

# Management and accountability

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## Corporate governance

Corporate governance refers to the processes by which organisations are directed, controlled and held to account. It encompasses authority, accountability, leadership, direction and control exercised in the organisation.

### The governance framework

#### The Executive

The departmental Executive comprises the Secretary, two deputy secretaries, three general managers, the Executive Adviser and an Executive member. Its role is to set strategic direction and maintain a general oversight of performance. The Executive considers and decides on matters of corporate and governmental significance subject to any specific legal obligations imposed on the Secretary.

#### Executive appointments

Mr Robert Cornall, Secretary  
*Appointed 24 January 2000*

Mr Ian Govey, Deputy Secretary,  
Civil Justice and Legal Services  
*Appointed 17 May 2000*

Mr Peter Ford, Acting Deputy Secretary,  
Criminal Justice and Security  
*From 29 March 2004 to 30 July 2004*

Mr Miles Jordana, Deputy Secretary,  
National Security and Criminal Justice  
*Appointed 2 August 2004*

Mr Richard Oliver, General Manager,  
Corporate Services  
*Appointed 29 July 2002*

Mr Graham Fry, General Manager,  
Information and Knowledge Services  
*Appointed 19 August 2004*

Ms Sue-Ellen Bickford, General Manager,  
Financial Services  
*Appointed 4 April 2005*

Ms Rachel Bacon, Executive Adviser  
*From 17 February 2004 to 22 April 2005*

Ms Belinda Barry, Acting Executive Adviser  
*From 26 April 2005 to 3 June 2005*

Mr Richard Glenn, Acting Executive Adviser  
*From 6 June 2005 to 24 June 2005*

Ms Rebecca Irwin, Executive Member  
*From 29 March 2004*

#### Audit Committee

The Department's Audit Committee is appointed by the Secretary. It is responsible to the Secretary for providing advice relating to:

- the departmental system of internal control
- management of risk
- review of financial reporting
- control of public money and assets, and
- compliance with relevant laws, rules, Regulations and directions.

The Audit Committee comprises a Chair, who is external to the Department, and three members, one of whom is external to the Department. In addition, there is a standing invitation to the Australian National Audit Office (ANAO) to observe committee meetings. The Secretary, the General Manager, Corporate Services, and the Chief Financial Officer have a standing invitation to attend committee meetings.

#### Activities of the Audit Committee

The Audit Committee met five times during the financial year. The Secretary attended all meetings. The General Manager, Corporate Services, and the Chief Financial Officer were present at all of the meetings. The Committee's actions and deliberations included the following:

- *A review of the Chemical, Biological and Radiological (CBR) Enhancement Program administered by Emergency Management Australia*

Only one recommendation was made, namely, that a document be developed

and circulated to members of the tender evaluation team to record potential conflicts of interest with tenderers and that project sponsors also ensure that this documentation is completed by all members of the tender evaluation team. The Audit Committee asked that this recommendation be applied throughout the Department and that the Chief Executive's Instructions (CEIs) be updated accordingly.

■ *A follow-up review of grant administration in the (previous) Family Law and Legal Assistance Division (FLLAD)*

This review found that there were no instances where delegations had not been complied with, and only one instance of non-compliance with the CEIs. This one instance of non-compliance was most likely due to staff not being aware of the CEI requirement, which calls for retrospective payments to be approved by a general manager, rather than any systematic control weaknesses. FLLAD has worked with the Information and Knowledge Services Group to develop a database that will improve the accuracy and efficiency of work undertaken by the Division and is working to develop a procedures manual for staff to enhance the retention and sharing of corporate knowledge about proper processing procedures.

■ *A review of administration of the National Handguns Buyback Program*

The review made a recommendation that the Department should ensure that a more rigorous planning approach is used in future projects where the development of a system is outsourced to another party through a memorandum of understanding or contractual arrangement.

■ *A follow-up review of travel arrangements*

The review noted improvement in the procedures within divisions for processing travel. The report recommended that Corporate Services Group remind staff

of their obligations when organising and approving travel and of the importance of acquitting travel in a timely manner.

■ *A review of operations at the Emergency Management Australia (EMA) Institute located at Mount Macedon*

In relation to tendering processes the report recommended that guidance for staff be improved, and that better policies and procedures regarding electronic and manual file management of tender information be developed and included in the CEIs. The report highlighted the importance of complying with the CEI requirements regulating the use of Diners Club cards.

■ *A review of the Indigenous Law and Justice Program financial processes and controls before and after the transfer of this program from Aboriginal and Torres Strait Islander Services (ATSIS) to the Attorney-General's Department*

The review highlighted the importance of both having a strong, effective risk-control framework and ensuring that controls are complied with in practice. The review also demonstrated the benefit of reviewing business risks when significant changes are made to processes or structures.

■ *A review of the National Security Hotline*

No issues of concern were identified regarding the effectiveness of the capture of information obtained from callers, and feedback on the hotline's performance obtained from client organisations was overwhelmingly positive. However, a few areas were identified where minor modifications could be made to further improve performance.

■ *A review of SAP (the Department's financial management information system)*

The review highlighted the types of risks that can arise in relation to processes involving the expenditure of public money. The report suggests ways in which these risks might be controlled.

Since 1 July 2002, the audit and evaluation function has been performed by Deloitte under an outsourced arrangement, overseen by the Audit Committee. Outsourcing the internal audit function has contributed to the independence and rigour of the Department's internal audit processes.

During the reporting period, the Department finalised development of an audit database to monitor the implementation of recommendations made in audit reports. This database is being used to help the Audit Committee monitor the status and resolution of issues raised in audit reports.

### IT governance

The departmental Executive manages 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 Information and Knowledge Services Group, members of the Executive, and representatives from the Audit Committee and Security and Privacy Working Group.

The committee met on four occasions during the year in accordance with the ITEC charter. Key outcomes for the year included the finalisation of an IT Project Prioritisation Model, mapping the portfolio of IT projects into program deliverables and review of major IT contracts.

### **Accountability framework— integrated performance management**

The Department's approach to performance management integrates planning, accountability, reporting and evaluation activity. The approach links individual performance with corporate goals, and includes a system of performance review at

several levels—from individual staff members through to broad organisational elements.

The Department's budgeting, accountability and reporting mechanisms are aligned with the Government's accrual-based outcomes and outputs framework. The Executive and managers are supported by financial and human resource management systems and ministerial and parliamentary support systems.

### Strategic planning

As part of the integrated performance management approach, the Executive's role is to set the broad strategic direction for the Department. This broad strategic direction is supported by business/operational plans for each organisational element within the Department that detail activities and associated resource and performance information. All activities are related to an output within the outcomes and outputs framework. Area work plans are developed as appropriate, in line with the business/operational plans.

### Links to individual performance

Individual performance agreements are linked to the performance targets in business or area work plans. Individual performance is appraised twice a year against the performance agreement as part of the Program for Performance Improvement.

### Executive performance reviews

The departmental Executive conducts performance reviews of organisational elements twice a year. These reviews focus on organisational performance against business/operational plan performance measures or, in relation to routine activities, departmental performance standards.

