



Attorney General  
& Justice

# Agency Information Guide

How to access information held by the Department of Attorney  
General and Justice



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## Introduction

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The *Agency Information Guide* outlines the structure and function of the Department of Attorney General and Justice (DAGJ) and how information held by this Agency may be accessed.

Generally, the release of information through informal channels is encouraged with formal applications accepted where the information may not be released in any other way.

The *Government Information Public Access Act (2009)* ('GIPA Act'), falls within the ministerial responsibility of the Attorney General. The Department aims to be a model to other Agencies in its commitment to the objects of the GIPA Act and principles of open government through the release of information to members of the public.

This *Agency Information Guide* has been prepared in accordance with the requirements of section 20 of the GIPA Act and has been approved by the Office of the Information Commissioner.

## Essential Summary

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- The GIPA Act provides for four forms of release of information, namely, mandatory, proactive, informal and formal release.
- Each business area within the Department has a dedicated page on their website for 'open access information' in accordance with section 8 of the GIPA Act.
- In most cases, informal release of information is the preferred form of release of government information.
- The 'proactive release' of information is promoted and encouraged.

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# 1 Purpose

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The *Agency Information Guide* outlines how information held by this Department may be accessed and in accordance with section 20 of the GIPA Act:

- outlines the structure and function of the Department
- describes the ways in which the functions (including decision-making functions) of the Department affect members of the public
- specifies arrangements that exist to enable members of the public to participate in the formulation of policies within the Department and the exercise of the Agency's functions
- identifies the various kinds of government information held by the Department
- identifies the kinds of government information held by the Department that is publicly available
- specifies the manner in which the Department makes (or will make) government information publicly available; and
- identifies the kinds of information that are (or will be) made publicly available free of charge and information for which a charge is (or will be) imposed.

# 2 Definitions

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The following generic definitions apply:

**Applicant** means a client or member of the public making a request for information.

**Agency** refers to all business areas within the Department of Attorney General and Justice with the exception of the NSW Trustee and Guardian.

**Authorised proactive release** means the release of information proactively by this Agency unless there is an overriding public interest against disclosure.

**Business area** means a Business Centre or Business Unit within the Department.

**Disclosure log** is a register of information released to applicants following a formal access application made to the Division. The disclosure log does not record the release of personal information of any individual.

**Division** refers to one of the six divisions within the Attorney General's Department

**Government information** means information contained in a record held by this Agency.

**Judicial functions** means such functions of the court as relate to the hearing or determination of proceedings before it.

**Office** refers to one of the five offices within the Attorney General's Department (with the exclusion of the NSW Trustee and Guardian).

**OIC** means the Office of the Information Commissioner.

**Open access information** means this Agency's current Information guide, information contained in tabled documents, policy document, disclosure log, register of government contracts, records of open access information not publicly available and other government information as prescribed by the regulations.

**Policy document** means a document which is current, relates to the exercise of the functions of the Department and affects (or is likely to affect) a persons' rights, privileges or other benefits, obligations or other detriments.

**Agency Information Guide** is a document that outlines the structure and function of the Department and the way information may be accessed.

**Record** means any document or other source of information compiled, recorded or stored in written form or by electronic process, or in any manner or by any other means.

**Staff** means an employee of a Business Centre or Business Unit within any of the Divisions or Offices of the Department regardless of whether the staff member's employment status is permanent, temporary or casual.

### **3 Structure of the Department**

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On 18 March 2013 the Director General announced the new structure for the Department [Department Organisation Structure \[PDF, 37kb\]](#)

The Department of Attorney General and Justice is responsible for

- The provision of an accessible and effective criminal and civil justice system.
- Initiatives to prevent crime.
- The provision of advice on law reform and legal matters.
- The safe, secure and humane management of adult and juvenile offenders in custody.
- The effective supervision and management of adult offenders in the community.
- Supervision, case management and court support for young offenders with community orders, and initiatives to reduce juvenile re-offending.
- The delivery of programs and services which reduce the risk of re-offending and enhance community safety.

The Department has six new Divisions and five Offices made up of:

- Courts and Tribunal Services
- Juvenile Justice
- Corrective Services NSW
- Crime Prevention and Community Programs
- Justice Policy and Legal Services
- Corporate Services
- NSW Trustee and Guardian
- Crown Solicitor's Office
- Bureau of Crime Statistics and Research
- Justice Shared Corporate Services
- Office of the Director General

The Department is also the principal agency for the Justice Cluster and plays a role in facilitating cooperative working arrangements with all agencies within the Cluster including:

- The Office of the Director of Public Prosecutions (ODPP)

- Legal Aid NSW
- Information and Privacy Commission (IPC)
- Judicial Commission
- Ministry for Police and Emergency Services
- New South Wales Crime Commission
- New South Wales State Emergency Service (SES)
- Rural Fire Service
- Fire and Rescue NSW
- NSW Police Force

## **4 Service delivery**

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The Department's service delivery component is divided into eight areas, namely:

- Courts and Tribunal Services
- Juvenile Justice
- Corrective Services NSW
- Crime Prevention and Community Programs
- Justice Policy and Legal Services
- NSW Trustee and Guardian
- Crown Solicitor's Office, and
- Bureau of Crime Statistics and Research

Each key program area is comprised of Business areas that deliver programs and services to the NSW community by providing access to justice services through the protection of rights and public safety initiatives. There are more than forty (40) Business Centres or Business Units within the service delivery area of the Department each with a separate function and purpose.

## 4.1 Courts and Tribunal Services

Courts and Tribunal Services is responsible for the management and support of court and tribunal registries. The courts and tribunals are managed by registrars and presided over by independent judges and magistrates.

