

ATTORNEY GENERAL, AND MINISTER FOR JUSTICE

OVERVIEW

<i>Agency</i>	<i>2007-08 Budget \$m</i>	<i>2008-09 Budget \$m</i>	<i>Variation %</i>
Attorney General's Department			
Total Expenses	716.2	745.7	4.1
Capital Expenditure	103.8	50.9	-51.0
Judicial Commission of New South Wales			
Total Expenses	5.3	5.1	-2.9
Capital Expenditure	0.2	0.2	...
Legal Aid Commission of New South Wales			
Total Expenses	186.6	193.4	3.7
Capital Expenditure	3.3	4.4	33.1
Office of the Director of Public Prosecutions			
Total Expenses.....	94.5	96.7	2.3
Capital Expenditure	1.3	1.8	35.2
Department of Corrective Services			
Total Expenses	868.0	911.4	5.0
Capital Expenditure	97.1	97.3	0.2
Public Trustee NSW			
Total Expenses	33.5	35.0	4.4
Capital Expenditure	2.0	2.9	44.3
Total, Attorney General, and Minister for Justice			
Total Expenses	1,904.1	1,987.3	4.4
Capital Expenditure	207.7	157.5	-24.2

ATTORNEY GENERAL'S DEPARTMENT

The Attorney General's Department has a crucial role in access to justice, protection of rights and public safety. It plays a key role in the administration and development of a just and equitable legal system of courts, tribunals, laws and other mechanisms that further the principles of justice.

The Department administers courts and tribunals, advises on legal policy and legislative reform and promotes social harmony through programs to reduce crime, protect human rights and improve community standards. The Department also administers the legal profession, provides trustee services, guardianship and financial services for people with disabilities and maintains records of births, deaths and marriages.

The Department supports the Attorney General as the first Law Officer of the Crown in the development of legislation and the provision of information to the Parliament.

RESULTS AND SERVICES

The Department has a significant role, in partnership with other justice agencies, to ensure the delivery of Government priorities to reduce crime, re-offending and anti-social behaviour and improve customer services. It promotes a just and safe society by working towards the following results:

- ◆ The rights of the people of New South Wales are protected.
- ◆ Public safety and support are improved.

Key services provided by the Department that contribute to these results include:

- ◆ providing legal, professional and regulatory services, including advice to the Government on law, justice and legal reforms
- ◆ providing administration of New South Wales Courts, Tribunals and Community Justice Centres
- ◆ providing court support, including transcription services, court security and jury management
- ◆ providing crime prevention and criminal diversion programs and support services to victims of violent crime, including providing grant funding to local communities
- ◆ providing registration of births, deaths and marriages

- ◆ providing legal services that involve Constitutional powers and implications beyond a Minister's portfolio and
- ◆ providing business and personnel services to business units including the Public Trustee NSW, the Office of the Public Guardian, the Office of the Protective Commissioner and the Legal Profession Admission Board.

The key services provided by the Department and the way in which they are expected to contribute to results are set out in the following table:

Service Groups	2008-09 Budget Expenses \$m	Results	
		Rights of the people of NSW are protected	Public safety and support are improved
Legal, Policy and Regulatory Services	50.6	✓	✓
Court Services	380.2	✓	✓
Court Support Services	90.7	✓	✓
Crime Prevention and Community Services	109.4	✓	✓
Registry of Births, Deaths and Marriages	20.4	✓	
Crown Solicitor's Office	40.8	✓	
Business and Personnel Services	53.6	✓	
Total Expenses Excluding Losses	745.7		

RECENT ACHIEVEMENTS

In addition to further improvements in court performance and court security, the Department has continued to build community capacity to prevent crime, improve outcomes and services for Aboriginal communities and enhance value for money through increased justice sector cooperation and greater efficiencies.

The Productivity Commission's *Report on Government Services 2007* concludes that New South Wales Courts are amongst the most time-efficient in the country. The report found that the New South Wales District, Local and Children's Courts were rated first in Australia for the timeliness with which they dealt with criminal matters. This is the fourth consecutive year that New South Wales Local Courts have achieved this result, while handling more matters than any other State or Territory local court.

The Department continues to develop and support new court diversion and intervention programs including the Court Referral of Eligible Defendants into Treatment program, the Rural Alcohol Diversion program, the Magistrates' Early Referral into Treatment program, Forum Sentencing (formerly known as Young Adult Conferencing) and the Domestic Violence Intervention Court Model. The Circle Sentencing program, which is aimed at reducing re-offending rates in the Aboriginal community, has been expanded beyond regional New South Wales into Sydney.

Recent reforms have also had a significant impact on those coming into contact with the courts, including improving the protection of sexual assault complainants, introducing additional safeguards for children and other vulnerable witnesses and innovative new programs to combat domestic violence.

Following one of the most comprehensive reviews of the laws relating to sexual assault in the last 20 years, all of the legislative changes recommended by the Criminal Justice Sexual Offence Taskforce have been implemented. These changes are aimed at bringing about a cultural shift in the way sexual offences are investigated and prosecuted and changing the attitudes of key participants within the criminal justice system.

