The seasonal firefighters were utilised in fuel and access management activities, fuel hazard assessments, hazard reduction activities, fire standby and fire suppression.

The EPSDD contracted heavy machinery consisting of two bulldozers and one grader for the 2017-18 bushfire season. These machines assisted with the access works and were fully utilised in fire preparedness and suppression activities. They were also able to implement fire recovery and rehabilitation tasks on several fire grounds across the ACT.

Other Achievements

Treatment of 87ha of dense pine wildling regrowth at Blue Range in the Lower Cotter Catchment was undertaken to reduce the risk of significant and devastating wildfire in this recovering landscape which is an essential part providing quality water to Canberra.

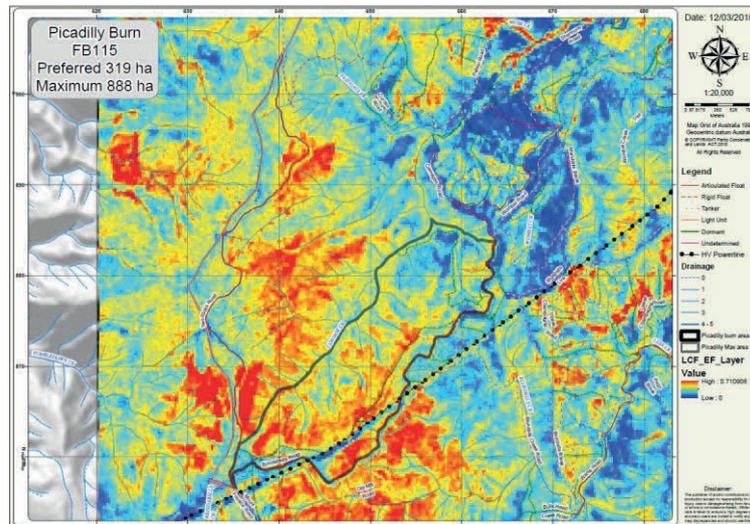
Figure 58 Pine wildling removal Blue Range



Pine wildling removal Blue Range

PCS trialled spatially-explicit 25m resolution fuel maps of near-surface and elevated fuels derived from Light Detection and Ranging (LiDAR) surveying. The products were developed in a partnership with Bushfire and Natural Hazards Co-operative Research Centre researchers at the Australian National University.

Figure 59 Lidar Mapping



Lidar Mapping

SODAR – stands for Sonic Detection and Ranging and is also known as a vertical wind profiler. One SODAR device was set up at Tidbinbilla in 2016-17 as a joint trial between PCS and University of NSW (ADFA). This device reports wind direction and strength at various heights above the ground, and is providing useful information on wind conditions in the mountainous areas of the Territory. This device adds to the knowledge on atmospheric conditions on high fire dangers days and during prescribed burning operations.

In 2017-18, a second unit was installed near Gudgenby. This unit is operating entirely on solar power and has benefitted from the lessons learned from the installation of the Tidbinbilla equipment. Both units are expected to operate and enhance bushfire weather information and fire intelligence in 2018-19.

Figure 60 SODAR Tidbinbilla



SODAR Tidbinbilla

Figure 61 SODAR Gudgenby



SODAR Gudgenby

Figure 62 New vehicle Signage



PCS has new Operational Firefighting Vehicle Warning Devices (Audible, Optical and Visual) and Communication Equipment SOP.

This system allows the ground to saturate before the burn commences to provide a natural barrier for the flames. This ensures minimal soil disturbance and forms part of the Asset Protection Equipment. It is specifically utilised in sensitive sites such as Black Mountain.

Figure 63 Successful use of the wet line sprinklers on several prescribed burns.



Wet line sprinkler system in use at Black Mountain

There have been an upgrade of 15km of Old Boboyan Road in southern Namadgi National Park, improving access for visitors, bushfire suppression, and park management whilst reducing the risk of erosion and ongoing maintenance costs for this road.

A major crossing upgrade has been completed within the Lower Cotter Catchment at the junction of Condor Creek and Lees Creek. This is the final construction of a series of three similar crossings. All of the original crossings replaced were constructed in the 1960s as part of the road network for the pine plantation.

Figure 64 Old crossing



Old crossing

Figure 65 New crossing



New crossing

PCS senior fire management officers, Brian Levine and Adam Leavesley had papers accepted at the International Association of Wildland Fire conference in Montana, USA. Brian led an interstate team in the development of a new prescribed burn risk management tool, the PB-DST, and his paper described the tool and its use. Adam presented a paper around the development of a new bushfire erosion risk assessment tool based on research conducted through the Bushfire and Natural Hazards Co-operative Research Centre and implemented at PCS.

Figure 66 Presentation



Adam Leavesley

Figure 67 **Presentation**



Brian Levine

PCS successfully trialed a new readiness arrangement for the 2017-18 fire season, whereby the ACT was split into four PCS Regions. In addition, three trained Fire Behaviour Analysts (FBANs) were incorporated into the duty roster, allowing for at least one FBAN to assess the forecast weather and fire danger conditions each day during the fire season. This arrangement allowed a finer scale setting of readiness, with greater accuracy and better placement of resources to the areas of greatest potential fire risk across the PCS estate. This increased efficiency and resulted in more effective and efficient utilisation of limited resources.

Weather Stations – four Portable Automatic Weather Stations (PAWS) and two Remote Area Weather Stations (RAWS) have been purchased and installed by PCS to Bureau of Meteorology (BoM) standards - with 4 weather stations now in semi-permanent positions, feeding weather data to the Bureau of Meteorology METEYE page. This has improved the accessibility and quality of weather information in and around the ACT. Two of the PAWS can be moved as required and have been used for operational purposes, located close to planned prescribed burning for high quality and continuous weather condition information, essential for ensuring conditions for burning are appropriate.

Figure 68 **Remote Area Weather Station**



Remote Area Weather Station

Suburban Land Agency (SLA) BOP

The Suburban Land Agency (SLA) Bushfire Operations Plan [2017-2018-2019](#) is prepared by Estate Management SLA. The SLA has 35 activities included in its BOP.

The SLA submitted its BOP to ESA for approval and reports quarterly to the ACTRFS. All works identified in the SLA BOP for 2017-18 have been completed.

Health Directorate

An overarching BOP is currently being developed for all ACT Health sites as required by the *Emergencies Act 2004* and is expected to be completed in 2018-19.

The following sites require site specific BOPs:

Brian Hennessy House and Arcadia House

A BOP has been prepared for ACTRFS review and will be provided to the ESA Commissioner for approval. ACT Health have taken proactive measures to mitigate the impact of bushfires at the facility and ensure the safety of staff patient and visitors.

Dhulwa Mental Health Unit

A Bushfire Risk Assessment of this facility was undertaken which identified that a BOP and a site specific FMP were required. Both plans were developed and implemented prior to operation.

Ngunnawal Bush Healing Farm

The Ngunnawal Bush Healing Farm property 'Miowera' has a Bushfire Operational Plan which has been approved by the ESA. The plan will be reviewed and amended annually as required.

The following controls have been implemented over the preceding 12 months to lower the property's bushfire risk:

- > mowing and grazing are being used to maintain fuel loads at an acceptable level across the property
- > the access bridge to the property has been upgraded to accommodate an ACTRFS heavy tanker
- > installation of two 80,000 litre tanks dedicated to fire suppression
- > installation of a fire hydrant and booster.
- > a facility specific Emergency Management Plan compliant with AS 3745:2010 Planning for emergencies in Facilities is in place
- > there is a Bushfire Action Plan for the facility and wider property. All services will cease and the facility will be pre-emptively evacuated on days of Extreme or Catastrophic fire danger
- > a BOP was prepared by ACT Health and approved by the ACTRFS, and
- > a Bushfire Attack Level (BAL) rating of 12.5 has been constructed to reflect the facility as a Special Purpose Facility by way of occupancy type. This BAL rating is over and above what is required. In addition, sprinklers have also been installed throughout the facility, over and above normal construction requirements.

University of Canberra Hospital

Construction of University of Canberra Hospital was completed in late 2017. A condition of the Development Approval was a Construction Environmental Management Plan that was developed and approved by Environment Protection Authority, which outlines environmental damage mitigation strategies, including bushfire.

The area where University of Canberra Hospital is constructed has been declassified as a bushfire prone area and no longer requires a BOP. This site will only be reported on in future annual reports by exception.

Community Services Directorate

In preparation for the 2017-18 bushfire season, CSD through Housing and Community Services (HACS), identified 842 properties located in the designated Bushfire Prone Areas (BPA), in line with the information provided by the Emergency Services Agency. The identified properties were grouped into three categories to reflect the level of perceived risk and associated impacts on the tenants due to their individual circumstances. The categories also indicate the actions that HACS undertakes to reduce/mitigate the risk to the individual tenancies.

Category 1 13 mostly rural properties were inspected on six occasions during the 2017-18 bushfire season and had the necessary works within the curtilage of the property attended to by the HACS maintenance provider, Spotless.

Category 2 83 homes managed by head lessees who carry out the required bushfire mitigation activities; this category includes group homes.

Category 3 746 remaining dwellings located in the BPA; the tenants are responsible for mitigating bushfire risks and/or seeking assistance from the HACS maintenance provider Spotless.

In October and September 2017, HACS wrote to residents or the managers of the properties in all categories to make them aware of their responsibilities for bushfire prevention and advising them of where they can gain further information and/or assistance regarding bushfire threats.

HACS provided summary information to ESA regarding the delivery of the bushfire mitigation services throughout the 2017-18 bushfire season.

Education Directorate and Transport Canberra and City Services cooperatively manage Birrigai BOP

The Birrigai BOP draft process is progressing. Australian Bushfire Consultants was commissioned to draft a plan for review. In June 2018, ACTRFS undertook a visit to Birrigai to meet stakeholders and look at the larger site area. ACTRFS made further recommendations that will be addressed in the final version. Initial drafts from Australian Bushfire Consultants have been submitted to ACTRFS for comment. The final draft is anticipated to be submitted to the ACTRFS and the ESA Commissioner for approval in the first half of 2018-19.

Cultural Facilities Corporation

The Cultural Facilities Corporation (CFC) manages three ACT Historic Places:

- > Lanyon Homestead
- > Calthorpes' House, and
- > Mugga-Mugga Cottage and Education Centre.

The ACT Historic Places BOPs have been prepared with comprehensive procedures and checklists in place. The BOPs are reviewed annually and involve consultation with ACT Rural Fire Service (ACTRFS) and take into account seasonal variations.

Due to Lanyon Homestead's property size, location and multiple tenancies, a BOP has been developed as required by Section 78 of the *Emergencies Act 2004*, which includes quarterly progress reporting to ACTRFS.

The CFC provides emergency bushfire awareness training for ACT Historic Places staff and volunteer guides, in view of the bushfire risk to these properties as well as regular review of its incident procedures.

ICON Water

Icon Water's BOP is reviewed annually and approved by the ESA Commissioner.

The 2017-2018 BOP contained the following actions:

- > Hazard reduction for 45 Icon Water sites (the majority of which were urban reservoirs and treatment plants). All hazard reduction activities proposed were completed by 30 June 2018 (in accordance with the schedule).
- > Deliver Basic Wildfire Awareness training for new operational staff. Icon Water now has more than 100 employees who have undertaken this training.

A key supporting component of Icon Water's BOP was regular participation in interagency forums such as SEMSOG, Security and Emergency Management Policy Group (SEMPG), Joint Operations Coordination Group (JOCG) and ACTRFS bushfire planning forums.

Uriarra Village

The Uriarra Village Bushfire Operational Plan was approved by the ESA Commissioner in October 2017 and is current for three years. The BOP has comprehensive procedures and checklists in place. The preparedness activities are checked quarterly by the contractors and on an ad-hoc basis by the Uriarra Village Management Committee which is responsible for the BOP. The next review is scheduled to occur prior to the 2018-19 Bushfire Season.

ACT Farm FireWise Program (Schedule 3 of the SBMP Action Items 29 & 30)

The ACTRFS manages the ACT Farm FireWise (FFW) program which supports the rural community with their bushfire planning. The FFW program supports land owners by undertaking a risk assessment of their properties to determine the risk treatments or activities required to reduce the impacts of bushfire. As FFW Plans are approved by the ESA Commissioner every five years, they satisfy the requirements of BOPs required under the *Emergencies Act 2004* and any bushfire planning required by a Land Management Agreement.

There are currently 180 rural leases in the ACT, with 77 of these leases in the Bushfire Abatement Zone (BAZ). During this reporting period the Farm FireWise Program has supported the completion of eight plans, of which four are in the BAZ. The Farm FireWise Program will continue to focus on supporting properties within the BAZ to develop the plans in 2018-19. One rural lease in the BAZ was transferred to Suburban Land Agency and is now covered by their bi-annual BOP.

Review of the ACT Bushfire Prone Area Map (Schedule 3 of the SBMP Action Item 4)

The BPA was reviewed and published in May 2017.

The revised BPA has adopted a standardised approach to categorising bushfire prone vegetation into classes of hazard. For example, the 2017 mapping considers and incorporates the different risks posed by forest, woodlands or grasslands. Areas of intensively managed vegetation (e.g. golf courses, recreation areas, Canberra International Airport, etc.) are also recognised and are no longer considered bushfire prone and the mapping adjusted accordingly. This approach, supported by vegetation data derived from recent aerial imagery and field validation, is consistent with the methodology applied by NSW Rural Fire Service (NSWRFS) and allows certain vegetation types to be excluded.

The ACT support NSW Rural Fire Service fire management planning through continued involvement in Regional Bushfire Management Committees (Schedule 3 of the SBMP Action 8)

The Memorandum of Understanding (MOU) between ESA and NSWRFS was signed by the relevant Ministers and Commissioners on 12 January 2018. The Mutual Aid Agreement between ESA and NSWRFS was signed by the ACTRFS Chief Officer and NSWRFS on 9 October 2017.

To enhance collaborative cross border planning and response capability, ACTRFS attended Regional Bushfire Management Committee meetings in Yass, Queanbeyan — Palerang, Snowy — Monaro, and Snowy Valley.

Cross Border response this reporting year included the Potters Hill fire where NSWRFS provided crews and equipment to assist with control lines and direct attack on the spotover.

The ACTRFS was requested to provide a member to sit on the NSWRFS State Strategic Planning Unit during the height of the NSW Bushfire Season. This unit determined resourcing for all fires across NSW. The NSWRFS placed their RART (Rapid Aerial Response Team) helicopter at the Hume Helibase from January to February 2018.

The NSWRFS planning team (same as ACT FFW) attended ESA to provide an overview of management practices and landholder engagement on land around the ACT.

Memorandum of Understanding for Arson Investigation (Schedule 3 of the SBMP Actions 9 and 10)

The MOU between the Australian Federal Police (AFP), the Coroners Court of the ACT, ACT Fire & Rescue and the ACTRFS for “Service Concerning Investigation of Fires in the ACT” has been reviewed by all stakeholders and is expected to be endorsed in the first quarter of the 2018-19 financial year. A trial of a Fire Investigation hand over form, (for all fire incidents handed to the AFP) has been in place since January 2018. Based on the success of the trial, this document will be an annexure to the MOU.

Power Infrastructure and Bushfire Prevention (Schedule 3 of the SBMP, Action Item 11)

The SBMP contains a requirement that, over the life of the Plan, arrangements will be clarified in relation to vegetation management near power infrastructure, which is a potential source of ignition.

During 2017-18, arrangements were clarified in relation to vegetation near power lines across the ACT. The *Utilities (Technical Regulation) Amendment Act 2017* which will commence in early 2018-19 clarifies that the Provider is responsible for all vegetation clearances near power lines on unleased Territory land in the urban area and non-urban areas (i.e. nature strips, urban parks, national parks and reserves). The Provider is now also responsible for vegetation management and assessing pole condition and replacement at for rural leased land including privately owned poles.

The Electricity Powerline Vegetation Management Technical Code will also commence in early 2018-19. This code establishes standards for tree pruning practices that the Provider and their contractors must follow. It also requires that the provider submits a Vegetation Management (Bushfire and Environmental) Works Plan showing all proposed vegetation clearing work and investigation of technical solutions to reduce bushfire risk caused by power lines.

Supporting of programs that proactively maintain health, fitness and wellbeing of firefighters (Schedule 3 of the SBMP Action 14)

The 2017-18 Budget contained funding for a gym membership and similar health initiatives to facilitate \$100 payment to ACTRFS volunteers. ACTRFS Fitness Reimbursement Initiative was launched in August 2017, allowing members to claim \$100 back on eligible purchases made for health and wellbeing products and services. In 2017-18, 84 members submitted a claim for reimbursement.

ACTRFS has started a weekly fitness group allowing members to train for the annual fitness test. This training group also encourages members to socialise with other brigades.

ACTRFS was an active participant in the directorate's Physical Activity Working Group. The group focussed on the development of the directorate's 'Live Active' program; a peer-led program to increase the overall wellness of staff and volunteers through individually targeted and evidence-based physical activities.

Programs for the recruitment and retention of volunteers (Schedule 3 of the SBMP Action 15)

During 2017-18, the ACTRFS developed a flexible membership model to including detailed position descriptions for each new category of membership, continuing to amend the existing policies and procedures, and redesigning the application to join the ACTRFS form to be more user friendly. The ACTRFS will continue to work with ESA Training to develop its systems to better record membership reporting.

The ACTRFS is looking at targeted recruiting to improve its workforce diversity and skillsets, and to identify what roles are available in the service that aren't front line firefighting. People from non-English speaking backgrounds; Aboriginal and Torres Strait Islander people; and people with disabilities are in our target groups. To aid in this the ACTRFS is creating a number of different membership types within the service to allow a pathway for those who do not wish to, or can no longer perform, the role of a frontline firefighter.

The ACTRFS developed a recognition plan for employers by holding an awards evening to thank Employers who have been nominated for specific recognition by RFS Volunteers. The inaugural ACTRFS employers Recognition and Awareness evening was held on 27 November 2017. The event demonstrated the importance of an employer and employee relationship and support for volunteer involvement. A wide range of employers were represented and overall we received very positive feedback. Thirteen employers were nominated and 10 attended the evening to receive certificates:

- > Access Canberra
- > Australian Federal Police – ACT Policing
- > Department of Agriculture and Water
- > Australian Maritime Safety Authority
- > ICON Water
- > IQON Pty Ltd
- > Royal Australian Navy
- > Shaw Building Group, and
- > Biometrix Pty Ltd.

