

ATTORNEY GENERAL, AND MINISTER FOR INDUSTRIAL RELATIONS

OVERVIEW

<i>Agency</i>	<i>2008-09 Budget \$m</i>	<i>2009-10 Budget \$m</i>	<i>Variation %</i>
Attorney General's Department			
Total Expenses	745.7	763.6	2.4
Capital Expenditure	50.9	42.0	-17.4
Judicial Commission of New South Wales			
Total Expenses	5.1	5.3	2.5
Capital Expenditure	0.2	0.2	...
Legal Aid Commission of New South Wales			
Total Expenses	193.4	199.2	3.0
Capital Expenditure	4.4	4.4	...
Office of the Director of Public Prosecutions			
Total Expenses.....	96.7	99.7	3.1
Capital Expenditure	1.8	10.7	508.7
Public Trustee NSW			
Total Expenses	35.0	35.8	2.3
Capital Expenditure	2.9	2.5	-12.4
Building and Construction Industry Long Service Payments Corporation			
Total Expenses	97.1	107.2	10.4
Capital Expenditure	0.5	0.9	80.0
Total, Attorney General, and Minister for Industrial Relations			
Total Expenses	1,173.0	1,210.8	3.2
Capital Expenditure	60.7	60.7	...

In addition to the agencies listed above, the Minister is also supported by the Department of Commerce (Section 3) for the Industrial Relations portfolio area.

ATTORNEY GENERAL'S DEPARTMENT

The Attorney General's Department plays a key role in providing access to justice, protection of rights and public safety. The Department administers courts and tribunals, advises on legal policy and legislative reform and promotes social harmony through programs to reduce crime, protect rights and improve community standards.

The Department also administers the legal profession and provides legal services to the NSW government sector, personnel services for the Public Trustee and guardianship and financial services for people with disabilities. Records of births, deaths and marriages are also maintained by the Department.

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 antisocial 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
- ◆ administration of NSW Courts, Tribunals and Community Justice Centres
- ◆ crime prevention and criminal diversion programs and support services to victims of violent crime, including grant funding to local communities
- ◆ court support, including transcription services, court security and jury management

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- ◆ registry services for births, deaths and marriages
- ◆ legal services that involve Constitutional powers and implications beyond a Minister's portfolio and
- ◆ client services and corporate governance 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	2009-10 Budget Expenses \$m	Results	
		Rights of the people of New South Wales are protected	Public safety and support are improved
Legal, Policy and Regulatory Services	52.6	✓	✓
Court Services	387.1	✓	✓
Court Support Services	92.1	✓	✓
Crime Prevention and Community Services	110.5	✓	✓
Registry of Births, Deaths and Marriages	23.0	✓	
Crown Solicitor's Office	42.5	✓	
Business and Personnel Services	55.8	✓	
Total Expenses Excluding Losses	763.6		

RECENT ACHIEVEMENTS

The NSW court system is consistently rated by the Productivity Commission as among the best performing in Australia and continues to achieve cost efficiencies without compromising service standards. Improved case management, world-class information technology and electronic systems in courts also continue to improve the efficiency and effectiveness of the court system.

The Department is a key partner agency in delivering improved community outcomes in the NSW Government's priority areas of reducing crime, re-offending and antisocial behaviour and improving customer services.

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The Department continues to develop and support new court diversion and intervention programs. The Circle Sentencing program, an alternative sentencing court for Aboriginal offenders, has been strengthened to better achieve its main objective of reducing recidivism in the Aboriginal community. The innovative Forum Sentencing program (formerly known as Young Adult Conferencing) has also been extended to Burwood, Newtown, Balmain, Campbelltown, Camden, Picton and Moss Vale Local Courts during the year, allowing more victims of crime to have a say in how criminals are sentenced.

The successful NSW Drug Court program also marked its tenth anniversary in 2009. Around 150 defendants complete the program each year, following intensive drug treatment and rehabilitation.

As part of the Government's commitment to tackle youth crime and reduce re-offending rates and antisocial behaviour, the Department commenced work on a two year trial of the new Youth Conduct Orders program. Under the trial, young offenders charged with lower level antisocial offences that would be otherwise dealt with under the Young Offenders Act can instead be placed on a Youth Conduct Order for up to 12 months. Orders can include strict limitations on a juvenile's movement and behaviour, including curfews, school attendance requirements and non-association orders so they do not mix with bad influences or gang members.

Recent reforms make it easier for victims of violent crimes to present their victim impact statement in NSW courts. Amendments to the *Crimes (Sentencing Procedure) Act 1999* deliver significant benefits for vulnerable witnesses such as sexual assault victims and children who, for the first time, are able to give their victim impact statements via closed circuit television.

JusticeLink, the Department's integrated multi-jurisdiction court administration system, continues to be rolled out with several major applications already implemented, including Supreme Court and District Court processing of criminal matters, online court services within the Supreme Court equity division for the electronic filing of court documents, and as a virtual courtroom for use in case management activities. All remaining elements of the JusticeLink system are expected to be installed and operational during the 2009-10 financial year.

The Parramatta Courthouse is being upgraded to bring it in line with the standards set by the courts in the neighbouring Parramatta Justice precinct. Dubbo Courthouse has been upgraded with a redesigned court registry and client service areas, improved security and modifications to make the buildings more accessible to people with a disability. Works have commenced at Gosford to improve disability access and fire safety, King Street to upgrade judicial chambers and Armidale to improve security.

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In addition the Department has continued its major upgrade of remote witness facilities, with a total of 83 remote witness rooms servicing 155 courtrooms in both metropolitan and regional areas. The Department is also continuing to expand its Audio Visual Link network. This reduces the need to transport prisoners to court for short matters. Video conferencing technology is installed at more than 200 courtrooms, prisons, juvenile justice centres and legal offices across the State.

STRATEGIC DIRECTIONS

The Department, in partnership with other justice agencies, will continue to contribute to achieving NSW 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 existing crime-prevention programs, expanding preventative programs and providing better support for local and disadvantaged communities to reduce involvement in crime
- ◆ reducing the over-representation of Aboriginal people in legal processes, particularly through mediation and diversionary programs and the expansion of the Circle Sentencing program
- ◆ assisting in implementing the Government's *Keep Them Safe: A shared approach to child wellbeing* package
- ◆ reducing impacts on victims of crime, including sexual assault victims and mental health patients and their carers, by ensuring that victims are actively supported and involved in the justice process
- ◆ promoting just, quick and cheaper resolution of civil disputes, particularly through alternative dispute resolution and non-adversarial justice options
- ◆ improving court systems and facilities to make it simpler and faster for customers using the justice system and to ensure that civil and criminal proceedings are dealt with in a prompt and equitable manner
- ◆ further developing JusticeLink applications for 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

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- ◆ implementing initiatives from the *2008-09 Mini-Budget* including the merger of the Public Trustee NSW and the Office of the Protective Commissioner to achieve service improvements and operational efficiencies and
- ◆ increasing efficiency through the consolidation of corporate services and the implementation of improved governance, procurement and debt recovery systems.

2009-10 BUDGET INITIATIVES

Total Expenses

In 2009-10, total expenses for the Attorney General's Department are estimated to be \$763.6 million, an increase of 2.4 per cent compared to 2008-09. Additional allocations for 2009-10 include \$2.9 million to commence fire safety and other compliance works at the Law Courts building in Queens Square.

A further \$2.3 million will be provided to the Department during 2009-10 to implement initiatives under *Keep Them Safe: a shared approach to child wellbeing* when implementation plans and detailed costings have been finalised including:

- ◆ \$2.1 million to increase the use of alternative dispute resolution in the Children's Court and
- ◆ \$165,000 for night patrols in smaller and remote communities, to reduce the risk of children being assaulted or becoming involved in criminal activities.

Capital Expenditure

The Department's capital allocation of \$42 million in 2009-10 provides for the expansion and modification of existing courthouses, the upgrade of information technology infrastructure and the purchase and replacement of plant and equipment. Provisions for new and ongoing projects include:

- ◆ \$3.7 million for development and implementation of Joined Up Justice to enable sharing of information between justice sector agencies
- ◆ \$5.7 million for the development and implementation of the Legal eServices system, to provide access to and exchange of information with the legal profession and the general public

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- ◆ \$12.6 million for the Court Upgrade Program to improve service delivery at various courthouses across New South Wales
- ◆ \$6 million for the further rollout of the remote witness program to provide closed circuit television facilities at a number of courts and
- ◆ \$13.2 million for the ongoing upgrade and replacement of the Department's plant and equipment and other minor works.