The Department has also implemented new programs to combat domestic violence, including the introduction of the Domestic Violence Court Intervention Model. This approach combines police, courts and victim support services in responding to domestic violence situations and has resulted in early guilty pleas rising from 17 to 40 per cent. Legislative changes were also introduced in 2007 to include children on apprehended violence orders (AVOs) and give police greater search powers in domestic violence situations.

The Victims Assistance Scheme, which was introduced in 2006-07 to improve the rehabilitation support available to victims of crime, outlaid a total of \$64.3 million on compensation, counselling and support for victims in its initial year. Some 853 victims of sexual assault received compensation totalling \$23.8 million, while 47,785 hours of counselling was approved for victims of crime.

The new purpose-built Children's Court, Justice Precinct Offices and the new Sydney West Trial Courts (SWTC) at Parramatta have been completed and have commenced operation. The SWTC is one of the most technologically advanced and secure court complexes in Australia. The building's two largest courtrooms can accommodate jury panels of up to 15 members and will host trials involving as many as 10 defendants. With 10 courtrooms, the SWTC is now the primary trial court complex for Western Sydney capable of supporting major criminal cases. Because of the completion of this significant project capital expenditure has been reduced in 2008-09.

The \$6 million redevelopment of Nowra courthouse has also been completed. This courthouse has almost doubled in size, with the addition of a third courtroom capable of hosting major jury trials. Audio-visual link systems have also been installed, along with improvements to court security.

JusticeLink, the Department's integrated multi-jurisdiction court administration system, continues to make good progress with several major applications already implemented. The Supreme Court and District Court now process criminal matters using JusticeLink. In addition, the Supreme Court uses JusticeLink Online Court services within its equity division for the electronic filing of court documents, as a virtual courtroom for use in case management activities, and for the electronic ordering, purchasing and receipt of court transcripts.

The Department has continued its major upgrade of remote witness facilities, with a total of 81 remote witness rooms servicing 139 courts in both metropolitan and regional areas. These facilities digitally record the testimony of vulnerable witnesses so they do not need to endure the trauma of giving evidence for a second time. The Department is also continuing to expand its Audio Visual Link network, which reduces the need to transport prisoners to court for short matters.

STRATEGIC DIRECTIONS

The Department, in partnership with other justice agencies, will continue to contribute to the achievement of Government priorities to deliver improved community outcomes through a focus on the following key priorities:

- ◆ reducing crime and re-offending through a range of rehabilitation programs, improving the effectiveness of crime-prevention programs and expanding preventive programs
- ◆ reducing impacts on victims of crime, including sexual assault victims and mental health patients and their carers, by providing support through programs, funding, technology, new legislation and the construction of new remote witness facilities
- ◆ bringing together judicial, police, custodial and justice administration functions at the Parramatta Justice Precinct, including the completion of the nine-court Trial Court and the refurbishment of the Parramatta Court House
- ◆ improving court systems and facilities to make it simpler and faster for customers using the justice system
- ◆ further developing JusticeLink applications for District Court crime matters, Supreme and District Court civil matters and all applications for the Local Court

- ◆ applying world-class information technology and electronic systems to make our courts safer, more efficient and more sensitive to the needs of vulnerable customers
- ◆ expanding the Aboriginal Mediation program and providing training in conflict resolution skills to support Alternative Dispute Resolution
- ◆ reducing the over-representation of Aboriginal people in legal processes, particularly through mediation and diversionary programs and the continuation of Circle Sentencing program and
- ◆ increasing efficiency through the consolidation of corporate services and the implementation of improved governance, procurement and debt recovery systems.

2008-09 BUDGET INITIATIVES

Total Expenses

In 2008-09, total expenses for the Attorney General's Department are estimated to be \$745.7 million, an increase of 4.1 per cent compared to 2007-08. Additional allocations for 2008-09 include:

- ◆ \$2.8 million for Aboriginal Justice Groups and Community Patrols that were previously funded under the Two Ways Together program
- ◆ \$3.7 million for the maintenance of the Parramatta Justice Precinct
- ◆ an additional \$1.5 million for enhancements to court security and
- ◆ \$1.9 million for roll-out of the Forum Sentencing program.

Capital Expenditure

The Department's capital allocation provides for the expansion and modification of existing courthouses, the upgrade of information technology infrastructure and the purchase and replacement of plant and equipment.

Funding of \$50.9 million has been allocated in 2008-09 for several projects including:

- ◆ \$6.9 million for the refurbishment of the Parramatta Local Court to complete the Sydney West Trial Courts complex
- ◆ \$3.2 million for the further roll-out of the remote witness program to provide closed circuit television facilities at a number of courts

- ◆ \$2.6 million for the continuation of the Registry of Births, Deaths and Marriages Technology Upgrade Program
- ◆ \$20.5 million for the Court Upgrade Program to improve service delivery at various courthouses across New South Wales
- ◆ \$1.5 million for the implementation of an Electronic Document and Records Management System to facilitate the management of electronic documents, records, correspondence and imaging and
- ◆ \$13.2 million for the ongoing upgrade and replacement of the Department's plant and equipment and other minor works.