### Performance information and reporting

The strategic direction of the Department is reflected in the Attorney-General's Portfolio Budget Statements (PBS) that follow the

Commonwealth's Accrual-based Outcomes and Outputs Framework. Additionally, the PBS contain performance measures for each item of administered expenditure and each output within the framework.

The Department's annual report publishes performance information against measures contained in the PBS. It complies with the *Requirements for annual reports for departments, executive agencies and FMA Act bodies* issued by the Department of the Prime Minister and Cabinet and approved by the Joint Committee of Public Accounts and Audit. A separate compliance index identifies the location in this report of the information specified in the Requirements (see page 279).

### Review of corporate performance management framework

During the reporting period, an extensive review of the Department's financial position was conducted. The Financial Health Review recommended, among other things, a review of the performance reporting in the Department against the Government's Performance Management Principles which underpin performance reporting against the outcomes and outputs framework. The Executive is yet to agree to the precise form of this review but has agreed that further work in this area is necessary and will proceed once terms of reference have been agreed (see case study page 138).

### Conduct and ethics

The Australian Public Service (APS) Values and Code of Conduct are contained in the *Public Service Act 1999* and the *Public Service Commissioner's Directions*; they apply to all employees of the Attorney-General's Department.

The Department's Agreement 2004 and Australian Workplace Agreements contain a commitment from employees to uphold the APS Values and to comply with the Code of Conduct.

Over 630 employees undertook the 'Accountabilities for a Public Servant' training program, which informed staff of their obligations for proper conduct and ethical behaviour.

All people who are to become employees of the Department are provided with a copy of the APS Values and Code of Conduct and elements of 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.

The APS Values, Code of Conduct, Chief Executive's Instructions and other material relevant to ethical conduct are incorporated, as appropriate, into relevant departmental policies, guidelines and instructions and are available on our intranet.

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

### SES remuneration

All Senior Executive Service 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 151.

### Risk management

#### Risk management plans

During the year, the risk management plan was updated and once again endorsed by the departmental Executive and Audit Committee. There is agreement with divisions that twice yearly, at the March and September Audit Committee meetings, division heads will re-certify the risks that relate specifically to their area of the

# CASE STUDY

## Increased funding to ease workloads

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CASE STUDY

In the second half of 2004 there was an external review of the financial health of the Department. The review examined the change in our workloads from 2001–02 to 2003–04. It found that since 2000–01, we had experienced ongoing increases in workloads across all areas of the Department's responsibilities, particularly in relation to national security and counter-terrorism, and that these increases had been beyond its capacity to absorb financially.

The review estimated that the funding required to cover the workload increases was \$9.3 million per year, including \$1.1 million per year for additional depreciation funding. It recommended additional funding of \$0.3 million per year for three years in order to upgrade the Chief Finance Officer position. In total, this represented 8 per cent of the Department's 2003–04 base funding. The workload increases and upgrading of the Chief Finance Officer position will be funded by an increase in appropriations of \$7.5 million per year and by reallocating \$2.1 million per year from the Department's existing funding.

The review also identified opportunities for the introduction of user charging. As a result, in the 2005–06 Budget the Government introduced a charge for the registration of legislative instruments, with estimated annual revenues of \$0.4 million per year for the Department.

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...the Department has experienced ongoing increases in workloads across all areas.

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Overall, an additional \$7.1 million per year in appropriation funding has been provided to the Department as a result of the review, with the additional funding decreasing to \$6.8 million per year from 2008–09.

With the provision of the ongoing additional base funding in the 2005–06 Budget, the Department now has a sound financial base in order to meet the Government's priorities for a safer Australia and an equitable and accessible system of justice.

Department. This re-certification process was successfully completed. The Department also sought the assistance of its internal auditors, Deloitte, in ensuring that the plan provided the appropriate guidance in relation to risk management within the Department.

There remains visible and strong senior-level support for risk management across the Department. Key personnel throughout the Department act as risk management contact officers within their business areas and meet regularly to discuss issues associated with risk management.

### Business continuity management

Business continuity management, which is designed to maintain critical departmental operations should a disaster or major disruption arise, is an integral element of the Department's corporate governance and risk management framework. The Department's business continuity plan, which has in the last year been revised and updated, includes:

- identified business critical functions
- contingency plans, and
- procedures and guidance for the activation of crisis management arrangements, should this be considered necessary by the Secretary of the Department.

The work associated with revising these arrangements is ongoing and will continue as the disaster recovery arrangements are further refined and tested. The revised arrangements have been developed using the ANAO better practice guide on business continuity management. The Department's recent work in this area has been positively recognised by Comcover, in its 2005 Benchmarking Survey feedback.

Further work is required to finalise the revised plan and to test the Department's arrangements against a range of scenarios.

### Review of IT infrastructure risk

The IT 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
- 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/NZA 4360:1999, for information and communications technology projects and activities, and
- enhanced power management for mission-critical systems.

### Fraud control

In accordance with the requirements of the Commonwealth Fraud Control Guidelines, the Department has in place fraud risk assessments and a fraud control plan. It also has in place appropriate procedures and processes for fraud prevention, detection, investigation, reporting and data collection that meet the specific needs of the Department and comply with the Commonwealth guidelines.

### 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 web site at <<http://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.

### Trade Measures Review Officer

The Trade Measures Review Officer (TMRO) is a statutory office-holder with powers and responsibilities set out in the *Customs Act 1901* (Divisions 8 and 9 of Part XV B). The TMRO functions as an independent review mechanism for parties affected by anti-dumping and countervailing decisions by the Chief Executive Officer (CEO) of the Australian Customs Service.

During 2004-05, the TMRO completed eight reviews following decisions by the Minister or the CEO. The reviews concerned:

- the rejection of a dumping duty assessment application in respect of copper tube from the Republic of Korea

- certain hot rolled plate steel from the People's Republic of China, Indonesia, Japan and the Republic of Korea
- the termination of an investigation into the alleged subsidisation of olive oil from Italy, Spain and Greece
- the rejection of an application into the alleged dumping of hollow steel sections from the People's Republic of China, the Republic of Korea, Malaysia and Thailand
- the termination of a dumping investigation into certain electric resistance welded circular hollow sections from the Republic of Korea
- dumping duty assessment application in respect of copper tube from the Republic of Korea
- a dumping duty assessment in respect of galvanised steel pipe from Thailand, and
- certain silicon from the People's Republic of China.

All reviews were completed within the statutory time frame. Reports of the reviews can be seen on the Department's web site at <<http://www.law.gov.au/tmro>>.



Peter Jonath, Manager, Trade Measures Review Secretariat, receiving an Australia Day Achievement Award from the Secretary, Robert Cornall.

## External scrutiny

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

### Reports by the Australian National Audit Office

During the reporting period the Auditor-General issued three reports which include information on the operations of the Department:

- Report no 21 on audits of the financial statements of Australian Government entities for the period ended 30 June 2004
- Report no 52 on legal service arrangements in the Australian Public Service (a performance audit), and
- Report no 55 on workforce planning (a performance audit).

