

MANAGEMENT AND ACCOUNTABILITY

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CORPORATE GOVERNANCE

GOVERNANCE FRAMEWORK

The department's governance framework provides a structure that ensures transparency, accountability and integrity as well as encouraging efficient and ethical behaviour in all staff. Our governance framework includes appropriate committees and oversight structures, risk management, fraud prevention and control, strategic and business planning, project management, business continuity, performance management, audit and evaluation, and financial management elements. It allows for clear direction and oversight from senior leadership.

Figure 3: Our governance structure



SENIOR LEADERSHIP AS AT 30 JUNE 2014

Secretary

- Roger Wilkins AO

Deputy Secretaries

- David Fredericks, Civil Justice and Legal Services Group
- Tony Sheehan, Strategic Policy and Coordination Group
- Katherine Jones, National Security and Criminal Justice Group

More information on these groups and our organisational chart are included in Part 1 of this report.

SENIOR MANAGEMENT COMMITTEES

The department has a number of core governance forums set up to support the Secretary and ensure effective governance throughout the department.

Executive Board

The Executive Board comprises the Secretary and Deputy Secretaries. The Chief Finance Officer, First Assistant Secretary—Strategy and Delivery Division and Head of People Strategy Branch also attend board meetings. The board advises the Secretary on the administration and strategic direction of the department, and considers matters referred for decision by the Senior Management Committee.

Senior Management Committee

The Senior Management Committee comprises the three Deputy Secretaries and each First Assistant Secretary. It is a forum for discussion on major corporate and strategic issues. The committee assists the department in achieving strategic and operational aims, and monitoring departmental performance against a range of business strategies.

The committee acts as the Investment Review Board, monitoring capital expenditure and recommending investment proposals for approval to the Executive Board. The committee ensures capital investments and projects are aligned with the department's strategic priorities and are financially sound.

Executive reviews

Executive reviews provide an opportunity for Executive Board members to meet with senior management and relevant employees from each division throughout the year. The meetings focus on strategic priorities, emerging challenges and opportunities for the department, resource allocation and progress of key initiatives.

Audit and Risk Management Committee

The Audit and Risk Management Committee comprises two external and three internal members. The Secretary, Chief Finance Officer, the department's Governance Office and the Australian National Audit Office are represented at the meetings. The committee provides independent assurance about the adequacy of the department's internal controls, risk management framework and fraud control arrangements, financial reporting, and assesses compliance with relevant laws, rules, regulations and directions.

PLANNING AND REVIEW

The department's planning and performance framework is designed to ensure that activities and outcomes are aligned with priorities set by the Australian Government and that review mechanisms are in place.

Figure 4: Our planning and performance framework



RISK MANAGEMENT

The department is committed to a culture where consideration of risk is integrated into everyday management and operations. The department's risk management framework is based on the AS/NZS ISO 31000: 2009, *Risk Management Principles and Guidelines*, and informed by the *Comcover Better Practice Guide: Risk Management*. The framework focuses on risk identification, integrating risk management into business planning and continually improving departmental outcomes and performance.

FRAUD PREVENTION AND CONTROL

The department is committed to promoting transparency and accountability, and ensuring that the integrity of programmes delivered by the department is not compromised. The department's fraud control plan provides a framework for the prevention, detection and deterrence of fraud, and includes mechanisms to ensure fraud risks are identified and addressed. The department's fraud control plan was developed in accordance with the *Commonwealth Fraud Control Guidelines 2011* and has been incorporated into staff induction packs and training.

INTERNAL AUDIT

The department utilises an internal audit programme to improve operations and highlight opportunities for change. The programme is closely aligned with the department's risk profile and audit topics are chosen to address risks which could threaten our ability to deliver on strategic priorities. The programme is approved by the Executive Board and reviewed by the Audit and Risk Management Committee.

ETHICAL STANDARDS

The department's Enterprise Agreement 2011 contains a commitment by the parties to delivering high-quality professional public service in accordance with the APS Values. As part of the department's induction programme, new team members attend a session on the Values and Code of Conduct. In addition, the department offers online training to all staff on the Values and Code of Conduct which staff are encouraged to complete. All new employees are provided with a copy of the APS Values and Code of Conduct, as well as relevant excerpts from the *Crimes Act 1914*, and must sign a statement asserting that they have read and understood these provisions.

Information sessions are provided to individual work areas to cover specific ethical and conduct issues as particular needs are identified. The department participates in the Australian Public Service Commission (APSC) Ethics Contact Officer Network and information is available to employees regarding how to contact the Ethics Advisory Service directly to discuss any ethical concerns that they may have.

Guidelines for Managing Conflicts of Interest in the Attorney-General's Department is a reference document collating various policies for the information of staff. This document has been incorporated into staff induction packs and training. The APS Values, Code of Conduct, Chief Executive Instructions and other material relevant to ethical conduct are incorporated, as appropriate, into relevant departmental policies, guidelines and instructions, and are available to all staff in the department.

EXTERNAL SCRUTINY

JUDICIAL DECISIONS

Calvista Australia Pty Ltd v Administrative Appeals Tribunal [2013] 216 FCR 32

The Federal Court upheld an appeal to review the decision of the Administrative Appeals Tribunal (AAT) which affirmed the decision of the former Director of the Classification Board to decline a request to issue a permit to import objectionable goods, specifically, films which may deal with matters of sex or violence. The applicant, a wholesale distributor of adult films, requested permission to import films on a commercial scale for an unspecified quantity of goods and for an indefinite period of time. The court ordered that the matter be remitted to the AAT. The applicant subsequently withdrew its application from the AAT.

Commonwealth of Australia v Australian Capital Territory [2013] HCA 55

The Full Court of the High Court of Australia handed down its decision in this case on 12 December 2013. The case concerned the constitutional validity of the ACT *Marriage Equality (Same Sex) Act 2013*.

The Commonwealth initiated proceedings in the original jurisdiction of the High Court and challenged the constitutional validity of the Marriage Equality (Same Sex) Act. In a unanimous judgment the Full Court of the High Court found in the Commonwealth's favour. The court held that the Australian Parliament has power under the Australian Constitution to legislate with respect to same-sex marriage and that, under the Constitution and federal law as it now stands, whether same-sex marriage should be provided for by law is a matter for the Australian Parliament.

The court found that the *Marriage Act 1961* (Commonwealth) deals exhaustively with the status of marriage in Australia and therefore the Marriage Equality (Same Sex) Act was incapable of operating concurrently with it.

