

2025

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

ELEVENTH ASSEMBLY

**JUSTICE AND COMMUNITY SAFETY DIRECTORATE HALF-YEARLY PERFORMANCE REPORT (31
DECEMBER 2024)**

**Presented by
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Attorney-General
February 2025**



ACT
Government

Justice and Community Safety

Justice and Community Safety Directorate

Statement of Performance

Half Year ending 31 December 2024

Justice and Community Safety Directorate
Statement of Performance
Half year ending 31 December 2024

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.

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
Total Cost (\$'000)	40,606	19,851	21,185	7	
Controlled Recurrent Payments (\$'000)	38,576	18,924	18,932	-	

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%	-	
b Proportion of surveyed users of restorative justice programs satisfied with service received ⁱ	97%	97%	99%	2	
c Number of initiatives that reduce regulatory burden ⁱⁱ	2	1	1	-	

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

Explanation of Accountability Indicators

- 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. 23 participants completed the survey with 99% being satisfied with services received.
- 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. The *Justice and Community Safety Bill 2024 (No2)* Bill was the bill identified that reduced regulatory burden in the first half of the 2024-25 financial year.

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Output Class 1 Justice Services

Output 1.2 Legal Services to Government

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

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
Total Cost (\$'000)	26,101	12,985	17,277	33	1
Controlled Recurrent Payments (\$'000)	14,559	7,287	7,299	0	

Accountability Indicators

a	Timely legal services provided by the ACT Government Solicitor: percentage of advices completed within 28 days	85%	85%	82%	(4)
b	High quality legal services provided by the ACT Government Solicitor: percentage of client survey respondents satisfied with quality of advice and representation ⁱ	95%	95%	88%	(7)
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%	88%	(7)

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

Explanation of Accountability Indicators

- i The client survey is conducted using the online Survey Monkey Tool. In response to the survey, 109 out of 124 respondents indicated an overall level of 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.

Note - Explanation of Material Variances (≥+/-10%)

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

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Output Class 1 Justice Services

Output 1.3 Legislative Drafting and Publishing Services

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

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
Total Cost (\$'000)	5,544	2,760	2,625	(5)	
Controlled Recurrent Payments (\$'000)	5,210	2,605	2,607	-	

Accountability Indicators

a	High level of client satisfaction for legislative drafting and publishing services by the Parliamentary Counsel's Office: - percentage of satisfied client survey respondents ⁱ	90%	90%	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%	99%	4
	- 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 Indicators should be read in conjunction with the accompanying notes.

Explanation of Accountability Indicators

- i Parliamentary Counsel Office (PCO) annually conducts three client surveys over a two-week period in Quarter 4: 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'. The surveys are scheduled to occur in May 2025.

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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.

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
Total Cost (\$'000)	19,147	9,548	10,928	14	1
Controlled Recurrent Payments (\$'000)	16,864	8,472	8,482	0	

Accountability Indicators

a	Average cost per matter finalised	\$3,866	\$3,866	\$4,444	15	1
b	The percentage of cases where the brief is served within two weeks of it being received from the ACT Police	80%	80%	90%	13	2
c	The percentage of cases where the indictment case statement and questionnaire are filed within the timeframes specified at directions in the Supreme Court ⁱ	80%	80%	81%	1	

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

Explanation of Accountability Indicators

- i Following a matter being moved from the Magistrates Court to the Supreme Court for trial, the Supreme Court Registrar will order the DPP to file a set of documents which includes the indictment, Case Statement, Witness List and Questionnaire. The “usual orders” require the DPP to file the suite of documents within three weeks.

Note - Explanation of Material Variances (≥ +/-10%)

- The result is higher than target due to the increasing costs of prosecutions. In particular the increasing costs of witness expenses, interpreters, briefing external counsel and the increase in costs of staffing to meet the additional demands of the court. The complexity of criminal prosecutions has increased as a result of changes to the law, court procedure, technology and new types of evidence (including voluminous digital evidence). These changes have caused a tangible increase to the resources required to finalise criminal prosecutions.
- The result is higher than target due to paralegal resources continuing to be directed towards timely brief provision and the number of electronic briefs has increased, reducing disclosure time.

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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 Aboriginal and Torres Strait Islander Children and Young People Commissioner and the Privacy Commissioner.

