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The Council had many highlights during 2016–17:

- We received terms of reference from the Attorney-General, the Hon Martin Pakula, MP, on ‘swift, certain and fair’ approaches to sentencing family violence offenders. We published a comprehensive discussion paper that provided a strong foundation for extensive consultation to assist us in preparing our advice on this reference.

- We also received terms of reference from the Attorney-General on restitution and compensation orders in the sentencing process.

- We published a number of important reports:
  - Sentencing Children in Victoria: Data Update Report;
  - Contravention of Family Violence Intervention Orders and Safety Notices: Prior Offences and Reoffending;
  - Victoria’s Prison Population 2005 to 2016; and
  - Reoffending by Children and Young People in Victoria.

- As part of Law Week 2017, we hosted Youth Crime, Youth Justice, an event that featured a panel of experts discussing institutional responses and sentencing options available for young offenders.

- We worked with the Children’s Court of Victoria and a range of stakeholders to develop and publish Sentencing in the Children’s Court, a pamphlet summarising sentencing considerations and options for offenders under 18 years old, and we released a third edition of our popular Quick Guide to Sentencing.

- We released 13 new Sentencing Snapshots, including the 200th issue of the series.

- We delivered 24 You Be the Judge sessions with approximately 750 participants.

- We received over 157,000 visits to our website and now have over 5,000 Twitter followers.
Chair’s Foreword

The role of a sentencing advisory council is to provide advice to governments, the courts and the community about sentencing issues. An advisory council has no executive power – it can only influence sentencing policy and practice through its research, provision of information and educational activities. The Council is only effective to the extent that its advice is regarded as independent, impartial and credible.

Sentencing councils can influence sentencing policy in a number of ways. They can set the policy agenda through references from the Attorney-General, through their own discussions, through public input, the media or issues raised by the judiciary either privately or in their judgments. By providing sound evidence about such matters as public attitudes to crime, sentencing law and practice, what works or not in sentencing, the costs and benefits of different policies and about what the consequences may be for correctional populations, sentencing councils can frame the general debate about proposed sentencing policies. The Victorian Sentencing Advisory Council provides information to interested parties through its website, which received over 157,000 visits in 2016–17, its Sentencing Snapshots, which were cited in over 60 published decisions in 2016–17, and through its online aggregate statistics database (‘SACStat’), which was accessed in almost 8,000 user sessions in that period.

The work of sentencing councils can be indirectly influential by providing information to public servants who may be required to advise their ministers, governments in different jurisdictions or governments in the same jurisdictions but of different political persuasions at different times. A council’s publications can provide law reform bodies, non-government organisations, lobby groups and academics with the resources that they may need to make their case for sentencing reform. As the extensive list of citations to the Council’s work presented in this report indicates, its work is increasingly being drawn upon by the academic community in relation to a wide range of issues.

Another measure of influence is the adoption of the Council’s recommendations for law reform. In last year’s annual report we noted that the Attorney-General had commissioned a report on sentencing guidance, which the Council provided in June 2016. At that time, the Attorney-General indicated that the government supported the Council’s recommendations in principle. In May 2017, the government introduced the Sentencing Amendment (Sentencing Standards) Bill 2017, which implements many of the Council’s recommendations regarding a standard sentencing scheme and the content of a guideline judgment, including a provision that allows the Court of Appeal to hand down a guideline judgment as to the appropriate level of range of sentences for a particular offence or class of offence. This represents a major change to Victorian
sentencing law. Victoria’s first guideline judgment (*Boulton v R; Clements v R; Fitzgerald v R* (2014) 46 VR 308), in which the Council played an important role, has been cited some 340 times by the higher courts.

Sentencing is nothing if not dynamic. In relation to the highly controversial issues of the past year – crime and punishment of young offenders and family violence – the Council has published papers on the sentencing of children and the contravention of family violence intervention orders and safety notices as well as on the rapid changes to Victoria’s prison population, which reached over 7,000 prisoners in early 2017. As a result of a recommendation by the Royal Commission into Family Violence in Victoria, the Council has published a discussion paper on swift, certain and fair approaches to sentencing family violence offenders and will deliver its final report to government early in the 2017–18 reporting year.

As this brief summary of just some of the Council’s activities over the past year indicates, the Council is intensively engaged in the major sentencing issues of the day. In addition, through its social media activities, it plays an important role in providing and disseminating information about sentencing to an audience of over 5,000 Twitter followers, many of whom are journalists, legal practitioners and non-government organisations.

The work of the Council is the product of a close and congenial relationship between the Directors of the Council and its secretariat, the latter being most ably led by the Chief Executive Officer, Ms Cynthia Marwood. I thank my fellow Directors for their commitment to the work of the Council. Many members of the Council have demanding full-time jobs and their role on the Council is an added burden. However, all of them have given freely of their time, preparing for and attending the monthly Council meetings as well as other events and consultations with staff and stakeholders.

In an age in which consultation fatigue is becoming more prevalent, the Council is grateful to members of the legal profession, the judiciary, the community sector and the public generally for participating in its extensive consultation processes. The Council’s work would be much the poorer without it.

Emeritus Professor Arie Freiberg
Chair
CEO’s Report

It has been another busy and productive year for the Council and I am grateful for the combined skills of the secretariat that make the Council’s work unique.

Much of the Council’s work this year has focused on family violence.

In response to a recommendation by the Royal Commission into Family Violence, the Attorney-General, the Hon Martin Pakula, MP, asked the Council for advice on the desirability of, and ways of accommodating, ‘swift and certain’ approaches to sentencing family violence offenders. Developed in the United States, ‘swift and certain’ programs have primarily been used as a means of enforcing compliance with various drug and alcohol conditions by offenders under a sentence of probation.

In February 2017, the Council released a discussion paper, Swift, Certain and Fair Approaches to Sentencing Family Violence Offenders. The Council received a range of submissions in response to the discussion paper as well as holding two discussion forums and numerous individual meetings with stakeholders. The Council is finalising its report and will provide its advice to the Attorney-General in August 2017. I would like to thank the project team comprising Donald Ritchie, Anusha Kenny, Paul McGorrey and Zsombor Bathy for their work on this project. I also thank those who took the time to prepare a submission, and the many judicial officers and representatives of Victoria Police and other agencies who gave generously of their time in consultations held throughout the reference. Their contributions have been invaluable.

In addition to the work on this reference, the Council released a report that examined factors associated with reoffending by, and the prior offences of, offenders sentenced for breaching family violence intervention orders or safety notices in Victoria over the 12 months to June 2010. The Council was able to utilise its reoffending database to examine reoffending patterns over an 11-year period. Among a number of important findings, the analysis found that people who breach family violence intervention orders are more likely to reoffend than the general criminal population. The Council’s work helps provide an evidence base for the important policy work that is being undertaken in Victoria on family violence, particularly perpetrator interventions. I thank the project team comprising Felicity Stewart and Zsombor Bathy for their work on this project.

Another key focus of the Council’s research this year was children and young people.
Early in the financial year, the Council published *Sentencing Children in Victoria: Data Update Report*. The findings of this report contributed evidence to the intense community debate on offending by children and young people. Among other important findings, this report identified a decline of approximately 43% in the number of children sentenced in the Children’s Court over the six years to 31 December 2015. It also found that there was no evidence of a widespread increase in the number of child offenders but a concentration of offending among a small number of children. I thank Donald Ritchie, Nina Hudson, Geoff Fisher and Dennis Byles for preparing this report within very tight time constraints.

Our research on reoffending by children and young people found that age at first sentence is a significant determinant of future contact with the criminal justice system. The younger children are at first sentence the more likely they are to reoffend generally, reoffend violently and ultimately receive a sentence of adult imprisonment. Further, the cohort of children who receive a sentence at a young age proceed to commit a disproportionate volume of all youth crime. Again, the Council’s research helps provide an evidence base for the policy work being undertaken on youth justice. I would like to thank the project team comprising Geoff Fisher, Felicity Stewart and Zsombor Bathy for their important research in this area.

Understanding the pathway of these young people into the criminal justice system is vital to interrupting the progression to adult offending. It is no surprise then that the Council chose to focus its Law Week 2017 event on youth reoffending. The event, *Youth Crime, Youth Justice*, saw the Council’s Chair present the ‘story of Michael’, a hypothetical offender and his progress through the criminal justice system from early childhood to a young adult. An expert panel was invited at various stages of the story to share their insights into Michael’s complex family history, his offending behaviour and the options available inside and outside the criminal justice system for addressing his slide into serious offending. At the conclusion of the ‘story of Michael’, the audience was invited to engage in discussion with the panel. I would like to thank the host, Emeritus Professor Arie Freiberg AM, as well as the panel comprising Judge Amanda Chambers, President of the Children’s Court, Ms Liana Buchanan, Commissioner for Children and Young People, Senior Sergeant Sherril Handley, Victoria Police, and Paul McDonald, Chief Executive Officer, Anglicare.

The Council is increasingly using factsheets and infographics to communicate the results of its research to its stakeholders and the wider public. In addition, the Council continues to look for new ways to engage with the community to improve...
its understanding of sentencing and the sentencing process. This year the Council prepared and published a new pamphlet, Sentencing in the Children’s Court. This pamphlet outlines what the Children’s Court must consider when deciding which sentence to give a young offender. I thank the Council’s Senior Education and Engagement Officer, Chris Gill, for his effort and dedication in working with numerous stakeholders to produce the pamphlet. I would also like to thank Magistrate Jennifer Bowles of the Children’s Court for her assistance in preparing the pamphlet.

Thanks are also due to Dennis Byles and Angela Volkov, two of the Council’s data analysts, who have worked tirelessly behind the scenes to keep the Council’s online resources, such as the Sentencing Snapshots and SACStat, up to date. Catherine Jeffreys continues to bring her unique set of skills in publishing and website design to the work of the Council and I thank her for her efforts this year. I also thank Sarah Lappin and Dakota Groepes for their work to keep the Council’s office running smoothly.

This year has seen the departure of staff members Brittany Healey and Paige Darby. I thank them for their service to the Council. This year also saw the departure of Kornelia Zimmer, who resigned from the Council to move to New Zealand. I thank her for her service in representing the views of victims in the Council’s discussions.

I thank Michael Almond, the Council’s Chief Financial and Accounting Officer, as well as the Council’s Audit and Finance Committee, Robb Camm, Karol Hill and Cameron Hume, for their support and guidance in dealing with some difficult finance issues.

I would like to again thank Marisa De Cicco, former Deputy Secretary, Criminal Justice, for her many years of support of the work of the Council. We wish her well in her new endeavours as we welcome Ryan Phillips, Deputy Secretary, Criminal Law Policy and Operations.

The Council’s Chair Arie Freiberg continues to be a force of nature in leading our Board of Directors. I thank all our Directors for the wealth of talent and experience they bring in guiding the work of the secretariat. I would particularly like to thank Lisa Ward for her work in representing the Council on youth justice issues and Carmel Arthur for representing the Council on issues concerning victims.

Cynthia Marwood
Chief Executive Officer
Functions and Objectives

Our Functions
The Sentencing Advisory Council is an independent statutory body established under Part 9A of the *Sentencing Act 1991* (Vic).

Section 108C of the *Sentencing Act 1991* (Vic) provides that the functions of the Council are to:

a. state in writing to the Court of Appeal its views in relation to the giving, or review, of a guideline judgment;

b. provide statistical information on sentencing, including information on current sentencing practices to members of the judiciary and other interested persons;

c. conduct research and disseminate information to members of the judiciary and other interested persons on sentencing matters;

d. gauge public opinion on sentencing matters;

e. consult on sentencing matters with government departments and other interested persons and bodies as well as the general public; and

f. advise the Attorney-General on sentencing issues.

In addition, the *Corrections Act 1986* (Vic) was amended in 2015 to require the Council to report annually on the number of persons convicted each financial year of a ‘serious offence’ committed while subject to a community correction order. The Council is required to report on the outcomes for 2016–17 in the 2017–18 financial year.

The Council was established to allow properly ascertained and informed public opinion to be taken into account in the criminal justice system on a permanent and formal basis. This is, in part, achieved through the membership of the Council. It comprises people with a wide range of backgrounds, including broad community experience in issues affecting courts, as well as police, legal practitioners, members of victim of crime support or advocacy groups, and others with broad experience in the operation of the criminal justice system.

Our Mission
The Council’s mission is to:

**Bridge the gap between the community, the courts and the government by informing, educating and advising on sentencing issues.**

The Council’s work revolves around providing sound evidence on which to base sentencing policies and practices, and increasing community confidence in those sentencing policies and practices.

Context of Our Role
The Council addresses a range of needs. Key needs are identified in Figure 1, which also describes the relationship between these needs, our role (with reference to the statutory functions set out in section 108C(1) of the *Sentencing Act 1991* (Vic)) and the benefits that flow from our work.
Our Guiding Principles
The Council has agreed on a set of guiding principles that underpin the way in which we carry out our functions. The objective is to ensure that our work is of the highest quality and that we maintain productive and responsive relationships with our stakeholders.

The Council is committed to:
- demonstrating integrity through evidence-based information and advice;
- adopting an inclusive, consultative and open approach to our work;
- maintaining independence in the process of building a bridge between the government, the judiciary and the community;
- being responsive to the needs of stakeholders; and
- supporting and developing staff.

FIGURE 1: THE CONTEXT OF THE COUNCIL’S ROLE
Council Directors

The Council Directors come from a broad spectrum of professional and community backgrounds and represent a range of perspectives.

Emeritus Professor Arie Freiberg AM (Chair)
Profile – senior member of an academic institution
Emeritus Professor Arie Freiberg is an authority on sentencing issues and the criminal justice system, having undertaken extensive research on sentencing theory, policy and practice. He was Dean of Law at Monash University from 2004 to 2012 and has served as a consultant to the federal, Victorian, South Australian and Western Australian governments on sentencing matters as well as to the Australian Law Reform Commission and South African Law Reform Commission. Professor Freiberg was appointed as Chair of the Tasmanian Sentencing Advisory Council in 2013.

Council meetings attended: 9/9

Carmel Arthur
Profile – operation of the criminal justice system
Carmel Arthur has great personal insight and a unique comprehension of the operation of the criminal justice system. She is not only a victim of crime but has also worked with many victims of crime. She advocates better treatment of victims and their families through the criminal justice process, and is particularly conscious of the need to keep the community engaged and informed about the justice system. Carmel is a founding member of the Sentencing Advisory Council and a long-term community member of the Adult Parole Board. She has vast experience in the criminal justice system particularly with courts, Corrections and Victoria Police.

Council meetings attended: 9/9

Hugh de Kretser
Profile – community issues affecting courts
Hugh de Kretser is the Executive Director of the Human Rights Law Centre. He has extensive legal practice and policy experience in the criminal justice system, working on both offender and victim issues. He previously worked for six years as the Executive Officer of the Federation of Community Legal Centres and was a commissioner on the Victorian Law Reform Commission from 2008 to 2012.

Council meetings attended: 8/9

Fiona Dowsley
Profile – operation of the criminal justice system
Fiona Dowsley has over a decade of experience in building the evidence base in crime and justice to support improved research and decision-making. She spent two years as Director of the National Centre for Crime and Justice Statistics at the Australian Bureau of Statistics and has collaborated in the international sphere, such as with the United Nations Office on Drugs and Crime Task Force, to develop an international classification of crime. She was appointed as the founding Chief Statistician of the Crime Statistics Agency in Victoria in January 2014.

