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**Government  
of South Australia**

**OFFICE OF THE DIRECTOR OF PUBLIC  
PROSECUTIONS  
2022-23 Annual Report**

**OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS**

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2022-23 ANNUAL REPORT for the Office of the Director of Public Prosecutions

To: The Honourable Kyam Maher MLC  
Attorney- General

This annual report will be presented to Parliament to meet the statutory reporting requirements and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted on behalf of the Office of the Director of Public Prosecutions by:

Martin Hinton KC  
Director of Public Prosecutions



Date 29 September 2023

Signature

## From the Director



In my annual report for financial year 2021-22, I referred to the challenges that extraordinary matters presented for the Office of the Director of Public Prosecutions (ODPP). In financial year 2022-23 these challenges became acute, manifest in no small part in the experiences reported in the 2023 ODPP Workplace Experience Review. Like the frog in the warming pot of water, the combined impacts of the pandemic, a high baseline workload, Operation Alpha and other extraordinary matters, Operation Ironside, and the commitment to reducing delay have seen the Office reach boiling point. This has taken a toll on all concerned. It has also diverted the attention and energy of myself, the Executive, and management more generally. I am grateful to Rosslyn Cox and all staff, past and present, who participated in the review. The ODPP Executive and I have committed ourselves to the implementation of all recommendations within our power. We have already begun the task in earnest.

Notwithstanding the challenges presented in 2022-23, I am pleased to report that the people who are the ODPP have diligently, and with dedication, undertaken the hard work necessary to providing an effective prosecution service that is timely, efficient, and just. I am particularly grateful for their professionalism and commitment over what has been a challenging year. I thank them all.

I do not expect the challenges to dissipate. During financial year 2023-24, the ODPP will be required to position itself to conduct the large number of long and complex trials that are listed for 2024-25 in addition to maintaining the through-put of the large volume of “ordinary” matters. The funding received late last year for Operation Ironside activities until the end of the 2026 financial year meant additional staff could be recruited to assist with this positioning. However, the review makes plain that more resources will be required across the board in HR, Management, Administrative Support and Legal Officers. The review makes clear that I, the ODPP Executive, and the ODPP Management Team must, with the resources that the review recommends, rise to the challenge, and we are, as I said, committed to doing so. In the meantime, the conflict between time to manage and the obligation to get the work done, when the volume of work coming in cannot be expected to abate, will not likely dissipate to any significant degree. Knowing this, I welcome the Attorney-General’s decision to re-form the Criminal Justice Ministerial Taskforce. I have no doubt that the Attorney and the Chief Executive appreciate the practical reality of the position the ODPP is in. Their support, and the wider support of the Attorney-General’s Department, has continued unabated, and I thank them.

A handwritten signature in black ink, appearing to read 'M Hinton'.

Martin Hinton KC

**Director of Public Prosecutions**

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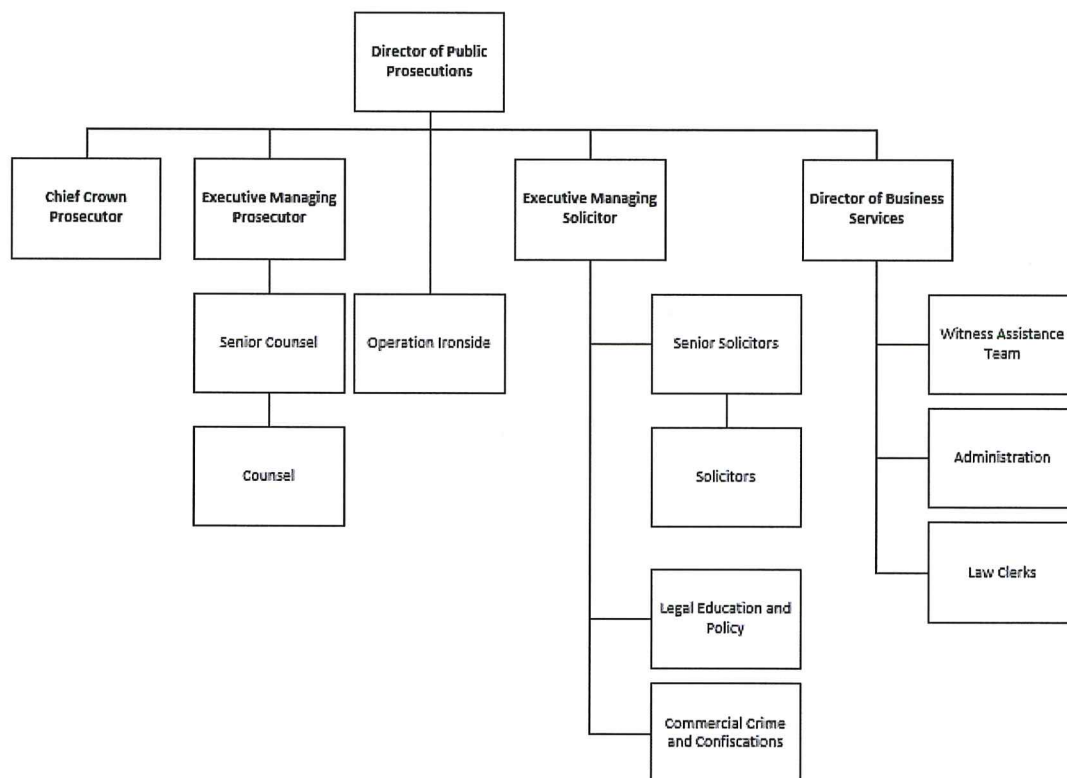
## Overview: about the agency

### Our strategic focus

<b>Our Purpose</b>	The Director of Public Prosecutions is a statutory officer, independent of the Attorney-General's Department, who initiates and conducts criminal prosecutions in the Magistrates, District and Supreme Courts of South Australia. The Director of Public Prosecutions also initiates and conducts appeals in the Full Court of the Supreme Court of South Australia and the High Court of Australia.
<b>Our Vision</b>	A highly skilled, professional prosecution service committed to achieving justice for the people of South Australia.
<b>Our functions, objectives and deliverables</b>	The objective of the Office of the Director of Public Prosecutions is to provide the people of South Australia with an independent and effective criminal prosecution service that is timely, efficient and just. The Office pursues this objective through the application of the Director of Public Prosecution's guidelines. The benefit to the South Australian community is the provision of an independent and impartial prosecution service which is essential to the rule of law.

### Our organisational structure

<https://www.dpp.sa.gov.au/about-us/our-organisation/>



## Changes to the agency

During 2022-23 there were the following changes to the agency's structure and objectives as a result of external appointments, internal reviews or machinery of government changes:

### Appointment of Executive Managing Prosecutor

In early 2023, the ODPP established the role of Executive Managing Prosecutor. This role reflected similar duties for the Trial Counsel Section of the Office as the Executive Managing Solicitor within the Solicitor Section. The role is responsible for the management of all facets of the ODPP Trial Counsel Section, including workloads, staff performance, training and development, key performance indicators and wellbeing. In addition, the Executive Managing Prosecutor also undertakes complex and sensitive legal prosecutions and appeals, and oversees the legal work of the Trial Counsel Section.

The Executive Managing Prosecutor role was advertised as a SAES2 Executive role in April 2023. There was only one application which was unanimously supported by the selection panel. The incumbent was appointed on 16 June 2023.