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
Total Cost (\$'000)	25,052	12,030	12,808	6	
Controlled Recurrent Payments (\$'000)	23,752	11,457	11,465	-	

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 complaint handling service accessible	80%	80%	88%	10	1
- Percentage of survey respondents who consider the complaint handling service to be fair	80%	80%	76%	(5)	
- Percentage of complaints concluded within Commission standards	75%	75%	72%	(4)	
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 and other complaint jurisdictions:					
- Number of community engagement activities undertaken by the Commission	90	45	64	42	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	75%	75%	88%	17	3

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Output Class 1 Justice Services

Output 1.5 Protection of Rights – Continued

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
The Public Advocate's actions towards achieving a caring community where the rights and interests of vulnerable people are protected:					
- Percentage of referrals to the Public Advocate actioned within five working days ⁱ	90%	90%	86%	(4)	
- Percentage of compliance documents reviewed within five working days of allocation ⁱ	80%	80%	80%	-	
Victim Support ACT					
d Percentage of referrals to Victim Support ACT or the Victims of Crime Commissioner - actioned within five working days	95%	95%	95%	-	

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

Explanation of Accountability Indicators

- ⁱ The new indicators seek to move from 'numbers' indicators to 'timeliness' indicators that will more effectively report on performance in being appropriately responsive to issues and concerns either brought to the Public Advocate by external parties or related to the Public Advocate's review of documents that must be provided to the Public Advocate by law.

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

- 1 The Commission continues to streamline its complaint handling processes and focus on early informal resolution to resolve matters quickly. An increase in complaint teams' staff has facilitated improved communication with parties. An increase in the number of evaluation forms received has also provided a broader cross-section of responses.
- 2 The higher than target outcome is due to the recent amendment of existing legislation (*Human Rights Commission Act 2005* and *Discrimination Act 1991* making it mandatory for all organisations that provide services for children and young people to commence implementing the ACT Child Safe Standards Scheme) resulting in additional information sessions being delivered.
- 3 The higher than target outcome is indicative of the standard of service provided by the Public Advocate and the staff, albeit that the responses rate to the survey is low (only 8 responses). The Public Advocate is making active efforts to increase responses to the survey, including exploring ways for clients without internet access to participate (e.g. people in detention).

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Output Class 2 Corrective Services

Output 2.1 Corrective Services

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

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
Total Cost (\$'000)	132,799	63,959	63,995	-	
Controlled Recurrent Payments (\$'000)	109,042	52,010	51,960	-	

Accountability Indicators

a	Completion rates of Community Corrections Orders:				
	- The proportion of Community Corrections supervision orders successfully completed within the counting period	85%	85%	86%	1
	- The proportion of Community Corrections reparation orders successfully completed within the counting period	70%	70%	86%	23 1
b	Average cost per detainee per day for all detainees	\$660	\$660	\$566	(14) 2
c	Average cost per day for community-based offenders	\$87	\$87	\$82	(6)

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

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

- The Reparation Order completion rates are higher than the target, which is mostly influenced by an ongoing focus on case management practices and services provided to support completion, facilitated by lower overall caseload numbers. As a smaller jurisdiction, the ACT experiences greater fluctuations in performance indicators such as completion rates (relative to larger jurisdictions) and percentages are influenced by small sample sizes.
- The average daily cost per detainee is lower than target due to higher than projected detainee numbers.

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Output Class 3 Courts and Tribunal

Output 3.1 Courts and Tribunal

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

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
Total Cost (\$'000)	87,610	42,734	43,039	1	
Controlled Recurrent Payments (\$'000)	65,583	31,681	31,703	-	

Accountability Indicators

Courts

a	Cost per finalised criminal case ⁱ :				
	- Supreme Court	\$56,272	\$56,272	\$54,447	(3)
	- Magistrates Court	\$2,683	\$2,683	\$3,088	15
					1
b	Cost per finalised civil case ⁱ :				
	- Supreme Court	\$27,013	\$27,013	\$26,012	(4)
	- Magistrates Court	\$4,406	\$4,406	\$4,559	3
c	Criminal Case Clearance Indicator - Number of Supreme Court finalisations, divided by the number of lodgements	100%	100%	66%	(34)
					2
d	Criminal Case Clearance Indicator - Number of Magistrates Court finalisations, divided by the number of lodgements	100%	100%	102%	2
e	Civil Case Clearance Indicator - Number of Supreme Court finalisations, divided by the number of lodgements	100%	100%	109%	9
f	Civil Case Clearance Indicator - Number of Magistrates Court finalisations, divided by the number of lodgements ⁱⁱ	100%	100%	89%	(11)
					3

Tribunal

g	Clearance Indicator - Number of ACAT finalisations, divided by the number of lodgements ⁱⁱⁱ	100%	100%	102%	2
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The above Indicators should be read in conjunction with the accompanying notes.

