

**OFFICIAL**



**Government  
of South Australia**

**OFFICE OF THE DIRECTOR OF PUBLIC  
PROSECUTIONS  
2023-24 Annual Report**

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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 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

30 September 2024

## From the Director



The 2023-24 reporting year has provided both challenges and opportunities for the ODPP.

Many of the issues confronted in past reporting years remain; the volume and nature of our work continues to present challenges, staff continue to work under pressure to tight timeframes to ensure that matters are prosecuted effectively and efficiently, and to provide information and support to victims of crime and their families. Wellbeing, in the wake of workload and subject matter, remain high priorities. In this regard, much work has been done leveraging the recommendations of the 2023 ODPP Workplace Experience Review, with the ODPP embarking upon a comprehensive change program which examines the processes, functions, roles, and purpose of many aspects of our organisation. The Change Program comprises 24 projects drawn from the Review and previous reviews. Ten of these projects have been prioritised to deliver “quick wins” and/or build foundational capabilities by the end of the 2024 calendar year. Some of these include a pilot of electronic evidence presentation technology within the courtroom; providing a more objective measure of solicitor workload, thereby optimising file allocations; and reviewing the support roles and functions for legal teams to ensure processes are efficient and resourcing is optimal. In the immediate and mid-terms, our focus is upon our processes governing the allocation of work and the preparation, resourcing, and presentation of matters in court.

The Change Program is expected to take 3 years to deliver returns on all 24 projects. It is anticipated that some projects will be iterative whilst others will give rise to further undertakings. Overall, the Program is ambitious and we are grateful for the support of the Attorney-General and the Chief Executive of the Attorney-General’s Department.

Extraordinary Matters (*i.e.* matters which are large, complex, and require a dedicated team of lawyers and support staff for the life of the matter) are no longer as extraordinary as they once were, in terms of frequency. The complexity and volume of these matters continues to increase. In 2023-24 the ODPP had conduct of 5 Extraordinary Matters, one of which encompassed Operation Ironside which of itself comprises over 40 separate trials. The ODPP is now giving serious consideration to the creation of a dedicated team of solicitors to deal with the serious and complex work that is becoming more and more commonplace.

While the funding received for Extraordinary Matters enables the recruitment of additional staff, recruitment itself and the subsequent retention of experienced staff, remains a challenge, not only for the ODPP but for all organisations within the legal sector. Retention of experience is particularly critical to being able to provide an effective prosecution service capable of dealing with Extraordinary Matters. Increased mobility by young practitioners, and the availability of work at the private bar for experienced counsel, has meant that the ODPP has undertaken several recruitment processes over the year. The increasing number of junior practitioners within the ODPP staff has created additional pressures in terms of training, knowledge transfer, oversight, and general management for the more experienced staff. The quality of our recruits is particularly high, but the ODPP is unable to recruit experience at the same

level as that lost and, as in all things, the attaining of experience takes time. The result is that over the next 3-5 years it is anticipated that the ODPP will make greater use of the independent Bar than has previously been the case, whilst embarking upon an accelerated program aimed at skill enhancement and retention, particularly of in-house prosecutors.

Staff wellbeing remains a priority for the ODPP. The Office has continued to develop training and other supports for staff to assist them in the conduct of often difficult and confronting matters. In addition, a project to assess and action psychosocial risks, as identified by staff themselves, will result in additional initiatives being developed and implemented by a dedicated Wellbeing Officer, recruited in the latter half of 2023-24.

With respect to the care and support of victims of crime, the Office is in the process of recruiting three Aboriginal Witness Assistance Officers whose roles will include, not only providing culturally appropriate support to Aboriginal victims and witnesses, but providing staff with expert advice on cultural considerations to be taken into account in prosecuting, and cultural awareness training more generally. Additionally, the Office has recruited a number of casual Support Officers to assist our Witness Assistance Officers in supporting victims of crime through the prosecution process.

