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SECRETARY'S REVIEW

The key focus for the department this year was supporting the priorities of a new government after the election on 7 September 2013, and adjusting policies and programmes to deliver on those priorities. The change of government saw Senator the Hon George Brandis QC take office as Attorney-General and Minister for the Arts and the Hon Michael Keenan MP appointed Minister for Justice.

Following the election, responsibilities for cultural affairs and support for the arts were transferred to the department. Responsibility for most Indigenous community safety and justice programmes transferred to the Department of the Prime Minister and Cabinet. We continue to work with the Department of the Prime Minister and Cabinet to ensure that our work complements their programmes and is contributing to improving safety in communities across Australia.

The government's confidence in our ability to handle a wide range of important functions rests on the efforts of everyone in the department. I particularly want to acknowledge the enthusiasm and commitment of our staff including their professionalism in the way they have implemented government reforms while participating in structural changes to the department.

With these changes in place, we are well placed to deliver programmes and policies to maintain and improve Australia's law and justice framework, strengthen national security and emergency management, and provide support for arts and culture.

ACHIEVEMENTS

The theme of this year's annual report is engaging with communities and business, which is central to the work of the department. We work closely and cooperatively with our portfolio and other government agencies, advisory bodies, training institutions, businesses, professional associations, community organisations and citizens in achieving our objectives. The following examples give a small insight into the scope and diversity of our activities.

Reducing Australia's regulatory burden

As part of the government's first repeal day on 26 March 2014, we collaborated on a whole-of-government repeal of nearly 10,000 redundant legislative instruments and more than 1,000 redundant amending Acts made from 1901 to 1969. The department is currently working on a second tranche of repeals. We also implemented a variety of other initiatives to reduce red tape affecting businesses, community organisations and individuals, including:

- targeted exemptions from the requirements of the Australian Privacy Principles as they apply to Australian banks and credit unions facilitating international money transfers
- removing the requirements to make and remove registrations for short-term leases of certain types of property from the Personal Property Securities Register
- streamlining the classification processes for publications, films and computer games, including introducing faster and more cost-effective classification arrangements

- instituting targeted exemptions under the anti-money laundering and counter-terrorism financing rules to remove duplicative obligations
- reforming marriage laws by allowing the use of Australian passports as an often more accessible alternative form of evidence of date and place of birth.

Enhancing security

The escalating terrorist situation in Iraq and Syria poses an increasing threat to the security of all Australians both here in Australia and overseas. The department has played a key role in developing new counter-terrorism policy and legislative measures to ensure agencies are better able to combat the evolving challenges of home grown terrorism as well as the threat from Australians who participate in terrorist activities overseas. On 5 August 2014, this work culminated in the Prime Minister's announcement that the government will invest \$630 million in additional counter-terrorism funding over the next four years, while intensifying our engagement with partner countries and international organisations.

Improving the effectiveness of the justice system

In 2013–14 we implemented a national roll-out of a self-representation service in registries of the Federal Court and Federal Circuit Court across Australia. The service provides assistance to people who are unable to otherwise afford legal representation and offers face-to-face and telephone legal information as well as advice on how best to present cases. It helps people understand their rights and responsibilities in a wide range of civil law areas such as employment law, bankruptcy law and discrimination. It also helps people to understand the best course of action to resolve disputes as well as the social and financial consequences of pursuing an action through the courts. Where appropriate, the service can also help a person secure pro bono representation in court.

Combating crime and corruption

The department worked to ensure that the proceeds of crime were used to fight crime. The first round of grant funding under the Safer Streets Programme was opened in May 2014 to implement initiatives worth more than \$19 million as part of the government's \$50 million commitment to delivering effective solutions for crime hot spots and anti-social behaviour. A second round of funding is expected to be held later in 2014.

In December 2013, the department assumed the co-chair position (alongside Italy) on the G20 Anti-Corruption Working Group under Australia's 2014 G20 Presidency. As co-chair, the department is finalising work on the Group's 2013–14 Anti-Corruption Action Plan.

