



## **Program 4 — Administration of Justice**

### **Program Objective**

To promote the effective and timely adjudication of disputes and resolution of questions of law in courts and tribunals with appropriate jurisdictions.



## 4.6 Ancillary Program Services

### SUB-PROGRAM OBJECTIVE

To assist other elements of the program in achieving their objectives through:

- provision of services to former Commonwealth judges and spouses of former Commonwealth judges;
- provision of funding to the Family Court of Western Australia for its operations and to the States for services provided under the Family Law Act and Child Support Scheme legislation;
- provision of appropriate and suitable physical accommodation for the operations of courts and tribunals.

### Resources Summary — Sub-program 4.6 Ancillary Program Services

FINANCIAL	1996-97	1997-98	1997-98
	<i>Actual</i> \$(000)	<i>Estimate</i> \$(000)	<i>Actual</i> \$(000)
<b>Special Appropriations</b>			
• Judges' Pensions Act 1968	7,308	8,100	8,061
<b>Appropriation Bill No. 1</b>			
Running Costs			
• Salaries (120-1) (p)	40	47	38
• Other (120-1) (p)	666	963	874
<b>RUNNING COSTS APPROPRIATIONS</b>	<b>706</b>	<b>1,010</b>	<b>912</b>
Other Program Costs			
• Law Courts Limited - Operating Expenses (120-2-07)	2,203	2,266	2,265
• Payments to the States under the <i>Family Law Act 1975</i> and Child Support Scheme Legislation (120-2-10)	4,708	5,621	4,750
• Family Court of Western Australia - Operating Expenses (120-2-12)	7,766	8,300	6,160
<b>Appropriation Bill No. 2</b>			
• Construction of Departmental Facilities (805-1-02)	1,656	2,500	524
<b>TOTAL APPROPRIATIONS</b>	<b>24,346</b>	<b>27,797</b>	<b>22,673</b>
Adjustments affecting Outlays			
• Revenue			
– Miscellaneous	–	1	1
<b>TOTAL OUTLAYS</b>	<b>24,346</b>	<b>27,797</b>	<b>22,672</b>

These figures are expressed in cash terms. The accompanying audited Financial Statements are presented in accrual format.

### Component 4.6.1

#### Payments to former holders of judicial office

This item provides for the payment of pensions to former federal judges and to spouses and dependents of deceased judges. It also allows for certain costs to former judges to be met according to conditions determined by the Government. Former Chief Justices of the High Court are provided with an office and certain support services in accordance with approved entitlements.

#### PERFORMANCE MEASURE

*Payments to former judges, or spouses and dependents of former judges, to be made in accordance with approved entitlements.*

#### PERFORMANCE OUTCOME

All payments were made in accordance with existing entitlements.

## Component 4.6.2

### Expenses associated with family law and judicial administration

This item covers advances for, or reimbursement of, agreed costs of the States providing services through their lower courts in relation to certain family law and child support services, including maintenance collection and disbursement and the enforcement of maintenance and child support orders. Specific provision is also made for the net cost of operating the Family Court of WA, the only State court established under s. 41 of the Family Law Act.

#### PERFORMANCE MEASURE

*Payments to the States in respect of family law and related services to be made in accordance with agreements between the Commonwealth and the States.*

#### PERFORMANCE OUTCOME

Payments were made in accordance with current agreements.

## Component 4.6.3

### Courts building services

This component embraces the activities of the Department in the provision of major court facilities for federal jurisdictions.

It involves acquisition of sites and construction of purpose-built facilities under the court construction program which was adopted in 1987. New premises have been completed at Parramatta, Perth, Sydney and Brisbane. The Government approved the construction of a new courts building in Melbourne in November 1995.

The sub-program also includes the operating costs for the Commonwealth's share of the Commonwealth-State law courts building at Queens Square, Sydney.