Output Class 3 Courts and Tribunal

Output 3.1 Courts and Tribunal – Continued

Explanation of Accountability Indicators

- 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. More information can be found at - https://www.courts.act.gov.au/_data/assets/pdf_file/0007/2603878/Explanatory-statement-Report-on-SOP-and-SAI.pdf
- ii The civil case clearance indicator for the Magistrates Court includes the Coroners Court and Children's Court.
- iii ACAT - ACT Civil and Administrative Tribunal

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

- 1 Magistrates Court criminal cost per Finalisation is higher than the target due to a higher cost base and lower finalisations. The increase of cost base is due to increased use of special magistrates and associated staff focussing on pending matters which reduced the Magistrates court criminal backlog by 4% over six months to December 2024.
- 2 Supreme Court Criminal Clearance rates vary from the target due to lower finalisations as a result of:
 - a. 10 weeks of planned judicial leave was taken during this period, which reduced the number of sitting days available for listings.
 - b. Civil and Court of Appeal listing periods reduce the available time for criminal trials to be heard and finalised. Over the full year it would be expected that the clearance rate of criminal matters would increase.
 - c. An increase in the number of criminal trial days required for individual matters which arose out of the complexity of the matters before the court. Of the trials listed during this period, 5 had estimates of more than one week. Of those 5, 3 matters had estimates of greater than 2 weeks.
 - d. An increase in the number of criminal matters that require pre-trial hearing and application dates is reducing the number of trials that the Court is able to list within the 12-month target.
 - e. Criminal matters which run for greater than one week impact significantly on the court being able to list matters generally given the small number of judges appointed to the court.
 - f. The Supreme Court criminal lodgements are at a five year high compared with previous years as at December 2024. The increase in lodgements has overlapped with the increase in complexity of matters and an increase in the number of trial days required for matters generally. Together this greatly reduces available listing days for timely hearings.
 - g. The increase in lodgements, combined with the complexity of trials and late pleas negatively impacts clearance rates in a small court.
- 3 Magistrates Court has focused on clearing criminal matters and diverted more resources towards the criminal jurisdiction, resulting in a temporary reduction in the clearance of civil matters.

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Output Class 4 Emergency Services

Output 4.1 Emergency Services

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

	2024-25 Original Target	2024-25 YTD Target	2024-25 YTD Actual Results	Variance %	Note
Total Cost (\$'000)	231,266	114,590	116,207	1	
Controlled Recurrent Payments (\$'000)	187,879	93,302	93,290	-	

Accountability Indicators

Prevention and Preparedness

a	Field Audit of Slashing/Grazing/Physical Removal activities, as per approved Bushfire Operational Plans (BOPs)	100%	100%	100%	
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	1
c	Percentage of capability to activate and maintain an Incident Management Team for 4 consecutive 12-hour shifts ⁱ	100%	100%	100%	

Response and Recovery

d	Structure Fire incidents responded to within target ⁱⁱ	90%	90%	96%	7
e	Road Rescue incidents responded to within target ⁱⁱⁱ	90%	90%	94%	4
f	Ambulance priority 1 - Incident Response Time 50th percentile (minutes) ^{iv, v}	8	8	10.40	(30) 2
g	Ambulance priority 1 - Incident Response Time 90th percentile (minutes) ^{iv, v}	15	15	17.90	(19) 2
h	Percentage of Patient Transport Service 'fixed booking' attended by booked time	65%	65%	71%	9
i	Total cost per head of population ^{vi}	\$463.44	\$463.44	\$490.21	1

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

Output Class 4 Emergency Services

Output 4.1 Emergency Services – Continued

Explanation of Accountability Indicators

- i This indicator measures if the Emergency Services Agency has appropriately trained and endorsed staff to maintain a high-level Incident Management Team (IMT) (for 4 consecutive 12-hour shifts).
- ii Target refers to the response to structure fires within 10 minutes.
- 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 If results are higher than targets for these indicators, the variance will be reflected as a negative percentage.
- vi The 2024-25 target has been increased to reflect projected expenditure and estimated population of 466,813 based on the Estimated Resident Population — June Quarter 2023, ABS Release: National, state and territory population Publication Release Date: 14 December 2023).

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

- 1 No Access Management upgrade or Hazard Reduction burns activities in approved BOP's have been completed in the first or second quarter reporting period. Result is therefore N/A.
- 2 The above target results can be mainly attributed to the increase in the number of people calling for an ambulance, especially for less urgent, primary health care conditions. The increases reflect a trend seen by Ambulance services across the country, and despite this ACTAS remains one of the fastest responding ambulance services in Australia.