### Transition of Witness Assistance Officers to the Professional Officer remuneration stream

One of the recommendations from the Review of the Witness Assistance Team, undertaken in 2020, was to consider introducing greater diversity in the qualifications and classification levels within the ranks of the ODPP Witness Assistance Officers (WAO). The WAOs have been, for a significant period, classified within the Allied Health Professional (AHP) remuneration stream and a degree level qualification in social work has been an essential criteria for the role. However, WAOs do not provide clinical or therapeutic services and the role does not have a clinical, co-ordination, education or research focus as defined in the AHP work level definitions. The strict requirements for a social work qualification limits the opportunity to consider staff with other qualifications who have relevant skills and experience in complex case management at a senior level of professional practice. The Professional Officer (PO) remuneration stream includes an Occupational Group called "Case Managers" for which minimum essential qualifications include community services, sociology, criminology, justice, correctional practice, social sciences, human services, health or other related fields. Given that the WAO role is a case management role, the PO stream is considered a more appropriate classification.

Accordingly, after a consultation process with current WAOs, a transition of the WAO roles from the AHP stream to the PO stream was undertaken throughout the first half of 2023. All WAO roles were transitioned to the PO classification stream as of 12 June 2023.

### Establishment of a second Vulnerable Witness (VW) Team within the Solicitor Section

In June 2023, the ODPP commenced a formal consultation process with all staff following an initiative by the ODPP Executive to establish a second VW Team within the Solicitor Section. The VW team undertakes specialised work relating to Vulnerable Witnesses, particularly children.

The rationale for the additional team was that it would reduce the number of VW files being held by any one solicitor within the two teams, as well as increasing the number of staff in the Office with training and experience in the conduct of VW files. This level of specialisation in this work is consistent with the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. Furthermore, spreading VW files across two teams allows for team members to undertake non-VW files, providing respite from VW file work and reducing the risk of vicarious trauma. Expressions of interest were sought from all legal staff across the Office, to join the second VW Team. The new team will commence work in early 2023-24.

### Introduction of the Courts Administration Authority Electronic Court Management System (ECMS)

In 2019, the ODPP was notified by the Courts Administration Authority (CAA) that they were undertaking a project to introduce the ECMS which would replace the CAA core criminal information technology system and would enable court users to obtain services online. Prosecuting agencies and defendants would have the ability to obtain details about a case via an online portal, including hearing dates, court outcomes and relevant documents. Parties would also have an ability to lodge documents via the portal and be notified of events where they occur.

The ECMS commenced operation in early 2022-23. It coincided with changes to the criminal rules (introduction of the Joint Criminal Rules 2022) and relevant forms. The ODPP, in conjunction with the Courts Administration Authority, undertook training for staff on both the new system and the new rules.

### **Our Minister**



The Hon Kyam Maher MLC, Attorney-General is the State's principal legal advisor to the government and responsible for the administration of justice. The Attorney-General is a member of Cabinet and responsible for:

- specific legislation and the State's legal system
- developing and implementing policy
- legal action relevant to the State government.

### **Our Executive team**

Director of Public Prosecutions

The Director is a statutory officer, independent of the Attorney-General's Department, who initiates and conducts criminal prosecutions in the Magistrates, District and Supreme Courts of South Australia. The Director also initiates and conducts appeals in the Full Court of the Supreme Court of South Australia and the High Court of Australia. The Director oversees the operations of the ODPP comprising various teams including Trial Counsel, Solicitors, Commercial Crime and Confiscations, Business Services and the Witness Assistance Team to ensure the ODPP provides the people of South Australia with an independent, impartial and effective criminal prosecution service that is timely, efficient and just.

### Chief Crown Prosecutor

The Chief Crown Prosecutor is responsible for the efficient and effective conduct of High Court and Court of Appeal matters and Supreme Court and District Court trials and all matters incidental thereto that may require counsel or counsel input. The Chief Crown Prosecutor provides training, development and mentorship of prosecutors (particularly trial counsel) across the ODPP, assists in the management of the Trial Counsel Section as required, participates in the development of corporate knowledge through the ODPP Online Guide, provides advice to the Director and external organisations as required in relation to complex/sensitive prosecutions and law reform and inter-agency projects pertaining to the functions of the ODPP and participates as a member of the ODPP Executive Group as required.

### Executive Managing Prosecutor

The Executive Managing Prosecutor is accountable, subject to the direction of the Director, for the management of all facets of the ODPP Trial Counsel Section (TCS). This includes the leadership and management of the TCS Management team, oversight of legal work across the TCS (with the exception of appeals and those matters determined by the Director or Deputy Director to be Extraordinary Matters) including adjudications and opinions and the conduct of complex and/or sensitive matters in the Supreme Court, District Court and other courts and the promotion of safe work practises, wellbeing and diversity within the workplace.

### Executive Managing Solicitor

The Executive Managing Solicitor is responsible for all the solicitor teams. The solicitor teams comprise the Vulnerable Witness Teams, Circuit Team, three general solicitor teams (with the exception of Operation Ironside) and the Commercial Crime and Confiscations Team. The solicitor work includes committals in the Magistrates Court and conduct of major indictable matters in the superior courts including pre-trial hearings and preparation of files for trial. Prosecution files include fraud, Drug Court matters, mental health orders, ICAC prosecutions and circuit work in Mount Gambier and Port Augusta. Senior members of the solicitor teams also undertake appeal work in the Court of Appeal. The Executive Managing Solicitor is a member of the ODPP Executive and also has responsibility for range of office-wide functions and initiatives including various internal reviews and projects, as well as oversight of the Legal Education and Policy Team.



There is also a team dedicated to Operation Ironside matters. This team is directly answerable to the Director.

Director of Business Services

The Director of Business Services is responsible for the Business Services Section (BSS). The BSS comprises several legal support teams including the Witness Assistance Team, law clerks, secretaries and administrative staff. The BSS is responsible for all aspects of human resource management, financial services, information management, work health and safety, administrative policy and procedures, procurement, records management, risk management, and a range of other specific office support functions such as data entry, secretarial, reception and rounds delivery. The Director of Business Services is a member of the ODPP Executive, as is the Manager of the Witness Assistance Team.

**Legislation administered by the ODPP**

*Director of Public Prosecutions Act 1991*

*Criminal Assets Confiscations Act 2005*

**Other related agencies (within the Minister's area/s of responsibility)**

Refer to the Attorney-General's Department 2022-23 Annual Report.

## The agency's performance

### Performance at a glance

This section provides an overview of ODPP file activity, charge determinations, ICAC matter status, section 12AB and Aboriginal sentencing and community court hearings, conviction rates, prosecution brief outcomes and stages of resolution, trial outcomes, appeal outcomes and adjudication outcomes.

### 1. File Activity

Table 1.1 Summary of file activity by month<sup>1</sup>

Month	Files at the start of the period	Files received during the period	Files closed during the period	Other <sup>2</sup>	Total files at the end of the period	Bench warrant files	Adjusted total files at the end of the period
Jul-22	3238	386	332	-16	3276	335	2941
Aug-22	3276	424	434	-4	3262	328	2934
Sep-22	3262	384	350	-11	3285	324	2961
Oct-22	3285	359	419	-49	3176	325	2851
Nov-22	3176	385	445	-3	3113	335	2778
Dec-22	3113	331	415	10	3039	331	2708
Jan-23	3039	417	394	-3	3059	318	2741
Feb-23	3059	392	331	8	3128	328	2800
Mar-23	3128	450	461	13	3130	338	2792
Apr-23	3130	355	332	-12	3141	342	2799
May-23	3141	473	455	31	3190	341	2849
Jun-23	3190	411	433	4	3172	343	2829
<b>Total</b>	<b>3238</b>	<b>4767</b>	<b>4801</b>	<b>-32</b>	<b>3172</b>	<b>343</b>	<b>2829</b>

1 Files counted may have one or more accused. Files include Prosecutions, Appeals, Confiscations, Mental Impairment matters, Bail Reviews, Habitual Sexual Offender matters, Magistrates Court prosecutions, Opinions, Non-Parole Period matters, Breach Bonds, Drug Court matters and Adjudications. This data excludes Witness Assistance Team (WAT) files (refer Table 1.3 for WAT file activity).