Commonwealth Minister for Justice v Adamas [2013] HCA 59

In December 2013, the High Court of Australia handed down its decision in this case. Mr Adamas ('Kiki Ariawan') was the subject of a determination by the Minister for Justice that he be surrendered to Indonesia to serve a life sentence following his conviction in absentia for corruption. Mr Adamas sought judicial review of this determination, and was successful before the Federal Court and Full Federal Court of Australia. The minister was granted special leave to appeal to the High Court. The key issue before the High Court was the interpretation of a discretionary ground to refuse surrender in Australia's bilateral extradition treaty with Indonesia; namely whether Mr Adamas' surrender to Indonesia would be unjust, oppressive or incompatible with humanitarian considerations. The High Court unanimously upheld the minister's appeal. The court upheld the minister's submission that, in the context of international extradition, it was open and appropriate for the minister to consider the legal standards in both Australia and Indonesia, along with relevant international standards, when making an assessment as to whether Mr Adamas' surrender would be unjust, oppressive or incompatible with humanitarian considerations.

***Congoo (on behalf of the Bar-Barrum People #No 4) v State of Queensland* [2014] FCAFC 9**

This matter concerned the extinguishing effect of Military Orders made by the Commonwealth during the Second World War. The State of Queensland contended that the Military Orders extinguished native title. The Commonwealth Attorney-General intervened and submitted that there was no extinguishment and that the Military Orders were only intended to regulate rights for the period of the war. On 21 February 2014, a majority of the Full Court found in favour of the Commonwealth. On 21 March 2014, the State of Queensland filed an application for special leave to appeal to the High Court. At the time of writing, the court had not yet indicated when the special leave application will be heard.

***Kane v Kane* [2013] Fam-CAFC 205**

The Full Court of the Family Court of Australia delivered its judgment in *Kane v Kane* on 18 December 2013. This case concerned the issue of ‘special contributions’ in property matters under the *Family Law Act 1975*.

The parties were seeking the alteration of property interests following the breakdown of their marriage of 30 years. The husband argued that he should be given an adjustment of the superannuation assets based on his investment ability. This is because in 2008, after extensive research and despite his wife’s objection, the husband invested a large proportion of his superannuation funds in a company which made a significant return. At trial, the property pool was divided 63.55 per cent to 36.45 per cent in the husband’s favour in light of the husband’s skill in making this investment.

On appeal, the Full Court concluded the decision of the trial judge was wrongly influenced by the assessment of the husband’s contribution to the superannuation fund as a result of his investment and therefore was not just and equitable. The Full Court was critical of the concept of ‘special contributions’, as neither the Family Law Act nor relevant case law mandate this consideration in property matters.

***Li v Zhou* [2014] NSWCA 176**

Li v Zhou, an appeal brought by a Falun Gong practitioner who alleged torture by Chinese Government officials, was dismissed by the Supreme Court of NSW, Court of Appeal, on 5 June 2014. The Attorney-General was the second respondent—and the active respondent on appeal. The appeal related to the effect of Article 14 of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which the applicant contended provided for universal civil jurisdiction, and thus an agreement to submit to the jurisdiction of the Australian courts for the purposes of the *Foreign States Immunities Act 1985* (FSI Act). In reply, the Commonwealth argued that a state does not implicitly waive its immunity by signing a treaty, unless there is convincing evidence that the treaty is intended to waive that immunity. The appeal was dismissed on the basis that the Chinese officials enjoyed state immunity under the Foreign States Immunities Act.

Magaming v R [2013] HCA 40

On 11 October 2013, the High Court of Australia handed down its ruling in *Magaming v R*, finding in favour of the Commonwealth and dismissing Mr Magaming's appeal. The appellant claimed section 233C of the *Migration Act 1958* is invalid because it involves a usurpation of judicial power by the Commonwealth, and/or is inconsistent with Chapter III of the Constitution. The offence at section 233C is an aggravated offence of organising or facilitating the bringing or coming of five or more non-citizens to Australia without visas and attracts a mandatory minimum penalty.

In its judgment summary, the High Court confirmed that the mandatory minimum penalties attached to section 233C are constitutionally valid. The High Court found that although prosecuting authorities had a choice as to which offence to charge, that choice was not an exercise of judicial power, even where one available offence prescribed a mandatory minimum sentence. The High Court also held that the imposition of a mandatory minimum sentence was not inconsistent with the institutional integrity of the courts and did not involve the imposition of an arbitrary sentence.

Philip Morris Asia Limited v Commonwealth of Australia

The department has conduct of the investor-state dispute brought by Philip Morris Asia, challenging the plain packaging of tobacco products under the *Tobacco Plain Packaging Act 2011* and related legislation. On 20–21 February 2014, a hearing on whether to bifurcate the proceedings (that is, separate the proceedings into two phases: a preliminary jurisdictional phase, and a subsequent merits phase) was held in Toronto, Canada. Australia argued in favour of bifurcation, to allow its three preliminary objections to be heard prior to any argument on the merits. On 14 April 2014, the Tribunal handed down its decision, finding in favour of the bifurcation of two of Australia's three preliminary objections. This means that the Tribunal will separately hear those preliminary objections, before any hearing of the merits of the case.

Timor-Leste v Australia (Certain Documents Case)

On 17 December 2013, Timor-Leste filed an application instituting proceedings against Australia in the International Court of Justice, regarding the removal of documents and other materials from private premises in Australia on 3 December 2013. At the same time, Timor-Leste filed a request for provisional measures in respect of those materials. Following a hearing in The Hague in January 2014, the court handed down its order on provisional measures on 3 March 2014. The court ordered that:

- Australia shall ensure that the content of the seized material is not in any way, or at any time used by any person or persons to the disadvantage of Timor-Leste until the present case has been concluded.
- Australia shall keep under seal the documents and electronic data and any copies thereof until further decision of the court.
- Australia shall not interfere in any way with communications between Timor-Leste and its legal advisers in connection with the pending arbitration under the Timor Sea Treaty between Timor-Leste and Australia, with any future bilateral negotiations concerning maritime boundary delimitation, or with any other related procedure between the two states, including the present case before the court.

The provisional measures order is binding on both Australia and Timor-Leste, as a matter of international law, until the court issues its final judgment in the case. Oral proceedings are scheduled to take place in late 2014.

Wallace v Stelzer and Anor [2013] FamCAFC 199

The Full Court of the Family Court of Australia handed down its decision in *Wallace v Stelzer* on 11 December 2013. This case concerned the effectiveness of the provisions in the *Family Law Act 1975* regarding binding financial agreements, particularly the validity of retrospective amendments made to these provisions in 2009.