AGENCY RESULT INDICATORS

The rights of the people of New South Wales are protected

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Net cost per finalised case:					
- Supreme Court	\$	3,691	3,303	3,402	3,504
- District Court	\$	4,001	3,965	4,084	4,206
- Local Court	\$	336	349	359	370
ii) Clearance rate:					
- Supreme Court	%	103	106	100	100
- District Court	%	102	101	100	100
- Local Court	%	97	97	100	100
iii) Pending criminal matters < 12 mths old:					
- Supreme Court	%	84	94	85	85
- District Court	%	92	94	90	90
iv) Pending civil matters < 12 mths old:					
- Supreme Court	%	75	74	74	74
- District Court	%	73	74	75	76
v) Pending Local Court criminal matters:					
- < 6 mths old	%	90	91	90	90
Note:					
These indicators measure the efficiency of court processes – over time, the cost per case is expected to reduce. All cases lodged within a year are expected to be cleared (ie. a target of 100 per cent) and the backlog of pending civil and criminal matters is expected to decrease. Depending on the particular jurisdiction, courts aim to have greater than 90 per cent of their cases either less than 6 months or less than 12 months old.					

Public safety and support are improved

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Major crime trends across NSW local government areas that are stable or falling	%	96	95	95	95
ii) Persons accepted to Magistrates' Early Referral into Treatment (MERIT) program	no.	1,433	1,659	1,660	1,670
iii) Offenders completing Forum Sentencing Program	no.	60	133	100	160
iv) Victims who participated in Forum Sentencing	no.	38	47	50	90

Notes:

- i) This indicator is a proxy measure for the level of public safety: if a higher number of crime trends are stable or falling then the level of crime is falling and safety is increasing. The target is 95 per cent.
- ii) This indicator shows the number of local court adult defendants with illicit drug use problems voluntarily entering drug treatment diversion programs. Over time, the number is expected to increase.
- iii) This indicator measures the number of offenders referred to the Forum Sentencing program who successfully completed Intervention Plans. It is expected that the number will increase once the program is rolled out to further courts from next financial year.
- iv) This indicator measures the number of victims who participate in forum sentencing conferences. It is expected that the number will increase.

JUDICIAL COMMISSION OF NEW SOUTH WALES

The Judicial Commission of New South Wales is an independent statutory corporation established under the *Judicial Officers Act 1986*. The Commission seeks to promote excellence in judicial performance to enhance public confidence in the judiciary.

RESULTS AND SERVICES

The Commission works closely with the Attorney General's Department, the Office of Director of Public Prosecutions, the Legal Aid Commission of New South Wales, the Sentencing Council, the NSW Police Force and other partner agencies to meet Government priorities of reducing crime and re-offending and increasing customer satisfaction with Government services by working towards the following results:

- ◆ The judiciary is better informed and professional.
- ◆ There is consistency in sentencing.
- ◆ Complaints are examined in accordance with statutory provisions.

Key services provided by the Commission that contribute to these results include:

- ◆ A judicial education program that provides an extensive conference and seminar program for judicial officers and publishes professional reference material including bench books, bulletins and journals, education monographs, training DVDs and conference papers.
- ◆ A research and sentencing program that involves research and analysis of aspects of sentencing to publish sentencing trends papers, monographs and a sentencing bench book. The Commission also maintains and develops the Lawcodes database, which provides standard codes to describe offences in New South Wales, and provides online statistical and legal information through the Judicial Information Research System (JIRS).
- ◆ A complaints function that examines complaints against judicial officers in a timely and efficient manner and provides advice to the public about the Commission's complaint function.

The key services provided by the Commission and the way in which they are expected to contribute to these results are set out in the following table:

Service Groups	2008-09 Budget Expenses \$m	Results		
		Better informed and professional judiciary	Consistency in sentencing	Examination of complaints in accordance with statutory provisions
Judicial Education	1.7	✓	✓	✓
Research and Sentencing	2.8	✓	✓	✓
Complaints against Judicial Officers	0.6			✓
Total Expenses Excluding Losses	5.1			

RECENT ACHIEVEMENTS

The Judicial Commission has introduced a number of initiatives over recent years including judgment writing workshops, cultural awareness program and occasional seminars on relevant topics.

The Commission has also produced a sentencing bench book, a sexual assault manual for District Court judges, a civil bench book and an equality before the law bench book. The JIRS has also been redesigned along with the development of a new publishing system and a sentencing database for Land and Environment Court offences.

STRATEGIC DIRECTIONS

The Commission will continue to focus on the provision of high quality professional development programs for judicial officers. Services will focus on the provision of timely and practical information through publications, conferences and seminars and the maintenance of the computerised JIRS, which contains sentencing and other information relevant to judicial decision making.

In particular, the Commission will offer an extensive conference and seminar program for judicial officers in each court, ranging from induction courses for new appointees to specialist conferences on specific aspects of law, procedure, judicial skills and technique.

The Commission will also arrange annual conferences for each court and pursue initiatives to ensure that judicial officers are aware of social context issues involving children, women, sexual offences, domestic violence and ethnic minorities.