The Department provided responses to each report. The Department generally agreed with the recommendations made. The reports as tabled by the Auditor-General in Parliament as well as the Department's responses to specific recommendations are available on the ANAO web site, <<http://www.anao.gov.au>>.

### Judicial decisions

*Applicant S214 of 2002 v Attorney-General of Australia* [2004] FCA 1635

The applicant sought judicial review of the decision by a departmental officer, as delegate of the Attorney-General, to refuse financial assistance under section 69 of the *Administrative Appeals Tribunal Act 1975*. On 13 December 2004, Hely J concluded that the delegate had erred in treating the guidelines for the scheme as mandatory criteria. Hely J remitted the matter back to the Department for further consideration. On 23 December 2004, a departmental officer, as delegate of the Attorney-General, further considered the application in

accordance with the findings of Hely J. Delegates and casework officers have been advised of the implications of the decision for the evaluation of applications for financial assistance against relevant scheme guidelines.

### Parliamentary committee reports

On 22 June 2005, the Joint Committee of Public Accounts and Audit tabled its report on the inquiry into Indigenous law and justice entitled *Access of Indigenous Australians to law and justice services*. The report made 17 recommendations relating to the provision of legal services to Indigenous Australians, including the administration of the Family Violence Prevention Legal Services program. The Government is considering its response to the Committee's report.

Further information on parliamentary committee consideration of other matters affecting the Department appears in the Performance reports, and is shown against relevant departmental outputs.

### Administrative tribunals and Ombudsman

During 2004-05, no decisions of administrative tribunals had a significant impact on the operations of the Department. Nor did any reports by the Ombudsman directly relate to the operations of the Department.

# Financial management

## Analysis of financial performance

Section 57 of the *Financial Management and Accountability Act 1997* (the FMA Act) requires a copy of the audited financial statements and the Auditor-General's report to be included in each department's annual report tabled in Parliament. The financial statements at page 163 have been prepared on an accrual basis in accordance with Australian Accounting Standards.

Financial performance is reported separately for administered items and departmental outputs. Administered items are those items that are controlled by the Government and managed by the Department on behalf of the Government. These items include grants, subsidies and personal benefits payments. Departmental outputs are the goods and services the Department provides for, or on behalf of, the Government.

### Departmental outputs

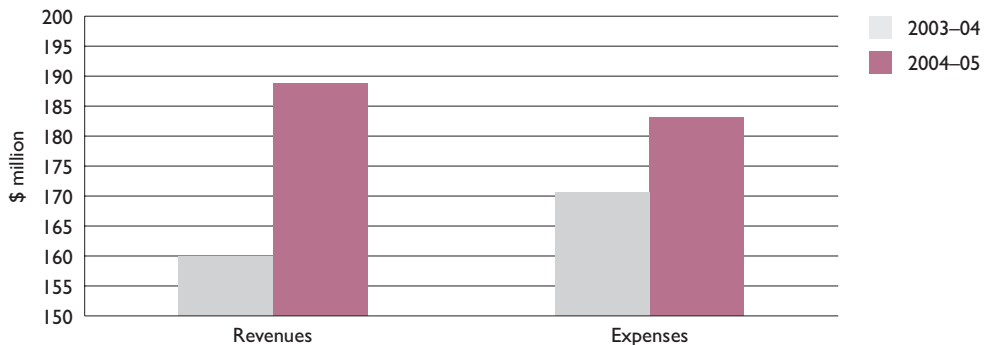
For the 2004-05 financial year, the Department had approval from the Minister for Finance and Administration to budget for a deficit of \$20.9 million. The budgeted deficit was primarily for program expenses deferred from previous years.

The actual operating result for the Department was a surplus of \$5.6 million comprising a surplus of \$2.5 million for the core Department and a surplus of \$3.1 million for major programs managed as part of Departmental outputs.

For the core Department, the surplus was due to actual independent revenue receipts being greater than had been budgeted for, reduced staffing costs due to staff turnover and timing of recruitment processes, rent free periods on new accommodation leases and a one-off saving in legal expenses relating to reduced constitutional litigation. For major programs, the lower actual expenditure compared to budget was primarily due to external factors such as the timing of the recruitment of skilled staff in partner agencies, and the timing and outcomes of consultations with other agencies and jurisdictions both national and international.

Total revenues increased by \$28.8 million or 18 per cent from \$160.0 million in 2003-04 to \$188.8 million in 2004-05 (see Figure 5). The increase was due to additional appropriation funding for new measures in 2004-05 including election commitments, the transfer of funding from ATSI to administer Indigenous law and justice programs and the commencement of law enforcement projects funded from the Confiscated Assets Account under the *Proceeds of Crime Act 2002*. Total expenses

Figure 5: Departmental revenues and expenses, 2003-04 and 2004-05



increased by \$12.7 million or 7.4 per cent from \$170.5 million in 2003-04 to \$183.2 million in 2004-05. The increase in expenses reflected the implementation of new measures, the commencement of law enforcement projects and expenditure for administration of the Indigenous law and justice program transferred from ATISIS.

As at 30 June 2005, the Department had total equity of \$69.4 million compared to \$40.1 million for the previous year. The increase in equity was due to funding provided for capital projects and the 2004-05 operating surplus.

**Administered expenses**

The Department's administered expenses increased by \$365.3 million in 2004-05. Of this increase, \$359.2 million represented the recording of an asset write-off to remove the Appropriation Receivable for judges' pensions following a change in the Government's accounting policy (Note 20 to the financial statements). After taking account of this adjustment, the Department's administered expenses increased by \$6.1 million or 1.7 per cent from \$358.3 million in 2003-04 to \$364.4 million in 2004-05 (see Figure 6).

Major factors affecting the level of administered expenses in 2004-05 were the transfer of Indigenous law and justice

programs from ATISIS to the Department from 1 July 2004, the completion of the handgun buyback program and an increase in the personal benefits expense for judges' pensions following a revaluation of the judges' pensions liability as at 30 June 2005.

**Events occurring after the balance date**

There were no events occurring after the balance date that affected the ongoing structure and activities of the Department.

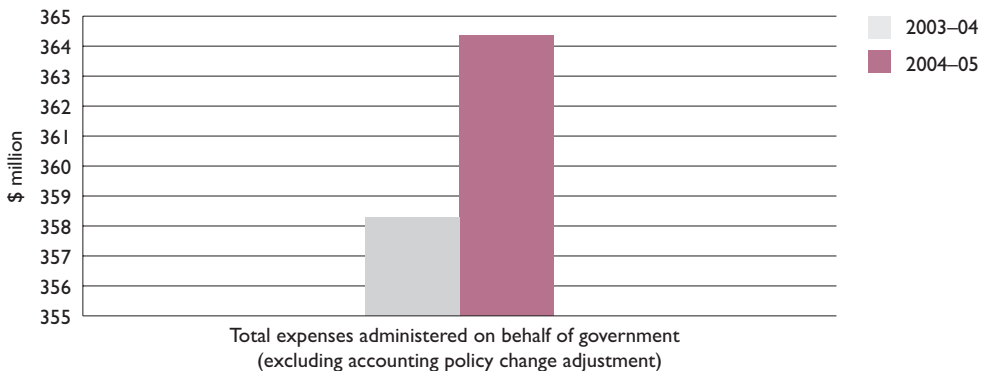
**Competitive tendering and contracting**

Competitive tendering and contracting is the contracting out of the delivery of government activities, previously performed by a Commonwealth agency, to another organisation. It may be undertaken for the provision of either goods or services.