Following on from this success, the ACTRFS will look at ways to improve the evening and continue developing tools to support both Volunteers and Employers to successfully balance their working lives and commitment to the Service.

The ESA Commissioner and ACTRFS Executive arranged a BBQ evening at each of the eight Brigades throughout the reporting period. This provided an opportunity for members to have one-on-one discussion regarding the ACTRFS in general. Members were encouraged to provide feedback and suggest areas for improvement. Some of the topics covered were; equipment, callout procedures/duty officer, training, hazard reduction, community education/awareness, membership recruitment and retention, support roles, interaction between other brigades and HQ, Strategic Bushfire Management Plan and any other topic they wanted to discuss.

The information collected at the eight Brigade BBQ's will be collated and a review seminar will be held prior to the 2018-19 bushfire season for all ACTRFS members to bring the feedback together.

Pre-incident Operational Plans for Bushfire Response (Schedule 3 of the SBMP Action Item 22)

Specific pre-incident operational plans were revised or developed for key areas of the Territory to assist ACTF&R and the ACTRFS respond to bushfires. Pre-incident plans that were either developed or reviewed for the 2017-18 bushfire season include:

Table 83 **Pre-Incident Plans**

Alivio (Motor Village)	Mt Mugga Mugga
Aranda Spine Pre Fire Plan	Mt Rogers
Black Mountain Pre Fire Plan	Mt Stromlo
Bruce and O'Connor Ridge	Mt Stromlo Water Treatment Plant
Canberra Concrete Recyclers	Mt Taylor
Cooleman Ridge	Narrabundah Hill
CSIRO Ecosystem Sciences	National Arboretum
CSIRO Ginninderra Experimental Station	Oaks Estate
Curtin Grasslands	Parkwood
Martin Scrap Metal Fyshwick	Red Hill
Hall Village	RSPCA
Holt Substation	Tharwa Village
Isaacs Ridge	Uriarra Village
Mitchell Waste and Recycling	Yarralumla Precinct

Annual exercises undertaken to test facilities (Schedule 3 of the SBMP Action Items 21)

Each year internal and cross-jurisdictional Incident Management Exercises (IMXs) are conducted to prepare for the fire season. ESA attends local IMXs at Fire Control Centres in our surrounding fire districts.

The ESA conducted two half-day IMXs in December 2017. The exercises prepared the ESA for the 2017-18 fire season and targeted operations in bushfire and grassfire incidents. The exercise included multiple ACT response services and multiple affected jurisdictions. The exercises specifically tested cross jurisdictional incident management arrangements, two-way communications between the Operational, Tactical and Strategic Levels, and the establishment of multi-service, pre-formed Incident Management Teams (IMTs).

The exercises also tested the effectiveness of the dissemination of information, warnings and advice, within Government and to the Public utilising existing systems.

Capability of real-time visualisation delivery of information between ESA HQ and fire crews (Schedule 3 of the SBMP Action Items 23)

The ESA uses a number of systems to provide accurate and as close as possible to 'real time' information to our front line crews to enable and support them in their role. Mobile Data Terminals

installed in front line vehicles link directly to our Computer Aided Dispatch system, and provide location and GPS mapping intelligence to our crews when responding to incidents.

Our encrypted Trunked Radio Network enables direct radio communications from the field to our Communications Centre and facilitates the establishment of command channels for incident management. Resource deployment is presented visually to ESA headquarters staff and deployment software helps our operators identify optimum location for crews to stage during periods of high demand. Information sharing across the ACT Government and Commonwealth is available via incident management software that caters both for government communications and bushfire specific operations.

The systems ESA uses for communication and data sharing for effective emergency response are:

- > Mobile Data Terminals
- > Territory Radio Network
- > ESA Common Operating Picture
- > Dynamic Coverage Tool
- > ESA Spatial Services ICT platforms to deliver active information to the field and IMT
- > Incident Control On Line, and
- > Emergency Management Operations System

ESA Website refresh (Schedule 3 of the SBMP Action Items 25)

In March 2018, the ESA executed a new five year contract with Adelphi Digital Consulting Group Pty Ltd. Under the contract, Adelphi, who are a local based firm, will work with the ESA to redevelop our existing website, content management and hosting arrangements. Under the current schedule, Adelphi is planning to have the new ESA website ready to go live in October 2018. Adelphi is also working with the wider Directorate to review and refresh a number of other websites including ACT Corrective Services, ACT Government Solicitors Office and the directorate.

Develop a plan with location and timing of fuel-reduction activities for 2019–24 (Schedule 3 of the SBMP Action 34)

A joint agency Steering Committee has been formed to manage the development the *Regional Fire Management Plan 2019-2029*. The Steering Committee agencies are the ESA including ACTRFS and EPSDD including PCS, Conservation Planning and Research, and the Conservator. The plan will be developed for a ten-year period with a five-year review with PCS as the lead agency for the project.

The holding of an Annual Bushfire Planning Forum between agencies to identify future planning requirement and potential constraints (Schedule 3 of the SBMP Action 57)

A Bushfire Planning Forum between ACT Government agencies was held on 28 August 2017.

The function of the Bushfire Planning Forum provides strategic level oversight, advice and collaborative information sharing, focusing on:

- > identifying and discussing capital works and other major activities which may affect bushfire planning or response, e.g. actions restricting firefighting access or mitigation activities

- > identifying and discussing capital works and other major activities which may affect the bushfire operational plan (BOP), activities, or planning of another directorate or agency
- > identifying and discussing capital works and other major activities which may trigger or require significant environmental assessment
- > identifying and discussing capital works and other major activities which may trigger or require major changes to existing land use or land management
- > identifying and highlighting future planning requirements and potential constraints, and
- > reviewing and discussing risks, issues, and determining appropriate course of action based on recommendations.

The Annual Bushfire Planning Forum will be held each year prior to the commencement of the Bushfire Season.

CBR Bushfire Ready Campaign (Schedule 3 of the SBMP Action Items 47 - 49)

The CBR Bushfire Ready campaign was first undertaken in 2015-16 and is delivered every Bushfire Season. It involves the delivery of a targeted message by emergency service volunteers and staff to Canberrans living near the urban bushland interface to prepare their homes, property and families for potential bushfires and natural disasters.

The CBR Bushfire Ready campaign in 2017-18 demonstrated the positive influence of delivering community education in an integrated and coordinated approach. With a focus on reaching out to older Canberrans and their carers as well as the general community, the 2017-18 doorknock campaign reached a total 1000 residences across 25 suburbs as well as the rural communities of Tharwa, Uriarra and Hall. This has encouraged the ACT community to take greater responsibility for their safety by acting on information, advice and other cues provided before an emergency.

ACT Emergency Services Open Day

The ACT Emergency Services Open Day held on 29 October 2017 was coordinated by ACTRFS and included a range of field day type activities to demonstrate the ESA's range of capabilities. With well over 5000 members of the public attending, the event also showcased all aspects of emergency management in the ACT. This included displays and activities from all of ESA's services, tours through the Incident Management Room and Emergency Coordination Centre, and the presence of a variety of community groups.

The day was supported by ACT Policing and the CSD, who also have an emergency management role.

National Disaster Resilience Program

The Natural Disaster Resilience Program is a grants program offered by the Commonwealth Government to all States and Territories under a National Partnership Agreement for Natural Disaster Resilience. The Program provides funding to governments and community organisations to improve their natural disaster resilience. The ACT used this funding in 2017-18 on the Electronic Fire Danger Rating Signs (EFDRS).

These signs have been installed at high traffic volume sites to inform the maximum number of people of the fire danger rating. These new signs will supplement the existing manually updated EFDRS

signs, however have the advantage of being automatically updated from a live feed, and also have the capacity to display an additional text message via the LED display.

The locations of the new signs are:

Table 84 Electronic Fire Danger Rating Signs

Street	Direction	Suburb
Barton Highway	Eastbound Lanes	Gold Creek
Canberra Avenue	Westbound	Harmen
Federal Highway	Southbound	Watson
Gungahlin Drive	Southbound	O'Connor
Majura Parkway	Northbound	Majura
Majura Parkway	Southbound	Majura
Monaro Highway	Northbound	Royalla
Monaro Highway	Northbound	Hume
Pialligo Avenue	Westbound	Oaks Estate
Tuggeranong Parkway	Northbound	Arboretum
William Hovell Drive	Eastbound	Cook

Figure 69 Electronic Fire Danger Sign



Fire danger sign

O.2 FREEDOM OF INFORMATION

Introduction

In order to meet the requirements under both the *Freedom of Information Act 1989* and the *Freedom of Information Act 2016* under the Annual Report Directions, the information provided is across two discreet periods of time:

- > 1 July 2017 to 31 December 2017 - *Freedom of Information Act 1989*
- > 1 January 2018 to 30 June 2018 - *Freedom of Information Act 2016*

Section O.2 contains what constitutes the Minister's annual report under section 96 of the *Freedom of Information Act 2016*.

Freedom of Information Act 1989

For reporting period 1 July 2017 - 31 December 2017.

Section 7 and 8 Statement

The *Freedom of Information Act 1989* requires all ACT Government directorates and agencies to publish information concerning functions and documents of the agencies (section 7) and make certain documents to be available for inspection and purchase (section 8). During 2017-2018, The *Freedom of Information Act 1989* was repealed and *Freedom of Information Act 2016* commenced on 1 January 2018. The *Freedom of Information Act 2016* has removed the sections 7 and 8 requirements. Instead, the new Act incorporates the section 7 and 8 statements and requires the ACT Government directorates and agencies to proactively publish certain categories of information via the Open Access Information Scheme (OAIS) under section 23.

All ACT Government directorates and agencies have updated their websites and published documents in accordance with the OAIS from the commencement of the *Freedom of Information Act 2016*, which took effect on 1 January 2018.

Table 85 ACT Government Open Access Information Portals

Directorate/agency	Website
ACT Government Open Access Portal	www.act.gov.au/open-access
Chief Minister, Treasury and Economic Development Directorate, ACT Insurance Agency, Office of the Nominal Defendant of the ACT and Default Insurance Fund	http://www.cmd.act.gov.au/functions/foi
Cultural Facilities Corporation	http://www.culturalfacilities.act.gov.au

Directorate/agency	Website
Independent Competition and Regulatory Commission	http://www.icrc.act.gov.au/
Long Service Leave Authority	www.actleave.act.gov.au
ACT Ministers	https://www.act.gov.au/open-access/ministers-information
Community Service Directorate	http://www.communityservices.act.gov.au/home/freedom_of_information
Environment, Planning and Sustainable Development Directorate	http://www.environment.act.gov.au/about/access-government-information .
Suburban Land Agency	https://suburbanland.act.gov.au/en
City Renewal Authority	https://www.act.gov.au/cityrenewal/whats-on/wintervention
ACT Health Directorate	http://www.health.act.gov.au/public-information/consumers/freedom-information .
Education Directorate	https://www.education.act.gov.au/about_us/freedom_of_information
ACT Teacher Quality Institute	https://www.tqi.act.edu.au/
Transport Canberra and City Services Directorate	tccs.act.gov.au
Canberra Institute of Technology	https://cit.edu.au/about/cit---open-access-information
Justice and Community Safety Directorate	http://www.justice.act.gov.au/protection_of_rights/freedom_of_information
Public Trustee and Guardian	https://www.ptg.act.gov.au/publications-and-forms
Human Rights Commission	http://hrc.act.gov.au/
Legal Aid Commission (ACT)	http://www.legalaidact.org.au/aboutus/whoware/corporateinformation/
ACT Audit Office	actauditorgeneral@act.gov.au
ACT Electoral Commission	https://www.elections.act.gov.au/about_us/freedom_of_information

Section 79 Statement

Table 86 Number of FOI requests made under section 18 of the Freedom of Information Act 1989 during July – December 2017 by directorate and status of decision.

	Initial requests to access documents	Full access	Partial access	Refused access ³⁴	Decision pending
Chief Ministers, Treasury, Economic Development Portfolio					
Chief Minister, Treasury and Economic Development Directorate ³⁵	129	21	41	46	0
ACT Insurance Agency	1	1	0	0	0
Office of the Nominal Defendant of the ACT	0	0	0	0	0
Default Insurance Agency	1	0	0	0	0
Cultural Facilities Corporation	0	0	0	0	0
Independent Competition and Regulatory Commission	1	0	1	0	0
Long Service Leave Authority	0	0	0	0	0
ACT Ministers					
ACT Ministers	1	0	1	0	0
Community Services Directorate					
Community Services Directorate	70	11	41	11	2 ³⁶
Environment, Planning and Sustainable Development Directorate					
Environment and Planning Directorate ³⁷	47	19 ³⁸	17 ³⁹	6	4

³⁴ Information includes requests that were refused on technical grounds (that is, documents not subject to the FOI Act), information that was exempted in full and transferred requests.

³⁵ Information includes active cases from previous financial year, and includes those received by the Public Sector Standards Commissioner and Gambling and Racing Commission.

³⁶ Applicants agreed to a staged release due to the size of each request. The Community Service Directorate has two additional requests with a final decision pending.

³⁷ Information includes the Office of the Commissioner for Sustainability and the Environment, the ACT Heritage Council, the Conservator of Flora and Fauna, and Administrator for the Energy Efficiency (Cost of Living) Improvement Act 2012, the Chief Planning Executive and the Climate Change Council.

³⁸ Includes three carried over from 2016-17 and the processing of four applications were completed between January – June 2018.

³⁹ Includes three carried over from 2016-17 and the processing of seven applications were completed between January – June 2018.

	Initial requests to access documents	Full access	Partial access	Refused access ³⁴	Decision pending
City Renewal Authority ⁴⁰	4	0	0	1 41	5
Suburban Land Agency	6	1	4 ⁴²	0	3 ⁴³
ACT Health Directorate					
ACT Health Directorate	19 ⁴⁴	7 ⁴⁵	13 ⁴⁶	4	0
Education Directorate					
Education Directorate	26	2	12	5	1
ACT Teacher Quality Institute	0	0	0	0	0
Transport Canberra and City Services Directorate					
Transport Canberra and City Services Directorate	46	3	32	6	0
Canberra Institute of Technology					
Canberra Institute of Technology	5	1	1	2	0
Justice and Community Safety Directorate and Statutory Office Holders					
Justice and Community Safety Directorate ⁴⁷	38	4 ⁴⁸	21 ⁴⁹	16	0
Legal Aid Commissions (ACT)	0	0	0	0	0
Officer of the Legislative Assembly					
ACT Audit Office	0	0	0	0	0
ACT Electoral Commission	0	0	0	0	0

⁴⁰ Includes two applications carried over from 2016-2017.

⁴¹ The request was received between July-December 2017 and the processing was completed between January-June 2018.

⁴² Two out of the four applications were carried over from 2016-17 and three out of the four applications were processed between January – June 2018.

⁴³ Includes 2 applications carried over from 2016-17.

⁴⁴ Does not include 10 requests pending from 2016-17.

⁴⁵ Includes five requests received in this reporting period and two pending from 2016-17.

⁴⁶ Includes 11 requests received in this reporting period and 3 pending from 2016-17.

⁴⁷ Information includes the ACT Corrective Service, Human Rights Commission, Emergency Services Agency, ACT Courts and Tribunal and Public Trustee and Guardians.

⁴⁸ Includes one application carried over from 2016-17.

⁴⁹ Includes two application carried over from 2016-17.

This table does not include withdrawn requests. These are captured in the following table. It does however include decisions made on requests that were still pending at the end of the 2016-17 reporting year.

Table 87 Table 2 Number of FOI requests for review made under Section 59 of the Freedom of Information Act 1989 during 2016-17 by directorate

	Number	Details
Chief Minister, Treasury, Economic Development Portfolio		
Chief Minister, Treasury and Economic Development Directorate	1	One decision affirmed.
ACT Insurance Agency	0	
Office of the Nominal Defendant of the ACT	0	
Default Insurance Fund	0	
Cultural Facilities Corporation	0	
Independent Competition and Regulatory Commission	0	
Long Service Leave Authority	0	
ACT Ministers		
ACT Ministers	0	
Community Services Directorate		
Community Services Directorate	4	Two decisions affirmed. Two decisions varied.
Environment, Planning and Sustainable Development Directorate		
Environment and Planning Directorate	1	One decision affirmed.
City Renewal Authority	0	
Suburban Land Agency	2	One decision affirmed. One decision in progress as at 30 June 2018.
ACT Health Directorate		
ACT Health Directorate	4 ⁵⁰	Three decisions affirmed. one decision varied.
Education Directorate		
Education Directorate	1 ⁵¹	One decision affirmed.

⁵⁰ Includes three request for internal review received in this reporting period and one pending from 2016-17.

⁵¹ The request for internal review of a decision made under the FOI Act 1989 was received in February 2018.

	Number	Details
ACT Teacher Quality Institute	0	
Transport Canberra and City Services Directorate		
Transport Canberra and City Services Directorate	2	One decision affirmed. One decision varied.
Canberra Institute of Technology		
Canberra Institute of Technology	2	One decision varied. One application for internal review was further referred to ACAT.
Justice and Community Safety Directorate and Statutory Office Holders		
Justice and Community Safety Directorate	4	One decision affirmed. Three decisions varied.
Legal Aid Commission (ACT)	0	
Officers of the Legislative Assembly		
ACT Audit Office	0	
ACT Electoral Commission	0	

Table 88 Number of FOI requests for review to the ACAT under sections 60 and 61 of the Freedom of Information Act 1989 during 2016-2017 by directorate

	Number	Details
Chief Minister, Treasury, Economic Development Portfolio		
Chief Minister, Treasury and Economic Development Directorate	0	One request made under section 69, was later withdrawn.
ACT Insurance Agency	0	
Office of the Nominal Defendant of the ACT	0	
Default Insurance Fund	0	
Cultural Facilities Corporation	0	
Independent Competition and Regulatory Commission	0	
Long Service Leave Authority	0	
ACT Ministers		
ACT Ministers	0	

	Number	Details
Community Services Directorate		
Community Services Directorate	0	
Environment, Planning and Sustainable Development Directorate		
Environment and Planning Directorate	0	
City Renewal Authority	0	
Suburban Land Agency	0	
ACT Health Directorate		
ACT Health Directorate	0	
Education Directorate		
Education Directorate	0	
ACT Teacher Quality Institute	0	
Transport Canberra and City Services Directorate		
Transport Canberra and City Services Directorate	0	
Canberra Institute of Technology		
Canberra Institute of Technology	3	ACAT decision made on 12 July 2018 – 2 applications dismissed.
Justice and Community Safety Directorate and Statutory Office Holders		
Justice and Community Safety Directorate	0	
Legal Aid Commission (ACT)	0	
Officers of the Legislative Assembly		
ACT Audit Office	0	
ACT Electoral Commission	0	

Table 89 Number of FOI decisions made under Section 18 of the Freedom of Information Act 1989 during 2016-17 by Directorate based upon time taken for notification after the request was received.