Collaboration with other judicial education bodies within Australia will continue in order to share information and experience, and to explore the possibility of developing partnerships on joint programs to reduce costs.

The Commission will assist the Sentencing Council in collecting information necessary to monitor guidelines and standard non-parole period offences.

2008-09 BUDGET INITIATIVES

Total expenses

Total expenses of the Commission are projected to be \$5.1 million in 2008-09, a decrease of 2.9 per cent on 2007-08. This decrease is mainly due to the Commission not maintaining an IT system for a partner agency.

Capital expenditure

An amount of \$150,000 has been provided to meet the Commission's ongoing minor capital needs.

AGENCY RESULT INDICATORS

Better informed and professional judiciary

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Judicial development conferences - overall satisfaction rating	%	87	90	85	85
ii) Judicial officers who attend at least 2 training days	%	86	92	90	90
Note: These indicators show the effectiveness of the Commission's education programs which will lead to a better informed and more professional judiciary.					

Consistency in sentencing

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Crown Appeal cases upheld/allowed by the Court of Criminal Appeal	%	63	62	60	60
ii) Severity Appeal cases upheld by the Court of Criminal Appeal	%	45	39	40	40
iii) JIRS usage – page hits per month	no.	37,336	45,898	45,000	45,000

Note:

Crown Appeal and Severity Appeal cases can be a measure of the imposition of inconsistent sentences. In determining whether sentences are within range or outside the permissible range Courts use JIRS as well as the Commission's publications and other resources. These indicators show the effectiveness of the Commission's research and sentencing programs.

Examination of complaints in accordance with statutory provisions

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Complaints finalised within 12 months	%	100	100	100	100
ii) Complaints for which further action is required	%	11	10	10	10
iii) Cost per finalised complaint, excluding Conduct Divisions	\$	6,500	10,000	6,500	6,500

Note:

These indicators show the effectiveness of the Commission's complaint function and are a benchmark for increased customer satisfaction with government services. A Conduct Division was constituted during 2006-07.

LEGAL AID COMMISSION OF NEW SOUTH WALES

The Legal Aid Commission of New South Wales (Legal Aid NSW) is a statutory body established by the *Legal Aid Commission Act 1979*. Legal Aid NSW receives funding from the State Government and the Public Purpose Fund to provide legal aid and other legal services. The Commonwealth Government also provides funding for Legal Aid NSW to deliver legal assistance in matters arising under Commonwealth law.

RESULTS AND SERVICES

Legal Aid NSW contributes to the Government priorities of reduced crime rates and re-offending by working towards the following result:

- ◆ People, in particular those who are disadvantaged, can understand, protect and enforce their legal rights and interests as well as appreciate their legal obligations.

Key services provided by Legal Aid NSW that contribute to this result include:

- ◆ delivering criminal law services that will assist persons accused of criminal offences to properly understand and respond to allegations made against them
- ◆ delivering family law services that will ensure that each person's interests are properly considered where decisions need to be made about arrangements in their family and personal lives
- ◆ delivering civil law services that will provide options for people to contest unjust decisions and seek redress for harm caused by others and
- ◆ providing community partnerships that will support Community Legal Centres to effectively assist people with legal needs, and Specialised Support Schemes to effectively assist women and children seeking protection from domestic violence.

The key services provided by Legal Aid NSW and the way in which they are expected to contribute to this result are set out in the following table:

Service Groups	2008-09 Budget Expenses	Results
	\$m	People – in particular those who are disadvantaged – can understand, protect and enforce their legal rights and interests as well as appreciate their legal obligations.
Criminal Law Services	95.6	✓
Civil Law Services	20.8	✓
Family Law Services	58.9	✓
Community Partnerships	18.1	✓
Total Expenses Excluding Losses	193.4	

RECENT ACHIEVEMENTS

Over the past five years, Legal Aid NSW has:

- ◆ updated its means test limits for income and assets to take account of cost of living increases and ensure that legal assistance and increased core services continues to be available to socially and economically disadvantaged people
- ◆ increased the fees paid to private practitioners, preventing a widening of the gap between fee scales and those charged for commercial work, to ensure the availability of services in all areas of New South Wales
- ◆ expanded civil law services to more Legal Aid NSW offices
- ◆ increased the numbers of family dispute resolution conferences to resolve matters through mediation rather than adversarial litigation and
- ◆ improved the community legal education program by increasing the number of sessions delivered, reaching more people in need.

STRATEGIC DIRECTIONS

Legal Aid NSW will focus on:

- ◆ delivering legal services to socially and economically disadvantaged members of the community in conjunction with the private profession to more effectively deliver legal services to our clients across the whole of New South Wales
- ◆ targeting Legal Aid services to address areas of unmet need
- ◆ introducing a new grants management system (ATLAS) in mid-2008 to significantly improve the effectiveness of processing applications and invoices and
- ◆ working with the private profession to more effectively deliver legal services across New South Wales.

2008-09 BUDGET INITIATIVES

Total Expenses

Total expenses for Legal Aid NSW are estimated at \$193.4 million in 2008-09, an increase of 3.7 per cent on last year's allocation.

