



**Australian Government**

**Australian Law Reform Commission**

---

## **Corporate Plan 2018–22**

### **President’s Foreword**

On behalf of the Australian Law Reform Commission (ALRC), I present the Corporate Plan for 2018–22.

The ALRC is an independent statutory agency for law reform, which is respected by government and the community as a centre of excellence. It sits within the Attorney-General’s portfolio and supports the Attorney-General and the Australian Government by providing evidenced-based research to inform government decisions about the development, reform and harmonisation of Australian laws and related processes.

The ALRC’s Corporate Plan is designed to inform the Attorney-General, government, stakeholders, and the Australian community of the ALRC’s strategies and programs that will allow it to deliver outcomes that meet those expectations.

Signed

Dated: 23 July 2018

## **Introduction**

The ALRC's Corporate Plan has been prepared having regard to the requirements of the *Australian Law Reform Commission Act 1996* (Cth) (ALRC Act) and s 35(1)(b) of the *Public Governance Performance and Accountability Act 2013* (Cth) (PGPA Act), under which it is a Commonwealth non-corporate entity.

The Corporate Plan is prepared for the 2018–19 reporting year and covers the period 2018–2022.

## **Purpose**

### **Our vision**

A fair, modern and accessible Australian legal system that contributes to a just and secure society.

### **Our Outcome**

The intended outcome of the ALRC's activities is:

Informed government decisions about the development, reform and harmonisation of Australian laws and related processes through research, analysis, reports and community consultation and education.

### **Our Function**

In accordance with the ALRC Act and the terms of reference provided by the Attorney-General for each inquiry, the ALRC reviews Commonwealth laws and makes recommendations for reform that:

- bring the law into line with current conditions and ensures that it meets current needs;
- remove defects in the law;
- simplify the law;
- adopt new or more effective methods for administering the law and dispensing justice;
- promote uniformity between states and territories; and
- provide improved access to justice.

At the conclusion of each inquiry, the ALRC provides a report to the Attorney-General which includes evidence-based recommendations for reform.

## **Environment**

The ALRC strives to be a law reform agency at the leading edge of internationally recognised best practice.

Ideally, the ALRC would have at least 25 staff comprising lawyers, researchers, an economist and a socio-legal expert. Within the current budget, the ALRC maintains an average staffing level of 12 and has the capacity to work on two inquiries at any one time. The ALRC is reliant on the government for referrals and, accordingly, the extent to which the ALRC can meet its performance targets is influenced from year to year by the number of inquiries referred to the ALRC and the resources made available to it.

In light of this, the ALRC will continue to work closely with the Attorney-General's Department to ensure appropriate lead time for planning and managing resources when new inquiries are referred to the ALRC.

The Corporate Plan will be updated annually to reflect the work referred to the ALRC during each period.

## **Capability**

### **Conducting Inquiries**

The ALRC has one program to achieve its outcome—conducting inquiries into aspects of Australian law and related processes for the purpose of law reform. It is through the inquiry process that the ALRC undertakes rigorous research and analysis that underpin recommendations for law reform.

In conducting its inquiries, the ALRC will:

- comprehensively research and analyse the law and the legal policy issues raised during the course of this research;
- undertake community consultation nationally with stakeholders and experts relevant to each area of law under review and report on the consultation process;
- ensure that it has appropriate external advice throughout the inquiry from an advisory committee or expert panel(s);
- produce consultation documents, as appropriate, for each inquiry;
- call for submissions that will, along with its own research and findings, inform the formulation of recommendations contained in a Final Report;
- provide web-based consultation and communication strategies to effectively and efficiently broaden access to the ALRC's activities by the community;
- produce a Final Report containing recommendations for law reform for each inquiry for consideration by the parliament;
- present at public conferences, seminars and Parliamentary inquiries, ensuring that the work of the ALRC is publicly debated and discussed and contributes to the community's knowledge about the Government's law reform agenda; and
- track and report on implementation of its recommendations.

In 2018-19, the ALRC will complete a review of class actions and third-party litigation funding, and a review of the family law system. The ALRC expects to receive terms of reference for new inquiries prior to the completion of those inquiries in December 2018 and March 2019 respectively.

### **Supporting law reform**

The President, Commissioners and staff of the ALRC will speak at conferences, seminars and meetings of professional and community groups about the work of the ALRC and law reform processes generally and will engage in other consultative and educational activities relating to the ALRC's current and past inquiries. ALRC staff will contribute journal articles and commentary pieces to academic and professional journals.

As the ALRC's recommendations must represent international best-practice, the ALRC will also engage with other law reform and expert bodies internationally to share information and ideas and to benchmark ALRC practices and procedures.

Where the ALRC has made relevant recommendations or has acquired special expertise or experience, it will also make submissions to inquiries undertaken by other bodies, especially Parliamentary Committees.

### **Performance**

The ALRC has decided to update its key performance indicators to better reflect the ALRC's contribution to government and the broader Australian community.