**Courts and Tribunal Services** is made up of the following:

- Supreme Court
- Land & Environment Court
- Industrial Court and the Industrial Relations Commission
- Local & District Courts
- Tribunals
- Court Support Services

The following business areas fall within Courts and Tribunal Services:

- [Supreme Court](#) hears the most serious criminal matters and a range of civil matters. This court has unlimited jurisdiction in civil disputes and plays an important supervisory role in the NSW court system through its criminal and civil appellate jurisdictions.
- [Land and Environment Court](#) is a specialist jurisdiction in relation to environmental law. It deals with a range of civil proceedings including merit appeals, civil enforcement, judicial review, and applications under the *Trees (Dispute Between Neighbours) Act 2006*. This Court has summary and appellate criminal jurisdiction in relation to environmental offences.
- [Industrial Relations Commission of New South Wales](#) and [Industrial Court of New South Wales](#) are specialist jurisdictions that deal with matters arising from industrial or employment arenas. They resolve workplace disputes, deal with prosecutions relating to serious breaches of occupational health and safety legislation, set conditions of employment, create industrial awards, approve enterprise agreements, hear appeals from NSW public sector and transport sector employees, and decide claims of unfair dismissal or unfair contract.
- [The Local Court](#) hears the majority of criminal and civil proceedings in NSW. This Court has jurisdiction to deal with summary and committal proceedings in criminal matters, civil actions involving claims of up to \$100,000 and a range of other matters such as children's care proceedings, applications for apprehended violence orders, and traffic and other minor offences.

- [Coroner's Court](#) investigates deaths, suspected deaths, fires and explosions and other incidents as specified in the *Coroner's Act 2009*. Coroners report on the manner and cause of death or the circumstances of the fire or explosion and may make recommendations for preventing similar incidents.
- [Children's Court](#) deals with matters relating to the care and protection of children and young people, and also criminal cases concerning children and young people. It deals with young people who are under 18 years, or who were under 18 at the time of the alleged offence. The State's Children's Court Clinic is located within the courthouse at Parramatta.
- [District Court](#) deals with serious offences committed by adults and children and hears most appeals from the Local Court. Criminal and some civil trials are heard by a judge and usually a jury. In its civil jurisdiction this court hears monetary, damages and equity claims for up to \$750,000, and applications for property settlements and motor vehicle accident personal injury claims.
- [Drug Court \(Adult Drug Court and Youth Drug Court\)](#) deals with non-violent offenders who have committed drug-related crimes. The Drug Court combines intensive judicial supervision, drug treatment and case management for offenders who are dependent on drugs.
- [Administrative Decisions Tribunal](#) reviews specific administrative decisions of NSW government agencies, resolves discrimination claims and retail lease disputes, and exercises disciplinary and regulatory functions over a range of professional and occupational groups.
- [Dust Diseases Tribunal](#) hears claims for damages by those who have been affected by dust diseases, including diseases caused by asbestos exposure.
- [Guardianship Tribunal](#) was transferred in April 2011 to the Department of Attorney General and Justice from the Department of Ageing, Disability and Home Care. The Guardianship Tribunal is an independent specialist disability tribunal. It exercises a protective jurisdiction and facilitates substitute decision making by hearing and determining applications for the appointment of guardians and financial managers for adults with decision-making disabilities.

The following business areas form Court Support Services:

- [Library Services](#) provide access to authoritative legal information to the judiciary, Crown Solicitors Office, courts and departmental staff, as well as the NSW-based Federal Court.

- [Office of the Sheriff of NSW](#) provides security and court support to the State's courts and tribunals under the *Sheriff Act 2005* and *Court Security Act 2005* and also manages the Jury service in accordance with the *Jury Act 1977*.
- [Alternative Dispute Resolution \(ADR\) Directorate](#) was created in 2009 to co-ordinate, manage and drive ADR policy, strategy and expansion in NSW, including in courts. The ADR Directorate incorporates the Department's Community Justice Centres, which provide free mediation services to people to help resolve disputes without going to court.
- [Reporting Services Branch](#) accurately records court and tribunal proceedings and produces timely and cost-effective transcripts for participants and judges in all courts and tribunals of NSW. It delivers a state-wide service from central, suburban and regional locations.
- Business Services (BSG) provides telephone and email support for active users of the JusticeLink Case Management System. JusticeLink users comprise staff from the Justice Cluster and members of the legal profession. BSG also facilitates the JusticeLink training program.

## 4.2 Juvenile Justice

Juvenile Justice is responsible for the administration of youth justice conferences and for the supervision of young offenders who receive community-based orders or custodial sentences from the courts.

The functions of Juvenile Justice include:

- the supervision of young people sentenced to community-based or custodial orders
- supervising young people on parole, preparing reports and assisting the Children's Court in the parole jurisdiction
- support for young people meeting the conditions of bail
- supervising young people on conditional bail
- supervising young people remanded in custody pending court matters
- preparing reports for consideration of the courts in determining sentences
- administrating the Youth Justice Conferencing Program; and
- supervising the Youth Conduct Order Program.

Juvenile Justice operates within a legislative framework, including but not limited to the *Children (Detention Centres) Act 1987*, the *Children (Community Service Orders) Act 1987*, the *Young Offenders Act 1997* and the *Children (Interstate Transfer of Offenders) Act 1988*.

Juvenile Justice NSW (JJ) is organised across two directorates:

- Operations and
- Office of the Chief Executive.

**Operations** is made up of the following business units:

**Custody** covers the supervision of young offenders sentenced by the courts to detention or ordered to remain in custody pending the outcome of their court cases. The Custody services group provide secure accommodation for young people remanded into custody or sentenced to a period of custody by the courts; counselling and programs to enable young people to address their offending behaviour and other related issues, such as drug and alcohol abuse; a full range of health services provided by Justice Health; educational and vocational programs (in partnership with Education and Training); and individual case management, to identify and address the needs of young people in custody and to plan their community reintegration.