During the reporting period, Sirius Telecommunications Limited was awarded the contract for the provision of voice network support services. The total value of the contract is \$351,745 over two years. Savings in excess of 35 per cent are expected.

The internal audit function was outsourced to Deloitte from 1 July 2002. The contract is for three years with two options to renew for one year each. The contract is based on hourly and daily rates. Over the three years of the contract, the total value of the contract

**Figure 6: Administered expenses, 2003-04 and 2004-05**



has been approximately \$568,000. This figure includes services additional to internal audit services that have been performed under the contract. The benefits of an outsourced arrangement for a department the size of the Attorney-General's Department include access to a large pool of resources with varied expertise and greater flexibility in aligning internal audit resources and operational risk.

### Consultancy services

For annual report purposes, a consultant is 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 2004–05, 33 new consultancy contracts were entered into, involving total actual expenditure of \$2,012,698. In addition, 14 ongoing consultancy contracts were active during the year, involving total actual expenditure of \$1,012,255.

Further information about consultancy services appears at Appendix 4. It includes a summary of the Department's policy on the selection and engagement of consultants, and details of consultancy contracts let to the value of \$10,000 or more.

### Advertising and market research

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

### 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 two programs involving discretionary grants, Grants to Australian Organisations and the National Community Crime Prevention Programme. Details of grant recipients during 2004–05 appear at pages 38 and 99.

### 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 procurement responsibilities and to give them easy reference to purchasing documentation and links to other information.

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 travel services, building maintenance and the collection of recyclable waste material.

### Assets management

The Department's major assets are office fit-out, internally developed software, commercial off-the-shelf software including electronic document management system, human resource and financial management information systems, and centrally held library materials. Asset stocktakes were conducted during the year to maintain the accuracy of asset records.

# Human resource management

## Overview of performance

At 30 June 2005, we had a workforce of 941, of whom 824 were ongoing employees. The workforce grew over the year due to the transfer of former AT&SIS employees to the Department on 1 July 2004 and additional responsibilities in national security and copyright law. Departmental staff numbers for the previous five years are shown in Figure 7.

During the year, the staff continued to adapt to meet the changing needs of the Department's business. Senior management and human resource staff worked in partnership to address major workforce issues confronting us. The year's challenges included identifying future workforce directions, attracting and retaining employees, and continuing to develop a healthy and safe workplace to meet business and workforce needs.

To ensure the Department has the capability to continue to provide excellent service to the community, we implemented an integrated approach to people management through our Corporate Services Group Strategic Plan 2004; our human resources subplan,

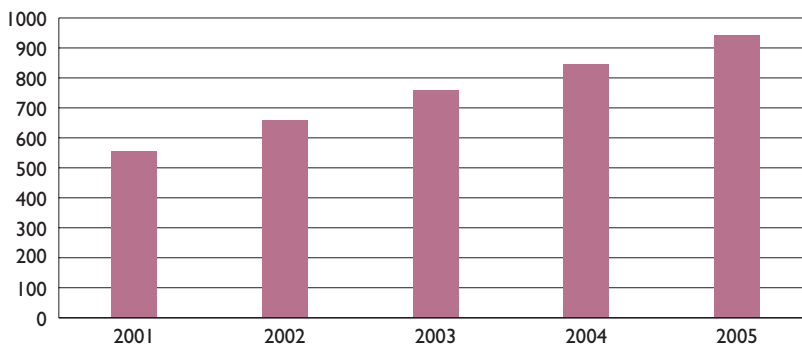
Human Resources Strategic Plan; and the Attorney-General's Department Agreement 2004. The major people management strategies of these and other initiatives were as follows:

- implementing effective methods for attracting and retaining staff
- refining the process for determining, developing and maintaining skills and capabilities
- developing and sustaining leaders
- fostering a performance management culture
- implementing practices to support healthy work and life balance, and
- planning to ensure future staffing needs are met.

During the year a number of key initiatives were undertaken:

- **Recruitment:** Recruitment practices were enhanced through initiatives such as the development of a recruitment kit and a revised recruitment policy.
- **Occupational health and safety (OH&S) initiatives:** As a result of strong and effective injury management and prevention strategies, the Department's workers' compensation and regulatory contribution for 2005-06 decreased by 15 per cent. The Department also developed and implemented a Health and Wellbeing Strategy.

Figure 7: Departmental staff numbers from 2001 to 2005, at 30 June



- **Workplace relations:** A three-year agreement under s 170LK (staff) of the *Workplace Relations Act 1996* was certified and many initiatives are being implemented.
- **Performance management:** The guidelines of the Program for Performance Improvement—the Department's performance management system—were simplified and the system was implemented online for all staff.
- **Capability Development Framework:** Capability development frameworks were developed for all levels.
- **Corporate Support Review:** A review of corporate support arrangements was commenced to examine better ways to deliver these services. The review considered the resource requirements and the support structure which might best service these needs. Recommendations from the review were presented to the Executive in August 2005.

## Staff profile

As stated previously, the Department employed 941 staff (full-time equivalent basis) at 30 June 2005. This was an increase of 18.8 per cent on 30 June 2004 staffing numbers (791.9 as reported in the Department's 2003–04 annual report). Tables showing a detailed breakdown of these numbers by location, broad-banded classification and gender are presented at Appendix 6. The tables also show staffing details at 30 June 2004 for comparison.

Ninety per cent of employees are located in Canberra; 5 per cent work at Mount Macedon, near Melbourne, Victoria; 3 per cent work in Queensland, primarily in Brisbane; and 2 per cent are located in the remaining States and Territory.

Most staff (90 per cent) work full time; 6.5 per cent work part-time hours. We also employed 39 casual staff as at 30 June 2005. Of these, 33 were employed at the National Security Hotline.



Canberra-based departmental staff, June 2005

Employees from a non-English speaking background make up 4 per cent of our workforce. This is above the APS average (3.3 per cent). Indigenous employees constitute 2 per cent of the workforce, which is marginally under the APS average (2.3 per cent), while 2 per cent of our staff identify as having a disability, which is below the APS average (3.8 per cent). Fifty-eight per cent of staff are female, which is above the APS average (53.8 per cent).

### Workforce planning

Workforce planning in the Department during 2004-05 largely involved workforce data reporting and analysis. As part of this work, business groups were regularly provided with staffing information to assist them in their business planning and performance monitoring. This information helped managers to understand how they were performing and to identify workforce issues impacting on their business performance.