Once again it has been a very busy year for the ODPP. I expect the same in 2024-25, with, I anticipate, greater emphasis being given to the necessity of reducing delay in the criminal justice system for the sake of all concerned, but, in particular, victims of crime. From an organisational perspective, many of the Change Program initiatives will deliver significant outcomes that will contribute to greater efficiency, job satisfaction, role clarity, and wellbeing.

Lastly, I express my thanks to the staff of the ODPP for their professionalism and dedication.

Martin Hinton KC

**Director of Public Prosecutions**

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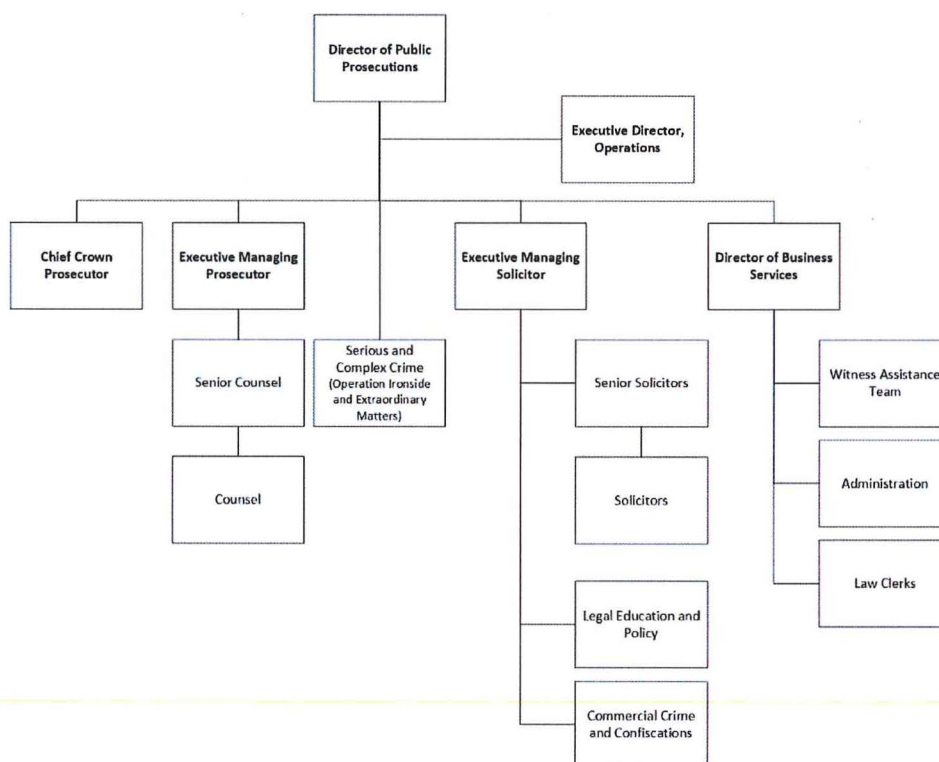
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## Overview: about the agency

### Our strategic focus

<p><b>Our Purpose</b></p>	<p>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.</p>
<p><b>Our Vision</b></p>	<p>A highly skilled, professional prosecution service committed to achieving justice for the people of South Australia.</p>
<p><b>Our functions, objectives, and deliverables</b></p>	<p>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.</p>

### Our organisational structure



For more information about our structure and the function for each team, please see below or visit: <https://www.dpp.sa.gov.au/about-us/our-organisation/>

## **Changes to the agency**

During 2023-24 there were the following changes to the agency's structure and objectives as a result of internal reviews or machinery of government changes.

### Executive Director, Operations role

The new Executive Director, Operations commenced in the ODPP on 5 February 2024. This role was established as a result of one of the recommendations of the 2023 ODPP Workplace Experience Review. The role is discussed below.

## **Our Minister (s)**



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 Court of Appeal 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, Serious and Complex Crime, 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.

### Executive Director, Operations

The Executive Director Operations (EDO) is a new role, established in 2024. The EDO is responsible for advising the Director and leading the strategic direction of the ODPP in relation to systems, processes of work, workload, people management and other business functions. This includes the development and review of system and process priorities that complement and advance the delivery of legal services by the ODPP, in addition to managing and developing programs to improve overall organisational

effectiveness and engaging with all staff in the ODPP to achieve those change and capacity improvements.