Council meetings attended: 8/9
**Helen Fatouros**  
Profile – operation of the criminal justice system  
Helen Fatouros, Executive Director of Criminal Law Services, Victoria Legal Aid, has an extensive criminal law background. Her previous roles include Legal Prosecution Specialist and Directorate Manager of the Specialist Sex Offences Unit for the Victorian Office of Public Prosecutions. In 2012, Helen led the Sexual Offences Interactive Legal Education Program, earning her the Law Institute of Victoria’s 2013 President’s Award for Government Lawyer of the Year. Helen was appointed a Commissioner of the Victorian Law Reform Commission in 2014.  
Council meetings attended: 6/9

**David Grace QC**  
Profile – highly experienced defence lawyer  
David Grace has nearly 40 years’ experience as a legal practitioner, having appeared in numerous court jurisdictions in a number of leading sentencing cases. He regularly appears in the High Court and the Court of Appeal and is a former Chair of the Criminal Law Section of the Law Institute of Victoria.  
Council meetings attended: 7/9

**John Griffin PSM**  
Profile – operation of the criminal justice system  
John Griffin has over 40 years’ experience in the operation of criminal justice systems, including senior executive roles in both the Victorian correctional system and the Victorian court system. He is currently a member of the Mental Health Review Tribunal.  
Council meetings attended: 5/9

**Sherril Handley**  
Profile – member of the police force of the rank of senior sergeant or below who is actively engaged in criminal law enforcement duties  
Senior Sergeant Sherril Handley joined Victoria Police in 2003 and worked in various operational policing roles prior to joining the Prosecutions Division where she currently manages the Prosecutor Training Course. She has represented Victoria Police interstate and overseas in relation to family violence reforms and has received several internal commendations.  
Council meetings attended: 5/9

**Brendan Kissane QC**  
Profile – highly experienced prosecution lawyer  
Brendan Kissane has been a barrister for over 30 years, commencing his career in law as a solicitor with the Victorian Aboriginal Legal Service. He has practised principally in criminal law with over 20 years’ experience in that area. He was appointed a Crown Prosecutor in 2007 and a Senior Crown Prosecutor in 2015. As a Crown Prosecutor he has been allocated to the Specialist Sexual Offences Unit. He was the first Crown Prosecutor in the Geelong Office of Public Prosecutions, and for the last six years he has been appearing regularly in the Court of Appeal.  
Council meetings attended: 7/9
Shane Patton
Profile – operation of the criminal justice system
Deputy Commissioner, Special Operations, Shane Patton joined Victoria Police in 1978 and has held a wide range of diverse policing roles including operational uniform policing, criminal investigations and public transport safety. He led the ‘Schools of Practice’ project within the Victoria Police training environment and has received several internal commendations. He is a Williamson Fellow (WCLP – Leadership Victoria 2007) and an ANZSOG Alumni.
Council meetings attended: 5/9

Barbara Rozenes
Profile – member of a victim of crime support or advocacy group
Barbara Rozenes is a past President and inaugural ambassador of Court Network, where she has had over 25 years’ experience with victims of crime as a weekly volunteer in the County Court. She is a board member of the Victorian Association for the Care and Resettlement of Offenders, an ambassador for Windana Drug and Alcohol Recovery, an associate member of the Australian Institute of Arbitrators and Mediators and a patron of the Epilepsy Foundation of Victoria. She is also a member of the critical care network (Department of Health and Human Services).
Council meetings attended: 6/9

Lisa Ward (Deputy Chair)
Profile – operation of the criminal justice system
Lisa Ward has extensive experience in a range of human services, including juvenile justice, child protection and adult corrections. For the last decade, she has operated a human services consulting business, providing research, program evaluation and policy review services to government and community organisations.
Council meetings attended: 7/9

Geoff Wilkinson OAM
Profile – operation of the criminal justice system
Geoff Wilkinson specialised in crime and justice issues during 43 years as a journalist. He was founding Media Director of Victoria Police and in 1987, as the result of a Churchill Fellowship, established Australia’s first Crime Stoppers program. In 2008, he was awarded an OAM for community service, and was presented with a Lifetime Achievement Award by the Melbourne Press Club in 2011. He was appointed as a community member of the Adult Parole Board in 2014.
Council meetings attended: 8/9
1. Arie Freiberg AM  
2. Carmel Arthur  
3. Hugh de Kretser  
4. Fiona Dowsley  
5. Helen Fatouros  
6. David Grace QC  
7. John Griffin PSM  
8. Sherril Handley  
9. Brendan Kissane QC  
10. Shane Patton  
11. Barbara Rozenes  
12. Lisa Ward  
13. Geoff Wilkinson OAM
Council Secretariat

The part-time Council Directors are supported by a secretariat that undertakes the Council’s daily work.

Secretariat staff bring skills from a range of disciplines such as law, policy development, criminology, data analysis, publishing, administration and community education and engagement to assist the Council in meeting its objectives.

In 2016–17, secretariat staff included the following.

**Chief Executive Officer**
Cynthia Marwood

**Legal Policy and Community Engagement**
Manager, Legal Policy and Community Engagement
Donald Ritchie

Principal Legal Policy Officer
Felicity Stewart

Senior Legal Policy Officer
Anusha Kenny (from 15 August 2016)
Nina Hudson (on extended leave)

Legal Policy Officer
Paul McGorrery (from 3 October 2016)
Anusha Kenny (to 12 August 2016)
Paige Darby (to 11 November 2016)

Senior Education and Engagement Officer
Chris Gill

**Statistics and Data**
Manager, Statistical Analysis
Geoff Fisher

Senior Data Analyst
Dennis Byles

Data Analyst
Zsombor Bathy
Angela Volkov

Research Assistant (Casual)
Sarah Ward

**Publishing**
Senior Publications and Website Officer
Catherine Jeffreys

**Administration**
Operations Manager
Sarah Lappin

Administrative Assistant
Brittany Healey (to 30 January 2017)
Dakota Groepes (from 27 February 2017)

**Chief Finance and Accounting Officer**
Michael Almond
FIGURE 2: SENTENCING ADVISORY COUNCIL ORGANISATIONAL CHART
Citations and Media Mentions

The Council’s work continues to be cited widely in judicial and academic circles.

Cases

During 2016–17, Sentencing Snapshots were cited in at least 62 published decisions in the Supreme Court, the Court of Appeal and the County Court including:

- **DPP v Carter (A Pseudonym)** [2017] VCC 478 (1 May 2017);
- **Trajanovski v The Queen** [2017] VSCA 81 (10 April 2017);
- **Borg v The Queen** [2017] VSCA 71 (3 April 2017);
- **DPP v Epworth** [2017] VCC 346 (31 March 2017);
- **DPP v Ruthven** [2017] VCC 335 (29 March 2017);
- **Burgess v The Queen** [2017] VSCA 59 (24 March 2017);
- **DPP v Rametta** [2017] VCC 299 (23 March 2017);
- **DPP v Harrington** [2017] VCC 288 (21 March 2017);
- **DPP v Nguyen** [2017] VCC 308 (21 March 2017);
- **DPP v Anna Horneshaw** [2017] VSC 111 (15 March 2017);
- **The Queen v Liszczak & Phillips** [2017] VSC 103 (14 March 2017);
- **Ward (A Pseudonym) v The Queen** [2017] VSCA 37 (3 March 2017);
- **May-Jordan v The Queen** [2017] VSCA 30 (28 February 2017);
- **DPP v Washfold-Jones** [2017] VCC 138 (27 February 2017);
- **DPP v Pasoglou** [2017] VCC 131 (23 February 2017);
- **DPP v Trueman** [2017] VSCA 24 (23 February 2017);
- **DPP v West (A Pseudonym)** [2017] VSCA 20 (21 February 2017);
- **DPP v Roberts** [2017] VCC 93 (13 February 2017);
- **Younan v The Queen** [2017] VSCA 12 (10 February 2017);
- **DPP v Cooper (A Pseudonym)** [2017] VSCA 8 (8 February 2017);
- **The Queen v Banek** [2017] VSC 11 (1 February 2017);
- **DPP v Nguyen** [2017] VCC 10 (25 January 2017);
- **DPP v Tan** [2016] VCC 2055 (23 December 2016);
- **DPP v Bradford (Pseudonym)** [2016] VCC 2018 (21 December 2016);
- **R v Casey** [2016] VCC 1997 (20 December 2016);
- **Di Giorgio v The Queen** [2016] VSCA 335 (20 December 2016);
- **DPP v Duong** [2017] VCC 1965 (14 December 2016);
- **DPP v Chounlamountry** [2016] VCC 1967 (14 December 2016);
- **DPP v Proudfoot** [2016] VCC 1941 (12 December 2016);
- **Trinh v The Queen** [2016] VSCA 307 (9 December 2016);
- **The Queen v Papathanasiou** [2016] VSC 722 (2 December 2016);
- **The Queen v Rapovski** [2016] VSC 706 (1 December 2016);
- **DPP v Anderson; DPP v Azzopardi** [2016] VCC 2071 (17 November 2016);
- **DPP v Abdo** [2016] VCC 1624 (4 November 2016);
- **DPP v Tran** [2016] VCC 1612 (2 November 2016);
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<th>Case Name</th>
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<td>DPP v Hoang [2016]</td>
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<td>31 October 2016</td>
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<td>DPP v Black [2016]</td>
<td>VSC 564</td>
<td>24 October 2016</td>
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<td>The Queen v Gibson [2016]</td>
<td>VSC 634</td>
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<td>Ashley v The Queen [2016]</td>
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<td>Defrutos v The Queen [2016]</td>
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<td>7 October 2016</td>
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<td>DPP v Faro [2016]</td>
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<td>DPP v Ingle (A Pseudonym) [2016]</td>
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<td>VSC 580</td>
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<td>DPP v Clunie (A Pseudonym) [2016]</td>
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<td>DPP v Calazzo (A Pseudonym) [2016]</td>
<td>VCC 1365</td>
<td>9 September 2016</td>
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<td>Short v The Queen [2016]</td>
<td>VSCA 210</td>
<td>7 September 2016</td>
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<td>DPP v Ha and Nguyen [2016]</td>
<td>VCC 1305</td>
<td>2 September 2016</td>
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<td>The Queen v Sandhu [2016]</td>
<td>VSC 516</td>
<td>29 August 2016</td>
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<td>DPP v May-Jordan [2016]</td>
<td>VCC 1236</td>
<td>19 August 2016</td>
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<td>DPP v Waheed (A Pseudonym) [2016]</td>
<td>VCC 1165</td>
<td>15 August 2016</td>
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<td>Nguyen v The Queen [2016]</td>
<td>VSCA 198</td>
<td>11 August 2016</td>
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<td>DPP v Walsh &amp; Powney [2016]</td>
<td>VCC 1131</td>
<td>4 August 2016</td>
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<td>DPP v Sadkowski [2016]</td>
<td>VCC 1090</td>
<td>1 August 2016</td>
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<td>DPP v Bennett [2016]</td>
<td>VCC 1081</td>
<td>27 July 2016</td>
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<td>Raoof v The Queen [2016]</td>
<td>VSCA 180</td>
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<td>DPP v Tran [2016]</td>
<td>VCC 1011</td>
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<td>DPP v Bullmore [2016]</td>
<td>VCC 956</td>
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Academic Citations


Bagaric, Mirko, Lidia Xynas and Victoria Lambropoulos, ‘The Irrelevance to Sentencing of (Most) Incidental Hardships Suffered by Offenders’ (2016) 39(1) UNSW Law School 47.


Carrington, Kerry, Russell Hogg and Kelly Richards, Queensland Parole System Review – Submission (Crime and Justice Research Centre, Queensland University of Technology, 2016).


Green, Rachael, Joanne Bryant, Rebecca Gray, David Best, Jake Rance and Sarah MacLean, Policing and Pathways to Diversion and Care Among Vulnerable Young People Who Use Alcohol and other Drugs, Monograph Series no. 64 (National Drug Law Enforcement Research Fund, 2016).


Human Rights Law Centre, Over-Represented and Overlooked: The Crisis of Aboriginal and Torres Strait Islander Women’s Growing Over-Imprisonment (Human Rights Law Centre & Change the Record Coalition, 2017).


**Government Reports**


Hugh M. McDonald, Amanda Wilson, Zhigang Wei, Sarah A. Randell and Suzie Forell, *In Summary: Evaluation of the Appropriateness and Sustainability of Victoria Legal Aid’s Summary Crime Program: Report* (Law and Justice Foundation of New South Wales, 2017).

**Media**

In addition to judicial and academic citations, the Council’s work received widespread media attention in print and on radio during 2016–17.
Accurate and Reliable Sentencing Data and Analysis

One of the Council’s statutory functions is to provide statistical information on sentencing, including information on current sentencing practices.

SACStat
SACStat is an online tool for viewing sentencing data for the Victorian Magistrates’ Court and the higher courts (the County and Supreme Courts). It comprises pre-generated html pages containing a range of sentencing data in graphs and tables. Covering a large number of offences, SACStat presents aggregate data on case-level sentences for all people, which users can view by age group and gender, as well as on charge-level sentences. Offences are accessible via a legislation index or offence search.

SACStat is updated on a regular basis, ensuring that it continues to display relevant and contemporary sentencing data. As at 30 June 2017, SACStat statistics for the higher courts cover the period from July 2010 to June 2015 and include data on nearly 200 offences. Statistics for the Magistrates’ Court cover the period from July 2011 to June 2014 and include data on nearly 500 offences.

The next update of both Magistrates’ Court and higher courts data is planned for release early in the 2017–18 financial year.

Sentencing Snapshots
In 2016–17, the Council released 13 Sentencing Snapshots. This release marks the 200th Sentencing Snapshot issue to be published since the launch of the series in 2005. The offences covered this financial year are:

- murder (no. 198);
- manslaughter (no. 199);
- culpable driving causing death (no. 200);
- arson (no. 201);
- theft (no. 202);
- obtaining a financial advantage by deception (no. 203);
- obtaining property by deception (no. 204);
- persistent sexual abuse of a child under 16 (no. 205);
- indecent act with a child under 16 (no. 206);
- rape (no. 207);
- indecent assault (no. 208);
- sexual penetration with a child aged 12 to 16 (no. 209); and
- sexual penetration with a child aged under 12 (no. 210).

Each Sentencing Snapshot examines sentence types and imprisonment lengths imposed over a five-year period for all people sentenced. As at June 2017, the Council has published 210 Sentencing Snapshots, focusing primarily on 31 offences sentenced in the County and Supreme Courts.
Independent, High-Quality Sentencing Research and Policy Advice

The provision of independent, high-quality sentencing research and policy advice relates to the Council’s statutory functions of stating in writing to the Court of Appeal the Council’s view in relation to the giving, or the review, of a guideline judgment, conducting research and disseminating information on sentencing matters and advising the Attorney-General on sentencing matters.

Sentencing Children in Victoria: Data Update Report

In July 2016, the Council released a report on sentencing children in Victoria.


The Council found that sentenced offending by children in Victoria is rare. In 2015, only 0.6% of the Victorian population aged 10 to 17 received a sentence in the Children’s Court, less than one-third the equivalent rate for adults (2.1% of adults received a sentence in the Magistrates’ Court and the higher courts in 2015). Only one child was sentenced in the higher courts in 2015.

Key findings of the report include:
- a decline of approximately 43% in the number of children sentenced in the Children’s Court over the six years to 31 December 2015;
- declines in the number of charges sentenced in the Children’s Court between 2010 and 2013 and an increase in the number of charges from 2013 – a substantial proportion of these charges were new bail-related offences, in particular, the offence of contravene a conduct condition of bail (now repealed for children);
- increases in the average number of charges per case in the Children’s Court since 2013, which, even after accounting for the new bail-related offences, indicate that a smaller number of offenders are being sentenced for more offences per case;
- a year-on-year decline in the number of children sentenced in the higher courts (the County and Supreme Courts), from 11 children in 2011 to only one child in 2015 (38 children sentenced in total); and
- a 25% increase in the number of children held on remand awaiting trial, from a daily average of 43 children in 2010–11 to 54 children in 2014–15.

Further, the report analysed sentencing outcomes and changes in sentenced offences in the Children’s Court and the higher courts in the six-year reference period. The Council found a marked increase in the proportion of justice procedures offences in the Children’s Court, from 4.5% of all charges to 18.5% (coinciding with the introduction of bail-related offences) and a drop by more than
half in the proportion of cases involving fatal or death-related offences (from 79% of cases to 34%) in the higher courts.

The Council also produced a two-page factsheet, including infographics, that summarises the key findings of the report.