Information from online surveys for exit/transfer and retirement intentions, separations and other workforce reports was presented to the Department's Executive monthly and/or quarterly. We are currently developing retention strategies to support our workforce.

We measure and report on our people performance in other ways:

- progress of key human resource and people management activities and outcomes in quarterly corporate reports
- staffing numbers, personal leave usage and workers' compensation in the quarterly reports
- introduction of a benchmarking facility into workforce planning and participation in a best-practice benchmarking program on people management conducted by infoHRM
- annual reporting to the Executive on the performance of people management at group and department levels
- progressively skilling business managers in carrying out relevant reports for workforce planning purposes, and
- development of workforce planning analysis and completion of a full cycle of workforce planning for all divisions.

This involved the following: extraction of data from the Department's human resource information system; data analysis; a series of focus group discussions with a cross-section of employees in each pilot division; drafting of strategies and of key performance indicators for the pilot divisions to consider when planning their workforce in the future; and presenting the findings to the divisions.

The identification of recurring themes that emerged will help the Department determine priority areas for policies and practices relating to human resource management.

### Human resource management systems

The upgrade of our human resource management information system software (Aurion HRMIS) to version 9.02 and ongoing instalment of 'hot fixes' have delivered additional efficiencies.

Performance agreements for employees are prepared and approved online.

A reporting facility for Personal Diary software has been developed following an extensive process of checking the integrity of data. A workload management survey tool for the Department has also been developed and is in the final stages of testing.

### Staff retention and turnover

The Department has made a commitment in the Agreement 2004 to conduct an early examination of the factors affecting our rate of separation. As well, a commitment that we will use our best endeavours to

achieve a separation rate no higher than the Australian Public Service average, unless operational reasons justify a different rate, has been included in the Agreement.

The Department measures its turnover primarily as employee-initiated separation, consistent with Australian National Audit Office methodology. Employee-initiated separation occurs when employees leave the Department of their own accord during the reporting period. This includes resignation from the Australian Public Service (APS), moving to another APS agency, retirement and voluntary early cessation of a non-ongoing contract. The rate of employee-initiated separation in the Department for 2004–05 was 12.6 per cent. This is calculated as follows:

$$\frac{\text{Number of employee-initiated separations in 2004–05}}{\text{Headcount at 30 June 2005}} \times 100$$

It should be noted that this includes permanent moves to another APS agency under section 26 of the *Public Service Act 1999*. If these mobility 'transfers' are not included, then the Department's employee-initiated separation figure for 2004–05 was 8.9 per cent.

These figures are consistent with the separations rate for 2003–04. Approximately one-third of all separations in the Department are a result of mobility within the APS. The Department supports the concept of the APS as a 'career service'.

### Staff recognition

The Department has a 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. The deputy secretaries and general managers also

presented an award for excellence within their group. The Secretary also presents an annual academic achievement award to an employee who excels in an approved course of study.

Some examples of excellence include:

- individual excellence in negotiations on issues for the Australia–United States Free Trade Agreement
- excellence in achieving a successful outcome to a multi-agency New Policy Proposal for critical infrastructure protection
- excellence in successful conduct of the multijurisdictional counter-terrorism exercise Mercury 04
- outstanding contribution to the success of the Federal Register of Legislative Instruments, and
- outstanding leadership in the implementation of family law superannuation reform.

The non-salary reward and recognition program gives formal recognition to achievement and acknowledges the importance of giving informal feedback on performance. Recognition awards can also be given throughout the year for achievement, innovation, outstanding service or leadership, or consistently high performance.

In addition, the Department will from time to time nominate employees for awards in the Australian system of honours and awards, such as the Order of Australia or Public Service Medal.

The recipients of awards during 2004–05 are listed at Appendix 7.

### Workplace diversity

#### Workplace diversity plan

We continued to implement initiatives and programs from our Workplace Diversity Plan 2004–06. The plan aims to create an inclusive work environment that embraces and values the individual differences

between people, offering opportunities for all employees to achieve their full potential.

Implementation seeks to maximise the benefits of a diverse workforce by identifying actions that will accommodate and make use of the differences in the background, talents, perspectives and family responsibilities of our people.

The plan assists the Department in taking all reasonable steps to ensure we foster a workplace environment that encourages effective teamwork, that is supportive, fair and equitable, and that will not tolerate discrimination or harassment. The plan was placed on the Internet and intranet, circulated to staff through an all-staff bulletin, and included in our staff induction program and other relevant in-house training courses.

Implementation of the plan in 2004-05 included:

- training for harassment contact officers (HCOs), and re-establishment of an HCO network
- launch and implementation of the Maternity and Carers pack
- a draft employment charter for people with disabilities, and
- development and launch of the bullying and harassment material in December 2004.

### Online training

We developed and released a bullying and harassment online training video on our intranet. We are developing self-paced modules for:

- workplace diversity
- discrimination and legal compliance
- APS values, and
- cultural awareness.

Additionally, aspects of diversity awareness were included in the induction program and other relevant in-house training courses.

### Work and life balance

Sufficient support and flexibility in work arrangements were made available to enable employees to balance their work and life responsibilities. The Agreement 2004 introduced initiatives to assist employees balance work and care responsibilities (see case study page 150).

### Family friendly facilities

We continued to operate the Carers' Room, which gives employees the option of providing temporary care at work for dependants while continuing to fulfil work commitments. In addition, our Employee Assistance Program (EAP) provides employees with confidential and professional counselling services to assist them in resolving work and other issues that may impact on their work performance.

### Occupational health and safety

As a result of improved injury management and prevention strategies, the Department's workers' compensation and regulatory contribution for 2005-06 is 1.69 per cent of payroll. This is down from 1.99 per cent in the previous year, a reduction of 15 per cent. This decrease is unlike the overall increase of 6 per cent experienced by Commonwealth agencies generally, whose contributions have risen to 1.77 per cent of payroll on average. In addition, the Department received a bonus of \$93,525 from the previous year's premium due to its improved performance following improvements in injury management, incident reporting, risk management, and safety training.

The Department continued to conduct regular workplace inspections throughout 2004-05. Reports were provided to division heads outlining suggested recommendations and improvements. There was continual improvement across the Department, with divisions displaying an ongoing commitment to eliminating OH&S hazards.

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## Work–life balance: a personal perspective

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Life with a baby poses many challenges, not the least of which is overcoming the inevitable feelings of guilt at leaving a young child in child care when the time comes to return to work. For me, the return to work has been made much easier by the Department's home-based work policy, and the willingness of my managers to be flexible in how I manage my workload.

In April 2005 I returned from maternity leave to do policy work for the equivalent of two days per week. I am in the office for one full day and one shorter day. This leaves me to do a few hours work at home over the remainder of the week at my convenience. The advantages from my perspective are

that I minimise the time my child spends in child care and I can arrange my work to fit in with his needs. I can also be available online to meet urgent work demands when necessary.