The Commonwealth was the second respondent in this case and submissions were made by the Commonwealth on the operation and constitutional validity of the retrospective amendments. The decision of the Full Court was made in favour of the Commonwealth. The decision means that the binding financial agreement provisions of the Family Law Act are valid. The binding financial agreement which the applicant had entered into with his former wife, and was attempting to have ruled invalid, was held to be a valid 'financial agreement'.

An application was filed in the High Court by the applicant on 24 December 2013 seeking special leave to appeal the decision of the Full Court. The High Court refused the special leave request on 20 June 2014, upholding the decision of the Full Court.

Whaling in the Antarctic (Australia v Japan: New Zealand intervening)

The International Court of Justice's recent decision in the case *Whaling in the Antarctic* (Australia v. Japan: New Zealand intervening) in favour of Australia represents a landmark decision in international environmental law. Not only was it the first time that obligations arising from a multilateral environmental agreement were judicially enforced, but it also saw the court grapple with novel issues dealing with the enforcement of multilateral obligations, the interaction of complex matters of law and science, and the manner in which expert evidence was presented.

Challenges by federal offenders

In accordance with the *Administrative Decisions (Judicial Review) Act 1977*, five federal offenders challenged decisions made by the Attorney-General or his delegate in the reporting period. All decisions were upheld in favour of the Commonwealth in the Federal Court of Australia.

Review of AusCheck decisions

Four applicants applied for a review of decisions made by AusCheck under section 29(1) of the *Administrative Appeals Tribunal Act 1975* during the reporting period. All appeals were dismissed by the Administrative Appeals Tribunal.

REPORTS BY PARLIAMENTARY COMMITTEES

Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity

Inquiry into the jurisdiction of the Australian Commission for Law Enforcement Integrity

On 6 March 2014, the committee commenced an inquiry into the jurisdiction of the Australian Commission for Law Enforcement Integrity (ACLEI). The inquiry will look into the adequacy of ACLEI's current jurisdiction, the desirability and feasibility of extending ACLEI's jurisdiction to include other agencies (including the department), whether an activity-based approach to ACLEI's jurisdiction would be preferable to the current approach, and the most appropriate method of implementing any changes to ACLEI's jurisdiction (including any budgetary implications). The department made two submissions to this inquiry. At the time of writing, no reporting date has been set.

Parliamentary Joint Committee on Human Rights

The committee tabled six reports on Bills and disallowable legislative instruments. It reported on the *Extradition (Vietnam) Regulation 2013*, the *Native Title (Assistance from Attorney-General) Amendment Guidelines 2013*, the Crimes Legislation Amendment (Unexplained Wealth and Other Measures) Bill 2014, the Regulatory Powers (Standard Provisions) Bill 2014, the Classification (Publication, Film and Computer Games) Amendment (Classification Tools and Other Measures) Bill 2014, the Amending Acts 1901 to 1969 Repeal Bill 2014, the Marriage (Celebrant Registration Charge) Bill 2014, the Marriage Amendment (Celebrant Administration and Fees) Bill 2014, the Personal Properties Securities Amendment (Deregulatory Measures) Bill 2014, the Statute Law Revisions Bill (No 1) 2014 and the G20 (Safety and Security) Complementary Bill 2014.

In relation to the Crimes Legislation Amendment (Unexplained Wealth and Other Measures) Bill 2014 in the committee's Bill Digest No 57, the committee report raised several matters including the characterisation of unexplained wealth matters as civil proceedings, and provisions preventing restrained assets from being used to meet legal expenses. The Minister for Justice provided the committee with additional information on these issues on 29 April 2014.

The committee has not found any Bill or legislative instrument to be in breach of Australia's human rights obligations.

Parliamentary Joint Committee on Intelligence and Security

Various—reviews of listing of terrorist organisations

The department provided submissions to the Parliamentary Joint Committee on Intelligence and Security (PJCIS) on its reviews of the listing and relisting of terrorist organisations. The committee tabled its report on the listing of Jabhat al-Nusra and the relisting of the Islamic State of Iraq and the Levant, Al-Qa'ida, the Abu Sayyaf Group, Al-Qa'ida in the Islamic Maghreb, Jamiat ul-Ansar, Jemaah Islamiyah and Al-Qa'ida in the Arabian Peninsula in February 2014.

Parliamentary Joint Committee on Law Enforcement

Inquiry into financial-related crime

On 5 March 2014, the Parliamentary Joint Committee on Law Enforcement initiated an inquiry into financial-related crime to examine the effectiveness of current Commonwealth law enforcement legislation and administrative arrangements that target serious and organised financial-related crime including money laundering and identity fraud. The department made a submission to the inquiry, discussing the policy aspects of combating financial crime. Submissions closed on 9 May 2014. At the time of writing, hearings had not been scheduled for the inquiry.

Inquiry into spectrum for public safety mobile broadband

The committee tabled a report identifying the public benefit derived from using radio frequency spectrum in both business-as-usual and mission-critical operations. It made a number of recommendations in support of allocation of spectrum for public safety agencies and the development of a dedicated network for a nationally interoperable public safety mobile broadband capability. At the time of writing, an Australian Government response to the report was being developed.

Senate Legal and Constitutional Affairs Legislation Committee

Inquiry into the Crimes Legislation Amendment (Unexplained Wealth and Other Measures) Bill 2014

The Crimes Legislation Amendment (Unexplained Wealth and Other Measures) Bill 2014 was referred to the committee on 6 March 2014 for inquiry and report. The committee examined provisions of the Bill, including amendments to streamline procedures for making unexplained wealth orders and prevent restrained assets from being used to meet legal expenses. The department appeared before the committee on 15 May 2014 to respond to issues raised by public submissions to the committee. The committee report recommended that the Bill be passed.

Senate Legal and Constitutional Affairs References Committee

Inquiry into the revision of the Telecommunications (Interception and Access) Act 1979

The *Telecommunications (Interception and Access) Act 1979* (TIA Act) provides strict protection for the privacy of communications. It also establishes a limited regime for agencies to lawfully access communications as part of serious criminal and national security investigations. The pace of technological change has given rise to a range of legislative, policy and technical challenges that are degrading the ability of governments to exercise powers under the TIA Act in order to combat serious criminal activity and national security threats. Following recommendations by the PJCIS that the TIA Act be comprehensively revised in recognition of these challenges, the Senate referred the issue to the Senate Legal and Constitutional Affairs References Committee for an inquiry in December 2013. The department has made a detailed submission to and given evidence before this inquiry. The committee is due to report by 27 August 2014. The department is considering the recommendations made by the PJCIS in relation to the TIA Act.

