

Part Three

Management and accountability

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CHAPTER 07

Corporate governance

Corporate governance refers to the processes by which the Department is directed, controlled and held to account and encompasses the authority, accountability, leadership, direction and control exercised within the Department.

The governance framework

The Executive Committee

The departmental Executive Committee comprises the Secretary, two deputy secretaries, three general managers, the Executive Adviser and an Executive member (a female at the Senior Executive Service Band 1 level, nominated by the Secretary). The role of the Executive Committee is to set strategic direction and maintain a general oversight of performance. The Executive Committee considers and decides on matters of corporate and governmental significance subject to any specific legal obligations imposed on the Secretary.

Executive appointments

Secretary	Mr Robert Cornall AO
Deputy secretaries	Mr Miles Jordana <i>National Security and Criminal Justice Group</i> Mr Ian Govey <i>Civil Justice and Legal Services Group</i>
General managers	Mr Richard Oliver <i>Corporate Services Group—July 2006 to January 2007</i> Ms Jan Blomfield (acting) <i>Corporate Services Group—since February 2007</i> Mr Graham Fry <i>Information and Knowledge Services Group</i> Ms Sue-Ellen Bickford <i>Financial Services Group</i>
Executive Adviser	Mr Anthony Coles —July 2006 to March 2007 Ms Katherine Reimers —since March 2007
Executive member	Ms Katherine Jones

Audit Committee

The Department's Audit Committee is appointed by, and is responsible to, the Secretary. It advises the Secretary on the Department's:

- systems of internal control
- risk management
- financial reporting and control of public money and assets
- compliance with relevant laws, rules, regulations and directions, and
- internal and external audit matters.

It is established in compliance with section 46 of the *Financial Management and Accountability Act 1997* and order 2.1 of the *Financial Management and Accountability Orders 2005*.

The Audit Committee comprises a Chair, who is external to the Department, and three members, one of whom is external to the Department. The Audit Committee met five times during the financial year. The Secretary, the General Manager Corporate Services Group, the Chief Finance Officer, the Chief Audit Executive and representatives of the Australian National Audit Office were represented at all meetings.

Since 1 July 2002, the internal audit and evaluation function has been performed by Deloitte Touche Tohmatsu under an outsourced arrangement overseen by the Audit Committee and the Chief Audit Executive.

Activities of the Audit Committee

The following are some examples of the internal audit reports that were considered by the Audit Committee during 2006–07.

Post implementation audit of the Chief Executive's Instructions—The audit looked at whether the Chief Executive's Instructions are well understood throughout the Department, whether there is an appropriate level of adherence to them, and whether they provide thorough and unambiguous guidance for staff. A number of recommendations for improvement were made including a training session for new starters. These are being actioned.

Internal audit of the Working Together to Manage Emergencies Grants Program—This audit assessed the adequacy and appropriateness of the procedures relating to the calling, receiving and assessment of the Working Together to Manage Emergencies grant applications, and the procedures being used to

manage the grants. The audit report made a number of recommendations for improvement, which have been actioned.

Internal audit of the Department's internal monthly reporting processes—The audit examined whether the Department's internal monthly financial reporting processes are providing users within the Department and at the Department of Finance and Administration with relevant, accurate and timely financial information. The audit report made a number of recommendations for improvement, which are being actioned.

Internal audit of contract management procedures for Indigenous legal services providers—This audit assessed the appropriateness of the Department's contract management procedures for Indigenous legal services providers. A number of recommendations were made, though in general no issues were noted that indicated the procedures being used were inadequate.

The Department uses a database to monitor the implementation of recommendations made in audit reports. The Audit Committee assesses the nature and timeliness of action on audit recommendations through the information contained in the database.

Information technology governance

The departmental Executive manages information technology (IT) using a formal governance framework, based on the internationally recognised CobiT standard. The Information Technology Executive Committee (ITEC) monitors IT activities from a business perspective.

ITEC membership comprises senior management from the Information and Knowledge Services Group, members of the Executive, and a senior executive selected from one of the non-corporate divisions. The committee met four times during the year in accordance with the ITEC charter.

Accountability framework—integrated performance management

The strategic direction and planned priorities for the Department in 2006–07 are identified in the Attorney-General's Portfolio Budget Statements (PBS). The PBS adhere to the Australian Government's accrual based outcomes and outputs framework and its Performance Management Principles, which guide performance reporting and management.

The Department's organisational structure is aligned as closely as possible with the outcomes and outputs structure. The Deputy Secretary, Civil Justice and Legal Services Group, has responsibility for outputs within Outcome 1. The Deputy Secretary, National Security and Criminal Justice Group, is responsible for outputs within Outcome 2. Divisions within these groups have responsibilities for individual outputs.

The General Manager, Corporate Services Group; the General Manager, Financial Services Group and the General Manager Information and Knowledge Services Group support the two deputy secretaries in producing all the Department's outputs.

The Executive Committee undertakes a performance review of each division twice a year. These reviews focus on organisational performance against business and operational plans. As well as providing a report of performance for core business, each review also reports performance on organisational performance indicators for financial management and human resource management.

The PBS contains performance measures for each item of administered expenditure and for each output within the framework. Performance information against measures contained in the PBS is published in this annual report.

Under the Department's Program for Performance Improvement each staff member has an individual performance agreement in place. Performance is assessed against these agreements twice a year.

Conduct and ethics

The Australian Public Service (APS) Values and Code of Conduct contained in the *Public Service Act 1999* apply to all employees of the Department.

The Attorney-General's Department Agreement 2004 (AGD Agreement 2004) also contains a commitment by the parties to uphold the APS Values and to comply with the APS Code of Conduct. The Department has introduced online training on the Values and Code of Conduct, which is available to all staff. All new staff are encouraged to complete this online training module.

All people who join the Department as employees are provided with a copy of the APS Values and Code of Conduct, as well as relevant excerpts from the *Crimes Act 1914*. They are required to sign a statement that they have read and understood these provisions before beginning employment with the Department.

All new employees are expected to undertake the 'Accountabilities for a Public Servant' internal training program, which informs staff of their obligations for proper conduct and ethical behaviour. During 2006–07, 196 employees attended this program. Since the introduction of the program, 983 employees have attended.

All Senior Executive Service (SES) employees are provided with a copy of the publication *APS Values and Code of Conduct in practice: a guide to official conduct for APS employees and agency heads*.

The APS Values, Code of Conduct, Chief Executive's Instructions (CEI) and other material relevant to ethical conduct are incorporated, as appropriate, into relevant departmental policies, guidelines and instructions and are available on the intranet. In addition, new CEI training that will be ongoing, was introduced this year.

Our People

*Achieving a just
and secure society*

For business managers Cathy Ellis and Marlene Brayshaw, financial reform is about more than reporting and budgets. The pair met in December 2006 at the inaugural Business Manager Network.

At that time, Marlene was trying to adjust to her role, having only joined the Attorney-General's Department four months earlier after working in the private sector as an accountant. Cathy had been a business manager in the Department since 2005, and had previously performed financial and administrative roles in the Department of Defence.

'My position was brand new, so while I was trying to learn about how things worked in the public service, I was also trying to create my job from scratch,' Marlene said.

Working across government to achieve shared goals

'When I met Cathy and the other business managers at the network, I found guidance, mentorship and a great social network. I got a lot of insight from hearing how the other business managers did things, and that has helped me to create my job.'

The Network was formed to encourage a more collaborative and proactive approach to business management, encouraging members to consider their work from a whole of department perspective. The Network also supported the implementation of the new Financial Management framework, which saw business managers placed in every division.

For Cathy, the changes ushered in by the fm framework and the Business Manager Network have been positive.

'Developing the framework was a very collaborative process,' Cathy said. 'We all had input, and I can see from the final product that the advice from the business managers—which came from the coalface—was taken on board. We also have access to an excellent training program, which helped us adjust to the changes.'

The Department now has a healthy, effective and compliant financial management system supported by strong leadership, communication and accountabilities.



Our People

PARTNERING

Business managers Cathy Ellis (left), Criminal Justice Division, and Marlene Brayshaw, Financial Management Branch.

SES remuneration

All SES employees of the Department have their remuneration and other conditions of employment established by Australian Workplace Agreements made under the *Workplace Relations Act 1996*. Further information about SES remuneration appears on page 283.

Risk management

Risk management plans

In November 2006 the Department finalised a new risk management plan, which is based upon the Australian New Zealand Standard for risk management AS/NZS 4360:2004 and has been endorsed by both the Executive and the Audit Committee. The plan was re-certified, with no issues arising, in May 2007, with an internal audit review of the process. It is widely recognised internally that the new plan gives a much stronger focus on risk management across the Department. Under the plan, each output has its own risk treatment plan which identifies risks and mitigation strategies.

Support at senior level for risk management remains visible and strong across the Department. Key personnel act as risk management contact officers within their business areas. Training sessions have been conducted for the risk contact officers in risk management methodology; information relating to developments in risk management is promulgated through this network.