	30 days or less	31 – 45 days	46 – 60 days	61 – 90 days	91 days or more	Decision pending	Withdrawn
Chief Minister, Treasury, Economic Development Portfolio							
Chief Minister, Treasury and Economic Development Directorate	93	13	4	4	1	0	15
ACT Insurance Agency	1	0	0	0	0	0	0
Office of the Nominal Defendant of the ACT	0	0	0	0	0	0	0
Default Insurance Fund	0	0	0	0	0	0	1
Cultural Facilities Corporation	0	0	0	0	0	0	0
Independent Competition and Regulatory Commission	1	0	0	0	0	0	0
Long Service Leave Authority	0	0	0	0	0	0	0
ACT Ministers							
ACT Ministers	0	0	1	0	0	0	0
Community Services Directorate							
Community Services Directorate ⁵²	26	20	9	1	7	2	5
Environment, Planning and Sustainable Development Directorate							
Environment and Planning Directorate	11 ⁵³	10 ⁵⁴	10 ⁵⁵	8 ⁵⁶	10 ⁵⁷	4	8
City Renewal Authority	0	0	0	0	1	5	0
Suburban Land Agency	0	0	0	1	4 ⁵⁸	3 ⁵⁹	2
ACT Health Directorate							

⁵² The directorate has two additional requests with a final decision pending carried over from 2016-17.

⁵³ Includes one application processed between January – December 2018.

⁵⁴ Includes 1 application carried over from 2016-17 and 1 application processed between January – December 2018.

⁵⁵ Includes one application carried over from 2016-17 and one application processed between January – December 2018.

⁵⁶ Includes four applications carried over from 2016-17 and one application processed between January – December 2018.

⁵⁷ Includes seven applications processed between January – December 2018.

⁵⁸ Includes one application carried over from 2016-17.

⁵⁹ Includes two applications carried over from 2016-17.

	30 days or less	31 – 45 days	46 – 60 days	61 – 90 days	91 days or more	Decision pending	Withdrawn
ACT Health Directorate	14	8	1	1	0	0	5
Education Directorate							
Education Directorate	5	2	3	1	8	1	6
ACT Teacher Quality Institute	0	0	0	0	0	0	0
Transport Canberra and City Services Directorate							
Transport Canberra and City Services Directorate	18	13	6	3	0	0	5
Canberra Institute of Technology							
Canberra Institute of Technology	5	0	0	0	0	0	1
Justice and Community Safety Directorate and Statutory Office Holders							
Justice and Community Safety Directorate	22 ⁶⁰	2	5	3	0	0	0
Legal Aid Commission (ACT)	0	0	0	0	0	0	0
Officers of the Legislative Assembly							
ACT Audit Office	0	0	0	0	0	0	1 ⁶¹
ACT Electoral Commission	0	0	0	0	0	0	0

Table 90 Number of FOI requests for amendment of personal records under section 48 of the Freedom of Information Act 1989 during 2016-2017 by directorate

	Number	Details
Chief Minister, Treasury, Economic Development Portfolio		
Chief Minister, Treasury and Economic Development Directorate	0	
ACT Insurance Agency	0	
Office of the Nominal Defendant of the ACT	0	
Default Insurance Fund	0	

⁶⁰ Includes 3 applications carried over from 2016-17.

⁶¹ One FOI request was lodged to the Audit Office in 2015-16 and was reported in previous Annual Reports. The Audit Office requested a response, from the applicant, to related correspondence more than two years ago; no response has been received. Therefore, the Audit Office is treating this FOI as if it has been withdrawn and will not be reported this FOI request in future annual reports.

	Number	Details
Cultural Facilities Corporation	0	
Independent Competition and Regulatory Commission	0	
Long Service Leave Authority	0	
ACT Ministers		
ACT Ministers	0	
Community Services Directorate		
Community Services Directorate	0	
Environment, Planning and Sustainable Development Directorate		
Environment and Planning Directorate	0	
City Renewal Authority	0	
Suburban Land Agency	0	
ACT Health Directorate		
ACT Health Directorate	0	
Education Directorate		
Education Directorate	0	
ACT Teacher Quality Institute	0	
Transport Canberra and City Services Directorate		
Transport Canberra and City Services Directorate	0	
Canberra Institute of Technology		
Canberra Institute of Technology	0	
Justice and Community Safety Directorate and Statutory Office Holders		
Justice and Community Safety Directorate	0	
Legal Aid Commission (ACT)	0	
Officers of the Legislative Assembly		
ACT Audit Office	0	
ACT Electoral Commission	0	

Total Charges and Application Fees Collected

Chief Minister, Treasury, Economic Development Directorate advised that fees and charges were applied to one application. The directorate agreed to charge the applicant for 350 pages although 550 pages were captured. A total of \$2,064.07 was charged in accordance with the *Freedom of Information Act 1989*.

ACT Health advised that fees and charges were applied to two applications. A total of \$1,437.45 was charged in accordance with the *Freedom of Information Act 1989*.

All other directorates advised that they did not collect any fees or charges in relation to the processing of FOI requests in 2017-2018 under the *Freedom of Information Act 1989*. Most FOI requests fell under the threshold size for collecting a fee or charge, or the fees were remitted.

Freedom of Information Act 2016

For reporting period 1 January 2018 - 30 June 2018.

Section 96 Statement

Table 91 Number of open access information published under Section 24 of the Freedom of Information Act 2016 during January – June 2018 by directorate and status of decisions.

	Decisions to publish Open Access Information	Decision to withhold Open Access Information	Decision to not publish a description of Open Access Information withheld
Chief Minister, Treasury, Economic Development Portfolio			
Chief Minister, Treasury and Economic Development Directorate	1,530	0	0
ACT Insurance Agency	2	0	0
Office of the Nominal Defendant of the ACT	0	0	0
Default Insurance Fund	13	0	0
Cultural Facilities Corporation	18	0	0
Independent Competition and Regulatory Commission	5	0	0
Long Service Leave Authority	0	0	0
ACT Ministers			
ACT Ministers	15 ⁶²	0	0
Community Services Directorate			
Community Services Directorate	142 ⁶³	0	0
Environment, Planning and Sustainable Development Directorate			
Environment and Planning Directorate	183	1	0
City Renewal Authority	3	0	0

⁶² Include seven Ministerial Diaries, five Ministerial travel reports, and three Ministerial hospitality reports.

⁶³ The Community Services Directorate is undertaking a staged approach to progressively assess and publish documents on the ACT Government's Open Access portal.

	Decisions to publish Open Access Information	Decision to withhold Open Access Information	Decision to not publish a description of Open Access Information withheld
Suburban Land Agency	6	0	0
ACT Health Directorate			
ACT Health Directorate	242 ⁶⁴	0	0
Education Directorate			
Education Directorate	281 ⁶⁵	0	0
ACT Teacher Quality Institute	0	0	0
Transport Canberra and City Services Directorate			
Transport Canberra and City Services Directorate	170	0	0
Canberra Institute of Technology			
Canberra Institute of Technology	19	0	0
Justice and Community Safety Directorate and Statutory Office Holders			
Justice and Community Safety Directorate	123	1	0
Legal Aid Commission (ACT)	9	0	0
Officers of the Legislative Assembly			
ACT Audit Office	13	0	0
ACT Electoral Commission	0	0	0

Table 92 Number of FOI access application requests received under of the Freedom of Information Act 2016 during January – June 2018 by directorate and access type determination.

	Application Received	Full access	Partial access	Refused access ⁶⁶
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Chief Ministers, Treasury, Economic Development Portfolio

⁶⁴ ACT Health has published 682 documents prior to 1 January 2018 to prepare for Open Access.

⁶⁵ 264 decisions to publish were made by the Education Directorate and 17 were made by the Board of Senior Secondary Studies.

⁶⁶ This includes requests that were refused on grounds set out in Division 5.3 of the Freedom of Information Act 2016.

	Application Received	Full access	Partial access	Refused access ⁶⁶
Chief Minister, Treasury and Economic Development Directorate	159 ⁶⁷	15	54	28
ACT Insurance Agency	0	0	0	0
Office of the Nominal Defendant of the ACT	0	0	0	0
Default Insurance Agency	0	0	0	0
Cultural Facilities Corporation	0	0	0	0
Independent Competition and Regulatory Commission	0	0	0	0
Long Service Leave Authority	0	0	0	0
ACT Ministers				
ACT Ministers	1	0	0	1
Community Services Directorate				
Community Services Directorate	82	1	35	4 ⁶⁸
Environment, Planning and Sustainable Development Directorate				
Environment and Planning Directorate	75	9	16	7
City Renewal Authority	2 ⁶⁹	0	0	1 ⁷⁰
Suburban Land Agency	10	1	0	0
ACT Health Directorate				
ACT Health Directorate	43 ⁷¹	7	11	5 ⁷²
Education Directorate				
Education Directorate	13 ⁷³	0	8	2
ACT Teacher Quality Institute	0	0	0	0
Transport Canberra and City Services Directorate				

⁶⁷ Includes 30 requests that were still being processed as at 30 June 2018, 11 requests transferred, 14 request withdrawn and 7 requests where information was provided outside the FOI process.

⁶⁸ Count includes two access application where access was refused and two access applications where information was not held by the directorate.

⁶⁹ Includes one withdrawn application.

⁷⁰ No documents were found to be in the possession of the Authority in response to 1 application.

⁷¹ Including 20 applications that were not finalised in the reporting period and have been combined with other applications for the same applicant or have been withdrawn.

⁷² Including four technical refusals.

⁷³ Including 2 applications that were still being processed as at 30 June 2018, and one application where no information was found.

	Application Received	Full access	Partial access	Refused access ⁶⁶
Transport Canberra and City Services Directorate ⁷⁴	52 ⁷⁵	7	24 ⁷⁶	7
Canberra Institute of Technology				
Canberra Institute of Technology	4	3	0	0
Justice and Community Safety Directorate and Statutory Office Holders				
Justice and Community Safety Directorate	32	5	17	7
Legal Aid Commissions (ACT)				
Officer of the Legislative Assembly	0	0	0	0
ACT Audit Office	0	0	0	0
ACT Electoral Commission	0	0	0	0

Table 93 Time to decide under Section 40 of the Freedom of Information Act 2016 during January – June 2018 by directorate.

	Access application decided within the time to decide	Access application not decided within time to decide	Additional number of days taken to decide over the time to decide ⁷⁷
Chief Minister, Treasury, Economic Development Portfolio			
Chief Minister, Treasury and Economic Development Directorate	126	3	13, 7, 10
ACT Insurance Agency	0	0	0
Office of the Nominal Defendant of the ACT	0	0	0
Default Insurance Fund	0	0	0
Cultural Facilities Corporation	0	0	0
Independent Competition and Regulatory Commission	0	0	0
Long Service Leave	0	0	0

⁷⁴ Applications transferred two, applications withdrawn two and applications pending 10.

⁷⁵ This figure includes a request made to the Veterinary Surgeons Board as a separate portfolio entity and processed on by half of the board by TCCS.

⁷⁶ This figure includes a decision made by the Veterinary Surgeons Board.

⁷⁷ Applicants agreed to extensions under Section 41 and requests were finalised within the agreed extension.

	Access application decided within the time to decide	Access application not decided within time to decide	Additional number of days taken to decide over the time to decide ⁷⁷
Authority			
ACT Ministers			
ACT Ministers	0	1	2
Community Services Directorate			
Community Services Directorate	9	29	21, 21, 22, 24, 26, 27, 30, 34, 34, 35, 36, 36, 37, 40, 42, 46, 50, 51, 51, 53, 55, 56, 58, 59, 60, 61, 64, 64, 66
Environment, Planning and Sustainable Development Directorate			
Environment and Planning Directorate	37	23	1, 1, 1, 2, 3, 3, 4, 4, 5, 6, 10, 10, 11, 13, 15, 15, 20, 20, 21, 21, 21, 28, 46
City Renewal Authority	0	1	21
Suburban Land Agency	0	1	30
ACT Health Directorate			
ACT Health Directorate	22	1	3
Education Directorate			
Education Directorate	5	6	10, 10, 11, 14, 21, 57
ACT Teacher Quality Institute	0	0	0
Transport Canberra and City Services Directorate			
Transport Canberra and City Services Directorate	22	15	21, 22, 25, 31, 32, 32, 32, 32, 32, 32, 33, 33, 34, 40, 42
Canberra Institute of Technology			
Canberra Institute of Technology	2	1	27
Justice and Community Safety Directorate and Statutory Office Holders			
Justice and Community Safety Directorate	24	3	1, 6, 1
Legal Aid Commission (ACT)	0	0	0
Officers of the Legislative Assembly			

	Access application decided within the time to decide	Access application not decided within time to decide	Additional number of days taken to decide over the time to decide ⁷⁷
ACT Audit Office	0	0	0
ACT Electoral Commission	0	0	0

Table 94 Number of FOI requests for amendment of personal records under section 59 of the Freedom of Information Act 2016 during 2017-2018 by directorate.

	Number	Decision
Chief Minister, Treasury, Economic Development Portfolio		
Chief Minister, Treasury and Economic Development Directorate	0	
ACT Insurance Agency	0	
Office of the Nominal Defendant of the ACT	0	
Default Insurance Fund	0	
Cultural Facilities Corporation	0	
Independent Competition and Regulatory Commission	0	
Long Service Leave Authority	0	
ACT Ministers		
ACT Ministers	0	
Community Services Directorate		
Community Services Directorate	0	
Environment, Planning and Sustainable Development Directorate		
Environment and Planning Directorate	0	
City Renewal Authority	0	
Suburban Land Agency	0	
ACT Health Directorate		
ACT Health Directorate	0	
Education Directorate		
Education Directorate	0	
ACT Teacher Quality Institute	0	

	Number	Decision
Transport Canberra and City Services Directorate		
Transport Canberra and City Services Directorate	0	
Canberra Institute of Technology		
Canberra Institute of Technology	0	
Justice and Community Safety Directorate and Statutory Office Holders		
Justice and Community Safety Directorate	0	
Legal Aid Commission (ACT)	0	
Officers of the Legislative Assembly		
ACT Audit Office	0	
ACT Electoral Commission	0	

Table 95 Number of applications made to the Ombudsman under Section 74 of the Freedom of Information Act 2016 during 2017-18 by directorate

	Number	Detail
Chief Minister, Treasury, Economic Development Portfolio		
Chief Minister, Treasury and Economic Development Directorate	5	CMTEDD has received 5 review of decisions from the Ombudsman in 17-18 under the <i>FOI Act 2016</i> . As at 30 June 2018, no decisions were finalised.
ACT Insurance Agency	0	
Office of the Nominal Defendant of the ACT	0	
Default Insurance Fund	0	
Cultural Facilities Corporation	0	
Independent Competition and Regulatory Commission	0	
Long Service Leave Authority	0	
ACT Ministers		
ACT Ministers	0	
Community Services Directorate		
Community Services Directorate	2	CSD responded to 2 applications made to the Ombudsman by FOI applicants. As at 30 June 2018, both applications were

	Number	Detail
		pending outcome.

Environment, Planning and Sustainable Development Directorate

Environment and Planning Directorate	1	No Ombudsman review was undertaken however the Directorate provided the applicant with additional information through an administrative process.
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City Renewal Authority 0

Suburban Land Agency	1	ACT Health has received 1 review of decision from the Ombudsman in 17-18 under the <i>FOI Act 2016</i> . As at 30 June 2018, no decision was finalised.
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ACT Health Directorate

ACT Health Directorate	0	
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Education Directorate

Education Directorate	0	
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ACT Teacher Quality Institute 0

Transport Canberra and City Services Directorate

Transport Canberra and City Services Directorate	1	A draft consideration was provided on 8 June 2018 with a preliminary view that affirmed TCCS' decision ⁷⁸
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Canberra Institute of Technology

Canberra Institute of Technology	2	Application 1 – Ombudsman closed case noting there was nothing for the ombudsman to decide. Application 2 – Ombudsman decided not to review on the basis that the applicant did not provide enough information to review.
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Justice and Community Safety Directorate and Statutory Office Holders

Justice and Community Safety Directorate	2	The directorate has received 2 review of decisions from the Ombudsman in 17-18 under the <i>FOI Act 2016</i> . As at 30 June 2018, no decision was finalised.
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Legal Aid Commission (ACT)	0	
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Officers of the Legislative Assembly

ACT Audit Office	0	
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ACT Electoral Commission 0

⁷⁸ The Ombudsman's decision was then made on 20 July 2018 and published on 25 July 2018.

Table 96 Number of applications made to the ACAT under Section 84 of the Freedom of Information Act 2016 during 2017-18 by directorate.

	Number	Detail
Chief Minister, Treasury, Economic Development Portfolio		
Chief Minister, Treasury and Economic Development Directorate	0	
ACT Insurance Agency	0	
Office of the Nominal Defendant of the ACT	0	
Default Insurance Fund	0	
Cultural Facilities Corporation	0	
Independent Competition and Regulatory Commission	0	
Long Service Leave Authority	0	
ACT Ministers		
ACT Ministers	0	
Community Services Directorate		
Community Services Directorate	0	
Environment, Planning and Sustainable Development Directorate		
Environment and Planning Directorate	0	
City Renewal Authority	0	
Suburban Land Agency	0	
ACT Health Directorate		
ACT Health Directorate	0	
Education Directorate		
Education Directorate	0	
ACT Teacher Quality Institute	0	
Transport Canberra and City Services Directorate		
Transport Canberra and City Services Directorate	0	
Canberra Institute of Technology		
Canberra Institute of Technology	2	ACAT decision made on 12 July 2018 – 2 applications dismissed.