**Community Programs** provides interventions delivered through Juvenile Justice community-based services with the aim to reduce re-offending by young offenders through intensive case management strategies provided by professional staff, consolidating partnerships with other agencies and offence-focussed programs. This is in circumstances where courts young offenders receive community-based penalties such as good behaviour bonds and probation orders. Juvenile Justice is required to supervise all community service work orders, parole orders and suspended sentences.

Services in the community include Youth Justice Conferencing; support for young people released on bail or remanded in custody; assessment reports to assist courts; court-ordered supervision of juvenile offenders placed on parole, good behaviour bonds, probation or community service orders; counselling and developmental programs as an alternative to detention and intensive family-based interventions.

**Youth Justice Conferencing** is administered under Part 5 of the *Young Offenders Act 1997*. Referrals for Youth Justice Conferences are made by police and the courts under the Act. If accepted, a conference is arranged and it determines a legally binding outcome.

Youth Justice Conferences are a community-based approach to dealing with young people who have committed a crime. Conferences are a formal legal process based on the principles of restorative justice. They bring young offenders, their families and supporters face-to-face with victims and their support people. Together, they agree on a suitable outcome that can include an apology, reasonable reparation to victims, and steps to reconnect the young person with their community in order to help them desist from further offending.

**Office of the Chief Executive** facilitates coordination across the Executive to ensure strong communication between all units, provides strategic advice and administrative support to the Chief Executive, and coordinates the agency's relationship with key internal and external stakeholders.

### **4.3 Corrective Services NSW**

Corrective Services NSW provides custodial and community-based services, which are integral elements of the criminal justice system. These services include services in relation to the correctional centre custody of remand and sentenced inmates, home detention, parole, pre-sentence reports and advice to courts and releasing authorities, community service orders, intensive correction orders, and other forms of community-based offender supervision. Offenders in custody and those supervised in the community are assessed for relevant interventions (which may include participation in programs) to reduce their risk of re-offending.

**Corrective Services NSW** is made up of the following areas:

- Custodial Corrections
- Community Corrections
- Offender Management and Policy
- Security and Intelligence
- Governance and Continuous Improvement
- CSNSW Strategic Policy and Planning
- Office of the Commissioner

**Custodial Corrections** (CustCor) provides the safe, secure and humane management of inmates within the State's correctional centres to meet CSNSW's commitment to reduce reoffending and enhance community safety. CustCor also has responsibility for regional court escorts and the Community and Correctional Partnerships program (CCP). The CCP is a collaboration between CSNSW and local communities that provides community based work programs for offenders that directly benefit the community.

The Assistant Commissioner, Custodial Corrections (ACCustCor) is responsible for the performance of Chief Superintendents, General Managers, and other line managers, and ensures that the operations of correctional facilities are aligned to meet CSNSW corporate objectives, legislative, policy and budget requirements. The ACCustCor also provides high level support and advice to the Commissioner on all operational matters and strategic direction for the performance of Custodial Corrections.

**Community Corrections** (ComCor) is committed to reducing re-offending and enhancing community safety. The division is responsible for the provision of advice to Courts and releasing authorities as well as the management of offenders on community based orders (Bonds, Community Service Orders, Intensive Corrections Orders, Parole, Home Detention and Extended Supervision Orders). Community Corrections officers develop individualised case plans for offenders based on the risk and consequences of reoffending. Case plan strategies focus on intervention to address offence related issues and compliance with court orders. Community Corrections assists with successful integration of offenders into the community through partnerships with government and non government agencies.

**Offender Management and Policy** (OMP) is responsible for overseeing the security classification and case plans of inmates, as well as administrative support to the Serious Offenders Review Council. The OMP provides high quality programs and services that are consistent with best practice standards in reducing re-offending, promoting wellbeing and respecting the interests of victims of crime. The OMP works in partnership with other government and non-government agencies to reduce re-offending, increase confidence in the criminal justice system and deliver high quality services to inmates and offenders.

**Security and Intelligence** (S&I) provides leadership for security, offender transport, metropolitan court escort, intelligence management, electronic monitoring and associated service provision such as the Dog Unit, Visits Review Unit and Fire Control. S&I delivers a holistic and consistent state-wide service to the Community and Custodial Corrections divisions and to external stakeholders such as the Courts and NSW Police Force.

**Governance and Continuous Improvement** (G&CI) is responsible for the leadership and direction of two broad and comprehensive organisational strategies:

- developing and driving implementation of high quality governance systems across CSNSW
- delivering significant cultural change through development and implementation of a performance management and continuous improvement strategy and framework.

The G&CI is comprised of: Professional Standards, Investigations, Audit and Risk, Corrections Research, Evaluation and Statistics, Learning and Culture (Brush Farm Corrective Services Academy), Operational Performance and Review and Coronial, Investigations and External Oversight.

The G&CI leads the cultural transformation of Corrective Services NSW, to deliver a high performance culture that is vision driven, open, collaborative, accountable and adaptive.

**Strategic Policy and Planning (SPP)** encompasses the functions of strategic planning and business planning, business analysis, workplace relations, media and communications, ministerial and executive support and the administration of sentences and orders. SPP provides strategic advice to the Commissioner on CSNSW-wide business issues.

SPP works collaboratively with all other areas across the Department of Attorney General and Justice and the Justice Cluster. In particular, SPP is pivotal in facilitating the cost-effective and professional shared corporate services provision as they relate to human resources, finances and ICT support services.

The **Office of the Commissioner** provides executive and project management support to the Commissioner and secretarial support to the Executive Committee. The Commissioner leads CSNSW.

