



**ACT**  
Government

Justice and Community Safety

## Justice and Community Safety Directorate

### Statement of Performance

Half-Yearly Report to  
31 December 2018

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

Output Class 1 Justice Services

Output 1.1 Policy Advice and Justice Programs

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

	2018-19 Original Target	2018-19 Amended Target	YTD Target 31 Dec 18	YTD Actual 31 Dec 18	Variance %	Note
Total Cost (\$'000)	22,716		12,209	11,092	(9%)	
Controlled Recurrent Payments (\$'000)	21,110		11,335	10,228	(10%)	1

**Accountability Indicators**

a	Percentage of legislation requested by the JACS portfolio ministers is developed within timeframes agreed by the JACS portfolio ministers	100%		100%	100%	0%	
b	Proportion of surveyed users of restorative justice programs satisfied with service received <sup>i</sup>	97%		97%	97%	0%	
c	Number of initiatives that reduce regulatory burden <sup>ii</sup>	2		2	4	100%	2

The above Accountability Indicators should be read in conjunction with the accompanying notes.

**Notes**

- i Following a restorative justice conference, surveys designed to monitor convenors' delivery of the process and participant experience for quality assurance and service improvement, are provided to each offender, victim and support person. Nine key questions are included in the surveys. These questions capture feedback on different aspects of the restorative justice process to provide an insight into the level of participant satisfaction.
- ii Relevant initiatives include changes or innovations, made as part of legislative reforms or policy or program design or modification, and which have been identified as reducing regulatory burden.

**Explanation of Material Variances ( $\geq \pm 10\%$ )**

- 1 Total CRP is lower than target primarily due to the delayed recognition of revenue associated with Natural Disaster Resilience Program.
- 2 The higher than target outcome is mainly due to four bills were passed and identified as reducing regulatory burden initiatives in the second quarter of 2018-19. The four initiatives are:
  - a. Residential Tenancies Amendment Bill 2018 (No2)
  - b. Gaming Legislation Amendment Bill 2018
  - c. Consumer Protection Legislation Amendment Bill 2018
  - d. Births, Deaths and Marriages Registration Amendment Bill 2018

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

Output Class 1 Justice Services

Output 1.2 Legal Services to Government

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

	2018-19 Original Target	2018-19 Amended Target	YTD Target 31 Dec 18	YTD Actual 31 Dec 18	Variance %	Note
Total Cost (\$'000)	15,872		7,814	10,268	31%	1
Controlled Recurrent Payments (\$'000)	10,605		5,397	5,396	(0%)	

**Accountability Indicators**

a	Timely legal services provided by the ACT Government Solicitor: percentage of advices completed within 28 days	85%	85%	84%	(1%)	
b	High quality legal services provided by the ACT Government Solicitor: percentage of client survey respondents satisfied with quality of advice and representation <sup>i</sup>	95%	95%	93%	(2%)	
c	Timely legal services provided by the ACT Government Solicitor: percentage of court matters undertaken and completed within courts, tribunal or any applicable statutory timetable	95%	95%	91%	(4%)	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

**Notes**

- i The client survey is conducted using the online Survey Monkey tool. In the first six months of 2018-19 there were a total of 124 responses to the survey question of client satisfaction with the quality of legal services. Respondents indicate the quality of legal services delivered was either 'excellent' or 'satisfactory' as a % of the total survey responses to the question.

**Explanation of Material Variances ( $\geq \pm 10\%$ )**

- 1 Total Cost is higher than target primarily due to the engagement of additional staff to undertake work on a fee for service basis for client agencies.

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

Output Class 1 Justice Services

Output 1.3 Legislative Drafting and Publishing Services

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

	2018-19 Original Target	2018-19 Amended Target	YTD Target 31 Dec 18	YTD Actual 31 Dec 18	Variance %	Note
Total Cost (\$'000)	5,011		2,671	3,298	23%	1
Controlled Recurrent Payments (\$'000)	4,471		2,233	2,237	0%	

**Accountability Indicators**

a	High level of client satisfaction for legislative drafting and publishing services by the Parliamentary Counsel's Office: percentage of satisfied client survey respondents <sup>i</sup>	90%		Annual Measure	N/A
b	Timely legislative drafting and publishing services by the Parliamentary Counsel's Office:				
	– Percentage of drafting responses provided within 30 day standard	95%	95%	100%	5%
	– Percentage of notifications notified on ACT Legislation Register on requested notification day	99%	99%	100%	1%
	– Percentage of republications of changed legislation published on ACT legislation register on day the change happens	99%	99%	100%	1%

The above Accountability Indicators should be read in conjunction with the accompanying notes.