Senate Standing Committee on Community Affairs

The Senate Community Affairs Committee Inquiry into involuntary or coerced sterilisation in Australia presented a report on the involuntary or coerced sterilisation of people with disability and a report on the involuntary or coerced sterilisation of people who are intersex. The government is currently considering the recommendations made by the committee.

EXTERNAL AUDIT

During 2013–14 the Australian National Audit Office (ANAO) undertook seven audits involving the activities of the department:

- *Agency Management of Arrangements to Meet Australia’s Treaty Obligations*—this was a cross-agency performance audit of our department, the Australian Maritime Safety Authority, the Australian Safeguards and Non-Proliferation Office, and the Department of Foreign Affairs and Trade. The audit objective was to assess the effectiveness of Australia’s arrangements to meet its treaty obligations under three selected treaties, including an examination of the work of the department in implementing the United Nations Convention on the Rights of the Child. The audit noted the challenges of implementing the Convention, and that the department had put in place broadly effective coordination arrangements to report on the Convention’s implementation. The ANAO made a number of minor recommendations that were accepted.
- *The Australian Government Reconstruction Inspectorate’s Conduct of Value for Money Reviews of Flood Reconstruction Projects in Queensland*—this audit examined the effectiveness of the Australian Government Reconstruction Inspectorate in providing assurance that value for money is being achieved in respect to Queensland reconstruction projects. The department was not audited by the ANAO but was consulted in relation to its administration of Natural Disaster Relief and Recovery Arrangements.
- *Confidentiality in Government Contracts: Senate Order for Departmental and Agency Contracts (Calendar Year 2012 Compliance)*—this was a cross-agency performance audit of our department, AUSTRAC, ComSuper, and the Department of Health. The audit objective was to assess the appropriateness of the use and reporting of confidentiality provisions in Australian Government contracts for the 2012 calendar year reporting period. There were no recommendations specific to the department.
- *Cyber Attacks: Securing Agencies’ ICT systems*—the audit objective was to assess selected agencies’ compliance against the four mandatory ICT security strategies and related controls in the Australian Government Information Security Manual. The department was not audited by the ANAO but was consulted as the policy owner of the Australian Government’s Protective Security Policy Framework.
- *Establishment and Use of Multi-Use Lists*—this was a cross-agency performance audit of our department, the Bureau of Meteorology, the Department of Industry, the Australian Crime Commission, the Department of Defence and the Department of Human Services. The audit objective was to assess the extent to which agencies have arrangements to establish and use multi-use lists to support value for money, efficiency and effectiveness in procurement. The ANAO made two recommendations that were accepted.

EXTERNAL SCRUTINY

- *The Management of Physical Security*—the audit objective was to assess the effectiveness of physical security arrangements in selected Australian Government agencies. The department was not audited by the ANAO but was consulted as the policy owner of the Australian Government’s Protective Security Policy Framework.
- *Managing Conflicts of Interest in FMA Agencies*—this was a cross-agency performance audit of our department and 24 other agencies. The audit objective was to determine whether Australian Government agencies were implementing appropriate policies and processes to identify and manage conflicts of interest. The ANAO made a number of recommendations that were accepted.

AGENCY CAPABILITY REVIEW

Ahead of the Game: Blueprint for the Reform of Australian Government Administration recommended that all departments undertake a Capability Review. In 2013–14, the department underwent a formal, independent, review by a senior review team supported by the Australian Public Service Commission. The final review report had not been released at the time of writing.

OTHER EXTERNAL SCRUTINY

We have not been the subject of any decisions or reports by the Australian Information Commissioner or Commonwealth Ombudsman that have had, or may have, a significant impact on our operations.

MANAGEMENT AND HUMAN RESOURCES

Through innovative development of people, structures and processes, we aim to deliver results that will improve our collective and individual productivity and enhance our ability to deliver high-quality, responsive support and advice to our ministers.

HUMAN RESOURCES

Workforce planning

Workforce planning continued to be a focus for the department in 2013–14. A new workforce planning framework was developed in 2013–14 and outlines how we will position ourselves to meet our future workforce needs, while supporting a flexible, agile and skilled workforce. The planning framework introduced employee skill sets and job family sets, and provides for improved reporting with the ability to undertake capability gap analysis.

Our organisational agility was demonstrated in particular during 2013–14 with the prompt response to the government's requirements to establish the Royal Commission into Trade Union Governance and Corruption, and the Royal Commission into the Home Insulation Program.

Learning and development

We remain committed to supporting a culture of learning and have continued to implement our *Learning and Development Plan 2012–15*. Its focus is on ensuring that people have the skills, capabilities and attitudes to achieve the department's outcomes, while recognising that learning and development is a shared responsibility between individuals, their managers and the department.

The department offered over 300 courses as part of our learning and development calendar including compliance training, new starter inductions and core skills training. We also continued to support our smaller portfolio agencies to offer training to their staff. Courses are regularly evaluated to ensure that courses objectives are meeting the development needs of employees.

We have continued our focus on building internal leadership capability through initiatives including intensive leadership programmes—which were offered to portfolio agencies for the first time during 2013–14. The department has also continued to utilise external leadership development opportunities, including those offered by the Australian Public Service Commission.

Our study assistance programme continues to be an investment in skill and knowledge and assists the department in achieving organisational objectives by providing staff with an opportunity to complete studies and gain professional qualifications with departmental support. We assist approved staff with the completion of their studies in the form of financial reimbursement or study leave.

Employment programmes

The Graduate Development Programme continues to support the department's emphasis on building its future leadership capability. In October 2013, the programme was reviewed to ensure it was meeting this objective. As a result, a new framework was developed that focuses on three stages of learning: gaining confidence in the department and the APS, building capability and developing our future leaders. The framework aligns with the department's *Learning and Development Plan 2012–15*. It also ensures that graduates are equipped with the capabilities to transition to well-rounded policy, legal, and project officer roles by the end of their programme year. The programme is reinforced by additional support for graduate supervisors, recognising the vital role they play in coaching and developing graduates. This support for supervisors has also provided the broader benefit of enhancing management and leadership skills across the department.

In 2013–14, we also conducted a Summer Intern Programme and participated in the Australian Public Service Commission Pathways and disability employment programmes.

Performance management

On 1 July 2013, we introduced a refreshed performance management framework following a comprehensive review and staff consultation. The new framework aims to support employees and managers in recognising the clear benefit of participating in the process, ensuring individuals are responsible and accountable for their own performance (and for providing a supportive performance environment) and that staff are engaged in their work.