2 'Other' includes matters being joined (-) or severed (+), erroneously opened (+ or -), closed files being re-opened (+).

Table 1.2 Summary of files received by month<sup>1</sup>

	Adj	Pros	Appeal	Conf	MI	HSO	TIC	Other <sup>2</sup>	Total
Jul-22	205	103	12	17	0	0	7	42	386
	53%	27%	3%	4%	0%	0%	2%	11%	100%

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Aug-22	211	109	16	13	1	0	14	60	424
	50%	26%	4%	3%	0%	0%	3%	14%	100%
Sep-22	226	96	10	7	2	0	3	40	384
	59%	25%	3%	2%	1%	0%	1%	10%	100%
Oct-22	193	94	10	11	2	1	9	39	359
	54%	26%	3%	3%	1%	0%	3%	11%	100%
Nov-22	207	100	6	18	1	0	4	49	385
	54%	26%	2%	5%	0%	0%	1%	13%	100%
Dec-22	186	93	9	9	0	0	6	28	331
	56%	28%	3%	3%	0%	0%	2%	8%	100%
Jan-23	259	94	13	13	1	1	3	33	417
	62%	23%	3%	3%	0%	0%	1%	8%	100%
Feb-23	193	133	3	16	1	0	14	32	392
	49%	34%	1%	4%	0%	0%	4%	8%	100%
Mar-23	235	137	12	15	3	0	8	40	450
	52%	30%	3%	3%	1%	0%	2%	9%	100%
Apr-23	193	102	7	13	0	0	4	36	355
	54%	29%	2%	4%	0%	0%	1%	10%	100%
May-23	258	133	10	21	2	0	11	38	473
	55%	28%	2%	4%	0%	0%	2%	8%	100%
Jun-23	211	121	15	13	1	0	10	40	411
	51%	29%	4%	3%	0%	0%	2%	10%	100%
<b>Total</b>	<b>2577</b>	<b>1315</b>	<b>123</b>	<b>166</b>	<b>14</b>	<b>2</b>	<b>93</b>	<b>477</b>	<b>4767</b>
	<b>54%</b>	<b>28%</b>	<b>3%</b>	<b>3%</b>	<b>0%</b>	<b>0%</b>	<b>2%</b>	<b>10%</b>	<b>100%</b>

- Files counted may have one or more accused. Adj = Adjudications, Pros = Prosecution, Conf = Confiscations, MI = Mental Impairment Matters, HSO = Habitual Sexual Offender Matters.
- 'Other' includes Magistrates Court Prosecution files, Opinions files, Bail Review files, Drug Court files, non-Parole period files and Breach Bond files.

*Table 1.3 Witness Assistance Team (WAT) file activity by month<sup>1</sup>*

	Files at the start of the period	New referrals during the period	Files closed during the period	Other <sup>2</sup>	Files at the end of the period
Jul-22	861	33	35	1	860
Aug-22	860	46	45	0	861
Sep-22	861	36	34	0	863
Oct-22	863	41	41	0	863
Nov-22	863	39	44	2	860
Dec-22	860	24	34	1	851
Jan-23	851	19	46	2	826
Feb-23	826	32	26	3	835
Mar-23	835	36	39	0	832
Apr-23	832	32	33	-4	827

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May-23	827	35	49	6	819
Jun-23	819	24	47	0	796
<b>Total</b>	<b>861</b>	<b>397</b>	<b>473</b>	<b>11</b>	<b>796</b>

1. The figures presented are not inclusive of historic WAT files that are not in the Prosecution Case Management System.
2. Not every file received will be referred to WAT.
3. 'Other' includes matters being joined (-) or severed (+), erroneously opened (+ or -), closed files being re-opened (+).

*Table 1.4 Status of Mental Impairment matters open at the end of the month (running total)*

	Released on licence	Detained pending determination of review	Detained	Declared liable to supervision (limiting term not yet fixed)	Supervision Orders expired (i.e., briefs closed)	Total
Jul-22	93	0	21	7	2	123
	76%	0%	17%	6%	2%	100%
Aug-22	86	0	22	6	8	122
	70%	0%	18%	5%	7%	100%
Sep-22	87	0	20	7	2	116
	75%	0%	17%	6%	2%	100%
Oct-22	85	1	21	8	1	116
	73%	1%	18%	7%	1%	100%
Nov-2022	87	1	20	8	0	116
	75%	1%	17%	7%	0%	100%
Dec-22	90	1	19	6	0	116
	78%	1%	16%	5%	0%	100%
Jan-2023	89	1	18	7	2	117
	76%	1%	15%	6%	2%	100%
Feb-23	91	2	17	6	0	116
	78%	2%	15%	5%	0%	100%
Mar-2023	92	2	16	6	2	118
	78%	2%	14%	5%	2%	100%
Apr-2023	95	1	15	5	1	117
	81%	1%	13%	4%	1%	100%
May-2023	93	2	16	7	0	118
	79%	2%	14%	6%	0%	100%
<b>Jun-2023</b>	<b>93</b>	<b>1</b>	<b>18</b>	<b>6</b>	<b>0</b>	<b>118</b>
	<b>79%</b>	<b>1%</b>	<b>15%</b>	<b>5%</b>	<b>0%</b>	<b>100%</b>

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*Table 1.5 Mental Impairment Applications made during the month*

	<b>Application to vary / review Supervision Orders</b>	<b>Application to revoke Supervision Orders</b>	<b>Other</b>	<b>Total</b>
Jul-22	1	0	0	1
Aug-22	1	0	0	1
Sep-22	5	1	0	6
Oct-22	1	0	0	1
Nov-22	1	0	0	1
Dec-22	1	1	0	2
Jan-23	1	0	0	1
Feb-23	7	1	0	8
Mar-23	7	0	0	7
Apr-23	1	0	0	1
May-23	1	1	0	2
Jun-23	0	0	0	0
<b>Total</b>	<b>27</b>	<b>4</b>	<b>0</b>	<b>31</b>
	<b>87%</b>	<b>13%</b>	<b>0%</b>	<b>100%</b>

*Table 1.6. Mental Impairment prosecution brief activity by month*

	<b>Pending matters (s269 reports ordered)</b>	<b>Finding of Mental Incompetence</b>	<b>Unfit to Plead</b>	<b>Total</b>
Jul-22	0	1	0	1
	0%	100%	0%	100%
Aug-22	3	2	0	5
	60%	40%	0%	100%
Sep-22	4	2	1	7
	57%	29%	14%	100%
Oct-22	3	1	0	4
	75%	25%	0%	100%
Nov-22	3	0	1	4
	75%	0%	25%	100%
Dec-22	1	0	0	1
	100%	0%	0%	100%
Jan-23	0	0	2	2
	0%	0%	100%	100%
Feb-23	5	1	1	7
	71%	14%	14%	100%
Mar-23	3	0	1	4
	75%	0%	25%	100%
Apr-23	1	0	1	2
	50%	0%	50%	100%
May-23	2	0	1	3
	67%	0%	33%	100%