Business continuity management

The Department finalised its business continuity plan, including an avian influenza contingency plan. Much work went into the fine tuning of the business continuity plan before the Department conducted a desktop test of the plan in March 2007. The senior management group and the crisis management team found the test to be a highly successful and thought provoking event. A number of useful issues were identified including which parts of the plan require further clarification. The plan continues to be refined in light of the test and it is proposed that an additional test of the plan will be conducted later in 2007.

Review of information and communications technology (ICT) infrastructure risk

The ICT disaster recovery plan covers:

- regular and systematic backup of data, stored both on and off site
- disaster recovery kits secured and stored at three separate off site locations
- a backup site remote from the main computer centre in Robert Garran Offices
- validation of, and training in, disaster recovery procedures through a series of rolling exercises
- risk management procedures and templates, compliant with AS/NZ4360: 1999, for ICT projects and activities, and
- enhanced power management for mission critical systems.

The ICT disaster recovery plan continues to be tested against identified risks and is exercised at least once per year, where possible in conjunction with operational areas. Testing includes using alternate facilities for set periods. During the year the Australian Secure Network (ASNET) tested its disaster recovery and redundancy arrangements on a number of occasions. This was through planned tests and exercises and through the use of alternate facilities when either 'hot' site was unavailable without disruption to essential services. During the conduct of the APEC themed Exercise Blue Luminary 1 in September 2006 and Blue Luminary 2 in May 2007, ASNET used its contingency site facilities for load sharing of network traffic peaks and as a precautionary measure against potential power interruptions to its primary site.

Fraud control

The Department has a fraud control plan and associated fraud investigation procedures in place. The plan is due for review later in 2007 and will then remain current for the next two years. The plan contains fraud risk assessments where potential opportunities to commit fraud may exist. The methodology used to rank these risks is consistent with the AS/NZS 4360: 2004 standard for risk management, while the plan is compliant with the Commonwealth Fraud Control Guidelines.

There were no instances or allegations of fraud against the Department reported for the reporting period.

Service charters

The Department's service charter articulates the nature and level of services provided to its clients and provides a reference point against which those clients can comment on organisational performance. The service charter also refers clients to information about how to make complaints or comment on performance. The service charter is available on the Department's website at <www.ag.gov.au>.

The charter is supplemented by charters covering the activities of the International Family Law Section of the Civil Justice Division, and the Trade Measures Review Secretariat.

A report of service charter operations is at Appendix 3.

Corrections to errors

The following statements in the 2005–06 Annual Report were identified as incorrect.

- On page 116 it was stated that 149 firearms import permits and 19 embryo export permits were issued in accordance with legislation. It should have stated that 155 firearms import permits and 19 embryo export permits were issued, in accordance with legislation.
- On page 151 it was stated that the National Security Hotline received 41,730 information calls. All information calls are referred to the AFP, ASIO and relevant State and Territory police. The statement should have read 'In 2005–06 the National Security Hotline received 17,328 information calls'.
- Table 1 on page 52 of the 2005–06 Annual Report showed that 10 matters were still being investigated at the end of the 2005–06 financial year. Eleven matters were in fact under investigation at 30 June 2006.

External scrutiny

The Department's operations are subject to external scrutiny from a range of sources as part of the overall accountability framework.

Reports by the Australian National Audit Office

During the reporting period, the Auditor-General issued four reports that included information on the operations of the Department:

- *Report no 1—Administration of the Native Title Respondents Funding Scheme*
- *Report no 6—Recordkeeping including the Management of Electronic Records*
- *Report no 15—Audits of the Financial Statements of Australian Government Entities for the Period Ended 30 June 2006*
- *Report no 22—Management of Intellectual Property in the Australian Government Sector, and*
- *Report no 51—Interim Phase of the Audit of Financial Statements of General Government Sector Agencies for the Year Ending 30 June 2007.*

The Department provided responses to each report and agreed with relevant recommendations. The reports as tabled by the Auditor-General in Parliament and the Department's responses are available on the Australian National Audit Office (ANAO) website at <www.anao.gov.au>. Recommendations were added to the Department's database and action on recommendations was monitored by the Audit Committee. All other ANAO reports were reviewed for relevance to the Department and those recommendations were also added to the database and monitored.

Judicial decisions

Court proceedings arising from prosecutions for terrorism offences and the exercise of counter-terrorism powers in the *Criminal Code Act 1995* (Criminal Code)

R v Thomas; Thomas v Mowbray

On 20 December 2006, the Victorian Court of Criminal Appeal ordered Mr Thomas's retrial for the offences of receiving funds from a terrorist organisation and falsifying a passport. The retrial is due to commence in early 2008.

A control order under the Criminal Code was made in relation to Mr Thomas on 27 August 2006. Mr Thomas subsequently challenged the validity of the control order legislation in the High Court. The High Court hearing on the matter concluded on 21 February 2007 and a decision is expected early in the next reporting period.

R v Lodhi

On 23 August 2006, Mr Lodhi was sentenced to a total of 20 years imprisonment with a non-parole period of 15 years. Mr Lodhi has lodged an appeal against his conviction and sentence, which will be heard by the New South Wales in late 2007. Mr Lodhi's appeal includes a challenge to the validity of provisions of the *National Security Information (Criminal and Civil Proceedings) Act 2004* and sentencing provisions in the *Crimes Act 1914*.

Operation Pendennis—Sydney and Melbourne proceedings

In September 2006, thirteen individuals in Victoria charged with being members of a terrorist organisation contrary to s 102.3 of the Criminal Code and other terrorism offences were committed to stand trial. The trial is likely to commence in late 2007.

In April 2007, nine individuals in New South Wales charged with conspiring to do acts in preparation for a terrorist act contrary to ss 11.5 and 101.6 of the Criminal Code were committed to stand trial. The trial is listed to commence in early 2008.

R v Vinayagamoorthy and Yathavan

Mr Vinayagamoorthy and Mr Yathavan have each been charged with: being a member of a terrorist organisation contrary to s 102.3 of the Criminal Code; making funds available to a terrorist organisation contrary to s 102.6(1) of the Criminal Code; providing support or resources to a terrorist organisation contrary to s 102.7(1) of the Criminal Code; and making an asset available to a proscribed entity contrary to s 21 of the *Charter of the UN Act 1945*. Bail was refused on 26 June 2007.

The court decisions in 2006–07 involving counter-terrorism laws are significant because they are among the first judicial rulings on the application and operation of those laws. The decisions are being closely monitored by the Department to determine whether there might be cause to recommend a modification of the laws.

McKinnon v the Secretary, Department of the Treasury [2006] HCA 45

The High Court's decision in *McKinnon v the Secretary, Department of the Treasury*, handed down on 6 September 2006, confirmed that the *Freedom of Information Act 1982* (FOI Act) gives ministers discretion to issue a conclusive certificate determining that the public interest lies in not releasing nominated documents. This discretion arises only in the limited circumstances set out in the FOI Act.

The High Court focused on the correct interpretation of the power conferred on the Administrative Appeals Tribunal (the AAT) to review the issue of a conclusive certificate. Its decision confirmed that the FOI Act requires reasonable grounds to support the issue of a certificate and that, under the FOI Act, the AAT's review jurisdiction is confined to deciding only whether reasonable grounds exist in the certificate to support the claims made in the certificate. Unlike other FOI decisions, the AAT does not have powers to determine whether the discretion to issue a certificate ought to have been exercised or not. The High Court provided guidance on what 'reasonable grounds' are in this context.

The Department's previous understanding of the provisions of the FOI Act dealing with the review of conclusive certificates conforms with the High Court's decision.

Reports by the Commonwealth Ombudsman in 2006–07

Freedom of information decision making

On 14 March 2006, the Commonwealth Ombudsman released a report of his 'own motion' investigation into (FOI) decision making in Australian Government agencies entitled *Scrutinising government: administration of the Freedom of Information Act 1982 in Australian Government agencies*. The investigation looked at timeliness, consistency and quality of decision making in relation to FOI requests. The report made two recommendations, neither of which is specifically directed to the Attorney-General or the Department. The recommendations are:

- that each agency head issue a clear statement to staff expressing a commitment to sound FOI practice and the goals of the FOI Act, having regard to the kinds of good and bad practice identified in the Ombudsman's report, and
- that the Government consider establishing an FOI Commissioner, possibly as a specialised and separately funded unit in the office of the Commonwealth Ombudsman.

External
scrutiny

The first recommendation was implemented, in relation to the Department's FOI procedures, by the Secretary when he wrote to all staff on 21 February 2007. The second recommendation is under consideration by the Department.

Reports dealing with the operations of the Department by the Australian Law Reform Commission (ALRC)

In June 2006, the Attorney-General tabled ALRC Report 103: *Same Crime, Same Time—Sentencing of Federal Offenders*. The report is the product of a 23 month inquiry into Part 1B of the *Crimes Act 1914*, which covers the sentencing, imprisonment and release of federal offenders. It makes a range of recommendations relating to legislative reform, achieving greater consistency in federal sentencing and the administration of federal sentences.

The Department is consulting with other Australian Government agencies and with State and Territory governments in preparing a response for the Government's consideration. Some of the proposals represent a significant shift in policy and practice, and require detailed consideration.