#### PERFORMANCE MEASURES

- *Acceptance by client agencies, service departments and industry of user requirement briefs*
- *meeting architectural, engineering and other professional standards*
- *achievement of projected target dates while meeting quality control standards within funding limits*
- *integration of feedback from post-occupancy evaluation into the planning of future projects*

#### PERFORMANCE OUTCOME

*Melbourne Law Courts Building:* Construction of the building commenced in April 1997 and proceeded throughout 1997-98. A close working relationship developed between the project manager, builder and project consultants, with client participation being addressed through the Melbourne Law Courts Steering Committee, including all clients, the project manager and, on an as required basis, the builder, architects and service consultants. Target dates for the various stages of construction and quality control were closely monitored and achieved through specific reporting mechanisms and progressive quality assurance documentation. The project remains on target for completion in January 1999 and within budget.

## Auscript (Formerly Sub-program 4.6)

### SUB-PROGRAM OBJECTIVE

Successful operation as a business producing high-quality and competitive in-court and information processing products for federal jurisdictions and associated markets.

### ROLE

Until its sale on 26 June 1998, Auscript operated as a commercialised agency within the Attorney-General's Department.

Auscript's role within the Department involved recording and transcribing court proceedings and designing, installing and maintaining analogue and digital recording equipment in court and hearing rooms. While competing in the open market, it retained its position as the national provider of these services to the federal jurisdictions.

Related Auscript services included courtroom fit-outs; video-conferencing in courts; pre-court and in-court litigation support services; skills transfer packages; document management; portable recording equipment; specialist transcription for inquiries, royal commissions and law enforcement agencies; and electronic publishing of conference proceedings and electronic in-house manuals.

Auscript became the major Australian distributor of the world's leading continuous speech voice-recognition software. Auscript also consults nationally and internationally on the design, implementation and maintenance of integrated court reporting and transcription systems, and on the training of local staff to operate them.

The sale of Auscript was announced in the Federal Budget in May 1997 and was completed on 26 June 1998 when the Commonwealth sold Auscript to a management buy-out team.

During the year the regional offices concentrated on building and maintaining the core work, while the resources of the General Manager's Office were concentrated to a large extent on the sale process and due diligence. The sale process involved the extensive collation of information on the contracts, leases and financial commitments of Auscript for the Office of Asset Sales and Information Technology Outsourcing, which managed the sale, and its business and legal advisers. The Commonwealth dealt with the sale in terms of a 'clean break' for staff. Casual court reporting officers successfully took their claim for redundancy entitlements to the Australian Industrial Relations Commission.

**Resources Summary — Sub-program 4.6 Auscript**

FINANCIAL	1996-97 <i>Actual</i> \$(000)	1997-98 <i>Estimate</i> \$(000)	1997-98 <i>Actual</i> \$(000)
<b>Appropriation Bill No. 2</b>			
Other Program Costs			
• Redundancy and Lease Termination Costs	-	4,681	4,681
Adjustments affecting Outlays			
• Trust Account Transactions — Auscript — Commonwealth Reporting Service Trust Account			
– Receipts	15,902	20,283	20,283
– Expenditure	15,032	16,745	16,745
<b>TOTAL OUTLAYS</b>	<b>(869)</b>	<b>1,143</b>	<b>1,143</b>
<b>STAFFING</b>			
Staff Years	229.0	238.0	218.0

These figures are expressed in cash terms. The accompanying audited Financial Statements are presented in accrual format.

**Strategy**

Consolidated framework for the achievement of full cost recovery by 1997-98.

## PERFORMANCE MEASURE

***Promulgation of an effective business plan by 1 July 1997, agreed by the Attorney-General after consultation with the Minister for Finance.***

## PERFORMANCE OUTCOME

No specific business plan was agreed with the Attorney-General's Department and the Department of Finance and Administration as the original target date for the completion of the sale was by Christmas 1997.

The process of the sale of Auscript, the maintenance of current contracts and the continuation of commercial viability were the major considerations during the year. With the exception of recording and transcription work for the Federal Court of Australia in Victoria, WA and South Australia, all clients were retained. Cost recovery was 98.8 per cent.