### 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.

### 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 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.

The Executive Managing Prosecutor is a member of the ODPP Executive and also has responsibility for range of office-wide functions and initiatives.

### Executive Managing Solicitor

The Executive Managing Solicitor is responsible for the solicitor teams, with the exception of the Serious and Complex Crime Team. 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 the conduct of major indictable matters in the superior courts including pre-trial hearings and preparation of files for trial. Prosecution files include fraud, VWT, 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.

### 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.

Manager of the Witness Assistance Team

The Manager of the Witness Assistance Team (WAT) is responsible for the delivery of state-wide information and support services to victims and witnesses, and their immediate families, in matters dealt with by the ODPP. The Manager has a team of 11.7 FTE who manage the WAT caseload and provide support and assistance service in accordance with the Office requirements. The WAT Manager is a member of the ODPP Executive.

**Legislation administered by the agency**

*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 2023-24 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-23	3172	438	471	11	3150	340	<b>2810</b>
Aug-23	3150	460	469	13	3141	335	<b>2806</b>
Sep-23	3141	433	449	9	3134	342	<b>2792</b>
Oct-23	3134	408	469	7	3080	338	<b>2742</b>
Nov-23	3080	455	399	2	3138	338	<b>2800</b>
Dec-23	3138	367	396	16	3125	338	<b>2787</b>
Jan-24	3125	486	478	7	3140	335	<b>2805</b>
Feb-24	3140	498	447	8	3199	335	<b>2864</b>
Mar-24	3199	419	432	7	3193	334	<b>2859</b>
Apr-24	3193	461	466	5	3194	334	<b>2860</b>
May-24	3194	455	468	13	3194	335	<b>2859</b>
Jun-24	3194	432	423	4	3207	336	<b>2871</b>
<b>2023-24 total</b>	<b>3172</b>	<b>5312</b>	<b>5367</b>	<b>90</b>	<b>3207</b>	<b>336</b>	<b>2871</b>

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

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*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-23	258	106	15	15	3	0	9	32	<b>438</b>
	58.90%	24.20%	3.42%	3.42%	0.68%	0.00%	2.05%	7.31%	<b>100%</b>
Aug-23	246	130	11	12	0	0	18	43	<b>460</b>
	53.48%	28.26%	2.39%	2.61%	0.00%	0.00%	3.91%	9.35%	<b>100%</b>
Sep-23	226	112	10	13	1	0	9	62	<b>433</b>
	52.19%	25.87%	2.31%	3.00%	0.23%	0.00%	2.08%	14.32%	<b>100%</b>
Oct-23	205	110	14	22	1	0	7	49	<b>408</b>
	50.25%	26.96%	3.43%	5.39%	0.25%	0.00%	1.72%	12.01%	<b>100%</b>
Nov-23	256	124	23	12	2	0	12	26	<b>455</b>
	56.26%	27.25%	5.05%	2.64%	0.44%	0.00%	2.64%	5.71%	<b>100%</b>
Dec-23	211	104	9	7	1	0	8	27	<b>367</b>
	57.49%	28.34%	2.45%	1.91%	0.27%	0.00%	2.18%	7.36%	<b>100%</b>
Jan-24	262	125	30	11	0	0	9	49	<b>486</b>
	53.91%	25.72%	6.17%	2.26%	0.00%	0.00%	1.85%	10.08%	<b>100%</b>
Feb-24	238	169	7	35	0	1	13	32	<b>495</b>
	48.08%	34.14%	1.41%	7.07%	0.00%	0.20%	2.63%	6.46%	<b>100%</b>
Mar-24	235	116	10	14	4	0	11	29	<b>419</b>
	56.09%	27.68%	2.39%	3.34%	0.95%	0.00%	2.63%	6.92%	<b>100%</b>
Apr-24	242	131	12	16	0	0	8	52	<b>461</b>
	52.49%	28.42%	2.60%	3.47%	0.00%	0.00%	1.74%	11.28%	<b>100%</b>
May-24	251	127	17	16	2	1	9	32	<b>455</b>
	55.16%	27.91%	3.74%	3.52%	0.44%	0.22%	1.98%	7.03%	<b>100%</b>
Jun-24	220	137	10	11	2	0	14	38	<b>432</b>
	50.93%	31.71%	2.31%	2.55%	0.46%	0.00%	3.24%	8.80%	<b>100%</b>
<b>2023-24 totals</b>	<b>2850</b>	<b>1491</b>	<b>168</b>	<b>184</b>	<b>16</b>	<b>2</b>	<b>127</b>	<b>471</b>	<b>5309</b>
	<b>53.68%</b>	<b>28.08%</b>	<b>3.16%</b>	<b>3.47%</b>	<b>0.30%</b>	<b>0.04%</b>	<b>2.39%</b>	<b>8.87%</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 <sup>2</sup>	Files closed during the period	Other <sup>3</sup>	Files at the end of the period
Jul-23	796	31	25	1	<b>803</b>
Aug-23	803	36	50	-1	<b>788</b>
Sep-23	788	34	46	2	<b>778</b>
Oct-23	778	48	51	2	<b>777</b>

