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**Government
of South Australia**

**OFFICE OF THE DIRECTOR OF PUBLIC
PROSECUTIONS
2021-22 Annual Report**

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

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To: The Honourable Kyam Maher MLC
Attorney- General

This annual report will be presented to Parliament to meet the statutory reporting requirements of *(insert relevant acts and regulations)* 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 30 September 2022

Signature

A handwritten signature in black ink, appearing to be 'M. Hinton', written in a cursive style.

From the Director



The 21/22 FY brought unique challenges. Where in the past the ODPP has frequently been confronted by large criminal litigation, it has not been the case, generally speaking, that the ODPP has had to conduct more than one such matter at any particular time. Here I am not referring to the ordinary lengthy and complex trial, lasting between 6 and 8 weeks, requiring two prosecutors and a solicitor, and throwing up variants of issues commonly confronted. Rather, I am referring to extraordinary matters of such size and complexity, that each requires a dedicated team led by a prosecutor of very substantial experience, demands the entirety of the team's working hours for many months, and involve trials of several months, with an overall duration capable of stretching into a second year.

My perception is that, extraordinary matters aside, prosecution briefs are more complex generally, largely because of the use made by offenders of modern technology and the consequent need to investigate such use. Presentation of this material to a jury produces its own complexities and is particularly resource intensive for both the ODPP and SAPOL.

Returning to extraordinary matters, the present challenge with all its attendant structural, recruitment, training, development, retention and resource implications arises from the sheer number of such matters that the ODPP currently has on foot. That is not a veiled complaint about funding. More would always be welcome and more is needed; but that on its own will not provide the answer to our resourcing issues. The bigger, more immediate challenge is finding enough prosecutors and solicitors with the requisite experience and skill necessary to conduct litigation on this scale. Additionally, the Office must continue to manage the through-put of the large volume of "ordinary" matters. By "ordinary" I mean the year in, year out flow of prosecutions for murder, manslaughter, rape, child sexual offences, crimes of violence and drug related crime. We are currently at the limit of our capacity with the resourcing of future extraordinary matters of great concern. All the while we are acutely conscious of the need to protect the well-being of our people. Thus, recruitment of experienced staff with requisite skills is, and will remain, a major challenge, as will retention and an emphasis on training and development.

In reflecting on 2021-22, I am very grateful for the contribution made by all of our people. Their professionalism and commitment has allowed the ODPP to discharge its responsibilities to the people of the State to a generally high standard, as is demonstrated in the detail of this Report. On those comparatively few occasions where we have been found wanting, the commitment to improvement is comforting.

I take this opportunity to thank all members of the ODPP.

Some highlights of the past year include a review of the senior management structure within the Office, the introduction of new legislation (Statutes Amendment (Child Sexual Abuse) Act 2021; implementing recommendations from the Witness Assistance Team Review; resuming the Court Canine Companion project with a new dog; employing an

ATSI WAO, working with the ODPP Wellbeing Committee to monitor staff wellbeing and identifying further strategies to assist in enhancing resilience and wellbeing generally. We will continue this work and more into the next year and beyond. In particular, our continued search for improvement will inevitably see the ODPP move toward a digital prosecution process, particularly with the implementation of the Courts Administration Authority's online lodgement system.

Over the last 12 months the ODPP has been well supported by, and enjoyed a good working relationship with, the Chief Executive of the Attorney-General's Department and the former and current Attorneys-General.

We look forward to the future.



Martin Hinton QC

Director of Public Prosecutions

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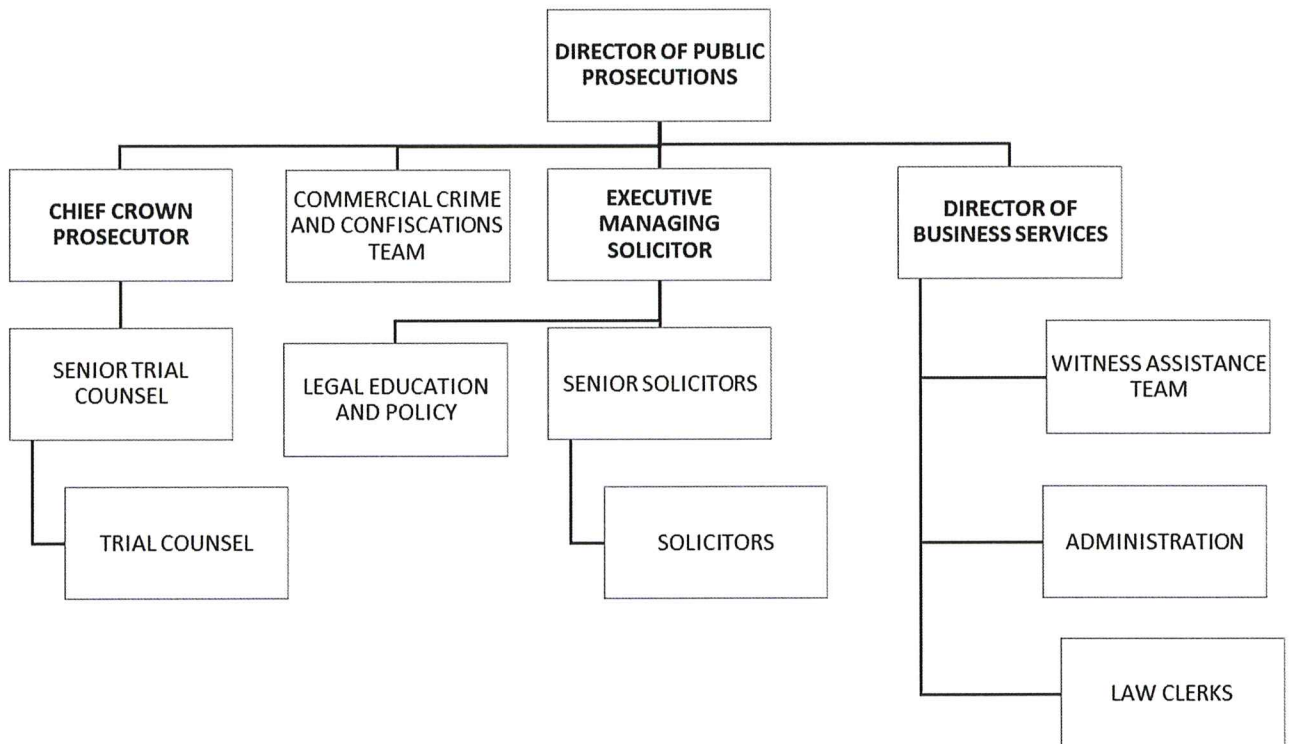
Overview: about the agency