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Jun-23	4	1	2	7
	57%	14%	29%	100%
<b>Total</b>	<b>29</b>	<b>8</b>	<b>10</b>	<b>47</b>
	<b>62%</b>	<b>17%</b>	<b>21%</b>	<b>100%</b>

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

## 2. Charge Determinations

*Table 2.1. Preliminary briefs received for charge determination during the month<sup>1</sup>*

	<b>Preliminary Briefs Received</b>	<b>Number of Accused</b>
Jul-22	101	121
Aug-22	104	123
Sep-22	90	101
Oct-22	90	104
Nov-22	95	109
Dec-22	90	108
Jan-23	94	100
Feb-23	122	154
Mar-23	128	153
Apr-23	101	120
May-23	129	153
Jun-23	115	125
<b>Total</b>	<b>1259</b>	<b>1471</b>

1. Files received may have multiple accused.

*Table 2.2 Charge determination outcomes made during the month<sup>1</sup>*

	<b>No charge determination</b>	<b>Charge determination made (minor / summary)</b>	<b>Charge determination made (major)</b>	<b>Charge determination not required</b>	<b>Total</b>
Jul-22	6	6	91	0	103
	6%	6%	88%	0%	100%
Aug-22	8	9	102	2	121
	7%	7%	84%	2%	100%
Sep-22	14	9	119	1	143
	10%	6%	83%	1%	100%
Oct-22	12	7	82	0	101
	12%	7%	81%	0%	100%
Nov-22	21	5	72	2	100
	21%	5%	72%	2%	100%
Dec-22	13	10	85	0	108

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	12%	9%	79%	0%	100%
Jan-23	8	9	71	0	88
	9%	10%	81%	0%	100%
Feb-23	9	6	118	0	133
	7%	5%	89%	0%	100%
Mar-23	15	12	123	1	151
	10%	8%	81%	1%	100%
Apr-23	18	9	114	0	141
	13%	6%	81%	0%	100%
May-23	13	6	111	1	131
	10%	5%	85%	1%	100%
Jun-23	22	6	117	0	145
	15%	4%	81%	0%	100%
<b>Total</b>	<b>159</b>	<b>94</b>	<b>1205</b>	<b>7</b>	<b>1465</b>
	<b>11%</b>	<b>6%</b>	<b>82%</b>	<b>0%</b>	<b>100%</b>

1. Preliminary briefs may have been received in prior months. Outcomes are counted by accused.

*Table 2.3 Adjudication outcomes (by accused) for adjudications received in the period*

	<b>Adjudications received</b>	<b>Number of accused</b>
Jul-22	205	230
Aug-22	211	230
Sep-22	226	248
Oct-22	193	211
Nov-22	207	231
Dec-22	187	211
Jan-23	259	290
Feb-23	193	216
Mar-23	236	258
Apr-23	193	227
May-23	258	285
Jun-23	211	238
<b>Total</b>	<b>2579</b>	<b>2875</b>

*Table 2.4 Adjudication outcomes*

	<b>2022-23 Total</b>	
Charge major	2244	78%
Charge minor/summary	487	17%
Do not charge	73	3%
Did not adjudicate	55	2%
Not finalised	16	1%
	<b>2875</b>	<b>100%</b>

1. As at the time of publication, 16 adjudications received in the financial year did not yet have an outcome.

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

### 3. ICAC matters

Table 3.1 Status of ICAC matters at the end of the month (running total)

	Opinions open	Pre-committal stage	Post committal (pre-trial) stage	Trial stage	Summary matter	Appeal	Other	Finalised in month	End Total
Jul-22	0	1	0	5	5	2	0	1	14
Aug-22	0	1	0	5	5	2	0	0	13
Sep-22	0	1	0	5	5	2	0	0	13
Oct-22	0	1	0	5	5	2	0	0	13
Nov-22	0	0	1	4	5	2	0	1	13
Dec-22	0	0	1	4	5	2	0	0	12
Jan-23	0	0	1	4	5	2	0	0	12
Feb-23	0	0	1	4	5	2	0	0	12
Mar-23	0	0	1	5	5	0	0	1	12
Apr-23	0	0	1	4	5	0	1	0	11
May-23	0	0	1	4	5	0	1	0	11
Jun-23	0	0	1	4	5	0	1	0	11

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

### 4. Section 12AB and Aboriginal sentencing and community court hearings

	S12AB Special Hearing	Aboriginal Sentencing/ Community Court hearings
Jul-22	1	4
Aug-22	3	6
Sep-22	0	6
Oct-22	6	6
Nov-22	8	9
Dec-22	3	1
Jan-23	1	2
Feb-23	7	6
Mar-23	1	9
Apr-23	8	3
May-23	1	11
Jun-23	3	9
<b>Total</b>	<b>42</b>	<b>72</b>

Note: Section 12AB special hearings are conducted pursuant to section 12AB of the *Evidence Act 1929*.



An ‘Aboriginal Sentencing Conference’ can be convened by the Court prior to sentencing for any ATSI defendant. The conference will be attended by the usual parties to the proceedings, who are typically joined by the defendant’s family members, members of support services, an Elder and the victim (if they choose to attend). Views expressed at the conference can then be taken into account when sentencing.

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

## 5. Conviction rates

The conviction rate is the number of accused who are either convicted by a jury or judge or plead guilty at any time after committal as a percentage of the total number of accused committed for trial. The following tables provide a breakdown of the overall conviction rate according to the percentage of convictions by verdict and convictions by plea.

*Table 5.1 Summary of overall conviction rates*

	<b>Overall conviction rate</b>
Jul-22	66.7%
Aug-22	81.3%
Sep-22	76.2%
Oct-22	75.8%
Nov-22	76.7%
Dec-22	74.7%
Jan-23	72.9%
Feb-23	80.8%
Mar-23	76.1%
Apr-23	75.3%
May-23	82.6%
Jun-23	78.1%
<b>Average</b>	<b>77.7%</b>

*Table 5.2 Breakdown of conviction rates according to the proportion of convictions by verdicts or pleas*

	<b>Convictions by verdict</b>	<b>Convictions by plea</b>
Jul-22	14.1%	85.9%
Aug-22	14.1%	85.9%
Sep-22	7.7%	92.3%
Oct-22	11.0%	89.0%
Nov-22	6.3%	93.8%
Dec-22	15.3%	84.7%
Jan-23	2.8%	97.2%
Feb-23	6.0%	94.0%
Mar-23	13.6%	86.4%
Apr-23	19.4%	80.6%

May-23	12.4%	87.6%
Jun-23	13.3%	86.7%
<b>Average</b>	<b>11.6%</b>	<b>88.4%</b>

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

## 6. Prosecution file outcomes

This section provides an overview of prosecution brief outcomes and the stages of resolution for the month. The stage of resolution is where a legal outcome is attained and no further action is required to be taken on a file. The stage of resolution reflects the time of attaining that result relative to the legal process. The data presented in this section is counted by accused and not by file.

The pre-committal stage, pre-trial stage and trial stage in the tables below have been defined as:

- Pre-committal stage: Starts after charge determination acceptance and continues for as long as matters are in the Magistrates Court. For matters where there is no charge determination the committal stage will be added to PCMS and the data filled in retrospectively.
- Pre-trial stage: For matters that have been committed for trial (and committed for both trial and sentence). Matters committed for sentence only do not have this stage – they go straight to a sentencing stage.
- Trial stage: Starts 12 weeks before the first listed trial date (as long as it has not been vacated). This stage will remain current until the trial has an outcome regardless of how many times the trial is vacated.