Inquiries by the Human Rights and Equal Opportunity Commission into complaints by federal prisoners about treatment in state correctional facilities in 2006–07

In 2006–07 the Human Rights and Equal Opportunity Commission asked the Department to comment in relation to complaints by three federal prisoners relating to treatment in State correctional facilities.

The Department responded promptly to the Commission's inquiries, providing information as appropriate, in accordance with privacy obligations.

Financial management

Analysis of financial performance

In 2006–07, the Department's departmental outputs appropriation increased by \$22.3 million or 12 per cent to \$212.7 million, our departmental capital appropriation more than doubled to \$28.1 million and actual administered program expenses at \$470.7 million were 23 per cent higher than in the previous financial year. The increase in both financial and staffing resources in 2006–07 is due to new measures announced by the Government in the 2006–07 Budget and the phasing in of some measures announced in the 2005–06 Budget.

The sustained growth in the Department's resourcing over a number of years through to 2006–07 has increased both the number of staff with financial management roles and responsibilities and the complexity of the Department's financial arrangements and procurement activities. To support staff in this progressively challenging environment, Financial Services Group further enhanced the Department's financial management framework in 2006–07 by implementing a needs based financial management learning and development program.

This extensive program, developed by Financial Services Group in partnership with representatives from other divisions and the Department's Human Resources Branch, is based on a training needs analysis that was conducted in the previous year for all staff in the Department with financial management responsibilities. The program is designed to meet the high priority learning and development needs of staff undertaking their day to day financial management roles and responsibilities and to provide broader based financial management learning and development opportunities for all staff in the Department. The program is also a key component of the Department's internal control framework.

Other major projects implemented by Financial Services Group under the Department's financial management framework in 2006–07 included establishing the new compliance assurance framework supporting effective internal controls and expanded external accountabilities, developing and maintaining a central centre of excellence in procurement policy, guidance and advice for the Department, and establishing a business manager network

to provide better support, to promote knowledge sharing and to enhance communication between divisions and with all corporate services groups.

In addition, during 2006–07 Financial Services Group successfully facilitated the complex financial integration of the former Office of Film and Literature Classification, now Classifications Operations Branch, into the Department on 1 July 2007, further developed the Department’s internal budgeting and reporting systems and processes, improved processes and timeliness for paying accounts, implemented revised portfolio new policy proposal coordination processes together with increased training, and commenced the phased publication of a comprehensive financial guidance and procedure manual on the Department’s intranet.

The Department’s operating result for 2006–07 was a surplus of \$14.1 million compared to the forecast surplus of \$13.1 million published in the 2007–08 Portfolio Budget Statements. The surplus was primarily due to difficulties in recruiting staff and changes in the timing of implementing programs and associated capital plans. Total departmental revenues increased by \$28.1 million or 14 per cent to \$232.0 million and total departmental expenses increased by \$33.4 million or 18 per cent to \$217.9 million. The increases reflect additional funding and activity levels for new measures and programs. The Department’s net assets increased by \$27.2 million or 27 per cent to \$129.2 million due to the surplus operating result and capital funding for measures.

Figure 7: Departmental revenues and expenses, 2005–06 and 2006–07

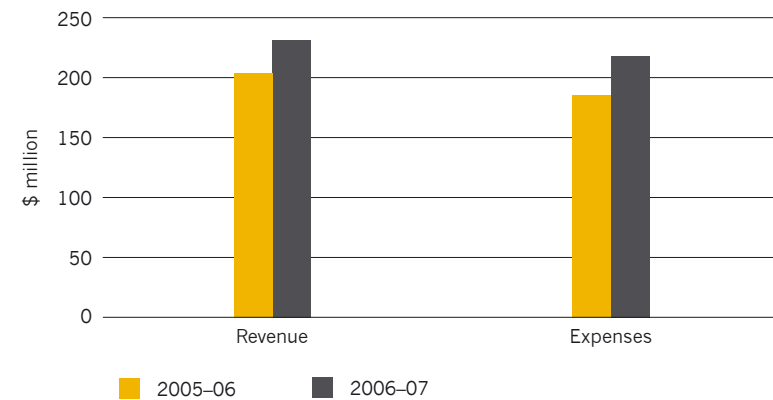
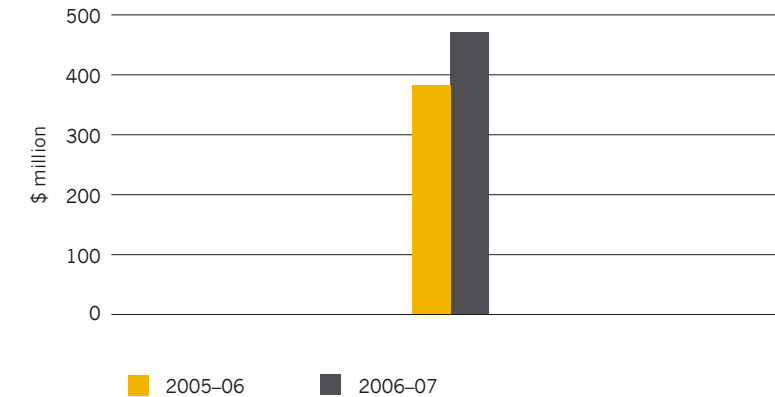


Figure 8: Administered expenses, 2005–06 and 2006–07



Competitive tendering and contracting

During 2006–07, the Department had no contracts to report over the value of \$100,000 that did not provide for the Auditor-General to have access to the contractor’s premises. There were also no contracts over the value of \$10,000 exempted from being published in AusTender by the Secretary of the Department on the basis that to do so would disclose exempt matters under the *Freedom of Information Act 1982*.

Due to administrative processing errors 42 contracts over the value of \$10,000 were incorrectly excluded from being published in AusTender during the financial year. These contracts will be published in AusTender in September 2007.

Financial management

Our People

*Achieving a just
and secure society*

For six years the New Building Project team have looked across the road to the construction site at 3–5 National Circuit and planned for the day when it would be cleared to make way for the new Attorney-General's Department offices. So when the landmark day finally arrived in March 2007, the team gathered excitedly to watch the demolition.

'We've been working on this project since 2001,' Nan Lecomte, the project director said. 'But it really became a reality the day we got together to watch the old building demolition commence.'

Three months later, the team were back on the cleared site to witness another project landmark—the turning of the first sod by the Secretary, Robert Cornall, together with Mr Daryl Browning, CEO of the Industry Superannuation Property Trust, who represented the building's owners.

Working across government to achieve shared goals

The new building will accommodate around 1,000 staff. It has been carefully designed so that it will cope with changes

to business operations and technology, while being accessible to all staff. It will include a child care facility, café, shower and change rooms, bicycle parking, conference facilities, and 350–400 parking spaces in the basement.

Throughout the process, the Property and Support Services team has worked hard to minimise the project's environmental impact. Their efforts have paid off. The team negotiated the first 'green' lease signed by the Commonwealth. The building also makes extensive use of natural light, and meets the Green Building Council of Australia's ecologically sustainable development principles.

Even the demolition process was green. More than 90 per cent of materials from the demolished building—including concrete, steel, glass, metal fabrics, pipes and carpet—will be reused in the construction industry.

Until the new building is completed in 2009, the project team will continue to watch through their office windows as the site at 3–5 National Circuit is transformed.



Our People

PART THREE

Left to right: Mark Tozer, Nan Lecomte, Brian Day and Megan Corbett, Property and Support Services.

Consultancy services

A consultant is defined as an entity—whether an individual, a partnership or a corporation—engaged to provide professional, independent and expert advice or services. The key characteristics of a consultancy are that the services involve the development of an intellectual output that assists with the Department’s decision making, and that the output reflects the independent views of the service provider.

During 2006–07, 41 new consultancy contracts were entered into, involving total actual expenditure of \$1.9 million. In addition, 13 ongoing consultancy contracts were active during the year, involving total actual expenditure of \$838,267.

The main categories of purposes for which consultants were engaged were:

- reviews of processes and mechanisms
- independent assessments, analyses, advice, and application of high level expertise, and
- research into, studies of, and modelling of activities.

Information on expenditure on contracts and consultancies is also available on the AusTender website <www.tenders.gov.au>.

Further information about consultancy services appears at Appendix 4.

Advertising and market research

The Department is required to disclose expenditure made to specific types of organisations under s 311A of the *Commonwealth Electoral Act 1918*. The categories of organisations are advertising agencies, market research organisations, polling organisations, direct mail organisations and media advertising organisations. Details of payments are provided at Appendix 5.

Legal services expenditure

Paragraph 11.1(a) of the *Legal Services Directions 2005*, issued by the Attorney-General under the *Judiciary Act 1903*, requires chief executives of departments and agencies to ensure that legal services expenditure is appropriately recorded and monitored. Chief executives must also ensure that, by 30 October each year, their agencies make records of their legal services expenditure for the previous financial year publicly available. The provision was included to enhance the quality of data available about legal services expenditure by the Australian Government, and to improve the accessibility of that data.