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RESULT INDICATORS

The rights of the people of New South Wales are protected

	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
<u>Result Indicators:</u>						
Net cost per finalised case:						
Supreme Court	\$	3,303	3,316	3,504	3,500	3,800
District Court	\$	3,965	4,053	4,206	4,200	4,300
Local Court	\$	349	338	370	370	400
Clearance rate:						
Supreme Court	%	106	105	100	100	100
District Court	%	101	100	100	100	100
Local Court	%	97	95	100	100	100
Pending criminal matters <12 mths old:						
Supreme Court	%	94	86	85	85	89
District Court	%	94	94	90	90	95
Pending civil matters <12 mths old:						
Supreme Court	%	74	75	74	74	75
District Court	%	74	71	76	76	77
Pending Local Court criminal matters <6 mths old	%	91	89	90	90	90

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 (i.e. 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 of cases either less than 6 months or 12 months old.

Public safety and support are improved

	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
<u>Result Indicators:</u>						
Major crime trends across NSW						
local government areas that are stable or falling ^(a)	%	95	95	95	95	95
Persons accepted to Magistrates' Early Referral into Treatment Program ^(b)	no.	1,659	1,872	1,670	1,650	1,800

(a) 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.

(b) This indicator shows the number of local court adult defendants with illicit drug use problems voluntarily entering drug treatment diversion programs.

RESULT INDICATORS (CONT)

Public safety and support are improved (cont)

Offenders completing Forum Sentencing Program ^(c)	no.	133	132	160	125	220
Victims who participated in Forum Sentencing conferences ^(d)	no.	47	27	50	70	90

(c) 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.

(d) This indicator measures the number of victims who participate in Forum Sentencing conferences.

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SERVICE GROUP STATEMENTS

16.1 Legal, Policy and Regulatory Services

Service Description: This service group covers the provision of advice to Government on law and justice and the development and implementation of legislation, legal reforms, evidence-based policies and justice programs. It also covers the regulation of the activities of professional groups; collection of statistical information and research on crime; privacy services; legal assistance and representation; and investigation and resolution of complaints.

Linkage to Results: This service group contributes to the protection of rights and improved public safety and support by working towards a range of intermediate results that include:

- ◆ access to justice services
- ◆ laws that support the community
- ◆ the provision of legal representation, policy, professional and regulatory services and
- ◆ the timely investigation and resolution of complaints.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Proposals for legislative reform considered by Parliament	no.	27	43	32	30	30
Requests for statistical information completed by Bureau of Crime Statistics and Research	no.	1,121	1,027	1,000	1,000	1,000
Higher Court matters completed by Public Defenders	no.	431	976	480	920	930
<u>Employees:</u>	FTE	265	273	274	274	281

2008-09		2009-10
Budget \$000	Revised \$000	Budget \$000

Financial Indicators:

Total Expenses Excluding Losses	50,649	50,458	52,574
NET COST OF SERVICES	39,116	38,354	39,125
CAPITAL EXPENDITURE	803	960	941

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SERVICE GROUP STATEMENTS (CONT)

16.2 Court Services

Service Description: This service group covers the administration of NSW Courts, Tribunals and Community Justice Centres. It also covers drug and alcohol diversionary programs and the provision of support for vulnerable witnesses, victims of sexual assault and clients with mental health problems.

Linkage to Results: This service group contributes to the protection of rights and improved public safety and support by working towards a range of intermediate results that include:

- ◆ access to justice services
- ◆ resolution of disputes and criminal matters
- ◆ support for court processes and participants and
- ◆ laws that support the community.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Cases Finalised:						
Supreme Court	no.	14,902	14,704	15,202	14,500	14,500
District Court	no.	18,377	19,163	18,746	18,500	18,900
Local Court	thous	356,560	352,138	363,727	364,000	367,000
Community Justice Centre mediation sessions held	no.	2,166	1,714	2,000	1,800	1,800
Finalisations per FTE Judicial Officer:						
Supreme Court	no.	254	232	250	240	240
District Court	no.	265	286	268	270	280
Local Court	no.	3,155	3,172	3,250	3,250	3,300
 <u>Employees:</u>	 FTE	 2,072	 2,029	 1,966	 1,966	 1,944

—————2008-09—————		2009-10
Budget	Revised	Budget
\$000	\$000	\$000

Financial Indicators:

Total Expenses Excluding Losses	380,181	390,639	387,096
NET COST OF SERVICES	268,856	273,935	271,913
CAPITAL EXPENDITURE	42,312	40,974	35,243

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SERVICE GROUP STATEMENTS (CONT)

16.3 Court Support Services

Service Description: This service group covers the provision of key support services to NSW Courts and Tribunals, including court transcription services, court security, jury management and library information services.

Linkage to Results: This service group contributes to the protection of rights and improved public safety and support by working towards a range of intermediate results that include:

- ◆ access to justice services
- ◆ laws that support the community
- ◆ resolution of disputes and criminal matters and
- ◆ support for court processes and participants.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Local Court sittings with uniformed sheriff's officer present	%	76	75	77	80	80
Satisfaction with Law libraries services	%	89	96	90	90	90
Transcript pages provided as daily transcript	no.	372,868	379,504	384,138	375,000	385,000
<u>Employees:</u>	FTE	776	801	835	835	776

2008-09		2009-10
Budget \$000	Revised \$000	Budget \$000

Financial Indicators:

Total Expenses Excluding Losses	90,672	93,350	92,116
NET COST OF SERVICES	83,509	86,166	84,701
CAPITAL EXPENDITURE	2,297	3,258	2,875

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SERVICE GROUP STATEMENTS (CONT)

16.4 Crime Prevention and Community Services

Service Description: This service group covers the development of evidence-based policies and programs to prevent crime and reduce re-offending, to reduce Aboriginal involvement in criminal justice processes and to promote anti-discrimination and equal opportunity principles and policies. It also covers services to support victims of crime by providing access to services and entitlements to assist in their recovery.

Linkage to Results: This service group contributes to the protection of rights and improved public safety and support by working towards a range of intermediate results that include:

- ◆ reduced incidence of crime, violence and social displacement
- ◆ support for victims of crime and
- ◆ the development and implementation of crime prevention programs.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Anti-discrimination complaints closed	no.	1,113	1,073	1,100	1,100	1,100
Victims Compensation Tribunal applications received	no.	5,636	7,031	6,600	6,600	6,900
<u>Employees:</u>	FTE	170	177	189	189	175

2008-09		2009-10 Budget
Budget \$000	Revised \$000	Budget \$000

Financial Indicators:

Total Expenses Excluding Losses	109,360	109,728	110,531
NET COST OF SERVICES	100,537	101,317	99,155
CAPITAL EXPENDITURE	746	966	834

16 ATTORNEY GENERAL'S DEPARTMENT

SERVICE GROUP STATEMENTS (CONT)

16.5 Registry of Births, Deaths and Marriages

Service Description: This service group covers the provision of an accurate, consistent, equitable and secure system for the registration of births, deaths and marriages in New South Wales. Information recorded in the system is used to provide a range of certificates, products and information services, including reliable data for planning and research.

Linkage to Results: This service group contributes to the protection of rights by working towards a range of intermediate results that include:

- ◆ representation and administration of life events and
- ◆ the provision of effective legal and professional services.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Customer transaction volumes (applications and registrations)	no.	728,629	730,703	727,000	774,000	759,000
Compliance with Guarantee of Service (standard certificate applications)	%	75.8	52.0	98.0	55.0	85.0
<u>Employees:</u>	FTE	139	139	158	158	176

2008-09		2009-10
Budget \$000	Revised \$000	Budget \$000

Financial Indicators:

Total Expenses Excluding Losses	20,371	21,763	22,978
NET COST OF SERVICES	(8,248)	(6,697)	(8,535)
CAPITAL EXPENDITURE	3,311	3,311	752

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SERVICE GROUP STATEMENTS (CONT)

16.6 Crown Solicitor's Office

Service Description: This service group covers the provision of core and non-core (general) legal services to the NSW Government. The Crown Solicitor must be engaged by government agencies to perform core legal services for matters that have implications for government beyond an individual Minister's portfolio, involve the constitutional powers and privileges of the State or raise issues that are fundamental to the responsibilities of government. The Crown Solicitor's Office competes with the private legal profession for non-core legal work.

Linkage to Results: This service group contributes to the protection of rights by working towards a range of intermediate results that include:

- ◆ awareness of rights
- ◆ access to justice services and
- ◆ the provision of legal representation, policy, professional and regulatory services.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Average daily billable hours per solicitor	no.	4.7	4.7	4.9	4.9	4.9
Proportion of core work to total work	%	53.3	58.4	53.5	59.0	60.0
<u>Employees:</u>	FTE	314	315	330	330	339

—————2008-09—————		2009-10
Budget	Revised	Budget
\$000	\$000	\$000

Financial Indicators:

Total Expenses Excluding Losses	40,839	55,877	42,525
NET COST OF SERVICES	20,963	38,798	24,943
CAPITAL EXPENDITURE	1,400	1,400	1,350

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SERVICE GROUP STATEMENTS (CONT)

16.7 Business and Personnel Services

Service Description: This service group covers the provision of personnel services to the Public Trustee NSW, the Office of the Protective Commissioner, the Office of the Public Guardian and the Legal Profession Admission Board.