Our strategic focus

Our Purpose	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.
Our Vision	A highly skilled, professional prosecution service committed to achieving justice for the people of South Australia.
Our functions, objectives and deliverables	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 2021-22 there were changes to the agency's structure and objectives as a result of external appointments, internal reviews or machinery of government changes.

- In November 2021, the Deputy Director, Sandi McDonald SC was appointed to the Supreme Court. Ms McDonald's departure meant a temporary restructure of the senior management responsibilities of the Office whilst a review of the Executive roles in the Office was undertaken. The temporary restructure resulted in the Chief Crown Prosecutor taking responsibility for the Trial Counsel Section; the Executive Managing Solicitor taking responsibility for a range of additional functions and the Director of Business Services providing management oversight to the Witness Assistance Team.
- In late 2021, the effects of Special Operation Ironside ("Ironside") required the creation of an ODPP dedicated team of solicitors, prosecutors and administrative support to deal with the extremely complex and large matters arising from this initiative. Operation Ironside was the product of a worldwide investigation led by the United States' Federal Bureau of Investigation (FBI), into organised criminal groups using encrypted communications devices. In South Australia, over 80 people have been arrested and charged by SA Police. The charges are wide and varied and will require at least 55 separate prosecutions for the ODPP, including multi accused and multi victim murder cases. Until the 2022-23 Budget, the resourcing of Operation Ironside within the ODPP was absorbed. No new money was provided. Rather resources from other areas were shifted whilst the full impact of the operation unfolded.
- In the first half of 2021, the ODPP trialled an Appeal and Adjudications Team, managed by an Appeal Counsel, which has been deemed as a rotational 6 month role for senior lawyers within the Office. The advent of the new team coincided with a new permission process within the Court of Criminal Appeal.
- In June 2022, the appointment of the first ODPP Aboriginal Witness Assistance Officer commenced. This initiative arose as a result of the ODPP Witness Assistance Review in 2020, and shortly thereafter, the Office began the process of establishing an identified Aboriginal role. The key aims of the role is to provide culturally appropriate specialist services to Aboriginal witnesses and victims of crime involved in ODPP matters, and to assist the Office in better understanding cultural and community considerations in matters involving Aboriginal people, so that those considerations can be taken into account in the conduct of a prosecution.
- In June 2022, the *Statutes Amendment (Child Sexual Abuse) Act 2021* (SA) commenced. The Act was anticipated to generate considerable additional work for the ODPP and a new team ('the 12AB Team) was funded and created in the Office to undertake the work required under ss12AB and 13BA of the *Evidence Act 1929* (SA). The new Act proposed an amendment to the relevant sections of the Evidence Act which had the effect of expanding the categories of witnesses who may apply for a pre-trial special hearing. The expansion of categories particularly focused on children, but also included alleged victims of domestic violence in trials involving allegations of domestic violence.

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 management of the Trial Counsel Section, the Appeals and the Adjudications team. This includes the allocation of resources for trial and appeal work across the Office. The Trial Counsel Section (including the Chief Crown Prosecutor) undertakes the prosecution of the most serious criminal pleas and trials in the District and Supreme Courts.

Where the internal resources of the ODPP are not able to cover a particular trial, counsel at the independent Bar may be briefed. This occurs frequently. The Chief Crown Prosecutor is responsible for the management of the ODPP briefing out budget and for determining when to brief out and who to brief out to.

Executive Managing Solicitor

The Executive Managing Solicitor is responsible for all the solicitor teams. The solicitor teams comprise the Vulnerable Witness Team, Circuit Team and five General Solicitor Teams. 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 Full

Court of the Supreme Court of South Australia. 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, and the Commercial Crime and Confiscation team, are 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 2021-22 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 month¹

Month	Files at the start of the period	Files received during the period	Files closed during the period	Other	Total files at the end of the period	Bench warrant files*	Adjusted total files at the end of the period
Jul-21	3095	411	405	-8	3093	N/A	3093
Aug-21	3093	469	405	12	3169	N/A	3169
Sep-21	3169	469	434	33	3237	274	2963
Oct-21	3237	382	383	24	3260	296	2964
Nov-21	3260	508	485	18	3301	301	3000
Dec-21	3301	420	402	9	3328	317	3011
Jan-22	3328	363	330	3	3364	316	3048
Feb-22	3364	359	356	4	3371	314	3057
Mar-22	3371	431	485	-2	3315	320	2995
Apr-22	3315	316	317	8	3322	330	2992
May-22	3322	397	450	-1	3268	334	2934
Jun-22	3268	381	412	1	3238	334	2904
2021-22 Total	3095	4906	4864	101	3238	334	2904