**Contravention of Family Violence Intervention Orders and Safety Notices: Prior Offences and Reoffending**

In August 2016, the Council published the report *Contravention of Family Violence Intervention Orders and Safety Notices: Prior Offences and Reoffending*.

Family violence is a critical issue for Victoria and its criminal justice system. While the prevalence of family violence is difficult to track, it is clear that the level of family violence offending being charged and sentenced has increased dramatically since 2005. While the literature around family violence continues to evolve, this report addresses a research gap in Victoria regarding the recidivism of family violence perpetrators.

The Council examined the prior offences and reoffending patterns of 1,898 family violence offenders who were sentenced in 2009–10 for contravening a family violence intervention order or safety notice. The analysis included all of their sentenced offences in an 11-year period from 2004–05 to 2014–15 across all Victorian courts, from the Children's Court to the Supreme Court.

The report found that 86% of those sentenced for contravening a family violence intervention order or safety notice were male and, overall, 53% of all such sentenced offenders reoffended within 5 years. The most common prior sentenced offence for the cohort was assault, while further contravention of family violence intervention orders or safety notices was the most common subsequent offence. There were positive correlations between the total number of prior sentences for an offender and the likelihood of further offending, and also the type of prior offending and the type of reoffending. For example, offenders with prior convictions for violent offences were three times more likely to reoffend with violence than a family violence offender with no prior convictions for violence.

The report is intended to help inform decisions about effective responses to family violence by the courts, policymakers and those who develop, review and operate programs to address violent behaviour. An enhanced understanding of the factors that may increase the risk of reoffending could contribute to ensuring that sentencing options and practices focus on how best to mitigate risk and protect family members.

**Victoria’s Prison Population 2005 to 2016**

In November 2016, the Council published *Victoria’s Prison Population 2005 to 2016*. This report is the third in the Council’s prison population series. The 2016 report examines the trends between 30 June 2005 and 30 June 2016 in Victoria’s prison population, including prisoner receptions and sentence lengths, crime rates and offending patterns, and court flow and custody rates.

The trends demonstrate that Victoria’s prison population and imprisonment rate have continued to increase. Increases were observed across all demographic groups: sentenced and unsentenced prisoners, Aboriginal and Torres Strait Islander prisoners and non-Indigenous prisoners, and male and female prisoners. However, this growth has not been experienced equally by all groups within the prisoner population. Higher percentage growth in prisoner numbers was observed for females than for males, for Aboriginal and Torres Strait Islander prisoners than for non-Indigenous prisoners, and for unsentenced prisoners than for sentenced prisoners. Since 2014, the sentenced prisoner population has decreased while the number of
unsentenced prisoners has increased substantially. The unsentenced prisoner population grew from approximately 1 in 5 prisoners to close to 1 in 3 prisoners between 2006 and 2016. The decrease in the sentenced prisoner population since 2014 is reflected in a decreasing custody rate in the higher courts and decreasing mean sentence lengths across all courts since 2012–13.

Both the number of offences and the rate of offending as a proportion of the population have increased in recent years, particularly since 2010–11. Prior to 2010–11, the number of recorded offences was relatively stable and the crime rate was declining. Most of the increase in the crime rate since 2010–11 occurred as a result of an increase in offenders apprehended for offences against the person. Further, since 2010–11, the number of offenders apprehended increased across all offence categories except property and public order offences.

Between 2005 and 2015, sentenced prisoners were most likely to be imprisoned for an offence against the person (primarily sexual assault offences). Between June 2005 and June 2015, the number of prisoners serving time for a cause injury offence as their principal proven offence more than tripled.

The report concludes that increases in Victoria’s prison population between 2006 and 2016 can be attributed largely to an increase in the number of people entering the criminal justice system. Overall, growth was driven by increases in the remand population of unsentenced prisoners. The data indicates that the growth in the remand population is not a cumulative effect of people spending longer periods on remand but, rather, is a result of an increased number of people charged with offences (particularly cause injury and drug offences) being remanded for short periods of time (particularly by the Magistrates’ Court).

In terms of sentenced prisoners, the total number of custodial sentences imposed has increased significantly since 2010–11, despite the rate of custodial sentences as a proportion of all sentences remaining relatively stable. The number of custodial sentences increased for all offence categories except property offences and ‘other’ offences. The primary driver of growth in the number of sentenced prisoners has been the increasing number of custodial sentences imposed in cases with an offence against the person as the principal proven offence. Within the principal proven offence category of offences against the person, the most substantial increase has been in the number of custodial sentences imposed for cause injury offences.

The Council also published a factsheet setting out the main findings of the report.

Reoffending by Children and Young People in Victoria

In December 2016, the Council published Reoffending by Children and Young People in Victoria. The report used the Council’s reoffending database to examine the offending patterns of 5,385 children and young people sentenced in the Children’s Court of Victoria. The report addresses the following research questions:

- What proportion of children and young people sentenced in the Children’s Court in 2008–09 reoffended in the next six years?
- Was there any change in the two-year reoffending rates for children and young people sentenced each year between 2008–09 and 2012–13?
- What proportion of children and young people sentenced in the Children’s Court in 2008–09 continued offending into their adulthood?
- What factors are associated with reoffending by children and young people?
- How do offending patterns differ between children and young people whose offending persists over a long period of time and those whose offending is limited to a short period of time?
The report found that 61% of the children and young people reoffended within six years of their sentence. A road safety offence was the most common type of offence (36% of offenders in the study group reoffended at least once with a road safety offence), followed by an offence against the person (34%) and a theft/deception offence (33%).

Just over half (52%) of children and young people progressed to the adult criminal jurisdiction by the end of the study period (30 June 2015).

After controlling for other factors, the following factors were found to be statistically related to the risk of reoffending:

- the age of the offender at the time of their first offence (each year increase in age was associated with an 18% decline in the likelihood of reoffending);
- the gender of the offender (males were 1.48 times more likely to reoffend than females);
- prior convictions (offenders with two or more prior convictions were over two times more likely to reoffend than offenders with no prior convictions); and
- the offence type (offenders with a theft/deception offence were 1.36 times more likely to reoffend than offenders who did not have a theft/deception offence).

The Council also published a factsheet that summarises the key findings of the report.

**Swift, Certain and Fair Approaches to Sentencing Family Violence Offenders: Discussion Paper**

In early September 2016, the Council received a request for advice from the Attorney-General, the Hon Martin Pakula, MP, to advise him on the desirability of ‘swift and certain’ approaches to sentencing family violence offenders in Victoria, having regard to the available empirical evidence. The request for advice followed a recommendation from the Royal Commission into Family Violence that the Council examine this issue (Recommendation 83).

The Royal Commission described the principles of ‘swift and certain’ approaches to include:

- a clearly defined behavioural contract, that is, rules setting out the conditions of compliance and consequences of non-compliance in a way that is clearly understandable to an offender;
- consistent application of those rules;
- swift delivery of the consequences of non-compliance; and
- parsimonious use of punishment, that is, the least amount of punishment necessary to bring about the desired change.

For the purposes of this reference, a family violence offender is a person who has been found guilty of committing a criminal offence in a family violence context. Family violence is taken to have the same definition as that given in section 5 of the Family Violence Protection Act 2008 (Vic).

In the event that the government introduces some form of ‘swift and certain’ approach, the Council has been asked to advise on the following matters:

- which specific approaches are preferred within the Victorian context;
- whether there are particular groups of family violence offenders at which swift and certain approaches should be focused;
- whether modifications to current laws and sentencing practice and procedure are needed to support preferred swift and certain approaches;
- whether additional sentencing options are needed to support preferred swift and certain approaches;
- the broad demand implications of any approach, or approaches, that the Council may consider desirable; and
- any other matter that the Council considers appropriate.
The Council has been asked to consult with government and non-government stakeholders working in criminal justice and family violence, as well as with the Victorian community, in the preparation of its advice.

After preliminary consultation with key stakeholders, in February 2017 the Council published *Swift, Certain and Fair Approaches to Sentencing Family Violence Offenders: Discussion Paper*, containing key questions on the issues raised by the terms of reference.

The discussion paper has informed the Council’s extensive consultation process, which has involved two discussion forums, an online survey, a call for public submissions and numerous meetings with stakeholders.

The Council has received 24 written submissions.

The Council is currently preparing its advice to the Attorney-General, which is due no later than 29 August 2017.

**Contravention of Community Correction Orders**

The Council has undertaken a significant project this year on contraventions of community correction orders. Research questions addressed by the project include:

- What proportion of offenders who receive a community correction order contravene their order?
- What type and quantity of offences are committed when a community correction order is contravened by further offending?
- How do community correction order contravention rates vary according to characteristics of the community correction order and the offender?
- What sentences do courts impose when a community correction order is contravened?

The project uses the Council’s reoffending database to examine proven community correction order contraventions for all offenders who received a community correction order in the period from July 2012 to June 2013.

In addition to addressing the above research questions, the project has laid the groundwork for the Council to fulfil its obligation under section 104AA(2) of the *Corrections Act 1986* (Vic) to report on the number of serious offences committed by offenders while serving a community correction order. This obligation commences in 2017–18.

A report resulting from the project is scheduled for release in July 2017.
Informing Members of the Community about Sentencing

The Council’s obligations under the Sentencing Act 1991 (Vic) involves providing ‘to the judiciary and other interested persons’ statistical and other information on sentencing, including current sentencing practices, gauging public opinion on sentencing matters and consulting with government departments, other interested persons and the general public on sentencing matters.

Community education and community engagement are key to achieving these goals. While most of our projects involve consultation with key stakeholders, the Council also engages with the community through its face-to-face educational events, its website and its social media. The pamphlet Sentencing in the Children’s Court is a major new addition to the Council’s education program.

You be the Judge Education Sessions

Face-to-face You be the Judge education sessions allow key audiences to explore in depth the principles, purposes and practice of sentencing in Victoria.

Participants are required to sentence an actual case and are motivated to ‘get it right’ in front of their peers, for example, by properly considering all the relevant details of the case and the law. Discussion and debate is encouraged, and it becomes clear to participants that even within their own peer groups, there are different beliefs about the purposes for sentencing a case.

In the 12 months to 30 June 2017, the Council delivered 24 You be the Judge sessions to approximately 740 participants. Victims Assistance Programs and community leadership programs were a major focus, together accounting for half of all sessions delivered. Audiences also included TAFE Justice and Community Safety students, volunteer services working with recently released prisoners, seniors’ adult education groups, legal studies secondary students (through the Victoria Law Foundation) and post-graduate journalism students.

Audience groups ranged in size from six to 127 people, with an average group size of 30. Most sessions were run in metropolitan Melbourne, but sessions were also run in Warrnambool and Benalla.

Almost all You be the Judge sessions delivered in 2016–17 introduced audiences to the Council’s sentencing data resources (SACStat and Sentencing Snapshots) available on our website. In this way, it is hoped audiences will be left with an increased ability to research sentencing trends for themselves – on behalf of their organisations and future clients.
Virtual You Be the Judge

The Council’s online, interactive sentencing education application, Virtual You be the Judge, was accessed by 5,527 users in 7,994 sessions in the 12 months ending 30 June 2017, compared with 5,832 users in 7,776 sessions in the previous year.

Virtual You be the Judge has four cases to choose from, each adapted from a real-life case:
- Richard, convicted of culpable driving causing death;
- Dane, convicted of intentionally causing serious injury;
- Terri, convicted of trafficking in a drug of dependence; and
- Peter, convicted of burglary.

Having selected a case, users choose at least four questions to ask the court about the offender and the offence. Users select a sentence type and length (or amount for fines) to impose. Finally, users then find out what sentence the judge actually imposed in the real-life case.

Virtual You be the Judge has continued to be a popular teaching resource.

Law Week 2017

The Council set Youth Crime, Youth Justice as the theme for our 2017 Law Week community education event in response to considerable community interest in, and concern about, youth crime and the sentencing of young offenders. The aim of the forum was to improve the community’s understanding of why sentencing children differs from sentencing adults.

A hypothetical case study was developed for ‘Michael, tracing his life circumstances and a pattern of escalating offending between the ages of eight and 18. Informed by the Council’s December 2016 report Reoffending by Children and Young People, the case study contained elements ‘typical’ of a young repeat offender and allowed an exploration of the wide range of child welfare and criminal justice responses available in Victoria to try to keep children out of the justice system.

Just over one hundred people attended the event on Monday evening, 15 May 2017 at the State Library of Victoria. They heard Council Chair Emeritus Professor Arie Freiberg putting questions to an expert panel comprising:
- Judge Amanda Chambers, President of the Children’s Court;
- Liana Buchanan, Commissioner for Children and Young People;
- Senior Sergeant Sherril Handley, Police Prosecutor; and
- Paul McDonald, CEO, Anglicare.

Social Media

The Council’s social media channels have proved indispensable in extending the audience for our research and events, in staying abreast of relevant criminal justice news and research and in engaging key audiences and the wider community in dialogue.

The number of people and organisations following @SACvic on Twitter has grown 16% over the 12 months to 30 June 2017, from 4,413 to 5,100. An analysis of followers’ profiles suggests that journalists, legal practitioners and organisations working with those affected by crime are among our most numerous followers. The Council posted approximately 1,052 tweets in the 12 months to June 2017 (an average of 88 tweets a month).

The Council’s content aggregation and curation tool Pinterest (intended primarily for teachers and students) grew from 1,567 pins to 1,629 pins and from 398 followers to 448 followers.

This year, the Council added LinkedIn to its list of social media channels in order to develop a deeper engagement with professionals in the crime and justice fields.
A Quick Guide to Sentencing
In January 2017, we published the third edition of *A Quick Guide to Sentencing*, our most viewed and downloaded publication.

This 45-page, plain language summary of Victorian sentencing law is intended primarily for students and people who need a reasonably complete understanding of Victorian sentencing law and practice. As a stand-alone publication, the *Quick Guide* is updated annually to reflect changes to Victorian sentencing law and practice.

It will be updated again early in 2018.

Sentencing Education Brochures
Over 17,000 print copies of the brochure *How Courts Sentence Adult Offenders* were distributed in 2016–17, with most going to agencies working with victims of crime. A two-page factsheet version of this publication was also downloaded 191 times from the Council’s website. This brochure was first published in 2015–16.

At the request of the Children’s Court, the Council prepared a companion publication *Sentencing in the Children’s Court*. This publication summarises sentencing considerations and options for offenders under 18 years old. The resource is intended to assist those who are supporting children attending the Children’s Court, as well as students, youth justice workers, journalists and other interested members of the community.

*Sentencing in the Children’s Court* was launched as part of the Council’s event for Law Week 2017.

Infographics and Data Visualisations Collaboration with RMIT
Seeking new ways to communicate sentencing data and principles to new audiences has led to the Council’s continued collaboration with the RMIT Master of Communication Design program in the School of Media and Communication.

The partnership aims to develop infographics and data visualisations based on material on our website that can be used in our online, social media and presentation materials.

Media Liaison and Management
The Council continues to develop a productive relationship with mainstream and alternative media. There has been a steady increase in journalists’ references to the Council’s published reports, and use of SACStat and Snapshots to inform coverage of sentencing issues.

Traffic to [www.sentencingcouncil.vic.gov.au](http://www.sentencingcouncil.vic.gov.au) increased by 24% from 2015–16 to 2016–17. This increase is primarily due to more users finding the website on search engines. A larger percentage of users are accessing the site using a mobile phone (26% of users this financial year compared with 23% last financial year).

Despite the higher user numbers, user engagement, which is measured by the percentage of users that entered and left the website from the same page, was down slightly (56% this financial year compared with 54% last financial year). Users also spent slightly less time on the site (2:50 minutes on average per user compared with 3:00 minutes last financial year).
As in previous years, users found the website by searching for terms such as ‘sentencing’, ‘maximum penalties’, ‘sentencing principles’ and ‘community correction orders’. An increasing number of users came to the site after searching for ‘reoffending’, a term that has not led users to the website in previous years.

The vast majority of our users come from Australia, and within Australia primarily from Melbourne (63% of all traffic is from Melbourne, down 6% from last financial year). Approximately 5% of our traffic comes from the United States and the United Kingdom. Twenty-two per cent of all referrals to our site are from other Victorian Government agencies.