	Number	Detail
Justice and Community Safety Directorate and Statutory Office Holders		
Justice and Community Safety Directorate	0	
Legal Aid Commission (ACT)		
	0	
Officers of the Legislative Assembly		
ACT Audit Office		
	0	
ACT Electoral Commission		
	0	

Total Charges and Application Fees Collected

The EPSDD advised that fees and charges were applied to one application. A total of \$338.10 was charged in accordance with the *Freedom of Information Act 2016*.

All other directorates advised that they did not collect any fees or charges in relation to the processing of FOI requests in 2017-2018. Most FOI requests fell under the threshold size for collecting a fee or charge, or the fees were remitted.

O.3 HUMAN RIGHTS

ACT Health Directorate

Education and training of staff on human rights principles

Education on the *Human Rights Act 2004* (HR Act) is provided through an e-learning program, which was developed in consultation with the ACT Human Rights Commission (HRC). This is essential education for all managers and senior classifications in ACT Health and may be allocated to other staff, including those engaged in policy development, by their managers. The e-learning is accessible to all staff on the Learning Management System. The program is evaluated and reviewed annually to ensure it is current and meets the needs of the organisation.

In 2017-18, a total of 195 people completed the e-learning program from a broad range of classifications as follows:

- > 24 Administrative Service Officers 1 to 6
- > 03 Clinical support staff
- > 01 Building Trades Inspector
- > 03 Contract Executives
- > 01 Dentist Level 3
- > 03 Enrolled nurses
- > 42 Health Professional Officers levels 1 to 6 (allied health professions)
- > 07 Health Service Officers Levels 5-10
- > 15 Medical Officers
- > 02 Radiation Therapists
- > 01 Registered Midwife Level 3.2
- > 58 Registered Nurses levels 1 to 5.6
- > 35 Senior Officers C-A

Internal dissemination of information to staff on the legislative scrutiny process

Government messages in relation to human rights (HR) are made available to all staff, including notices of HR training opportunities.

Liaison with the Human Rights Advisors on human rights principles or the legislative scrutiny process

When staff members who are developing legislation are uncertain about HR issues, and when draft Bills are routinely vetted, the Human Rights Unit (HRU) of the directorate is consulted. Issues identified in any ACT Health Bills as a result of the Legislative Assembly's scrutiny process are also addressed. In 2017-18, ACT Health prepared 37 Cabinet submissions. One submission related to a

legislative proposal, the *Medicines, Poisons and Therapeutic Goods Amendment Bill 2018*. A HR compatibility statement was issued with this submission.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

ACT Health has a responsibility for the *Mental Health Act 2015* and the *Mental Health (Secure Facilities) Act 2016*, both of which have significant HR implications. Following their enactment in the last two years, ACT Health is actively reviewing these pieces of legislation, with a focus on how these are working in practice, the extent to which they are impacting on HR and whether these impacts are proportionate. In doing this, ACT Health is working closely with a wide range of stakeholders, including clinical staff and consumer groups.

Litigation

There was no litigation that ACT Health was involved in during 2017-18 that included any arguments concerning the HR Act.

Canberra Institute of Technology

Education and training of staff on human rights principles

The Canberra Institute of Technology (CIT) Executive, directors and senior managers attended a training session on HR that was delivered by HRC in February 2018. Approximately 30 staff were in attendance. The directors and senior managers have responsibility that covers all CIT policy for teaching and administrative staff and the Executive team have oversight responsibility across defined groups of policies. CIT staff are able to undertake training on HR as part of their professional development as and when deemed appropriate. CIT will also be able to access information on HR from its CIT internal systems. Where appropriate CIT will integrate HR principles into its strategic and operational planning processes.

Internal dissemination of information to staff on the legislative scrutiny process

Staff have access to whole-of-government messages in relation to HR which include notices of training opportunities. Access to information on a range of HR topics is also made available to all CIT staff through the CIT Code of Practice. At the training session delivered by the HRC, staff received a number of documents that comprised brochures and booklets for broader dissemination that was provided by the HRC.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

Policy reviews include ensuring that policies are in keeping with the requirements of the HR Act. CIT did not administer any legislation during the reporting period.

Litigation

During 2017, two separate complaints were made to the HRC against CIT on the grounds of disability in the area of education.

One complaint was made in 2017 which was resolved with the Complainant upon receipt of the complaint and supply of a response to the HRC by CIT.

The second complaint was made to the HRC in 2017 which was referred to ACT Civil and Administrative Tribunal (ACAT) by the HRC in 2018, at the request of the Complainant. This matter is currently being considered by ACAT.

Chief Minister, Treasury and Economic Development Directorate

Education and training of staff on human rights principles

The Chief Minister, Treasury and Economic Development Directorate (CMTEDD) is committed to a workplace that respects, protects and promotes HR principles. The CMTEDD New Starter Resource Kit includes information on Respect Equity and Diversity (RED) including who the appointed RED Executive Sponsor is for CMTEDD, and a list of 32 nominated Respect, Equity and Diversity Contact Officers (REDCOs) across CMTEDD, whose responsibility it is to promote RED in the workplace and offer support, guidance and information to staff.

In addition, staff are able to undertake training on HR principles as part of their “my learning development plan”. This may include workshops on HR provided by the HRC, Aboriginal and Torres Strait Islander Cultural Awareness, Engaging with Different Cultures, the RED Framework (Employees) – Interaction, and training for RED (Contact Officers).

In addition, CMTEDD celebrated and contributed to awareness raising of HR in the workplace, though the following activities:

- > the promotion of nationally significant events including; National Reconciliation Week, Harmony Day, White Ribbon Day, R > U OK? Day, International Day for People with Disability, International Women’s Day; and National Youth Week
- > the 2018 NAIDOC Week celebrations were themed “Because of her, we can!”. CMTEDD staff attended many events to share in the celebration and experience the power of stories told by Aboriginal and Torres Strait Islander women
 - sponsoring CMTEDD 2018 Reconciliation Award winners to attend the NAIDOC Ball
 - CMTEDD staff across three sites at Nara, Access Canberra and Shared Services heard a Neunnone woman share her personal story
 - CMTEDD SES and RAP Implementation Working Group also met at the CIT Yurauna Centre to hear from the Director of the Yurauna Centre and the Chair of the Aboriginal and Torres Strait Islander Elected Body who shared their family stories
 - continued commitment to the CTMEDD journey under the Reconciliation Action Plan (RAP)
- > the establishment of the following networks for staff:

- *ACTPS Staff with Disability and Allies Network* which aims to increase capability within the ACTPS through increased diversity, and create and sustain an inclusive workplace
- the *CMTEDD Aboriginal and Torres Strait Islander Staff Network*.

Internal dissemination of information to staff on the legislative scrutiny process

The Cabinet Handbook requires that all Cabinet submissions must provide details of any HR implications. The Triple Bottom Line assessments incorporated into all Cabinet submission proposing policy changes provides requirements for the assessment of social impacts including an evaluation of the proposal's impact on the HR Act.

The Cabinet Handbook, Legislation Handbook and *the Human Rights Act 2004 – Guidelines for ACT Departments: Developing Legislation and Policy* are extensively consulted during the development of legislation; with due regard being given to HR issues.

Liaison with the Human Rights Advisors on HR principles or the legislative scrutiny process

CMTEDD liaised with the HRU within the directorate on a number of matters relating to:

- > the preparation of legislative proposals for the Red Tape Reduction Legislation Amendment Bill 2018
- > the preparation of new legislation for changes to the greyhound racing industry through the Racing (Greyhounds) Amendment Bill 2017 and the Domestic Animals (Racing Greyhounds) Amendment Bill 2017
- > subordinate legislation, the *Residential Tenancies Amendment Regulation 2018 (No 1)*;
- > preparation of legislative proposals to improve information sharing in relation to the ACT's Reportable Conduct Scheme through the *Reportable Conduct and Information Sharing Amendment Act 2017* as notified on 12 December 2017
- > preparation of legislative proposals to expand the ACT's Reportable Conduct Scheme to more fully include religious organisations through the *Ombudsman Amendment Act 2018* as notified on 14 June 2018
- > preparation of the Workplace Legislation Amendment Bill 2018
- > the *Work Health and Safety Legislation Amendment Act 2018* and associated *Work Health and Safety Amendment Regulation 2018*, and
- > the Controlled Sports Bill 2018 and subsequent policy and legislative development.

During drafting of amendments to improve the scope of the ACT's Reportable Conduct Scheme in 2017, and to expand the scheme in 2018, officers within the directorate and CMTEDD consulted closely to ensure appropriate protections under the HR ACT to: S9 Right to life; S10 Protection from torture and cruel, from inhuman or degrading treatment; S11 Protection of family and children; S12 Privacy and reputation; and S14 Freedom of thought, conscience, religion and belief. Officers' discussion centred on the use of S28 of the HR Act which allows for reasonable limitation of human rights by law that can be demonstrably justified in a free and democratic society.

The Environment Protection Authority worked with the HRC in the resolution of a ten year on-going complaint about noise from the Griffith shops, in particular, excessive noise from garbage trucks and

air-conditioners/refrigerating condenser noise from one of the shops. The complainant and Environment Protection Authority have a conciliation agreement in place.

Access Canberra liaised with the Human Rights Commissioner regarding an alleged discrimination complaint in respect of wheelchair accessible taxis. Access Canberra provided the HRC with all information requested.

WorkSafe ACT has had two interactions with the HRC regarding allegations of bullying in a workplace. WorkSafe ACT continues to work with the HRC as it investigates the allegations.

Within the Workplace Safety and Industrial Relations Division five new legislative proposals were developed and all received human rights compatibility statements.

The *Work Health and Safety Legislation Amendment Act 2018* and associated *Work Health and Safety Amendment Regulation 2018* both received comment from the Scrutiny Committee. These comments were in relation to:

- > ensuring that documents adopted into the *Work Health and Safety Act 2011* would be publicly accessible. To address this concern technical amendments were made to the notes in the amending Act to alert readers to the fact that such documents would be available for access by the public free of charge
- > the creation of new strict liability offences under the amending regulation and the fact that these were not addressed in terms of HR implications in the Explanatory Statement for the amending regulation. In 2018-19 a response will be prepared to address the HR implications of the new strict liability offences.

The Workplace Health and Safety Amendment Bill 2018 was introduced on 7 June 2018 and as such has not yet been reviewed by the Scrutiny Committee.

During preparation of the Workplace Legislation Amendment Bill 2018 in relation to the recovery of overpayments, the HRC raised some concerns about including appropriate safeguards to take account of hardship factors and the application of an objective test of reasonableness to repayment arrangements. As a result of these comments, the Bill was amended to include a range of factors specified in clauses 4(a)-(e) that the Head of Service will have regard to when determining repayment arrangements which includes the employee's financial circumstances. The explanatory statement details that financial circumstances may include any hardship faced by the employee and provides for a broad interpretation of hardship, including (but not be excluded to): family tragedy, serious illness, impacts of natural disaster and other serious or difficult circumstances.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

Reviews of Bills and Acts included:

- > *Revenue Legislation Amendment Act 2018*
- > *Land Tax Amendment Act 2018*
- > *Planning and Development (Lease Variation Charge Deferred Payment Scheme) Amendment Act 2018*

Litigation

There were no cases before courts or tribunals which have involved arguments concerning the HR Act.

ACT Insurance Authority

The Authority adheres to the principles as set out in the Act. The Authority is committed to a workplace that respects, protects and promotes human rights. Where possible the Authority will integrate the human rights standards into its strategic and operational planning processes. Staff are able to undertake training on HR principles as part of their personal development programs and have access to information on human rights and the scrutiny process. The Authority has not developed any policy proposals that require consultation with the HRU and the Authority does not administer any legislation which has substantial human rights implications.

Community Services Directorate

Education and training of staff on human rights principles

The Human Rights e-learning program is compulsory training for new staff at Bimberi Youth Justice Centre. In 2017-18 the course was completed by 52 Community Service Directorate (CSD) staff and as at 30 June 2018 another 17 staff were undertaking the course. The Public Advocate, Human Rights Commissioner/Children and Young People Commissioner and Official Visitors attend the induction training and host an information session on what services they offer young people in custody and the wider community.

In addition to this, as part of the implementation of the new CSD Complaints Handling and Management Policy (CHAMP), Housing ACT secured 180 training spaces with the NSW Ombudsman on best practice in this area. The two courses covered both frontline complaints and managing unreasonable complainant conduct. Founded in HR principles and the recognition of the universal nature of human dignity, the training provided practical strategies for respectful treatment, apology, safe management of escalating behaviour and other elements of best practice complaints handling.

Bimberi Charter of Rights

A *Charter of Rights for Young People in Bimberi Youth Justice Centre* was implemented in 2017 to further strengthen the protection of young people in Bimberi. It outlines the special rights young people in detention have to protection, rehabilitation and support. It helps young people understand how they can expect to be treated and how they should treat others while at Bimberi.

The Charter requires Bimberi staff, police and other workers to act in line with the 12 rights and to consider human rights when developing policies, delivering services and making decisions. All young people entering Bimberi are provided with the Charter and an opportunity to discuss it with staff.

In addition to this, an e-Learning course 'Bimberi Charter of Rights' was developed and made available to Bimberi staff on 4 September 2017. As at 30 June 2018, 25 Bimberi staff had completed the course, with a further 4 staff currently in progress. The Bimberi Charter of Rights e-Learning course is included as part of the Bimberi Induction Learning Pathway on the Capability Learning Management System.

The Charter was developed in consultation with key stakeholders, including young people in Bimberi and the HRC.

The Charter is available at www.communityservices.act.gov.au.

Internal dissemination of information to staff on the legislative scrutiny process

Government messages in relation to HR are made available to all staff, including notices of training opportunities through whole-of-directorate emails and via the CSD training calendar.

Liaison with the Human Rights Advisors on human rights principles or the legislative scrutiny process

Liaison with HRU is required for the preparation of legislation to clarify and identify possible impacts. Relevant descriptions are included in explanatory statements and regulatory impact statements where relevant.

In 2017–18, the directorate consulted with HRU in the development of a number of bills and legislation. The Children and Young People Amendment Bill 2018 and Senior Practitioner Bill 2018 were of particular importance given the nature of their subject material.

The Children and Young People Amendment Bill 2018 was introduced in the ACT Legislative Assembly on 10 May 2018. The Bill improves interpretation of the *Children and Young People Act 2008* to guide decision-making for children, young people and their families. The Bill also gives full effect to important elements of *A Step Up for Our Kids – One Step Can Make a Lifetime of Difference* (Out of Home Care Strategy 2015-2020).

The purpose of the Bill is to:

- > clarify the way care and protection appraisals are carried out
- > consolidate delegations and enable sub-delegation to enable decisions to be made closer to a child or young person, and
- > correct unintended consequences of previous amendments, including the power to revoke carer authorisation.

These amendments respond to Government commitments to remove legislative barriers to effectively undertake appraisals and to fully realise the reforms under *A Step Up for Our Kids* to enable sub-delegation of responsible person duties.

A Human Rights Compatibility Statement was issued by the directorate to support the progress of this Bill.

The Senior Practitioner Bill 2018 establishes the role and functions of a Senior Practitioner in the ACT was introduced to the Legislative Assembly on 7 June 2018. The bill pertains specifically to restrictive practices in the ACT in the disability space and the directorate worked closely with the HRC on the development and refinement of the Bill. A Human Rights Act Compatibility Statement was issued by the directorate to support the progress of this Bill.

The ACT Government has previously agreed to two national frameworks: the National Framework for Reducing and Eliminating the Use of Restrictive Practices in the Disability Sector and the National Disability Insurance Scheme Quality and Safeguarding Framework. These two imperatives and the associated Regulatory Impact Statement give clear timeframes for the establishment of a Senior Practitioner in the ACT.

The extensive consultation undertaken by JFA Purple Orange in 2017 highlighted uncertainty around the issue of restrictive practices, and found that community members have clear expectations of the

benefits a senior practitioner will bring to regulation, adjudication and reduction of restrictive practices.

The Bill will allow the protection of the most vulnerable people in the ACT and prevent harm from the unnecessary use of restrictive practices. The Bill is supported by section 10 – protection from torture, inhuman or degrading treatment and section 11 – protection of the family and children, of the HR Act.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

CSD engages in regular consultation with the HRU section of the directorate and the HRC on proposed Bills and legislative amendments. Liaison with HR advisors is required in relation to the preparation of subordinate legislation to clarify and identify possible impacts. Relevant descriptions are included in regulatory impact statements and explanatory statements.

Housing ACT is conscious of its HR responsibilities when decision making. The Housing and Tenancy Review Panel, who consider reviews of reviewable decisions and requests to remove housing assistance from tenants in line with Housing ACT policies and process also ensure that Human Rights considerations are at the forefront of decision making.

CSD, in partnership with the HRC, will seek to review the Therapeutic Protection Order provision of the Children and Young Peoples Act to respond to contemporary understanding of best practice and the Human Rights principle.

Litigation

During 2017-18, there was one matter before ACAT where human rights was raised in a substantive way. The Tribunal found in the Commissioner's favour on the substantive application.

Cultural Facilities Corporation

Education and training of staff on human rights principles

The Cultural Facilities Corporation (CFC) is committed to a workplace that respects, protects and promotes HR principles.

During the reporting period, staff participated in a range of training and professional development opportunities.

RED training was conducted in-house. Development opportunities were provided to advance skills and knowledge and to collaboratively contribute to positive work cultures. There is one appointed RED contact officer to promote RED in the workplace and offer support, guidance and information to staff.

During the year, the CFC undertook a range of HR related activities including:

- > the CFC's CEO hosted a morning tea for International Women's Day in March 2018 for CFC staff, volunteers and women community members with a particular link to the work of the CFC
- > the CFC's CEO also hosted an International Women's Day lunch for women Board members and senior staff, with a guest speaker

- > the presentation of the 2017 Don Aitkin Awards took place in December 2017 which recognises staff contributions and achievements throughout the year

The CFC's Human Resources area ensures that staff have access to, and are aware of, the Employee Assistance Program through dissemination of information and signage in the workplace.