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Nov-23	777	28	28	2	<b>779</b>
Dec-23	779	37	29	-2	<b>785</b>
Jan-24	785	44	26	6	<b>809</b>
Feb-24	809	47	42	1	<b>815</b>
Mar-24	815	24	21	1	<b>819</b>
Apr-24	819	34	32	2	<b>823</b>
May-24	823	51	67	3	<b>810</b>
Jun-24	810	29	40	3	<b>802</b>
<b>2023-24 total</b>	<b>796</b>	<b>443</b>	<b>457</b>	<b>20</b>	<b>802</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)	
as at July 2023	94	1	17	7	0	<b>119</b>
	79%	1%	14%	6%	0%	<b>100%</b>
as at August 2023	95	0	17	6	0	<b>118</b>
	81%	0%	14%	5%	0%	<b>100%</b>
as at September 2023	96	0	16	5	2	<b>119</b>
	81%	0%	13%	4%	2%	<b>100%</b>
as at October 2023	94	1	18	5	0	<b>118</b>
	80%	1%	15%	4%	0%	<b>100%</b>
as at November 2023	93	1	18	7	1	<b>120</b>
	78%	1%	15%	6%	1%	<b>100%</b>
as at December 2023	93	1	19	7	0	<b>120</b>
	78%	1%	16%	6%	0%	<b>100%</b>
as at January 2024	91	1	20	6	2	<b>120</b>
	76%	1%	17%	5%	2%	<b>100%</b>
as at February 2024	91	1	19	6	1	<b>118</b>
	77%	1%	16%	5%	1%	<b>100%</b>
as at March 2024	90	1	20	8	2	<b>121</b>
	74%	1%	17%	7%	2%	<b>100%</b>
as at April 2024	90	1	20	6	1	<b>118</b>
	76%	1%	17%	5%	1%	<b>100%</b>

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as at May 2024	91	1	19	8	0	<b>119</b>
	76%	1%	16%	7%	0%	<b>100%</b>
as at June 2024	<b>91</b>	<b>1</b>	<b>20</b>	<b>9</b>	<b>0</b>	<b>121</b>
	<b>75%</b>	<b>1%</b>	<b>17%</b>	<b>7%</b>	<b>0%</b>	<b>100%</b>

*Table 1.5 Mental Impairment Applications made during the month*

	Application to vary / review Supervision Orders	Application to revoke Supervision Orders	Other	Total
Jul-23	0	0	0	<b>0</b>
Aug-23	1	0	0	<b>1</b>
Sep-23	1	0	2	<b>3</b>
Oct-23	1	0	1	<b>2</b>
Nov-23	3	0	1	<b>4</b>
Dec-23	1	0	0	<b>1</b>
Jan-24	3	0	0	<b>3</b>
Feb-24	0	0	0	<b>0</b>
Mar-24	1	0	1	<b>2</b>
Apr-24	0	0	0	<b>0</b>
May-24	5	0	0	<b>5</b>
Jun-24	4	0	0	<b>4</b>
<b>FY Totals</b>	<b>20</b>	<b>0</b>	<b>5</b>	<b>25</b>
	<b>80%</b>	<b>0%</b>	<b>20%</b>	<b>100%</b>