Encouraging support for the arts

The department made changes to the Cultural Gifts Programme to simplify and improve assessment processes and reduce waiting times for applicants. This programme encourages Australians to donate items of cultural significance from private collections to public art galleries, museums, libraries and archives. Gifts can range from paintings, books, sculptures, manuscripts and personal papers to jewellery and ceramics, and even include entire technological, mechanical, scientific or social history collections. As a result of the changes, average waiting times have been reduced by half. In 2013–14 approximately 450 donations were endorsed, valued at approximately \$30 million.

Leading international litigation

The International Court of Justice delivered its judgment in favour of Australia in the case *Whaling in the Antarctic* (Australia v Japan: New Zealand intervening) on 31 March 2014. We coordinated the Australian Government's response which included working with Department of Foreign Affairs and Trade and the Department of the Environment to prepare and present Australia's written and oral arguments.

The positive outcome for Australia was due in no small part to the ability and determination of the legal team from the department, which had principal responsibility for development of the case. This included collection of detailed evidence and development of convincing arguments on complex and novel legal issues. This success highlights the significant legal expertise and skill of the department as a provider of international legal advice and litigation services to government.

OUTLOOK FOR 2014-15

Looking to the year ahead, one of our most important tasks will be responding to the evolving threat of terrorism. In particular, we are concerned about Australians who travel to conflicts and return to Australia armed with both intent and skills acquired from fighting or training with extremist groups. The department will continue to develop and implement a range of national security measures to address the most pressing gaps in our counter-terrorism framework, including:

- legislative reform to address the security risks posed by foreign fighters
- developing initiatives to prevent and disrupt violent extremism
- improving the technical capabilities of our agencies and international partners.

The need to protect Australia's telecommunications infrastructure from unauthorised access, interference and sabotage has reached a critical point. Proposed Telecommunications Sector Security Reforms will establish a sustainable security framework to manage risks to the most vulnerable parts of Australia's telecommunications infrastructure. We will also develop legislation to ensure that telecommunications data is available into the future to support the investigation of serious offences and security threats. Telecommunications data is critical to investigations and our work on data retention will support and enhance its availability against changing business models that see data availability being eroded.

Building disaster resilience is an enduring national priority. We look forward to the outcomes of the Productivity Commission inquiry into natural disaster funding arrangements which are likely to result in significant recommendations for reform to better prepare for, and mitigate, the impact of disasters.

Working together with Australian Government agencies and the states and territories, we will develop a new national system for intercountry adoption to implement the May 2014 decision of the Council of Australian Governments. The department will also lead work to amalgamate key Commonwealth merits review tribunals.

We will develop a package of reforms to modernise the *Copyright Act 1968*, especially with respect to the issue of online piracy as well as working with the states and territories to deliver a national plan to respond to organised crime and target law enforcement efforts for maximum effect. We will also pursue the recognition of Aboriginal and Torres Strait Islander people in the Constitution.

SECRETARY'S REVIEW

In the arts arena, we will deliver a review of opera, which will make recommendations on the ways in which the delivery of opera can be improved, with a particular focus on improving outcomes for audiences nationally.

As always, we will continue to strengthen our relationship with the community and business, our capacity to effectively deliver on the Australian Government's commitments, the efficiency, quality and agility of our services, and our ability to identify and address future challenges.

This is my last secretary's review, having given notice of my intention to resign on 31 August 2014. I have greatly enjoyed the privilege and opportunity to serve the people and the Australian Government in this position since 1 September 2008. I thank the ministers who have held office in this portfolio and all staff for their support over that six-year period.

Roger Wilkins AO

Secretary

ABOUT THE PORTFOLIO

The Attorney-General's portfolio provides expert advice and services on a range of law, justice, national security, emergency management and cultural issues to our ministers and the Australian Government.

HOW THE PORTFOLIO IS MANAGED

Government priorities and portfolio objectives

The portfolio works collectively to achieve the government's priorities and ensure successful cross-portfolio delivery of government objectives. Portfolio agencies' strategic priorities are aligned with the government's agenda, which enhances the viability and success of portfolio initiatives.

Collaboration and information sharing

The department encourages active collaboration and information sharing across the portfolio. This facilitates better strategic alignment across the portfolio and reduces costs associated with overlap or duplication of portfolio initiatives.