**Strategy**

Promote a culture within Auscript in which customer focus and quality are entrenched characteristics and which demonstrates sustainable commercial viability; develop a solid share of federal jurisdiction and non-federal markets for products and services.

## PERFORMANCE MEASURE

***Retain existing federal work and expand range of services taken up by federal jurisdictions.***

## PERFORMANCE OUTCOME

Auscript aims at best practice performance against industry standards. Quality standards, timeframes, prices and dispute resolution mechanism clauses are contained in Auscript's memoranda of understanding and contracts with clients, which are usually negotiated through the competitive tender process. Consultative committees for each major client, comprising representatives of Auscript and the clients, are a key feature of the ongoing management of contracts. Winning through tender of most major clients is a market indication of a high level of customer focus and quality.

The strategy pursued by management for 1997-98 was to maintain and grow the business with a primary focus on retaining contracts with the major clients. The maintenance of business performance would be the major contributor to establishing the sale price and the realisation of the best return for the Commonwealth. After tendering for the work, Auscript fully retained recording and transcription contracts with the Family Court of Australia, the Administrative Appeals Tribunal and the Australian Industrial Relations Commission. It retained the recording and transcription work of the Federal Court of Australia in all States except Victoria, WA and South Australia.

Major litigation support contracts worked on were the Gretley inquiry into the mining accident in the Hunter Valley, the Children of God litigation, the inquiry into the death of Katie Bender at the Canberra Hospital implosion and the Thredbo landslide inquiry. For these cases, document management, database creation and maintenance and in-court litigation support were provided. A new recording and transcription contract was negotiated with the Australian Defence Force. The contract for transcription for the NSW Police Service was renewed.

During the year two versions of new continuous voice recognition products were released, NaturallySpeaking and VoiceXpress. Promotion of the DragonDictate products continued through the year, with displays at major computer shows in Australia. In November 1997 the Comdex Show in the US was also attended. While sales of Dragon were 16.6 per cent above 1996-97 levels, there was increased competition from rival voice recognition distributors and sellers.

During the year 83 095 hours of proceedings were recorded, down 7.9 per cent on 1996-97. A total of 1 147 270 pages were transcribed, an increase of 4.6 per cent.

## Strategy

Work with government and stakeholders to identify and implement improved and cost-effective methods of access to transcript services and justice for courts and litigants.

### PERFORMANCE MEASURE

***Access to transcript for more litigants in need without diminution in Auscript revenue. Improved technology used by courts***

### PERFORMANCE OUTCOME

Auscript continued to offer impecunious litigants the facilities to listen to the audio recording of hearings or to read the transcript in its premises during 1997-98. With the prices of transcript set with client courts and tribunals through a competitive tendering process and pitched to cover production costs, Auscript was unable to provide free or reduced-cost transcript despite receiving many requests. Provision of reading and listening facilities was an attempt to provide access to those who otherwise would have none, without significantly impacting on profitability.

Tender specifications displayed an increased interest by jurisdictions in investigating technological possibilities for the future. Integration of information technology, videoconferencing and pre-court and in-court litigation support with audio recording and transcript production was being looked at seriously. In recognition of the potential expense of these options, in most cases longer contract terms were offered by jurisdictions.

With the sale of Auscript, the access to justice concerns previously handled by Auscript will fall increasingly on the courts and tribunals.

## Strategy

Provide the most relevant and up-to-date skills and knowledge to staff to ensure they are in the best position to provide quality service to our clients.

Attorney-General's Department



PERFORMANCE MEASURE

***Alignment of structure and skills base with organisational requirements***

PERFORMANCE OUTCOME

With efforts during the year being concentrated on the sale of Auscript, training was focused on increasing staff skills bases, particularly in the technical and litigation support areas. Some staff took up the opportunity for operational and/or business training prior to the sale. This training was paid for by the Commonwealth in response to staff concerns about employment after the sale, and the need to sustain continuity of service right up to the changeover of ownership.