The new framework introduced quarterly *check-ins* to ensure at least four dedicated performance conversations a year—shifting the focus to regular and ongoing performance conversations supported by a range of resources and tools. We continue to review and refine the performance management process to support a culture where performance management is viewed by staff as a positive, relevant and valuable activity.

A diverse workforce

The department renewed its commitment to diversity by encouraging and maintaining a diverse, safe and inclusive work environment where all staff are respected, valued and supported. In 2013–14, the department developed its first Disability Action Plan (DAP).

The DAP has particular significance because creating an accessible and inclusive workplace is central to our mission of achieving a just and secure society. Beyond our mission, we play a critical leadership role as the Australian Government agency responsible for human rights, including the *Disability Discrimination Act 1992* and the United Nations Convention on the Rights of Persons with Disabilities. The four focus areas of the plan are:

- a culture of inclusion
- accessibility
- recruitment, retention and development
- leadership for people with disability.

We also supported the establishment of employee networks across a number of diversity groups including: disability, culturally and linguistically diverse, and lesbian, gay, bisexual, transgender and intersex—and continued to support the Indigenous Employee and Women's networks. These groups aim to raise awareness of diversity issues across the department and provide support to employees from diverse backgrounds.

Disability reporting

The department's DAP outlines a commitment to providing a supportive, confident, and inclusive work environment to attract, retain, support and develop the career aspirations of employees with disability, and for carers of people with disability.

Our DAP Working Group works closely with the department's Diversity Council, human resource areas, Human Rights Policy areas, and other key stakeholders to implement and progress action items identified within the department's DAP. The key objective for the working group is to create a culture of support and inclusion for people with disability, and carers of people with disability. As at 30 June 2014, the department is on track with the implementation of our DAP. Further information is available on our website at www.ag.gov.au/about/pages/workplacdiversity.aspx.

Changes to disability reporting in annual reports

Since 1994, Australian Government departments and agencies have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007-08, reporting on the employer role was transferred to the Australian Public Service Commission's *State of the Service Report and the APS Statistical Bulletin*. These reports are available at www.apsc.gov.au. Since 2010-11, departments and agencies have no longer been required to report on these functions.

The *Commonwealth Disability Strategy* has been superseded by the *National Disability Strategy 2010-20*, which sets out a ten-year national policy framework to improve the lives of people with disability, promote participation and create a more inclusive society. A high-level two-yearly report will track progress against each of the six outcome areas of the strategy and portray how people with a disability are faring. The first of these reports will be available in 2014 and can be found at www.dss.gov.au.

Reconciliation

The department's Reconciliation Action Plan (RAP) outlines our responsibility to foster an environment in which everyone has the same opportunities and may be included in the workforce. The plan includes the commitments, actions and measurable targets that combine to ensure we accept and are actively engaged in supporting Indigenous employees.

Our RAP Working Group oversees the implementation and progression of actions and measurable targets as outlined within the RAP. The working group also promotes and drives the importance of reconciliation issues in the workplace, while also contributing to other Indigenous-related projects. As at 30 June 2014, the department is on track with the implementation of our RAP. Further information is available on our website at www.ag.gov.au/about/pages/workplacdiversity.aspx.

Multicultural access and equity

Our department plays a critical leadership role as the Australian Government agency with responsibility for human rights, including the *Racial Discrimination Act 1975*. We work to foster a compassionate, self-assured and inclusive organisation that recognises and supports employees from culturally diverse backgrounds. We are committed to understanding Australia's culturally and linguistically diverse population in order to assist us in appropriately reflecting the needs of these communities in all of our work—including the development and delivery of policy, programmes and services.

Our Multicultural Plan supports our core business by articulating actions that will enhance and improve our responsiveness to culturally and linguistically diverse communities in Australia. The plan also builds greater linkages between existing social access and equity initiatives, and the broader work of the department. Our staff are aware of the obligations set out in our plan with internal communication products available to support them, including information incorporated into induction documentation. As at 30 June 2014, the department is on track with the implementation of the plan. Further information is available on our website at www.ag.gov.au/about/pages/agencymulticulturalplan20132015.aspx.

Workplace agreements

The Attorney-General's Department Enterprise Agreement 2011 (enterprise agreement) commenced on 28 September 2011, has a nominal expiry date of 30 June 2014, and applied for the duration of the 2013–14 year.

The enterprise agreement provides for the remuneration and other employment conditions applicable to all non-SES (Senior Executive Service) employees. It allows individual flexibility arrangements (IFAs) to apply in respect of individual employees to enable working hours, leave and remuneration arrangements to be tailored to individual circumstances. At 30 June 2014, 1,713 employees were covered by the enterprise agreement, with 38 employees subject to IFAs.

The Australian Government released the new *Australian Government Public Sector Workplace Bargaining Policy* (bargaining policy) on 28 March 2014. The department has undertaken work to conform to the bargaining policy for new enterprise agreement negotiations.

Non-salary benefits provided to employees

The department, through its industrial arrangements with employees, permits employees to flexibly package their remuneration to combine both monetary and non-monetary benefits. The main non-salary benefits for which an employee can choose to sacrifice salary include a motor vehicle acquired through novated lease arrangements and additional employer superannuation contributions.

Performance pay

No performance pay arrangements apply in the department.

SES remuneration

Remuneration for SES employees is established in accordance with the *AGD SES Remuneration Policy* and given effect through individual determinations made under section 24(1) of the *Public Service Act 1999*.

PART 3 MANAGEMENT AND ACCOUNTABILITY

At 30 June 2014, there were 65 SES employees covered by section 24(1) determinations. Salary levels for SES employees are generally set at rates within a salary band applicable to each SES classification— however no salary band exists for the SES Band 3 classification. Remuneration for SES Band 3 employees is established having regard to the Executive Remuneration Policy developed by the Australian Public Service Commission. SES salary levels are reviewed by the Secretary each year following the completion of annual performance appraisals.

The main components of SES remuneration are salary, employer superannuation contributions and car parking. During 2012–13, the department’s Executive Board took a decision to cease the Executive Vehicle Scheme and applied an adjustment to base salary to compensate for the loss of access to an Australian Government leased vehicle for personal use. The adjustment to base salary is occurring on a phased basis, applying to individual SES employees from the date following the expiry of the lease on the vehicle assigned to each employee. The transition will be completed in March 2015.

STAFF PROFILE

Following the machinery of government Administrative Arrangements Order of 18 September 2013, the new Ministry for the Arts became part of the department, transferring 185 staff from the former Department of Regional Development, Local Government, Arts and Sport. This machinery of government change also saw 33 staff involved in Indigenous policies and programmes transfer to the Department of the Prime Minister and Cabinet.