Linkage to Results: This service group contributes to the protection of rights by working towards a range of intermediate results that include:

- ◆ provision of effective legal and professional services and
- ◆ representation and administration of life matters.

<u>Employees:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Public Trustee NSW	FTE	262	261	260	260	268
Office of the Protective Commissioner	FTE	235	240	233	233	263
Office of the Public Guardian	FTE	65	67	68	68	71
Legal Profession Admission Board	FTE	11	9	9	9	11

	2008-09		2009-10
	Budget	Revised	Budget
	\$000	\$000	\$000

Financial Indicators:

Total Expenses Excluding Losses	53,620	52,086	55,786
NET COST OF SERVICES	718	1,601	841

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	2008-09		2009-10
	Budget	Revised	Budget
	\$000	\$000	\$000
OPERATING STATEMENT			
Expenses Excluding Losses			
Operating expenses -			
Employee related	443,588	473,810	468,054
Other operating expenses	107,566	93,287	95,211
Depreciation and amortisation	56,585	57,776	62,965
Grants and subsidies	17,638	18,673	18,557
Finance costs	...	3,899	4,035
Other expenses	120,315	126,456	114,784
Total Expenses Excluding Losses	745,692	773,901	763,606
Less:			
Retained Revenue			
Sales of goods and services	206,461	205,466	211,560
Investment income	4,016	4,816	4,516
Retained taxes, fees and fines	7,000	6,664	9,400
Grants and contributions	11,217	11,336	11,842
Other revenue	15,070	15,602	17,685
Total Retained Revenue	243,764	243,884	255,003
Gain/(loss) on disposal of non current assets	10	(258)	10
Other gains/(losses)	(3,533)	(3,199)	(3,550)
NET COST OF SERVICES	505,451	533,474	512,143
RECURRENT FUNDING STATEMENT			
Net Cost of Services	505,451	533,474	512,143
Recurrent Services Appropriation	414,979	430,848	414,130
CAPITAL EXPENDITURE STATEMENT			
Capital Expenditure	50,869	50,869	41,995
Capital Works and Services Appropriation	48,013	48,013	41,877

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	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
BALANCE SHEET			
ASSETS			
Current Assets			
Cash assets	36,138	42,350	55,536
Receivables	39,503	49,782	50,088
Other	18,386	16,053	16,459
Total Current Assets	94,027	108,185	122,083
Non Current Assets			
Receivables	29,142	56,543	56,721
Other financial assets	118,398	133,261	133,261
Property, plant and equipment - Land and building	812,747	791,671	778,753
Plant and equipment	79,815	107,920	96,920
Intangibles	61,933	52,873	55,821
Other	4,275	13,927	13,904
Total Non Current Assets	1,106,310	1,156,195	1,135,380
Total Assets	1,200,337	1,264,380	1,257,463
LIABILITIES			
Current Liabilities			
Payables	27,167	30,140	32,340
Borrowings at amortised cost	2,875	2,075	2,701
Tax	274	1,106	1,133
Provisions	64,687	70,511	72,805
Other	14,741	10,441	10,441
Total Current Liabilities	109,744	114,273	119,420
Non Current Liabilities			
Borrowings at amortised cost	37,668	33,026	35,125
Provisions	8,010	44,547	44,926
Other	2,500	7,713	7,713
Total Non Current Liabilities	48,178	85,286	87,764
Total Liabilities	157,922	199,559	207,184
NET ASSETS	1,042,415	1,064,821	1,050,279
EQUITY			
Reserves	419,026	419,422	419,422
Accumulated funds	623,389	645,399	630,857
TOTAL EQUITY	1,042,415	1,064,821	1,050,279

16 ATTORNEY GENERAL'S DEPARTMENT

	2008-09		2009-10
	Budget \$000	Revised \$000	Budget \$000
CASH FLOW STATEMENT			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee related	395,546	376,984	418,293
Grants and subsidies	17,638	18,673	18,557
Finance costs	2,170	3,899	4,035
Other	247,786	241,822	231,776
Total Payments	663,140	641,378	672,661
Receipts			
Sale of goods and services	199,587	171,551	207,527
Interest	725	1,540	1,226
Other	58,745	59,395	64,758
Total Receipts	259,057	232,486	273,511
NET CASH FLOWS FROM OPERATING ACTIVITIES	(404,083)	(408,892)	(399,150)
CASH FLOWS FROM INVESTING ACTIVITIES			
Proceeds from sale of property, plant and equipment	10	31	10
Purchases of property, plant and equipment	(44,051)	(47,795)	(31,883)
Other	(6,818)	(3,074)	(10,112)
NET CASH FLOWS FROM INVESTING ACTIVITIES	(50,859)	(50,838)	(41,985)
CASH FLOWS FROM FINANCING ACTIVITIES			
Proceeds from borrowings and advances	1,000	...	4,800
Repayment of borrowings and advances	(1,943)	(2,086)	(2,075)
Other	(3,303)	(2,937)	(4,411)
NET CASH FLOWS FROM FINANCING ACTIVITIES	(4,246)	(5,023)	(1,686)
CASH FLOWS FROM GOVERNMENT			
Recurrent appropriation	414,979	430,848	414,130
Capital appropriation	48,013	48,013	41,877
Cash transfers to Consolidated Fund	...	(559)	...
NET CASH FLOWS FROM GOVERNMENT	462,992	478,302	456,007
NET INCREASE/(DECREASE) IN CASH	3,804	13,549	13,186
Opening Cash and Cash Equivalents	32,334	28,801	42,350
CLOSING CASH AND CASH EQUIVALENTS	36,138	42,350	55,536

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2008-09		2009-10
Budget	Revised	Budget
\$000	\$000	\$000

CASH FLOW STATEMENT (CONT)

CASH FLOW RECONCILIATION

Net cost of services	(505,451)	(533,474)	(512,143)
Non cash items added back	100,557	114,055	108,978
Change in operating assets and liabilities	811	10,527	4,015
Net cash flow from operating activities	(404,083)	(408,892)	(399,150)

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 promotes 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, 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 trend 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) and
- ◆ 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.

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

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	2009-10 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	3.0	✓	✓	✓
Complaints against Judicial Officers	0.6			✓
Total Expenses Excluding Losses	5.3			

RECENT ACHIEVEMENTS

In recent years, the Commission has introduced a number of initiatives including judgment writing workshops, cultural awareness programs, occasional seminars on relevant topics, and a sexual assault manual for District Court judges. The Commission has also redesigned a civil bench book, an equality before the law bench book, JIRS and developed an Extensible Markup Language based publishing system.

STRATEGIC DIRECTIONS

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

The Commission will also continue to 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, as well as an annual conference for each court.

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

Initiatives to ensure that judicial officers are aware of social context issues involving children, women, sexual offences, domestic violence and ethnic minorities will be pursued and the Commission will continue to work with other judicial education bodies within Australia to share information and experience, and to explore the possibility of collaborating 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.

2009-10 BUDGET INITIATIVES

Total expenses

Total expenses of the Commission are projected to be \$5.3 million in 2009-10, an increase of 2.5 per cent on the 2008-09 Budget.

Capital expenditure

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

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

RESULT INDICATORS

Better informed and professional judiciary

	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
<u>Result Indicators:</u>						
Judicial development conferences-overall satisfaction rating	%	90	91	85	85	85
Judicial officers who attend at least two training days	%	92	88	90	90	90

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

	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
<u>Result Indicators:</u>						
Crown appeal cases upheld/allowed by the Court of Criminal Appeal	%	62	60	60	60	60
Severity appeal cases upheld by the Court of Criminal Appeal	%	39	39	40	40	40
JIRS usage-page hits per month	no.	45,898	56,722	45,000	60,000	65,000

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.

RESULT INDICATORS (CONT)

Examination of complaints in accordance with statutory provisions

	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
<u>Result Indicators:</u>						
Complaints finalised within 12 months	%	100	100	100	100	100
Complaints for which further action is required	%	10	8	10	10	10
Cost per finalised complaint handled by the Commission	\$	10,000	8,000	6,500	8,000	8,000

These indicators show the effectiveness and efficiency of the Commission's complaint function and are a benchmark for increased customer satisfaction with services.

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

SERVICE GROUP STATEMENTS

17.1 Judicial Education

Service Description: This service group covers the provision of education services to promote a better informed and professional judiciary.