- 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 month¹

	Adj	Pros	Appeal	Conf	MI	HSO	Other ²	Total
Jul-21	202	141	14	16	1	0	37	411
	49%	34%	3%	4%	0%	0%	9%	100%
Aug-21	219	149	10	12	0	0	79	469
	47%	32%	2%	3%	0%	0%	17%	100%
Sep-21	199	155	19	38	1	0	57	469

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	42%	33%	4%	8%	0%	0%	12%	100%
	140	135	10	18	2	0	77	382
Oct-21	37%	35%	3%	5%	1%	0%	20%	100%
	262	127	15	24	2	2	76	508
Nov-21	52%	25%	3%	5%	0%	0%	15%	100%
	195	147	13	13	2	0	50	420
Dec-21	46%	35%	3%	3%	0%	0%	12%	100%
	172	132	17	14	0	0	28	363
Jan-22	47%	36%	5%	4%	0%	0%	8%	100%
	188	102	11	11	2	0	45	359
Feb-22	52%	28%	3%	3%	1%	0%	13%	100%
	217	124	16	15	1	0	58	431
Mar-22	50%	29%	4%	3%	0%	0%	13%	100%
	161	96	11	10	2	0	36	316
Apr-22	51%	30%	3%	3%	1%	0%	11%	100%
	200	114	14	14	1	0	54	397
May-22	50%	29%	4%	4%	0%	0%	14%	100%
	187	100	14	11	2	0	67	381
Jun-22	49%	26%	4%	3%	1%	0%	18%	100%
2021-22 Total	2342	1522	164	196	16	2	664	4906
	48%	31%	3%	4%	0%	0%	14%	100%

- 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 Service (WAS) file activity by month¹

	Files at the start of the period	New referrals during the period ²	Files closed during the period	Other ³	Files at the end of the period
Jul-21	835	65	82	19	837
Aug-21	837	44	61	19	839
Sep-21	839	38	40	0	837
Oct-21	837	33	38	0	832
Nov-21	832	51	68	4	819
Dec-21	819	35	42	2	814
Jan-22	814	31	25	0	820
Feb-22	820	49	21	0	848
Mar-22	848	52	56	1	845
Apr-22	845	38	41	2	844
May-22	844	48	29	0	863
Jun-22	863	41	44	1	861
2021-22 Total	835	525	547	48	861

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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)¹

	Released on licence	Detained pending determination of review	Detained	Declared liable to supervision (limiting term not yet fixed)	Total
Jul-21	98	1	25	6	130
	75%	1%	19%	5%	100%
Aug-21	101	1	23	4	129
	78%	1%	18%	3%	100%
Sep-21	96	2	24	4	126
	76%	2%	19%	3%	100%
Oct-21	93	0	26	5	124
	75%	0%	21%	4%	100%
Nov-21	92	0	26	5	123
	75%	0%	21%	4%	100%
Dec-21	88	0	25	7	120
	73%	0%	21%	6%	100%
Jan-22	89	0	25	6	120
	74%	0%	21%	5%	100%
Feb-22	88	1	22	8	119
	74%	1%	18%	7%	100%
Mar-22	89	1	22	7	119
	75%	1%	18%	6%	100%
Apr-22	89	1	22	9	121
	74%	1%	18%	7%	100%
May-22	91	1	20	9	121
	75%	1%	17%	7%	100%
Jun-22	92	1	22	8	123
	75%	1%	18%	7%	100%

Table 1.5 Mental Impairment Applications made during the month

	Application to vary/review Supervision Orders	Application to revoke Supervision Orders	Other	Total
Jul-21	2	0	1	3
Aug-21	2	0	0	2

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Sep-21	1	0	0	1
Oct-21	1	0	0	1
Nov-21	1	0	0	1
Dec-21	0	0	0	0
Jan-22	5	0	1	6
Feb-22	3	0	0	3
Mar-22	3	0	0	3
Apr-22	0	0	0	0
May-22	6	0	0	6
Jun-22	3	0	0	3
2021-22 Total	27	0	2	29
	93%	0%	7%	100%

Table 1.6. Mental Impairment prosecution brief activity by month

	Pending matters (s269 reports ordered)	Finding of Mental Incompetence	Unfit to Plead	Total
Jul-21	2	1	0	3
	67%	33%	0%	100%
Aug-21	2	1	0	3
	67%	33%	0%	100%
Sep-21	3	0	2	5
	60%	0%	40%	100%
Oct-21	4	1	1	6
	67%	17%	17%	100%
Nov-21	4	0	0	4
	100%	0%	0%	100%
Dec-21	7	0	1	8
	88%	0%	13%	100%
Jan-22	2	0	0	2
	100%	0%	0%	100%
Feb-22	4	2	0	6
	67%	33%	0%	100%
Mar-22	5	2	1	8
	63%	25%	13%	100%
Apr-22	4	1	0	5
	80%	20%	0%	100%
May-22	8	2	0	10
	80%	20%	0%	100%
Jun-22	3	0	1	4
	75%	0%	25%	100%
FY Totals	48	10	6	64
	75%	16%	9%	100%