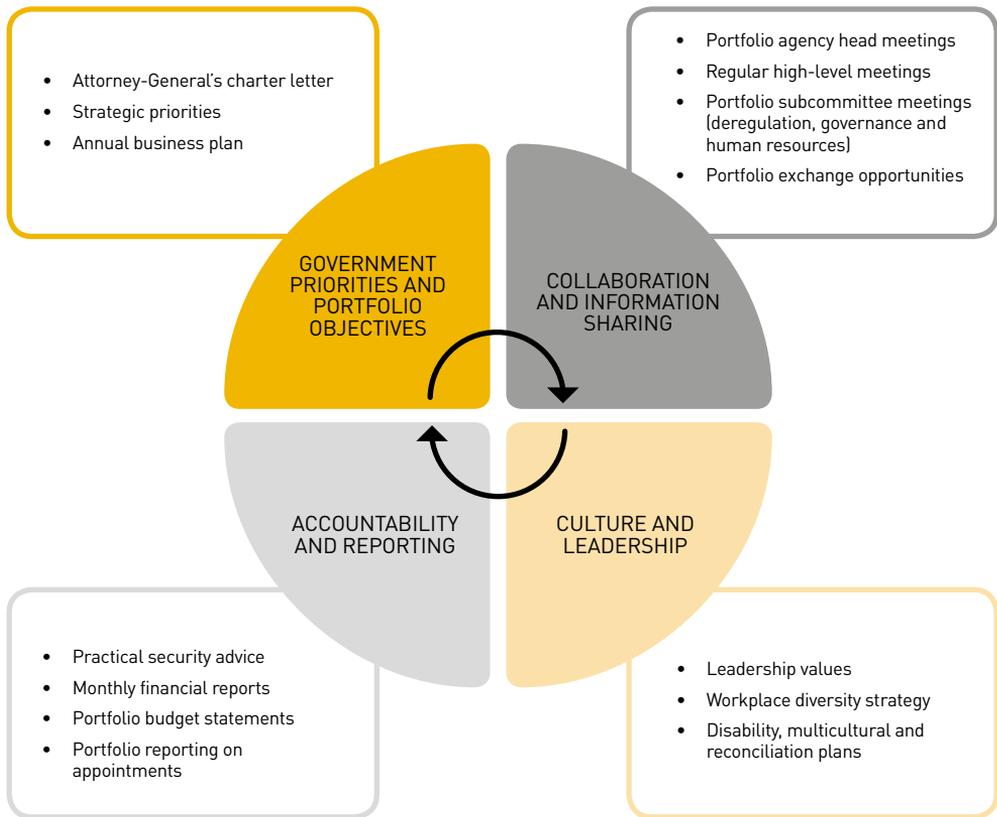
Culture and leadership

The portfolio actively promotes a strong leadership framework and is committed to encouraging a diverse and inclusive work environment where staff are respected, valued and supported.

Accountability and reporting

The portfolio is conscious of ensuring it operates transparently and is accountable to the Australian public. The department facilitates collective and timely portfolio-wide reporting to parliament and compliance with whole-of-government initiatives.

FIGURE 1: Portfolio management system



HOW THE PORTFOLIO IS STRUCTURED

The portfolio includes the statutory office of the Solicitor-General, who is the Second Law Officer of the Commonwealth (the Attorney-General is the First Law Officer). As at 30 June 2014, the portfolio was structured as follows:

Department of state

- Attorney-General's Department

National security and law enforcement

- Australian Commission for Law Enforcement Integrity
- Australian Crime Commission
- Australian Federal Police
- Australian Security Intelligence Organisation
- Office of the Director of Public Prosecutions

Criminal intelligence and information

- Australian Institute of Criminology
- Australian Transaction Reports and Analysis Centre
- CrimTrac

Legal services

- Australian Government Solicitor
- Office of Parliamentary Counsel

Courts and tribunals

- Administrative Appeals Tribunal
- Family Court of Australia
- Federal Circuit Court of Australia
- Federal Court of Australia
- High Court of Australia