Linkage to Results: This service group contributes to a better informed and professional judiciary, consistency in sentencing and the examination of complaints in accordance with statutory provisions by working towards the intermediate result of maintaining high standards of judicial performance.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Judicial education days	no.	1,486	1,294	1,300	1,300	1,300
Average number of training days per judicial officer	no.	5	4	5	5	5
Publications	no.	24	30	27	27	27
Computer training sessions	no.	120	105	125	100	100
 <u>Employees:</u>	 FTE	 13	 13	 12	 13	 13

————2008-09————		2009-10
Budget \$000	Revised \$000	Budget \$000

Financial Indicators:

Total Expenses Excluding Losses	1,681	1,755	1,727
NET COST OF SERVICES	1,490	1,523	1,522
CAPITAL EXPENDITURE	49	50	50

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

SERVICE GROUP STATEMENTS (CONT)

17.2 Research and Sentencing

Service Description: This service group covers research services to ensure consistency in sentencing.

Linkage to Results: This service group contributes to a better informed and professional judiciary, consistency in sentencing and the examination of complaints in accordance with statutory provisions by working towards the intermediate result of courts achieving consistency of approach in sentencing.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
JIRS availability	%	97	99	97	99	99
Enhancements to JIRS	no.	3	6	3	3	3
Sentencing monographs, sentencing trends papers and updates to bench books	no.	6	8	6	6	6
Coding, distribution of new and amended offences in advance (Lawcodes database)	%	95	100	100	100	100
<u>Employees:</u>	FTE	22	21	20	21	21

—————2008-09—————		2009-10
Budget	Revised	Budget
\$000	\$000	\$000

Financial Indicators:

Total Expenses Excluding Losses	2,855	2,980	2,930
NET COST OF SERVICES	2,527	2,585	2,582
CAPITAL EXPENDITURE	83	84	84

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

SERVICE GROUP STATEMENTS (CONT)

17.3 Complaints Against Judicial Officers

Service Description: This service group covers the effective examination of complaints in accordance with statutory provisions.

Linkage to Results: This service group contributes to the examination of complaints in accordance with statutory provisions by working towards the intermediate result of improving judicial accountability through effective complaint handling.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Complaints acknowledged within 1 week of receipt	%	100	100	100	100	100
Complaints finalised within 6 months	%	90	97	90	90	90
Complaints finalised within 12 months	%	100	100	100	100	100
<u>Employees:</u>	FTE	1	1	1	1	1

2008-09		2009-10
Budget \$000	Revised \$000	Budget \$000

Financial Indicators:

Total Expenses Excluding Losses	603	627	613
NET COST OF SERVICES	594	544	540
CAPITAL EXPENDITURE	18	16	16

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

	2008-09		2009-10
	Budget \$000	Revised \$000	Budget \$000
OPERATING STATEMENT			
Expenses Excluding Losses			
Operating expenses -			
Employee related	3,699	3,734	3,774
Other operating expenses	1,350	1,525	1,394
Depreciation and amortisation	90	100	102
Grants and subsidies	...	3	...
Total Expenses Excluding Losses	5,139	5,362	5,270
Less:			
Retained Revenue			
Sales of goods and services	403	438	403
Investment income	75	68	68
Other revenue	50	204	155
Total Retained Revenue	528	710	626
NET COST OF SERVICES	4,611	4,652	4,644
 RECURRENT FUNDING STATEMENT			
Net Cost of Services	4,611	4,652	4,644
Recurrent Services Appropriation	4,278	4,275	4,323
 CAPITAL EXPENDITURE STATEMENT			
Capital Expenditure	150	150	150
Capital Works and Services Appropriation	150	150	150

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
BALANCE SHEET			
ASSETS			
Current Assets			
Cash assets	1,125	1,259	1,250
Receivables	222	124	124
Total Current Assets	1,347	1,383	1,374
Non Current Assets			
Property, plant and equipment - Plant and equipment	359	354	404
Intangibles	8	2	...
Total Non Current Assets	367	356	404
Total Assets	1,714	1,739	1,778
LIABILITIES			
Current Liabilities			
Payables	107	138	138
Provisions	355	346	346
Other	7	5	5
Total Current Liabilities	469	489	489
Non Current Liabilities			
Provisions	4	3	3
Total Non Current Liabilities	4	3	3
Total Liabilities	473	492	492
NET ASSETS	1,241	1,247	1,286
EQUITY			
Accumulated funds	1,241	1,247	1,286
TOTAL EQUITY	1,241	1,247	1,286

17 JUDICIAL COMMISSION OF NEW SOUTH WALES

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
CASH FLOW STATEMENT			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee related	3,518	3,504	3,564
Grants and subsidies	...	3	...
Other	1,527	1,704	1,573
Total Payments	5,045	5,211	5,137
Receipts			
Sale of goods and services	403	438	403
Interest	75	68	68
Other	229	383	334
Total Receipts	707	889	805
NET CASH FLOWS FROM OPERATING ACTIVITIES	(4,338)	(4,322)	(4,332)
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchases of property, plant and equipment	(150)	(150)	(150)
NET CASH FLOWS FROM INVESTING ACTIVITIES	(150)	(150)	(150)
CASH FLOWS FROM GOVERNMENT			
Recurrent appropriation	4,278	4,275	4,323
Capital appropriation	150	150	150
NET CASH FLOWS FROM GOVERNMENT	4,428	4,425	4,473
NET INCREASE/(DECREASE) IN CASH	(60)	(47)	(9)
Opening Cash and Cash Equivalents	1,185	1,306	1,259
CLOSING CASH AND CASH EQUIVALENTS	1,125	1,259	1,250
CASH FLOW RECONCILIATION			
Net cost of services	(4,611)	(4,652)	(4,644)
Non cash items added back	271	330	312
Change in operating assets and liabilities	2
Net cash flow from operating activities	(4,338)	(4,322)	(4,332)

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 Australian 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 Government priorities of reduced rates of crime, recidivism, and antisocial behaviour by working towards the following result:

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

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

- ◆ delivering criminal law services that assist persons accused of criminal offences to properly understand and respond to allegations made against them
- ◆ delivering family law services to help ensure that each person's interests, particularly children's needs, are provided for and properly considered where decisions are made about arrangements in their family and personal lives
- ◆ delivering civil law services that provide options for people to contest unjust decisions and seek redress for harm caused by others and
- ◆ facilitating community partnerships that support community legal centres in providing legal information, education and assistance, and delivering specialised court support schemes to assist women and children seeking protection from domestic violence.

18 LEGAL AID COMMISSION ON NEW SOUTH WALES

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

Service Groups	2009-10 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	92.6	✓
Civil Law Services	22.9	✓
Family Law Services	61.1	✓
Community Partnerships	22.6	✓
Total Expenses Excluding Losses	199.2	

RECENT ACHIEVEMENTS

Legal Aid NSW has consistently increased the number of legal services provided to disadvantaged persons over the last five years. In 2008-09, total legal representation and duty appearances provided are projected to increase by 12,868 compared to 2007-08, legal advice by 3,639, and general information by 27,547.

Legal Aid NSW has also increased the availability of civil law services, outreach services, particularly in country areas, and the number of family dispute resolution conferences. This has resulted in more family law matters being resolved through mediation rather than litigation.

More recently Legal Aid NSW has introduced new computerised grants management and case management systems to further improve the quality of services provided. During 2008-09 Legal Aid NSW also established programs to assist those experiencing mortgage stress.

STRATEGIC DIRECTIONS

Legal Aid NSW will continue to focus on improving access to legal services for disadvantaged people through partnerships with community legal centres and private practitioners targeting areas of emerging and unmet need. Legal Aid NSW will also expand the Women's Domestic Violence Court Advocacy Program from 71 to 107 courts served, to provide further assistance to victims of domestic violence and continue to offer assistance to those experiencing mortgage stress.

2009-10 BUDGET INITIATIVES

Total Expenses

Total expenses for Legal Aid NSW are estimated at \$199.2 million in 2009-10, an increase of 3 per cent on the 2008-09 Budget. This includes additional funding of \$2.6 million to expand the Women's Domestic Violence Court Advocacy Program and \$520,000 from the Public Purpose Fund for legal assistance in relation to mortgage stress.

Australian Government funding for legal aid matters has previously been paid directly to Legal Aid NSW. As part of new funding arrangements approved by COAG, all payments will now be made via the Consolidated Fund. As a result, receipts in forward years have been reduced by \$48.7 million, with corresponding increases in Consolidated Fund support.

Capital Expenditure

Legal Aid NSW's capital allocation of \$4.4 million for 2009-10 provides for the upgrade and replacement of information technology and other items of equipment across its 21 metropolitan and regional offices.

RESULT INDICATORS

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

	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
<u>Result Indicators:</u>						
Average waiting time for advice appointments ^(a)	days	4.3	5.0	4.0	4.0	4.0
Means test income limit as a percentage of current national minimum wage ^(b)	%	52.6	60.9	52.6	58.5	58.5
Local Court sittings serviced by duty solicitor schemes ^(c)	%	100	100	100	100	100
People accessing community legal education sessions ^(d)	no.	15,132	17,520	16,500	23,803	23,800

(a) 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.

(b) This measures the extent to which legal aid is accessible to people on low incomes, with the desired movement being either steady or increasing.