This includes additional funding of \$3.2 million from the Public Purpose Fund which will be used to enhance services to homeless and older persons, improve community legal education and publications and continue the trial of Criminal Case Conferencing at the Sydney Central and Downing Centre courts.

Capital Expenditure

Legal Aid NSW's capital allocation of \$4.4 million for 2008-09 will provide for the upgrade and replacement of information technology and office equipment.

AGENCY RESULT INDICATORS

People – in particular those who are disadvantaged – can understand, protect and enforce their legal rights and interests as well as appreciating their legal obligations.

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Clients satisfied with quality of advice provided by Legal Aid NSW staff	%	89	n.a.	90	n.a.
ii) Average waiting time for advice appointments	days	5.5	4.3	4.0	4.0
iii) Means Test income limit as a percentage of current national minimum wage	%	44.6	52.6	52.6	52.6
iv) Local Court sittings serviced by duty solicitor schemes	%	100	100	100	100
v) People accessing community legal education sessions	no.	9,328	15,132	16,000	16,500

Notes:

- i) Bi-annual survey results.
- ii) Timeliness is measured by the average length of time which clients have to wait before receiving advice services. The desired movement is steady or downwards.
- iii) This measures the extent to which legal aid is accessible to people on low incomes, with the desired movement being either steady or increasing.
- iv) Legal Aid NSW aims to ensure that duty solicitor services are available to assist eligible persons at all Local Courts and would therefore aim for no movement from the 100 per cent level.
- v) This measure shows the number of people attending Legal Aid NSW funded education sessions that are designed to assist people in understanding the law, as well as their legal rights and obligations. The desired movement is upwards.

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

The Office of the Director of Public Prosecutions (ODPP) was established by the *Director of Public Prosecutions Act 1986* to provide the people of New South Wales with an independent and just prosecution service.

The principal instruments governing the work of the ODPP are the *Director of Public Prosecutions Act 1986*, the *Crown Prosecutors Act 1986*, the *Victims Rights Act 1996*, the *Public Sector Employment and Management Act 2002* and the Prosecution Guidelines.

RESULTS AND SERVICES

Through close cooperation with other agencies in the criminal justice portfolio, the ODPP is working towards the following results:

- ◆ The likelihood of successful prosecutions is increased.
- ◆ Sentencing outcomes for convicted criminals are appropriate.
- ◆ The timeliness of prosecution matters is improved through increased efficiency.
- ◆ The quality of prosecution services through expeditious resolution of matters and high quality advice to police and other agencies is improved.
- ◆ Participation of victims and witnesses in the prosecution process is increased by providing timely, high quality access and support.

Key services provided by the ODPP that contribute to these results include:

- ◆ undertaking prosecutions of serious criminal matters in all NSW Courts and the High Court on behalf of the Crown and all child sexual assault summary prosecutions. It also includes pre and post charge advice to police and other investigative agencies, identifying and recovering proceeds of crime and participating in inter-agency forums that contribute to law reform and efficiencies in the criminal justice system and
- ◆ providing assistance to victims and witnesses in the prosecution process by ensuring they have relevant information and support to enable them to participate in the prosecution process and have a greater sense of inclusion.

The key services provided by the Office and the way in which they are expected to contribute to results are set out in the following table:

Service Groups	2008-09 Budget Expenses \$m	Results				
		Successful prosecutions	Appropriate sentences	Timeliness of prosecutions	Quality of prosecution services	Participation of victims and witnesses
Prosecutions	90.3	✓	✓	✓	✓	
Victim and Witness Assistance	6.4			✓	✓	✓
Total Expenses Excluding Losses	96.7					

RECENT ACHIEVEMENTS

A total of 3,169 trial and sentence matters were completed in the District and Supreme Courts in the 2006-07 financial year with a finding of guilt recorded in 73 per cent of those matters.

The 2006-07 Victim and Witness Satisfaction Survey reported that 66 per cent of those surveyed rated the ODPP's service as good or very good, an increase of 7 per cent from the previous survey.

In 2007, 62 per cent of people appearing in the Higher Courts for child sexual assault offences were found guilty of at least one charge, compared to 58 per cent in 2004. The conviction rate in relation to sexual assault not involving children has risen from 35 per cent in 2004 to 45 per cent in 2007.

STRATEGIC DIRECTIONS

The ODPP will continue its commitment to improving the criminal justice system and to providing the people of New South Wales with an independent, fair and just prosecution service by pursuing the following priorities.

- ◆ Appointment of an Executive Director to ensure better management of the ODPP and providing law officers more time to manage the legal case work.
- ◆ The on-going review of internal procedures will continue with the aim of improving efficiency.
- ◆ Ongoing improvement to the centralised committals scheme and criminal case processing will expedite the resolution of cases, and at earlier stages in the criminal justice process.