Until 30 June 2018, the ALRC measured its success through the following key performance indicators:

- the level of implementation of ALRC reports by government and other bodies, either substantially or partially, over time;
- the number of citations or references to ALRC reports and recommendations in Parliamentary debates, in court citations and decisions, and in academic and other publications;
- the number of submissions received for each inquiry;
- the number of visitors to the ALRC website;
- the number of presentations and speaking engagements; and
- the number of media mentions of ALRC inquiry work.

<b>KPI Measure</b>	<b>2017–18 target</b>
Implementation of reports	85%
Citations or references	50
Submissions received	150
Visitors to website	>250,000
Presentations and speaking engagements	25
Media mentions	250

From 1 July 2018, the ALRC will measure its success through the following key performance indicators:

- the number of consultation papers and the number of reports to government;
- the percentage of inquiries completed on time in accordance with the terms of reference set by the Attorney-General;
- the number of citations or references to ALRC consultation documents, reports and recommendations in Parliamentary debates and committee reports, in court citations and decisions, and in academic publications and other publications;
- the number of submissions received for each inquiry;
- the number of consultations held for each inquiry;
- the breadth of community engagement in the work of the ALRC through the number of subscribers to the ALRC's E-news, visitors to the website and followers on twitter; and
- the number of publications, presentations, and speaking engagements of ALRC staff.

<b>KPI Measure</b>	<b>2018–19</b>	<b>2019–20</b>	<b>2020–21</b>	<b>2021-22</b>
	<b>target</b>	<b>target</b>	<b>target</b>	<b>target</b>
Number of reports	4	4	4	4
Timeliness of reports	100%	100%	100%	100%
Citations or references	50	50	50	50
Submissions received	150	160	170	180
Consultations held	40	45	50	55
Presentations, articles and speaking engagements	25	25	25	25
Broader community engagement:				
Enews subscribers	1250	1350	1450	1550
Visitors to website	>250,000	>260,000	>270,000	>280,000
Twitter followers	13,000	14,000	15,000	16,000

The core output of the ALRC comprises consultation papers and reports to government with recommendations for law reform. The ALRC recognises, however, that the production of consultation papers and reports relies on the referral of an inquiry by the government. The timeliness of reports is an indicator of the effectiveness of the ALRC in meeting the terms of reference for inquiries established by the Attorney-General, which include a reporting date.

The number of citations of the ALRC's work provides an indication of:

- parliament's engagement with the ALRC's work and the esteem in which it is held;
- legal and academic expert engagement in the ALRC's work; and
- the relevance of the ALRC's work to legal proceedings.

The number of submissions received and consultations held are indicators of the breadth of the evidence base that underpins the ALRC's recommendations and of community engagement with the law reform process implemented by the ALRC.

The breadth of community engagement can be measured in three ways:

- through subscriptions to the E-new, which reflects sustained engagement with a specific inquiry or the ALRC;
- website views, which reflects interest in the current work of the ALRC or the ALRC's work on previous inquiries; and
- twitter followers, which tracks broader engagement with law reform and the subject-matter of ALRC inquiries.

This engagement underpins informed government decision-making.

Presenting at public conferences, seminars and Parliamentary inquiries ensures that the work of the ALRC is publicly debated and discussed.

The ALRC’s success, as measured by these indicators, will be influenced by factors outside the control of the ALRC including the nature of the particular inquiry, the prescribed timeframe and the resources available to the ALRC.

## Risk Oversight and Management

The ALRC is committed to an active risk management program extending to all aspects of its operations. In accordance with the PGPA Act requirements, the ALRC has:

- a. an appropriate system of risk oversight and management for the entity; and
- b. an appropriate system of internal control for the entity.

## Oversight and Reporting

The CEO is responsible for oversight of risk including reviewing the framework, and the risk review process, updating records and reporting to the Audit Committee. The diagram below details the Enterprise Risk Management Framework at the ALRC.



Review of the ALRC’s key functions and strategic environment has developed three Enterprise Level Strategic Risks facing the agency, as follows:

- Sound Governance and Resource Management
- Maintenance of relationships with stakeholders
- Maintenance of a high level of Reputational Integrity

The ALRC’s Strategic Risk Register identifies a number of existing controls required to reduce and mitigate these risks. This risk register is overseen by the ALRC’s Audit Committee and updated annually to ensure that the ALRC’s strategies reduce the Commission’s exposure to the materialisation of its Enterprise Level Strategic Risks.

The ALRC also has an Operational Risk Register that is updated annually to ensure appropriate checks and balances are in place to mitigate against any operational risks and is tested biennially through an independent external review.

The ALRC has in place a Fraud Control Plan that is updated biennially and a Fraud Risk Assessment Plan that outlines potential areas of risk and identifies mitigation strategies. The Fraud Risk Assessment Plan is reviewed annually.

The ALRC has a Protective Security Policy and Security Plan and reports annually against the Government's Protective Security mandatory requirements.

The ALRC has a Business Continuity Plan that is tested biennially and updated annually.