The amount spent on outsourced legal services provided to the Department has remained relatively steady over recent years, at between approximately \$5 million and \$8 million. The Department’s external legal services expenditure for 2006–07 was \$7.049 million. A more detailed breakdown of both internal and external legal expenditure is at Appendix 6.

Discretionary grants

Discretionary grants are payments where the portfolio minister or paying agency has discretion in determining whether a particular applicant receives funding. They may or may not impose conditions in return for the grant.

The Department has eight programs involving discretionary grants:

- Grants to Australian Organisations
- National Community Crime Prevention Programme
- National Emergency Volunteers Support Fund
- Local Grants Scheme
- Legal aid for Indigenous Australians
- Law and justice advocacy services for Indigenous Australians
- Prevention, diversion, rehabilitation and restorative justice services for Indigenous Australians, and
- Family violence prevention legal services for Indigenous Australians.

More information on the activities of discretionary grant programs appears at pages 144 and 236.

Purchasing

The Department undertakes a range of purchasing activities that vary in complexity and value. All staff must adhere to the Commonwealth Procurement Guidelines and the Department’s Chief Executive’s Instructions when they undertake purchasing activities. Staff involved in procurement activities have access to a departmental intranet site specifically developed to help them with their responsibilities and to give them easy reference to purchasing documentation and links to other information. This information is currently undergoing a complete review. A new Financial Guidance and Procedure Manual will be released in July 2007 and the Procurement Guidelines are due to be released in August 2007. In addition, a financial management learning and development program has been launched, which includes modules on procurement as well as authorisations and delegations. The first of these will be available in August 2007.

Stores and stationery items are purchased centrally. This enables the Department to reduce costs through bulk purchasing. Cost benefits and efficiency gains continue to be realised as a result of Department wide contracts for the provision of other goods and services—for example legal services, travel, building maintenance and the collection of recyclable waste material, computer leases, data and voice lines and application development.

Assets management

The Department's major assets are office fitout, internally developed software, commercial off-the-shelf software—including the electronic document management system and information systems for managing human resource and finances—and centrally held library materials. Asset stocktakes were conducted during the year to maintain the accuracy of asset records. Asset guidance and procedures have been rewritten and are to be released for use by staff in July 2007 as part of the new Financial Guidance and Procedure Manual. Each division in the Department has a nominated asset manager who is responsible for maintaining the division's asset register, including updating it for purchase, sale and trade-in activity and reporting any losses as well as monitoring stocktaking processes. The Chief Finance Officer is responsible for approving any asset write off.

Human resource management

Overview

As at 30 June 2007, the Department had a total workforce of 1,329 employees, of whom 1,135 were ongoing employees. It is a diverse workforce, reflecting the wide range of services the Department provides (see *Staff profile* and *Workplace diversity* headings below). Departmental staff numbers for the last five years are shown in Table 6, page 272.

During the year, staff continued to adapt to meet the changing needs of the Department's business. Senior management, Division Heads and HR practitioners worked in partnership to address major workforce issues. The year's challenges included identifying future workforce directions, managing an ageing workforce, attracting and retaining employees, and continuing to develop a healthy and safe workplace to meet business and workforce needs. There was also a continued focus on work-life balance and improved injury management and prevention strategies. A number of initiatives established as commitments under the AGD Agreement 2004 were also implemented while a new collective agreement was developed.

Key initiatives progressed during the year are outlined below.

In **recruitment**, the Department:

- reviewed recruitment procedures
- introduced a temporary employment register to assist business areas in sourcing staff for non-ongoing requirements, and
- increased the number of trainees recruited by 42 per cent.

In **people development**, the Department:

- further developed its leadership program tailored to Australian Public Service 5/6, Executive Level 1, Executive Level 2 and Senior Executive Service and ran a number of successful pilot programs
- extended and modified graduate recruitment process to target 60 new graduates (compared to 40 last year) through two recruitment campaigns

- improved the people development part of the Program for Performance Improvement by adding a link in the online Aurion system to a table that maps APS/AGD capabilities to the relevant training courses on the People Development Training Calendar
- extensively reviewed the range and quality of training courses offered on the People Development Strategy Training Calendar, with results to be rolled out from July 2007
- expanded the traineeship program
- participated in the Indigenous Australian Contract Management Development Program run by the Department of Employment and Workplace Relations, and three participants will join the Department in time for the start of the Program on 4 September 2007
- selected and trained eight new harassment contact officers
- sponsored six Executive Level 2 staff to attend the Australian Public Service Commission's Career Development Assessment Centre
- sponsored an SES staff member to attend the Australia and New Zealand School of Government Executive Fellows Program, and
- developed a suite of financial management learning and development programs, in conjunction with the Financial Services Group, and incorporated them into the People Development Strategy for 2007–08.

In **HR systems**, the Department:

- conducted a check of the 'health' of the HR system. This included investigating the overall usage, a system functionality check, quality of data input, uniformity of data entered and generally how well the HR system was utilised to assist in HR processes
- updated the HR system to the latest version
- developed extensive user documentation for operational staff
- implemented the workload survey for all staff through the HR system, and
- worked in partnership with Financial Services Group to review and develop more efficient and reliable reconciliation processes between the HR and financial systems.

In **occupational health and safety**, the Department:

- offered health assessments to all employees during 2006–07
- conducted a staff survey to gauge the environmental health of the Department
- continued to conduct regular workplace inspections throughout 2006–07. Reports were provided to Division Heads containing recommendations for improvements. There was continual improvement across the Department, with divisions displaying an ongoing commitment to eliminating OH&S hazards, and
- implemented a range of injury prevention and management activities, involving improvements to injury prevention, incident reporting, risk management and safety training.

In **workplace relations**, the Department:

- provided formal training for the newly convened Workplace Relations Committee concerning negotiation skills and the WorkChoices legislation to facilitate the making of a replacement collective workplace agreement
- developed 16 management proposals for the replacement collective agreement, evaluated a statement of claims from the Community and Public Sector Union and elected employee representatives in relation to the replacement collective agreement
- conducted 12 Workplace Relations Committee meetings that focused on negotiating the inclusion of management and employee proposals for the replacement agreement, and
- varied the occupational health and safety (OH&S) arrangements to accord with the changes to the *Occupational Health and Safety Act 1991*, and in particular, the removal of a mandated role for unions in the development of OH&S agreements.

Staff profile

The Department's total workforce, including both ongoing employees and non-ongoing employees, has grown in 2006–07. The increase in ongoing employees can be directly attributed to the growth in the Department due to an increased focus on national security and emergency preparedness, coupled with an increase in demand for policy and legal advice in addition to providing new operational and vetting services.

The Department had a total workforce of 1,329 (or 1,267.65 on a full-time equivalent basis) at 30 June 2007. There was an increase of 21 per cent, compared with 30 June 2006 when staffing numbers were 1,098 (or 1,074.82 full-time equivalent). Appendix 7 provides a detailed breakdown of these numbers by location, classification, gender and employment.

Over the last year non-ongoing employees increased from 11.8 per cent to 14.6 per cent of the workforce. The increase in non-ongoing employment is partly due to general departmental growth, staff separations and the market overall, as well as additional flexibility in recruitment solutions to address the needs across a range of activities within the Department.

Of the 560 staff who joined the Department during 2006–07, 112 staff came from within the Australian Public Service either on promotion or transfer, 141 additional staff were newly engaged, and 307 were employed as non-ongoing staff. Of the 376 staff who separated from the Department during 2006–07, 139 non-ongoing staff either voluntarily ceased or completed their contracts, 121 ongoing staff separated (including termination, redundancy, resignation or retirement) and 116 ongoing staff permanently moved to other APS agencies.

Other matters worthy of note include the following:

- The median age remains comparatively low compared to the APS average at 36 years.
- The number of women working in the Department has remained relatively stable at 58.2 per cent of the workforce in 2006–07 compared to 60 per cent in 2005–06.
- Part-time employment has increased slightly, from 5 per cent in 2005–06 to 6.32 per cent in 2006–07.
- The proportion of employees identifying as being of Aboriginal or Torres Strait Islander descent has increased slightly from 1.2 per cent in 2005–06 to 1.35 per cent in 2006–07.

Table 6: Staffing trends, 2002–03 to 2006–07

	2002–03	2003–04	2004–05	2005–06	2006–07
TOTAL STAFF	760	846	941	1,146	1,329
Ongoing	666	720	824	936	1,135
Non-ongoing	61	88	78	164	160
Irregular/intermittent/casual	33	38	39	46	34
Average age	39	39	38	37	36
Average length of service	N/A	N/A	N/A	4.2	3.7
Proportion female	58.3%	59.7%	59%	60%	58.4%
Proportion male	41.7%	40.3%	41%	40%	41.6%
Proportion part-time	4.9%	5.7%	6.05%	5%	6.3%
SES	62	58	63	69	80
EL1 and 2 equivalent	284	311	343	449	514
APS 1–6 equivalent	381	439	496	582	701
Total excluding casuals	727	808	902	1,100	1,295

Workforce planning

The workforce planning activities undertaken in 2006–07 have identified a number of recurring corporate human resource themes, such as ongoing leadership capability and retaining staff in a mobile workforce. The Department has responded to this with initiatives such as the Graduate Program and Traineeship Program.