I am grateful for the assistance I have received from our corporate areas and my managers in smoothing the way for my home-based work arrangements. While the requirements to have home-based work approved initially seemed daunting, it has been relatively straightforward in reality. This has certainly assisted in my transition back to work, and in the quest for that sometimes elusive balance between parenthood and my career.



Karen Moore  
Civil Jurisdiction and Federal Courts Branch

Staff awareness of OH&S has increased, resulting in improved prevention of, and early intervention for, workplace injuries and illnesses. Most OH&S representatives have been trained to enable them to conduct workstation assessments for new starters.

The number of long-term compensation cases has been reduced. As well, new injuries that have the potential to become long-term injuries have been aggressively targeted, with the result that injured employees are returning to work quickly.

A range of injury prevention and management activities were completed. These focused on improvements to injury prevention, incident reporting, risk management and safety training.

Information on the Department's occupational health and safety performance required under the *Occupational Health and Safety (Commonwealth Employment) Act 1991* is at Appendix 8.

## **Certified agreement and Australian Workplace Agreements**

### **SES employees**

All Senior Executive Service (SES) employees of the Department have their remuneration and other conditions of employment established by Australian Workplace Agreements (AWAs) made under the *Workplace Relations Act 1996*. All AWAs are developed within the framework of, and are consistent with, the Department's SES Remuneration Policy. This policy contains a set of principles on which remuneration is based, including accountability, flexibility, equity, reward for excellence and encouragement of individual growth.

For each SES classification there is a salary band. Progress through the salary band and performance pay are linked to performance appraisal outcomes under the Department's Program for Performance Improvement.

Elements of the SES remuneration package are outlined in the Department's SES Remuneration Policy. In addition to salary and possible performance pay, they include:

- superannuation coverage under the *Superannuation Act 1990* or the *Superannuation Act 1976*
- access to a Commonwealth-leased privately plated vehicle, or an allowance in lieu of a vehicle, in accordance with the Attorney-General's Department Executive Vehicle Scheme Guidelines
- free vehicle parking space at the workplace, and
- access to flexible remuneration packaging on a salary-sacrifice basis.

### **Non-SES employees**

The Attorney-General's Department's 2004 Agreement was certified on 12 August 2004.

The new agreement covers all non-SES employees of the Department, except for employees covered by Australian Workplace Agreements that operate to the exclusion of the Agreement.

Key achievements of the new agreement include:

- pay rises and allowance changes (These include a 4 per cent salary increase from the date of certification, to be followed by additional 4 per cent salary increases from 1 August 2005 and 1 August 2006. For APS Level 1-6 and equivalent classified employees, an additional 0.5 per cent salary increase was also offered on certification.)
- the commitment of staff to undertake periodic workload surveys
- use by all staff of the Department's Personal Diary software to enable the collection of improved data on working hours in the Department
- adoption of, and commitment to, agreed principles for working smarter, with concrete proposals for action

- formalisation of arrangements for time off in lieu to provide some limited compensation for unpaid additional hours worked by employees who do not have access to flextime
- a commitment to an early examination of employee retention issues, including consultation with the Workplace Relations Committee on the methodology by December 2004, best endeavours to achieve separation rates in line with the APS average, and a review of departmental recruitment practices, dealing with any identified issues
- broadening of the departmental health and wellbeing program in terms of the range of activities available to employees supported by the Department and providing assistance for employee participation in external health and wellbeing activities
- discretion to reimburse any dependant care costs incurred if an employee is directed to perform extra duty with less than 24 hours' notice
- introduction of a health and safety representative allowance
- varied options for the spread of maternity leave salary payments
- a workplace giving program
- introduction of an expectation that employees use a specified amount of annual leave each year, and
- refinements of sick leave arrangements in terms of maximum period of continuous absence on paid sick leave.

The Department has reviewed human resource policies to take account of changes flowing from the Agreement 2004, including:

- leave policy
- cooperative workplace relations
- flextime and attendance recording
- managing excess employees
- managing organisational change
- part-time work
- health and wellbeing program—financial assistance
- managing separations
- relocation expenses
- job-sharing policy, and
- parental and maternity leave guidelines.

### Information on certified agreement and AWAs

At 30 June 2005, the Attorney-General's Department Agreement 2004 covered 832 employees. Outside the Agreement a small number of non-SES employees are covered by AWAs (53, mainly casual call centre staff). The 56 Senior Executive Service employees are covered by AWAs. The salary ranges for employees under the Agreement 2004 are shown in Table 6.

### Performance pay

Performance pay is not available under the Agreement 2004. Access to performance pay is available to an employee under arrangements negotiated through Australian Workplace Agreements.

The Secretary may determine that the employee is entitled to a performance bonus of up to 15 per cent of the employee's salary following a performance appraisal. All performance pay decisions are based on achievement against agreed performance criteria.

A performance bonus is taxable and does not count for superannuation purposes.

Details of performance payments for the performance cycle that ended on 30 June 2005 are shown in Table 7.

The aggregate bonus payment for the Department as a whole was \$517,785.

## Training and development

### People Development Strategy

The People Development Strategy promotes a corporate culture that fosters and supports learning and development, with initiatives to be aligned with and integrated into business group activities and priorities. The strategy and theme for this year had an emphasis on 'compliance, duty of care and accountability'. This included developing and conducting the 'Accountabilities for a Public Servant' program for all employees in

the Department, and developing a project management training program.

### Workforce capability

A Capability Development Framework was developed and implemented throughout 2004-05. This involved developing capability development guides for APS Level 3-6 and Executive Level 1-2 and realigning of the Learning and Development presence on our intranet. The guide for APS Level 3-6 provides practical advice and on-the-job guidance on gaining the

**Table 6: Salary ranges under Attorney-General's Department Agreement 2004 and Australian Workplace Agreements**

Classification	Salary rates at 30 June 2005 (\$)
SES Band 3	161,712-172,572
SES Band 2	129,175-137,853
SES Band 1	105,109-111,772
Executive Level 2	79,007-94,933
Principal Legal Officer	79,007-94,933
Executive Level 1	68,502-83,350
Senior Legal Officer	68,502-83,350
APS Level 6	53,692-61,678
APS Level 5	49,713-52,714
APS Level 4	44,570-48,393
Legal Officer	39,990-61,678
APS Level 3	39,990-43,161
Graduate APS	37,986-38,934
APS Level 1-2	31,024-38,934
Cadet APS (practical training)	31,024-34,287
Cadet APS (full-time study)	16,925

**Table 7: Performance payments**

Attorney-General's Department	Classification level	
	Non-SES & SES Band 1 <sup>a, b</sup>	SES Band 2/3 <sup>a, b</sup>
Number of employees receiving payment	41	15
Aggregated amount of payments	\$329,370	\$188,415
Average bonus payment	\$8,033	\$14,493
Range of payments	\$4,000-12,869	\$7,625-19,912

a Classifications are grouped together to ensure payments to individuals cannot be identified.

b Payments made in 2004-05 relate to performance during the financial year 2003-04.

skills needed against our Generic Capability Framework. The guide for EL 1–2 was developed to assist individuals and managers with continuing professional development. To ensure we have the right people with the right skills doing the right jobs, and to reinforce the need to address retention issues relating to the ageing workforce, we have developed a succession management process scheduled for completion and implementation in late 2005. This will incorporate capability building and knowledge management.