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

	Pending matters (s269 reports ordered)	Finding of Mental Incompetence	Unfit to Plead	Total
Jul-23	3	1	0	4
	75%	25%	0%	100%
Aug-23	4	1	0	5
	80%	20%	0%	100%
Sep-23	5	0	0	5
	100%	0%	0%	100%
Oct-23	4	2	0	6
	67%	33%	0%	100%
Nov-23	0	1	0	1
	0%	100%	0%	100%
Dec-23	0	0	1	1
	0%	0%	100%	100%
Jan-24	0	0	0	0
	0%	0%	0%	0%
Feb-24	8	2	2	12
	67%	17%	17%	100%

Mar-24	5	0	0	5
	100%	0%	0%	100%
Apr-24	2	1	1	4
	50%	25%	25%	100%
May-24	5	1	3	9
	56%	11%	33%	100%
Jun-24	8	1	0	9
	89%	11%	0%	100%
<b>2023-24 total</b>	44	10	7	61
	72%	16%	11%	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 month<sup>1</sup>*

	<b>Preliminary Briefs Received</b>	<b>Number of Accused</b>
Jul-23	104	121
Aug-23	125	154
Sep-23	103	126
Oct-23	109	132
Nov-23	122	151
Dec-23	99	115
Jan-24	121	142
Feb-24	162	186
Mar-24	112	128
Apr-24	130	151
May-24	129	146
Jun-24	134	151
<b>2023-24 total</b>	<b>1450</b>	<b>1703</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-23	14	15	86	0	<b>115</b>
	12%	13%	75%	0%	<b>100%</b>

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Aug-23	20	11	101	2	<b>134</b>
	15%	8%	75%	1%	<b>100%</b>
Sep-23	28	13	114	4	<b>159</b>
	18%	8%	72%	3%	<b>100%</b>
Oct-23	13	6	108	1	<b>128</b>
	10%	5%	84%	1%	<b>100%</b>
Nov-23	11	14	108	2	<b>135</b>
	8%	10%	80%	1%	<b>100%</b>
Dec-23	14	7	94	0	<b>115</b>
	12%	6%	82%	0%	<b>100%</b>
Jan-24	23	8	114	1	<b>146</b>
	16%	5%	78%	1%	<b>100%</b>
Feb-24	20	12	104	0	<b>136</b>
	15%	9%	76%	0%	<b>100%</b>
Mar-24	41	20	127	0	<b>188</b>
	22%	11%	68%	0%	<b>100%</b>
Apr-24	29	11	90	1	<b>131</b>
	22%	8%	69%	1%	<b>100%</b>
May-24	20	7	134	0	<b>161</b>
	12%	4%	83%	0%	<b>100%</b>
Jun-24	15	15	102	0	<b>132</b>
	11%	11%	77%	0%	<b>100%</b>
<b>2023-24 total</b>	<b>248</b>	<b>139</b>	<b>1282</b>	<b>11</b>	<b>1680</b>
	<b>15%</b>	<b>8%</b>	<b>76%</b>	<b>1%</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-23	258	296
Aug-23	246	272
Sep-23	226	257
Oct-23	206	229
Nov-23	256	281
Dec-23	211	228
Jan-24	262	293
Feb-24	238	258
Mar-24	235	258
Apr-24	242	262
May-24	251	275
Jun-24	220	244
<b>2023-24 total</b>	<b>2851</b>	<b>3153</b>

Table 2.4 Adjudication outcomes

Outcome	2023-24	
	Charge major	2428
Charge minor/summary	500	16%
Do not charge	105	3%
Did not adjudicate	107	3%
Not finalised	13	0%
<b>Total</b>	<b>3153</b>	<b>100%</b>