- ◆ Ensuring appropriate sentencing jurisdiction will minimise the number of less serious matters dealt with by way of indictment where there is adequate sentencing scope for summary disposal.
- ◆ Undertaking early screening of briefs of evidence to ensure documents are complete and to promote more constructive and timely communication with police and investigative agencies.
- ◆ The administrative pilot of criminal case processing reforms over a two year period achieved an increase in the rate of early pleas by 5 per cent, with a corresponding decrease in the number of late pleas. The continuing trial under a legislative framework will be undertaken from May 2008 to April 2009.
- ◆ Early contact with victims and witnesses will continue, providing support for people who are vulnerable or traumatised by the court process.

2008-09 BUDGET INITIATIVES

Total Expenses

In 2008-09, the Office's total expenses are estimated to be \$96.7 million, an increase of \$2.2 million over the 2007-08 Budget.

Expenses include:

- ◆ \$3.5 million for the Witness Assistance Scheme to comply with the *Victims Rights Act 1996* and
- ◆ \$3 million for pre-trial advocates to screen matters to ensure that only appropriate matters go to trial and to reduce delays in complex criminal cases.

Capital Expenditure

The Office's 2008-09 minor works allocation of \$1.8 million provides ongoing replacement of plant and equipment and furniture and fittings, acquisitions for the law library and the upgrade of information technology.

AGENCY RESULT INDICATORS

Increased likelihood of successful prosecution

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Matters returning finding of guilt	%	79	73	75	75
ii) Matters discontinued after committal order	%	0.07	0.06	0.06	0.05
<p>i) This indicator refers to matters committed for sentence that result in guilty verdicts/pleas as a percentage of all matters committed for trial. It measures the effectiveness of early screening, case conferencing and other case management strategies in reducing matters committed to trial. An increase in the indicator reflects fewer unnecessary matters committed to trial and costly court processes.</p> <p>ii) This indicator reflects the effectiveness of case management strategies. It measures cases where trial or sentencing is discontinued as a proportion of all cases committed for trial or sentencing. Increased efficiency in case management will show the indicator reducing.</p>					

Appropriate sentencing outcomes for offenders

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Successful Crown appeals in higher courts	%	61	63	63	65
<p>This indicator shows the effectiveness of prosecutions by measuring the success rate of Crown appeals to higher courts when the Crown believes the outcome decision of a lower court is unsatisfactory. An increase in this indicator reflects an increase in the quality of the appeals made, or improvement in the selection of matters for appeal, so that appeals that are unlikely to succeed do not proceed, avoiding unnecessary costs.</p>					

Improved timeliness of prosecution matters through improved efficiency

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Matters where early plea of guilty entered	%	40	44	46	48
ii) Committals finalised in Local Courts	%	48	47	47	47
<p>i) This indicator measures the number of matters that proceed to sentencing as a percentage of all matters committed to trial. An increase in the indicator shows the effectiveness of initiatives such as early screening and criminal case processing in encouraging early guilty pleas and avoiding prolonged trials.</p> <p>ii) This indicator shows the effectiveness of strategies, such as screening and charge negotiation, in having matters finalised in the Local Courts system rather than proceeding to more costly processes in higher jurisdictions.</p>					

Improved quality of prosecution services

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Listed trials adjourned on Crown application	%	n.a.	6.0	6.0	5.5
ii) Matters in which costs awarded against the ODPP	%	0.11	0.17	0.15	0.10
<p>i) This indicator measures trial listings adjourned on Crown application as a percentage of all trial listings. Adjournment may be required for a number of reasons, including delays in Police preparation for the trial. It is therefore a measure of the extent to which the quality of the prosecution services is impeded by adjournment for reasons within, as well as outside, ODPP control.</p> <p>ii) This indicator refers to costs awarded against the ODPP due to ODPP's conduct of the matter. A decrease in this indicator reflects an improvement in the quality and conduct of matters.</p>					

Improved victim and witness support

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Victims/witnesses satisfied with services provided by ODPP	%	n.a.	66	n.a.	70
<p>This indicator shows the effectiveness of the victim and witness support services. The satisfaction levels are determined by a survey undertaken every 2 years.</p>					

DEPARTMENT OF CORRECTIVE SERVICES

The Department of Corrective Services is a vital part of the criminal justice system, contributing to a safe, just and harmonious New South Wales.

The Department provides custodial and community-based correctional services on a *Throughcare* continuum. The aim of *Throughcare* is to assist offenders to complete their legal orders and to undertake correctional programs to reduce the risks of re-offending. This involves collaboration between the various branches of the Department and other agencies to provide a coordinated, integrated process.

RESULTS AND SERVICES

The Department has lead agency responsibility for coordinating with partner agencies to ensure delivery of the following State Plan priority:

- ◆ R2: Reduced re-offending.

The Department is working towards the following results:

- ◆ Offenders are safely, securely and humanely managed in custody.
- ◆ Offenders are effectively and safely managed in the community.
- ◆ Offender programs are effective in reducing risks of re-offending.

These results support the achievement of the State Plan target, and also contribute to other Government priorities in the areas of Rights, Respect and Responsibility- Keeping people safe and building harmonious communities.

The following key services are provided by the Department to contribute to these results:

- ◆ Custody Management, which includes the containment of inmates and providing security for inmates, employees and visitors. It also includes providing court security and safe escort for inmates when they are transferred between correctional centres and courts.