Internal dissemination of information to staff on the legislative scrutiny process

ACT Government messages in relation to HR topics are made available to all staff, including notices of training opportunities.

Liaison with the Human Rights Advisors on human rights principles or the legislative scrutiny process

The CFC did not engage with the HRU on HR principles or the legislative scrutiny process during 2017- 18.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

No reviews occurred.

Litigation

There were no cases before courts or tribunals which involved arguments concerning the HR Act.

Education Directorate

Education and training of staff on human rights principles

There are 90 nominated REDCOs across the Education Directorate. Of these designated contact officers, 80 are located in public schools. The role of the REDCOs is to provide comprehensive information and support to empower their colleagues. To achieve this, REDCOs provide information on the avenues available to staff who are experiencing work bullying, discrimination and or harassment, as well as modelling and promoting behaviour that is acceptable and professional.

Mandatory training for newly appointed REDCOs is held each year in the first quarter of the year, with quarterly network meetings held in the remaining quarters. The network meetings are designed professional development workshops that focus on key issues raised by REDCOs and assist contact officers to meet the role, responsibilities and expectations as outlined in the REDCO Guidelines.

The Education Directorate does not keep data centrally on staff attending training sessions involving HR principles.

The Education Directorate continues its commitment to the human rights principles through supporting the following diversity staff networks.

Aboriginal and Torres Strait Islander Staff Network

The directorate supports the Aboriginal and Torres Strait Islander Staff Network. Membership is open to all Aboriginal and Torres Strait Islander employees; including permanent, contract and casual staff. Aboriginal and Torres Strait Islander pre-service teachers in the ACT are offered associate membership of the Staff network to establish relationships and connections within the Directorate. The Staff Network meets quarterly with the Education Governance Committee to discuss strategic policy initiatives, including cultural integrity and workplace cultural safety.

Accessibility Advisory Group

The Accessibility Advisory Group established in 2017 is a consultative mechanism for employees with disability. The group has met regularly to provide input into the development of the EDU Access and Inclusion Employment Action Plan. The group has a presence on the ACTPS Disability Allies Network, coordinated by the Inclusion Team, Workforce Capability and Governance Division, CMTEDD. Increased membership of the Education Accessibility Advisory Group will be encouraged, coinciding with the launch of the Education Access and Inclusion Employment Action Plan in 2018.

LGBTIQ Staff Network

An information session to establish an LGBTIQ Staff Network was held on 16 May 2018. The group engaged in a rich discussion regarding the vision and structure of the network and group agreement for ongoing development meetings. It was also agreed that allies who want to make positive and real contributions are welcome into the Network.

Liaison with the Human Rights Advisors on human rights principles or the legislative scrutiny process

The Education Directorate consults with the HRC, where relevant, in the preparation of cabinet submissions, including government submissions to the Legislative Assembly and in the development of new and amended legislation. In the preparation of cabinet submissions, the Education Directorate considers the impact of recommendations on HR matters.

The Education Directorate policies and procedures refer to the HR Act where this is relevant. These include:

- > Managing Occupational Violence Policy
- > Safe and Supportive Schools Policy
- > Students with a Disability: Meeting their Educational Needs Policy
- > Dress Standards and Uniforms in Canberra Public Schools Policy, and
- > Complaints Policy.

Policies are available at http://www.education.act.gov.au/publications_and_policies/policy_a-z.

The HRC is an important external stakeholder and is consulted where policies and procedures that may have HR implications are being reviewed or developed.

Public Advocate and Children and Young People Commissioner Ms Jodie Griffiths-Cook, was a member of ACT Education Directorate's *Advisory Group* for the Review of the *Suspension, Transfer or Exclusion in ACT Public Schools Policy*. This group was established to provide early consultation and input into revised policy documents and met three times during 2017. The HRC joined colleagues from the Education Directorate and other key education stakeholders - including the Australian

Education Union, ACT Parent and Citizens Association, Child Youth and Protection Services, Youth Coalition of the ACT and Barnardos on the group. Ms Griffiths-Cook attended the advisory group meetings and provided written feedback on the draft policy, procedures and guidelines. Feedback from Ms Griffiths-Cook was considered very helpful and included advice on the wording which describes the relationship between the HR Act and the policy. The policy documents are anticipated to progress to community consultation in term three, 2018 and the HRC will be invited to contribute further input.

Litigation

During 2017-18, the directorate responded to three matters in the ACAT. Two of the matters were closed by HRC in 2016-17 and referred to the ACAT during 2017-18. Both of these matters related to complaints of unlawful discrimination; one on the grounds of relationship status, profession, trade occupation or calling, and status as a parent or carer in the areas of employment and education, and the other on the ground of disability in the areas of education and provision of goods, services or facilities. Both of these matters were subsequently withdrawn.

The third matter was a complaint of unlawful discrimination on the basis of age in relation to employment. It was closed by the HRC and referred to the ACAT during 2017-18. This matter is ongoing.

Environment, Planning and Sustainable Development Directorate

Education and training of staff on human rights principles

The Legal Services section regularly educates staff on the need to consider HR in day-to-day decision-making, including the operation of the HR Act, for example via all staff communications from the Chief Operating Officer.

The importance of HR including in the development of legislation, subordinate legislation and other instruments has been underlined in presentations from time to time, including to the directorate's Performance and Business Management Committee, as well as in discussions on the development of specific legislative proposals and operational issues.

EPSDD staff undertake a range of training that supports and promote HR. All new staff are trained on the ACTPS RED framework through an in-house training induction program and via the ACT Government Shared Services Training and Development Calendar. The RED framework aims to foster a workplace that values individual differences and is respectful, courteous and fair. RED training includes information on legislative obligations including the HR Act. In addition, the directorate also offers a dedicated session on equity, diversity and inclusion.

Training is tailored for managers, staff and RED contact officers. HR is also supported through the introduction of other training sessions regarding Disability and Cultural Awareness.

Liaison with the Human Rights Advisors on human rights principles or the legislative scrutiny process

EPSDD engages in regular consultation with the HRU of the directorate on proposed Bills, regulations and other legislative amendments. Key pieces of legislation informed by HR section advice and input

during 2017-18 include the Lakes Amendment Bill 2017 in relation to the inclusion of strict liability offences and safety directions powers, and the Building and Construction Legislation Bill 2017 in relation to information sharing.

HR Act compatibility statements were provided for each Bill and Act. The explanatory statements for the Bills and Acts contained detailed analysis of HR impacts, including where the provisions had appropriate and justifiable limits on HR and where the provisions positively supported HR.

EPSDD also contacts the HRU of the directorate to consult on the preparation of subordinate legislation. This consultation is undertaken to clarify and identify possible HR impacts and analysis and descriptions are included in the regulatory impact statements and explanatory statements that accompany the subordinate legislation.

HR impacts have been considered in relation to the development of legislation for potential presentation in the Assembly in 2018-19.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

EPSDD reviews existing legislation on an ongoing basis, taking into account the continued efficacy of the legislation, including HR impacts. During 2017-18, all Bills were assessed as being compatible with the HR Act before being tabled in the Legislative Assembly.

Litigation

There were no litigation matters that raised HR issues during the 2017-18 financial year.

Justice and Community Safety Directorate

Education and training of staff on human rights principles

During the reporting period, 55 staff participated in training relating to HR principles. The training included:

- > Human Rights for ACT Public Authorities
- > Opening up equality in the ACT: The new discrimination grounds and beyond
- > Annual Castan Centre for Human Rights Law Conference.

The Human Rights and Opening up equality training were conducted by the HRC.

An overview of the HR Act was included as part of Induction to all new operational staff of the ACT Corrective Services (ACTCS).

The directorate participated in HR related activities including:

- > 10th Anniversary of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on 13 September 2017. This event was co-hosted by the HRC and the ACT Aboriginal and Torres Strait Islander Elected Body. Staff joined the celebration and watched a film screening of the award-winning *'Zach's Ceremony'*, a sensitive exploration of a young Aboriginal man's cultural awakening
- > Mental Health Week
- > International Day of People with Disability

- > appreciation of the spiritual significance of Ngunnawal cultural ceremony on 24 November 2017 as part of the HRC's efforts to meaningfully act on section 27(2) of the *ACT Human Rights Act 2004*
- > Marriage Equity: Where to Now? Forum to celebrate International Human Rights Day – hosted by the HRC and Amnesty International on 8 December 2017
- > International Women's Day on 8 March 2018 with a number of events held around the directorate. The directorate's Executive Champion for Women hosted a whole-of-directorate event, while ACT Corrective Services and the Emergency Services Agency also organised their own events
- > Harmony Day on 21 March 2018 where staff across the Directorate celebrated cultural diversity and ACT Corrective Services raising \$211.85 for the Canberra Refugee Support – an organisation which supports settlement of refugees in the ACT
- > International Day against Homophobia, Biphobia and Transphobia, where staff participated in an LGBTIQ Awareness Training developed by Aids Action Council and the Agenda A Gender, in partnership with CMTEDD, and
- > hosting a stall at the ACT Reconciliation Day public event at Glebe Park on Monday, 28 May 2018.

Internal dissemination of information to staff on the legislative scrutiny process

The HRU within Legislation, Policy and Programs branch of the directorate continues to undertake scrutiny of government bills that are due for presentation to the Legislative Assembly, as required under section 37 of the HR Act.

The HRU provides general advice to other directorates and public sector agencies about whether policy or decisions engage rights, the nature and scope of specific rights and how to assess and justify whether a limitation on a right is reasonable. The HRU encourages early consultation on human rights issues, including those arising under regulations and instruments, to ensure policies, procedures, instruments and legislation are ultimately compatible with rights under the HR Act.

Liaison with the Human Rights Advisors on human rights principles or the legislative scrutiny process

The HRU has advised business units, within the directorate and across ACT Government, on HR compliance and reasonable limitations of rights during 2017-18, including as part of its legislative scrutiny function and at earlier stages during policy development. This engagement has routinely included suggesting refinements to the policy expression or implementation, explanatory materials or drafting to improve compatibility.

Key legislation informed by HRU advice and input during 2017-18 included the Lakes Amendment Bill 2018, Veterinary Practice Bill 2018 and the Utilities (Powerline Fire Safety) Amendment Bill 2017.

The HRU has also liaised with ACT Government business units to help them better articulate in explanatory statements the justification for limitations on rights with reference to the criteria in section 28 of the HR Act. Early engagement with business units to provide constructive solutions-focused input on HR Act issues in the development of government policy and legislation remains a key focus.

The HRU also prepared and delivered two interactive information sessions for officers in the directorate's Legislation, Policy and Programs' Civil and Criminal Law teams and drafters in the ACT Parliamentary Counsel's Office. These sessions prioritised discussion of the nature of commonly engaged rights, including the right to equality (section 8 HRA), right to privacy and reputation

(section 12 HRA) and the rights to fair trial (section 21 HRA) and presumption of innocence (section 22(1)) HRA) in the context of strict and absolute liability offences. Approximately 30 officers attended over the two sessions. The HRU receiving positive feedback from more than 75% of officers in the ACT Parliamentary Counsel's Office who attended the session. Attendees strongly agreed the sessions were helpful, structured, and informative and that the HRU responded effectively to questions.

The directorate consults with the HRC, where relevant, in the preparation of Cabinet submissions, including those dealing with government submissions to committees of the ACT Legislative Assembly and the development of new and amending legislation.

ACTCS continues to work closely with the HRC with regard to HR and health services issues. The HRC is a member of the Alexander Maconochie Centre (AMC) Oversight Working Group which provides a cooperative forum for scrutiny of the centre's operations. A representative from the HRC attended the AMC Oversight Working Group which provided a collaborative forum to consider arising thematic issues and assist with continuous improvement

ACTCS has worked cooperatively with both the Human Rights and Discrimination Commissioner and the Health Services Commissioner in managing complaints and issues.

In 2017-18, ACTCS received 18 complaints from the HRC. In six of the cases the complaints were resolved, finding that ACTCS had not acted in a manner inconsistent with the HR Act. However, 12 complaints from the Human Rights and Health Services Commissioners remain ongoing.

The directorate consults with the HRC, where relevant, in the preparation of cabinet submissions, including government submissions to the Legislative Assembly and in the development of new and amended legislation.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

During the year, 54 Bills were assessed as being compatible with the HR Act before being tabled in the Legislative Assembly.

Litigation

In 2017-18, one complainant raised HR Act issues in litigation against the Director-General the directorate.

Suburban Land Agency

Education and training of staff on human rights principles

During the reporting period the Suburban Land Agency undertook a range of actions to support HR related awareness, including:

- > supporting nationally significant events including White Ribbon Day, R U OK? Day, International Day for People with Disability, International Women's Day, National Youth Week, National Reconciliation Week and NAIDOC Week
- > providing access to training including the RED Framework, disability awareness training, and Aboriginal and Torres Strait Islander Cultural Awareness training

- > implementation of regular staff awards to recognise individuals who displayed and exemplified the signature ACT Public Service values and behaviours of *Respect, Integrity, Collaboration or Innovation*.

Liaison with the Human Rights Advisors on human rights principles or the legislative scrutiny process

Under the Service Level Agreement between the EPSDD and the Suburban Land Agency, EPSDD is responsible for processes in relation to legislative development and scrutiny to ensure HR and other legal policy matters are considered in the development of legislation projects. This includes the proper consideration and documentation of HR compliance matters. The Suburban Land Agency actively supported and engaged with the EPSDD during these processes.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

No legislation reviews occurred in the reporting period. Future reviews will be led by the EPSDD and will include consideration of compatibility with the HR Act.

Litigation

There were no issues of HR litigation involving the Suburban Land Agency in the reporting period.

Transport Canberra and City Services Directorate

Education and training of staff on human rights principles

There was no specified education and training of staff on HR principles during the reporting period.

Liaison with the Human Rights Advisors on human rights principles or the legislative scrutiny process

Over the reporting period there were four bills presented to the Assembly by the Minister for Transport and City Services. All of these Bills raised rights issues.

Consultation with the directorate's HRU was undertaken to ensure that offence provision amendments in the Domestic Animals Legislation Amendment Bill 2018 conformed to legal policy requirements for strict liability offences under HR law. The bill followed an earlier, private members bill which made changes to the *Domestic Animals Act 2000* in relation to dangerous dogs. Government amendments to the private members bill were developed in consultation with the HRC and the directorate's HRU. HR issues that were considered included administrative review, limitations on property rights and fair trial rights.

The Waste Management and Resource Recovery Amendment Bill 2017 introduced the Container Deposit Scheme. Strict liability offences in this bill engage human rights and were discussed in the explanatory statement.

An anomaly in the *Tree Protection Act 2005* was corrected in a Bill which also clarified a person's right to seek merit review of a decision about the cancellation or the refusal to cancel the registration of a tree. The Bill positively engaged human rights as it provides an accountability

mechanism for independent merits review of administrative decisions that may affect the interests of individuals.

The Veterinary Practitioners Bill 2018, which will be debated in the 2018-19 financial year, engages a number of rights of individuals. Limitations on the rights of individuals who will be regulated under the bill were carefully considered and justification presented to the Assembly in the explanatory statement. The work followed consultation with the HRC and the directorate's HRU. The consultation resulted in shifting amendments from those originally proposed so that limitations on individual rights were minimised to the greatest extent possible to still achieve the policy outcomes of the legislation. The limitations on veterinary practitioners who will be regulated by the Act are balanced against animal welfare and safety and community safety.

Reviews or preparations for reviews of existing legislation for compatibility with the Human Rights Act

No legislative reviews occurred in the reporting period. Future reviews of portfolio legislation are in planning and while these reviews will predominantly consider the application of the law and changes to that application, the broader issues of compatibility with the HR Act will form part of any review work.

Litigation

There were no cases before courts or tribunal that involved specific arguments concerning the HR Act although issues of fairness and equity particularly with employment matters and challenges to administrative decisions were raised.

O.4 LEGAL SERVICES DIRECTIONS

Agency Compliance - Report Under Section 15 (2) of the Law Officers Act 2011

Under Section 15 of the *Law Officers Act 2011*, agencies must report the measures taken during the financial year to ensure compliance with legal services directions issued by the Attorney-General. The *Law Officers (General) Legal Services Directions 2012* (the Directions) and *Model Litigant Guidelines 2010* (the Guidelines) detail the compliance requirements of all reporting entities. These include:

- > claims and litigation brought by or against the Territory or an agency are handled honestly and fairly, consistent with the intent of the Guidelines
- > all settlements are on the basis of legal principle and practice where the existence of meaningful prospects of liability is established and based on advice of the ACT Government Solicitor (ACTGS)
- > provision of legal services is by the ACTGS or, where outsourced, this occurs with the approval of the Solicitor-General, and
- > ACTGS advice is sought in relation to contracts where the proposal is categorised as high risk, valued at \$50 million (or above) or involves non-routine contractual arrangements.

The ACTGS assists directorates and other government agencies to understand and comply with the Directions. This occurs through a range of activities and reporting arrangements which bring to the attention of the Director-General the legal service engaging with ACTGS. Arrangements generally implemented by directorates and agencies to achieve compliance with the Directions have been identified as:

- > centralised co-ordination arrangements in most directorates for the making of legal service requests and advice handling
- > a requirement for staff to follow the relevant directorate's standard operating protocol, developed in consultation with the ACTGS, and which are designed to ensure compliance with the Directions
- > informing staff of the Guidelines and the obligations to comply with these
- > acting fairly in the conduct of civil claims and litigation, arbitration and alternative dispute resolution processes
- > close liaison between in-house directorate legal units and ACTGS, and
- > early engagement between directorates the ACT Insurance Agency and ACTGS on civil claims.