Users are accessing SACStat (Sentencing Advisory Council Statistics Online) in greater numbers (up 28% from last financial year). Our long-running Sentencing Snapshots series accounted for 24% of all publications downloaded for the financial year, a total of 12,453 downloads for the 207 available Snapshots.

Our five most downloaded publications show that users continue to access our previous research as well as our latest reports:

- Reoffending by Children and Young People in Victoria (2016) (1,316 downloads);
- Victoria’s Prison Population 2005 to 2016 (2016) (1,210 downloads);
- Sentencing Outcomes for Theft in the Magistrates’ Court: A Statistical Profile (2008) (1,106 downloads); and

| Sessions | 157,314 | 115,897 |
| Users    | 101,857 | 74,987 |
| Pageviews| 431,901 | 349,159 |
| SACStat Pageviews| 60,356 | 47,288 |
| Publication Downloads | 40,889 | 31,951 |
| Mobile Sessions | 40,767 | 26,941 |

**FIGURE 3: WEBSITE USAGE 2016–17 AND 2015–16**
Consulting Widely and Gauging Public Opinion

Giving members of the community the opportunity to provide input into sentencing policy relates to the Council’s statutory functions of consulting and gauging public opinion on sentencing matters.

Consultation
The Council’s consultation functions focus predominantly on capturing informed opinions specific to our research and the projects that we undertake. The Council consults key stakeholders during the preparation of all of its published reports as detailed above.

The Council also made a call for public submissions, held roundtables and consulted widely following the release of its discussion paper on swift, certain and fair approaches to sentencing family violence offenders. To assist community members in sharing their views, the Council developed additional materials including a factsheet and an online survey.

Additionally, the Council consulted with a range of agencies, organisations and academics in the preparation of its reports and in the preparation of its brochure *Sentencing Children in the Children’s Court*. A list of stakeholders consulted in 2016–17 is set out below.

Gauging Public Opinion
The Council provides a forum for our Directors to set our strategic directions and to contribute their views on sentencing.

The Council’s Chair participates in media interviews, including talkback radio, where community views on sentencing are frequently discussed and members of the public have the opportunity to put their views.

The Council also provides the community with the opportunity to contribute their views on sentencing matters through their submissions on references and more generally through Twitter.

The Council monitors local, national and international research on community views on sentencing.

Agencies, Organisations and Academics Consulted in 2016–17
- Australian Community Support Organisation;
- Children’s Court of Victoria;
- Commission for Children and Young People;
- County Court of Victoria;
- Court Services Victoria;
- Crime Statistics Agency (Victoria);
- Department of Health and Human Services
  - Statutory and Forensic Oversight, Youth Justice and Disability;
  - Operations and Practice Manager Forensic Unit;
- Department of Justice and Regulation
  - Criminal Law Policy;
  - Corrections Victoria;
  - Family Violence Unit;
  - Koori Justice Unit;
  - Royal Commission into Family Violence – Implementation Co-ordination;
  - Community Operations and Victim Support Agency;
- Department of Premier and Cabinet
  - Office of the Minister for the Prevention of Family Violence;
Domestic Violence Resource Centre (Victoria);
Domestic Violence Victoria;
Dr Keri Alexander, Turning Point Alcohol and Drug Centre;
Dr Renata Alexander, Monash University;
Dr Lorana Bartels, Australian National University;
Dr Angela Hawken and Dr Jonathan Kulick, New York University;
Expert Advisory Committee on Perpetrator Interventions;
Federation of Community Legal Centres (Victoria);
Human Rights Law Centre;
inTouch Multicultural Centre Against Family Violence;
Jesuit Social Services;
Judicial College of Victoria;
Law Institute of Victoria;
Magistrates’ Court of Victoria
  – Family Violence Taskforce;
  – Dandenong Magistrates’ Court;
  – Heidelberg Magistrates’ Court;
  – Melbourne Magistrates’ Court;
  – Neighbourhood Justice Centre;
No To Violence/Men’s Referral Service;
Office of Public Prosecutions;
RMIT Centre for Innovative Justice;
Royal Commissioner into Family Violence;
Supreme Court of the Northern Territory;
Victims of Crime Commissioner;
Victims Support Agency;
Victim Survivors’ Advisory Council;
Victoria Legal Aid;
Victoria Police;
Victorian Aboriginal Community Services Association;
Victorian Aboriginal Legal Service;
Victorian Auditor-General’s Office;
White Ribbon Australia;
Women’s Legal Service Victoria;
Youth Affairs Council of Victoria;
Youth Parole Board;
Youth Referral and Independent Person Program;
Youth Support and Advocacy Service; and
Youthlaw.
Organisational Governance and Statutory Compliance

As a public entity, accountable and effective governance is required under the *Financial Management Act 1994*, the *Public Administration Act 2014*, the *Audit Act 1994* and other applicable laws, regulations and directions from the Minister of Finance.

The Council has undertaken to complete compliance certification under the Financial Management Certification Framework in conjunction with the Department of Justice and Regulation.

**Additional Information**

The Council’s published reports and other public documents are available online at www.sentencingcouncil.vic.gov.au. Any other relevant information in relation to the financial year is retained by the Accountable Officer and is available on request subject to freedom of information requirements and our privacy policy.

**Audit and Finance Committee**

The Sentencing Advisory Council (‘the Council’) and the Judicial College of Victoria (‘the College’) have established a joint Audit and Finance Committee to oversee their financial operations. Due to their small size, the Council and the College have come together to maximise effective use of resources. During 2016–17, the Committee comprised the following members.

**Chair**
Robert Camm

**Independent Members**
Cameron Hume
Karol Hill

The Committee receives secretarial assistance from staff members of the Council, Sarah Lappin, and the College, Linda Barbera (to November 2016) and Mustafa Mahmood.

Michael Almond is the Council and the College’s Chief Finance and Accounting Officer (CFAO) and attends Committee meetings by standing invitation, providing finance advice and support as required.

The chief executive officers of both organisations and a representative of the Victorian Auditor-General’s Office also attend meetings by standing invitation.

The Audit and Finance Committee oversees:
- financial performance and reporting processes, including the annual financial statements;
- the scope of work, performance and independence of the external auditor;
- the operation and implementation of the risk-management framework;
- matters of accountability and internal control affecting the operations of the College and the Council;
- processes for monitoring compliance with laws and regulations; and
- selection, appointment and removal of the Council and the College’s CFAO.

In fulfilling its responsibilities, the Committee has:
- reviewed the financial statements for the annual report and recommended them to the responsible bodies (or delegates) for approval;
- reviewed the scope and results of the external auditor’s examination of the financial report and matters brought to its attention;
- regularly reviewed the CFAO’s financial reports on the entities’ finances;
completed a Committee self-assessment and submitted a summary of the results to the entities;
reviewed the risk register and noted that the risks were being appropriately addressed by management;
reviewed the Committee’s annual programme;
endorsed the use by the Sentencing Advisory Council of the Department of Justice and Regulation’s Financial Code of Practice;
reviewed the entities’ Business and Strategic Plans; and
met separately with representatives of the Victorian Auditor-General’s Office and reviewed the VAGO audit strategy for the 2016–17 annual financial audit.

Comparative Financial Results
Table 1 summarises information on the financial results and financial position, prepared on an accrual basis, of the Sentencing Advisory Council for the financial year 2016–17 and comparisons with the preceding four financial years.

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<tbody>
<tr>
<td>Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants from Department of Justice</td>
<td>(a)</td>
<td>1,854,400</td>
<td>1,792,400</td>
<td>1,752,800</td>
<td>1,680,600</td>
</tr>
<tr>
<td>Other revenue</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Total Income</td>
<td></td>
<td>1,854,400</td>
<td>1,792,400</td>
<td>1,752,800</td>
<td>1,680,600</td>
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<tr>
<td>Expenses</td>
<td>(b)</td>
<td>1,841,100</td>
<td>1,772,354</td>
<td>1,741,493</td>
<td>1,629,926</td>
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<tr>
<td>Other economic flows</td>
<td>(c)</td>
<td>(10,812)</td>
<td>(2,756)</td>
<td>(7,636)</td>
<td>2,105</td>
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<tr>
<td>Net result for the period</td>
<td></td>
<td>2,487</td>
<td>17,289</td>
<td>3,671</td>
<td>52,779</td>
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<tr>
<td>Net cash flow from operating activities</td>
<td></td>
<td>–</td>
<td>–</td>
<td>(500)</td>
<td>2,585</td>
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<tr>
<td>Total assets</td>
<td>(d)</td>
<td>768,095</td>
<td>724,811</td>
<td>642,832</td>
<td>579,169</td>
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<tr>
<td>Total liabilities</td>
<td>(e)</td>
<td>444,702</td>
<td>403,903</td>
<td>339,216</td>
<td>279,224</td>
</tr>
</tbody>
</table>

Notes – movements between 2015–16 and 2016–17
(a) Income received increased by $62,000 (3.5%) as a result of additional projects undertaken.
(b) Expenses increased by $68,746 (3.9%) reflecting additional employee costs associated with certain new project referrals.
(c) Other economic flows amounted to a loss of $10,812. This item reflects the gains and losses arising from the revaluation of long-service leave liability due to movements in inflation and bond rates.
(d) Total assets increased by $43,284 (6%). This increase reflects the movement in the amount receivable from the Department of Justice and Regulation associated with the funding arrangements relating to the increase in employment provisions offset by the decrease in payables.
(e) Total liabilities increased by $40,799 (10.1%). This is mainly due to an increase in employee provisions offset by a decrease in payables.
Compliance with the Building Act 1993
The Council does not own nor control any government buildings insofar as the Council sublets building infrastructure and property services provided by the Victorian Law Reform Commission.

Environmental Management and Impacts
Operating within the context of the Department of Justice and Regulation, the Council has adopted the Department’s environmental management policy, implementing efficient office recycling, waste management and energy efficiency practices.

Some specific steps the Council has taken include:
- shifting from hardcopy to electronic publishing for almost all Council reports and papers;
- having a standing item on the environment at staff meetings;
- encouraging staff to adopt systems to reduce paper consumption; and
- posting signage to remind staff to turn off lights and monitors.

In terms of paper usage, the Council’s consumption of copy paper totalled 112.5 reams at an average per staff member of 8.65 reams in 2016–17. This was down from 13.5 reams per staff member in 2015–16.

Financial Management
The Council abides by a financial code of practice that encompasses procurement, the use of assets and resources, potential conflicts of interest, secondary employment, financial gifts and gratuities. Employees are subject to the Department of Justice and Regulation code of conduct (consistent with the Victorian public service code of conduct and the objectives of the Public Administration Act 2004).

Freedom of Information
The Freedom of Information Act 1982 allows the public the right to access documents held by the Council. For the year ending 30 June 2017, there were no freedom of information applications.

Government Advertising Expenditure
The Council has not expended more than $150,000 on advertising.

Human Resource Management
During 2016–17, the Council continued to promote personal and professional development of its staff in order to achieve sustained improvements and to create satisfying career paths. The Council actively promotes safe work practices, career development, work–life balance and a friendly and non-discriminatory working environment.

Four of the Council’s staff were engaged in part-time post-graduate study in 2016–17. Staff are also encouraged to attend and present on their work at conferences and professional development seminars.

Implementation of the Victorian Industry Participation Policy
The Victorian Industry Participation Policy Act 2003 requires public bodies and departments to report on the application of the Victorian industry participation policy in all tenders over $3 million in metropolitan Melbourne and $1 million in regional Victoria. While the Council uses local suppliers for goods and services, the policy does not apply to the Council due to the threshold of expenditure.

Industrial Relations
The Council enjoys a cooperative relationship with employee representative organisations. For the year ending 30 June 2017, no time was lost through industrial disputes or accidents.
Insurance
I, Cynthia Marwood (CEO), certify that the Sentencing Advisory Council has complied with Ministerial Direction 4.5.5 – Insurance.

Cynthia Marwood
Chief Executive Officer
Sentencing Advisory Council

Merit and Equity
Department of Justice and Regulation merit and equity principles are applied in the appointment and management of staff, and the Council’s guiding principles are consistent with the public sector values and employment principles articulated in the Public Administration Act 2004.

Occupational Health and Safety
The Council has assigned an occupational health and safety (OHS) officer who undertakes quarterly inspections of the Council’s office. OHS has also been factored into the Council’s overall risk-management framework. In addition to attending OHS presentations, all staff are provided with materials on the Occupational Health and Safety Act 2004 and guides on ergonomic assessment.

Staff have also participated in fire drill evacuation exercises.

There were no claims of OHS-related injury for the year ending 30 June 2017.

Outsourced Consultancies
There were no outsourced consultancies in excess of $10,000 for the year ending 30 June 2017.

Privacy
The Council manages personal information in accordance with the Privacy and Data Protection Act 2014 and our privacy policy. Regular reviews are carried out in relation to the recording of personal information to ensure that the Council is in compliance with regulations. There were no privacy-related complaints for the year ending 30 June 2017.

Protected Disclosures
The Protected Disclosures Act 2012 encourages and assists people in making disclosures of improper conduct by public bodies. The Act provides protection to people who make disclosures in accordance with the Act and establishes a system for the matters disclosed to be investigated and rectifying action to be taken.

The Council is committed to the aims and objectives of the Act. It does not tolerate improper conduct by its employees, officers or members, nor the taking of reprisals against those who come forward to disclose the conduct.

The Council recognises the value of transparency and accountability in its administrative and management practices and supports the making of disclosures that reveal corrupt conduct, conduct involving a substantial mismanagement of public resources or conduct involving a substantial risk to public health and safety or the environment.

The Council will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure. It will also afford natural justice to the person who is the subject of the disclosure to the extent that is legally possible.

For the 12 months ending 30 June 2017, the Council did not receive any disclosures under the Act.

Making a Disclosure
A disclosure is an allegation of improper or corrupt conduct. Disclosures of
improper conduct or detrimental action by the Council or its employees may be made in writing or by telephone to:

Independent Broad-Based Anti-Corruption Commission (IBAC)
GPO Box 24234
Melbourne VIC 3000
Tel: 1300 735 135

Further Information

Risk Management
In accordance with DTF Standing Direction 4.5.5, the following attestation of compliance is made following agreement by the Audit and Finance Committee that such an assurance can be given:

I, Cynthia Marwood (CEO), certify that the Sentencing Advisory Council has risk management processes in place consistent with the Australian/New Zealand Risk Management Standard (ISO 31000:2009) and an internal control system is in place that enables the executive to understand, manage and satisfactorily control risk exposures. The Audit and Finance Committee verifies this assurance and that the risk profile of the Sentencing Advisory Council has been critically reviewed within the last 12 months.

Cynthia Marwood
Chief Executive Officer
Sentencing Advisory Council

Social and Cultural Diversity
The Council acknowledges the importance of cultural diversity and endeavours to maintain an inclusive, consultative and open approach to its work. Diversity is enhanced through the selection criteria of Council members (appointed by the Attorney-General), staff recruitment, student research placements and a broad community consultation strategy that includes a diverse range of individuals and community groups.

Staff Development and Training
During 2016–17, the Council offered a range of programs to equip staff with the knowledge and skills required to perform their jobs successfully. Staff members were encouraged to extend their professional skills via:

- attendance at external professional development courses;
- enrolment in post-graduate degree courses (supported with study leave and some cost recovery); and
- attendance and presentation of papers at relevant conferences.

Workforce Data
The Council implements the directions of the Victorian Public Sector Commission with respect to upholding public sector conduct, managing and valuing diversity, managing underperformance, reviewing personal grievances and selecting on merit.

The Council, through the Department of Justice and Regulation, has a suite of detailed employment policies, including policies with respect to grievance resolution, recruitment, redeployment and managing diversity. Policies with respect to managing underperformance and discipline were produced and have been implemented across the Council, via the Department.