Other HR initiatives that have emerged from the workforce planning cycles have included:

- continued implementation and development of a comprehensive People Development Strategy focusing on learning and development programs
- monthly and quarterly executive reporting of key HR statistics and a growing analysis of these statistics

- implementation of an online staff exit survey to assist in the data collection and analysis of the factors causing employees to leave the Department
- enhanced development of the Department's HR information system to facilitate reporting processes and accessibility of data
- review of recruitment guidelines and improved recruitment practices
- implementation of the workload survey, and
- improvements to the performance management process, assisting in an understanding of current and future capability gaps.

Staff retention and turnover

The Department measures turnover by employee initiated separation, consistent with the Australian National Audit Office's methodology. The Department also measures ongoing separations using 'employee separation rate' to provide the ability to compare against the broader Australian Public Service (APS). The 'employee separation rate' is consistent with Australian Public Service Commission reporting data and excludes movements to other agencies and non-ongoing separations.

Employee initiated separation occurs when an employee leaves the Department of their own accord during the reporting period. This includes resignation from the APS, moving to another APS agency, retirement and voluntary early cessation of a non-ongoing contract. The employee initiated separation rate in the Department for 2006–07 was 21.3 per cent. This is higher than the 2005–06 rate of 16.22 per cent.

Nearly one half of all ongoing separations are a result of mobility within the APS. The Department supports the concept of the APS as a 'career service'.

The Department's ongoing separation rate for 2006–07, however, was 10.7 per cent. This includes all ongoing separations including terminations, redundancies, resignations and retirements. It excludes permanent movement to other agencies, and compares favourably with that of comparable agencies.

Workload survey

Under the Attorney-General's Department Agreement 2004 (AGD Agreement 2004) there is a commitment to undertake periodic workload surveys. During 2006–07 the Department implemented a workload survey as part of the commitment to achieving work–life balance. The survey aims to help identify any areas where there might be excessive workloads and to assist with the appropriate allocation of resources.

The survey was conducted online and incorporated into the HR Information System. This enabled more detailed reporting functionality. It was agreed that

data from the survey would be used for annual report purposes. The information to be included in the annual report relates to certain performance indicators, in particular the number of items of legal, policy and operational advice provided to other agencies. Data gathered from this survey will help provide the Department with information to report against these items.

Staff recognition

2007 Australia Day Awards recipients

The Department has its own rewards and recognition program that acknowledges and celebrates the outstanding efforts and contributions of employees.

The annual Secretary's Award recognises individuals or teams who have demonstrated excellence in achieving outcomes above and beyond general expectations. Other awards for excellence are presented by the deputy secretaries and general managers.

Examples of excellence recognised during 2006–07 include:

- the high level of dedication and professionalism demonstrated in delivering on the Council of Australian Government legislative counter-terrorism response to the July 2005 bombings in London
- outstanding contributions in the development and implementation of major family law reforms and systems, and
- outstanding professionalism and dedication in coordinating security arrangements in connection with the 2006 Commonwealth Games in Melbourne.

The full list of recipients of awards during 2006–07 is at Appendix 8.

Work-life balance

The Department's workplace agreements provide a range of employment conditions to assist employees in achieving a balance between their work and other responsibilities.

The AGD Agreement 2004 provides for conditions including:

- part-time work (including guaranteed access to part-time work for a period of three years following the date of birth or adoption of a child)
- job sharing
- home based work
- flextime and other flexible working hour arrangements
- flexible leave arrangements, including the option of purchasing additional leave, and
- a health and wellbeing program.

Additionally, in the course of negotiating a replacement collective agreement proposals were offered including the provision for the introduction of paid adoption leave of 14 weeks, an increase in paid maternity leave from 12 to 14 weeks, an increase in supporting partner leave for the non-primary care giver of a newborn or adopted child from 1 to 2 weeks, the introduction of availability of annual leave at half pay and an extension of the purchased leave scheme.

Workplace diversity

Workforce diversity plan

The Department is currently developing a new workplace diversity plan, which aims to maintain an inclusive work environment that embraces and values the individual differences between people, offering opportunities for all employees to achieve their full potential.

The implementation of initiatives and programs from the Workplace Diversity Plan 2004–06 continued including:

- training for Harassment Contact Officers (HCOs)
- continuing support for the HCO network
- promotion of the Department's online bullying prevention videos for managers and employees
- promotion of the Department's online Workplace Discrimination & Harassment Legal Compliance Course, and
- promotion of the Cultural Awareness Legal Compliance Course.

The Department's strategies are to:

- become an employer of choice for Aboriginal and Torres Strait Islander people, people with disabilities and people from non-English speaking backgrounds
- further embed diversity principles into the Department's culture
- enhance dispute resolution strategies which continue to ensure the Department is providing a fair and equitable workplace, and
- raise awareness of workplace diversity in the Department.

The Department is working to provide support and impetus for the Reconciliation Action Plan developed during the year.

The Department's diversity policies and programs rely on data gathered from individual staff who choose to provide information. Anecdotal and other evidence indicates that diverse staff numbers are higher than those shown by the available data. Staff are actively encouraging to self report across a range of diversity categories.

Family friendly facilities

The Department continues to operate a Carer's Room in Robert Garran Offices, which provides employees with the option of short term care at work for dependants, while continuing to undertake work commitments. Additionally, an Employee Assistance Program provides employees and, where appropriate, family members, with confidential, professional counselling services to assist them in resolving work or personal issues that may be impacting the performance of their work.

The Department is scheduled to move into new accommodation in 2009. Planning is in place for this to include a childcare centre available for the use of employees.

Online training

The Department continues to provide access to a wide range of learning and development opportunities. The Employee Development and Conduct Section has implemented a suite of three online courses, which cover the compliance areas of:

- Australian Public Service Values and Code of Conduct
- cultural awareness, and
- compliance with workplace discrimination and harassment legislation.

These courses are available to all staff to assist the Department in meeting its duty-of-care obligations and will also ensure that employees are aware of their obligations. The courses are user friendly and highly interactive and more than 722 staff have enrolled in them.

Occupational health and safety

As a result of improved injury management and prevention strategies since 2004–05, the workers compensation premium for 2007–08 is 0.75 per cent of payroll, down from 1.45 per cent of payroll for 2006–07. This performance compares extremely favourably with the average premium rate for all Australian Government agencies of 1.55 per cent of payroll for 2007–08 (see Table 7).

Table 7: Four year premium rate comparison

Premium rates	2004–05	2005–06	2006–07	2007–08
Attorney-General's Department	1.79%	1.31%	1.45%	0.75%
All agencies	1.67%	1.77%	1.77%	1.55%

In addition, the Department received a bonus of \$139,131 in respect of the premium for 2006–07 due to improved performance in the areas of injury management, incident reporting, risk management and safety training.

During March 2007 amendments were made to section 16 of the *Occupational Health and Safety Act 1991* (OH&S Act) requiring employers to develop, in consultation with employees, written Health and Safety Management Arrangements (HSMA). HSMA are documents providing a framework for the management of health and safety within the workplace. The Department's consultative processes included two special meetings of the Health and Safety Committee (attended by health and safety representatives) and the programmed delivery of 10 presentations for the Department's employees.

Health assessments were offered to all employees during 2006–07. Six hundred employees participated in assessments, compared to 404 when the assessments were last held in 2004.

Regular workplace inspections were conducted throughout 2006–07. Reports were provided to Division Heads containing recommendations for improvements. There was continual improvement across the Department, with divisions displaying an ongoing commitment to eliminating OH&S hazards.

The number of long-term compensation cases also declined during 2006–07. In addition, new injuries with the potential to become long-term injuries continued to be a focus of attention, resulting in injured employees generally returning to work at the earliest possible time. Non-compensable illnesses also benefited from early intervention.

A range of injury prevention and management activities were implemented, involving improvements to injury prevention, incident reporting, risk management and safety training. Ergonomic workstation assessments were provided for 480 employees, five new health and safety representatives were trained and 492 employees were vaccinated against influenza.

The information on the Department's OH&S performance required under the OH&S Act is provided at Appendix 9.

Collective agreement and Australian workplace agreements

Collective agreement

At 30 June 2007, the Department had 1,241 employees covered by the AGD Agreement 2004, a certified agreement made with employees on 12 August 2004. This agreement has a nominal expiry date of 1 August 2007.

The Department convened a new Workplace Relations Committee (WRC) in March 2006 to act as the primary consultative body for the development of a new collective agreement. The intention is to replace the Attorney-General's Department Agreement 2004 at a time coinciding with, or as close as possible to, its nominal expiry date. The new WRC consists of the Chair (management), three management representatives, four elected employee representatives with classification based constituencies, employee representatives of shiftworker and part-time employees and two nominees of the Community and Public Sector Union.

The WRC met formally for the first time in December 2006 to negotiate the replacement collective agreement, after undertaking training in negotiation skills and the WorkChoices legislation to facilitate the agreement making process. In March 2007, in response to a request by WRC employee representatives, and in light of an indication of general employee support, the Department agreed to seek to negotiate a union collective workplace agreement, representing a significant change from the previous four agreements, which had each been made directly with employees.