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 month¹

Month	Preliminary Briefs Received	Number of Accused
Jul-21	161	219
Aug-21	144	176
Sep-21	162	200
Oct-21	124	147
Nov-21	128	159
Dec-21	141	194
Jan-22	123	148
Feb-22	99	135
Mar-22	126	141
Apr-22	93	115
May-22	109	134
Jun-22	93	117
2021-22 Totals	1503	1885

1. Files received may have multiple accused.

Table 2.2 Charge determination outcomes made during the month¹

	No charge determination	Charge determination made (minor/summary)	Charge determination made (major)	Charge determination not required	Total
Jul-21	35	14	123	6	178
	20%	8%	69%	3%	100%
Aug-21	21	4	132	3	160
	13%	3%	83%	2%	100%
Sep-21	19	9	151	2	181
	10%	5%	83%	1%	100%
Oct-21	19	8	141	2	170
	11%	5%	83%	1%	100%
Nov-21	11	7	123	3	144
	8%	5%	85%	2%	100%
Dec-21	22	9	160	0	191
	12%	5%	84%	0%	100%
Jan-22	24	5	108	0	137
	18%	4%	79%	0%	100%
Feb-22	29	6	177	1	213
	14%	3%	83%	0%	100%
Mar-22	15	7	115	2	139
	11%	5%	83%	1%	100%

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Apr-22	10	8	107	0	125
	8%	6%	86%	0%	100%
May-22	23	8	110	1	142
	16%	6%	77%	1%	100%
Jun-22	14	9	103	0	126
	11%	7%	82%	0%	100%
2021-22 Total	242	94	1550	20	1906
	13%	5%	81%	1%	100%

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

Month	Adjudications received	Number of accused
Jul-21	201	215
Aug-21	219	252
Sep-21	199	223
Oct-21	140	150
Nov-21	262	298
Dec-21	195	221
Jan-22	172	193
Feb-22	189	208
Mar-22	217	238
Apr-22	161	179
May-22	200	217
Jun-22	187	206
2021-22 Totals	2342	2600

Table 2.4 Adjudication outcomes

Adjudication Outcome	FY Totals	
Charge major	2026	78%
Charge minor/summary	441	17%
Do not charge	60	2%
Did not adjudicate	63	2%
Not finalised	10	0%
2021-22 Total	2600	100%

- As at the time of publication, 10 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
Jul-21	1	0	2	2	4	1	0	0
Aug-21	1	0	2	2	4	1	0	0
Sep-21	1	0	3	2	4	1	0	0
Oct-21	1	1	3	2	5	1	0	0
Nov-21	1	1	2	3	5	1	0	0
Dec-21	1	2	3	2	4	2	0	0
Jan-22	1	2	3	2	5	2	0	0
Feb-22	0	2	3	2	5	2	0	1
Mar-22	0	1	3	2	5	2	0	2
Apr-22	0	1	2	3	5	2	0	0
May-22	0	1	2	3	5	2	0	0
Jun-22	0	1	2	3	5	2	0	0

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-21	3	7
Aug-21	8	5
Sep-21	5	7
Oct-21	4	8
Nov-21	8	4
Dec-21	10	2
Jan-22	0	0
Feb-22	4	8
Mar-22	0	9
Apr-22	6	9
May-22	3	6
Jun-22	6	4
2021-22 Total	57	69

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

5. Conviction rates

Conviction rates 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

Month	Overall conviction rate
Jul-21	79.6%
Aug-21	81.0%
Sep-21	73.4%
Oct-21	76.3%
Nov-21	79.3%
Dec-21	76.1%
Jan-22	71.6%
Feb-22	84.9%
Mar-22	75.5%
Apr-22	79.2%
May-22	82.5%
Jun-22	78.9%
2021-22 Total	78.7%

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

Month	Convictions by verdict	Convictions by plea
Jul-21	9.1%	90.9%
Aug-21	15.1%	84.9%
Sep-21	12.1%	87.9%
Oct-21	13.5%	86.5%
Nov-21	13.5%	86.5%
Dec-21	11.1%	88.9%
Jan-22	4.1%	95.9%
Feb-22	13.2%	86.8%
Mar-22	6.6%	93.4%
Apr-22	7.0%	93.0%
May-22	12.8%	87.2%
Jun-22	16.3%	83.7%
2021-22 Total	11.6%	88.4%

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

6. Prosecution file outcomes

Table 6.1 Stage of resolution for prosecution files finalised during the month¹

Month	Pre-committal stage	Pre-trial stage	Trial stage ²	Total ³
Jul-21	128	28	35	191
	67%	15%	18%	100%
Aug-21	166	24	39	229
	72%	10%	17%	100%
Sep-21	162	19	35	216
	75%	9%	16%	100%
Oct-21	154	21	46	221
	70%	10%	21%	100%
Nov-21	143	24	55	222
	64%	11%	25%	100%
Dec-21	132	22	37	191
	69%	12%	19%	100%
Jan-22	81	14	32	127
	64%	11%	25%	100%
Feb-22	149	28	45	222
	67%	13%	20%	100%
Mar-22	197	14	43	254
	78%	6%	17%	100%
Apr-22	148	21	27	196
	76%	11%	14%	100%
May-22	118	17	47	182
	65%	9%	26%	100%
Jun-22	135	27	49	211
	64%	13%	23%	100%
2021-22 Total	1713	259	490	2462
	70%	11%	20%	100%