Comparative Workforce Data
The following table discloses the head count and full-time staff equivalent (FTE) of all active public service employees of the Sentencing Advisory Council, employed in the last full pay period in June of the current reporting period (2017), and in the last full pay period in June of the previous reporting period (2016).
TABLE 2: DETAILS OF EMPLOYMENT LEVELS IN JUNE 2016 AND 2017

<table>
<thead>
<tr>
<th>Gender</th>
<th>All employees number (headcount)</th>
<th>FTE</th>
<th>Full-time (headcount)</th>
<th>Part-time (headcount)</th>
<th>FTE</th>
<th>Fixed term and casual number (headcount)</th>
<th>FTE</th>
</tr>
</thead>
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**VPS 1–6 grades**

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<th>1</th>
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<td>1</td>
</tr>
<tr>
<td>VPS 3</td>
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<td>1</td>
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<td>VPS 4</td>
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<td>VPS 5</td>
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<td>4</td>
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<td>2</td>
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<tr>
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**Total employees**

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<table>
<thead>
<tr>
<th>Gender</th>
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<th>FTE</th>
<th>Full-time (headcount)</th>
<th>Part-time (headcount)</th>
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<tr>
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<td>4</td>
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<tr>
<td>Female</td>
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<td>9.6</td>
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**VPS 1–6 grades**

<table>
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<td>VPS 6</td>
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<tr>
<td>Executive</td>
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<td></td>
<td></td>
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</table>

**Total employees**

| June 2016 | 15 | 13.4 | 8 | 2 | 9.4 | 5 | 5 |
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30 June 2017

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Chairperson, Accountable Officer and Chief Finance and Accounting Officer's Declaration

The attached financial statements for the Sentencing Advisory Council (‘the Council’) have been prepared in accordance with Standing Direction 5.2 of the Financial Management Act 1994, applicable financial reporting directions, Australian accounting standards including interpretations and other mandatory professional reporting requirements.

We further state that, in our opinion, the information set out in the comprehensive operating statement, balance sheet, statement of changes in equity, cash flow statement and accompanying notes presents fairly the financial transactions during the year ended 30 June 2017 and financial position of the Council as at 30 June 2017.

At the time of signing, we are not aware of any circumstances that would render any particulars included in the financial statements to be misleading or inaccurate.

We authorise the attached financial statements for issue on 2 October 2017.

Prof. Arie Freiberg AM
Board Chairperson
Sentencing Advisory Council
Melbourne
2 October 2017

Ms Cynthia Marwood
Chief Executive Officer
Accountable Officer
Sentencing Advisory Council
Melbourne
2 October 2017

Mr Michael Almond
Chief Finance and Accounting Officer
Sentencing Advisory Council
Melbourne
2 October 2017
Independent Auditor’s Report

To the Board of the Sentencing Advisory Council

Opinion

I have audited the financial report of the Sentencing Advisory Council (the council) which comprises the:

- balance sheet as at 30 June 2017
- comprehensive operating statement for the year then ended
- statement of changes in equity for the year then ended
- cash flow statement for the year then ended
- notes to the financial statements, including a summary of significant accounting policies
- chairperson, accountable officer’s and chief finance and accounting officer’s declaration.

In my opinion the financial report presents fairly, in all material respects, the financial position of the council as at 30 June 2017 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 7 of the Financial Management Act 1994 and applicable Australian Accounting Standards.

Basis for Opinion

I have conducted my audit in accordance with the Audit Act 1994 which incorporates the Australian Auditing Standards. My responsibilities under the Act are further described in the Auditor’s Responsibilities for the Audit of the Financial Report section of my report.

My independence is established by the Constitution Act 1975. My staff and I are independent of the council in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board’s APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to my audit of the financial report in Australia. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Board’s responsibilities for the financial report

The Board of the council is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the Financial Management Act 1994, and for such internal control as the Board determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Board is responsible for assessing the council’s ability to continue as a going concern, and using the going concern basis of accounting unless it is inappropriate to do so.
As required by the Audit Act 1994, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor’s report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the council’s internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board
- conclude on the appropriateness of the Board’s use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the council’s ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor’s report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor’s report. However, future events or conditions may cause the council to cease to continue as a going concern.
- evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Board regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

MELBOURNE
5 October 2017

Travis Derricott
as delegate for the Auditor-General of Victoria
Comprehensive Operating Statement  
for the Financial Year Ended 30 June 2017

<table>
<thead>
<tr>
<th>Notes</th>
<th>2017</th>
<th>2016</th>
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<tr>
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<td>$</td>
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<td>Income from transactions</td>
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<td>Expenses from transactions</td>
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<td>Employee expenses</td>
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<td>Supplies and services</td>
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<td>Total expenses from transactions</td>
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<td>Net result from transactions (net operating balance)</td>
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<td>Other economic flows included in net result</td>
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<td></td>
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<tr>
<td>Other gains/(losses) from other economic flows</td>
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<td>(10,812)</td>
</tr>
<tr>
<td>Total other economic flows included in net result</td>
<td></td>
<td>(10,812)</td>
</tr>
<tr>
<td>Net result</td>
<td></td>
<td>2,487</td>
</tr>
<tr>
<td>Comprehensive result</td>
<td></td>
<td>2,487</td>
</tr>
</tbody>
</table>

The comprehensive operating statement should be read in conjunction with the notes to the financial statements.
## Balance Sheet

**as at 30 June 2017**

<table>
<thead>
<tr>
<th>Notes</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

### Assets

**Financial assets**

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and deposits</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Receivables</td>
<td>5</td>
<td>765,951</td>
</tr>
</tbody>
</table>

**Total financial assets**

| 765,951 | 719,270 |

### Other non-financial assets

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prepayments</td>
<td>6</td>
<td>2,145</td>
</tr>
</tbody>
</table>

**Total non-financial assets**

| 2,145 |

**Total assets**

| 768,096 | 724,811 |

### Liabilities

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payables</td>
<td>7</td>
<td>33,890</td>
</tr>
<tr>
<td>Provisions</td>
<td>8</td>
<td>410,812</td>
</tr>
</tbody>
</table>

**Total liabilities**

| 444,702 | 403,904 |

**Net assets**

| 323,394 | 320,907 |

### Equity

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accumulated surplus/(deficit)</td>
<td>1,912</td>
<td>(575)</td>
</tr>
<tr>
<td>Contributed capital</td>
<td>321,482</td>
<td>321,482</td>
</tr>
</tbody>
</table>

**Net worth**

| 323,394 | 320,907 |

| Commitments for expenditure | 11 |
| Contingent assets and contingent liabilities | 12 |

The balance sheet should be read in conjunction with the notes to the financial statements.
### Statement of Changes in Equity for the Financial Year Ended 30 June 2017

<table>
<thead>
<tr>
<th></th>
<th>Accumulated Surplus $</th>
<th>Contributed Capital $</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Balance at 1 July 2015</strong></td>
<td>(17,865)</td>
<td>321,482</td>
<td>303,617</td>
</tr>
<tr>
<td>Net result for year</td>
<td>17,289</td>
<td>–</td>
<td>17,289</td>
</tr>
<tr>
<td>Capital appropriations</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td><strong>Balance at 30 June 2016</strong></td>
<td>(575)</td>
<td>321,482</td>
<td>320,906</td>
</tr>
<tr>
<td>Net result for year</td>
<td>2,487</td>
<td>–</td>
<td>2,487</td>
</tr>
<tr>
<td>Capital appropriations</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td><strong>Balance at 30 June 2017</strong></td>
<td>1,912</td>
<td>321,482</td>
<td>323,394</td>
</tr>
</tbody>
</table>

The statement of changes in equity should be read in conjunction with the notes to the financial statements.
## Cash Flow Statement
for the Financial Year Ended 30 June 2017

<table>
<thead>
<tr>
<th>Notes</th>
<th>2017 $</th>
<th>2016 $</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Cash flows from operating activities

#### Receipts
Receipts from the Department of Justice and Regulation 1,807,720 1,715,962

**Total receipts** 1,807,720 1,715,962

#### Payments
Payments to suppliers and employees (1,807,720) (1,715,962)

**Total payments** (1,807,720) (1,715,962)

Net cash flows from/(used in) operating activities 14(b) – –

### Cash flows from investing activities
Sales of non-financial assets – –

Net cash flows from/(used in) investing activities – –

Net cash flows from/(used in) investment and financing activities – –

Net increase/(decrease) in cash and cash equivalents – –

Cash and cash equivalents at the beginning of the financial year – –

**Cash and cash equivalents at the end of the financial year** 14(a) – –

The above cash flow statement should be read in conjunction with the notes to the financial statements.
Notes to the Financial Statements
for the Financial Year Ended 30 June 2017

Note 1
Summary of Significant Accounting Policies

These annual financial statements represent the audited general purpose financial statements for the Council for the period ending 30 June 2017. The purpose of the report is to provide users with information about the Council’s stewardship of resources entrusted to it.

(A) Statement of Compliance

These general purpose financial statements have been prepared in accordance with the Financial Management Act 1994 (FMA) and applicable Australian Accounting Standards (AAS), which include Interpretations, issued by the Australian Accounting Standards Board (AASB). In particular, they are presented in a manner consistent with the requirements of the AASB 1049 Whole of Government and General Government Sector Financial Reporting.

Where appropriate, those AASs paragraphs applicable to not-for-profit entities have been applied.

Accounting policies are selected and applied in a manner that ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

To gain a better understanding of the terminology used in this report, a glossary of terms and style conventions can be found in Note 20.

These annual financial statements were authorised for issue by the Board Chairperson of the Council on 2 October 2017.

(B) Basis of Accounting Preparation and Measurement

The accrual basis of accounting has been applied in the preparation of these financial statements whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AASs that have significant effects on the financial statements and estimates relate to:

- superannuation expense (refer to Note 1(G)); and
- actuarial assumptions for employee benefit provisions based on likely tenure of existing staff, patterns of leave claims, future salary movements and future discount rates (refer to Note 1(L)).

These financial statements are presented in Australian dollars, and prepared in accordance with the historical cost convention except for non-financial physical assets, which, subsequent to acquisition, are measured at a revalued amount being their fair value at the date of the revaluation less any subsequent accumulated depreciation and subsequent impairment losses. Revaluations are made with sufficient regularity to ensure that the carrying amounts do not materially differ from their fair value.
Consistent with AASB 13 *Fair Value Measurement*, the Council determines the policies and procedures both for recurring fair value measurements such as property, plant and equipment, biological assets, investment properties and financial instruments and for non-recurring fair value measurements such as non-financial physical assets held for sale, in accordance with the requirements of AASB 13 and the relevant Financial Reporting Directions.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within the fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

- **Level 1** – Quoted (unadjusted) market prices in active markets for identical assets or liabilities;
- **Level 2** – Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and
- **Level 3** – Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, the Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, the Council determines whether transfers have occurred between levels in the hierarchy by reassessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

The Valuer-General of Victoria (VGV) is the Council’s independent valuation agency.

The Council, in conjunction with VGV, monitors changes in the fair value of each asset and liability through relevant data sources to determine whether revaluation is required.

**(C) Reporting Entity**

The financial statements cover the Council as an individual reporting entity.

The Council is an Independent government-funded body established under Part 9A of the *Sentencing Act* 1991. The Council was formed to implement and enable properly informed public opinion to be taken into account in the sentencing process, as well as the dissemination of up-to-date and accurate sentencing data to assist judges in their role to promote consistency in sentencing outcomes.

Its principal address is:

Sentencing Advisory Council
3/333 Queen Street
Melbourne VIC 3000

The financial statements include all the controlled activities of the Council.

A description of the nature of the Council’s operations and its principal activities is included in the report on operations on pages 1–37 which does not form part of these financial statements.

**Objectives and Funding**

The Council’s functions are set out in section 108C of the *Sentencing Act* 1991 and are to provide statistical information on sentencing, including information on current sentencing practices, to members of the judiciary and other interested persons; to conduct research, and disseminate information to members of the judiciary and other interested persons, on sentencing matters; to gauge public opinion on sentencing
matters; to consult, on sentencing matters, with government departments and other interested persons and bodies as well as the general public; to advise the Attorney-General on sentencing matters; and to state in writing to the Court of Appeal its views in relation to the giving, or review, of a guideline judgement.

The Council is funded for the provision of outputs consistent with its statutory function. Funds are from accrual-based grants derived from monies appropriated annually by parliament through the Department of Justice and Regulation.

(D) Scope and Presentation of Financial Statements

Comprehensive Operating Statement

The comprehensive operating statement comprises three components: ‘net result from transactions’ (or termed as ‘net operating balance’), ‘other economic flows included in net result’ and ‘other economic flows – other comprehensive income’. The sum of the former two, together with the net result from discontinued operations, represents the net result.

The net result is equivalent to profit or loss derived in accordance with AASs. This classification is consistent with the whole of government reporting format and is allowed under AASB 101 Presentation of Financial Statements.

Balance Sheet

Assets and liabilities are presented in liquidity order with assets aggregated into financial assets and non-financial assets.

Current and non-current assets and liabilities (non-current being those assets or liabilities expected to be recovered or settled more than 12 months after the reporting period) are disclosed in the notes, where relevant.

Cash Flow Statement

Cash flows are classified according to whether or not they arise from operating, investing or financing activities. This classification is consistent with requirements under AASB 107 Statement of Cash Flows.

Statement of Changes in Equity

The statement of changes in equity presents reconciliations of non-owner and owner changes in equity from opening balance at the beginning of the reporting period to the closing balance at the end of the reporting period. It also shows separately changes due to amounts recognised in the ‘comprehensive result’ and amounts related to ‘transactions with owner in its capacity as owner’.

Rounding

Amounts in the financial statements have been rounded to the nearest dollar, unless otherwise stated. Figures in the financial statements may not equate due to rounding. Please refer to the end of Note 20 for a style convention for an explanation of minor discrepancies resulting from rounding.

(E) Changes in Accounting Policies

Subsequent to the 2015–16 reporting period, new and revised standards have been adopted in the current period as outlined in Note 1(S). There has been no financial impact on the existing financial disclosures or on the comparative financial information for the 2015–16 financial year from the adoption of these new and revised standards.
(F) Income from Transactions
Income is recognised to the extent that it is probable that the economic benefits will flow to the entity and the income can be reliably measured at fair value.

Grants from the Department of Justice and Regulation
Income from the outputs the Council provides to the government is recognised when those outputs have been delivered and the relevant minister has certified delivery of those outputs in accordance with specified performance criteria.

Fair Value of Services Provided by the Department of Justice and Regulation
The Department of Justice and Regulation has been centrally funded for services it provides to the Council. These services are not recognised in the financial statements of the Council as their fair values cannot be reliably determined. The services that are utilised include the use of the Department of Justice and Regulation’s financial systems, payroll systems, accounts payable, asset register and IT network.

(G) Expenses from Transactions
Expenses from transactions are recognised as they are incurred, and reported in the financial year to which they relate.

Employee Expenses
Refer to the section in Note 1(L) regarding employee benefits.
These expenses include all costs related to employment (other than superannuation, which is accounted for separately) including wages and salaries, fringe benefits tax, leave entitlements, redundancy payments and WorkCover premiums.

Superannuation
The amount recognised in the comprehensive operating statement is the employer contributions for members of both defined benefit and defined contribution superannuation plans that are paid or payable during the reporting period.

The Department of Treasury and Finance (DTF) in their Annual Financial Statements, disclose on behalf of the state as the sponsoring employer, the net defined benefit cost related to the members of these plans as an administered liability. Refer to DTF’s Annual Financial Statements for more detailed disclosures in relation to these plans.

Interest Expense
Interest expense is recognised in the period in which it is incurred. Refer to Note 20 for an explanation of interest expense items.

Other Operating Expenses
Other operating expenses generally represent the day-to-day running costs incurred in normal operations and include the following.

Supplies and Services
Supplies and services costs are recognised as an expense in the reporting period in which they are incurred.
(H) Other Economic Flows Included in the Net Result

Other economic flows measure the change in volume or value of assets or liabilities that do not result from transactions.

Net Gain/(Loss) on Non-Financial Assets

Net gain/(loss) on non-financial assets and liabilities include realised and unrealised gains and losses as follows.