Regulation and reform

- Australian Human Rights Commission
- Australian Financial Security Authority
- Australian Law Reform Commission
- Office of the Australian Information Commissioner

ABOUT THE PORTFOLIO

Management of government records

- National Archives of Australia

Cultural affairs

- Australia Council
- Australian Film, Television and Radio School
- Australian National Maritime Museum
- Bundanon Trust
- Creative Partnerships Australia
- Museum of Australian Democracy at Old Parliament House
- National Film and Sound Archive of Australia
- National Gallery of Australia
- National Library of Australia
- National Museum of Australia
- National Portrait Gallery of Australia
- Screen Australia

Changes to the portfolio

Under the Administrative Arrangements Order of 18 September 2013, responsibilities for cultural affairs and support for the arts and management of government records were transferred to the Attorney-General's portfolio. Responsibility for Indigenous law and justice was transferred to the Department of the Prime Minister and Cabinet, and responsibility for customs and border protection was transferred to the Department of Immigration and Border Protection.

The Insolvency and Trustee Service Australia was renamed, under Executive Order, the Australian Financial Security Authority.

OUR MINISTERS

As at 30 June 2014, the portfolio had the following ministers:

- Senator the Hon George Brandis QC, Attorney-General and Minister for the Arts
- The Hon Michael Keenan MP, Minister for Justice.

ABOUT THE DEPARTMENT

Our role

The department was established as one of the original seven Commonwealth departments in 1901 to serve as a legal and constitutional adviser to government. Despite changes in responsibilities over that 113-year history, our central role in government has remained constant. Today we support the Attorney-General as the First Law Officer of the Commonwealth, lead within government on justice and home affairs policy, protect and promote national security, and work actively to ensure broad participation in, and access to, Australia's arts and culture.

Our outcome and programme structure

The Australian Government seeks to achieve benefits for the community (outcomes) primarily through programmes delivered by agencies. Our outcomes, programmes and performance targets are set out each year in the Portfolio Budget Statements and the Portfolio Additional Estimates Statements. This annual report responds to the performance measures set out in those documents, setting out our intended and actual performance for the year. Our outcomes and programmes are:

- Outcome 1: A just and secure society through the maintenance and improvement of Australia's law and justice framework and its national security and emergency management system
 - Programme 1.1: Attorney-General's Department operating expenses—Civil justice and legal services
 - Programme 1.2: Attorney-General's Department operating expenses—National security and criminal justice
 - Programme 1.3: Justice services
 - Programme 1.4: Family relationships
 - Programme 1.5: Indigenous law and justice
 - Programme 1.6: National security and criminal justice
 - Programme 1.7: Australian Government disaster financial support payments
 - Programme 1.8: Royal commissions
- Outcome 2: Participation in, and access to, Australia's arts and culture through developing and supporting cultural expression
 - Programme 2.1: Arts and cultural development.

Changes to our outcome and programme structure

The following changes have been made to our outcome and programme structure since the 2013–14 Portfolio Budget Statements:

- A change in the title of Programme 1.8 from Royal Commission into Institutional Responses to Child Sexual Abuse to the more general title of Royal commissions.
- The addition of a new Outcome 2 and Programme 2.1 for the arts functions transferred to the department under the Administrative Arrangements Order of 18 September 2013.

How we are structured

The department is divided into three groups to deliver our programmes effectively and efficiently against strategic aims and broader portfolio objectives:

- Civil Justice and Legal Services Group is responsible for matters including legal services provided to the Australian Government, federal courts resourcing and administration issues, family law, copyright, privacy, personal property securities, bankruptcy, intercountry adoption, commercial and administrative law, international law, human rights, legal assistance, native title, constitutional law, classification and the arts.
- Strategic Policy and Coordination Group is responsible for matters including the provision of strategy and policy advice across the department, corporate counsel advice, cabinet and ministerial coordination, strategic communication, people and financial management, information technology and knowledge management.
- National Security and Criminal Justice Group is responsible for matters including national security, counter-terrorism and protective security, national security resilience policy, emergency management, criminal justice and international crime cooperation.

Figure 2: Our organisational structure linked to outcomes and programmes at 30 June 2014