The Office of the Commissioner is the main point of contact for members of the public and receives the majority of correspondence for CSNSW.

Office of the Commissioner has direct liaison responsibility with the offices of the Director General of DAGJ and the Minister for Justice. The office co-ordinates and provides urgent advice to the Director General's and Minister's offices in relation to serious and critical incidents, corrections policy and operations.

Office of the Commissioner liaises with government and non-government agencies on a State, Federal and international level.

This area of the Attorney General's Division focuses on providing legal and other business services as well as protecting the interests and rights of people with special needs.

## 4.4 Crime Prevention and Community Programs

**Crime Prevention and Community Programs** leads the development of comprehensive and integrated crime prevention programs to maximize community safety.

**Crime Prevention and Community Programs** is made up of the following:

- Crime Prevention
- Criminal Justice Interventions
- Victims Services, and
- Community Support Services

The following business areas fall within Crime Prevention and Community Programs:

- Crime Prevention Division leads the development of evidence-based policies and programs to prevent crime and reduce re-offending in NSW. The Division works in close collaboration with communities, government agencies, business and other service providers. The Division's programs are implemented through targeted programs, with an emphasis on the criminal justice system.
- [Criminal Justice Interventions](#) (CJI) develops and implements evidence-based interventions and programs designed to reduce re-offending, provide support to victims and hold offenders accountable for their behaviour. These programs promote community safety and confidence in the justice system. CJI programs include the Magistrates Early Referral Into Treatment (MERIT) program, the Court Referral of Eligible Defendants Into Treatment (CREDIT) program, Forum Sentencing, the Domestic Violence Intervention Court Model, the Youth Drug and Alcohol Court, and the Men's Domestic Violence Behaviour Change programs.

- [Victims Services](#) comprises three key areas. The Victims Compensation Tribunal offers compensation and counselling and recovers monies paid in compensation from convicted offenders. The Policy and Service Delivery Section provides support and referral services for victims of crime. The Families and Friends of Missing Persons Unit provides support to families. [Families and Friends of Missing Persons Unit](#) is the only one of its kind in Australia that provides specialised support to families and friends of missing people in NSW through practical assistance, information, counselling and group work. Victims Services also provides secretariat support to the Victims Advisory Board, which provides advice to the Attorney General about the needs of victims of crime.

The following business areas make up Community Support Services:

- **Aboriginal Programs'** primary mission is to reduce the over-representation of Aboriginal people in the criminal justice system. The ASD is responsible for a number of key departmental programs including Circle Sentencing, Aboriginal Community Justice Groups and the Aboriginal Client Service Specialist program.
- [Diversity Services](#) co-ordinates the implementation of the Division's *Disability Strategic Plan* and the *Culturally Diverse Communities' Access Plan*. Diversity Services provides leadership and advice to the AGD and other justice sector agencies on how to provide equity for people with a disability and for people from culturally and linguistically diverse communities within the justice sector.
- [Anti-Discrimination Board](#) promotes anti-discrimination and equal opportunity principles and policies throughout NSW. It does this by handling complaints of discrimination, through community and private sector education, and advising government.

- [LawAccess](#) is a free service that provides legal information, managed referrals and, in some instances, legal advice. LawAccess is available to anyone in NSW and is particularly focused on helping people who live in regional, rural and remote areas of NSW; are Aboriginal or Torres Strait Islander; have a disability; are from culturally and linguistically diverse backgrounds; or are at risk of harm and have an urgent legal problem. LawAccess NSW is a partnership between the Department of Attorney General & Justice, Legal Aid NSW, Law Society of NSW and NSW Bar Association. LawAccess also provides LawAssist, a website designed to help people without a lawyer to deal with a legal problem in NSW. LawAssist provides step by step guides to running a case, instructions for filling out court forms, checklists and frequently asked questions, information on alternatives to court and contacts for further information and advice. This service can provide help with debt (small claims), car accidents, employment rights, apprehended violence orders, fines and neighbour disputes.
- [Registry of Births Deaths & Marriages](#) maintains records of all births, deaths and marriages occurring in NSW, it also registers changes of names for NSW residents and those born in NSW. It aims to help to protect the legal entitlements of NSW residents and provides accurate and reliable data for planning and research. It is responsible for administration of the Births, Deaths and Marriages Registration Act 1995, the Relationships Register Act 2010, and the Marriage Act 1961 (Commonwealth) for NSW.

## 4.5 Justice Policy and Legal Services

The Justice Policy and Legal area maintains and improves the legislative and regulatory basis for a just and safe society. This includes developing legal policy and legislation; advising government on law, justice and legal reform; collecting, analysing and disseminating statistical crime information to build a strong evidentiary basis for criminal justice policy and programs and delivering legislative services fairly and justly.

**Justice Policy and Legal Services** is made up of the following:

- Justice Policy
- Justice Legal
- Justice Regulatory & Reform Services

The following business areas make up Justice Policy and Legal Services:

- **Justice Policy** advises the Attorney General, Director General, courts, tribunals and government agencies on legal policy and legislative reform.

- **Justice Legal** manages litigation matters involving the Attorney General and other divisions within the Department and prepares submissions and recommendations to ensure that the common law and statutory powers of the Attorney General are exercised in accordance with the law. [Legal Representation Office](#) which forms part of Justice, provides legal advice and representation to people summonsed to appear before the Police Integrity Commission and the Independent Commission Against Corruption and other Commissions of Inquiry as directed.