Where the ACTGS acts for an agency, a Director-General is able to rely upon the ACTGS to identify those matters where a question arises as to compliance with the Directions. The ACTGS will address or elevate the issue with the instructing agency appropriately. Within this framework, the ACTGS complies with the Directions and assists agencies to do so by:

- > monitoring to ensure that any outsourcing of legal services is only effected with the approval of the Solicitor-General but is consistent with relevant procurement arrangements
- > maintaining close liaison with agencies to manage major government contracts to ensure timely legal advice is sought
- > working with in-house directorate legal units and arrangements including outposting ACTGS lawyers in a number of directorates to support operations

- > briefing external counsel in accordance with ACTGS internal processes, consistent with the Directions and, at fees not exceeding the maximum approved by the Attorney-General
- > applying legal principle and practice to the settlement of claims, and
- > ensuring Directors-General are aware of the scope of legal services sought by agencies.

Breaches

In addition to ACTGS oversight, Directors-General and Chief Executive Officers of agencies to which the Directions apply were requested in writing twice during 2017-18 to indicate to the Solicitor-General the management strategies and practices adopted by their agencies to achieve compliance with the Directions.

No breaches of the Guidelines have been notified to, or identified by, the Solicitor-General.

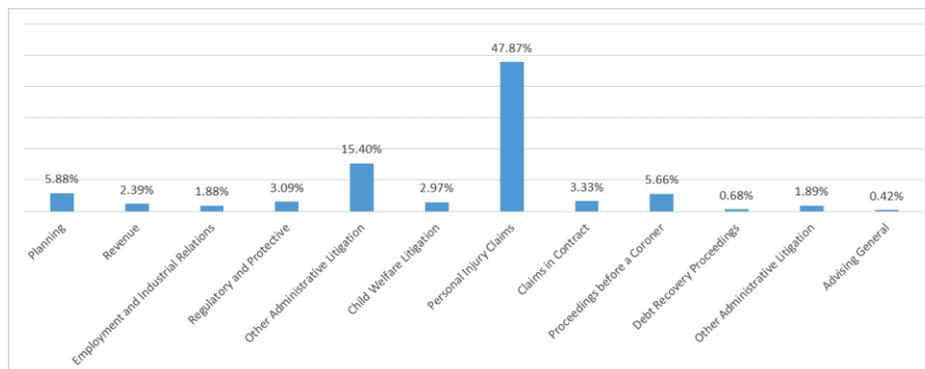
In 2017-18 the expenditure on external legal service providers approved who provided legal services where ACTGS was unable to were valued at \$213,355.93. Reporting on Counsel Expenditure appears below.

ACT Government Solicitor Counsel Fees

Counsel Engagement by Worktype

The figure below provides an indication of the areas of legal service activity (worktypes) in which counsel assistance was engaged during 2017-18. A total of \$2.8 million was expended on counsel.

Figure 70 2017-18 ACTGS Counsel Expenditure -% of Expenditure by Worktype



Female Counsel

A profile of the types of matters for which counsel is engaged in the below table. The ACTGS aims to achieve the briefing targets identified in the Law Council's [National Model Gender Equitable Briefing Policy](#). This policy has a long-term target which ultimately aims to brief women in at least 30 per cent matters (where Counsel is required) and paying 30 per cent of the value of all brief fees by 2020.

In 2017-18, the number of Counsel who were engaged by ACTGS included 27% women Counsel. Of the total expenditure for external Counsel engaged in the types of matters identified in Table 1, expenditure on women Counsel accounted for 30% of the total. The ACTGS continues to actively identify opportunities to increase its engagement of women counsel.

Table 97 Counsel Fees 2017-18

Counsel	Total Counsel Fees Ex GST	Total Female Counsel Fees
ALICIA THERESA IRVING	\$11,520.00	\$11,520.00
ANTHONY BLACK	\$11,126.01	
BENJAMIN KATEKAR	\$100,850.45	
BRIDIE KATHLEEN NOLAN	\$850.00	\$850.00
CALLAN PATRICK O'NEILL	\$3,000.00	
CHRISTOPHER M ERSKINE	\$120,400.00	
CHRISTOPHER YOUNG	\$10,492.73	
DAN CROWE	\$18,080.00	
DANIEL TYNAN	\$2,818.19	
DAVID HIGGS SC	\$389,257.89	
DR DANIEL CHALLIS	\$2,437.50	
DR DOUGLAS R JARVIS	\$235,117.50	
DUNCAN TREVOR MILLER	\$9,350.00	
ELIZABETH JANE MCLAUGHLIN	\$10,721.70	\$10,721.70
ELIZABETH RAPER	\$1,829.39	\$1,829.39
FREDERIC ADEKUNLE OLUSEYI ONITIRI	\$9,890.00	
GREGORY STRETTON SC	\$39,347.88	
HILBERT CHIU	\$175,404.31	
HOUDA YOUNAN	\$63,110.28	\$63,110.28
JAMES JOHN HUTTON	\$48,819.75	
JAMES MARTIN STEWART	\$38,975.00	
JAMES V MACKEN	\$19,312.50	
JASON DOWNING	\$15,312.50	
JOSEPH KELLAWAY	\$28,175.00	
KATE EASTMAN	\$3,452.73	\$3,452.73
KATRINA MUSGROVE	\$152,610.30	\$152,610.30
KENI JOSIFOSKI	\$2,670.43	

Counsel	Total Counsel Fees Ex GST	Total Female Counsel Fees
KENNETH JAMES ARCHER	\$129,400.00	
KRISTINA ANNE STERN	\$6,436.82	\$6,436.82
KRISTY KATAVIC	\$49,108.34	\$49,108.34
LOUISE DONOHOE	\$90,038.86	\$90,038.86
MARCUS HASSALL	\$12,339.96	
PETER WOULFE	\$10,200.00	
PHILIP ANTHONY WALKER	\$138,265.00	
PRUE MARGARET BINDON	\$24,155.00	\$24,155.00
RICHARD JOHN CHENEY	\$31,585.23	
ROBERT CLYNES	\$183,476.37	
ROBERT CROWE	\$20,500.00	
SCOTT JAY MAYBURY	\$1,662.50	
STEVEN WHYBROW	\$19,760.00	
THOMAS JOSEPH BRENNAN	\$31,138.51	
VANESSA THOMAS	\$428,508.41	\$428,508.41
WAYNE SHARWOOD	\$11,022.50	
WILLIAM DAVID BRODIE BUCKLAND	\$88,029.08	
Total	\$ 2,800,558.62	\$ 842,341.55

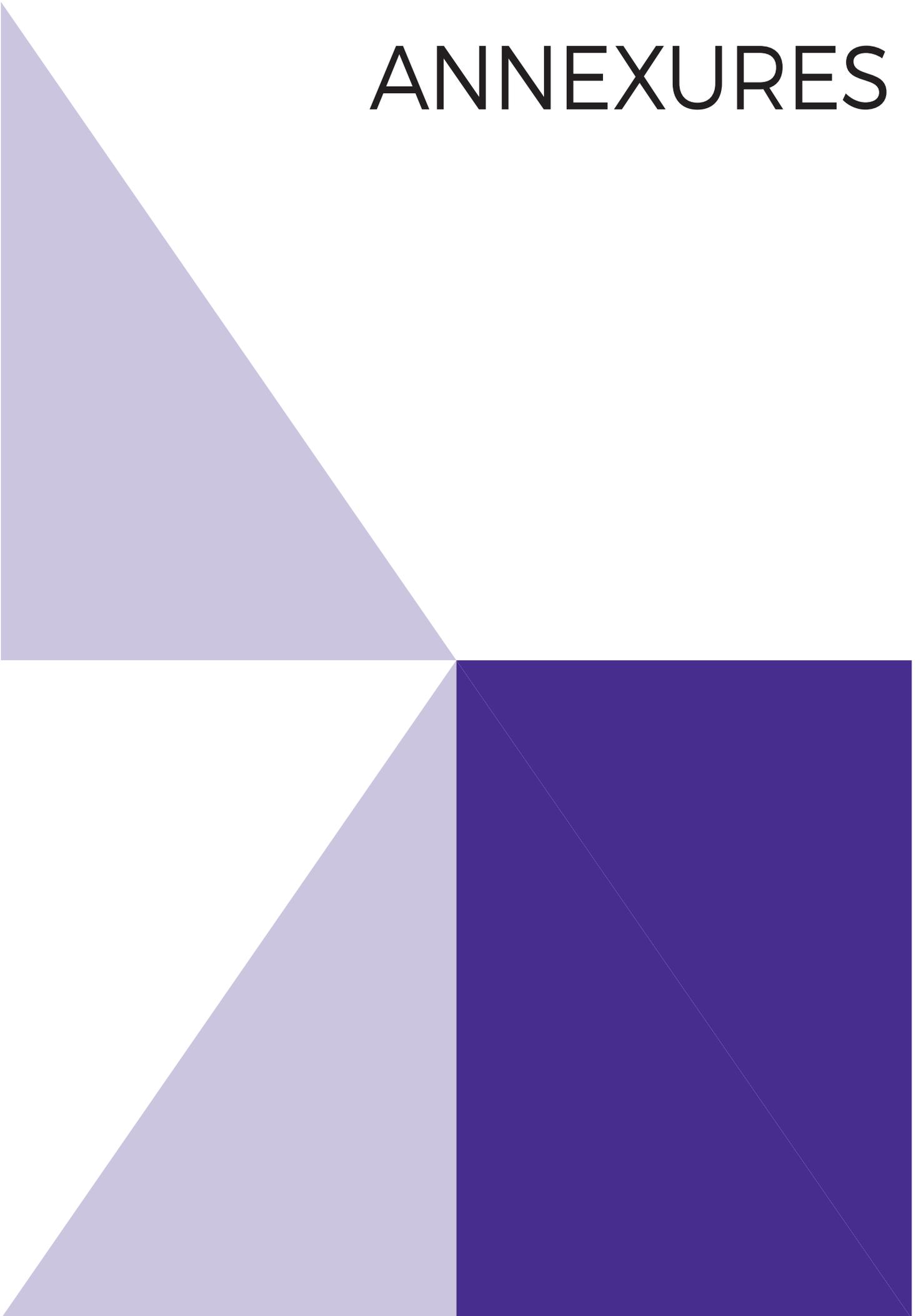
Outsourced Legal Fees

Where the ACTGS is unable to provide legal services, external legal service providers may be approved for engagement. The expenditure in these instances during 2017-18 are as follows.

Table 98 **Outsourced Legal Fees 2017-18**

Provider	Legal Fees Ex GST
ASHURST AUSTRALIA	\$21,044.16
AUSTRALIAN GOVERNMENT SOLICITOR	\$89,548.77
KEN CUSH & ASSOCIATES	\$1,970.00
KJB LAW	\$78,950.00
NSW CROWN SOLICITOR	\$21,843.00
Total	\$213,355.93

ANNEXURES



ANNEXURE A: INSPECTOR OF CORRECTIONAL SERVICES



ACT INSPECTOR OF CORRECTIONAL SERVICES

P 1800 932 010 | E ICS@act.gov.au | GPO Box 158, Canberra City ACT 2601

The Hon Shane Rattenbury MLA
Minister for Corrections
ACT Legislative Assembly
GPO Box 1020
CANBERRA ACT 2601

Dear Minister

I am pleased to provide you with the first annual report of the Office of the Inspector of Correctional Services (the Office). As you know, the framework of the Office was established with the passage of the *Inspector of Correctional Services Act 2017 (ACT)* (ICS Act). My appointment as the first ACT Inspector of Correctional Services under the ICS Act took effect on 14 March 2018.

The attached Annual Report is an honest and accurate account of all material information on the operations of the Office of the Inspector of Correctional Services during the period of 14 March 2018 to 30 June 2018.

In this initial period, the Office has focused on establishing internal structures for future examinations and reviews of correctional centres and services, including developing Inspection Standards and hiring staff. Over this period, the Office has also prioritised the important process of building relationships with key stakeholders including informing them of the roles and functions of the Office.

I look forward to reporting in the next annual report on examinations and reviews of correctional centres and services that will take place over the year ahead.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Neil McAllister'.

Neil McAllister
ACT Inspector of Correctional Services
30 August 2018

From the Inspector of Correctional Services

On 27 May 2016, Mr Steven Freeman, a 25-year-old Aboriginal man tragically died whilst in custody at the Alexander Maconochie Centre (AMC). Subsequently, the Minister for Corrections, Shane Rattenbury MLA, established an independent inquiry to look into the treatment and care of Mr Freeman. Mr Philip Moss AM led this review and his report, entitled *'So much sadness in our lives'* had a number of recommendations, one of which related to improving review of critical incidents at the AMC. In responding to this recommendation the Minister went further, announcing the establishment of an independent inspectorate with the mandate to investigate critical incidents as well as conduct regular reviews of correctional centres and services, and to provide recommendations so as to focus on continual improvement of treatment and care.

The concept of independent review and preventive oversight of prisons had been raised previously by the ACT Human Rights Commissioner in a 2007 Human Rights Audit on the Operation of ACT Correctional Facilities under Corrections Legislation (the now closed Belconnen Remand Centre). Indeed, it is a model that is gaining prominence in Australia. Since the establishment of the Western Australian Office of the Inspector of Custodial Services in 2000, there have been prison inspectorates established in NSW in 2012 and Tasmania in 2016. Furthermore, it links closely with the approach now required in all jurisdictions in Australia following Australia's ratification of a UN Treaty, the Optional Protocol to the Convention Against Torture (OPCAT) in December 2017. Australia has until the start of 2021 for each jurisdiction to nominate an independent entity or entities that will regularly visit closed environments and provide recommendations to authorities for continual improvement. Once nominated these entities will form part of Australia's National Preventive Mechanism (NPM). Whilst the ACT Government has not yet nominated ACT's aspect of the NPM, there is now an extensive body of work on preventive monitoring methodology and human rights guidance which is already proving instrumental in carrying out our work in the ACT.

I am also mindful that the Act requires that by the end of 2019, the Inspector's mandate will expand to cover the Bimberi youth justice facility. Whilst there is plenty of work to do in the current phase of establishing the office and in relation to adult corrections, I am mindful of the additional responsibilities and what needs to be done to prepare for the inclusion of Bimberi in our mandate.

By end of the 2017-18 financial year the Office of the Inspector of Correctional Services (OICS) has only been in operation for just over three months. However, in this time there are already many in the ACT that have offered invaluable support, assistance and guidance. In particular, I would like to acknowledge Dr Helen Watchirs, President of the ACT Human Rights Commission; Mr Russell Taylor the independent chair of an oversight steering committee working on implementing the Moss Report recommendations; and many other individuals and organisations who have shared their insights with me. I am also particularly grateful for the support I have received from Ms Rebecca Minty as the Senior Implementation Adviser.

Neil McAllister

Inspector of Correctional Services for the ACT

August 2018

Overview

Background

The *Inspector of Correctional Services Act 2017* (ACT) (the Act) sets out the basis for the establishment of the OICS and its powers and functions. The Act commenced on 8 December 2017.

The appointment of the Inspector has the objective of providing continuous improvement of ACT adult correctional centres and correctional services initially, and within two years youth justice facilities and services. The Act notes that this continuous improvement is to be achieved in particular, by providing a framework for the systematic review and scrutiny of the correctional centres and services, and independent and transparent reporting.

The Inspector of Correctional Services

The role of Inspector is a part-time independent statutory officer holder position with a five-year appointment term. The Inspector is appointed by the ACT Executive in accordance with an open and accountable selection process, and reports directly to the Legislative Assembly of the ACT. The terms and conditions of appointment are subject to any determination under the *Remuneration Tribunal Act 1995* (ACT).

Mr Neil McAllister was appointed ACT's Inspector of Correctional Services on 14 March 2018 and is the first holder of the office. Neil has some 30 years' experience in working in correctional oversight in a number of jurisdictions, including in establishing the Victorian Corrections Inspectorate and most recently as an independent consultant on corrections. He also brings significant experience in conducting investigations and reviews of critical incidents.

Staffing and resources

The permanent staffing establishment of the office during the reporting period was the Inspector (as a part time statutory office holder), a Senior Implementation Adviser (0.8 full time equivalent) and one Administration Officer (0.5 full time equivalent). The Senior Implementation Adviser role was envisaged as a temporary role whilst recruitment for a Deputy Inspector was underway. It is expected that the Deputy Inspector role will be filled on a permanent basis early in the 2018-19 year.

Contractors

Section 14 of the Act empowers the Inspector to engage a person under a contract to assist in the exercise of any function of the Inspector. Further, section 18(2) of the Act requires the Inspector to, if appropriate and practicable, use staff suitable to the cultural background or vulnerability of any detainee involved in a matter being examined or reviewed. Given the OICS has just two operational staff, the use of contractors will be particularly valuable for OICS to bring in relevant expertise to effectively conduct examinations and reviews.

During the reporting period, one expert was engaged to assist in the review of remand at AMC. Each expert contractor will be named in the relevant inspection report.

The OICS has established contact with other inspectorates in Western Australia, New South Wales and Tasmania, and looks forward to opportunities to engage with them in the future to draw on their experience and expertise.

Powers and functions

Jurisdiction of the Inspector

The Inspector's jurisdiction relates to all ACT 'correctional centres' and 'correctional services'. These terms are defined in sections 7 and 8 of the Act, and currently include, for example:

- > the AMC
- > the court cells at the ACT Supreme and Magistrates Court
- > ACT Corrective Services transport vehicles
- > a place where a detainee is directed to work or participate in an activity, and
- > a health facility where a detainee is held there under ACT Corrective Services custody.

By December 2019, the jurisdiction of the Inspector will expand to include a place declared to be a detention place, or where a detainee is held in custody, under the *Children and Young People Act 2008* (ACT). In the ACT this is currently the Bimberi Youth Justice Centre.

Functions of the Inspector

The functions of the Inspector of Correctional Services are set out in the *Inspector of Correctional Services Act 2017* (ACT). The key functions are:

- > The examination and review of ACT correctional centres and services, and
- > reviewing critical incidents at correctional centres or provision of correctional services

The Inspector is required to report to the ACT Legislative Assembly on findings from examination and review of ACT Correctional centres and services within 6 months of completion.

The Inspector does not respond to individual complaints but where appropriate may refer complaints to relevant agencies and/or other oversight bodies.

Critical incident is defined in the [Inspector of Correctional Services Act 2017 \(ACT\)](#) to include:

- > the death of a person
- > a person's life being endangered
- > an escape from custody
- > a person being taken hostage
- > a riot that results in significant disruption to a centre or service
- > a fire that results in significant property damage
- > an assault or use of force that results in a person being admitted
- > to a hospital,
- > any other incident identified as a critical incident by a relevant minister or relevant director-general.

