

28 June 2016

Media Statement

ODPP Review

With my support, the Attorney-General's Department ("AGD") will release today a Review of some aspects of my Office's work and its funding ("the Review").

The Review took place at my request. I was committed to an independent examination of opportunities for improvements in the way the Office manages aspects of its work that fall within its control. It is important that any public agency utilises public funds as best it can. Mine is no different.

In addition, but equally importantly, I saw an independent review of the resourcing of my Office, including a comparison with other prosecution offices, as appropriate. It is essential that discussions with Government about resourcing and its impacts take place on an informed basis.

My request for the Review received immediate support from the AGD. I am grateful for the considerable support provided by that Department at all stages of the project.

I am very pleased that having consulted widely, an independent Review has made clear what I see every day. That this Office -

...is an energised, hard-working and widely respected Office that provides a high quality of legal work to the benefit of the community of South Australia.

Among my requirements was that everyone consulted, particularly my staff, speak openly about ways in which my Office might better, and more efficiently, manage what can be very significant and very challenging workloads. Workloads that discussions with fellow DPP's had led me to believe are heavier than elsewhere. Among the Office's key goals is the most timely and best outcomes for those touched by serious crime. The ability to meet those goals is impacted by many things, among them the time able to be devoted at different points of the criminal process. The time available is influenced by the systems available to maximise efficiencies.

My Office prosecutes on behalf of the community. It is important the community know the level at which an office which undertakes significant work is resourced and whether funding might have an impact upon outcomes. The Review tells us, compared to other like offices, that my Office provides its work at a "significantly lower cost", by bearing the weight of a "significantly higher caseload per prosecutor" and that this "appears to have some adverse impacts" upon outcomes.

Some might wonder why I have been happy to see released publicly a report that is about opportunities for improvement in productivity. In my view, it is important the community know that my Office is committed to looking at efficiencies that will benefit the Office and the criminal justice system as a whole. This was one of the key reasons I requested the Review. My Office has an obligation to do what it can to make improvements, to adopt modern and innovative approaches to its work and to be open to change.

The Review identifies scope to improve aspects of the Office's productivity. That improvement in productivity is possible is not a surprise. I expect this could be said of all agencies. One of the most significant changes, the introduction of a Practice Management System, is already underway and the Government is to be congratulated for the resources that have been provided for this important project. Mine is a more public agency than most and accompanying that is a commitment to openness about a Review such as this. Other areas for improvement may have been better addressed if resources were not needed elsewhere. In an Office such as this, attention on the legal work and service to victims must be the priority. It is that work which has the most impact upon victims.

This is not to say my Office cannot do some things better. It can. It would be remarkable if any office could not. This is also not to say that all of the answers lie in additional resources. They do not. The Review has been very valuable in putting a fresh set of eyes on what might be done. It provides an important record of where improvements might be made. It will assist me and my staff to make improvements to some of the more administrative, but vitally important, aspects of the Office's work.

One of the key obligations of those tasked with the Review was "to make recommendations for a sustainable funding model". We now have some guide. It is important to note that even if every change was made and had the estimated impact, the Review has concluded there would still be a shortfall in the resources appropriate. I am yet to have any discussion with anyone outside of my Office about this aspect of the Review. That will no doubt occur in time.

Change not already underway will take time. What is prioritised, when, and precisely how, will involve decisions about resource allocation and require any changes be made in a way that ensures the Office's key responsibilities continue to be discharged properly. That will continue to be the priority.

I conclude by emphasising what this Review has not been about. It has not been about reviewing any of the legal decisions made by my Office, other than to record that its legal work is of "high quality". I am committed to that always being the case. The important legal decisions made on a day to day basis will continue to be made only in accordance with my Office's "Statement of Prosecution Policy and Guidelines". Those Guidelines are published and widely available. Prosecutions will only take place when there is a reasonable prospect of conviction and the prosecution is in the public interest.

Adam Kimber SC

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