(c) Legal Aid NSW aims to ensure that duty solicitor services are available to assist eligible persons at all Local Courts.

(d) 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.

18 LEGAL AID COMMISSION ON NEW SOUTH WALES

SERVICE GROUP STATEMENTS

18.1 Criminal Law Services

Service Description: This service group covers the provision of legal assistance and counsel to those facing criminal charges.

Linkage to Results: This service group contributes to persons understanding and enforcing their legal rights and appreciating their legal obligations in criminal matters by working towards a range of intermediate results that include the following:

- ◆ ensuring punishment is not administered arbitrarily or against innocent parties
- ◆ ensuring accused persons have the opportunity to understand properly and respond to the allegations made against them and
- ◆ ensuring community respect and confidence in the law is maintained.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Legal representation:						
In-house ^(a)	no.	34,599	36,255	35,900	13,790	13,800
Assigned	no.	11,239	12,967	11,700	13,467	13,500
Duty appearances:						
In-house ^(a)	no.	45,251	47,404	45,600	84,458	85,000
Assigned	no.	46,030	52,777	47,000	51,009	51,500
Legal advice and minor assistance ^(b)	no.	32,446	31,413	33,000	30,089	30,500
General information services	no.	96,095	115,401	98,000	126,095	127,000

(a) A definitional change that took effect from 1 July 2008 means that much larger volumes of in-house work are now classified as duty, rather than casework.

(b) Legal advice is provided by legal practitioners. Minor assistance is of a self-help nature and is provided by Legal Aid staff.

<u>Employees:</u>	FTE	395	393	393	406	406
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18 LEGAL AID COMMISSION ON NEW SOUTH WALES

SERVICE GROUP STATEMENTS (CONT)

18.1 Criminal Law Services (cont)

	2008-09		2009-10
	Budget	Revised	Budget
	\$000	\$000	\$000
<u>Financial Indicators:</u>			
Total Expenses Excluding Losses	95,611	103,729	92,552
NET COST OF SERVICES	56,333	65,010	59,562
CAPITAL EXPENDITURE	2,175	2,175	2,175

18 LEGAL AID COMMISSION ON NEW SOUTH WALES

SERVICE GROUP STATEMENTS (CONT)

18.2 Civil Law Services

Service Description: This service group covers the provision of law services to clients who require advice on matters such as housing, consumer and human rights law, with a strong emphasis on protection of legal rights in disadvantaged communities.

Linkage to Results: This service group contributes to persons understanding and enforcing their legal rights and appreciating their legal obligations in civil matters by working towards a range of intermediate results that include the following:

- ◆ people are less likely to be exploited or denied their rights
- ◆ those who are vulnerable to excessive or improper use of power are aware of their legal rights and obligations and
- ◆ people have options to contest unjust decisions and seek redress for harm caused.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Legal representation:						
In-house	no.	1,034	1,213	1,020	1,262	1,300
Assigned	no.	495	510	500	723	737
Duty appearances:						
In-house	no.	12,627	13,292	12,700	13,300	13,000
Assigned	no.	13,749	12,740	13,800	12,392	12,700
Legal advice and minor assistance ^(a)	no.	21,190	22,432	22,100	25,569	26,000
General information services	no.	113,641	134,615	115,500	144,110	147,000

(a) Legal advice is provided by legal practitioners. Minor assistance is of a self-help nature and is provided by Legal Aid staff.

<u>Employees:</u>	FTE	119	142	138	155	155
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—————2008-09—————		2009-10
Budget	Revised	Budget
\$000	\$000	\$000

Financial Indicators:

Total Expenses Excluding Losses	20,758	22,466	22,897
NET COST OF SERVICES	12,099	8,804	13,583
CAPITAL EXPENDITURE	435	435	435

18 LEGAL AID COMMISSION ON NEW SOUTH WALES

SERVICE GROUP STATEMENTS (CONT)

18.3 Family Law Services

Service Description: This service group covers the provision of assistance to families in domestic or statutory disputes in areas such as divorce and parenting arrangements and cases of child abuse and/or neglect.

Linkage to Results: This service group contributes to persons in a family dispute understanding and enforcing their individual legal rights and appreciating their legal obligations by working towards a range of intermediate results that include the following:

- ◆ providing impartial skilled mediators to assist families to consider matters objectively and arrive at workable outcomes and
- ◆ ensuring children's financial, emotional, physical and safety needs and rights are protected during family breakdowns and disputes.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Legal representation:						
In-house	no.	3,195	3,067	3,200	3,210	3,300
Assigned	no.	10,645	11,296	10,800	10,767	11,000
Duty appearances:						
In-house	no.	3,434	3,214	3,500	3,518	3,600
Assigned	no.	2,531	2,944	2,600	2,651	2,700
Legal advice and minor assistance ^(a)	no.	30,486	28,624	30,400	30,450	31,000
General information services	no.	113,038	111,720	118,000	119,078	121,000

(a) Legal advice is provided by legal practitioners. Minor assistance is of a self-help nature and is provided by Legal Aid staff.

<u>Employees:</u>	FTE	209	225	216	244	244
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2008-09		2009-10
Budget	Revised	Budget
\$000	\$000	\$000

Financial Indicators:

Total Expenses Excluding Losses	58,898	69,416	61,050
NET COST OF SERVICES	10,871	34,454	56,902
CAPITAL EXPENDITURE	1,740	1,740	1,740

18 LEGAL AID COMMISSION ON NEW SOUTH WALES

SERVICE GROUP STATEMENTS (CONT)

18.4 Community Partnerships

Service Description: This service group covers funding of community organisations for specific purposes, in particular to provide specialised assistance for women and children seeking legal protection from domestic violence.

Linkage to Results: This service group contributes to persons who are suffering from a personal crisis, such as domestic violence, understanding and enforcing their legal rights and obligations by working towards a range of intermediate results that include the following:

- ◆ maintaining through Community Legal Centres the fundamental rights of women, children and the disabled who may be victims of domestic violence, discrimination or unjust hardship
- ◆ participating in policy development and/or law reform activities
- ◆ working with the NSW Police Force and Local Courts to develop a more coordinated approach to domestic violence and
- ◆ providing assistance to women and children subject to domestic violence, such as obtaining legal protection through Apprehended Domestic Violence Orders.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Local Courts served by Women's Domestic Violence Court Advocacy Program ^(a)	no.	59	62	61	71	107
Community Legal Centre cases opened	no.	4,137	5,222	4,295	5,326	5,400
Community Legal Centre advice services	no.	43,165	47,438	46,185	48,387	48,400

(a) Increase in 2009-10 reflects additional Budget funding provided to expand the Women's Domestic Violence Court Advocacy Program.

<u>Employees:</u>	FTE	5	5	5	6	6
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2008-09		2009-10
Budget	Revised	Budget
\$000	\$000	\$000

Financial Indicators:

Total Expenses Excluding Losses	18,114	21,810	22,710
NET COST OF SERVICES	10,564	12,415	13,450

18 LEGAL AID COMMISSION ON NEW SOUTH WALES

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
OPERATING STATEMENT			
Expenses Excluding Losses			
Operating expenses -			
Employee related	72,609	75,309	77,717
Other operating expenses	17,625	18,265	18,049
Depreciation and amortisation	2,722	3,669	4,500
Grants and subsidies	17,237	20,852	21,459
Other expenses	83,188	99,326	77,484
Total Expenses Excluding Losses	193,381	217,421	199,209
Less:			
Retained Revenue			
Sales of goods and services	50,325	40,668	4,000
Investment income	5,404	5,292	4,282
Grants and contributions	47,785	51,069	47,450
Other revenue	...	270	180
Total Retained Revenue	103,514	97,299	55,912
Gain/(loss) on disposal of non current assets	...	4	...
Other gains/(losses)	...	(565)	(200)
NET COST OF SERVICES	89,867	120,683	143,497
RECURRENT FUNDING STATEMENT			
Net Cost of Services	89,867	120,683	143,497
Recurrent Services Appropriation	88,945	101,038	143,497
CAPITAL EXPENDITURE STATEMENT			
Capital Expenditure	4,350	4,350	4,350
Capital Works and Services Appropriation	3,600	3,600	3,600

18 LEGAL AID COMMISSION ON NEW SOUTH WALES

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
BALANCE SHEET			
ASSETS			
Current Assets			
Cash assets	79,257	74,358	79,303
Receivables	6,105	5,242	5,243
Other	9,741	4,705	4,705
Total Current Assets	95,103	84,305	89,251
Non Current Assets			
Receivables	2,272	2,385	2,385
Property, plant and equipment -			
Land and building	7,140	5,283	5,233
Plant and equipment	5,319	4,325	5,725
Intangibles	1,424	5,372	3,872
Other	331
Total Non Current Assets	16,486	17,365	17,215
Total Assets	111,589	101,670	106,466
LIABILITIES			
Current Liabilities			
Payables	20,704	25,569	25,970
Provisions	17,553	17,527	18,227
Total Current Liabilities	38,257	43,096	44,197
Non Current Liabilities			
Provisions	1,726	2,374	2,469
Other	1,590	1,906	1,906
Total Non Current Liabilities	3,316	4,280	4,375
Total Liabilities	41,573	47,376	48,572
NET ASSETS	70,016	54,294	57,894
EQUITY			
Accumulated funds	70,016	54,294	57,894
TOTAL EQUITY	70,016	54,294	57,894