Gain/(Loss) on Disposal of Non-Financial Assets

Any gain or loss on the disposal of non-financial assets is recognised at the date of disposal and is determined after deducting from the proceeds the carrying value of the asset at that time.

Impairment of Non-Financial Assets

Goodwill and intangible assets with indefinite useful lives are tested annually for impairment (as described below) and whenever there is an indication that the asset may be impaired.

If there is an indication of impairment, the assets concerned are tested as to whether their carrying value exceeds their recoverable amount. Where an asset’s carrying value exceeds its recoverable amount, the difference is written off as an ‘other economic flow’, except to the extent that the write-down can be debited to an asset revaluation surplus amount applicable to that class of asset.

If there is an indication that there has been a change in the estimate of an asset’s recoverable amount since the last impairment loss was recognised, the carrying amount shall be increased to its recoverable amount. This reversal of the impairment loss occurs only to the extent that the asset’s carrying amount does not exceed the carrying amount that would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.

Refer to Note 1(K) in relation to the recognition and measurement of non-financial assets.

Other Gains/(Losses) from Other Economic Flows

Other gains/(losses) from other economic flows include the gains and losses from the revaluation of the present value of the annual leave and long service leave liability due to changes in the bond interest rates.

(I) Financial Instruments

Financial instruments arise out of contractual agreements that give rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Due to the nature of the Council’s activities, certain financial assets and financial liabilities arise from statute rather than a contract. Such financial assets and financial liabilities do not meet the definition of financial instruments in AASB 132 Financial Instruments: Presentation. For example, statutory payables arising from taxes do not meet the definition of financial instruments as they do not arise under contract.

Where relevant, for note disclosure purposes, a distinction is made between those financial assets and financial liabilities that meet the definition of financial instruments in accordance with AASB 132 and those that do not.

The following refers to financial instruments unless otherwise stated.
Categories of Non-Derivative Financial Instruments

Loans and Receivables
Loans and receivables are financial instrument assets with fixed and determinable payments that are not quoted on an active market. These assets are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial measurement, loans and receivables are measured at amortised cost using the effective interest method, less any impairment.

Loans and receivables category includes cash and deposits (refer to Note 1(J)), trade receivables and other receivables, but not statutory receivables.

Financial Liabilities at Amortised Cost
Financial instrument liabilities are initially recognised on the date they are originated. They are initially measured at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial instruments are measured at amortised cost with any difference between the initial recognised amount and the redemption value being recognised in profit and loss over the period of the interest-bearing liability, using the effective interest rate method (refer to Note 20).

Financial instrument liabilities measured at amortised cost include all of the Council’s contractual payables and interest-bearing arrangements other than those designated at fair value through the profit and loss.

(J) Financial Assets

Cash and Deposits
Cash and deposits, including cash equivalents, recognised on the balance sheet comprise of cash on hand.

Receivables
Receivables consist of statutory receivables, such as amounts owing from the Department of Justice and Regulation.

Contractual receivables that are classified as financial instruments and categorised as loans and receivables (refer to Note 1(I) Financial Instruments for recognition and measurement). Statutory receivables are recognised and measured similarly to contractual receivables (except for impairment), but are not financial instruments because they do not arise from a contract.

Receivables are subject to impairment testing as described below. A provision for doubtful receivables is recognised when there is objective evidence that the debts may not be collected, and bad debts are written off when identified.

For measurement principle of receivables, refer to Note 1(I).

Impairment of Financial Assets
At the end of each reporting period, the Council assesses whether there is objective evidence that a financial asset or group of financial assets is impaired. All financial instrument assets, except those measured at fair value through profit and loss, are subject to annual review for impairment.

In assessing impairment of statutory (non-contractual) financial assets, which are not financial instruments, professional judgement is applied in assessing materiality using estimates, averages and other computational methods in accordance with AASB 136 Impairment of Assets.
(K) Non-Financial Assets

Leasehold Improvements
The cost of leasehold improvements is capitalised as an asset and depreciated over the shorter of the remaining term of the lease or the estimated useful life of the improvements.

Other Non-Financial Assets

Prepayments
Other non-financial assets include prepayments, which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

(L) Liabilities

Payables
Payables consist of:
- contractual payables, such as accounts payable and other sundry liabilities that represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid, and arise when the Council becomes obliged to make future payments in respect of the purchase of those goods and services; and
- statutory payables, such as goods and services tax and fringe benefits tax payables.

Contractual payables are classified as financial instruments and categorised as financial liabilities at amortised cost (refer to Note 1(I)). Statutory payables are recognised and measured similarly to contractual payables, but are not classified as financial instruments and are not included in the category of financial liabilities at amortised cost, because they do not arise from a contract.

Borrowings
All interest bearing liabilities are initially recognised at fair value of the consideration received, less directly attributable transaction costs (refer also to Note 1(M) Leases). The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest bearing liabilities as either financial liabilities designated at fair value through profit or loss or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in the net result over the period of the borrowing using the effective interest method.

Provisions
Provisions are recognised when the Council has a present obligation, the future sacrifice of economic benefits is probable and the amount of the provision can be measured reliably.

The amount recognised as a provision is the best estimate of the consideration required to settle the present obligation at reporting date, taking into account the risks and uncertainties surrounding the obligation. Where a provision is measured using the cash flows estimated to settle the present obligation, its carrying amount is the present value of those cash flows, using a discount rate that reflects the time value of money and risks specific to the provision.
**Employee Benefits**

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave for services rendered to the reporting date.

**Liabilities for annual leave** are recognised in the provision for employee benefits as current liabilities. Those liabilities that are expected to be settled within 12 months of the reporting period are measured at nominal values. Those liabilities that are not expected to be settled within 12 months are also recognised in the provision for employee benefits as current liabilities, but are measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

**Liabilities for long service leave** are recognised in the provision for employee benefits. The Council adopted a new model to calculate the provision for long service leave in 2016–17. The previous model assumed that long service leave is taken as a lump sum; the new model assumes it is taken a few days at a time. Therefore, the new model apportions more of the unconditional long service leave liability over future years than the old model, based on an assumed pattern of payments.

**Unconditional long service leave** is disclosed as a current liability, even where the department does not expect to settle the liability within 12 months because it will not have the unconditional right to defer the settlement of the entitlement should an employee take leave within 12 months.

The components of this current long service leave liability are measured at:

- undiscounted value if the department expects to wholly settle within 12 months; or
- present value if the department does not expect to wholly settle within 12 months.

**Conditional long service leave** is disclosed as a non-current liability. There is an unconditional right to defer the settlement of the entitlement until the employee has completed the requisite years of service. This non-current long service leave is measured at present value.

Any gain or loss following revaluation of the present value of non-current long service leave liability is recognised as a transaction, except to the extent that a gain or loss arises due to changes in bond interest rates for which it is then recognised as an ‘other economic flow’ in the net result.

**Employment on-costs** such as payroll tax, workers compensation and superannuation are not employee benefits. They are disclosed separately as a component of the provision for employee benefits when the employment to which they relate has occurred.

No provision has been made for sick leave as all sick leave is non-vesting and it is not considered probable that the average sick leave taken in the future will be greater than the benefits accrued in the future. As sick leave is non-vesting, an expense is recognised in the comprehensive operating statement as it is taken.

Liabilities for wages and salaries are shown in payables (Note 7).

**M Leases**

A lease is a right to use an asset for an agreed period of time in exchange for payment.

Leases are classified at their inception as either operating or finance leases based on the economic substance of the agreement so as to reflect the risks and rewards incidental to ownership. Leases of plant and equipment are classified as finance infrastructure leases whenever the terms of the lease transfer substantially all the risks and rewards of ownership from lessor to lessee. All other leases are classified as operating leases.
(N) Equity

Contribution by Owners

Additions to net assets that have been designated as contributions by owners are recognised as contributed capital. Other transfers that are in the nature of contributions or distributions have also been designated as contributions by owners.

Transfers of net assets arising from administrative restructurings are treated as distributions to or contributions by owners.

(O) Commitments

Commitments for future expenditure include operating and capital commitments arising from contracts. These commitments are disclosed by way of a note (refer to Note 11 Commitments for Expenditure) at their nominal value and exclusive of the goods and services tax (GST) payable. In addition, where it is considered appropriate and provides additional relevant information to users, the net present values of significant individual projects are stated. These future expenditures cease to be disclosed as commitments once the related liabilities are recognised in the balance sheet.

(P) Contingent Assets and Contingent Liabilities

Contingent assets and contingent liabilities are not recognised in the balance sheet, but are disclosed by way of a note (refer to Note 12 Contingent Assets and Contingent Liabilities) and, if quantifiable, are measured at nominal value. Contingent assets and contingent liabilities are presented exclusive of GST receivable or payable respectively.

(Q) Accounting for the Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of associated GST, except where GST incurred is not recoverable from the taxation authority. In this case, the GST payable is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated exclusive of the amount of GST receivable or payable. The Department of Justice and Regulation (DJR) manages the GST transactions on behalf of the Council, and the net amount of GST recoverable from or payable to the Australian Taxation Office is recognised in the financial statements of the Department of Justice and Regulation.

(R) Events after the Reporting Period

Assets, liabilities, income or expenses arise from past transactions or other past events. Where the transactions result from an agreement between the Council and other parties, the transactions are only recognised when the agreement is irrevocable at or before the end of the reporting period. Adjustments are made to amounts recognised in the financial statements for events that occur between the end of the reporting period and the date when the financial statements are authorised for issue, where those events provide information about conditions that existed at the reported date. Note disclosure is made about events between the end of the reporting period and the date the financial statements are authorised for issue where the events relate to conditions that arose after the end of the reporting period that are considered to be of material interest.
(S) Summary of New/Revised Accounting Standards Effective for Future Reporting Periods

As at 30 June 2017, the following standards and interpretations that are applicable to the Council had been issued but were not mandatory for the financial year ending 30 June 2017. Standards and interpretations that are not applicable to the Council have been omitted. The Council has not early adopted these standards.

<table>
<thead>
<tr>
<th>Standard/Interpretation</th>
<th>Summary</th>
<th>Applicable for annual reporting periods beginning on</th>
<th>Impact on public sector entity financial statements</th>
</tr>
</thead>
<tbody>
<tr>
<td>AASB 15 Revenue from Contracts with Customers</td>
<td>The core principle of AASB 15 requires an entity to recognise revenue when the entity satisfies a performance obligation by transferring a promised good or service to a customer.</td>
<td>1 Jan 2018</td>
<td>The changes in revenue recognition requirements in AASB 15 may result in changes to the timing and amount of revenue recorded in the financial statements. The standard will also require additional disclosures on service revenue and contract modifications.</td>
</tr>
<tr>
<td>AASB 9 Financial Instruments</td>
<td>The key changes include the simplified requirements for the classification and measurement of financial assets, a new hedging accounting model and a revised impairment loss model to recognise impairment losses earlier, as opposed to the current approach that recognises impairment only when incurred.</td>
<td>1 Jan 2018</td>
<td>The assessment has identified that the financial impact of available for sale (AFS) assets will now be reported through other comprehensive income (OCI) and no longer recycled to the profit and loss. While the preliminary assessment has not identified any material impact arising from AASB 9, it will continue to be monitored and assessed.</td>
</tr>
<tr>
<td>Standard/Interpretation</td>
<td>Summary</td>
<td>Applicable for annual reporting periods beginning on</td>
<td>Impact on public sector entity financial statements</td>
</tr>
<tr>
<td>-------------------------</td>
<td>---------</td>
<td>----------------------------------------------------</td>
<td>---------------------------------------------------</td>
</tr>
<tr>
<td>AASB 16 Leases</td>
<td>The key changes introduced by AASB 16 include the recognition of most operating leases (which are currently not recognised) on the balance sheet.</td>
<td>1 Jan 2019</td>
<td>The assessment has indicated that as most operating leases will come on balance sheet, recognition of lease assets and lease liabilities will cause net debt to increase. Depreciation of lease assets and interest on lease liabilities will be recognised in the income statement with marginal impact on the operating surplus. The amounts of cash paid for the principal portion of the lease liability will be presented within financing activities and the amounts paid for the interest portion will be presented within operating activities in the cash flow statement.</td>
</tr>
<tr>
<td>AASB 1058 Income of Not-For-Profit Entities</td>
<td>This standard will replace AASB 1004 Contributions and establishes principles for transactions that are not within the scope of AASB 15 Revenue From Contracts with Customers, where the consideration to acquire an asset is significantly less than fair value to enable not-for-profit entities to further their objectives.</td>
<td>1 Jan 2019</td>
<td>The assessment has indicated that revenue from capital grants that are provided under an enforceable agreement that have sufficiently specific obligations will now be deferred and recognised as performance obligations that are satisfied. As a result, the timing recognition of revenue will change.</td>
</tr>
</tbody>
</table>

In addition to the new standards above, the AASB has issued a list of amending standards that are not effective for the 2016–17 reporting period. In general, these amending standards include editorial and reference changes that are expected to have insignificant impacts on public sector reporting generally and the Council in particular.
## Note 2
### Income from Transactions

<table>
<thead>
<tr>
<th>Grants</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Justice and Regulation</td>
<td>1,854,400</td>
<td>1,792,400</td>
</tr>
<tr>
<td><strong>Total grants</strong></td>
<td><strong>1,854,400</strong></td>
<td><strong>1,792,400</strong></td>
</tr>
<tr>
<td><strong>Total income</strong></td>
<td><strong>1,854,400</strong></td>
<td><strong>1,792,400</strong></td>
</tr>
</tbody>
</table>

## Note 3
### Expenses from Transactions

(a) Employee expenses

<table>
<thead>
<tr>
<th>Post employment benefits:</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defined contribution superannuation expense</td>
<td>104,642</td>
<td>97,668</td>
</tr>
<tr>
<td>Defined benefit superannuation expense</td>
<td>15,072</td>
<td>15,114</td>
</tr>
<tr>
<td>Salaries, wages and long service leave</td>
<td>1,366,260</td>
<td>1,267,414</td>
</tr>
<tr>
<td>Other on-costs (fringe benefits tax, payroll tax and workcover levy)</td>
<td>78,159</td>
<td>71,935</td>
</tr>
<tr>
<td><strong>Total employee expenses</strong></td>
<td><strong>1,564,134</strong></td>
<td><strong>1,452,131</strong></td>
</tr>
</tbody>
</table>

(b) Supplies and services

| Purchase of supplies and consumables          | 58,940  | 70,491  |
| Purchase of services                          | 57,025  | 94,423  |
| Maintenance                                   | 12,802  | 17,115  |
| Rent                                          | 148,200 | 138,195 |
| **Total supplies and services**               | **276,967** | **320,224** |

## Note 4
### Other Economic Flows Included in Net Result

<table>
<thead>
<tr>
<th>Net gain/(loss) arising from revaluation of long service leave liability</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>(10,812)</td>
<td>(2,756)</td>
<td></td>
</tr>
</tbody>
</table>

| **Total other gains/(losses) from other economic flows** | **(10,812)** | **(2,756)** |
### Note 5
#### Receivables

**Current receivables**

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Statutory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amount owing from Victorian Government (i)</td>
<td>744,950</td>
<td>672,886</td>
</tr>
<tr>
<td><strong>Total current receivables</strong></td>
<td><strong>744,950</strong></td>
<td><strong>672,886</strong></td>
</tr>
</tbody>
</table>

**Non-current receivables**

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Statutory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amount owing from Victorian Government (i)</td>
<td>21,001</td>
<td>46,384</td>
</tr>
<tr>
<td><strong>Total non-current receivables</strong></td>
<td><strong>21,001</strong></td>
<td><strong>46,384</strong></td>
</tr>
</tbody>
</table>

**Total receivables**

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>765,951</strong></td>
<td><strong>719,270</strong></td>
</tr>
</tbody>
</table>

(i) The amounts recognised from the Department of Justice and Regulation/Victorian Government represent funding for all commitments incurred through the appropriations and are drawn from the Consolidated Fund as the commitments fall due. (Appropriations are amounts owed by the Department of Justice and Regulation/Victorian Government as legislated in the Appropriations Act. Due to the existence of legislative instrument, the appropriation receivable to an entity is statutory in nature, and hence not within the scope of the financial instruments standards.)