At 30 June 2007, following extensive consultation through the WRC concerning various management and employee proposals in relation to a replacement agreement, the Department's management was close to finalising a proposed agreement offer.

Key features included:

- a 4.5 per cent per annum base salary increase in each of the three years of the agreement
- equal rates of employer superannuation contribution for employees who exercise 'superannuation choice'
- an increase from 12 weeks to 14 weeks paid maternity leave
- the introduction of 14 weeks paid adoption leave
- an increase in supporting partner leave (in the event of birth or adoption) from five days to 10 days
- enhancement of the purchased leave scheme, which currently allows up to four weeks, to enable the purchase of up to eight weeks leave a year
- the option to elect to take annual leave at half pay, and
- reversion to a credit-based personal leave arrangement for ongoing employees from the present sick and carer's leave arrangements, which are not credit based.

The proposed agreement provides for one of the most flexible and beneficial personal leave packages available across the APS. Features include 22 days credit per annum, up to 17 days allowable per year for caring purposes and Secretary's discretion to provide additional personal leave credits and to exceed the 17 day limit for caring purposes.

The proposed agreement also provides for generous transitional arrangements for calculating employees' starting credits under the new system.

It provides movement to a common flexible working hours arrangement for Executive Level employees from the present two-tiered system, which has some Executive Level employees working under the flextime system and others working less formal flexible working hours arrangements

The proposed agreement contains a comprehensive clause which outlines the operating principles of these arrangements and is designed to ensure that Executive Level employees continue to have their efforts appropriately recognised and that they are able to balance their work and life/family responsibilities.

Australian Workplace Agreements

All the Department's substantive SES employees have their remuneration and other conditions of employment provided for under Australian Workplace Agreements (AWAs) made under the *Workplace Relations Act 1996*. All AWAs are developed within the framework of the SES remuneration policy.

Main features of the policy include:

- a set of principles upon which remuneration is based, including accountability, flexibility, equity, reward for excellence and encouragement of individual growth
- a salary band for each SES classification
- possible performance pay
- superannuation coverage under either the Commonwealth Superannuation Scheme, Public Sector Superannuation defined benefits scheme, Public Sector Superannuation Accumulation Plan, and, for eligible employees, the option of superannuation choice of fund
- access to a Commonwealth leased privately plated vehicle or cash-in-lieu and an office car park, and
- access to salary packaging arrangements.

All the Department's SES AWAs are to be reviewed in the second half of 2007, and new AWA offers are expected to be made soon after the replacement AGD Collective Agreement is finalised.

AWAs also cover 51 non-SES employees. These primarily cover specific casual employees and provide penalty rates for unusual hours of employment, or are used for other employees for the purpose of providing additional employment conditions such as overseas posting allowances, enhanced remuneration rates for specific work or skills, or variations to normal leave conditions.

Performance pay

Performance pay is not available to non-SES employees under the AGD Agreement 2004. Access to performance pay is available to SES employees covered by an AWA and may be available to non-SES employees under arrangements negotiated for inclusion in an AWA.

For employees with access to performance pay, the Secretary may determine that an employee is entitled to a performance bonus of up to 15 per cent of the employee's salary. Performance pay, if awarded, is available after the final performance appraisal for the year under the Program for Performance Improvement. All decisions concerning performance pay are based on achievement against agreed performance criteria.

Details of performance pay made in 2006–07 are shown in Table 8. These payments relate to performance during the 2005–06 financial year. Classifications are grouped together to ensure that payments to individuals cannot be identified.

The aggregate payment for the Department as a whole was \$632,343.

Table 8: Performance payments made in 2006–07^a

	Classification level ^b	
	Non-SES and SES Band 1	SES Bands 2 and 3
Number of employees receiving payment	33	17
Aggregated amount of payments	\$363,903	\$268,440
Average bonus payment	\$11,027	\$15,791
Range of payments	\$5,465–\$16,274	\$9,294–\$21,557

a. Payments made in 2006–07 relate to performance during the financial year 2005–06.
 b. Classifications are grouped to ensure payments to individuals cannot be identified.

Training and development

People development strategy

The People Development Strategy has further developed this year through additional consultation and feedback. The key learning and development needs identified from the feedback received are:

- leadership development to include
 - people management skills across all levels
 - developing future leaders at the APS 6 and Executive levels
 - SES development
- policy development skills to include
 - more Department specific training—incorporating in-house expertise
 - different levels of training targeting the less to the more experienced
- navigating government
- project management skills
- research and writing skills to include
 - the transition from academic skills to those tailored to the Australian Public Service
- communication skills to include
 - oral presentations
 - representational skills, and
- financial management learning and development as developed by the Financial Services Group.

Implementation of the strategy during the year included:

- new leadership programs
- better alignment of capabilities and the in-house learning and development programs with the Program for Personal Improvement system
- further use of the panel of providers put in place last year
- an expanded traineeship program, and
- an expanded graduate recruitment campaign.

Figure 9: Departmental staff numbers from 2003 to 2007, at 30 June 2007

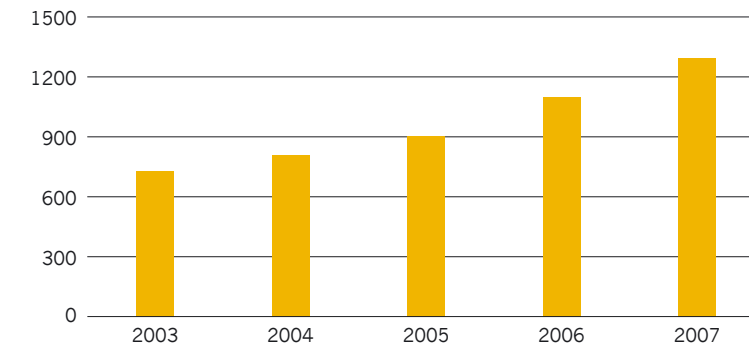


Table 9: Salary ranges under Attorney-General's Department Agreement 2004 and Australian Workplace Agreements, at 30 June 2007

Classification	Salary rates (\$)
SES Band 3	179,475–195,520
SES Band 2	143,367–157,560
SES Band 1	116,243–127,400
Executive Level 2	85,454–102,679
Principal Legal Officer	85,454–102,679
Executive Level 1	74,092–90,151
Senior Legal Officer	74,092–90,151
APS Level 6	58,074–66,711
APS Level 5	53,770–57,016
APS Level 4	48,207–52,342
Legal Officer	43,254–66,711
APS Level 3	43,254–46,682
Graduate APS	41,085–42,111
APS Level 1–2	33,556–42,111
Cadet APS (practical training)	33,556–37,084
Cadet APS (full-time study)	18,306

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Information technology training

Training in information technology assists the Department's staff to make the best use of technology. There were 3,054 attendances at the Department's IT Training Centre in 2006–07, an increase of 394 attendances over the previous year. Training was provided on a range of IT related topics, including desktop applications, IT security awareness, IT for new starters, electronic document and records management and web authoring. There has been an increased focus on providing customised IT training for the particular needs of various work areas in the Department. An innovation during 2006–07 was the introduction of a 'walk in' program. These sessions provide short, intensive one-to-one training with a dedicated instructor and are a very efficient way to deliver specialised training.

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Information and knowledge management

The Information and Knowledge Services Group (IKS) provides the Department with IT services, communication systems, electronic information services, knowledge management and library services. It also provides secure inter-agency communications between Australian Government and state and territory organisations during a crisis.

IT infrastructure

The Department's Wide Area Network (WAN) comprises links between 14 Canberra locations, the Emergency Management Australia Institute in Mount Macedon, Victoria and offices in Sydney and Perth. With the Department's growth, the number of locations has doubled in the last 12 months, resulting in the relocation of 380 staff. In February and April 2007, 125 laptop computers were replaced during business hours with little disruption to staff.

This year IKS implemented an innovative approach to software development and maintenance. The new method combines Rapid Application Development techniques (such as prototyping and structured workshops with clients) with Service-Oriented Architecture (including libraries of programs and screens shared between projects through a common front end). The initiative has reduced the average time to deliver most software development projects by around 75 per cent.

As part of the client engagement model, IKS trialled the Mobile Help Desk Service providing face-to-face IT support as well as gaining a better understanding of clients' needs. The pilot is currently being evaluated.

IKS has developed a standard approach to rapidly deploy its technology and services to meet demand. For example, Senator Johnston's Parliament House, Perth CBD and Belmont Electorate offices were provisioned within two weeks. Deployment teams have delivered technology to many other projects such as commissions of inquiry and counter-terrorism activities in similar timeframes using the standard approach.

Information
and
knowledge
management

PART THREE

Pacific 'twinning'

Officers from IKS travelled to Samoa and Tonga from 14 to 29 April 2007 to undertake a Pacific Governance Support Program activity sponsored by AusAID. The program's objective was to increase the effectiveness of legal information management and research within 'twinning' agencies in Tonga and Samoa. The Lionel Murphy Library has been 'twinning' with law office libraries in the South Pacific since 1992.