**Justice Regulatory and Reform Services** is made up of the following business areas:

- [Legal Profession Admission Board](#) is responsible for approving the admission of lawyers and appointment of public notaries. The Board accredits academic and practical training courses in law conducted by universities and colleges in NSW. The Board also registers Students-at-Law who, on passing the Board's examinations receive a Diploma in Law. The Board is also responsible for assessing the qualifications of overseas applicants.
- [NSW Sentencing Council](#) is an independent public body established to consult with and advise the Attorney General on sentencing issues. The Council monitors and researches sentencing trends and practices. Council members include people involved in the process of justice ranging from victims of crime to legal professionals.
- [NSW Law Reform Commission](#) is an independent statutory body established to reform, simplify and modernise the law in NSW. The Commission provides independent, expert law reform and policy advice to government through the Attorney General.
- [Office of the Legal Services Commissioner](#) (OLSC) is a co-regulator with the Law Society of NSW and NSW Bar Association. The OLSC is an independent complaints handling body that oversees the investigation and resolution of complaints about lawyers.
- [Professional Standards Council](#) approve and monitor *Cover of Excellence*® schemes, which require occupational associations to improve professional standards of their members through the implementation of risk management strategies, codes of ethics and conduct, and requiring members to carry sufficient professional indemnity insurance cover and/or business assets to protect consumers.
- [DNA Review Panel](#) deals with applications from prisoners convicted of an offence prior to September 2006 whose claim of innocence may be affected by DNA evidence.

- [Public Defenders Office](#) provides salaried barristers, independent of government, to appear for clients who are charged with serious criminal offences and who have been granted legal assistance by the NSW Legal Aid, the Aboriginal Legal Service (NSW/ACT) or a community legal centre. Public Defenders also provide legal advice and education for criminal law practitioners and play an active role in law reform.

## 4.6 NSW Trustee and Guardian

NSW Trustee and Guardian provides professional and independent [trustee services](#) in the making of [Wills](#), acting as [Executor](#) in deceased estates, and administering [trusts](#) and [Powers of Attorney](#).

NSW Trustee and Guardian also provides [Managed Clients](#) services protecting and administering the financial affairs and properties of people unable to make financial decisions for themselves.

NSW Trustee and Guardian is a separate Agency for the purposes of the GIPA Act. As such it processes applications received for information held by both the NSW Trustee and Public Guardian. NSW Trustee and Guardian produces a separate Information Guide in accordance with section 20 of the GIPA Act.

## 4.7 Crown Solicitor's Office

[Crown Solicitor's Office](#) provides legal services to the NSW Government. The Crown Solicitor is engaged by government agencies to perform tied legal services in matters which have implications for government beyond an individual Minister's portfolio; involve the constitutional powers and privileges of the State and/or the Commonwealth; raise issues which are fundamental to the responsibilities of Government; and relate to matters falling within the Attorney General's area of responsibility. The Crown Solicitor competes with the private legal profession for untied legal work.

## 4.8 Bureau of Crime Statistics and Research

[Bureau of Crime Statistics and Research](#) (BOCSAR) is the official source of NSW crime statistics. BOCSAR conducts research into the frequency and distribution of crime; the efficiency, effectiveness and fairness of the NSW criminal justice system; and the effectiveness of policies and programs designed to reduce and prevent crime.

# 5 Executive and Strategic Services

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The Department's Executive and Strategic Services is made up of the following:

- Strategic Review and Advice
- Executive Services
- Strategy and Governance

These areas provide strategic services to the Office of the Director General.

## 6 Corporate Services

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**Corporate Services** works to bring together the Department's five corporate service functions (Finance, Human Resources, Asset Management, Procurement and Information Technology) to deliver strategically focused, high quality corporate services in support of all the Divisions and Offices within the Department

Corporate Services is made up of the following:

- **Asset Management** manages and develops the Department's physical building assets and the procurement of assets. Asset Management develops and oversees the Department's environmental policies, energy use, waste management and water consumption and manages its heritage assets. It oversees the procurement framework for the AGD including management of its vehicle fleet.
- **Financial Services** provides information on financial performance, resource allocation, management of the AGD budgets, processing and maintenance of financial records, and the management of strategic issues, to facilitate effective decision-making.
- **Human Resources Branch** offers the full range of strategic, functional and transactional human resources support to the Division including recruitment, personnel, payroll, training and development, health and safety, industrial relations, equity and diversity employment initiatives and workforce planning. The Branch develops strategic human resources initiatives. It is organised into four units: HR Services; Employee Relations; People Development; and Workforce Planning and Strategy.
- **Information Technology** provides a broad range of information and technology services and facilities including service desk and desktop computing support, courtroom technology, telephone and computer networks, business systems and data storage, internet and intranet services, information security, disaster recovery facilities, switchboard services as well as corporate records and information management.

**Procurement** is responsible for the framework within which the Department purchase goods and services. The team supports business centres by: managing essential contracts (fleet services, facilities maintenance, energy supply etc.), identifying opportunities to reduce costs to business centres and improve business efficiency, negotiating commercially competitive contracts to replace older contracts as they expire, or as new opportunities arise and providing access to the electronic marketplace through smartbuy® and eTendering.

## 7 Public participation

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Generally, members of the public can contribute and/or participate in policy formulation, to make suggestions, or raise issues that they feel are of concern to them or to the public at large by writing to the relevant head of the Division or Office or the Director General of the Department of Attorney General and Justice.

Business areas may, on occasion, provide an opportunity for members of the public to make submissions on discussion papers, blueprints and reports. In instances where submissions are sought, information on public participation is outlined on the relevant website.

Members of the public may provide feedback on the functions and policies of the Department. In particular, feedback may be given about:

- the quality of the service received from a staff member
- the conduct of a staff member
- a decision made by a Business area
- a policy or procedure

Feedback should be directed to the staff member concerned, or the staff member's supervisor. Feedback can be in the form of a letter, email or fax or may be provided over the telephone, or over the counter. Contact information for each area of the Department is available on the relevant web page. An online feedback form is available for providing written feedback regarding Business areas within the Department. This form may be accessed at the following link: <http://feedback.lawlink.nsw.gov.au>.