**Note**

- i Parliamentary Counsel Office (PCO) annually conducts 3 client surveys over a two week period: the ACT Legislation Register Survey, the Legislative Drafting Service Survey and the ACT Legislation Register Notifications Service Survey. Satisfied client survey respondents means respondents who indicated an overall level of satisfaction of 'good' or 'excellent'.

**Explanation of Material Variances ( $\geq \pm 10\%$ )**

- 1 Total Cost is higher than target primarily due to higher depreciation associated with the late capitalisation of an asset.

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

Output Class 1 Justice Services

Output 1.4 Public Prosecutions

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

	2018-19 Original Target	2018-19 Amended Target	YTD Target 31 Dec 18	YTD Actual 31 Dec 18	Variance %	Note
Total Cost (\$'000)	16,147		7,925	8,012	1%	
Controlled Recurrent Payments (\$'000)	15,349		7,663	7,663	0%	
<b>Accountability Indicators</b>						
a Percentage of cases where court timetable is met in accordance with Courts' rules	80%		80%	86%	7%	
b Average cost per matter finalised	\$2,800		\$2,800	\$3,126	12%	1

The above Accountability Indicators should be read in conjunction with the accompanying notes.

**Explanation of Material Variances ( $\geq \pm 10\%$ )**

- 1 Total cost is higher than target primarily due to the engagement of additional staff and complexity of matters.

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

Output Class 1 Justice Services

Output 1.5 Protection of Rights

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

	2018-19 Original Target	2018-19 Amended Target	YTD Target 31 Dec 18	YTD Actual 31 Dec 18	Variance %	Note
Total Cost (\$'000)	9,629		4,244	4,051	(5%)	
Controlled Recurrent Payments (\$'000)	8,738		3,950	3,950	0%	

**Accountability Indicators**

**ACT Human Rights Commission**

a	High level of client satisfaction with Human Rights Commission complaints process:					
	– Percentage of survey respondents who consider the process fair, accessible and understandable <sup>i</sup>	75%	75%	94%	25%	1
	– Percentage of complaints concluded within Commission standards	75%	75%	82%	9%	
b	High level of community education, information and advice in relation to human rights and (i) services for children and young people, (ii) disability services, (iii) discrimination, (iv) health services, and (v) services for older people:					
	– Number of community engagement activities undertaken by the Commission	50	25	52	108%	2

**Public Advocate of the ACT**

c	The Public Advocate of the ACT's actions towards achieving a caring community where the rights and interests of vulnerable people are protected:					
	– Proportion of client survey respondents for whom advocacy services are provided by the Public Advocate of the ACT where a high level of satisfaction is reported <sup>ii</sup>	75%	75%	86%	15%	3

**Public Advocacy**

Individuals, excluding guardianship clients, brought to the attention of the Public Advocate:

	– Proportion of individuals brought to the attention of the Public Advocate for whom direct advocacy is provided	25%	25%	21%	(16%)	4
	– Percentage for clients referred to the Public Advocate for whom a review of the documentation was undertaken <sup>iii</sup>	75%	75%	61%	(19%)	5

**Victim Support ACT**

d	Percentage of referrals to Victim Support ACT or the Victims of Crime Commissioner - actioned within five working days <sup>iv</sup>	95%	95%	99%	4%	
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The above Accountability Indicators should be read in conjunction with the accompanying notes.

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

Output Class 1 Justice Services

Output 1.5 Protection of Rights - Continued

**Notes**

- i An evaluation form is sent out to both the complainant and the respondent with a reply-paid envelope each time a complaint is closed. Three questions included in the Evaluation Form allow clients to provide feedback on whether the HRC's process was fair, accessible and understandable.
- ii The Public Advocate (PA) of the ACT surveys stakeholders using the online tool Survey Monkey. This online process has significantly increased the number of responses, while the additional anonymity it provides has allowed respondents to provide clearer feedback about the services provided than was previously available.
- iii Documentation refers primarily to compliance documents received from Mental Health services and the Office for Children, Youth and Family Support; and reports provided with individuals requests or referrals for advocacy.