18 LEGAL AID COMMISSION ON NEW SOUTH WALES

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
CASH FLOW STATEMENT			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee related	72,608	71,742	76,521
Grants and subsidies	17,237	20,852	21,459
Other	104,248	134,990	108,157
Total Payments	194,093	227,584	206,137
Receipts			
Sale of goods and services	49,806	40,031	3,800
Interest	5,404	5,122	4,282
Other	56,193	66,975	60,254
Total Receipts	111,403	112,128	68,336
NET CASH FLOWS FROM OPERATING ACTIVITIES	(82,690)	(115,456)	(137,801)
CASH FLOWS FROM INVESTING ACTIVITIES			
Proceeds from sale of property, plant and equipment	...	4	...
Purchases of property, plant and equipment	(4,350)	(3,090)	(4,350)
Other	...	(1,260)	...
NET CASH FLOWS FROM INVESTING ACTIVITIES	(4,350)	(4,346)	(4,350)
CASH FLOWS FROM GOVERNMENT			
Recurrent appropriation	88,945	101,038	143,497
Capital appropriation	3,600	3,600	3,600
Cash transfers to Consolidated Fund	...	(144)	...
NET CASH FLOWS FROM GOVERNMENT	92,545	104,494	147,097
NET INCREASE/(DECREASE) IN CASH	5,505	(15,308)	4,946
Opening Cash and Cash Equivalents	73,752	89,665	74,357
CLOSING CASH AND CASH EQUIVALENTS	79,257	74,357	79,303
CASH FLOW RECONCILIATION			
Net cost of services	(89,867)	(120,683)	(143,497)
Non cash items added back	2,722	3,669	4,500
Change in operating assets and liabilities	4,455	1,558	1,196
Net cash flow from operating activities	(82,690)	(115,456)	(137,801)

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 an independent and just prosecution service to the people of New South Wales.

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* 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 and appropriate sentencing outcomes for convicted criminals is increased.
- ◆ The quality and timeliness of prosecution services through the expeditious resolution of matters and the provision of high quality advice to police and other agencies is improved.
- ◆ There is increased participation of victims and witnesses in the prosecution process by providing timely, high quality access and support.

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

- ◆ undertaking the prosecution of serious criminal matters in all NSW Courts and the High Court on behalf of the Crown and all child sexual assault summary prosecutions and
- ◆ providing assistance to victims and witnesses in the prosecution process by ensuring that they have relevant information and support to enable them to participate in the prosecution process.

19 OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

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	2009-10 Budget Expenses \$m	Results		
		Successful prosecutions and appropriate sentences	Quality and timeliness of prosecution services	Participation of victims and witnesses
Prosecutions	92.6	✓	✓	
Victim and Witness Assistance	7.1		✓	✓
Total Expenses Excluding Losses	99.7			

RECENT ACHIEVEMENTS

A pilot program of Criminal Case Conferencing has increased the rate of early pleas of guilty by 15 per cent when compared to non-pilot matters in Sydney, and by 10 per cent State-wide. This has resulted in efficiencies in trial preparation through reduced late pleas of guilty. The pilot has been extended to 30 June 2010.

The Office has also recently:

- ◆ developed a structured 12 month Legal Development Program to train and develop law graduates in the prosecution process
- ◆ modified its case management system to produce workflows, templates and statistical data that will substantially improve its reporting capability regarding confiscation applications and orders under the *Confiscation of Proceeds of Crime Act 1989*
- ◆ participated in the Sexual Assault Communications Privilege Referral project by referring victims for legal representation in matters where documents are subpoenaed by defence representatives, with several legal practitioners providing this service free of charge
- ◆ enhanced its information package to victims of violent offences through consolidating internal processes and producing a brochure amalgamating all victim information into a user friendly booklet and
- ◆ appointed an executive director charged with managing the administrative functions of the Office.

STRATEGIC DIRECTIONS

The ODPP will maintain its commitment to improve the criminal justice system and to provide the people of New South Wales with an independent, fair and just prosecution service through:

- ◆ improvement to its management systems to better monitor efficiency and productivity
- ◆ expeditious resolution of matters in the appropriate jurisdiction through the centralised committals scheme and improved communication and negotiation with police and defence legal representatives
- ◆ the provision of high quality advice to police and other investigative agencies to enhance the quality and timeliness of briefs of evidence
- ◆ involvement in the education of investigative officers to improve the quality and presentation of evidence and
- ◆ improvement of the identification of victim related issues and communication to support victims of crime and vulnerable witnesses.

2009-10 BUDGET INITIATIVES

Total Expenses

The Office's total expenses are estimated at \$99.7 million in 2009-10.

Capital Expenditure

The Office's 2009-10 capital allocation of \$10.7 million includes \$8.6 million to complete the relocation and consolidation of its Sydney Office. The balance of \$2.1 million will be used for the ongoing replacement of plant and equipment.

19 OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

RESULT INDICATORS

Increased likelihood of successful prosecutions and appropriate sentencing

		2006-07	2007-08	2008-09	2008-09	2009-10
	Units	Actual	Actual	Forecast	Revised	Forecast
<u>Result Indicators:</u>						
Matters returning finding of guilt ^(a)	%	73	77	75	80	80
Matters discontinued after committal order ^(b)	%	0.06	0.05	0.05	0.04	0.04
Successful Crown appeals in higher courts ^(c)	%	63	49	65	66	66

(a) This indicator refers to matters committed for trial and for sentence that result in guilty verdicts/pleas as a percentage of all matters committed for trial and for sentence.

(b) 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. Improvements in case management will demonstrate a reduction in this indicator.

(c) This indicator shows the effectiveness of prosecutions by measuring the success rate of Crown appeals to higher courts when the Crown believes the decision of a lower court is unsatisfactory. An increase in this indicator reflects an increase in the quality of the appeals made, or improvements in the selection of matters for appeal.

Improved quality and timeliness of prosecution services

		2006-07	2007-08	2008-09	2008-09	2009-10
	Units	Actual	Actual	Forecast	Revised	Forecast
<u>Result Indicators:</u>						
Matters where early plea of guilty entered ^(a)	%	44	47	48	50	52
Listed trials adjourned on Crown application ^(b)	%	6.0	4.9	5.5	5.0	5.0
Matters in which costs awarded against the ODPP ^(c)	%	0.17	0.05	0.10	0.10	0.10

(a) This indicator measures the number of matters that are committed for sentence as a percentage of all matters committed to the higher courts (i.e. committed for trial and for sentence). 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.

(b) 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 service is impeded by adjournment for reasons within, as well as outside ODPP's control.

(c) This indicator refers to costs awarded against the ODPP. A decrease reflects an improvement in the quality and conduct of matters.

RESULT INDICATORS (CONT)

Increased participation of victims and witnesses in the prosecution process by providing improved support

	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
<u>Result Indicators:</u>						
Victims/ witnesses satisfied with services provided by ODPP	%	66	n.a.	70	70	n.a.

This indicator shows the effectiveness of victim and witness support services. The satisfaction levels are determined by a survey undertaken every two years.

19 OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

SERVICE GROUP STATEMENTS

19.1 Prosecutions

Service Description: This service group covers instituting and conducting prosecutions and related proceedings for indictable offences under NSW laws in the Supreme Court, District Courts and Local Courts on behalf of the Crown. This includes providing advice to police and investigative agencies on evidentiary matters, participating in the law reform process and capturing the proceeds of crime.

Linkage to Results: This service group contributes to successful and timely prosecutions, and to providing quality prosecution services with appropriate sentence outcomes, by working towards a range of intermediate results that include the following:

- ◆ increased community confidence in prosecutions
- ◆ early evaluation of evidence in accordance with standardised procedures
- ◆ better quality briefs of evidence and improved practices and
- ◆ law reform to improve the criminal justice system.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Committals completed	no.	5,727	5,726	5,700	5,958	5,960
Cases summarily disposed of in Local Court	no.	2,400	2,554	2,565	2,717	2,700
Cases committed for trial	no.	1,848	1,676	1,539	1,617	1,500
Cases committed for sentence in higher courts	no.	1,479	1,496	1,596	1,624	1,760
Trial matters concluded	no.	2,038	1,780	1,900	1,776	1,600
 <u>Employees:</u>	 FTE	 607	 590	 586	 566	 556

2008-09		2009-10
Budget	Revised	Budget
\$000	\$000	\$000

Financial Indicators:

Total Expenses Excluding Losses	90,273	90,774	92,586
NET COST OF SERVICES	88,580	88,894	92,168
CAPITAL EXPENDITURE	1,760	6,342	10,485

19 OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

SERVICE GROUP STATEMENTS (CONT)

19.2 Victim and Witness Assistance

Service Description: This service group covers providing information, referral and support services to victims of violent crimes and to vulnerable witnesses who are giving evidence in matters prosecuted by the Director of Public Prosecutions. This includes assisting victims and witnesses to minimise the traumatic impact of the court process, providing access to services in remote areas and assisting indigenous victims and witnesses.