*Table 6.1 Stage of resolution for prosecution files finalised during the month<sup>1</sup>*

	<b>Pre-committal stage</b>	<b>Pre-trial stage</b>	<b>Trial stage<sup>2</sup></b>	<b>Total<sup>3</sup></b>
Jul-22	128	28	35	191
	67%	15%	18%	100%
Aug-22	166	24	39	229
	72%	10%	17%	100%
Sep-22	162	19	35	216
	75%	9%	16%	100%
Oct-22	154	21	46	221
	70%	10%	21%	100%
Nov-22	143	24	55	222
	64%	11%	25%	100%
Dec-22	132	22	37	191
	69%	12%	19%	100%
Jan-23	81	14	32	127
	64%	11%	25%	100%
Feb-23	149	28	45	222

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	67%	13%	20%	100%
Mar-23	197	14	43	254
	78%	6%	17%	100%
Apr-23	148	21	27	196
	76%	11%	14%	100%
May-23	118	17	47	182
	65%	9%	26%	100%
Jun-23	135	27	49	211
	64%	13%	23%	100%
<b>2022-23 Total</b>	<b>1713</b>	<b>259</b>	<b>490</b>	<b>2462</b>
	<b>69.6%</b>	<b>10.5%</b>	<b>19.9%</b>	<b>100%</b>

1. This data is counted by accused and not by file.
2. Prosecution files resolved at the 'trial' stage are based on all trials (listed in previous or the current month) that resolved during the month. Because of this, the 'trial' figures in this table will not match the figures in the other sections which are based on trials listed for hearing in the month, unless stated otherwise.
3. The total number of prosecution files in this table will not equal the total number of files closed in the month (section 1). This is because Table 6.1 relates to **only** prosecution files (counted by accused) whereas section 1 counts by file and includes other matters.

*Table 6.2 Outcomes of prosecution files resolved during the pre-committal stage*

	Committed for sentence	Committed for trial (not finalised)	Committed for trial & sent	Tender no evidence	Pleads guilty (Magistrates Court)	No case to answer	Other (including return to SAPOL)	Total
Jul-22	24	42	4	7	5	0	4	86
	28%	49%	5%	8%	6%	0%	5%	100%
Aug-22	29	69	3	17	10	0	2	130
	22%	53%	2%	13%	8%	0%	2%	100%
Sep-22	34	85	3	4	3	1	3	133
	26%	64%	2%	3%	2%	1%	2%	100%
Oct-22	31	74	3	2	13	0	1	124
	25%	60%	2%	2%	10%	0%	1%	100%
Nov-22	24	95	4	6	8	0	1	138
	17%	69%	3%	4%	6%	0%	1%	100%
Dec-22	26	70	2	3	9	0	0	110
	24%	64%	2%	3%	8%	0%	0%	100%
Jan-23	11	39	3	3	4	0	0	60
	18%	65%	5%	5%	7%	0%	0%	100%
Feb-23	27	43	5	11	7	0	3	96
	28%	45%	5%	11%	7%	0%	3%	100%
Mar-23	40	68	4	13	14	0	4	143
	28%	48%	3%	9%	10%	0%	3%	100%

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Apr-23	20	51	3	7	7	1	1	90
	22%	57%	3%	8%	8%	1%	1%	100%
May-23	41	65	3	11	8	0	5	133
	31%	49%	2%	8%	6%	0%	4%	100%
Jun-23	33	62	2	11	14	0	1	123
	27%	50%	2%	9%	11%	0%	1%	100%
<b>Total</b>	<b>340</b>	<b>763</b>	<b>39</b>	<b>95</b>	<b>102</b>	<b>2</b>	<b>25</b>	<b>1366</b>
	<b>25%</b>	<b>56%</b>	<b>3%</b>	<b>7%</b>	<b>7%</b>	<b>0%</b>	<b>2%</b>	<b>100%</b>

*Table 6.3 Outcomes of prosecution files resolved during the post-committal pre-trial stage*

	<b>Guilty plea (all/some/lesser)</b>	<b>Nolle Prosequi</b>	<b>White Paper</b>	<b>Other</b>	
Jul-22	7	3	4	0	14
	50%	21%	29%	0%	100%
Aug-22	21	4	2	1	28
	75%	14%	7%	4%	100%
Sep-22	20	6	2	2	30
	67%	20%	7%	7%	100%
Oct-22	14	1	0	1	16
	88%	6%	0%	6%	100%
Nov-22	20	5	4	0	29
	69%	17%	14%	0%	100%
Dec-22	10	3	2	0	15
	67%	20%	13%	0%	100%
Jan-23	5	1	0	0	6
	83%	17%	0%	0%	100%
Feb-23	17	0	2	2	21
	81%	0%	10%	10%	100%
Mar-23	7	1	6	1	15
	47%	7%	40%	7%	100%
Apr-23	11	0	3	0	14
	79%	0%	21%	0%	100%
May-23	12	1	2	2	17
	71%	6%	12%	12%	100%
Jun-23	9	3	0	0	12
	75%	25%	0%	0%	100%
<b>Total</b>	<b>153</b>	<b>28</b>	<b>27</b>	<b>9</b>	<b>217</b>
	<b>71%</b>	<b>13%</b>	<b>12%</b>	<b>4%</b>	<b>100%</b>

1. 'Other' includes matters where the accused is mentally unfit to stand trial or found to be mentally incompetent.

*Table 6.4 Outcomes of prosecution files resolved during the trial stage<sup>1</sup>*

	Guilty plea (all/some/lesser)	Not guilty verdict	Guilty verdict (all/some/lesser)	Nolle Prosequi	Other	Total
Jul-22	24	7	9	13	0	53
	45%	13%	17%	25%	0%	100%
Aug-22	29	10	13	2	1	55
	53%	18%	24%	4%	2%	100%
Sep-22	18	4	6	9	3	40
	45%	10%	15%	23%	8%	100%
Oct-22	20	4	8	14	2	48
	42%	8%	17%	29%	4%	100%
Nov-22	31	9	5	3	2	50
	62%	18%	10%	6%	4%	100%
Dec-22	14	7	9	5	1	36
	39%	19%	25%	14%	3%	100%
Jan-23	19	4	1	5	2	31
	61%	13%	3%	16%	6%	100%
Feb-23	19	5	3	5	0	32
	59%	16%	9%	16%	0%	100%
Mar-23	29	7	12	7	1	56
	52%	13%	21%	13%	2%	100%
Apr-23	19	6	12	11	0	48
	40%	13%	25%	23%	0%	100%
May-23	32	3	12	12	0	59
	54%	5%	20%	20%	0%	100%
Jun-23	23	5	10	12	2	52
	44%	10%	19%	23%	4%	100%
<b>Total</b>	<b>277</b>	<b>71</b>	<b>100</b>	<b>98</b>	<b>14</b>	<b>560</b>
	<b>49%</b>	<b>13%</b>	<b>18%</b>	<b>18%</b>	<b>3%</b>	<b>100%</b>

1. The trial stage commences 1 week prior to the date on which the trial was listed to commence and continues up until the closure of the file (not including any appeal). The proportion of guilty pleas and verdicts within this table correspond only to the number of files that were finalised during the trial stage concluding in the report month and are not representative of the overall conviction rate which includes pleas arising from the post-committal pre-trial stage. For conviction rates, please refer to Section 5.
2. 'Other' includes matters where the accused is mentally unfit to stand trial or found to be mentally incompetent.