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

Month	Committed for sentence	Committed for trial (not finalised)	Tender no evidence	Pleads guilty (Magistrates Court)	No case to answer	Other (including return to SAPOL)	Total
Jul-21	50	55	9	13	0	1	128
	39%	43%	7%	10%	0%	1%	100%
Aug-21	49	80	14	21	0	2	166

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	30%	48%	8%	13%	0%	1%	100%
Sep-21	35	95	14	14	1	3	162
	22%	59%	9%	9%	1%	2%	100%
Oct-21	38	80	14	17	0	5	154
	25%	52%	9%	11%	0%	3%	100%
Nov-21	39	81	10	7	2	4	143
	27%	57%	7%	5%	1%	3%	100%
Dec-21	38	61	16	15	0	2	132
	29%	46%	12%	11%	0%	2%	100%
Jan-22	25	44	5	7	0	0	81
	31%	54%	6%	9%	0%	0%	100%
Feb-22	39	84	14	12	0	0	149
	26%	56%	9%	8%	0%	0%	100%
Mar-22	45	109	28	13	0	2	197
	23%	55%	14%	7%	0%	1%	100%
Apr-22	32	95	8	12	0	1	148
	22%	64%	5%	8%	0%	1%	100%
May-22	38	67	7	5	0	1	118
	32%	57%	6%	4%	0%	1%	100%
Jun-22	38	76	13	5	0	3	135
	28%	56%	10%	4%	0%	2%	100%
2021-22 Total	466	927	152	141	3	24	1713
	27%	54%	9%	8%	0%	1%	100%

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

Month	Guilty plea (all/some/lesser)	Nolle Prosequi	White Paper	Other	Total
Jul-21	17	5	4	2	28
	61%	18%	14%	7%	100%
Aug-21	16	1	6	1	24
	67%	4%	25%	4%	100%
Sep-21	9	2	7	1	19
	47%	11%	37%	5%	100%
Oct-21	14	3	4	0	21
	67%	14%	19%	0%	100%
Nov-21	13	4	6	1	24
	54%	17%	25%	4%	100%
Dec-21	15	3	3	1	22
	68%	14%	14%	5%	100%
Jan-22	7	0	7	0	14
	50%	0%	50%	0%	100%
Feb-22	23	3	1	1	28
	82%	11%	4%	4%	100%

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Mar-22	8	2	2	2	14
	57%	14%	14%	14%	100%
Apr-22	17	3	1	0	21
	81%	14%	5%	0%	100%
May-22	12	2	2	1	17
	71%	12%	12%	6%	100%
Jun-22	17	3	6	1	27
	63%	11%	22%	4%	100%
2021-22 Total	168	31	49	11	259
	65%	12%	19%	4%	100%

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 stage¹

Month	Guilty plea (all/some/lesser)	Not guilty verdict	Guilty verdict (all/some/lesser)	Nolle Prosequi	Other²	Total
Jul-21	15	4	8	8	0	35
	43%	11%	23%	23%	0%	100%
Aug-21	15	3	13	7	1	39
	38%	8%	33%	18%	3%	100%
Sep-21	15	5	7	5	3	35
	43%	14%	20%	14%	9%	100%
Oct-21	20	6	10	7	3	46
	43%	13%	22%	15%	7%	100%
Nov-21	31	8	11	2	3	55
	56%	15%	20%	4%	5%	100%
Dec-21	14	11	8	3	1	37
	38%	30%	22%	8%	3%	100%
Jan-22	17	2	2	11	0	32
	53%	6%	6%	34%	0%	100%
Feb-22	21	5	12	5	2	45
	47%	11%	27%	11%	4%	100%
Mar-22	22	7	5	8	1	43
	51%	16%	12%	19%	2%	100%
Apr-22	12	1	4	10	0	27
	44%	4%	15%	37%	0%	100%
May-22	27	4	11	4	1	47
	57%	9%	23%	9%	2%	100%
Jun-22	24	7	14	3	1	49
	49%	14%	29%	6%	2%	100%
2021-22 Totals	233	63	105	73	16	490
	48%	13%	21%	15%	3%	100%

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 please 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)¹

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 ²	Trials commencing in the month listed but not resolved until a later month ³	Total	Co-accused matters and matters vacated due to COVID-19
Jul-21	10	16	25	5	56	5 matters with co accused. 6 matters vacated due to covid 19
	18%	29%	45%	9%	100%	
Aug-21	9	28	13	8	58	2 matters with co accused. 2 matters vacated due to Covid 19
	16%	48%	22%	14%	100%	
Sep-21	5	25	24	7	61	9 matters with co accused. 2 matters vacated due to Covid 19
	8%	41%	39%	11%	100%	
Oct-21	11	33	19	5	68	10 matters with co accused. 0 matters vacated due to Covid 19
	16%	49%	28%	7%	100%	
Nov-21	11	45	30	10	96	9 matters with co accused. 0 matters vacated due to Covid 19
	11%	47%	31%	10%	100%	
Dec-21	8	24	15	0	47	4 matters with co accused. 3 matters
	17%	51%	32%	0%	100%	