Linkage to Results: This service group contributes to improving victim and witness support by working towards the following intermediate measures:

- ◆ victims and witnesses have relevant information and support during the prosecution process and
- ◆ victims and witnesses participate in the prosecution process and have a greater sense of inclusion.

<u>Service Measures:</u>	Units	2006-07 Actual	2007-08 Actual	2008-09 Forecast	2008-09 Revised	2009-10 Forecast
Level of witness and victim satisfaction (biennial survey)	%	66	n.a.	70	70	n.a.
<u>Employees:</u>	FTE	32	30	30	33	33

2008-09		2009-10
Budget \$000	Revised \$000	Budget \$000

Financial Indicators:

Total Expenses Excluding Losses	6,387	6,503	7,112
NET COST OF SERVICES	6,387	5,750	4,938
CAPITAL EXPENDITURE	...	18	228

19 OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

	2008-09		2009-10
	Budget	Revised	Budget
	\$000	\$000	\$000
OPERATING STATEMENT			
Expenses Excluding Losses			
Operating expenses -			
Employee related	76,581	77,970	78,773
Other operating expenses	13,750	12,886	13,510
Depreciation and amortisation	2,836	3,081	3,891
Grants and subsidies	...	290	...
Other expenses	3,493	3,050	3,524
Total Expenses Excluding Losses	96,660	97,277	99,698
Less:			
Retained Revenue			
Sales of goods and services	69	79	71
Investment income	212	222	217
Grants and contributions	1,148	2,068	2,174
Other revenue	259	261	125
Total Retained Revenue	1,688	2,630	2,587
Gain/(loss) on disposal of non current assets	5	3	5
NET COST OF SERVICES	94,967	94,644	97,106
RECURRENT FUNDING STATEMENT			
Net Cost of Services	94,967	94,644	97,106
Recurrent Services Appropriation	84,432	84,572	85,003
CAPITAL EXPENDITURE STATEMENT			
Capital Expenditure	1,760	6,360	10,713
Capital Works and Services Appropriation	1,760	6,360	10,713

19 OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
BALANCE SHEET			
ASSETS			
Current Assets			
Cash assets	2,964	4,326	3,786
Receivables	2,450	1,712	2,032
Total Current Assets	5,414	6,038	5,818
Non Current Assets			
Property, plant and equipment - Plant and equipment	8,873	13,561	20,698
Intangibles	519	480	165
Total Non Current Assets	9,392	14,041	20,863
Total Assets	14,806	20,079	26,681
LIABILITIES			
Current Liabilities			
Payables	2,200	2,529	3,201
Provisions	7,499	7,535	7,477
Other	90	90	...
Total Current Liabilities	9,789	10,154	10,678
Non Current Liabilities			
Provisions	109	95	96
Other	350	275	275
Total Non Current Liabilities	459	370	371
Total Liabilities	10,248	10,524	11,049
NET ASSETS	4,558	9,555	15,632
EQUITY			
Reserves	356	356	356
Accumulated funds	4,202	9,199	15,276
TOTAL EQUITY	4,558	9,555	15,632

19 OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

	2008-09		2009-10
	Budget	Revised	Budget
	\$000	\$000	\$000
CASH FLOW STATEMENT			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee related	68,846	70,679	70,655
Grants and subsidies	...	290	...
Other	18,381	16,905	19,120
Total Payments	87,227	87,874	89,775
Receipts			
Sale of goods and services	69	79	71
Interest	216	323	227
Other	2,696	3,798	3,929
Total Receipts	2,981	4,200	4,227
NET CASH FLOWS FROM OPERATING ACTIVITIES	(84,246)	(83,674)	(85,548)
CASH FLOWS FROM INVESTING ACTIVITIES			
Proceeds from sale of property, plant and equipment	5	3	5
Purchases of property, plant and equipment	(1,710)	(6,308)	(10,663)
Other	(50)	(52)	(50)
NET CASH FLOWS FROM INVESTING ACTIVITIES	(1,755)	(6,357)	(10,708)
CASH FLOWS FROM GOVERNMENT			
Recurrent appropriation	84,432	84,572	85,003
Capital appropriation	1,760	6,360	10,713
Cash transfers to Consolidated Fund	...	(168)	...
NET CASH FLOWS FROM GOVERNMENT	86,192	90,764	95,716
NET INCREASE/(DECREASE) IN CASH	191	733	(540)
Opening Cash and Cash Equivalents	2,773	3,593	4,326
CLOSING CASH AND CASH EQUIVALENTS	2,964	4,326	3,786
CASH FLOW RECONCILIATION			
Net cost of services	(94,967)	(94,644)	(97,106)
Non cash items added back	9,981	10,226	11,358
Change in operating assets and liabilities	740	744	200
Net cash flow from operating activities	(84,246)	(83,674)	(85,548)

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 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 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 2009-10 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

A Regulatory Impact Statement was completed in 2007-08 with the Minister subsequently approving the adoption of industry parity pricing. New regulations were gazetted and commenced from 1 September 2008.

Deceased estate and trust volumes declined slightly in 2008-09, with the values of those matters being below initial estimates due to the downturn in domestic markets arising from the current global economic and financial crisis. The number of new wills made has also declined slightly, however power of attorney appointments have increased.

STRATEGIC DIRECTIONS

In the *2008-09 Mini-Budget* the Government announced a merger of the Public Trustee NSW and the Office of the Protective Commissioner from 1 July 2009, subject to legislative approval. The merged entity will continue to provide all services currently offered by the Public Trustee NSW and pursue key strategies for business growth and improved client services.

2009-10 BUDGET INITIATIVES

The impact of the proposed merger of the Public Trustee NSW with the Office of the Protective Commissioner is not included in this Budget, pending legislative approval. Existing community service obligation funding will continue under the merged entity to meet the Public Trustee NSW's statutory obligation to administer low value estates and trusts.

Total Revenue

Forecast revenue of \$40.8 million is based on the amended fee schedule which commenced on 1 September 2008. The overall revenue projection is \$2.4 million less than the 2008-09 Budget due to the impact of the global economic and financial downturn on investment income, commissions and fees.

Total Expenses

Total expenses are budgeted at \$35.8 million, an increase of \$795,000 on budgeted expenses for 2008-09.

Capital Expenditure

Capital expenditure in 2009-10 is estimated to be \$2.5 million. This includes provisions for the replacement of systems to improve client service, and the further consolidation of printers, faxes and copiers into single multi-function devices.

PUBLIC TRUSTEE NSW

	2008-09		2009-10
	Budget \$000	Revised \$000	Budget \$000
OPERATING STATEMENT			
Retained Revenue			
Sales of goods and services	36,470	36,417	36,624
Investment income	3,780	(7,354)	1,243
Social program policy payments	2,390	2,390	2,390
Other revenue	530	502	520
Total Retained Revenue	43,170	31,955	40,777
Less:			
Expenses Excluding Losses			
Operating Expenses -			
Employee related	311	1,156	303
Other operating expenses	32,453	31,285	33,252
Depreciation and amortisation	2,212	2,158	2,216
Grants and subsidies	...	38	...
Total Expenses Excluding Losses	34,976	34,637	35,771
SURPLUS/(DEFICIT) BEFORE DISTRIBUTIONS	8,194	(2,682)	5,006
Distributions -			
Dividends and capital repatriations	2,879	3,520	2,453
Tax equivalents	1,763	2,155	1,502
SURPLUS/(DEFICIT) AFTER DISTRIBUTIONS	3,552	(8,357)	1,051

PUBLIC TRUSTEE NSW

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
BALANCE SHEET			
ASSETS			
Current Assets			
Cash assets	2,045	2,005	2,007
Receivables	2,045	2,045	2,045
Other financial assets	...	22,520	20,854
Total Current Assets	4,090	26,570	24,906
Non Current Assets			
Other financial assets	48,168	6,879	1,752
Property, plant and equipment -			
Land and building	19,591	20,065	19,563
Plant and equipment	6,117	4,325	5,561
Intangibles	1,907	1,667	1,221
Other	2,702
Total Non Current Assets	78,485	32,936	28,097
Total Assets	82,575	59,506	53,003
LIABILITIES			
Current Liabilities			
Payables	2,100	2,098	2,102
Tax	1,763	2,155	1,502
Provisions	5,929	6,207	5,196
Other	7	9	...
Total Current Liabilities	9,799	10,469	8,800
Non Current Liabilities			
Provisions	8	37,175	31,175
Other	2,459	5,470	5,585
Total Non Current Liabilities	2,467	42,645	36,760
Total Liabilities	12,266	53,114	45,560
NET ASSETS	70,309	6,392	7,443
EQUITY			
Reserves	12,568	13,089	13,089
Accumulated funds	57,741	(6,697)	(5,646)
TOTAL EQUITY	70,309	6,392	7,443