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

## 7. Trial Outcomes

The following tables relate to trial outcomes. Outcomes represent all possible outcomes of the prosecution process that occurred during the trial stage whereas resolutions represent only outcomes where no further action is required to be taken on a file. Trial outcomes reported in this part reflect the outcomes for trials listed to be heard during the month. Those trials may not have concluded during the same month. Hence, there will be a difference between trial outcomes in the data provided in previous tables because they relate to different data concepts.

*Table 7.1 Summary of outcomes (by accused) for trials listed for hearing in the period (includes verdicts)<sup>1</sup>*

Month	Trials that resolved before the month of trial	Trials that resolved in the same month that the trial was listed	Trials with no resolution in the month that the trial was listed <sup>2</sup>	Trials commencing in the month listed but not resolved until a later month <sup>3</sup>	Total	Co-accused matters and matters vacated due to COVID-19
Jul-22	17	33	24	6	80	6 matters with co-accused. 2 matters vacated due to COVID-19.
	21%	41%	30%	8%	100%	
Aug-22	24	40	37	1	102	11 matters with co-accused. 3 matters vacated due to COVID-19.
	24%	39%	36%	1%	100%	
Sep-22	20	32	29	4	85	8 matters with co-accused. 1 matter vacated due to COVID-19.
	24%	38%	34%	5%	100%	
Oct-22	23	33	37	13	106	10 matters with co-accused. 0 matters vacated due to COVID-19
	22%	31%	35%	12%	100%	
Nov-22	24	31	40	6	101	10 matters with co-accused. 1 matter vacated due to COVID-19.
	24%	31%	40%	6%	100%	
Dec-22	8	26	25	0	59	4 matters with co-accused. 1 matter vacated due to COVID-19.
	14%	44%	42%	0%	100%	
Jan-23	14	22	15	5	56	6 matters with co-accused. 0 matters vacated due to COVID-19.
	25%	39%	27%	9%	100%	
Feb-23	21	29	36	12	98	11 matters with co-accused. 1 matter vacated due to COVID-19
	21%	30%	37%	12%	100%	
Mar-23	28	36	31	2	97	10 matters with co-accused. 0 matters vacated due to COVID-19.
	29%	37%	32%	2%	100%	
Apr-23	18	37	26	5	86	9 matters with co-accused. 1 matter vacated due to COVID-19,
	21%	43%	30%	6%	100%	
May-23	24	36	31	9	100	11 matters with co-accused. 1 matter vacated due to COVID-19.
	24%	36%	31%	9%	100%	
Jun-23	19	38	31	5	93	12 matters with co-accused. 0 matters vacated due to COVID-19
	20%	41%	33%	5%	100%	
<b>Total</b>	<b>240</b>	<b>393</b>	<b>362</b>	<b>68</b>	<b>1063</b>	
	<b>23%</b>	<b>37%</b>	<b>34%</b>	<b>6%</b>	<b>100%</b>	

1. Trials have been counted by accused.
2. No resolution includes vacated (by DPP/Defence application), judgement or decision reserved, mistrial, hung jury, no court or judge available or due to bench warrants
3. Trials commencing in the month listed for hearing but not resolved until a later month includes verdicts from trials that have carried over into subsequent months.

*Table 7.2. Breakdown of outcomes from the trials that resolved in the current month*

	<b>Guilty Verdict</b>	<b>Not Guilty Verdict</b>	<b>Nolle Prosequi</b>	<b>Guilty Pleas</b>	<b>Other<sup>2</sup></b>	
Jul-22	4	7	8	13	1	33
	25%	6%	19%	50%	0%	100%
Aug-22	10	8	1	19	2	40
	25%	20%	3%	48%	5%	100%
Sep-22	5	5	4	17	1	32
	16%	16%	13%	53%	3%	100%
Oct-22	8	4	10	11	0	33
	24%	12%	30%	33%	0%	100%
Nov-22	4	9	1	17	0	31
	13%	29%	3%	55%	0%	100%
Dec-22	7	8	0	11	0	26
	27%	31%	0%	42%	0%	100%
Jan-23	1	4	2	13	2	22
	5%	18%	9%	59%	9%	100%
Feb-23	2	5	4	16	2	29
	7%	17%	14%	55%	7%	100%
Mar-23	8	5	4	18	1	36
	22%	14%	11%	50%	3%	100%
Apr-23	12	6	8	11	0	37
	32%	16%	22%	30%	0%	100%
May-23	11	2	1	22	0	36
	31%	6%	3%	61%	0%	100%
Jun-23	7	5	8	18	0	38
	18%	13%	21%	47%	0%	100%
<b>2022-23 Total</b>	<b>79</b>	<b>68</b>	<b>51</b>	<b>186</b>	<b>9</b>	<b>393</b>
	<b>20%</b>	<b>17%</b>	<b>13%</b>	<b>47%</b>	<b>2%</b>	<b>100%</b>

1. Pleas include where a plea was received on the day of or prior to the day of trial or where there was a plea change during the trial.
2. 'Other' includes mental incompetence and unfitness to stand trial.

*Table 7.3. Breakdown of the reasons why trials listed for hearing were not resolved in the same month*

	<b>Vacated<sup>1</sup></b>	<b>Judgement/ Decision Reserved</b>	<b>Mistrial</b>	<b>Hung Jury</b>	<b>Other</b>	<b>Total</b>
Jul-22	13	3	2	1	5	24
	54%	13%	8%	4%	21%	100%
Aug-22	28	4	1	0	4	37
	76%	11%	3%	0%	11%	100%
Sep-22	19	5	3	1	1	29

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	66%	17%	10%	3%	3%	100%
Oct-22	18	10	1	0	8	37
	49%	27%	3%	0%	22%	100%
Nov-22	23	7	2	0	8	40
	58%	18%	5%	0%	20%	100%
Dec-22	13	7	0	1	4	25
	52%	28%	0%	4%	16%	100%
Jan-23	10	1	1	0	3	15
	67%	7%	7%	0%	20%	100%
Feb-23	19	8	1	0	8	36
	53%	22%	3%	0%	22%	100%
Mar-23	14	9	3	0	5	31
	45%	29%	10%	0%	16%	100%
Apr-23	15	7	0	1	3	26
	58%	27%	0%	4%	12%	100%
May-23	14	8	1	0	8	31
	45%	26%	3%	0%	26%	100%
Jun-23	17	4	5	0	5	31
	55%	13%	16%	0%	16%	100%
<b>Total</b>	<b>203</b>	<b>73</b>	<b>20</b>	<b>4</b>	<b>62</b>	<b>362</b>
	<b>56%</b>	<b>20%</b>	<b>6%</b>	<b>1%</b>	<b>17%</b>	<b>100%</b>

1. Reasons are summarised in Table 7.4.
2. Other included trials that were part heard and adjourned to subsequent months or circuit matters that were adjourned to Adelaide.