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						vacated due to covid 19
Jan-22	2	21	9	7	39	3 matters with co accused. 4 matters vacated due to Covid 19
	5%	54%	23%	18%	100%	
Feb-22	17	28	22	4	71	4 matters with co accused. 2 matters vacated due to Covid 19
	24%	39%	31%	6%	100%	
Mar-22	13	27	38	2	80	6 matters with co accused. 4 matters vacated due to Covid 19
	16%	34%	48%	3%	100%	
Apr-22	15	18	24	15	72	5 matters with co accused. 4 matters vacated due to covid 19
	21%	25%	33%	21%	100%	
May-22	12	33	38	6	89	3 matters with co accused. 3 matters vacated due to covid 19
	13%	37%	43%	7%	100%	
Jun-22	14	36	38	6	94	9 matters with co accused. 4 matters vacated due to Covid 19
	15%	38%	40%	6%	100%	
2021-22 Total	127	334	295	75	831	
	15%	40%	35%	9%	100%	

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

Month	Guilty Verdict	Not Guilty Verdict	Nolle Prosequi	Guilty Pleas ¹	Other ²	Total
Jul-21	4	1	3	8	0	16
	25%	6%	19%	50%	0%	0%
Aug-21	9	3	4	12	0	28
	32%	11%	14%	43%	0%	100%
Sep-21	6	5	3	11	0	25
	24%	20%	12%	44%	0%	100%
Oct-21	7	5	6	15	0	33

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	21%	15%	18%	45%	0%	100%
Nov-21	9	7	1	27	1	45
	20%	16%	2%	60%	2%	100%
Dec-21	6	9	2	6	1	24
	25%	38%	8%	25%	4%	100%
Jan-22	2	2	5	12	0	21
	10%	10%	24%	57%	0%	100%
Feb-22	10	5	2	11	0	28
	36%	18%	7%	39%	0%	100%
Mar-22	4	6	3	14	0	27
	15%	22%	11%	52%	0%	100%
Apr-22	4	1	5	8	0	18
	22%	6%	28%	44%	0%	100%
May-22	9	4	2	16	2	33
	27%	12%	6%	48%	6%	100%
Jun-22	12	5	3	16	0	36
	33%	14%	8%	44%	0%	100%
2021-22 Total	82	53	39	156	4	334
	25%	16%	12%	47%	1%	100%

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

Month	Vacated ¹	Judgement/Decision Reserved	Mistrial	Hung Jury	Other ²	Total
Jul-21	18	4	0	2	1	25
	72%	16%	0%	8%	4%	100%
Aug-21	5	4	1	1	2	13
	38%	31%	8%	8%	15%	100%
Sep-21	15	6	3	0	0	24
	63%	25%	13%	0%	0%	100%
Oct-21	12	2	3	1	1	19
	63%	11%	16%	5%	5%	100%
Nov-21	16	7	5	0	2	30
	53%	23%	17%	0%	7%	100%
Dec-21	10	3	0	0	2	15
	67%	20%	0%	0%	13%	100%
Jan-22	7	1	0	0	1	9
	78%	11%	0%	0%	11%	100%
Feb-22	13	4	2	0	3	22
	59%	18%	9%	0%	14%	100%

Mar-22	25	5	4	0	4	38
	66%	13%	11%	0%	11%	100%
Apr-22	13	2	0	0	9	24
	54%	8%	0%	0%	38%	100%
May-22	25	6	0	0	7	38
	66%	16%	0%	0%	18%	100%
Jun-22	23	9	3	1	2	38
	61%	24%	8%	3%	5%	100%
2021-22 Total	182	53	21	5	34	295
	62%	18%	7%	2%	12%	100%

- Reasons are summarised in Table 7.4.
- 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

Month	Defence Application	DPP Application	Joint Application	No judge/No Court available	Bench Warrant ¹	COVID-19	Other	Total
Jul-21	4	1	0	6	0	6	1	18
	22%	6%	0%	33%	0%	33%	6%	100%
Aug-21	2	0	0	1	0	2	0	5
	40%	0%	0%	20%	0%	40%	0%	100%
Sep-21	7	4	0	2	0	0	2	15
	47%	27%	0%	13%	0%	0%	13%	100%
Oct-21	3	3	0	4	0	0	2	12
	25%	25%	0%	33%	0%	0%	17%	100%
Nov-21	9	2	0	3	0	0	2	16
	56%	13%	0%	19%	0%	0%	13%	100%
Dec-21	2	0	0	5	0	3	0	10
	20%	0%	0%	50%	0%	30%	0%	100%
Jan-22	1	2	0	0	0	4	0	7
	14%	29%	0%	0%	0%	57%	0%	100%
Feb-22	7	3	1	0	0	2	0	13
	54%	23%	8%	0%	0%	15%	0%	100%
Mar-22	15	1	0	0	1	6	2	25
	60%	4%	0%	0%	4%	24%	8%	100%
Apr-22	7	1	1	1	0	3	0	13
	54%	8%	8%	8%	0%	23%	0%	100%
May-22	13	3	1	2	3	2	1	25
	52%	12%	4%	8%	12%	8%	4%	100%
Jun-22	14	0	0	3	0	4	2	23
	61%	0%	0%	13%	0%	17%	9%	100%
	80	19	3	21	4	26	11	164

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2021-22 Total	49%	12%	2%	13%	2%	16%	7%	100%
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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

Month	Allowed	Dismissed	Other	Withdrawn/abandoned	Total
Jul-21	1	0	0	0	1
Aug-21	1	0	0	0	1
Sep-21	1	0	0	0	1
Oct-21	1	1	0	1	3
Nov-21	0	0	0	0	0
Dec-21	0	0	0	0	0
Jan-22	0	0	0	0	0
Feb-22	0	0	0	0	0
Mar-22	0	0	0	0	0
Apr-22	0	0	0	0	0
May-22	0	0	0	0	0
Jun-22	0	0	0	0	0
Total 2021-22	4	1	0	1	6