Information Services Branch staff provided basic computer, Internet and legal research training to 200 law and justice sector employees. The team also assessed IT needs with a view to developing a strategic plan for the management of information in the 'twinning' agencies.

AGIS Plus Text

The Attorney-General's Department Information Service (AGIS) Plus Text product, a comprehensive index to Australian, New Zealand and Asia-Pacific law journals, is sold through RMIT Publishing and is ranked second in the top 10 RMIT products for 2007. This is up from 2006, when AGIS Plus Text was ranked consistently third in sales.

AGIS Plus Text is provided by Information Services—Lionel Murphy Library at the Department. The service is updated monthly, and contains full text articles from 1999, with an index provided from 1975. There are currently 14,657 full text articles and 123,540 indexed articles available from RMIT.

Other key outcomes

IKS delivers more than 100 projects per year to support the efficiency of the Department's program areas. For example, this year IKS services and equipment contributed directly to management of natural disaster responses, family crisis centres, the Oil-for-Food Inquiry, the national security hotline, international prisoner exchange, grants management and a range of inter-agency collaboration exercises.

Government communications in a crisis

In the 2006–07 Budget, six projects were funded to improve government communications during a crisis. IKS is responsible for two projects—building a link between secure government networks and improving the resilience of the National Security website in the event of failures in the Australian Internet infrastructure. In 2005–06 the Department of the Prime Minister and Cabinet and the Attorney-General's Department led the Review of the Australian Government's Crisis Governance Arrangements. The review identified the need to enhance government communications during a crisis. The IKS contribution towards the aim includes building a link between secure government networks and improving the resilience of the National Security website in the event of failures in the Australian internet infrastructure.

Social equity impacts

Social justice

In pursuing its mission of achieving a just and secure society, the Department works to implement an extensive social justice agenda. This agenda is founded on the principles of access and equity and the rights of all citizens to live in a just and secure society. It accords with the *Charter of public service in a culturally diverse society*. Most areas of the Department are involved in this work.

A primary responsibility of the Department is the maintenance and development of a federal system of justice that serves individuals, families, business and the community. In addition, numerous initiatives progress particular social justice objectives; these are documented in the 'Performance reports' section of this report. Furthermore, the objective of promoting social justice more generally is supported by many of the programs and activities undertaken by the Department. Some of these are set out below.

Family law reforms

The Department has worked closely with service providers to ensure the new services established through the Government's package of family law reforms are accessible to everyone who needs them, including Indigenous people and people from culturally and linguistically diverse communities.

Each of the new 15 Family Relationship Centres (see page 31) was required to implement initiatives to attract and support Indigenous clients. In addition, four of the centres received specific funding to engage advisers to work with Indigenous communities. To support their work, the Department held national meetings with these advisers in October 2006 and March 2007.

The Family Relationship Advice Line has trained almost 20 Indigenous staff to provide services to Indigenous families. Fifteen Indigenous staff in Family Relationship Services Program services also received mediation training, which was jointly funded by this Department and the Department of Families, Community Services and Indigenous Affairs.

The community education campaign supporting the family law reforms also took into account the needs of diverse groups. Information sheets on the reforms were translated into 15 community languages. The Department developed and disseminated materials specifically for Indigenous communities, including posters and an information booklet. Press and radio advertisements were also placed in Indigenous and major ethnic media.

Intercountry adoption

The Department is responsible for implementing the Australian Government's decision to assume responsibility for the establishment and management of Australia's intercountry adoption programs, as a result of the Government's response to the House of Representatives Standing Committee on Family and Human Services' *Overseas Adoption in Australia* report.

The Department is taking a strategic approach to the management and establishment of intercountry adoption programs. This approach will ensure that Australia's intercountry adoption programs uphold our obligations under the *Hague Convention on the Protection of Children and Co-operation in respect of intercountry adoption* including the fundamental obligation to meet the best interests of the child.

To improve communication between the public and the Australian Government, and to provide greater access to information on intercountry adoption issues, the Department is developing a website, which is expected to be launched in the coming financial year.

Indigenous liaison pilot program

The Australian Government provides nearly all the funding for the Family Court of Western Australia. In the 2007–08 Budget, the Government is providing additional funding to the Court of \$700,000 for an Indigenous Liaison pilot program, which will improve the delivery of family law services and access to justice for Indigenous families in Western Australia.

National Community Crime Prevention Programme

The National Community Crime Prevention Programme (NCCPP) provides practical support to grassroots projects that aim to enhance community safety and crime prevention by preventing or reducing crime and anti-social behaviour, improving community safety and security, and reducing the fear of crime. The program is designed to provide the additional resources often needed by communities to develop their own projects and find ways to work together for the shared goal of enhancing community safety.

Funded projects can focus on individuals, through the provision of activities such as employment assistance, or assistance with breaking down the intergenerational divide. Projects may also focus on working with a broader community of interest through the development of culturally appropriate resources to raise public awareness.

During 2006–07, round four of the NCCPP was announced by the Minister for Justice and Customs. Eighty-six of the funded projects, which received funding totalling over \$16.8 million, were in one or more of the following target areas:

- Aboriginal and Torres Strait Island peoples
- ethnic communities
- people with disabilities
- elderly people
- community groups
- children (0–12 years)
- youth (13–18 years)
- families
- homeless people, and
- victims of crime.

The Department also manages the Federal Parole System and the International Transfer of Prisoners Scheme. These arrangements support the rehabilitation prospects of prisoners and their reintegration back into the community by ensuring they are supervised while in custody and upon release and have access to programs, family and social networks.

Emergency management for remote Indigenous communities

The emergency management needs of remote Indigenous communities were identified as a key issue by a review directed by the Council of Australian Governments *Natural Disasters in Australia: Reforming mitigation, relief and recovery arrangements (2002)*.

In particular the review and subsequent activities highlighted the need for emergency management for remote Indigenous communities to be undertaken within a community development framework to work towards an effective and sustainable community based approach to emergencies.

The Department, through Emergency Management Australia, is facilitating Australian Government support for the implementation of the *Keeping Our Mob Safe: National Emergency Management Strategy for Remote Indigenous Communities*.

The strategy provides direction for emergency management and a framework for a coordinated and cooperative approach for risk assessment, decision making and resource allocation. Its focus on preparedness and prevention enables the lack of capacity in remote Indigenous communities to be addressed by governments and organisations at all levels before communities are faced with emergencies.

Australian Government support for the implementation of the strategy is being provided through a partnership approach with remote Indigenous communities, States and Territories and local government.

Inclusive emergency management with culturally diverse communities

In the 2005–06 financial year, Emergency Management Australia undertook the Inclusive Emergency Management with Culturally Diverse Communities (CALD) project, which was funded by the Department of Immigration and Citizenship. The funding has been extended to cover the financial years 2006–07 to 2009–10.

This EMA program arose out of the Prime Minister's Summit with Muslim community leaders on 23 August 2005 and the Council of Australian Governments meeting to discuss national counter-terrorism arrangements.

The EMA program is a component of the National Action Plan to Build on Social Cohesion, Harmony and Security to implement the Statement of Principles agreed at the Summit. The Plan focuses on education, awareness raising and capacity building measures and in EMA's case it is directed at helping CALD communities to prepare for, respond to and assist recovery from incidents, crises and other emergencies in Australia.

The CALD project comprised the following initiatives:

- a review of the *Guidelines for Working with CALD Communities in Emergency Management* (being prepared for publication as at 30 June 2007 and to be made available on the EMA website <www.ema.gov.au>)
- learning materials designed to increase engagement between CALD communities and the emergency management sector for integration into relevant EMA training programs, and
- a pilot action learning project consisting of two workshops and an agreed culturally appropriate work project in the weeks between the workshops: the projects have brought together representatives from CALD communities and the emergency management sector from six jurisdictions.

Legal aid and legal services

The Department administers the Commonwealth legal aid program through which the Australian Government funds legal aid commissions in each State and Territory to provide legal assistance to disadvantaged Australians in matters arising under Commonwealth laws. The commissions use the services of both salaried lawyers and the private legal profession to provide legal representation. Other services provided by legal aid commissions include information, community legal education and legal advice (including advocacy and minor assistance such as preparation of documentation and advice on process), and duty lawyer services. In 2006–07 a total allocation of \$155 million was administered.

The Department administers the Commonwealth Community Legal Services program, which supports and funds community legal services as part of the Australian Government's contribution to legal aid in Australia. Community legal centres are community based,

independent, non-profit organisations that provide a range of assistance on legal and related matters to people on low incomes and those with special needs. In 2006–07, \$25.7 million was appropriated to the Community Legal Services program, including a one-off \$1 million funding boost for a range of information technology and training initiatives. Of this total, \$22.06 million was allocated to the 128 community legal centres across Australia for direct service provision. The remainder was spent on State program manager functions, a regional law hotline, general program support and data system maintenance. The program provides funding for generalist as well as specialist community legal services. Specialist services include those that provide assistance for women (including Indigenous and rural women) and youth, and assistance with child support, environmental law, the *Disability Discrimination Act 1992* and welfare rights.