### Graduate program

The achievements for this year include:

- recruitment of 16 graduate-entry employees for 2005
- induction of the 2005 graduate intake and finalisation of placements, and
- initiating recruitment action for the 2006 graduate intake.

### Learning and development

As mentioned previously, an 'Accountabilities for a Public Servant' program was developed.

The program was compulsory and was conducted throughout the Department for all employees. This included a one-day program for APS and Executive Level employees, and a half-day program for all SES employees. Approximately 630 employees attended these programs.

Online training programs—covering issues such as OH&S, APS Values and Code of Conduct, bullying and diversity—have been developed and are currently in the testing phase. The course is tailored to our requirements and will be made available to employees during July 2005.

### Program for Performance Improvement

Simplified guidelines for the Program for Performance Improvement (PPI) were established and the program was implemented online for all staff. The program provides an overview of the performance management process and focuses on identifying learning needs through the analysis of training needs and development of a learning plan. The program also stresses the importance of providing opportunities to



2005 graduate intake

practise and develop skills. Ongoing support for the PPI program includes:

- additional midyear review support to individuals
- rewriting the help documentation for PPI, and
- establishment of the upward appraisal process online.

The upward appraisal component of PPI was implemented in January 2005. Monitoring the application of the online process is occurring on an ongoing basis.

### Information technology (IT) training

IT training has been fundamental to the Department's strategy of maximising the use and benefits of technology. There were 3,336 attendances at the IT training centre. Training was provided on desktop applications, IT security awareness, IT for new starters, electronic document and records management and Web authoring. The IT training team delivered formal training to all Indigenous Coordination Centre staff during the period.



Members of the IKS PC rollout team

## Information and knowledge management

The Information and Knowledge Services Group (IKS) provides the Department with information technology (IT), communication systems, electronic information services, knowledge management and library services.

In line with the Government's priorities for counter-terrorism, IKS provides secure communications between various Commonwealth and State entities through the Australian Secure Network (ASNET).

### IT infrastructure

The Department's Wide Area Network (WAN) comprises links between seven Canberra locations, the EMA facility in Mount Macedon, Victoria and offices in Sydney and Perth.

The integration of staff from the former Aboriginal and Torres Strait Islander Services to the Department was undertaken. We provided a smooth relocation of data, email and mobile phones. New desktops were provided, and technical support resolved issues with remote Indigenous Coordination Centres.

In September 2004 we undertook a major renewal of IT equipment to improve productivity through faster performance and higher reliability. Four hundred and fifty new desktop computers were deployed to staff. This process was completed over two weekends, minimising interruption to business areas.

We conducted a proof-of-concept of BlackBerry hand-held devices. This involved trialling new integrated mobile communications of email, Internet and telephone. This technology improved departmental communication.

An upgrade of the National Emergency Management Coordination Centre (NEMCC) was undertaken to improve media monitoring, collaboration and access to maps.

### IT sourcing

The Department uses a selective sourcing model for IT services and equipment. The market testing of switchboard operator services was completed, with Sirius Telecommunications Limited being awarded the contract. We are in contract negotiation for information and technology training. Existing contracts that continued to be managed include: applications development and maintenance (KAZ Technology Group), software licensing (Data #3) and data and communications (Northshore Communications). All providers were selected on a value-for-money basis. An Australian supplier was the successful tenderer in each case.

### Knowledge management

During 2004–05 we upgraded our innovative electronic document management system (EDMS). The new version included a range of enhancements negotiated with the software vendor. All of these enhancements have been adopted for distribution to other sites.

The year 2005 marks 30 years of production of the Attorney-General's Department Information Service (AGIS). AGIS began in February 1975 as an in-house indexing and abstracting service for departmental officers. It has developed over the years into a comprehensive electronic information resource used for legal research. AGIS is the only Australian legal journal indexing service available to the legal community. AGIS is available to the general public through RMIT Publishing.

Two library staff members spent the week of 11–15 April in the Republic of Nauru assisting with the amalgamation of the Nauru Department of Justice and Supreme Court libraries. The new library will serve not only the Department of Justice and Supreme Court staff but also Nauruan students studying through the University of the South Pacific. The week was spent reorganising the collection and training the newly appointed library staff (see case study page 157).

### Information management capability

The Group implemented a program to improve the Department's information management capability. The major benefits of this project are:

- the management of all electronic information created within the Department and comprehensive information search and retrieval
- integrated support for collaboration and knowledge management
- document version control and security, and
- more efficient compliance with Commonwealth record-keeping obligations.

A number of application systems were developed to assist staff in their day-to-day work. Some examples are:

- the extension of online library services allowing users to access the library catalogue and other legal research resources from their desktop
- the Community Legal Service Information System (CLSIS 4) project to improve reporting and enquiry facilities for the legal aid community
- enhancements to the International Transfer of Prisoners database, Marriage Celebrants database, audit tracking system and the data and workflow of grants system (DAWGS)

# CASE STUDY

## Assisting law libraries in Nauru

Two staff members from the Department's Lionel Murphy Library travelled to the Republic of Nauru in April 2005.

The island of Nauru is located to the north-east of Australia in the South Pacific Ocean. Nauru covers only 21 square kilometres and has a population of around 12,000 people.

The librarians were there to assist with amalgamating the libraries of the Department of Justice and the Supreme Court of the Republic of Nauru following a request from Nauru's Chief Justice, Barry Connell.

The Lionel Murphy Library has been 'twinned' with law office libraries in the South Pacific since 1992. The arrangement gives a focus for the provision of both legal texts and librarian training.

On arrival, the first job for the librarians was to rearrange the textbook collection, much of which had not been classified. As they started to move the tightly packed books, the shelves collapsed, sending textbooks flying to the floor and onto the librarians, who were fortunately uninjured. It has been recommended that new shelves be ordered for the library.

The Nauru Supreme Court Library also lacked a catalogue of the materials in its collection, so the visiting librarians wrote and filed more than 400 catalogue cards for the primary materials and textbooks.

A loans system was established and training provided in how to manage loans and maintain the library.

The visit was a great success. Chief Justice Barry Connell was impressed with the accomplishments of the Department's library staff and appreciative of the Department's continued support in developing this valuable resource.



Nauru Court House

- enhancements to the Gazette system
- establishment of the Library Liaison program. This provided improved knowledge of library services available to staff, and increased effectiveness of staff access to information and services available from the library, and
- developing a contacts and events management database for critical infrastructure protection.

### Other key outcomes

The asset team worked together to dramatically reduce repetitive lifting when moving IT and other equipment. They identified the problem, developed a solution and introduced new equipment, including a self-loading van and specific-purpose trolleys. Additionally, they enhanced the benefits of the van with safety warning signage and a reversing safety system. The ability to move the same amount of equipment with half the lifting requirement was an excellent outcome.