Table 8.2 Appeal Against Acquittal/Verdict

Month	Allowed	Dismissed	Other	Withdrawn/abandoned	Total
Jul-21	1	1	0	0	2
Aug-21	0	0	0	0	0
Sep-21	0	0	0	0	0
Oct-21	0	0	0	0	0
Nov-21	0	0	0	0	0
Dec-21	1	0	0	0	1
Jan-22	0	0	0	0	0
Feb-22	0	0	0	0	0
Mar-22	0	0	0	0	0
Apr-22	0	0	0	0	0

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May-22	0	0	0	0	0
Jun-22	0	0	0	0	0
Total 2021-22	2	1	0	0	3

*Court of Appeal outcomes - Applications by Defence**Table 8.3 Appeal against Sentence*

Month	Allowed	Dismissed	Other	Withdrawn/abandoned	Total
Jul-21	0	1	0	0	1
Aug-21	2	0	0	0	2
Sep-21	0	3	0	0	3
Oct-21	2	1	0	0	3
Nov-21	0	3	0	0	3
Dec-21	1	0	0	0	1
Jan-22	0	0	0	1	1
Feb-22	2	0	0	0	2
Mar-22	6	0	0	0	6
Apr-22	0	1	0	0	1
May-22	0	1	0	0	1
Jun-22	0	3	0	0	3
Total 2021-22	13	13	0	1	27

Table 8.4 Appeal Against Conviction

Month	Allowed	Dismissed	Other	Withdrawn/abandoned	Total
Jul-21	0	0	0	0	0
Aug-21	0	4	0	1	5
Sep-21	1	1	0	0	2
Oct-21	1	0	0	0	1
Nov-21	1	1	0	0	2
Dec-21		5	0	0	5
Jan-22	0	0	0	0	0
Feb-22	1	0	0	0	1
Mar-22	1	0	0	0	1
Apr-22	0	1	0	0	1
May-22	0	0	0	0	0
Jun-22	2	1	0	0	3
Total 2021-22	7	13	0	1	21

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Permission outcomes - Applications by ODPP

Table 8.5 Appeal Against Sentence

Month	Granted/conceded	Referred to Full Court	Refused	Withdrawn/abandoned/lapsed	Total
Jul-21	0	0	0	0	0
Aug-21	1	0	0	0	1
Sep-21	1	0	0	0	1
Oct-21	1	0	1	1	3
Nov-21	0	0	0	0	0
Dec-21	0	0	0	0	0
Jan-22	0	0	0	0	0
Feb-22	0	0	0	0	0
Mar-22	0	2	0	0	0
Apr-22	0	1	0	0	2
May-22	2	0	0	0	2
Jun-22	0	0	0	0	0
Total 2021-22	5	3	1	1	10

Table 8.6 Appeal Against Acquittal / Verdict

Month	Granted/conceded	Referred to Full Court	Refused	Withdrawn/abandoned/lapsed	Total
Jul-21	0	0	0	0	0
Aug-21	0	0	0	0	0
Sep-21	0	0	0	0	0
Oct-21	0	0	0	0	0
Nov-21	0	0	0	0	0
Dec-21	0	0	0	0	0
Jan-22	1	0	0	0	1
Feb-22	0	0	0	0	0
Mar-22	0	0	0	0	0
Apr-22	0	0	0	0	0
May-22	2	0	0	0	2
Jun-22	0	0	0	0	0
Total 2021-22	3	0	0	0	3

Permission outcomes - Applications by Defence

Table 8.7 Appeal Against Sentence

Month	Granted/conceded	Referred to Full Court	Refused	Withdrawn/abandoned/lapsed	Total
Jul-21	1	0	1	1	3
Aug-21	4	0	2	0	6
Sep-21	0	1	3	1	5
Oct-21	2	1	2	0	5
Nov-21	0	0	3	0	3
Dec-21	2	3	2	0	7
Jan-22	1	0	0	1	2
Feb-22	4	2	1	1	8
Mar-22	3	3	0	0	6
Apr-22	4	1	1	0	6
May-22	2	1	0	0	3
Jun-22	2	0	2	1	5
Total 2021-22	25	12	17	5	54

Table 8.8 Appeal Against Conviction

Month	Granted/conceded	Referred to Full court	Refused	Withdrawn/abandoned/lapsed	Total
Jul-21	4	0	0	0	4
Aug-21	2	0	0	1	3
Sep-21	2	1	1	1	5
Oct-21	4	0	2	0	6
Nov-21	4	1	0	0	5
Dec-21	3	1	0	0	4
Jan-22	4	0	0	0	4
Feb-22	1	4	0	1	6
Mar-22	5	1	0	1	7
Apr-22	3	0	0	0	3
May-22	2	1	0	2	5
Jun-22	2	0	2	1	5
Total 2021-22	36	9	5	7	57

9. High Court (All applications by Defence)

Table 9.1 Special Leave Applications

Outcome	Granted/conceded	Refused
Conviction	1	4
Sentence	1	1
Other	1	
Total	3	5

Table 9.2 High Court Appeals

Outcome	Dismissed
Conviction	0
Sentence	0
Other	1
2021-22 Total	1

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;
 - Contribute to the SA Government COVID-19 pandemic recovery through the transfer of clerical staff to assist with contract tracing and continuation of critical prosecution processes including bail review and charge determinations;
 - Assisting vulnerable families within the criminal justice system through the continuation of the Court Canine Companion project.