The Department is also increasing the use of video conferencing as an alternative to court appearances, and providing video conferencing for legal conferencing and family visitations in special circumstances.

A large number of offenders in custody have specific needs that need to be managed in custody. These needs arise from issues such as disabilities, the age of the offender, demonstrated violent behaviour or a history of sexual offending. There are also a number of offenders receiving therapeutic violence treatment or compulsory drug treatment. By providing these services the Department seeks to reduce re-offending thereby increasing community safety.

- ◆ Supervision of offenders in the community, which includes advice to courts and releasing authorities to assist in making decisions on pre-sentence, pre-release and post sentence arrangements. The Department also undertakes intensive community supervision and monitors and provides a range of diversionary programs when offenders are subject to Community Service Orders or home detention.
- ◆ Offender Programs that are designed to reduce re-offending. The range of programs available to persons under custodial and community supervision includes accredited programs assisting with employment, training and education, as well as programs designed to assist offenders deal with addiction, aggression and violence. The Department also provides re-settlement and re-integration support by providing transitional accommodation.

The key services provided by the Department and the way in which they are expected to contribute to results are set out in the following table:

Service Groups	2008-09 Budget Expenses \$m	Results		
		Offenders are safely, securely and humanely managed in custody	Offenders are effectively and safely managed in the community	Offender programs are effective in reducing risks of re-offending
Custody Management	674.4	✓		✓
Supervision of Offenders in the Community	103.5		✓	
Offenders Program	133.5		✓	✓
Total Expenses Excluding Losses	911.4			

RECENT ACHIEVEMENTS

Current data shows promising trends in meeting the Government's priority to reduce re-offending. The percentage of offenders returning to court within 24 months of a conviction has decreased from 32.2 per cent in 2000 to 29.9 per cent in 2004.

To further reduce re-offending, the Department is committed to improving the completion rates of orders and reducing the reappearance in court by increasing monitoring and supervision of offenders under community-based orders.

Workplace reforms have been introduced in the recently opened correctional centres on the Mid North Coast (Kempsey), Dillwynia and Wellington Correctional Centres. The reforms are being progressively rolled out at other existing centres.

STRATEGIC DIRECTIONS

The Department of Corrective Services, as the lead agency for achieving a reduction in re-offending rates, will work with criminal justice and human services government and non-government agencies to develop strategies and plans that contribute to achieving this Government priority. The Department is also planning to increase the intensity of supervision and monitoring of offenders in community programs, to provide more support services, intervention and drug treatment programs.

Numbers in custody are expected to increase by about 300 inmates each year. Short and long-term strategies to manage this increase in demand are being examined.

Workplace reforms will continue in correctional facilities and community offender services with a view to achieving national benchmark performance.

Video conferencing has been successful in providing an alternative to direct court appearances by custodial inmates and reduces the cost of escort services and court security. The Department proposes to expand video conferencing to enable further containment of costs.

2008-09 BUDGET INITIATIVES

Total Expenses

The Department's 2008-09 expenses are estimated at \$911.4 million, an increase of 5 per cent on last year's Budget. This includes:

- ◆ \$6 million for drug programs
- ◆ \$12.8 million to fund costs associated with an increase in inmate numbers and
- ◆ \$2 million for the continuation of the drug court operations.

Capital Expenditure

The Department's 2008-09 capital program totals \$97.3 million (\$97.1 million in 2007-08) for the following ongoing capital projects:

- ◆ The 1,000 Inmate Beds project is estimated to cost \$296.4 million (\$70.6 million in 2008-09) to accommodate the growing inmate population across New South Wales. The project includes the expansion of Cessnock Correctional Centre (250 beds) and a new 500-bed facility at Nowra, and is expected to be completed in 2011-12.
- ◆ Electronic Case Management is estimated to cost \$8.9 million (\$1.5 million in 2008-09). The project consolidates information to improve decisions, services and programs for high risk offenders and provide support for the case management of offenders before, during and after custody, in both custodial and community contexts.
- ◆ The Department assumed responsibility for the operation of Kariong Juvenile Correctional Centre in late 2004. Refurbishment work is continuing with the total estimated cost of the project at \$5.3 million (\$1.5 million in 2008-09) and completion expected in 2009-10.
- ◆ The Long Bay Hospital Redevelopment involves construction of a new 85-bed prison hospital to provide inpatient health care to inmates. The estimated total cost of the project is \$83 million (\$1.5 million in 2008-09), including \$61.4 million for the leased component financed as a Public Private Partnership. The balance is funded directly by the Government to meet costs associated with planning, relocation and enabling works. Completion is scheduled for 2008-09. The prison hospital will commence operations ahead of schedule in June 2008 (previously projected for 2008-09).

- ◆ Silverwater Women's Correctional Centre (formerly Mulawa) - Stage 2 involves the upgrade of infrastructure to improve accommodation for female inmates. As a maximum-security facility it will cater for both the operational and medical requirements of high-need female inmates. The estimated total cost for the project is \$52.8 million (\$10 million in 2008-09), with completion of all stages anticipated in 2009-10.