### Note 6
#### Other Non-Financial Assets

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prepayments</td>
<td>2,145</td>
<td>5,541</td>
</tr>
<tr>
<td><strong>Total other non-financial assets</strong></td>
<td><strong>2,145</strong></td>
<td><strong>5,541</strong></td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>2016</td>
</tr>
<tr>
<td>----------------------</td>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td><strong>Note 7</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Payables</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Current payables</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Contractual</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplies and services</td>
<td>9,005</td>
<td>28,189</td>
</tr>
<tr>
<td>Employee benefits</td>
<td>24,885</td>
<td>25,170</td>
</tr>
<tr>
<td></td>
<td><strong>33,890</strong></td>
<td><strong>53,359</strong></td>
</tr>
<tr>
<td><strong>Statutory</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Taxes payable</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td></td>
<td><strong>33,890</strong></td>
<td><strong>53,359</strong></td>
</tr>
<tr>
<td><strong>Total payables</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>33,890</strong></td>
<td><strong>53,359</strong></td>
</tr>
</tbody>
</table>

(a) **Maturity Analysis of Payables**
Refer to table 13.2 in Note 13.

(b) **Nature and Extent of Risk Arising from Payables**
Refer to table 13.3 in Note 13.

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Note 8</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Provisions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Current provisions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee benefits (i) (Note 8(a)) – annual leave</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconditional and expected to settle within 12 months (ii)</td>
<td>64,283</td>
<td>65,560</td>
</tr>
<tr>
<td>Unconditional and expected to settle after 12 months (iii)</td>
<td>7,367</td>
<td>10,285</td>
</tr>
<tr>
<td>Employee benefits (i) (Note 8(a)) – long service leave</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconditional and expected to settle within 12 months (ii)</td>
<td>28,231</td>
<td>74,498</td>
</tr>
<tr>
<td>Unconditional and expected to settle after 12 months (iii)</td>
<td>233,336</td>
<td>107,654</td>
</tr>
<tr>
<td></td>
<td><strong>333,217</strong></td>
<td><strong>257,997</strong></td>
</tr>
<tr>
<td>Provisions related to employee benefit on-costs (Note 8(a))</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unconditional and expected to settle within 12 months (ii)</td>
<td>18,484</td>
<td>27,306</td>
</tr>
<tr>
<td>Unconditional and expected to settle after 12 months (iii)</td>
<td>38,110</td>
<td>18,858</td>
</tr>
<tr>
<td></td>
<td><strong>56,594</strong></td>
<td><strong>46,164</strong></td>
</tr>
<tr>
<td><strong>Total current provisions</strong></td>
<td><strong>389,811</strong></td>
<td><strong>304,161</strong></td>
</tr>
</tbody>
</table>
### Non-current provisions

<table>
<thead>
<tr>
<th>Description</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee benefits (i) (Note 8(a))</td>
<td>18,205</td>
<td>40,209</td>
</tr>
<tr>
<td>Employee benefits on-costs (Note 8(a) and Note 8(b))</td>
<td>2,796</td>
<td>6,175</td>
</tr>
<tr>
<td><strong>Total non-current provisions</strong></td>
<td><strong>21,001</strong></td>
<td><strong>46,384</strong></td>
</tr>
<tr>
<td><strong>Total provisions</strong></td>
<td><strong>410,812</strong></td>
<td><strong>350,545</strong></td>
</tr>
</tbody>
</table>

### (a) Employee Benefits and Related On-Costs (i)

#### Current employee benefits

<table>
<thead>
<tr>
<th>Description</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual leave</td>
<td>71,650</td>
<td>75,845</td>
</tr>
<tr>
<td>Long service leave</td>
<td>261,567</td>
<td>182,152</td>
</tr>
</tbody>
</table>

#### Non-current employee benefits

<table>
<thead>
<tr>
<th>Description</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long service leave</td>
<td>18,205</td>
<td>40,209</td>
</tr>
</tbody>
</table>

**Total employee benefits**

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current on-costs</td>
<td>56,594</td>
<td>46,164</td>
</tr>
<tr>
<td>Non-current on-costs</td>
<td>2,796</td>
<td>6,175</td>
</tr>
</tbody>
</table>

**Total on-costs**

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current on-costs</td>
<td>56,594</td>
<td>46,164</td>
</tr>
<tr>
<td>Non-current on-costs</td>
<td>2,796</td>
<td>6,175</td>
</tr>
</tbody>
</table>

**Total employee benefits and related on-costs**

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>410,812</strong></td>
<td><strong>350,545</strong></td>
</tr>
</tbody>
</table>

### Notes

(i) Provisions for employee benefits consist of amounts for annual leave and long service leave accrued by employees, not including on-costs.

(ii) The amounts disclosed are nominal amounts.

(iii) The amounts disclosed are discounted to present values.

### (b) Movement in Provisions

<table>
<thead>
<tr>
<th>Description</th>
<th>On-costs</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Opening balance</strong></td>
<td>52,339</td>
<td>52,339</td>
</tr>
<tr>
<td>Additional provisions recognised</td>
<td>38,733</td>
<td>38,733</td>
</tr>
<tr>
<td>Reduction arising from payments/other sacrifices of future economic benefits</td>
<td>(31,682)</td>
<td>(31,682)</td>
</tr>
</tbody>
</table>

**Closing balance**

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current on-costs</td>
<td>56,594</td>
<td>56,594</td>
</tr>
<tr>
<td>Non-current on-costs</td>
<td>2,796</td>
<td>2,796</td>
</tr>
</tbody>
</table>

**Closing balance**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>59,390</strong></td>
<td><strong>59,390</strong></td>
</tr>
</tbody>
</table>
Note 9
Superannuation

Employees of the Council are entitled to receive superannuation benefits and the Council contributes to the defined contribution plans. The defined benefit plan(s) provides benefits based on years of service and final average salary.

The Council does not recognise any defined benefit liability in respect of the plan(s) because the entity has no legal or constructive obligation to pay future benefits relating to its employees; its only obligation is to pay superannuation contributions as they fall due. The DTF discloses the state’s defined benefit liabilities in its disclosure for administered items.

However, superannuation contributions paid and payable for the reporting period are included as part of employee benefits in the comprehensive operating statement of the Council.

The name, details and amount expensed in relation to the major employee superannuation funds and contributions made by the Council are as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Paid contribution for the Year 2017 $</th>
<th>Contribution outstanding at year end 2017 $</th>
<th>Contribution outstanding at year end 2016 $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defined benefit plans (i):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Superannuation Fund</td>
<td>15,072</td>
<td>15,114</td>
<td>–</td>
</tr>
<tr>
<td>Defined contribution plans (i):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VicSuper</td>
<td>68,829</td>
<td>64,125</td>
<td>–</td>
</tr>
<tr>
<td>Various other funds</td>
<td>35,813</td>
<td>33,544</td>
<td>–</td>
</tr>
<tr>
<td>Total</td>
<td>119,714</td>
<td>112,782</td>
<td>–</td>
</tr>
</tbody>
</table>

Note
(i) The basis for determining the level of contributions is determined by the various actuaries of the defined benefits superannuation plans.

Note 10
Leases

Operating Leasing Arrangements

The operating lease relates to the office accommodation leased by the Council with a lease term of five years, with an option to extend for a further five years. All operating lease contracts contain market review clauses in the event that the lessee exercises its option to renew. The lessee does not have an option to purchase the property at the expiry of the lease period.

<table>
<thead>
<tr>
<th>Non-cancellable operating lease payable</th>
<th>2017 $</th>
<th>2016 $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not longer than one year</td>
<td>103,239</td>
<td>98,577</td>
</tr>
<tr>
<td>Longer than one year and not longer than five years</td>
<td>–</td>
<td>103,239</td>
</tr>
<tr>
<td>Total</td>
<td>103,239</td>
<td>201,816</td>
</tr>
</tbody>
</table>
Note 11
Commitments for Expenditure

(a) Capital Expenditure Commitments
There were no commitments for capital expenditure as at 30 June 2017 ($nil – 2016).

(b) Lease Commitments
There are no finance lease commitments. Non-cancellable operating lease commitments are disclosed in Note 10.

Note 12
Contingent Assets and Contingent Liabilities
At balance date there were no contingent assets or liabilities not provided for in the balance sheet as at 30 June 2017 ($nil – 2016).

Note 13
Financial Instruments

(a) Financial Risk Management Objectives and Policies
The Council’s principal financial instruments comprise:
- prepayments;
- receivables (excluding statutory receivables); and
- payables (excluding statutory payables).

Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, with respect to each class of financial asset, financial liability and equity instrument above are disclosed in Note 1 to the financial statements.

The main purpose in holding financial instruments is to prudently manage the Council’s financial risks within the government policy parameters.

The Council’s main financial risks include credit risk, liquidity risk and interest rate risk. The Council manages these financial risks in accordance with its financial risk management policy.

The Council uses different methods to measure and manage the different risks to which it is exposed. Primary responsibility for the identification and management of financial risks rests with the management team of the Council.

The carrying amount of the Council’s contractual financial assets and financial liabilities by category are in Table 13.1 below.
### Table 13.1: Categorisation of financial instruments

<table>
<thead>
<tr>
<th></th>
<th>2017 Contractual financial assets – cash, loans and prepayments $</th>
<th>2017 Contractual financial liabilities at amortised cost $</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contractual financial liabilities</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Payables</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplies and services</td>
<td>9,005</td>
<td>9,005</td>
<td></td>
</tr>
<tr>
<td>Other payables</td>
<td>24,885</td>
<td>24,885</td>
<td></td>
</tr>
<tr>
<td><strong>Total contractual financial liabilities (i)</strong></td>
<td>33,890</td>
<td>33,890</td>
<td></td>
</tr>
</tbody>
</table>

**2016**

**Contractual financial liabilities**

<table>
<thead>
<tr>
<th></th>
<th>2016 Contractual financial assets – cash, loans and prepayments $</th>
<th>2016 Contractual financial liabilities at amortised cost $</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Payables</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplies and services</td>
<td>28,189</td>
<td>28,189</td>
<td></td>
</tr>
<tr>
<td>Other payables</td>
<td>25,170</td>
<td>25,170</td>
<td></td>
</tr>
<tr>
<td><strong>Total contractual financial liabilities (i)</strong></td>
<td>53,359</td>
<td>53,359</td>
<td></td>
</tr>
</tbody>
</table>

**Note**

(i) The total amounts disclosed here exclude statutory amounts (e.g. amounts owing from Victorian Government and GST input tax credit recoverable and taxes payable).

(b) **Credit Risk**

Credit risk arises from the contractual financial assets of the Council, which comprise cash and deposits.

The Council’s exposure to credit risk arises from the potential default of a counter party on their contractual obligations resulting in financial loss to the Council. Credit risk is measured at fair value and is monitored on a regular basis.

Credit risk associated with the Council’s contractual financial assets is minimal because the only actual financial assets is cash on hand.

(c) **Liquidity Risk**

Liquidity risk is the risk that the Council would be unable to meet its financial obligations as and when they fall due. The Council operates under the government fair payments policy of settling financial obligations within 30 days and in the event of a dispute, makes payments within 30 days from the date of resolution.

The Council’s maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet. The Council manages its liquidity risk by careful maturity planning of its financial obligations based on forecasts of future cash flows.

The Council’s exposure to liquidity risk is deemed insignificant based on prior periods’ data and current assessment of risk.
The following table discloses the contractual maturity analysis for the Council’s contractual financial liabilities.

**Table 13.2: Maturity analysis of contractual financial liabilities (i)**

<table>
<thead>
<tr>
<th>Maturity dates (ii)</th>
<th>Carrying amount $</th>
<th>Nominal amount $</th>
<th>Less than 1 month $</th>
<th>1 to 3 months $</th>
<th>3 months to 1 year $</th>
<th>1 to 5 years $</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payables (i)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplies and services</td>
<td>9,005</td>
<td>9,005</td>
<td>9,005</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Other payables</td>
<td>24,885</td>
<td>24,885</td>
<td>24,885</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td></td>
<td><strong>33,890</strong></td>
<td><strong>33,890</strong></td>
<td><strong>33,890</strong></td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payables (ii)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supplies and services</td>
<td>28,189</td>
<td>28,189</td>
<td>28,189</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Other payables</td>
<td>25,170</td>
<td>25,170</td>
<td>25,170</td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td></td>
<td><strong>53,359</strong></td>
<td><strong>53,359</strong></td>
<td><strong>53,359</strong></td>
<td>–</td>
<td>–</td>
<td>–</td>
</tr>
</tbody>
</table>

**Notes**

(i) Maturity analysis is presented using the contractual undiscounted cash flows.

(ii) The carrying amounts disclosed exclude statutory amounts (e.g. taxes payable).

(d) **Market Risk**

The Council has insignificant exposure to market risk.
The carrying amounts of financial assets and financial liabilities that may be exposed to interest rates are set out in the following table.

**Table 13.3: Interest rate exposure of financial instruments**

<table>
<thead>
<tr>
<th>Weighted average effective interest rate</th>
<th>Carrying amount</th>
<th>Fixed interest rate</th>
<th>Variable interest rate</th>
<th>Non-interest bearing</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

### 2017

<table>
<thead>
<tr>
<th>Payables (i)</th>
<th>–</th>
<th>33,890</th>
<th>–</th>
<th>–</th>
<th>33,890</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total financial liabilities</td>
<td>–</td>
<td>33,890</td>
<td>–</td>
<td>–</td>
<td>33,890</td>
</tr>
</tbody>
</table>

### 2016

<table>
<thead>
<tr>
<th>Payables (i)</th>
<th>–</th>
<th>53,359</th>
<th>–</th>
<th>–</th>
<th>53,359</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total financial liabilities</td>
<td>–</td>
<td>53,359</td>
<td>–</td>
<td>–</td>
<td>53,359</td>
</tr>
</tbody>
</table>

**Note**

(i) The carrying amounts disclosed here exclude statutory amounts (e.g. amounts owing from Department of Justice and Regulation/Victorian Government and taxes payable).

(e) **Foreign Currency Risk**

The Council has no exposure to foreign currency risk.

(f) **Fair Value**

The Council considers that the carrying amount of financial assets and liabilities recorded in the financial statements to be a fair approximation of their fair values because of the short-term nature of the financial instruments and the expectation that they will be paid in full.
Note 14
Cash flow information

(a) Reconciliation of cash and cash equivalents

<table>
<thead>
<tr>
<th>Description</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total cash and deposits disclosed in the balance sheet</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Balance as per cash flow statement</td>
<td>–</td>
<td>–</td>
</tr>
</tbody>
</table>

(b) Reconciliation of net result for the period to net cash flows from operating activities

<table>
<thead>
<tr>
<th>Description</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net result for the period</td>
<td>2,487</td>
<td>17,289</td>
</tr>
<tr>
<td>Non-cash movements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nil</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Movements in assets and liabilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Increase)/decrease in prepayments</td>
<td>3,396</td>
<td>(5,541)</td>
</tr>
<tr>
<td>(Increase)/decrease in receivables</td>
<td>(46,680)</td>
<td>(76,437)</td>
</tr>
<tr>
<td>Increase/(decrease) in payables</td>
<td>(19,470)</td>
<td>16,839</td>
</tr>
<tr>
<td>Increase/(decrease) in provisions</td>
<td>60,266</td>
<td>47,850</td>
</tr>
<tr>
<td><strong>Net cash flows from (used in) operating activities</strong></td>
<td>–</td>
<td>–</td>
</tr>
</tbody>
</table>

Note 15
Responsible Persons

In accordance with the Ministerial Directions issued by the Minister for Finance under the Financial Management Act 1994, the following disclosures are made regarding responsible persons for the reporting period.