*Table 7.4. Breakdown of reasons for trials vacated in the month*

	Defence Application	DPP Application	Joint Application	No judge/ No Court available	Bench Warrant <sup>1</sup>	COVID-19	Other	Total
Jul-22	4	2	0	1	2	2	2	13
	31%	15%	0%	8%	15%	15%	15%	100%
Aug-22	10	3	2	7	1	1	4	28
	36%	11%	7%	25%	4%	4%	14%	100%
Sep-22	8	0	1	8	0	1	1	19
	42%	0%	5%	42%	0%	5%	5%	100%
Oct-22	5	2	2	9	0	0	0	18
	28%	11%	11%	50%	0%	0%	0%	100%
Nov-22	10	2	0	9	0	1	1	23
	43%	9%	0%	39%	0%	4%	4%	100%
Dec-22	5	2	1	3	0	1	1	13
	38%	15%	8%	23%	0%	8%	8%	100%
Jan-23	4	1	2	3	0	0	0	10
	40%	10%	20%	30%	0%	0%	0%	100%
Feb-23	8	2	1	6	1	1	0	19



	42%	11%	5%	32%	5%	5%	0%	100%
Mar-23	3	4	0	7	0	0	0	14
	21%	29%	0%	50%	0%	0%	0%	100%
Apr-23	8	1	1	3	1	1	0	15
	53%	7%	7%	20%	7%	7%	0%	100%
May-23	7	2	2	3	0	0	0	14
	50%	14%	14%	21%	0%	0%	0%	100%
Jun-23	9	1	3	2	1	0	1	17
	53%	6%	18%	12%	6%	0%	6%	100%
<b>Total</b>	<b>77</b>	<b>20</b>	<b>15</b>	<b>60</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>190</b>
	<b>41%</b>	<b>11%</b>	<b>8%</b>	<b>32%</b>	<b>2%</b>	<b>3%</b>	<b>4%</b>	<b>100%</b>

1. A Bench Warrant is used when an accused does not appear for trial.

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

## 8. Appeals

*Court of Appeal outcomes - Applications by ODPP*

*Table 8.1 Appeal against Sentence*

Outcome	Allowed	Dismissed	Other	Withdrawn / abandoned	Total
Jul-22	0	0	0	1	1
Aug-22	2	0	0	0	2
Sep-22	2	0	0	0	2
Oct-22	2	0	0	0	2
Nov-22	0	2	0	0	2
Dec-22	3	2	0	0	5
Jan-23	0	0	0	0	0
Feb-23	0	0	0	0	0
Mar-23	1	0	0	0	1
Apr-23	1	1	0	1	3
May-23	0	0	0	0	0
Jun-23	1	0	0	0	1
<b>Total</b>	<b>12</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>19</b>

*Table 8.2 Appeal Against Acquittal/Verdict*

Outcome	Allowed	Dismissed	Other	Withdrawn / abandoned	Total
Jul-22	0	0	0	0	0
Aug-22	0	0	0	0	0
Sep-22	0	0	0	0	0
Oct-22	1	0	0	0	1

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Nov-22	0	0	0	0	0
Dec-22	0	0	0	0	0
Jan-23	0	0	0	0	0
Feb-23	0	0	0	0	0
Mar-23	0	0	0	0	0
Apr-23	2	0	0	0	2
May-23	0	0	0	0	0
Jun-23	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>

*Court of Appeal outcomes - Applications by Defence*

*Table 8.3 Appeal against Sentence*

<b>Outcome</b>	<b>Allowed</b>	<b>Dismissed</b>	<b>Other</b>	<b>Withdrawn / abandoned</b>	<b>Total</b>
Jul-22	2	0	0	0	2
Aug-22	1	3	0	1	5
Sep-22	1	4	0	0	5
Oct-22	3	1	0	0	4
Nov-22	2	1	0	1	4
Dec-22	3	3	0	0	6
Jan-23	0	0	0	0	0
Feb-23	3	0	0	0	3
Mar-23	1	3	0	0	4
Apr-23	1	1	0	2	4
May-23	1	0	0	1	2
Jun-23	2	3	0	0	5
<b>Total</b>	<b>20</b>	<b>19</b>	<b>0</b>	<b>5</b>	<b>44</b>

*Table 8.4 Appeal Against Conviction*

<b>Outcome</b>	<b>Allowed</b>	<b>Dismissed</b>	<b>Other</b>	<b>Withdrawn / abandoned</b>	<b>Total</b>
Jul-22	1	1	0	0	2
Aug-22	0	2	0	0	2
Sep-22	4	5	0	0	9
Oct-22	1	0	0	0	1
Nov-22	3	1	0	1	5
Dec-22	4	2	0	0	6
Jan-23	0	0	0	0	0
Feb-23	0	5	0	0	5
Mar-23	0	2	0	0	2
Apr-23	0	1	0	1	2
May-23	2	2	0	0	4
Jun-23	3	4	0	0	7
<b>Total</b>	<b>18</b>	<b>25</b>	<b>0</b>	<b>2</b>	<b>45</b>

## 9. High Court (All applications by Defence)

Table 9.1 Special Leave to Appeal Applications

	Number	Granted	Dismissed
Conviction	4	1	3
Sentence	1	0	1

Note: Conviction includes all Court of Appeal judgements relating to criminal proceedings except sentence.

Table 9.2 High Court Appeals

	Awaiting Judgement	Dismissed	Allowed
Conviction	1	0	4
Sentence	0	0	0

## Agency contribution to whole of Government objectives

### Agency's contribution

- The ODPP supports an efficient and effective justice system through continual review of internal processes and contribution to the delivery of Criminal Justice Sector reforms. These include:
  - Contributing to digital leadership and innovation in services through the development and use of modern data science and technology to inform and enhance evidence-based decision making including the use of data dashboards to and integration of operational data with human resource and financial information; and
  - Increasing the scope and analysis of ODPP performance data to facilitate understanding of the resource costs of prosecution processes and optimising the balance between resources and cost;
  - Assisting vulnerable families within the criminal justice system through the ongoing use of the Court Canine Companion, in conjunction with Guide Dogs SA/NT.

## Agency specific objectives and performance

Agency objectives	Indicators	Performance
Inaugural Aboriginal Witness Assistance Officer	The engagement of an identified Aboriginal Witness Assistance Officer within the ODPP has several purposes.	In 2022, the scope of the Aboriginal WAO role was reviewed and for a range of reasons the

Agency objectives	Indicators	Performance
	<p>The first is to provide culturally appropriate specialist services to Aboriginal witnesses and victims of crime in ODPP matters. The other is to provide training and awareness to ODPP staff so that they are better able to understand cultural and community considerations in matters involving Aboriginal people, so that those considerations can be considered in the conduct of prosecutions.</p>	<p>ODPP has determined that two identified WAOs are required.</p> <p>The ODPP expect to advertise the two positions in the first half of 2023-24.</p>
<p>Court Canine Companion (CCC Project)</p>	<p>The CCC Project aims to provide children and vulnerable adults, who are involved with ODPP criminal matters with increased practical support and assistance. It is recognised that vulnerable victims, especially children may find the prosecution process challenging and stressful. The use of the CCC (a golden Labrador named Zeb) assists in calming vulnerable victims, lowering anxiety and supports the building of rapport.</p>	<p>In the 2022-23 financial year, Zeb has attended 41 witness and victim sessions, provided assistance in the courts CCTV waiting room on 14 occasions and assisted 3 victims giving evidence in the courts CCTV suite.</p> <p>The CCC Program is now an ongoing part of ODPP operations to assist vulnerable victims and witnesses as they progress through the criminal prosecution process.</p>
<p>The introduction of the Electronic Courts Management System (ECMS) into the criminal jurisdiction.</p>	<p>On 29 August 2022, Court SA, in the Criminal, Care and Protection and special jurisdictions, commenced an the Electronic Courts Management System (ECMS).</p> <p>This system enables court users to obtain services “online”. Prosecuting agencies and defendants have the ability to source data about a case via an online portal (including hearing dates, court outcomes etc) and those</p>	<p>Preparations for the ECMS by the ODPP have been ongoing since early 2021. The ODPP has modified business processes in relation to lodgement of documents via the online portal, including receipt of police briefs in wholly electronic format. ODPP staff underwent a familiarisation and training program in the new system prior to the go-live date.</p>