Sixty-five web and sub-web sites were developed or maintained during the year. They included:

- the International Commercial Disputes web site, to increase public presence and provide more effective communication, with the Commonwealth promoting a lead role amongst the legal community
- the International Child Abduction official Australian web site, which provides more effective information sharing with external groups
- the National Community Crime Prevention Programme web site, which provides increased public presence and more effective communication, and
- Australian Journal of Emergency Management web site, to provide more effective information sharing with external groups.

Broader IT support achievements included:

- the establishment of a Portfolio Chief Information Officer Committee to enable joint procurement opportunities, and portfolio-wide consideration of strategic issues, and
- managing IT support arrangements for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice (held in Bangkok, 18-25 April 2005), which included providing international high-speed Internet access and IT support.

## Social equity impacts

### Social justice

In pursuing its mission of achieving a just and secure society, the Attorney-General's Department works to an extensive social justice agenda. The implementation of



Razorback self-loading van in action

this agenda involves most areas of the Department. It 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*.

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. While the Performance reports of this annual report document numerous initiatives that progress particular social justice objectives, the functions of many elements of the Department are closely aligned with the objective of promoting social justice generally.

- Many regional and rural communities across Australia were able to access the Regional Law Hotline for the first time in 2004-05. The hotline provides free legal information and basic legal advice to callers from regional areas. In 2004-05 we expanded the hotline to cover all non-metropolitan areas of Australia.
- In the 2004-05 Budget the Government provided \$34.2 million over four years for the appointment of eight additional magistrates in the Federal Magistrates Court. This additional funding for the Court is a key part of the Government's reforms to migration litigation, to ensure that migration cases are dealt with quickly and fairly and improve access to justice for all cases with merit. The eight magistrates took up their appointments during the period July to September 2004.
- Funding of \$5.5 million over four years for two more magistrates was provided in the 2005-06 Budget. These two magistrates will be located in the Sydney central business district and will enable the Federal Magistrates Court to handle family law disputes in the Sydney CBD.
- Legal assistance for Commonwealth family, criminal and civil law matters is provided through the Commonwealth's legal aid program, administered by the Department. This assistance is provided by the legal aid commissions in each State and Territory under agreements with the Australian Government. In 2004-05, the Department provided over \$142 million in direct funding to legal aid commissions to provide assistance in matters arising under Commonwealth law. Additional funding was provided to fund expensive criminal cases arising under Commonwealth law.
- The Department also administers a number of Indigenous-specific programs that support a range of culturally appropriate services to Indigenous Australians. These services include legal assistance, family violence prevention, and diversionary and rehabilitation programs. In 2004-05, the Department administered \$62 million in funding assistance to organisations for the provision of these services to Indigenous Australians.
- In 2004-05, the Department implemented the Government's decision to expand the number of Family Violence Prevention Legal Services from 13 to 26 units. The arrangements for the provision of legal assistance to Indigenous Australians were revamped, following a tender for these services in three States. Tendering arrangements for the provision of these services in the other States and the Northern Territory will be introduced in 2005-06.
- 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 (CLCs) 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 2004–05, a total of \$21.3 million was allocated to 127 CLCs across Australia. 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.

- On 23 December 2004, the Attorney-General and the Minister for Foreign Affairs released the *National Framework for Human Rights: National Action Plan*. The document sets out the Australian Government's strategic approach to human rights in Australia. It provides a framework within which specific initiatives may be taken to enhance the enjoyment of those rights, and a broad outline for the focus of human rights priorities in Australia. A copy of the Framework is available at <[www.ag.gov.au/nap](http://www.ag.gov.au/nap)>.
- We have continued our work in developing and amending various disability standards under the Disability Discrimination Act. The Disability Discrimination Amendment (Education Standards) Act was passed by the Parliament on 17 February 2005, and the draft Disability Standards for Education, which are disallowable instruments, were tabled in Parliament by the Attorney-General on 17 March 2005. Disability standards have social justice and equity impacts for people with disabilities by promoting improved access to facilities and services, without placing undue burdens on industry and providers.
- We have been actively involved in negotiations to develop a United Nations Convention on the Rights of Persons with Disabilities, which is aimed at improving social justice and equity for people with disabilities throughout the world.
- The Department contributes to the achievement of social justice by improving the standard of legislative instruments, by making available printed copies of Commonwealth legislation and by providing free public access to the legislation on the Internet through the Federal Register of Legislative Instruments and the ComLaw system. The Register came into existence on the commencement of the *Legislative Instruments Act 2003* on 1 January 2005.

### Commonwealth Disability Strategy

The Australian Government is committed to providing 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 Commonwealth organisations meet their obligations under the *Disability Discrimination Act 1992*.

The strategy recognises that Commonwealth 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 comprises five key roles of government,

that is, policy adviser, regulator, purchaser, provider and employer. The Attorney-General's Department reports on its role as a policy adviser and employer, and that report appears at Appendix 9.

## Ecologically sustainable development and environmental performance

The Attorney-General's 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 how the activities of the Department accord with the principles of ecologically sustainable development (ESD), how the Department's 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 Heritage web site at <<http://www.ea.gov.au/esd>>.)

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, turning equipment off after hours, down-rating fluorescent tubes, and buying energy-efficient equipment.

The Department's new electronic document management system is minimising the need to print and retain paper copies of most documents. As a result, we are using less paper, less toner and fewer similar consumables. In addition, steps have been taken in some areas to reduce the amount of paper being used by endorsing double-sided printing as the default print setting and promoting double-sided photocopying.

In accordance with the Government's energy policy, action has been taken to develop an environmental management system (EMS) 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.

We are due to move into a purpose-built building (see case study page 162) in 2008 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 prior to the relocation.

The lease developed for the new building is the first Commonwealth 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.

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## New building project

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The next four years should prove to be an exciting time, with the construction of our new building on the soon-to-be vacated site at 3–5 National Circuit, Barton.

The Department has been based in the Robert Garran Offices on National Circuit since 1983. Since then, staff numbers have grown in proportion to the Department's increasing workload, with staff currently located in several different buildings across Canberra.

Work first began on the new building project in 2003 with the development of a long-term accommodation strategy for the Department.

The new building, with a target completion date in late 2008, will be able to house most of our staff in a building that promises to become an icon within the Parliamentary Triangle.

The four-storey building will have the first 'green lease' negotiated by an Australian

Government department. We are intent upon creating a building that is environmentally efficient, has good amenity for staff, and makes the best possible use of natural light. It will have a café and a child care facility.

A consultative committee will enable Divisions and their staff to be actively involved in the planning process. A range of working groups will be established so that as many staff as possible can be involved.

The project team has been busy consulting a range of external parties about the development of the Agreement to Lease and the early design work for the base building.

The team has also had discussions with a number of other Australian Government departments that have recently undertaken accommodation projects of a similar nature. These discussions have been very useful in ensuring our team can make well-informed judgments as the project proceeds.



Artist impression only, supplied by Industry Superannuation Property Trust