If a complaint is serious or complex, it is generally best to put it in writing.

If a member of the public is unsure of who to speak to about their feedback, or if the process of making a complaint is unclear, the [Community Relations Unit](#) may be contacted. This Unit refers members of the public to the appropriate area, and answers questions about the complaint process.

Staff of the Department cannot:

- review a decision made by a court or tribunal. Neither the Attorney General nor the Department have the power to overturn a decision of a court or tribunal. If a member of the public is dissatisfied with a decision of a court or tribunal, advice from an independent legal adviser should be sought about appeal options. Registry staff in courts and tribunals are able to explain appeal procedures but Registry staff cannot provide legal advice or recommend what action should be taken. If a referral to a lawyer or other legal information and assistance is required, contact can be made with [Law Access NSW](#).
- investigate the conduct of a judge or magistrate. The Judicial Commission of NSW receives complaints about judicial officers. More information is available on the Commission's website at [www.judcom.nsw.gov.au](http://www.judcom.nsw.gov.au).
- review a decision of an independent statutory authority such as the Office of the Legal Services Commissioner, the Legal Aid NSW or the Director of Public Prosecutions. However information may be requested from these authorities to assist in explaining the decision made.
- investigate the quality of service, decisions, policies and procedures of agencies which are not part of the NSW Department of Attorney General and Justice.

**Corrective Services NSW** has a number of arrangements that enable members of the public to contribute or participate directly in the formulation of CSNSW's policies or decisions.

- **Official Visitors** are appointed by the Minister for Justice. Advertisements are placed in major metropolitan and regional newspapers, and some community newspapers, inviting interested people to apply to be appointed as an Official Visitor. Successful applicants are assigned to visit specific correctional facilities on a regular basis. Official Visitors are independent of CSNSW. Their role is to assist to resolve inquires and complaints from inmates and staff at the local level. Official Visitors report to the Minister half yearly, and to the Commissioner of Corrective Services quarterly, on the types of inquiries and complaints they have received, and any issues of concern.

- **Community Consultative Committees** are formed in areas where correctional centres are located. A typical Community Consultative Committee is comprised of the general manager of the correctional centre, the manager of the local Community Offender Services (COS) District Office and representatives from the Magistracy, courts administration, the relevant local council, police, local hospital, local industry and other local organisations. Details and advice on how to become a member are available from the general manager of the relevant correctional centre.
- **The Correctional Industries Consultative Council of NSW** acts as a link between Corrective Services Industries and the private sector. The Council consists of representatives from industry groups, Unions NSW and community representatives. Details and advice on how to become a member may be obtained from the Executive Director, Corrective Services Industries on (02) 8346 1601.
- Serious Offenders Review Council and State Parole Authority Community representatives sit on the **Serious Offenders Review Council (SORC)** and the **State Parole Authority (SPA)**. On the recommendation of the Minister for Justice, the Governor of New South Wales appoints these representatives for fixed terms not exceeding three (3) years.
- Public participation in independent associations **The Community Restorative Centre** and **SHINE for Kids** are community organisations that provide support and assistance to offenders and their families. Membership of these organisations is open to any person over 18 years of age. These organisations operate independently of CSNSW, however, they receive some funding from CSNSW to assist with their administration costs.

Issues of concern relating to **Corrective Services NSW** may be raised by writing to the Commissioner or via the [Contact Us](#) page on the CSNSW website.

Any member of the public may participate in policy formulation for **Juvenile Justice NSW** by writing to the Chief Executive with suggestions or raising issues that concern them or the community.

Relevant community groups and other stakeholders are consulted by Juvenile Justice in the planning of new community-based and centre-based services.

Feedback about services is encouraged from clients, their families, advocates and community groups. This feedback helps identify and address any service delivery issues that may arise and ensures the best possible service is provided to clients and stakeholders.

**Juvenile Justice Operations** operates the **Justice Disability Advisory Council** which is comprised of members appointed on their merit in relation to various aspects of disability. The Council provides advice on issues, policies and legislation relating to young offenders with disabilities. The Justice Disability Advisory Council meets annually.

## **8 Information held by the Department**

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The Department holds information relating to its services and administration. It also holds personal information and information relating to the judicial functions of courts and tribunals.

Information held by the Department includes:

- Policies, procedures and operational manuals
- Brochures, booklets and videos
- Client and administrative files
- Reports
- Memoranda
- Bulletins
- Databases
- Registers
- Inmate, offender and detainee files
- Files created by Juvenile Justice including Detainee Files -D Files (files recording all matters relating to clients who are serving sentences in juvenile justice centres or who have been placed in a juvenile justice centre pending an appearance at court); Community Files -C Files (files containing records of Juvenile Justice's community supervision of juvenile offenders referred by the courts); and Computerised Client Information System (CIMS) (records details of the delivery of services and discharge of obligations to Young Offenders while they are in custody or in the community)
- Files created by CSNSW including assessment, case management, employer, high security inmate management, offender, part-time teacher, personal, psychology, supervision and warrant files.
- Court documents

The Department holds 'excluded information' for which there is a conclusive presumption of overriding public interest against disclosure (as provided for in Schedule 2 of the GIPA Act).

Under Schedule 1 of the GIPA Act, it is presumed that there is an overriding public interest against disclosure of excluded information of an agency (unless the agency consents to disclosure).