Powers of the Inspector

The Inspector has a number of powers under the Act. Broadly, these powers include:

- > the right to enter a correctional centre, including at any time without notice,

- > the right to inspect any documents relating to a detainee or the provision of a correctional service,
- > the right to speak to or privately interview a persons at the correctional centre, including detainees with their consent, and
- > the right to require provision of information or documents.

Year in review

Office establishment

During the reporting period, the Inspector established an office at Level 2, 11 Moore Street, Canberra City. This space is located within the ACT Human Rights Commission and is utilised on a fee for service basis. The Inspector acknowledges the support of the Commissioners and staff at the ACT Human Rights Commission, and their welcoming approach.

Approval was granted by the ACT Government for the OICS to have branding exemption from standard ACT government branding. This is important given that the Inspector is a statutory office holder and independent from ACT Government, reporting to the ACT Legislative Assembly. The OICS commenced work building a website and it is anticipated this will be completed and 'live' early in the next reporting period. It is envisaged this website will contain all reports and reviews, information on methodology and approach, comparative work in oversight, and a research portal for relevant topics for example, relating to implementation of the Optional Protocol to the Convention Against Torture.

In the reporting period, the requisite delegations were made to ensure that OICS staff members have appropriate power to visit correctional centres and services, to inspect records and to talk to detainees and staff in private. As the Act is silent on annual reporting requirements, clarification was sought and received from the Minister for Corrections on annual reporting arrangements. Delegations were also made to ensure appropriate functions under Freedom of Information.

The Inspector attended Legislative Assembly Estimates on 26 June 2018.

Relationships

The OICS regularly communicates with ACT Corrective Services (ACTCS), and liaises closely with relevant staff members when planning and undertaking reviews. The Inspector acknowledges the constructive and collaborative approach of ACTCS in the initial phase of establishing the OICS.

The OICS is working with other oversight entities in the ACT including the ACT Human Rights Commission, ACT Ombudsman, Corrections Official Visitors and the Public Trustee and Guardian. This includes attending regular corrections oversight meetings with oversight agencies and civil society; as well as the oversight meeting hosted by ACTCS. Building relationships with these stakeholders is important to ensure that the OICS complements the role and functions these groups play in relation to corrections, and will be important in establishing processes for information sharing and referral where appropriate. The OICS is grateful for the insights shared by these oversight entities and their collaborative engagement with OICS in its inception period.

The Inspector held initial meetings with key stakeholders including the Moss Review Steering Committee, the Aboriginal and Torres Strait Islander Elected Body, ACT Policing, and a range of other entities including Legal Aid, Winnunga Nimmityjah Aboriginal Health and Community Services, the CPSU, Prisoner's Aid, ACT Council of Social Services, Women's Centre for Health Matters, and the Australian National University College of Law. Community and civil society groups are key stakeholders for OICS, given their experience working in closed environment and particular expertise

in relation to groups in detention such as Aboriginal and Torres Strait Islanders, persons with a disability, women, children and young people, LGBTIQ persons and people from culturally and linguistically diverse backgrounds.

The OICS also attended a number of justice sector forums and conferences in the ACT including the directorate's Disability Justice Seminar, and the University of Canberra JACS Justice Connections 5 Conference.

General visits

The Inspector and the Senior Implementation Adviser visited the AMC on numerous occasions as well as the Court Transport Unit, as a general familiarisation with correctional centres in the ACT.

Review of remand

In June 2018 the OICS commenced its first review of a correctional centre or service under the Act, undertaking a review of treatment and care of remand detainees at the AMC. This review was ongoing at the end of the reporting period. The review methodology includes gathering information through visits and observations at AMC, talking to AMC management and staff, discussions with detainees including distribution of a self-administered survey of men and women on remand. The review team included the Inspector, the Senior Implementation Adviser, Ms Lee Downes and a contractor with extensive experience in corrective services operational environments, including managing a number of prisons across NSW.

As part of this review, the OICS has been pleased to take on a student as part of the ANU Winter Law Internship program. The final year ANU Law Student will be preparing a report on the feasibility of bail hostels in the ACT, to address the numbers of people eligible for bail but were remanded in custody due to lack of suitable accommodation.

The remand review is likely to be completed in the second half of 2018 and will be published after tabling in the ACT Legislative Assembly.

Critical incidents

The Inspector was notified of one event meeting the definition of critical incident during the reporting period. A review of that incident is currently underway and a report will be prepared for the Legislative Assembly.

Work was commenced in developing a memorandum of understanding (MoU) with ACT Corrective Services around notification and reporting of critical incidents. It is anticipated this will be finalised early in the next reporting period and posted on the OICS website.

Planning for Healthy Prison Review

Under the Act, the Inspector is required to conduct a review of correctional centre or service once every two years. This will be a whole of prison review following the 'healthy prison methodology'. The OICS undertook some initial preparatory work for the first healthy prison review including work developing a baseline survey to be administered to detainees, staff and visitors to gather information to guide the review and to act as a reference point for future reviews. The OICS has engaged a contractor skilled in social science research methods to assist with survey design.

Work was continued on developing the Inspection Standards for ACT Correctional services, and monitoring framework. The standards will be a detailed document setting out expectations around detention practices and will be available to the public.

Optional Protocol to the Convention Against Torture (OPCAT)

The Inspector met on separate occasions with the Australian Human Rights Commissioner, Mr Ed Santow and the Commonwealth Ombudsman, Mr Michael Manthorpe to discuss detention oversight in the context of Australia's ratification of the OPCAT. The OICS will monitor developments towards OPCAT implementation with interest.

ANNEXURE B: SENTENCE ADMINISTRATION BOARD

SENTENCE ADMINISTRATION BOARD OF THE AUSTRALIAN CAPITAL TERRITORY

GPO Box 158
CANBERRA ACT 2601
Telephone: (02) 6207 1563
Facsimile: (02) 6205 3744
e-mail: sab.secretariat@act.gov.au



Mr Shane Rattenbury MLA
Minister for Justice, Consumer Affairs and
Road Safety
ACT Legislative Assembly
GPO Box 1020
CANBERRA ACT 2601

Dear Mr Rattenbury,

This report has been prepared under section 6(1) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements referred to in the Chief Minister's Annual Report Directions. It has been prepared in conformity with other legislation applicable to the preparation of the Annual Report by the Sentence Administration Board.

I hereby certify that the attached Annual Report is an honest and accurate account and that all material information on the operations of the Sentence Administration Board during the period of 1 July 2017 to 30 June 2018 has been included and that it complies with the Chief Minister's Annual Report Directions.

I also hereby certify that fraud prevention has been managed in accordance with Public Sector Management Standard 2016, Part 2.

Section 13 of the *Annual Reports (Government Agencies) Act 2004* requires that you cause a copy of the Report to be laid before the Legislative Assembly within three months of the end of the financial year.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'L Beacroft'.

Laura Beacroft
Chair
Sentence Administration Board
of the Australian Capital Territory
20 September 2018

Don Malcolmson
Deputy Chair
Sentence Administration Board
of the Australian Capital Territory

Sentence Administration Board of the ACT

Background

On 2 June 2006 the Sentence Administration Board (the Board) was established under the *Crimes (Sentence Administration) Act 2005* (the CSA Act, s171).

The Board's functions in summary are to exercise 'supervisory powers', which mainly involves making decisions about release on parole and license, and about breaches of parole, license and Intensive Corrections Orders (ICOs), Other powers include: "on request, to provide advice to a Minister about an offender" and to "exercise any other function given to the Board under the Act or any other territory law" (s172, CSA Act).

Following an amendment to the CSA that came into effect on 2 March 2016, the Board's supervisory powers were extended to

- > decide the consequences of sentenced offenders failing to comply with their obligations under ICOs, and
- > consider the reinstatement of an ICO following its cancellation.

Alongside this latter amendment, periodic detention as a sentencing option was repealed and the Board's supervisory powers for periodic detention orders have become redundant over time.

Membership of the Board

The Board consists of a chair, at least one deputy chair and not more than two deputy chairs or eight other members, and the Minister appoints members for a period not exceeding three years (s174 CSA Act). The chair and deputy chairs are judicial members, who have been "a legal practitioner for not less than 5 years" (s174 (8) CSA Act).

Membership of the Board during the 2017-18 financial year was as follows:

Table 99 **Membership of the Board**

Chair	Ms Laura Beacroft (appointed as Chair 14 May 2017) Mr Michael Chilcott (appointment ended 13 May 2017)
Deputy Chair	Mr Donald Malcolmson (re-appointed as Deputy Chair 14 May 2017)
Members	ACT Policing representative: Superintendent, Judicial Operations, being Superintendent Stephen Turnbull (to 9 October 2017) and Mick Calatzis (from 10 October 2017) Ms Deborah Evans (reappointed from 14 May 2017) Ms Janine Bromwich (from 14 May 2017) Mr Peter Hyndal (from 14 May 2017) Mr Philip Moss (from 14 May 2017) Dr Judy Putt (from 14 May 2017) Ms Diane Bray (from 24 November 2017) Dr John Cianchi (from 24 November 2017)

When exercising its supervisory powers under the CSA Act, the Board is required to sit in divisions consisting of a judicial member and two non-judicial members. Currently, there are two divisions of the Board each sitting alternate Tuesdays and on additional days where the number of matters and/or timeliness in decision-making requires it. The Board has statutory timeframes in which to deal with certain matters, and as a matter of risk management the Board aims to deal with all matters as promptly as practicable.

The Board sat on 62⁷⁹ occasions during the 2017-18 financial year. Of the 62 sittings, five meetings were full Board meetings for training or liaison with the Secretariat or services supporting the Board's work. The Board sat to exercise its supervisory powers on 57 days, which is an increase from previous years

Overview of the Board's work

The Board has statutory jurisdiction to administer sentences imposed by courts on offenders, as mentioned above. The bulk of the Board's work is considering and deciding on whether to grant parole, managing some offenders more intensively while on parole, and considering and deciding sanctions for breaches of parole and breaches of Intensive Correction Orders (ICOs) (parole and ICOs allow an offender to serve their sentence in the community under supervision). Considering the public interest which includes community safety, within a human rights framework, underpins the work of the Board. The Board observes natural justice in its proceedings and decision-making.

During 2017-18, aspects of the Board's work became subject to the oversight of the Inspectorate of Custodial Services. Once legislated, the proposed Integrity Commission will have oversight of the Board and individual members.

The Board is aware of concerns about the risks of offenders serving their sentences in the community, for e.g. under a parole order. A recent study of public opinion about parole suggest that it is "misleading to characterise public attitudes as indiscriminately punitive" - the largest sub-group that emerged from the study thought rehabilitation was appropriate in certain circumstances. However increasing public confidence in the parole and related systems is required⁸⁰. This report aims to provide information about the Board's work, as a contribution to supporting confidence in the Board.

The work of the Board and similar bodies in other states is vital and complex. Over the past decade there have been various reviews of parole and community corrections arrangements in Australia, the most recent being a 2016 review of the Queensland parole system⁸¹. A report on the latter review explained that the "only rationale [for parole] is to keep the community safe from crime", and parole's purpose is to "reintegrate the prisoner into the community" in order "to decrease the chance that a prisoner will ever reoffend"⁸². The latter report noted that "parole is just a matter of timing; except for those who are sentenced to life imprisonment, every prisoner will have to be released eventually"⁸³.

Reviews of parole and community corrections in Australia and comparable nations emphasise that a quality parole system, supported by quality reintegration services, reduces reoffending. For example, a 2014 evaluation of the effectiveness of parole in NSW studied recidivism of 7,494 offenders released from 2009 to 2010. It concluded that active rehabilitation-focused supervision which targets offenders' criminogenic need and risk factors (i.e. supervision that is not just targeting compliance with reporting conditions) can reduce recidivism. Offenders who are actively supervised took "longer to commit a new offence, were less likely to commit a new [serious]...offence and committed fewer

⁷⁹ The SAB can sit for one single matter but mostly sits for a whole day with numerous matters

⁸⁰ Dr Robin Fitzgerald and others, Australian Public Opinion and Parole, Presentation to Bureau of Crime Statistics and Research, 2017 at <http://www.bocsar.nsw.gov.au/Pages/Search.aspx?k=par>

⁸¹ Walter Sofronoff QC, Queensland Parole System Review Final Report, November 2016

⁸² Walter Sofronoff QC, Queensland Parole System Review Final Report, November 2016, paragraph 3, page 1

⁸³ Walter Sofronoff QC, Queensland Parole System Review Final Report, November 2016, paragraph 3, page 1

offences than offenders who were released unconditionally into the community [without supervision]”⁸⁴.

The Board aims to practice ‘therapeutic jurisprudence’, which refers to a way of working that promotes acceptance of the Board’s decisions especially by offenders, and to relate to an offender in such a way that it re-enforces their motivation to be successful when doing their sentence in the community. Therapeutic jurisprudence is not at odds with protecting the public interest and community safety; rather it can enable the community corrections system to operate better, and in this way reduce non-compliance and re-offending⁸⁵.

The various reviews of parole and community corrections arrangements in other states inform discussion about improvements in the ACT. However, it needs to be noted that some of the key problems identified in recent interstate reviews are not present in the ACT. For example, the 2016 review in Queensland, similar to an earlier 2013 review of the parole system in Victoria that is now almost fully implemented⁸⁶, recommends use of the LSI – R⁸⁷. The latter is a risk assessment tool that has been used in the ACT system for some time⁸⁸. In the ACT, the Board makes its decisions informed by the results of such risk tools, along with assessments of community corrections officers, expert reports about an offender’s progress in offence-specific programs, other information including from prior court proceedings, and with input from the offender and where available also input from victim/s.

The Board is continuously working to improve its contribution to community safety and reducing recidivism. For example, during 2017-18 the Board worked with the Secretariat to speed up time for alleged breaches to be first heard by the Board, in order to limit potential risks of non-compliance or re-offending by offenders in the time period up to the first hearing. The Board can and does require management hearings for offenders who pose special risks, even if there are no breaches before the Board. Board members participate in training, for e.g. during the reporting year experts provided training on managing risks of recidivism by sex offenders. The Board participates in discussions with key providers of services to offenders to better understand how they can support the Board in its work, for e.g. during the 2017-18 reporting year services linked to family violence offenders, and housing for offenders, met with the full Board.

Currently the Board cannot report on the specific recidivism rate for persons subject to parole or an ICO in the ACT. However, the Productivity Commission reports on ‘completion rates’, defined as “the percentage of community corrections orders completed in a year that were not breached for failure to meet the order requirements or because further offences were committed”. In the Productivity Commission’s most recent report on 2016-2017 results, in the ACT the completion rate for all community corrections orders was 70.3% (i.e. orders where the offender is serving their sentence in the community rather than in custody and includes orders supervised by the Board). The completion rate for orders involving supervision was better, 71.2%. The ACT completion rates compare with a national average in 2016-2017 for all orders of 72.2%, and for supervised orders of 70%. This data suggests that supervised orders as compared to non-supervised orders result in higher completion rates in the ACT, which is in line with the study of NSW parole outcomes mentioned earlier. In 2016-

⁸⁴ Wai-Yin Wan, Suzanne Poynton, Gerard Van Doorn and Don Weatherburn, *Parole Supervision and Reoffending, Trends and Issues in Crime and Criminal Justice* No 485, 2014, page 6

⁸⁵ David B Wexler, “New Wine in New Bottles: The Need to Sketch a Therapeutic Jurisprudence Code of Proposed Criminal Processes and Practices”, (2014) 7 *Arizona Summit Law Review* 463; Michael King, “Therapeutic Dimension of Judging: The Example of Judging”, (2006) 16 *Journal of Judicial Administration* 92

⁸⁶ Ian Callinan AC, *Review of the Parole System in Victoria*, 2013

⁸⁷ Walter Sofronoff QC, *Queensland Parole System Review Final Report*, November 2016, paragraph 567, page 113

⁸⁸ ACT Auditor-General, *Report on the Rehabilitation of Male Detainees at the Alexander Maconochie Centre*, Report No 2/ 2015, Appendix A

2017, Aboriginal and Torres Strait Islander persons in the ACT had a significantly lower completion rate (56.1% compared to non-Aboriginal and Torres Strait Islander persons 72.6%), and men in the ACT had a slightly lower completion rate than women (70.1% compared to 71.2%)⁸⁹.

The number of persons in custody is increasing in the ACT similar to national trends, and a flow-on is that the number in some areas of the Board's work is also increasing, for e.g. numbers of persons on parole and/or ICOs. In 2016-2017, in the ACT the average daily population subject to a community corrections order i.e. the offender is in the community, was 1036, with the vast majority of these on supervision orders, 1006 – this is an increase from the prior 2 years⁹⁰. Of those on community corrections orders, in 2016-2017 19% were female and 16.3% were Aboriginal and Torres Strait Islander. At 30 June 2018, in the ACT there were 170 persons subject to parole, an ICO or periodic detention being supervised by the Board, compared to 145 in 2017, and 138 in 2016.

A key opportunity in the forward years is improving its system for monitoring, reviewing and reporting about the exercise of its supervisory functions, as the Corrective Services Information Management Solution (CSIMS) Project is rolled out.

During the reporting year I continued as Chair of the Board, having been appointed for three years on 14 May 2017, after being a member of the Board since 26 January 2014. I am an experienced criminal and administrative lawyer, experienced manager, and an author and researcher in related disciplines. Mr Don Malcolmson continued as the Deputy Chair, having been appointed for three years on 14 May 2017. Mr Malcolmson is also an experienced criminal and administrative lawyer, in private practice in the ACT.

Other members are from diverse backgrounds, having been appointed for three years in 2017: Ms Janine Bromwich, Mr Peter Hyndal, Mr Philip Moss AM, Dr Judy Putt and Ms Deborah Evans. Ms Diane Bray and Dr John Cianchi were appointed as members on 24 November 2017 to 13 May 2020, and bring significant skills and experience to the Board's work. Ms Bray is the ACT's 2018 Citizen of the Year, and I acknowledge the special contribution she is making to the work of the Board. Superintendent Mick Calatzis became a member of the Board from 10 October 2017 to 13 May 2020, by virtue of the appointment of the Superintendent Judicial Operations, ACT Police, to the Board. This latter appointment replaced Superintendent Stephen Turnbull. I would like to thank Superintendent Turnbull for his exceptional contribution to the work of the Board over his term.