**Explanation of Material Variances ( $\geq \pm 10\%$ )**

- 1 The higher than target outcome is mainly due to a high level of satisfaction with the Commissions' complaint handling process.
- 2 The higher than target outcome is mainly due to a high level of activity conducted by the Human Rights Commission during the period, engaging with the community at a wide range of functions that enable the Commission to reach its client base effectively.
- 3 The higher than target outcome is attributed to stakeholder's high level of satisfaction with the Public Advocate's services.
- 4 The lower than target outcome is mainly due to the complexity of individual matters that require a greater level of activity for a smaller number of individuals; and the reduced staffing capacity due to staff leave and staff turnover.
- 5 The lower than target outcome is mainly due to the complexity of individual matters that require a greater level of activity for a smaller number of individuals; and the reduced staffing capacity due to staff leave and staff turnover.

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

## Output Class 2 Corrective Services

### Output 2.1 Corrective Services

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

	2018-19 Original Target	2018-19 Amended Target	YTD Target 31 Dec 18	YTD Actual 31 Dec 18	Variance %	Note
Total Cost (\$'000)	88,885		42,399	40,157	(5%)	
Controlled Recurrent Payments (\$'000)	78,845		38,895	38,895	0%	
<b>Accountability Indicators</b>						
a Completion rates of Community Corrections Orders:						
- The proportion of Community Corrections supervision orders successfully completed within the counting period	80%		80%	69%	(14%)	1
- The proportion of Community Corrections reparation orders successfully completed within the counting period	60%		60%	71%	18%	2
b Average cost per detainee per day for all detainees <sup>i</sup>	\$310		\$310	\$297	(4%)	
c Average cost per day for community based offenders	\$39		\$39	\$41	5%	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

**Note**

- i This indicator closely aligns with the Report of Government Services (ROGS) reporting from net recurrent expenditure per community based offenders per day. This does not include superannuation and depreciation, in line with the ROGS counting method.

**Explanation of Material Variances ( $\geq \pm 10\%$ )**

- 1 Increased non-compliance with order conditions leads to supervision completion rate falling below the required target.
- 2 Reparation order completions are attributed to increased compliance.



Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

Output Class 3 Courts and Tribunal

Output 3.1 Courts and Tribunal

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

	2018-19 Original Target	2018-19 Amended Target	YTD Target 31 Dec 18	YTD Actual 31 Dec 18	Variance %	Note
Total Cost (\$'000)	68,193		30,099	26,255	(13%)	1
Controlled Recurrent Payments (\$'000)	49,809		22,564	22,564	0%	

**Accountability Indicators**

**Courts**

a	Cost per finalised criminal case <sup>i</sup> :					
	- Supreme Court	\$36,500	\$36,500	\$28,288	(22%)	2
	- Magistrates Court	\$2,700	\$2,700	\$1,671	(38%)	3
b	Cost per finalised civil case:					
	- Supreme Court	\$16,500	\$16,500	\$13,848	(16%)	4
	- Magistrates Court	\$4,000	\$4,000	\$2,931	(27%)	5
c	Criminal Case Clearance Indicator - Percentage of Supreme Court finalisations, divided by the number of lodgements	100%	100%	103%	3%	
d	Criminal Case Clearance Indicator - Percentage of Magistrates Court finalisations, divided by the number of lodgements	100%	100%	104%	4%	
e	Civil Case Clearance Indicator - Percentage of Supreme Court finalisations, divided by the number of lodgements	100%	100%	88%	(12%)	6
f	Civil Case Clearance Indicator - Percentage of Magistrates Court finalisations, divided by the number of lodgements <sup>ii</sup>	100%	100%	93%	(7%)	

**Tribunal**

g	Clearance Indicator - Percentage of ACAT finalisations, divided by the number of lodgements <sup>iii</sup>	100%	100%	113%	13%	7
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The above Accountability Indicators should be read in conjunction with the accompanying notes.

**Notes**

- i For the purpose of this report a 'case' is defined as per the counting rules detailed in the Report on Government Services (ROGS) Data Collection Manual Courts, Chapters 6, 7 and 8. It is the measurement of workload in the civil jurisdiction. It is the issues, grievances or complaints that constitute a single and related series of disputes brought by an entity (or group of entities) against another entity (or group).
- ii The civil case clearance indicator for the Magistrates Court includes the Coroners Court.
- iii ACAT - ACT Civil and Administrative Tribunal

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

***Explanation of Material Variances ( $\geq \pm 10\%$ )***

- 1 The outcome is below the target because of the delay in the construction of new courts facilities. The target included payments under the post construction contract that did not eventuate until late 2018.
- 2 The outcome is below the target because of the delay in the construction of new courts facilities. The target included payments under the post construction contract that did not eventuate until late 2018.
- 3 The outcome is below the target because of the delay in the construction of new courts facilities. The target included payments under the post construction contract that did not eventuate until late 2018.
- 4 The outcome is below the target because of the delay in the construction of new courts facilities. The target included payments under the post construction contract that did not eventuate until late 2018.
- 5 The outcome is below the target because of the delay in the construction of new courts facilities. The target included payments under the post construction contract that did not eventuate until late 2018.
- 6 The outcome is below the target due to more lodgements and fewer finalisations than expected.
- 7 The outcome is above the target because of the finalisation of a number of matters following a ruling on a question of law under section 77 of the ACAT Act.