An access application cannot be made to the Department in respect of the following information:

- Court documents - Judicial and prosecutorial information is excluded information under Schedule 2, clause 1 of the GIPA Act. The *Court Information Act 2010* provides for access to court information. Applicants should contact the court where the matter was heard to determine whether they are able to access court documents and determine whether any cost will be imposed.
- Files held by the Legal Services Commissioner- Complaint handling, investigative and reporting functions is excluded information under Schedule 2, clause 1 of the GIPA Act.
- Files held by the Anti-Discrimination Board - Complaint handling, investigative, review and reporting functions in relation to a complaint that is in the course of being dealt with by the President is excluded information under Schedule 2 clause 2 of the GIPA Act.
- Medical records of inmates – Justice Health and Forensic Health Network (Justice Health) provides medical services to inmates and maintains its own records. Complete medical records may be obtained by contacting Justice Health on (02) 9289 5168.
- Documents created by the Juvenile Justice Drug Intelligence Unit in the exercise of its functions concerning the collection, analysis or dissemination of intelligence. Juvenile Justice has a statutory exemption for documents affecting law enforcement and public safety under Schedule 1, clause 7 of the GIPA Act.

## **9 Open access information**

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The Department's open access information is publicly available information (as provided for in sections 6 and 18 of the GIPA Act). All open access information is available under the relevant webpage for business area and will be uploaded in stages on the OpenGov NSW website.

This information is free of charge and includes the following:

- policy documents
- Agency Information Guide
- tabled documents
- disclosure log of access applications
- records of information that are not publicly available
- government contracts registers.

Open access information also includes the following (as prescribed by Schedule 1 of the *Government Information (Public Access) Amendment Regulation 2010*):

- a list of the Division's major assets, other than land holdings, appropriately classified and highlighting major acquisitions during the previous financial year
- the total number and total value of properties disposed of by the Division during the previous financial year
- the Division's guarantee of service; and
- the Division's code of conduct

Open access information is available by clicking on the following links:

**Corrective Services NSW** open access information may be accessed at:

<http://www.correctiveservices.nsw.gov.au/information/open-access-information>

**Juvenile Justice** open access information may be accessed at:

[http://www.djj.nsw.gov.au/right\\_to\\_information.htm](http://www.djj.nsw.gov.au/right_to_information.htm)

All other open access information held by the **Department of Attorney General and Justice** may be accessed at:

'[Access to Information](#)' tab in Lawlink at

[http://www.lawlink.nsw.gov.au/Lawlink/lsb/ll\\_lsb.nsf/pages/lsb\\_accesstoinformation](http://www.lawlink.nsw.gov.au/Lawlink/lsb/ll_lsb.nsf/pages/lsb_accesstoinformation)

and appears under each Business Centre title.

## 10 Proactive release information

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The proactive release of information is a discretionary power to release information in any manner considered appropriate, free of charge or at the lowest reasonable cost (sections 7 & 72 of the GIPA Act).

This Department promotes the release of newly published information, which may be of interest to the public and has programs in place within each Division for the proactive release of information.

Information which may be released in this way includes (and is not limited to):

- guidelines
- internal procedures
- brochures
- bulletins
- fact sheets; and
- and any other information which may be of interest to the public.

## 11 Informal release

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The GIPA Act authorises the release of government information in response to an informal request unless there is an overriding public interest against disclosure (section 8 of the GIPA Act).

Generally, the following information may be released informally:

- Copies of correspondence sent by an individual if the applicant is the person who sent the information
- Records that contain only the personal information of the individual requesting the record
- Records that are in the public domain; and
- Other records, the release of which would not involve an overriding public interest against disclosure or raise any potential public interest considerations against disclosure.

This form of release does not require a fee or an application form. Information may be released with deletions, released subject to reasonable conditions, or released in a preferred form.

## 12 Formal release

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A person who makes an access application to access government information has a legally enforceable right to be provided with access to the information sought unless there is an overriding public interest against disclosure of the information (section 9 GIPA Act 2009).

The Department encourages handling requests for information on an informal basis in most cases. Formal applications should be a last resort and where the information sought is more complex, large in scope and requiring consultation.

All formal applications received by the Department are processed by **Justice Legal**.

- For information held by **Corrective Services NSW**, you need to make an application to:

Manager, Information Access & Privacy Unit  
Corrective Services NSW  
GPO Box 31  
SYDNEY NSW 2001  
Phone: 02 8346 1067, 02 8346 1359, 02 8346 1329 or 02 8346 1476  
Fax: 02 8346 1976

A copy of the application form and details on how to make a formal access application can be found here:

<http://www.correctiveservices.nsw.gov.au/information/information-access-privacy-unit/documents>

- For government information held by **Juvenile Justice**, you need to make an application to the:

Right to Information and Privacy, Project Officer  
Juvenile Justice  
Department of Attorney General & Justice  
PO Box K399  
Haymarket NSW 1240  
Phone 02 9219 9417

A copy of the application form and details on how to make a formal access application can be found here:

[http://www.dji.nsw.gov.au/right\\_to\\_information\\_access.htm](http://www.dji.nsw.gov.au/right_to_information_access.htm)

- For any other government information held by the **Department Of Attorney General and Justice** you need to make an application to the:

GIPA & Privacy Officer  
 Legal Services Branch  
 GPO Box 6  
 SYDNEY NSW 2001  
 Telephone number: (02) 8224 5350

A copy of the application form and details on how to make a formal access application can be found here:

[http://www.lawlink.nsw.gov.au/Lawlink/lb/ll\\_lsb.nsf/pages/openaccess\\_howtoaccess](http://www.lawlink.nsw.gov.au/Lawlink/lb/ll_lsb.nsf/pages/openaccess_howtoaccess)

Further information regarding access to government information may be obtained from the Information and Privacy Commission (IPC):

[www.ipc.gov.au](http://www.ipc.gov.au)