Table 15: Staffing trends (headcount) from 2009 to 2014

	2008–09	2009–10	2010–11	2011–12	2012–13	2013–14
TOTAL STAFF	1,649	1,682	1,640	1,527	1,465	1,713
Ongoing	1,486	1,536	1,480	1,420	1,295	1,366
Non-ongoing	126	146	129	83	170	318
Irregular/intermittent/casual	37	33	31	24	26	29
Average age (years)	38	38	38	38	38	37
Average length of AGD service (years)	4.2	4.2	4.4	4.9	4.8	4.3
Proportion female (per cent)	64.6	62.8	62.3	62.5	62.7	65.8
Proportion male (per cent)	35.4	37.2	37.7	37.5	37.3	34.2
Proportion part-time (per cent)	7.9	7.8	10.4	10	13	13.3
SES	91	74	77	78	64	65
EL 1 and 2 equivalent	595	664	658	657	633	667
APS 1–6 equivalent	973	944	905	792	768	981
Total excluding casuals	1,612	1,682	1,609	1,503	1,465	1,684

Note: At 30 June of each year. Classifications based on substantive positions. Figures for years 2009–12 may differ from those previously reported due to inconsistent methodology in inclusions.

Staff turnover and retention

During 2013–14, the department’s ongoing separation rate was 11.6 per cent, higher than the 2012–13 rate of 10.3 per cent. This was due to an increase in voluntary redundancies accepted in 2013–14. The rate includes all separations for ongoing staff and consists of terminations, redundancies, resignations and retirements. It does not include movement of ongoing staff to other agencies or machinery of government transfers.

The employee-initiated turnover rate for 2013–14 was 11.1 per cent. This includes resignation from the APS, movement to other agencies, retirements and voluntary early cessation of non-ongoing contracts. It does not include voluntary redundancies.

Staff remuneration

Table 16: Salary ranges as at 30 June 2014

CLASSIFICATION	SALARY RANGE UNDER THE ENTERPRISE AGREEMENT	SECTION 24(1) DETERMINATIONS
SES Band 3	n/a	\$309,000 – \$338,000
SES Band 2	n/a	\$247,460 – \$287,500
SES Band 1	n/a	\$175,904 – \$224,673
Executive Level 2	\$115,778 – \$174,819	n/a
Principal Legal Officer	\$115,778 – \$152,968	n/a
Executive Level 1	\$95,154 – \$128,583	n/a
Senior Legal Officer	\$95,154 – \$115,778	n/a
APS Level 5–6	\$69,056 – \$98,665	n/a
APS Level 4	\$61,910 – \$67,220	n/a
Legal Officer	\$55,550 – \$87,601	n/a
APS Level 3	\$55,550 – \$59,952	n/a
Graduate APS	\$55,139 – \$56,515	n/a
APS Level 1–2	\$43,957 – \$55,164	n/a
Cadet APS (practical training)	\$43,095 – \$47,626	n/a
Cadet APS (full-time study)	\$23,511 – \$23,511	n/a

Note: Where a salary level for a particular classification appearing in column two above exceeds the maximum salary applicable to a classification set out in Schedule 1 of the enterprise agreement, this is the result of an employee in receipt of supplementary salary under an IFA under clause 3.54 of the enterprise agreement.

Compliance with the agency’s obligations under the *Carer Recognition Act 2010*

The department promotes an awareness and understanding of the Statement for Australia’s Carers through inclusion of the statement on the department’s intranet, thus making it available to all employees. The department is cognisant of, and has regard to, the statement in reviewing internal human resources policies. The department’s human resource policies overall are consistent with the statement.

WORK HEALTH AND SAFETY

We are committed to providing and maintaining a safe and healthy workplace for all employees, and to meeting obligations under the *Work Health and Safety Act 2011* (WHS Act) and the *Safety, Rehabilitation and Compensation Act 1988*.

Health and Safety Committee

The department's Health and Safety Committee contributes to the continuous improvement in the minimisation and elimination of hazards and risks as well as working to promote work health and safety. The committee implemented awareness campaigns across the department on work-life balance, psychological injury, workplace conflict, and prevention and management of stress-related symptoms. The committee met four times during the year, with key consideration given to the implementation of the Rehabilitation Management System. Minutes of meetings were published on the department's intranet.

WHS management framework

Our WHS management framework comprises a suite of policies, procedures and guidelines. In line with legislative changes in 2013-14, we revised and updated the WHS Incident Reporting and Bullying and Harassment components of the WHS Management Framework. The department implemented a Rehabilitation Management System on 1 July 2013 as required by the *Guidelines for Rehabilitation Authorities 2012* (the rehabilitation guidelines). The Rehabilitation Management System documents the department's policies and procedures governing:

- the provision of early intervention programmes to support injured employees to remain at work
- where injured employees are incapacitated, the provision of rehabilitation to assist with the timely, safe, durable and cost effective return to work.

Reporting of incidents and enforcement measures under the WHS Act

Table 17: Reporting of incidents and enforcement measures under the WHS Act

INCIDENTS AND ENFORCEMENT MEASURES	NUMBER
Section 38: Notifiable Incidents	One incident was reported under section 38 of the WHS Act
Part 10: Enforcement Measures (Improvement Notices, Prohibition Notices, Non-disturbance Notices, Remedial Action and Injunctions)	No investigations were conducted by the Regulator or enforcement actions taken under Part 10 of the WHS Act
Part 11: Enforceable Undertakings	No Enforceable Undertakings under Part 11 of the WHS Act applied to the department's operations

MANAGEMENT AND HUMAN RESOURCES

Other initiatives

We continued to conduct regular workplace inspections during 2013–14. Inspections conducted by Health and Safety Representatives (HSRs) assist with identifying hazards and potential risks in the workplace, and provide opportunities to improve safe work practices.

We continued to utilise trained HSRs to conduct basic ergonomic workstation assessments for employees, while more complex workstation and workplace assessments were facilitated by a panel of external providers. During 2013–14, 252 workstation assessments were conducted for staff, with 116 (46 per cent) conducted internally by HSRs.

Under our Health and Wellbeing Programme, an influenza vaccination programme for employees was conducted with 697 employees electing to receive vaccinations during April and May 2014. Financial reimbursement options for eye-sight testing, quit smoking solutions, health and wellbeing activities and related equipment also contribute to the health and wellbeing of employees under the programme.