The persons who held the positions of ministers of and the Secretary to the Department are as follows:

**Attorney-General**

The Honourable Martin Pakula, MP  
1 July 2016 to 30 June 2017

**Acting Attorney-General**

The Hon Natalie Hutchins, MP  
1 July 2016 to 5 July 2016

The Hon Jill Hennessy, MP  
6 July 2016 to 10 July 2016

The Hon Lisa Neville, MP  
2 September 2016 to 13 September 2016

The Hon Steve Herbert, MP  
16 September 2016 to 25 September 2016

The Hon Gayle Tierney, MP  
17 December 2016 to 20 December 2016

The Hon Lisa Neville, MP  
21 December 2016 to 24 December 2016
The Hon Jill Hennessy, MP
25 December 2016
29 December 2016

The Hon Gayle Tierney, MP
30 December 2016
8 January 2017

The Hon Lisa Neville, MP
23 January 2017
29 January 2017

The Hon Lisa Neville, MP
24 February 2017
1 March 2017

Secretary to the
Department of
Justice and Regulation
Mr Greg Wilson
1 July 2016
30 June 2017

Sentencing Advisory Council
The persons who were responsible persons of the Council for the reporting period are as follows:

Chief Executive Officer
Ms Cynthia Marwood
1 July 2016
30 June 2017

Chairperson
Professor Arie Freiberg AM
1 July 2016
30 June 2017

Other Board Members
Ms Carmel Arthur
1 July 2016
30 June 2017

Mr Hugh de Kretser
1 July 2016
30 June 2017

Mr David Grace QC
1 July 2016
30 June 2017

Ms Helen Fatouros
1 July 2016
30 June 2017

Mr John Griffin PSM
1 July 2016
30 June 2017

Ms Barbara Rozenes
1 July 2016
30 June 2017

Ms Lisa Ward
1 July 2016
30 June 2017

Mr Geoff Wilkinson OAM
1 July 2016
30 June 2017

Ms Kornelia Zimmer
1 July 2016
11 July 2016

Ms Fiona Dowsley
1 July 2016
30 June 2017

Mr Shane Patton
1 July 2016
30 June 2017

Mr Brendan Kissane
1 July 2016
30 June 2017

Ms Sherril Handley
1 July 2016
30 June 2017
Remuneration of Statutory Office Holders and Executives

The number of statutory office holders and executive officers, other than ministers and departmental executives and their total remuneration during the reporting period is shown below in the relevant income bands.

Several factors affect the total remuneration payable to statutory office holders and executives in the reporting period at the Council. Statutory office holders appointed as part-time Board Members may be public sector employees and therefore as they already receive remuneration in their usual roles they are not entitled to receive remuneration as a member of the Council.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 – $9,999</td>
<td></td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>$180,000 – $189,999</td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>$190,000 – $199,999</td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Total Numbers</td>
<td></td>
<td>9</td>
<td>10</td>
</tr>
<tr>
<td>Total Amount</td>
<td></td>
<td>$222,797</td>
<td>$222,029</td>
</tr>
</tbody>
</table>

Note 16
Remuneration of Executives and Statutory Office Holders

Ministers and the Department

Amounts relating to ministers are reported in the financial statements of the Department of Parliamentary Services.

Remuneration received or receivable by the Secretary in connection with the management of the Department during the period is reported by the Department of Justice and Regulation.

For information regarding related party transactions of ministers, the register of members’ interests is publicly available from: www.parliament.vic.gov.au/publications/registerofinterests.

Sentencing Advisory Council

The number of statutory office holders and executives, other than ministers and departmental executives, and their total remuneration during the reporting period are shown in the table below. Total annualised employee equivalents provides a measure of full time equivalent statutory office holders and executives over the reporting period.

Remuneration comprises employee benefits in all forms of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered, and is disclosed in the following categories.

Short-term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

Post-employment benefits include pensions and other retirement benefits paid or payable on a discrete basis when employment has ceased.
Other long-term benefits include long service leave, other long service benefits or deferred compensation.

Termination benefits include termination of employment payments, such as severance packages.

Several factors affect the total remuneration payable to statutory office holders and executives in the reporting period at the Council. Statutory office holders appointed as part-time Board Members may be public sector employees and therefore as they already receive remuneration in their usual roles they are not entitled to receive remuneration as a member of the Council.

Eight board members received sitting fees for their role on the Council Board. The total aggregate remuneration received by them in 2017 was $25,260 (2016: $31,503).

Remuneration of Executive Officers
(This includes key management personnel disclosed in Note 17.)

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short-Term Employee Benefits</td>
<td>222,797</td>
</tr>
<tr>
<td>Post Employment Benefits</td>
<td>17,471</td>
</tr>
<tr>
<td>Other Long-Term Benefits</td>
<td>6,720</td>
</tr>
<tr>
<td><strong>Total remuneration (i) (ii)</strong></td>
<td><strong>246,988</strong></td>
</tr>
<tr>
<td>Total number of executives and statutory office holders remunerated</td>
<td>9</td>
</tr>
<tr>
<td>Total annualised employee equivalents (iii)</td>
<td>1.0</td>
</tr>
</tbody>
</table>

Notes

(i) No comparatives have been reported because remuneration in the prior year was determined in line with the basis and definition under FRD 21B. Remuneration previously excluded non-monetary benefits and comprised any money, consideration or benefit received or receivable, excluding reimbursement of out-of-pocket expenses, including any amount received or receivable from a related party transaction. Refer to the prior year’s financial statements for executive remuneration for the 2015–16 reporting period.

(ii) The total number of executive officers includes persons who meet the definition of key management personnel (KMP) of the entity under AASB 124 Related Party Disclosures and are also reported within the related parties note disclosure (Note 17).

(iii) Annualised employee equivalent is based on the time fraction worked over the reporting period.
Note 17
Related Parties
The Council is an Independent government-funded body established under Part 9A of the Sentencing Act 1991. It is a wholly owned and controlled entity of the State of Victoria.

Related parties of the Council include:

– all key management personnel and their close family members and personal business interests (controlled entities, joint ventures and entities they have significant influence over);
– all cabinet ministers and their close family members; and
– all departments and public sector entities that are controlled and consolidated into the whole of state consolidated financial statements.

All related party transactions have been entered into on an arm’s length basis.

Significant Transactions with Government-Related Entities
The Council received funding of $1.9 million (2016: $1.8 million) from the Department of Justice and Regulation. Payments of $167,500 (2016: $160,300) were made to the Victorian Law Reform Commission for accommodation and outgoings as a sub-leasee.

Key management personnel of the Council includes the Attorney-General, the Hon Martin Pakula, MP, and the Chairperson, Board Members and the Chief Executive Officer as follows:

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Executive Officer</td>
<td>Ms Cynthia Marwood</td>
</tr>
<tr>
<td>Chairperson</td>
<td>Professor Arie Freiberg AM</td>
</tr>
<tr>
<td>Other Board Members</td>
<td>Ms Carmel Arthur</td>
</tr>
<tr>
<td></td>
<td>Mr Hugh de Kretser</td>
</tr>
<tr>
<td></td>
<td>Mr David Grace QC</td>
</tr>
<tr>
<td></td>
<td>Ms Helen Fatouros</td>
</tr>
<tr>
<td></td>
<td>Mr John Griffin PSM</td>
</tr>
<tr>
<td></td>
<td>Ms Barbara Rozenes</td>
</tr>
<tr>
<td></td>
<td>Ms Lisa Ward</td>
</tr>
<tr>
<td></td>
<td>Mr Geoff Wilkinson OAM</td>
</tr>
<tr>
<td></td>
<td>Ms Kornelia Zimmer</td>
</tr>
<tr>
<td></td>
<td>Ms Fiona Dowsley</td>
</tr>
<tr>
<td></td>
<td>Mr Shane Patton</td>
</tr>
<tr>
<td></td>
<td>Mr Brendan Kissane</td>
</tr>
<tr>
<td></td>
<td>Ms Sherril Handley</td>
</tr>
</tbody>
</table>
### Compensation of key management personnel

<table>
<thead>
<tr>
<th>Description</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short-term employee benefits</td>
<td>222,797</td>
</tr>
<tr>
<td>Post-employment benefits</td>
<td>17,471</td>
</tr>
<tr>
<td>Other long-term benefits</td>
<td>6,720</td>
</tr>
<tr>
<td>Termination benefits</td>
<td></td>
</tr>
<tr>
<td><strong>Total (i)</strong></td>
<td><strong>246,988</strong></td>
</tr>
</tbody>
</table>

**Note**

(i) Note that KMPs are also reported in the disclosure of remuneration of executive officers and statutory office holders (Note 16).

### Transactions and Balances with Key Management Personnel and Other Related Parties

Given the breadth and depth of State Government activities, related parties transact with the Victorian public sector in a manner consistent with other members of the public, e.g. stamp duty and other government fees and charges. Further employment of processes within the Victorian public sector occur on terms and conditions consistent with the Public Administration Act 2004 and codes of conduct and standards issued by the Victorian Public Sector Council. Procurement processes occur on terms and conditions consistent with the Victorian Government Procurement Board requirements.

Outside normal citizen type transactions with the Council, there were no related party transactions that involved key management personnel, their close family members and their personal business interests. No provision has been required, nor any expense recognised, for impairment of receivables from related parties.

A number of the Board Members are employed by the Department. During the financial year, the Council and the Department conducted business transactions at arm’s length and at normal commercial terms.

<table>
<thead>
<tr>
<th></th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

### Note 18

**Remuneration of Auditors**

**Victorian Auditor-General’s Office**

<table>
<thead>
<tr>
<th>Description</th>
<th>2017</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audit of the financial statements</td>
<td>14,800</td>
<td>14,400</td>
</tr>
</tbody>
</table>

| 14,800 | 14,400 |
**Note 19**  
**Subsequent Events**  
There were no significant events occurring after the reporting date to be reported as at 30 June 2017.

**Note 20**  
**Glossary of Terms and Style Conventions**

**Glossary**

**Commitments**  
Commitments include those operating, capital and other outsourcing commitments arising from non-cancellable contractual or statutory sources.

**Comprehensive Result**  
The net result of all items of income and expense recognised for the period. It is the aggregate of the operating result and other comprehensive income.

**Depreciation**  
Depreciation is an expense that arises from the consumption through wear or time of a produced physical or intangible asset. This expense is classified as a ‘transaction’ and so reduces the ‘net result from transaction’.

**Effective Interest Method**  
The effective interest method is used to calculate the amortised cost of a financial asset or liability and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial instruments, or, where appropriate, a shorter period.

**Employee Benefits Expenses**  
Employee benefits expenses include all costs related to employment including wages and salaries, fringe benefits tax, leave entitlements, redundancy payments, defined benefits superannuation plans and defined contribution superannuation plans.

**Financial Asset**  
A financial asset is any asset that is:  
(a) cash;  
(b) an equity instrument of another entity;  
(c) a contractual or statutory right:  
   – to receive cash or another financial asset from another entity; or  
   – to exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the entity.

**Financial Instrument**  
A financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Financial assets or liabilities that are not contractual (such as statutory receivables or payables that arise as a result of statutory requirements imposed by governments) are not financial instruments.
Financial Liability

A financial liability is any liability that is:

(a) A contractual obligation:
   (i) to deliver cash or another financial asset to another entity; or
   (ii) to exchange financial assets or financial liabilities with another entity under conditions that are potentially unfavourable to the entity; or

(b) A contract that will or may be settled in the entity’s own equity instruments and is:
   (i) a non-derivative for which the entity is or may be obliged to deliver a variable number of the entity’s own equity instruments; or
   (ii) a derivative that will or may be settled other than by the exchange of a fixed amount of cash or another financial asset for a fixed number of the entity’s own equity instruments. For this purpose, the entity’s own equity instruments do not include instruments that are themselves contracts for the future receipt or delivery of the entity’s own equity instruments.

Financial Statements

A complete set of financial statements comprises:

(a) a statement of financial position as at the end of the period;
(b) a statement of profit or loss and other comprehensive income for the period;
(c) a statement of changes in equity for the period;
(d) a statement of cash flows for the period;
(e) notes, comprising a summary of significant accounting policies and other explanatory information; and
(f) comparative information in respect of the preceding period as specified in paragraphs 38 of AASB 101 Presentation of Financial Statements.

Grant and Other Transfers

Grants and other transfers are transactions in which one unit provides goods, services, assets (or extinguishes a liability) or labour to another unit without receiving approximately equal value in return. Grants can either be operating or capital in nature.

While grants to governments may result in the provision of some goods or services to the transferor, they do not give the transferor a claim to receive directly benefits of approximately equal value. For this reason, grants are referred to by the AASB as involuntary transfers and are termed non-reciprocal transfers. Receipt and sacrifice of approximately equal value may occur, but only by coincidence. For example, governments are not obliged to provide commensurate benefits, in the form of goods or services, to particular taxpayers in return for their taxes.

Grants can be paid as general purpose grants that refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants that are paid for a particular purpose and/or have conditions attached regarding their use.

Net Result

Net result is a measure of financial performance of the operations for the period. It is the net result of items of income, gains and expenses (including losses) recognised for the period, excluding those that are classified as ‘other economic flows – other comprehensive income’.
Net Result from Transactions/Net Operating Balance
Net result from transactions or net operating balance is a key fiscal aggregate and is income from transactions minus expenses from transactions. It is a summary measure of the ongoing sustainability of operations. It excludes gains and losses resulting from changes in price levels and other changes in the volume of assets. It is the component of the change in net worth that is due to transactions and can be attributed directly to government policies.

Net Worth
Net worth is assets less liabilities, which is an economic measure of wealth.

Non-Financial Assets
Non-financial assets are all assets that are not ‘financial assets’. It includes inventories, land, buildings, infrastructure, road networks, land under roads, plant and equipment, investment properties, cultural and heritage assets and intangible and biological assets.

Other Economic Flows Included in Net Result
Other economic flows included in net result are changes in the volume or value of an asset or liability that do not result from transactions. It includes:
- gains and losses from disposals, revaluations and impairments of non-financial physical and intangible assets;
- fair value changes of financial instruments and agricultural assets; and
- depletion of natural assets (non-produced) from their use or removal.

Other Economic Flows – Other Comprehensive Income
Other economic flows – other comprehensive income comprises items (including reclassification adjustments) that are not recognised in net result as required or permitted by other Australian Accounting Standards.

The components of other economic flows – other comprehensive income include:
(a) changes in physical asset revaluation surplus;
(b) share of net movement in revaluation surplus of associates and joint ventures; and
(c) gains and losses on remeasuring available for sale financial assets.

Payables
Payables include short- and long-term trade debt and accounts payable, grants, taxes and interest payable.

Receivables
Receivables include amounts owing from government through appropriation receivable, short- and long-term trade credit and accounts receivable, accrued investment income, grants, taxes and interest receivable.

Supplies And Services
Supplies and services generally represent the cost of goods sold and the day to day running costs, including maintenance costs, incurred in the normal operations of the Department.
**Transactions**

Transactions are those economic flows that are considered to arise as a result of policy decisions, usually an interaction between two entities by mutual agreement. They also include flows in an entity such as depreciation where the owner is simultaneously acting as the owner of the depreciating asset and as the consumer of the service provided by the asset. Taxation is regarded as mutually agreed interactions between the government and taxpayers. Transactions can be in kind (e.g. assets provided/given free of charge or for nominal consideration) or where the final consideration is cash. In simple terms, transactions arise from the policy decisions of the government.

**Style Conventions**

Figures in the tables and in the text have been rounded. Discrepancies in tables between totals and sums of components reflect rounding. Percentage variations in all tables are based on the underlying unrounded amounts.

The notation used in the tables is as follows:

- .. zero, or rounded to zero
- (xxx.x) negative numbers
- 201x year period
- 201x–1x year period

The financial statements and notes are presented based on the illustration for a government department in the 2015–16 Model Report for Victorian Government Departments that has been updated for any required changes as advised by the Department of Treasury and Finance to reporting requirements for the 2016–17 financial year. The presentation of other disclosures is generally consistent with the other disclosures made in earlier publications of the Council’s annual reports.
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ISSN 1836-6392 (Online)