PUBLIC TRUSTEE NSW

	2008-09		2009-10
	Budget \$000	Revised \$000	Budget \$000
CASH FLOW STATEMENT			
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts			
Sale of goods and services	36,470	37,927	36,624
Interest	100	1,646	1,243
Other	7,304	7,242	7,294
Total Receipts	43,874	46,815	45,161
Payments			
Employee related	358	424	6,299
Grants and subsidies	...	38	...
Equivalent Income Tax	875	2,347	2,155
Other	36,717	37,716	37,474
Total Payments	37,950	40,525	45,928
NET CASH FLOWS FROM OPERATING ACTIVITIES	5,924	6,290	(767)
CASH FLOWS FROM INVESTING ACTIVITIES			
Proceeds from sale of investments	4,525	4,525	7,936
Purchases of property, plant and equipment	(2,193)	(517)	(2,117)
Purchases of investments	(6,158)	(8,066)	(1,143)
Other	(665)	(685)	(387)
NET CASH FLOWS FROM INVESTING ACTIVITIES	(4,491)	(4,743)	4,289
CASH FLOWS FROM FINANCING ACTIVITIES			
Dividends paid	(1,430)	(3,672)	(3,520)
NET CASH FLOWS FROM FINANCING ACTIVITIES	(1,430)	(3,672)	(3,520)
NET INCREASE/(DECREASE) IN CASH	3	(2,125)	2
Opening Cash and Cash Equivalents	2,042	4,130	2,005
CLOSING CASH AND CASH EQUIVALENTS	2,045	2,005	2,007
CASH FLOW RECONCILIATION			
Surplus/(deficit) for year before distributions	6,431	(4,837)	3,504
Non cash items added back	(1,468)	11,158	2,216
Change in operating assets and liabilities	961	(31)	(6,487)
Net cash flow from operating activities	5,924	6,290	(767)

BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE PAYMENTS CORPORATION

The Corporation administers the *Building and Construction Industry Long Service Payments Act 1986* which provides a portable long service scheme to building and construction workers in New South Wales.

RESULTS AND SERVICES

The Corporation delivers an industry based long service payments scheme for workers in the NSW building and construction industry by working towards the following results:

- ◆ Intended beneficiaries of the scheme receive their entitlements.
- ◆ Rights are observed and employer obligations are enforced.

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

- ◆ maintaining records of service and the payment of entitlements
- ◆ undertaking compliance programs such as auditing employers
- ◆ promoting the scheme and
- ◆ collecting the long service leave levy and ensuring compliance.

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

Service Groups	2009-10 Budget Expenses \$m	Results	
		Scheme beneficiaries receive their entitlements	Scheme rights and obligations are observed and enforced
Long Service Leave Scheme Management	107.2	✓	✓
Total Expenses Excluding Losses	107.2		

BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE PAYMENTS CORPORATION

RECENT ACHIEVEMENTS

The move by the Corporation to online services over the past 18 months has greatly enhanced the efficiency of the scheme and reduced the administrative burden on employers. Online services have become the principal method by which employers provide information to the Corporation for the majority of workers covered by the scheme. Workers are now accessing and checking their own service records online.

The Corporation's investment returns continue to be affected by uncertainty in financial markets. Income from the long service leave levy has also been lower than expected due to a slow down in the building and construction industry. The Corporation has engaged an actuary to undertake a full review of the Corporation's financial position and recommend whether any changes are needed to ensure long term liabilities are fully covered.

STRATEGIC DIRECTIONS

The Corporation continues to examine and implement ways in which customer service and the effectiveness and efficiency of the organisation's operations may be improved.

The Corporation is aiming to maximise the provision of online services and website information.

Long service benefits from the scheme are required to be readily available when members decide to claim them. The Corporation cannot control the number of claims that may be made in any year, and therefore disbursements and cash flows may vary significantly from year to year and from budget figures.

2009-10 BUDGET INITIATIVES

Total Expenses

Budget figures for scheme liabilities, long service payments, investment and levy income are based on the latest actuarial advice whilst current year projections take into account both actuarial advice and the latest circumstances and experience.

BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE PAYMENTS CORPORATION

Total expenses are estimated to be \$107.2 million of which \$95.6 million relates to long service payments which are made to beneficiaries and a long service payments liability expense, which encompasses new liabilities accumulating during the year and any changes in the accumulated liability. This compares with 2008-09 revised long service payments of \$84.8 million.

Total income is estimated at \$91.6 million, of which \$91 million is income from the long service levy. The recovery in levy revenue reflects the anticipated increase in construction activity as a result of the recently announced the Australian Government economic stimulus package. With the current economic climate the Corporation has only budgeted for minimal gains from funds it has placed in low risk investments through NSW Treasury Corporation.

This will result in a small operating deficit of \$15.7 million in 2009-10.

Capital Expenditure

An amount of \$900,000 has been budgeted for improvements to core operating systems and annual provisions.

**BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE
PAYMENTS CORPORATION**

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
OPERATING STATEMENT			
Retained Revenue			
Investment income	47,550	(69,585)	550
Retained taxes, fees and fines	86,100	65,100	91,000
Other revenue	5	1,205	5
Total Retained Revenue	133,655	(3,280)	91,555
Less:			
Expenses Excluding Losses			
Operating Expenses -			
Employee related	600	570	500
Other operating expenses	8,924	8,654	9,153
Depreciation and amortisation	698	589	660
Other expenses	86,892	86,300	96,915
Total Expenses Excluding Losses	97,114	96,113	107,228
Gain/(loss) on disposal of non current assets	...	7	...
Other gains/(losses)	(10)
SURPLUS/(DEFICIT)	36,531	(99,386)	(15,673)

**BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE
PAYMENTS CORPORATION**

	2008-09		2009-10
	Budget \$000	Revised \$000	Budget \$000
BALANCE SHEET			
ASSETS			
Current Assets			
Cash assets	8,501	9,001	9,001
Receivables	4,750	4,150	4,425
Other	1,000	966	1,000
Total Current Assets	14,251	14,117	14,426
Non Current Assets			
Other financial assets	608,333	452,061	452,061
Property, plant and equipment - Plant and equipment	323	811	851
Intangibles	1,385	1,005	1,205
Total Non Current Assets	610,041	453,877	454,117
Total Assets	624,292	467,994	468,543
LIABILITIES			
Current Liabilities			
Payables	3,345	3,317	3,189
Provisions	350,000	375,000	375,000
Total Current Liabilities	353,345	378,317	378,189
Non Current Liabilities			
Provisions	232,472	207,496	223,846
Total Non Current Liabilities	232,472	207,496	223,846
Total Liabilities	585,817	585,813	602,035
NET ASSETS	38,475	(117,819)	(133,492)
EQUITY			
Accumulated funds	38,475	(117,819)	(133,492)
TOTAL EQUITY	38,475	(117,819)	(133,492)

**BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE
PAYMENTS CORPORATION**

	2008-09		2009-10 Budget \$000
	Budget \$000	Revised \$000	
CASH FLOW STATEMENT			
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts			
Retained taxes	84,808	64,034	89,435
Interest	550	415	550
Other	295	1,443	255
Total Receipts	85,653	65,892	90,240
Payments			
Employee related	473	570	534
Other	69,880	67,176	88,806
Total Payments	70,353	67,746	89,340
NET CASH FLOWS FROM OPERATING ACTIVITIES	15,300	(1,854)	900
CASH FLOWS FROM INVESTING ACTIVITIES			
Proceeds from sale of property, plant and equipment	...	26	...
Proceeds from sale of investments	...	5,000	...
Purchases of property, plant and equipment	(100)	(878)	(300)
Purchases of investments	(16,000)	(2,000)	...
Other	(400)	...	(600)
NET CASH FLOWS FROM INVESTING ACTIVITIES	(16,500)	2,148	(900)
NET INCREASE/(DECREASE) IN CASH	(1,200)	294	...
Opening Cash and Cash Equivalents	9,701	8,707	9,001
CLOSING CASH AND CASH EQUIVALENTS	8,501	9,001	9,001
CASH FLOW RECONCILIATION			
Surplus/(deficit) for year	36,531	(99,386)	(15,673)
Non cash items added back	(46,302)	70,589	660
Change in operating assets and liabilities	25,071	26,943	15,913
Net cash flow from operating activities	15,300	(1,854)	900