We have continued to maintain an Employee Assistance Programme for all employees. The programme provides free, confidential and professional counselling services and trauma/critical incident debriefing to help resolve work and other issues that may affect an employee's work performance and/or wellbeing.

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Workers' compensation performance

Our workers' compensation premium for 2013–14 was 0.68 per cent of payroll costs. This performance compares favourably to other similar-sized agencies. The department continues to invest in improved injury prevention and rehabilitation strategies through the recent implementation of its Rehabilitation Management System.

In March 2014, Comcare released data showing indicators of claims performance in the 2012–13 financial year for larger Commonwealth premium paying employers. The department ranked second lowest in number of claims lodged (3.8) and claims accepted (2.3) when compared with other similar-sized departments.

Table 18: Premium rates comparison, 2010–11 to 2013–14

PREMIUM RATE	2010–11	2011–12	2012–13	2013–14
Attorney-General's Department	0.22 per cent	0.21 per cent	0.64 per cent	0.68 per cent
All agencies (average)	1.20 per cent	1.41 per cent	1.77 per cent	1.81 per cent

ASSET MANAGEMENT, PURCHASING AND GRANTS

Asset management

To ensure the effectiveness of the department's asset management, it is aligned with government best practice. The Secretary has issued a Chief Executive's Instruction on asset management, and the department has documented asset policies and procedures on the management and safeguarding of assets. Asset registers are maintained and a three-year rolling stocktake occurs to verify their accuracy.

The department's fixed asset base is composed of a wide range of asset types, including office fit-outs, purchased and internally-developed software, computer equipment, infrastructure and centrally-held library materials. On 18 September 2013, the department assumed responsibility for the Ministry for the Arts including the heritage and cultural collection held by Artbank as part of the Administrative Arrangement Orders. As a result the department's assets increased—\$37.750 million for departmental assets and \$66.863 million for administered assets.

Purchasing

To ensure the effectiveness of the department's purchasing against core principles and policies, it is aligned with government best practice. The department procures goods and services consistent with the requirements of the Commonwealth Procurement Rules. These rules are applied to procurement activities through the Chief Executive's Instructions and the department's *Financial Guidance and Procedure Manual*. A financial management learning and development programme includes modules on procurement and contract management as well as on the Chief Executive's Instructions and delegations.

Over 2013-14 a central procurement advisory unit within the department provided advice to staff involved in procurement activities. In addition, the unit undertook quality assurance testing of procurement activities across the department. The unit periodically reviewed all procurement-related documentation and training material to ensure consistency with the Commonwealth Procurement Rules and other policies that interact with procurement. The department utilised a procurement module within our financial management information system to enhance administrative workflows and procurement compliance. The introduction of this module was supported by the revision of internal procurement rules, guidance, forms and templates to provide clear and consistent advice to staff.

Consultants

The department engages consultants where it lacks specialist expertise or when independent research, review or assessment is required. Consultants are typically engaged to investigate or diagnose a defined issue or problem, carry out defined reviews or evaluations, or provide independent advice, information and/or develop creative solutions to assist in the department's decision making.

Prior to engaging consultants, the department takes into account the skills and resources required for the task, the skills available internally, and the cost-effectiveness of engaging external expertise. The decision to engage a consultant is made in accordance with the FMA Act and related regulations including the Commonwealth Procurement Rules and relevant internal policies.

During 2013-14, 45 new consultancy contracts were entered into, involving total actual expenditure of \$3.613 million. In addition, seven ongoing consultancy contracts were active during the 2013-14 year involving total actual expenditure of \$0.377 million.

Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website (www.tenders.gov.au).

Table 19: Expenditure on consultancy

FINANCIAL YEAR	2011-12	2012-13	2013-14
Expenditure	\$3.86 million	\$3.375 million	\$3.991 million

MANAGEMENT AND HUMAN RESOURCES

Contracts—ANAO access clauses

During 2013–14, the department had 11 contracts over the value of \$100,000 that did not provide for the Auditor-General to have access to the contractor’s premises.

Table 20: Contracts

NAME	PURPOSE	VALUE	REASON
Telstra	National Security Hotline White Pages Entry	\$104,375	Supplier contract
Microsoft Pty Ltd	Microsoft Premier Agreement	\$1,120,903	Supplier contract
ESRI Australia Pty Ltd	Critical Infrastructure Programme for Modelling and Assistance—software licence renewal	\$118,558	Supplier contract
Investa Asset Management Pty Ltd	Outgoing costs for leased accommodation	\$815,793	Supplier contract
Akamai Technologies Netherlands B.V	Hearings webcast and content management	\$462,000	Supplier contract
Cheetah Design & Print Pty Ltd	Printing of the interim report for the Royal Commission into Institutional Responses to Child Sexual Abuse	\$130,000	Supplier contract
Deloitte Touche Tohmatsu	Information management architecture for the Royal Commission into Institutional Responses to Child Sexual Abuse	\$150,000	Supplier contract
University of South Australia	Professorial Fellow to provide strategic governance and quality assurance	\$592,680	Supplier contract
Mercure Perth	Booking for interviews and private sessions in Perth for the Royal Commission into Institutional Responses to Child Sexual Abuse	\$250,000	Venue hire contract
Novotel Brisbane	Booking for interviews and private sessions in Brisbane for the Royal Commission into Institutional Responses to Child Sexual Abuse	\$250,000	Venue hire contract
Radisson Blu Hotel Sydney	Booking for interviews and private sessions in Sydney for the Royal Commission into Institutional Responses to Child Sexual Abuse	\$250,000	Venue hire contract

Note: The department has not included in the above eight other arrangements that were in the nature of non-statutory appointments and/or employment contracts.

Contracts—AusTender exempt

Departments are required to advise if any contract in excess of \$10,000 (inclusive of GST) or a standing offer has been exempted by the Secretary from being published on AusTender on the basis that it would disclose exempt matters under the *Freedom of Information Act 1982* (FOI Act). The fact that the contract has been exempted and the value of the contract or standing offer must be reported to the extent that doing so does not in itself disclose the exempt matters.

During 2013–14, the department had six contracts to a value of \$1.3 million which were exempt from being published in AusTender on the basis that to do so would disclose exempt matters under the FOI Act.

Advertising and market research

Under section 311A of the *Commonwealth Electoral Act 1918* the department is required to disclose payments of \$12,400 or more (inclusive of GST) to specific types of organisations. These organisations are advertising agencies, market research organisations, polling organisations, media advertising organisations and direct mail organisations.

During 2013-14, the department conducted one advertising campaign. There were no payments to direct mail or polling organisations. Details of payments to the other categories of organisations are set out below.