AGENCY RESULT INDICATORS

Offenders are safely, securely and humanely managed in custody

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Assaults on staff (per 100 staff)	no.	0.7	0.9	0.8	≤ 07-08
ii) Assaults on inmates (per100 inmates)	no.	15.3	11.1	9.6	≤ 07-08
iii) Escapes from custody					
- Low security/periodic	%	0.5	0.2	0.0	0.0
- Medium/high security	%	0.06	0.00	0.00	0.00
iv) Daily average out of cell hours					
- Low security/periodic	hours	11.9	12.6	13.1	13.1
- Medium/high security	hours	7.6	7.6	9.3	9.3
v) Basic education modules specifically structured for Aboriginal inmates	no.	139	347	380	420
vi) Visits to inmates	no.	213,119	212,553	216,000	216,900
Notes:					
i) - ii) These indicators show the effectiveness of safe management in custody					
iii) This indicator shows the effectiveness of secure management in custody. It is a measure of escapes as a percentage of total inmates.					
iv) - vi) These indicators show the results of humane management strategies for inmates through basic education being provided and by facilitating support for family contacts.					

Offenders are effectively and safely managed in the community

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Community sentences successfully completed	%	83.5	82.8	82.8	82.8
ii) Revocations by State Parole Authority (calendar year)					
- Parole Orders	no.	1,546	1,742	n.a.	n.a.
- Home Detention Orders	no.	71	79	n.a.	n.a.
- Periodic Detention Orders	no.	566	503	n.a.	n.a.
Notes:					
i) This indicator shows the effective management of offenders in the community.					
ii) This indicator shows the effective supervision/monitoring of offenders in the community. Increases in diversionary and intervention programs in recent years are expected to result in reductions in revocations of orders in 2007-08 and forward years.					

Offender programs are effective in reducing risks of re-offending

Result Indicator	Units	2005-06 Actual	2006-07 Actual	2007-08 Budget	2008-09 Forecast
i) Custodial offenders returning to corrective services with a new correctional sanction within two years	%	46.1	46.3	46.8	46.8
ii) Community offenders returning to corrective services with a new correctional sanction within two years					
- Return to community corrections	%	17.1	16.7	16.9	16.9
- Return to corrective services	%	29.6	29.0	29.3	29.3
Note:					
These indicators show the effectiveness of strategies to reduce the level of re-offending. Strategies and plans being developed are expected to reduce re-offending across all categories.					

PUBLIC TRUSTEE NSW

The Public Trustee NSW provides professional personal trust services consistent with section 12 of the *Public Trustee Act 1913*.

The Public Trustee NSW's charter is to provide efficient service delivery in personal trustee services and to meet legal and customer service obligations.

The Public Trustee NSW's services include:

- ◆ making wills and administering deceased estates
- ◆ acting as trustee of trusts created by wills, deeds, court orders and legislation
- ◆ providing power of attorney services through being an attorney and
- ◆ administering assets and managing financial affairs for 'protected persons'.

The Public Trustee NSW is also nominated in legislation as the trustee for workers compensation death benefits and assets pursuant to *Confiscation of Proceeds of Crime Act 1989*, *Criminal Assets Recovery Act 1990*, and *Civil Procedure Act 2005*.

The Public Trustee NSW operates within the NSW Treasury commercial policy framework with the aim of providing an appropriate return to the Government.

The Public Trustee NSW is largely financially independent of the Consolidated Fund, with recurrent expenses and capital works funded from revenue generated from clients and other corporate income.

The 2008-09 Budget includes a community service obligation payment of \$2.4 million to enable the Public Trustee NSW to meet its statutory obligation to administer low value estates and trusts.

RECENT ACHIEVEMENTS

The volume and value of key products indicate that the Public Trustee NSW is maintaining its market share. Deceased estate volumes have shown a marginal increase in 2007-08 as have trusts and powers of attorney. Will and power of attorney making, which drives future business, have both shown constant growth for four years.

The Public Trustee NSW recently implemented a new service delivery approach to meet changing needs brought about by an ageing workforce, challenges in maintaining skilled staff levels, increased costs and the availability of technological solutions.

STRATEGIC DIRECTIONS

The Public Trustee NSW is continuing to focus on providing professional service to its clients and making it easier for clients to access services through initiatives such as Saturday opening in certain areas.

The service delivery approach recently implemented aims to streamline the functions of specialist staff who interface with clients, as well as centralising technical and support resources to provide a more flexible resource pool and increased efficiencies.

2008-09 BUDGET INITIATIVES

Total Revenue

The forecast revenue of \$43.2 million provides for fee increases which are anticipated to take effect from 1 October 2008, following a review of fees which have not been increased since 2001. Proposed fee increases are reflective of increases in the costs of service provision since that time.

Total Expenses

Total expenses are budgeted at \$35 million, an increase of \$1.5 million on estimated expenses for 2007-08.

Capital Expenditure

Capital expenditure in 2008-09 is estimated to be \$2.9 million, including minor office renovations, the purchase of computer hardware to replace expiring leased items, and software and network upgrades.