



Australian Government
Australian Law Reform Commission

CORPORATE PLAN

2022-26





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President's Foreword

On behalf of the Australian Law Reform Commission (ALRC), I present the Corporate Plan for 2022–26.

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 evidence-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 the ALRC's outcome.

Signed

Dated:

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 s35 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 2022–23 reporting year and covers the period 2022–2026.

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 that 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. Within the current budget, the ALRC maintains an average staffing level of 10 and has the capacity to work on two inquiries at any one time.

The ALRC will work on one inquiry in 2022-23, the principled based regulation of financial services. The first interim report focusing on the appropriate use of definitions in corporations and financial services legislation was tabled in Parliament on 30 November 2021. A second interim report focusing on regulatory design and the hierarchy of primary law provisions, regulations, class orders, and standards, is due by 30 September 2022; A third interim report focusing on potential reframing or restructuring of Chapter 7 of the Corporations Act is due by 25 August 2023. A consolidated final report is due by 30 November 2023.

The ALRC submitted its final report on judicial impartiality to the Attorney-General on 6 December 2021. The report will be made public once it is tabled in Parliament by the Attorney-General.

In August 2019, the ALRC's Religion Inquiry was placed in abeyance by the Attorney-General whilst the Government pursued its Religious Freedoms Bill. The timing of the ALRC's active engagement in this inquiry is therefore dependent on the Government's legislative program.

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 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.

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 measures 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 and tribunal decisions, and in academic 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 public attendees at ALRC seminars; and
- the number of publications, presentations, and speaking engagements of ALRC staff.

Performance Measure	2022–23 target	2023–24 target	2024–25 target	2025–26 target
Number of reports	4	4	4	4
Timeliness of reports	100%	100%	100%	100%
Citations or references	100	100	100	100
Submissions received per inquiry	50	50	50	50
Consultations held per inquiry	25	25	25	25
Presentations, articles and speaking engagements	25	25	25	25
Broader community engagement:				
E-news subscribers	1350	1350	1350	1350
Visitors to website	500,000	500,000	500,000	500,000
Public attendance at ALRC seminars	250	250	250	250

The core outputs of the ALRC are 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 and efficiency 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 with 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-news, which reflect sustained engagement with a specific inquiry or the ALRC;
- website views, which reflect interest in the current work of the ALRC or the ALRC's work on previous inquiries; and
- attendance at ALRC seminars, which tracks active engagement with ALRC's 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.

As noted above, under the heading ‘Environment’, the ALRC's success, as measured by these indicators, will be influenced by factors outside the control of the ALRC. Additional factors outside the control of the ALRC include the nature of the particular inquiry, the prescribed timeframe and the resources available to the ALRC.

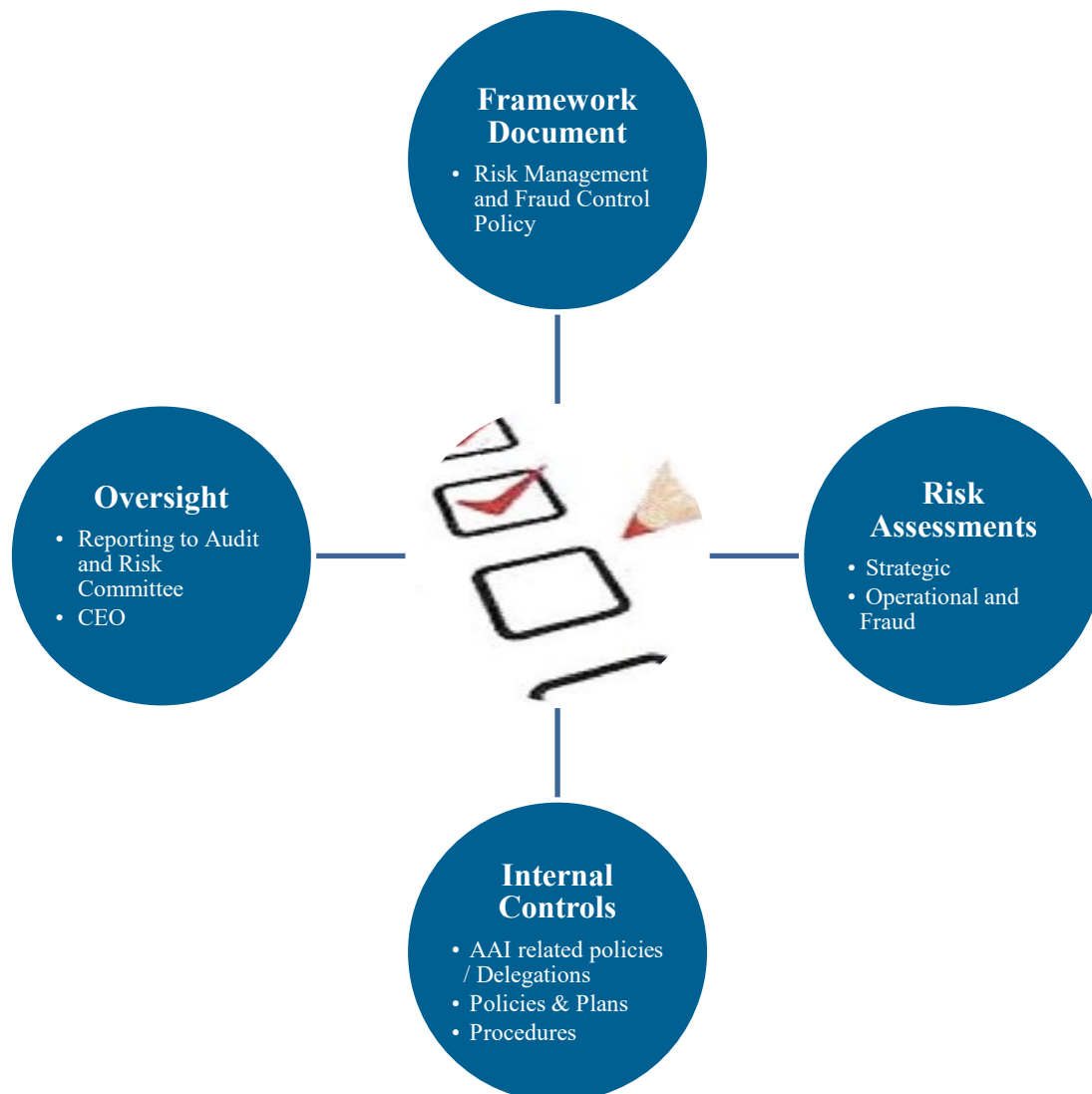
Risk Oversight and Management

The ALRC is committed to an active risk management program extending to all aspects of its operations that recognises the ALRC’s micro size and low risk operating environment. 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 President (CEO) is responsible for oversight of risk including reviewing the framework and the risk review process. The diagram below details the 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:

- Insufficient resources to produce high quality relevant law reform reports
- Failure to maintain stakeholder engagement
- Failure to uphold the ALRC's reputation as a leading centre for law reform

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 and Risk 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. However, as the ALRC is entirely reliant on Government for resources, there are limits to which the ALRC can manage its Enterprise Level Strategic Risks.

The ALRC also has an Operational and Fraud Risk Register that is updated annually to ensure appropriate checks and balances are in place to mitigate against any operational and fraud risks.

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.



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