Indigenous-specific programs and services

The Department administers a number of Indigenous-specific programs that support a range of culturally appropriate services for Indigenous Australians. These services include projects in the Prevention, Diversion, Rehabilitation and Restorative Justice program; Law and Justice Advocacy Development program; Family Violence Prevention Legal Services program; and Legal Aid for Indigenous Australians program. In 2006–07, the Department administered more than \$74.9 million in funding assistance to organisations for the provision of these services to Indigenous Australians.

The Department also provides funding for casework that meets a number of objectives:

- promoting the review of laws and administrative practices that have the effect of discriminating against Indigenous Australians
- promoting the recognition of Indigenous Australians' rights through the conduct of litigation, and
- promoting the resolution of inconsistencies and ambiguities in the application of existing laws to Indigenous Australians.

In 2006–07, the Australian Government announced an additional increase in funding for an expansion of the Family Violence Prevention Legal Services (FVPLS) program from 26 to 31 FVPLS units. Funding for this initiative also included an expansion of existing FVPLS units and the Early Intervention and Prevention Program (EIPP). The EIPP was developed as a means to deliver programs in rural and remote Indigenous Communities that prevent the occurrence of family violence and sexual abuse, by changing the behaviours and attitudes of individuals and the community. To gain funding, organisations must deliver culturally appropriate activities accessible to specific groups of Aboriginal and Torres Strait Islander peoples (such as teenage boys or young mothers) that intervene in the cycle of family violence and sexual assault and promote change in individuals and the community.

The Australian Government provided \$55.2 million in the 2006–07 Budget for a whole-of-government initiative to tackle substance abuse and petrol sniffing, with particular focus on Central Australia. As part of this initiative, the Department has a budget of \$14.9 million over four years to support prevention, diversion, rehabilitation and restorative justice initiatives as part of an integrated package to combat substance abuse. The Department's role in this coordinated approach is through the funding of new projects, including targeting earlier stage intervention and providing identified pathways for those exposed to the criminal justice system, or at risk of exposure, for more productive participation in the community.

The Department also contributes to the implementation of the decisions made by the Council of Australian Governments following the intergovernmental Summit on Violence and Child Abuse in Indigenous Communities on 26 June 2006. This has included amendment to the *Crimes Act 1914* to ensure that in bail and sentencing decisions no customary law or cultural practice can be considered to excuse, justify, authorise, require or lessen the seriousness of criminal behaviour and that the impact on granting bail on victims and witnesses, particularly those in remote communities, is taken into account in bail decisions. These amendments were contained in the *Crimes Amendment (Bail and Sentencing) Act 2006* which came into force on 12 December 2006. The Department has also contributed to the ongoing development and implementation of community legal education programs, and judicial training on Indigenous issues.

This Department is working with the Department of Families, Community Services and Indigenous Affairs (FaCSIA) in the negotiation of Shared Responsibility Agreements (SRAs). The Department is providing funding towards a number of SRAs supporting community level initiatives such as night patrols and diversionary programs for youth who are at risk. The communities that have entered into SRAs with the Department have primarily developed youth related projects with an emphasis on preventive and restorative justice initiatives. Communities are seeking to disrupt cycles of offending as early as possible.

The Helping Our People Engage Aboriginal and Torres Strait Islander Corporation (HOPE) developed an SRA project focused on re-engaging young people at risk of coming into contact with the criminal justice system. This SRA, implemented in late 2005, also received support from FaCSIA and the Department of Education, Science and Training. HOPE provides meaningful activities for Indigenous youth in the Sunshine Coast area, including the creation of individual aspirational plans, with youth meeting at their community centre to participate.

The Human Rights Branch met with the Human Rights and Equal Opportunity Commission, disability groups and industry to discuss issues surrounding accessible DVDs. Subsequent discussions between stakeholders led to a decision by the Film Finance Corporation (FFC) in May 2007 to require captions on all FFC financed feature films from 1 July this year, which will provide access to films and DVDs by Australians who are deaf or hearing impaired.

The Branch also provided input into the Department of Communications, Information Technology and the Arts Digital Content Strategy to ensure it recognised the needs of people with a disability.

At the Prime Minister's Summit with Muslim community leaders on 23 August 2005, it was agreed that all Australian governments and Muslim communities would work together to produce positive outcomes that protect Australia against violence, terrorism and intolerance as well as promote the common goals of harmony and understanding.

The Government, in close consultation with Muslim leaders, developed the National Action Plan to Build on Social Cohesion, Harmony and Security to help combat extremism and promote tolerance. The plan includes educative measures being undertaken by the Department and the Human Rights and Equal Opportunity Commission to enable the Muslim community to respond to emerging issues, including national security and law enforcement issues, as well as discrimination and intolerance.

Commonwealth Disability Strategy

The Australian Government is committed to bringing about a society in which people with a disability can participate fully as valued and equal citizens in the community.

In 1994, the Commonwealth Disability Strategy was introduced to provide a planning framework to help Australian Government organisations meet their obligations under the *Disability Discrimination Act 1992*. The strategy recognises that government programs, services and facilities have an impact on the lives of people with disabilities, and is ultimately about enabling full participation of people with disabilities.

Under the strategy, agencies are obliged to remove barriers that prevent people with disabilities from having access to these policies, programs and services. This means ensuring that people with disabilities have the same access to buildings, services, information, employment, education, sport and recreational activities as everyone else in the community.

The reporting framework for the strategy incorporates five key roles that government may play in implementing the strategy: policy adviser, regulator, purchaser, provider and employer. The Department reports on its role as a policy adviser and employer (see Appendix 10).

Social equity
impacts

Our People

*Achieving a just
and secure society*

It all started with a conversation between Attorney-General's Department staffers Alison Playford and Catherine Hawkins sympathising with the plight of newcomers to the Department suddenly immersed in the complex process of drafting legislation.

On one hand they saw an often bewildering experience for new staff, on the other they saw a vast store of practical knowledge and experience within the Department going untapped.

Working across government to achieve shared goals

What they envisaged was a survival kit for new staff that took the mystery out of the legislation process and provided a comprehensive source of information for anyone developing Bills.

'The survival kit needed to provide everything you ever needed to know about developing a Bill and having it survive the process of becoming a Commonwealth Act.

'When developing the kit we relied heavily on information that was already available including material from the Office of Parliamentary Counsel's training courses and the Department of the Prime Minister and Cabinet legislation handbook. We also looked at what other departments had done,' Alison and Catherine explained.

Alison Playford and Catherine Hawkins recommend that the 65 page survival kit should be read in conjunction with PM&C's legislation handbook. Together, the two guides track the entire legislation process, step-by-step from policy authority and bids through drafting and on to Royal Assent and commencement.

The survival kit team has also included check lists identifying each step in the process with suggested timelines and descriptions of the roles and responsibilities of those involved. It also links to other key sources of information.



Our People

PARLIAMENTS

Catherine Hawkins (left) and Alison Playford, survival kit coordinators.

Ecologically sustainable development and environmental performance

The Department is required to report on a number of matters under section 516A of the *Environment Protection and Biodiversity Conservation Act 1999*. These matters relate to the manner in which the Department's activities accord with the principles of ecologically sustainable development (ESD) and its outcomes contribute to ESD, and the effect of the Department's activities on the environment.

The Department's principal function is to provide policy advice to government. Its activities are consistent with the first of the ESD principles—that 'decision making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations'. Its activities have less direct relevance to the remaining principles. (For more information on ESD, see the Department of the Environment and Water Resources website at <www.environment.gov.au/>.)

The coordination activities and leadership role of Emergency Management Australia help minimise the environmental and economic effects of disasters, including natural disasters, and aid in recovery processes.

The Department strives to limit the impact of its activities on the environment by ensuring the efficient use of natural resources and effective waste management. The Department works to introduce initiatives that will complement existing strategies.

A range of practical strategies are in place to address environmental management issues. They include:

- educating staff in ways to reduce energy consumption
- recycling paper and toner cartridges
- promoting double sided printing and photocopying where possible
- turning equipment off after hours
- down rating fluorescent tubes, and
- buying energy efficient equipment.

The Department's electronic document management system minimises the need to print and retain paper copies of most documents. This reduces the use of paper, toner and other consumables.

Upgraded LCD computer monitors that use less power and create a lower heat load, provide savings in air conditioning costs.

In accordance with the Government's energy policy, an environmental management system (EMS) has been developed to identify ways of improving environmental performance by setting environmental targets and taking a systematic approach to tackling these issues. When negotiating leases, consideration is given to leasing energy efficient buildings. When renewing leases, building owners are canvassed about improving the efficiency of buildings occupied by the Department.

The Department is due to move into a purpose built building in 2009 and a decision has been taken to defer fully implementing the EMS until that time. However, steps have been taken to pilot some environmental initiatives recommended in the EMS, in the Department's current premises, prior to the relocation.

The lease developed for the Department's new building is the first Australian Government 'green lease' to be negotiated. The lease provides for the base building and fit out to have a 4.5 star energy rating and for that rating to be maintained throughout the term of the lease.