The members of the Board are subject to statutory duties (s177 CSA Act). During 2017/18 the Board developed a Conflict of Interest/Bias Policy to further guide our work, especially compliance with the principles of natural justice – the Policy will be published and implemented in 2018-2019. The Board is a member of the Council of Australasian Tribunals, and where relevant is guided by the Practice Manual for Tribunals (4th ed).

The Board's decisions are subject to review by the ACT Supreme Court. During the reporting period a judgement relating to a Board decision in 2009 was delivered (*Lewis v ACT* [2018] ACTSC 19), which awarded damages of \$1 to an offender who had not been accorded procedural fairness by the then Board. One new review of a decision was initiated.

I, and the deputy Chair, Don Malcolmson, participated in various law reform projects over the reporting period. Most significantly, we have provided input into the proposed amendments to the restorative justice regime (*Crimes (Restorative Justice) Amendment Bill 2018*) and development of a

⁸⁹ Figure 8.13 and Table 8A.19 'Completion of Community Corrections Orders', Report on Government Services 2018, Productivity Commission

⁹⁰ Figure 8.3, Table 8A.8, 'Community Corrections Offender Population', Report on Government Services 2018, Productivity Commission

charter of rights for victims of crime (*Charter of Rights for Victims of Crime Options Paper*, JACS, 2018).

The Board’s work is ably supported by the staff of the Sentence Administration Board Secretariat. On behalf of the Board, I sincerely thank all staff who are or have been involved with the Secretariat for their quality and conscientious support.

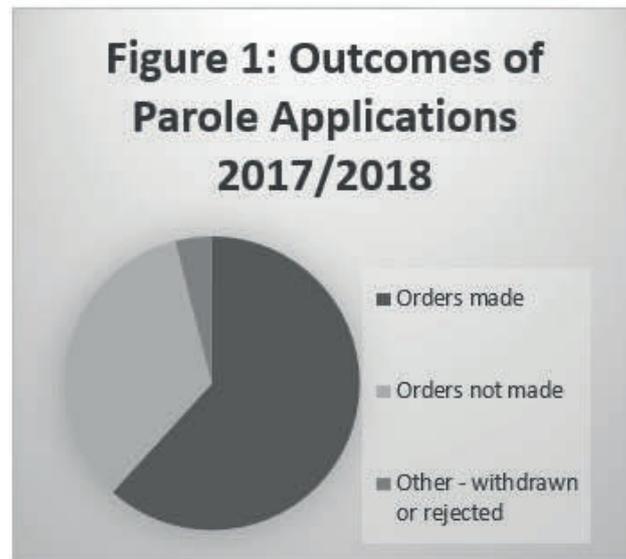
During the 2017-18 financial year, the Board considered 1365 matters, see Table 1 below. Note, the count of matters is not a count of distinct offender cases but a count of matters before the Board, even if the matter is an adjourned offender’s matter from a previous Board meeting or if the one offender returns to the Board with multiple matters. The number of matters before the Board decreased compared to the previous reporting year (1403 and 1939 in 2016-17 and 2015-16 respectively). This change is largely driven by the dropping away of high numbers of periodic detention breach matters to 1, and the slow rise of ICO breaches to 134 as more offenders are sentenced to this relatively new sentence option. Parole matters have decreased slightly compared to 2016-17 (1210 compared to 1279 and 1056 in 2016-17 and 2016-15 respectively). This reflects a decrease in both parole applications (172 applications compared with 192 and 194 in 2016-17 and 2015-16 respectively), and also breach of parole matters (147 compared with 191 and 168 in 2016/17 and 2015-16 respectively).

Table 100 Total matters considered by the Board 2017-18

	2015-16	2016-17	2017-18
Periodic detention	883	46	1
Parole	1056	1279	1210
License	0	0	0
Intensive Corrections Order		78	154
Total	1939	1403	1365

Of the total parole application outcomes, 61.7% resulted in parole being granted (compared to 62.2% and 58.8% in 2016-17 and in 2015-16 respectively), see Figure 1. In short, the majority of parole applications are granted as in previous years. Note, conditions of parole orders vary and are tailored to an offender’s and victim’s circumstances.

Figure 71 Outcomes of Parole Applications 2017-18



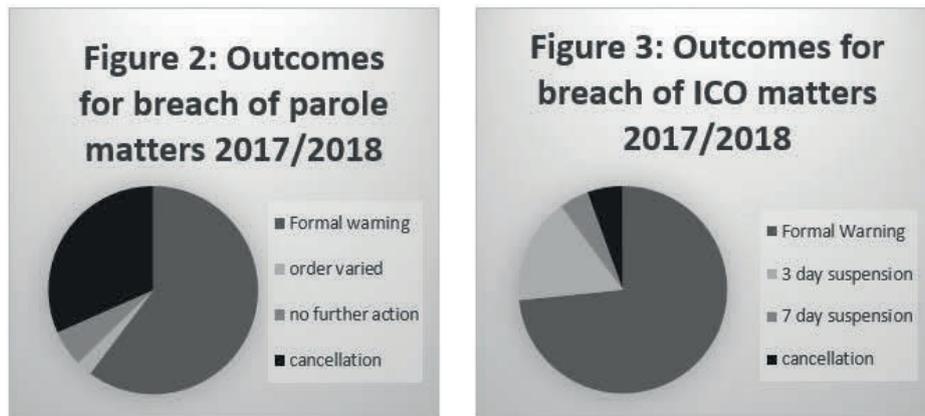
Breaches of ICOs and of parole are complex given the profile of offenders who are subject to these orders. Their complexity requires the Board to take care in obtaining and considering relevant evidence even if this requires adjournments. Therefore, while breach matters have decreased in number, the hearings associated with such matters has increased (586 total hearings which includes 355 for breach matters, compared to 523 total hearings with 273 of these for breach matters in 2015-16, and 467 total hearings with 296 of these for breach matters, in 2015-16).

Compared to previous years, in 2017-18 a much higher proportion of outcomes from parole breach matters resulted in a formal warning (60.2% compared to 42.9% and 36.9% in 2016-17 and 2015-16 respectively). In 2017-18 there was a slightly higher proportion of parole breach matters where orders were cancelled (31.7% compared to 28.7% and 27.6% in 2016-17 and in 2015-2016 respectively). See figure before.

Periodic detention matters were significantly reduced to only 1 matter and 1 hearing, due to the repeal of related legislation and closure of the centre.

Supervision of the new ICOs resulted in 134 breach matters (compared to 77 and 1 in 2016-17 and 2015-16 respectively). The majority of these ICO breach matters resulted in a formal warning, a much higher proportion than previously (73.4% compared to 58.5% in 2016/17), 16.5% resulted in a 3 day suspension, 4.6% resulted in a 7 day suspension to be served by full-time imprisonment (compared to 18.5% in 2016-17), 5.5% resulted in cancellation of the ICO (compared to 6.1% in 2016/17).

Figure 72 Outcomes for breach of parole matters for 2017-18 and outcomes for breach of ICO matters for 2017-18



The Board respects the rights, interests and concerns of victims in Board proceedings, consistent with its legislative framework. As mentioned earlier, as the Chair of the Board I actively participated in consultation about the development of a charter of rights for victims of crime (*Charter of Rights for Victims of Crime Options Paper*, JACS, 2018). The CSA Act already has important legislative provisions that offer support and a voice for registered victims in Board proceedings. The Victim Liaison Officer within ACTCS assists the Board in performing its functions under Chapters 7 and 13 of the CSA Act by establishing contact with registered victims of offenders being considered for release to parole, licence or for an ICO reinstatement. Registered victims are also notified of breach proceedings resulting in cancellation or suspension of an order, and changes to the offender's sentence for ICO, parole and license matters. The Victim Liaison Officer informs victims of the role of the Board, ensures that registered victims are advised of matters relating to the offender's possible release from custody and provides victims with assistance in the preparation of written submissions. The CSA Act provides registered victims with an opportunity to express any concerns they, or their family, have regarding an offender's possible release from custody; the submissions may be secured i.e. confidential to the Board. The CSA Act allows a person to provide a submission to the Board on behalf of a victim. Providing a submission to the Board is voluntary.

The total number of registered victims has decreased to 140 (compared to 154 at 30 June 2017 and 149 at 30 June 2016). However, new registrations of registered victims increased by 45.4% (48 compared to 33 and 36 in 2016-17 and 2015-16), and the number of submissions by registered victims to the Board remained significant (23).

Table 101 ACT Victims Register 2017-18

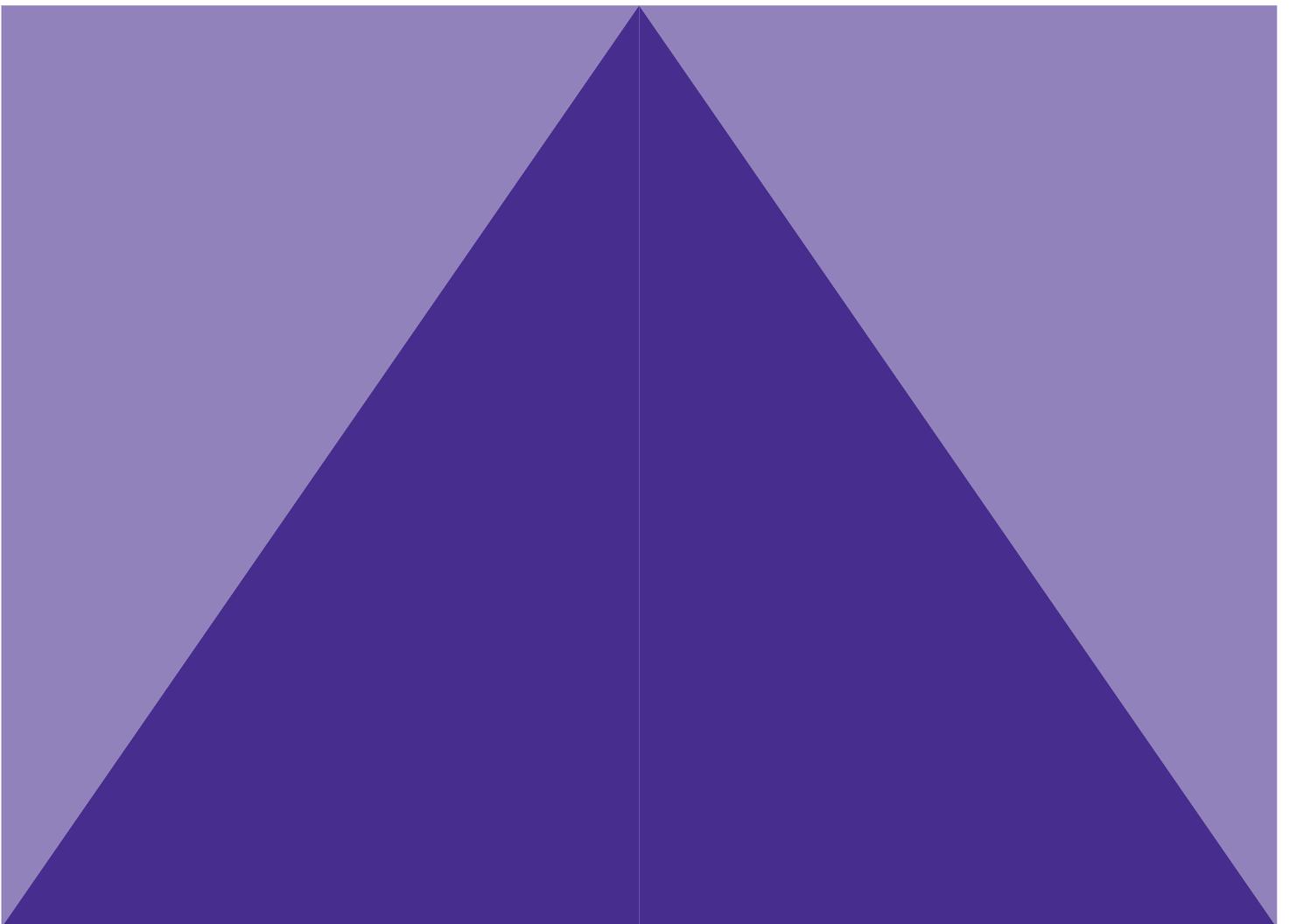
	2015-16	2016-17	2017-18
New registrations by victims	36	33	48
Total victims registered at 30/6/2018	149	154	140
Total submissions to the Board by victims	17	36	23

Laura Beacroft

Chair

Sentence Administration Board

ATTACHMENTS



ATTACHMENT A: ACRONYMS

ACAT	ACT Civil and Administrative Tribunal
ACTAS	ACT Ambulance Service
ACTCS	ACT Corrective Services
ACTF&R	ACT Fire & Rescue
ACTGS	ACT Government Solicitor
ACTLCT	ACT Law Courts and Tribunal
ACTPS	ACT Public Service
ACTRFS	ACT Rural Fire Service
ACTSIEB	ACT Aboriginal and Torres Strait Islander Elected Body
ACTSES	ACT State Emergency Service
AFA	Automatic Fire Alarm
AIIMS	Australasian Interagency Incident Management System
AMC	Alexander Maconochie Centre
ANZCTC	Australia-New Zealand Counter Terrorism Committee
ANZEMC	Australia-New Zealand Emergency Management Committee
APIC	Audit Performance and Improvement Committee
ARIns	Attraction and Retention Incentives
BAZ	Bushfire Abatement Zone
BOP	Bushfire Operational Plan
BPA	Bushfire Prone Area
CAD	Computer Aided Dispatch
CCTV	Closed Circuit Television
CFC	Cultural Facilities Corporation
CFU	Community Fire Units
CHRO	Chief Human Resources Officer
CIT	Canberra Institute of Technology
CLCs	Community Legal Centres
CMTEDD	Chief Minister, Treasury and Economic Development Directorate
CMT	Custodial and Mandatory Training
COAG	Council of Australian Governments
CPSS	Corrections Psychological and Support Services
CRA	City Renewal Authority
CTU	Court Transport Unit
CVE	Countering Violent Extremism
CWI	Capital Works and Infrastructure
DPP	Director of Public Prosecutions
EPSDD	Environment, Planning and Sustainable Development Directorate
ESA	ACT Emergency Services Agency
ESD	ecologically sustainable development
FOI	Freedom of Information
HR	Human Rights
HRC	ACT Human Rights Commission
ICMS	Integrated Case Management System
IGP	Indigenous Guidance Partner
IMT	Incident Management Team
IMX	Incident Management Exercise
JACS	Justice and Community Safety Directorate
LGBTIQ	Lesbian, gay, bisexual, transgender, intersex and queer
LPP	Legislation, Policy and Programs
MPC	Multipurpose Centre
NDRP	National Disaster Resilience Program
NPA	National Partnership Agreement on Legal Assistance Services

NSWRFS	NSW Rural Fire Service
PCO	Parliamentary Counsel Office
PSPF	Protective Security Policy Framework
PTG	Public Trustee and Guardian
RED	Respect, Equity and Diversity
REDCO	Respect, Equity and Diversity Contact Officers
RJU	Restorative Justice Unit
RMP	Resource Management Plan
ROGS	Report on Government Services
RTO	Registered Training Organisation
SAB	Sentence Administration Board
SBMP	Strategic Bushfire Management Plan
SEMB	Security and Emergency Management Branch
SEMSOG	Security and Emergency Management Senior Officials Group
SLA	Suburban Land Agency
SOP	Standard Operation Procedures
SRA	Strategic Reform Agenda
SURP	Station Upgrade Relocation Program
TCCS	Transport Canberra and City Services Directorate
TRN	Territory Radio Network
TWRA	Territory Wide Risk Assessment
VET	Vocational Education and Training
WHS	Work Health and Safety
WIES	Women in Emergency Services

ATTACHMENT B: COMPLIANCE STATEMENT

The 2017-18 Justice and Community Safety Directorate Annual Report complies with the *Annual Reports (Government Agencies) Notice 2017*. The Directions are found at the ACT Legislation Register: www.legislation.act.gov.au

The Compliance Statement indicates the subsections, under the five Parts of the Directions, that are applicable to the directorate and the location of information that satisfies these requirements:

Part 1 Directions Overview

The requirements under Part 1 of the Directions relate to the purpose, timing and distribution, and records keeping of annual reports. The report complies with all subsections of Part 1 under the Directions. In compliance with Section 13 Feedback, Part 1 of the Directions, contact details for the directorate are provided within this report to provide readers with the opportunity to provide feedback.

Part 2 Directorate and Public Sector Body Annual Report Requirements

The requirements within Part 2 of the Directions are mandatory for all directorates and public sector bodies and the report complies with all subsections. The information that satisfies the requirements of Part 2 is found in the report as follows:

- A. Transmittal Certificate, see page 9
- B. Organisational Overview and Performance, inclusive of all subsections, see page 13
- C. Financial Management Reporting, inclusive of all subsections, see page 213.

Part 3 Reporting by Exception

The directorate has nil information to report by exception under Part 3 of the Directions for the 2017-18 reporting period.

Part 4 Directorate and Public Sector Body Specific Annual Report Requirements

The following subsections of Part 4 of the 2017 Directions are applicable to and can be found within this report:

- L. Victims of Crime, see page 359.

Part 5 Whole of Government Annual Reporting

All subsections of Part 5 of the Directions apply to the directorate.

Consistent with the Directions, the information satisfying these requirements is reported in the one place for all ACT Public Service directorates, as follows:

- > N. Community Engagement and Support; see the annual report of Chief Minister, Treasury and Economic Development Directorate
- > O. Justice and Community Safety, including all subsections O.1 – O.4; see the annual report of the Justice and Community Safety Directorate, see page 367
- > P. Public Sector Standards and Workforce Profile, including all subsections P.1 – P.3; see the annual State of the Service Report
- > Q. Territory Records, see the annual report of Chief Minister, Treasury and Economic, Development Directorate.

ACT Public Service Directorate annual reports are found at the following web address:

http://www.cmd.act.gov.au/open_government/report/annual_reports

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