Agency specific objectives and performance

Agency objectives	Indicators	Performance
Inaugural Aboriginal Witness Assistance Officer	The engagement of an Aboriginal Witness Assistance Officer within the ODPP has a number of purposes. 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	In June 2022 the ODPP Aboriginal Witness Assistance Officer commenced within the ODPP.

Agency objectives	Indicators	Performance
	taken into account in the conduct of prosecutions.	
Court Companion (CCC Project) Canine (CCC Project)	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 assist in calming vulnerable victims, lowering anxiety and support the building of rapport.	Following the death of the inaugural Court Canine, Zero, the ODPP and its partner in the CCC project, Guide Dogs SA/NT, commenced planning for the arrival of Zeb, a two-year-old golden Labrador in February 2022. The ODPP and Guide Dogs SA/NT are committed to progressing the CCC project into Stage 2 and 3, which will ultimately see the Canine Court Companion accompanying vulnerable witnesses to court.
Preparation for the introduction of the Electronic Courts Management System (ECMS) into the criminal jurisdiction.	As part of the Criminal Justice System, the ODPP commenced a project to ensure its readiness to work within the new online electronic environment for lodging court documents that the implementation of the Courts Administration Authority's ECMS system will bring.	Preparations for the ECMS have been undertaken in readiness for the 'go-live' of the system in August 2022 including: <ul style="list-style-type: none"> • A rigorous assessment of existing ODPP prosecution processes overlaid with the projected changes that new court rules and the new ECMS system would bring, have resulted development of comprehensive process maps to provide a basis for training; and • The conduct of a comprehensive training program for legal and support staff to ensure compliance with the new court rules and the new system.
Establishment of specialist functions to enhance efficiency and effectiveness.	In line with best practice, regular reviews of business processes to facilitate the provision of timely and effective services has identified the requirement to specialise some functions.	<ul style="list-style-type: none"> • <u>Appeal and Adjudication team</u>: This small team was established as a result of a change of process within the Court of Criminal Appeals.

Agency objectives	Indicators	Performance
		<ul style="list-style-type: none"> • <u>The Operation Ironside Team</u>: This team of senior solicitors and support staff was established to undertake the complex matters associated with this world-wide operation. The team is likely to conduct the first Operation Ironside prosecution in Australia.
<p>COVID-19 response</p>	<p>Continued management of the ODPP workforce during the COVID-19 environment to ensure efficiencies of resourcing and wellbeing of staff.</p>	<p>The 2021-22 financial year saw one lockdown in South Australia in July 2021. The ODPP has a number of critical functions that must continue within the Criminal Justice System including the review of bail applications and charge determinations. Through a roster system and a well-developed business continuity plan, the ODPP continued to function throughout the lock down period.</p> <p>The ODPP facilitated the maximum availability of work from home opportunities for its staff throughout the financial year, maintaining an optimum balance between the staff work-load and resourcing within the office worksite.</p>
<p>Commercial Crime and Confiscations</p>	<p>The ODPP established a new team in early 2021 to augment the already established confiscations of assets team, with additional functions relating to corruption, fraud and cybercrime matters.</p>	<p>During 2021-22, the Commercial Crime and Confiscations team has:</p> <ul style="list-style-type: none"> • actively sought the restraint and forfeiture of millions of dollars worth of cash, real property, cryptocurrency and other high value assets of organised crime suspects (especially those connected with Operation Ironside); • Resolved longstanding confiscation matters resulting in significant amounts of restrained cash and assets being forfeited; and

Agency objectives	Indicators	Performance
		<ul style="list-style-type: none"> streamlined processes and developed data gathering procedures for improved efficiency and consistency.

General Compliance

Reporting on the following aspects of the ODPP corporate functions is included within the Attorney-General's Department 2020-21 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*:

Criminal Assets Confiscations	2021-22
Briefs Received	197
Briefs Finalised	199
Deposited to Victims of Crime Fund	\$3,814,516.98
Deposited to Justice Rehabilitation Fund	\$792,544.69

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

Briefing out of trials to private bar	2021-22
Number of matters briefed	88
Total briefing out costs	\$577,614.06

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 2020-21 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 2020-21 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> <ul style="list-style-type: none"> a) the number of persons who became prescribed drug offenders during that period; b) the number of restraining orders made during that period in relation to persons who, if convicted of the

Act or Regulation	Requirement
	<p style="text-align: center;">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 2021-22, there were 101 persons who became prescribed drug offenders.

Section 229A (2) (b)

In 2021-22, there were 101 restraining orders made in relation to persons who, if convicted of the serious offence to which the restraining order relates, will become prescribed drug offenders.

Section 229A (2) (c)

In 2021-22, the following property was deemed forfeited.

- Real Property: 18 interests in real properties
- Vehicles: 31 vehicles
- Cash: \$621,337.82
Sums seized from accounts: \$ \$1,015,717.72
- Shares and cryptocurrency: Details pending
- Other items of value: Over \$1.6m

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 s 59A for the court to exclude a portion thereof, based on cooperation with police.

In 2021-22, the following property was **confirmed** as forfeited by virtue of a Prescribed Drug Offender conviction, with other applications for declarations of deemed forfeiture pending:

- Real Property: 4 interests in real properties
- Vehicles: 7 vehicles
- Cash: \$ \$268,659.11
- Shares and cryptocurrency: Details pending
- Other items of value: Details pending

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

Appendix: Audited financial statements 2021-22

Please refer to the Attorney-General's Department 2021-22 Annual Report