# Justice and Community Safety Directorate

## Statement of Performance

For YTD Ended 31 December 2018

### Output Class 4 Emergency Services

#### Output 4.1 Emergency Services

**Description** ***Prevention and Mitigation:** Measures taken in advance of an emergency aimed at decreasing or eliminating its impact on the community and the environment.*  
***Preparedness:** Measures to ensure that, should an emergency occur, communities, resources and services are capable of responding to and coping with the effects.*  
***Response:** Strategies and services to control, limit or modify an emergency to reduce its consequences.*  
***Recovery:** Strategies and services to return the ACT Emergency Services Agency to a state of preparedness after emergency situations and to assist with community recovery.*

	2018-19 Original Target	2018-19 Amended Target	YTD Target 31 Dec 18	YTD Actual 31 Dec 18	Variance %	Note
Total Cost (\$'000)	147,924		75,546	75,139	(1%)	
Controlled Recurrent Payments (\$'000)	121,342		60,535	60,535	0%	
<b>Accountability Indicators</b>						
<b>Prevention and Preparedness</b>						
a Desktop audit of ACT Government Directorate Bushfire Operational Plans activities	100%		100%	100%	0%	
b Field assessment of Access Management Upgrades and Hazard Reduction burns conducted in accordance with Bushfire Operational Plans of ACT Government Directorates	100%		100%	N/A	N/A	1
c Percentage of ESA staff who have completed accredited training in AIIMS <sup>i</sup>	80%		80%	71%	(11%)	2
<b>Response and Recovery</b>						
d Structure Fire incidents responded to within target <sup>ii</sup>	90%		90%	93%	3%	
e Road Rescue incidents responded to within target <sup>iii</sup>	90%		90%	90%	0%	
f Ambulance priority 1 - Incident Response Time 50 <sup>th</sup> percentile (minutes) <sup>iv</sup>	8		8	9.1	14%	3
g Ambulance priority 1 - Incident Response Time 90 <sup>th</sup> percentile (minutes) <sup>iv</sup>	15		15	14.8	(1%)	
h Percentage of Patient Transport Service 'fixed booking' attended by booked time	65%		65%	73%	12%	4
i Total cost per head of population <sup>v</sup>	\$359.04		\$359.04	\$357.04	(1%)	

The above Accountability Indicators should be read in conjunction with the accompanying notes.

#### Notes

- i AIIMS – Australasian Inter-Service Incident Management System. This accountability indicator captures training provided to Emergency Services Agency (ESA) staff only on the AIIMS system.
- ii Target refers to the response to structure fires within 10 minutes.

Justice and Community Safety Directorate  
Statement of Performance  
For YTD Ended 31 December 2018

Output Class 4 Emergency Services

Output 4.1 Emergency Services - Continued

**Notes - continued**

- iii Target refers to the response to road rescues within 13 minutes.
- iv Priority 1 records that are incomplete due to operator or system errors, or where incidents are outside the ACT, or where the priority rating has been changed, are excluded.
- v The 2018-19 original target is based on an estimated population of 419,192. The 2018-19 Actual is based on the most recent estimated population for the Australian Capital Territory by the Australian Bureau of Statistics per Catalogue 3101.0.

**Explanation of Material Variances ( $\geq \pm 10\%$ )**

- 1 There have been no hazard reduction burns or access upgrade activities conducted in accordance with any approved Bushfire Operational Plans in the 2018-19 Financial Year (FY) to date. Therefore no field assessments have been conducted. Performance result is Not Applicable at this point.
- 2 Since the 2018-19 FY the target for accredited AIIMS training has been increased to 80%. The ACT Ambulance Service has not previously mandated this training. ESA Training and ACTAS will work together throughout this financial year to help staff undertake this training. As a transition, this target has not yet been met.
- 3 The slower response time as compared to the YTD target is due to an overall increase in demand for ambulance services.
- 4 The higher than target outcome is due to improved booking procedures with a focus on avoiding conflicts in booking time.