Agency objectives	Indicators	Performance
	<p>parties have the ability to lodge documents via the portal and receive notification of events when they occur.</p> <p>The ECMS project aims to deliver an online portal which can be accessed by all parties within the criminal justice system.</p>	
<p>Data Modelling and Analytics</p>	<p>Data modelling and visual displays of key information will assist management and staff to understand how to better manage workload and the finite resources of the Office. The development of models is complex and requires specialist knowledge; it is therefore costly. The Office will pursue these opportunities whenever they present themselves but cannot commit to achieving outcomes in this project as all available surplus resources are being diverted into operation needs for legal resources in managing large matters.</p>	<p>Late in 2022-23, representatives of the ODPP met with the Office for Data Analytics, DPC, with a view to the feasibility of developing a case outcome predictor model to assist in optimising workload, resource allocation and operational costs for the ODPP. The model will aid managers to identify cases where early resolution may be possible.</p> <p>A further data model is to be pursued to utilise the data collected over the last two years from the ODPP Trial Counsel Section to develop data models/visual representations of this data in a way that provides meaningful, timely and accurate information to the Director and staff about their work.</p>
<p>Electronic Exhibit Presentation System</p>	<p>Presentation of paper copies of exhibits to all parties during a trial for large matters is time consuming and resource intensive. The introduction of an Electronic Exhibit Presentation System will create efficiencies.</p>	<p>In early 2022-23, the ODPP proposed the use of an Electronic Exhibit Presentation System for a large murder matter. A pilot of this system was used to test this system prior to its use in a large matter. This pilot proved successful.</p> <p>The system was then used in the large murder matter with similar success and the ODPP will be</p>

Agency objectives	Indicators	Performance
		<p>considering the implementation of such a system across all large and complex matters to assist with resourcing issues. Courts Administration personnel were involved in the use of the system in both the pilot and the subsequent trial.</p>
Wellbeing	<p>The ODPP has developed a number of strategies and program to ensure that staff are aware of the risks of psychological harm in the workplace and know that there is a range of supports available to them and their colleagues in the case of an adverse event.</p>	<p>During 2022-23, the ODPP :</p> <ul style="list-style-type: none"> <li>• Continued to offer Mental Health First Aid Training to staff and managers.</li> <li>• Continued to provide mandatory Annual Wellbeing Checks for the VWT, as well as other staff on voluntary basis.</li> <li>• Continued a program of 6 monthly workshops on vicarious trauma, burnout and wellbeing.</li> <li>• Psychological checks continued on an as needed basis for staff, offering three paid sessions.</li> <li>• Weekly assessments of caseloads for solicitors using data models and metrics to optimise allocation of new files.</li> </ul>
2023 Workplace Experience Report	<p>In early 2022-23, the Attorney-General's Department in conjunction with the ODPP, sought engagement with an external provider to develop a report to obtain better information about employee separation and retention issues over 2020-2023. The original proposal was for a 4-stage process.</p>	<p>The first stage, the survey of current and former staff, was provided at the end of March 2023. The final report from the external provider was released in early 2023-24 containing 20 recommendations.</p>

## General Compliance

Reporting on the following aspects of the ODPP corporate functions is included within the Attorney-General's Department 2022-23 Annual Report.

- Corporate performance summary;
- Employment opportunity programs;
- Performance management and development systems;
- Work health and safety and return to work programs;
- Executive employment in the ODPP;
- Financial performance of the ODPP;
- Consultants
- Contractors
- Risk management, Fraud and Public Interest Disclosure; and
- Public complaints, compliments and feedback.

## Other financial information

The following data is provided in relation to the Criminal Assets Confiscation function of the ODPP in accordance with the *Criminal Assets Confiscations Act 2005*:

<b>Criminal Assets Confiscations</b>	<b>2021-22</b>
Briefs Received	197
Briefs Finalised	199
<b>Non Prescribed Drug Offender Confiscation revenue (a)</b>	<b>\$3,814,516.98</b>
ODPP confiscation costs (b)	\$885,977.71
Deposited to Victims of Crime Fund (a – b)	\$2,928,539.27
<b>Deposited to Justice Rehabilitation Fund</b>	<b>\$792,544.69</b>

The ODPP briefs the conduct of some trials to the private bar. The number of matters briefed and the overall cost is provided below:

<b>Briefing out of trials to private bar</b>	<b>2022-23</b>
Number of matters briefed	67
Total briefing out costs	\$537,468.75

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

## Reporting required under any other act or regulation

Act or Regulation	Requirement
<p><i>Director of Public Prosecutions Act 1991</i></p>	<p><u>Section 9(2)</u> The Attorney-General may, after consultation with the Director, give directions and furnish guidelines to the Director in relation to the carrying out of his or her functions.</p> <p><u>Section 11(1)</u> The Director may give directions or furnish guidelines to the Commissioner of Police or other persons investigating, or prosecuting, offences on behalf of the Crown.</p> <p><u>Section 11(2)</u> Any such directions or guidelines must be published in the Annual Report.</p>

There were no directions or guidelines given by the Attorney-General to the Director of Public Prosecutions pursuant to section 9 of the *Director of Public Prosecutions Act 1991* during the 2022-23 financial year.

There were no directions issued to the Commissioner of Police by the Director of Public Prosecutions pursuant to section 11 of the *Director of Public Prosecutions Act 1991* during the 2022-23 financial year.

Act or Regulation	Requirement
<p><i>Criminal Assets Confiscations Act 2005</i></p>	<p><u>Section 229A(1)</u> The Attorney-General has an obligation to report on the operation of the amendments enacted by the <i>Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Act 2016</i> during the financial year ending on the preceding 30 June.</p> <p><u>Section 229A(2)</u> A report under this section must include the following information for the financial year to which the report relates:</p>



Act or Regulation	Requirement
	<p>a) the number of persons who became prescribed drug offenders during that period;</p> <p>b) the number of restraining orders made during that period in relation to persons who, if convicted of the serious offence to which the restraining order relates, will become prescribed drug offenders.</p> <p>details of property forfeited under this Act during that period that was owned by or subject to the effective control of a prescribed drug offender on the conviction day for the conviction offence.</p>

Section 229A (2) (a)

In 2022-23, there were 102 persons who became prescribed drug offenders.

Section 229A (2) (b)

In 2022-23, there were 43 restraining orders made in relation to persons who, if convicted of the serious offence to which the restraining orders relates, will become prescribed drug offenders.

Section 229A (2) (c)

In 2022-23, the following property was deemed forfeited:

- Real Property: **44**
- Vehicles: **59**
- Cash: **\$3,404,930.69**
- Other items (value unknown)
  - jewellery
  - 1 x silver ingot
  - 1 x gold ingot
  - packaged liquor
  - 27 x firearms
  - shares
  - crypto/bitcoin

This information relates to property that was ‘deemed forfeited’ to the Crown, including some of which is still subject to on-going applications made by defendants under section 59A for the court to exclude a portion thereof, based on cooperation with police.

In 2022-23, the following property was confirmed as forfeited by virtue of a Prescribed Drug Offender conviction, with other applications for declarations of deemed forfeiture pending:

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- Real Property: **9** (still negotiating)
- Vehicles: **12**
- Cash: **\$1,644,410.11**
- Other items (value unknown)
  - 1 x silver ingot
  - packaged liquor
  - shares
  - crypto/bitcoin

Data from previous years is available at [Dataset - data.sa.gov.au](https://data.sa.gov.au)

**Appendix: Audited financial statements 2022-23**

Please refer to the Attorney-General's Department 2022-23 Annual Report