Email [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

Mail GPO Box 7011, Sydney NSW 2001

Visit level 11, 1 Castlereagh Street, Sydney NSW 2000

Call 1800 INFOCOM (1800463 626) between 9am to 5pm Mon- Fri (excluding public holidays)

## 13 Cost imposed for accessing information

Type of information	Contact name & details	Restrictions
Legal assistance	LawAccess Tel: 1300 888 529 <a href="#">LawAccess NSW</a>	LawAccess cannot represent you in legal matters.
Court or Tribunal Records	Registrar of the Court or Tribunal where the matter was heard.  <b>In writing:</b> by mail, fax or email to the relevant court or tribunal. <a href="#">Courts &amp; Tribunals</a>  <a href="#">Local Court</a>  <a href="#">District Court</a> <a href="#">Supreme Court</a>	<ul style="list-style-type: none"> <li>Information is categorised as either 'open access' or 'restricted access' under new <i>Court Information Act 2011</i> (yet to commence)</li> <li>Restricted access' information permitted only by leave of the court or by regulations.</li> <li>News media organisations entitled to some categories of restricted information unless the court orders otherwise</li> <li><a href="#">Family Court</a> records are held by the Family Court Australia (Commonwealth)</li> </ul>
Transcripts or sound recordings of court or tribunal proceedings	Registrar of the Court or Tribunal where the matter was heard, or RSB Client Services.  <b>By order form:</b> from Court or Tribunal or RSB Client Services  <a href="#">Daily Court and Tribunal Transcripts</a>	<ul style="list-style-type: none"> <li>Access to information is usually restricted to those individuals directly involved in the case / proceedings</li> <li>Applications from other persons (eg family) will be considered on merits</li> <li>Not all proceedings are recorded</li> <li>Not all recordings are transcribed.</li> </ul>

Information about trustee services, wills, executor information, trustees, Power of Attorney	NSW Trustee & Guardian <b>In writing:</b> by mail or fax NSW Trustee & Guardian <a href="#">NSW Trustee &amp; Guardian</a>	Confidentiality and privacy rules apply to most records.
Birth, Death and Marriage records in NSW	BDM Registry Office - Sydney, Parramatta, Wollongong or Newcastle. <b>Application form</b> in person or mail. <a href="#">Registry of Births, Deaths &amp; Marriages</a>	Confidentiality and privacy rules apply to most records. Fees apply for most applications
Complaint handling, investigative and reporting functions in relation to the complaint	The President of the Anti-Discrimination Board of New South Wales By telephone or in writing by mail, fax or email. <a href="#">Anti-Discrimination Board of New South Wales</a>	Secrecy provisions concerning the affairs of any person that is or has been obtained by the relevant people in the course of exercising investigation functions under the <i>Anti-Discrimination Act 1977</i> . Confidentiality and privacy rules apply to complaint records. Specific statutory exemption excludes release of complaint handling, investigative and reporting functions in relation to a complaint that is in the course of being dealt with by the President.
Victims Services: support compensation missing persons	Director, Victims Services . . . By telephone or in writing by mail, fax or email <a href="#">Victims Services</a>	<a href="#">Confidentiality and privacy rules apply to most records.</a>
Criminal Statistics	Bureau of Crime Statistics and Research. . . <b>In writing:</b> by mail or fax <a href="#">Bureau of Crime Statistics and Research</a>	Certain statistics available free of charge. Fees apply for accessing certain statistics.
Attorney General's Division of the Department of Attorney General and Justice: Policies Guidelines and other Publications ('Open Access Information')	The respective Business Centre directly, or Legal Services Branch (LSB). By telephone or in writing by mail, fax or email.	The AGD may charge a fee for some publications. Check with the relevant Business Centre or with the GIPA Officer, Legal Services Branch (LSB)
Other information held	The respective Business Centre directly, or Legal Services Branch (LSB). By telephone, email, fax or letter to LSB. <a href="#">LawLink agencies:</a> <a href="#">Legal Services Branch</a>	<ul style="list-style-type: none"> <li>You can usually access your records and non-personal, non-confidential records held by Attorney General's Division by contacting the relevant Business Centre direct.</li> <li>A formal application is required inly if information cannot be obtained informally.</li> <li>Certain information held by Attorney General's Division is excluded information. This includes judicial and prosecutorial information, and certain complaints handling and investigative information.</li> </ul>
Coroner's Court records	Office of the NSW State Coroner.	Requests to be made in writing and proof of identity may be requested for family

	<ul style="list-style-type: none"> <li>• In writing- by mail, fax or email to the Office of the NSW State Coroner.</li> <li>• <a href="#">Coroner's Court</a></li> </ul>	members.
Information held by Corrective Services NSW	Refer to the CSNSW website.	

### Information held by other Agencies

Type of information	Contact name and details	Are there any restrictions?
Your criminal record	NSW Police Complete application form and return by mail. <a href="#">NSW Police</a>	Please contact NSW Police for information
Police Incident Report or C.O.P.S. Report	NSW Police Complete application form and return by mail. <a href="#">NSW Police</a>	Please contact NSW Police for information
Driving licence and vehicle registration records	Roads & Traffic Authority (RTA) <a href="#">Roads and Traffic Authority</a>	Please contact the RTA for information
Interpreting Services – translating documents	Community Relations Commission (CRC). Contact by telephone 1300 651 500 or by fax, mail or email. <a href="#">Community Relations Commission</a>	Please contact the CRC for information

## 12 Document Information

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## 13 Document History

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<b>Version</b>	<b>Date</b>	<b>Reason for Amendment</b>
<b>1.0</b>		Approved for issue.
<b>2.0</b>	31 July 2013	Statutory requirement

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