Table 21: Payments to advertising, market research and other designated organisations

NAME OF ORGANISATION	PAYMENT (\$)	PURPOSE	KEY
Adcorp Australia Limited	\$585,318.32	Non-campaign government advertising	C
Universal McCann	\$66,211	Living Safe Together Website Promotion	C
Universal McCann	\$1,455,628	Public awareness campaign relating to the work of the Royal Commission into Institutional Responses to Child Sexual Abuse and to inform those who have experienced child sexual abuse, within an institution, of how to tell their story	C
Gfk Australia Pty Ltd	\$93,449.40	Countering Violent Extremism communications	B
Gfk Australia Pty Ltd	\$187,110	Overseas conflicts communications	B
Orima Research	\$12,465	Client satisfaction survey—AusCheck	B
Di Marzio Research	\$55,825	Developmental research—Australian Cybercrime Online Reporting Network	B
Di Marzio Research	\$14,300	Overseas conflicts communications	B
Di Marzio Research	\$27,500	Countering Violent Extremism and overseas conflicts communications	B

Key

- A: Paid to a creative advertising agency to develop advertising campaign.
- B: Paid to a market research organisation.
- C: Paid to a media advertising organisation for placing government advertising (both campaign and non-campaign) in the media.

Grant programmes

The department manages its grants programmes in accordance with the Australian Government's legislative framework, the *Commonwealth Grant Guidelines* and the department's grant management procedures. From October 2013, the published grants information includes details of grants awarded by the Ministry for the Arts. Information on grants awarded by the department is available at www.ag.gov.au/about/grants.

In 2013-14, the department published information on the grants registers for 23 departmental grant programmes and 17 for the Ministry for the Arts:

Attorney-General's Department

- Australia–New Zealand Counter-Terrorism Committee
- Community Legal Services Programme
- Countering Violent Extremism to Prevent Terrorism
- Disaster Resilience Australia Package
- Family Relationships Services Programme
- Financial Assistance Towards Legal Costs and Related Expenses
- Financial Assistance Towards Legal Costs and Related Expenses—Royal Commission into Institutional Responses to Child Sexual Abuse
- Financial Assistance Towards Legal Costs and Related Expenses—Royal Commission into the Home Insulation Program
- Financial Assistance Towards Legal Costs and Related Expenses—Royal Commission into Trade Unions Governance and Corruption
- Grants to Australian Organisations Programme
- Indigenous Justice Programme
- Indigenous Legal Assistance and Policy Reform Programme
- Legal Aid Programme
- National Aerial Firefighting Centre
- Native Title Anthropologist Grants Programme
- Native Title Respondents Scheme
- One-off grant for the 2014 World Volunteer Conference
- One-off grant to support the International Cyber Policy Centre
- One-off grant for the Australian Institute of Aboriginal and Torres Strait Islander Studies 2014 Native Title Conference
- Payments for the provision of community legal services—Legal advice service supporting the Royal Commission into Institutional Responses to Child Sexual Abuse
- *Proceeds of Crime Act 2002*—section 298 payment
- Safer Suburbs Programme
- Stronger Futures in the Northern Territory—Community Safety and Justice Measure

Ministry for the Arts

- Arts and Cultural Development
- ArtsReady
- Australian Government International Exhibitions Insurance Programme
- Indigenous Culture Support
- Indigenous Employment Initiative
- Indigenous Languages Support
- Indigenous Repatriation
- Indigenous Visual Arts Industry Support

- Location Incentives
- National Collecting Institutions Touring and Outreach Programme
- National Cultural Heritage Account
- One-off grant to support a vocational training project for Pacific Opera
- One-off grant for the Constitutional Education Fund Australia
- Prime Minister's History Prize
- Prime Minister's Literary Awards
- Support for Contemporary Music
- Visual Arts and Craft Strategy Indigenous Art Centres

INFORMATION MANAGEMENT

Information and system management continued to be a priority for the department in 2013-14. A focus for the year was providing support for the integration of new business units within the department, particularly with the inclusion of the Ministry for the Arts. Other transitional activities included compliance with the whole-of-government secure internet gateway and digital information management policies. A significant number of business system development projects were also completed within the financial year.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Our organisation is committed to tackling the challenge of reducing our everyday environmental impact. We recognise that our daily operations do have an effect on the environment, consuming resources such as electricity, paper and water, and generating waste. However, we strive to conduct our operations in an environmentally responsible manner, including efficient use of resources and effective waste management.

A range of practical strategies are in place to minimise our impact on the environment, including:

- electronic document management systems and web based information sharing tools that reduce or eliminate the need to print and retain paper copies of documents
- videoconferencing to reduce the need for local, interstate and international travel
- reviewing leased buildings and cooperating and encouraging building owners to improve energy performance
- ensuring that any new leases entered into comply with the Australian Government's energy policy
- procuring energy efficient equipment and lighting solutions, including a smart lighting system that activates only when areas are occupied
- recycling facilities in all work areas.

MANAGEMENT AND HUMAN RESOURCES

The department has established the Green group to champion environmentally friendly work practices and initiatives. The Green group works to provide the leadership, motivation and information needed to raise awareness and increase participation in environmentally friendly work practices and initiatives, including:

- promoting and encouraging environmentally sustainable work practices
- raising awareness and understanding of environmental issues for the department
- providing information to the department about environmental initiatives
- providing a forum for staff to discuss environmentally sustainable work practices.

The integration of energy efficiency practices into our organisation and planning processes allows us both to reduce our energy costs and decrease consumption of valuable resources.

The department reports under section 516A of the *Environment Protection and Biodiversity Conservation Act 1999* on how our activities accord with, and our outcomes contribute to, the principles of ecologically sustainable development, as well as the effect of our activities on the environment.

Our activities are consistent with the ecologically sustainable development principle that 'decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations'. Further information on the environmentally sustainable development principles can be found at www.environment.gov.au.

The department addresses the principles of 'inter-generational equity' and 'improved valuation, pricing and incentive mechanisms' by applying the Chief Executive Instructions on Environmental Management and the Green Lease Schedule. Principles of the Act, which relate to scientific certainty and biological diversity respectively, are generally of limited application to our activities.

FREEDOM OF INFORMATION

Information publication scheme

Agencies subject to the FOI Act are required to publish information to the public as part of the Information Publication Scheme. This requirement is in Part II of the FOI Act and has replaced the former requirement to publish a section 8 statement in an annual report. Our website (www.ag.gov.au) displays a plan showing the information we publish in accordance with the scheme requirements.