- As at the time of publication, 13 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	Total open
Jul-23	0	0	1	4	5	1	1	0	12
Aug-23	0	0	1	4	5	0	1	0	11
Sep-23	0	0	1	4	5	0	0	1	10
Oct-23	0	0	1	4	5	0	0	0	10
Nov-23	0	0	1	3	5	0	1	0	10
Dec-23	0	0	1	3	5	0	0	1	9
Jan-24	0	0	1	3	5	0	0	0	9
Feb-24	0	0	0	3	4	0	1	1	8
Mar-24	0	0	1	2	4	0	0	1	7
Apr-24	0	0	1	2	3	0	0	1	6
May-24	0	0	0	3	2	0	1	0	6
Jun-24	0	0	0	3	2	0	0	1	5

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-23	0	4
Aug-23	4	7
Sep-23	1	3

Oct-23	8	7
Nov-23	4	1
Dec-23	3	2
Jan-24	0	1
Feb-24	3	2
Mar-24	2	4
Apr-24	3	6
May-24	0	7
Jun-24	1	7
<b>2023-24 total</b>	<b>29</b>	<b>51</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 considered 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

	Overall conviction rate
Jul-23	78.30%
Aug-23	68.29%
Sep-23	68.47%
Oct-23	68.82%
Nov-23	76.42%
Dec-23	77.78%
Jan-24	88.16%
Feb-24	77.97%
Mar-24	83.91%
Apr-24	69.66%
May-24	70.97%
Jun-24	79.25%
<b>2023-24 average</b>	<b>75.67%</b>

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

	Convictions by verdict	Convictions by plea
Jul-23	16.87%	83.13%
Aug-23	8.33%	91.66%
Sep-23	11.39%	88.61%
Oct-23	27.27%	72.73%
Nov-23	16.87%	83.13%
Dec-23	13.89%	86.11%
Jan-24	5.80%	94.20%
Feb-24	6.32%	93.68%
Mar-24	18.42%	81.58%
Apr-24	16.13%	83.87%
May-24	10.45%	89.55%
Jun-24	10.34%	89.66%
<b>2023-24 total</b>	<b>13.51%</b>	<b>86.49%</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-23	113	18	53	<b>184</b>
	61%	10%	29%	<b>100%</b>
Aug-23	123	22	65	<b>210</b>
	59%	10%	31%	<b>100%</b>
Sep-23	112	21	59	<b>192</b>
	58%	11%	31%	<b>100%</b>
Oct-23	98	22	50	<b>170</b>
	58%	13%	29%	<b>100%</b>
Nov-23	116	20	59	<b>195</b>
	59%	10%	30%	<b>100%</b>
Dec-23	85	21	48	<b>154</b>
	55%	14%	31%	<b>100%</b>
Jan-24	113	12	35	<b>160</b>
	71%	8%	22%	<b>100%</b>
Feb-24	138	26	49	<b>213</b>
	65%	12%	23%	<b>100%</b>
Mar-24	124	10	42	<b>176</b>
	70%	6%	24%	<b>100%</b>
Apr-24	88	14	42	<b>144</b>
	61%	10%	29%	<b>100%</b>
May-24	164	26	32	<b>222</b>
	74%	12%	14%	<b>100%</b>
Jun-24	118	22	54	<b>194</b>
	61%	11%	28%	<b>100%</b>
<b>2023-24 total</b>	<b>1392</b>	<b>234</b>	<b>588</b>	<b>2214</b>
	<b>63%</b>	<b>11%</b>	<b>27%</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-23	34	62	4	1	9	0	3	<b>113</b>
	30%	55%	4%	1%	8%	0%	3%	<b>100%</b>
Aug-23	35	60	8	9	11	0	0	<b>123</b>
	28%	49%	7%	7%	9%	0%	0%	<b>100%</b>
Sep-23	34	50	3	8	15	0	2	<b>112</b>
	30%	45%	3%	7%	13%	0%	2%	<b>100%</b>
Oct-23	23	53	5	5	6	2	4	<b>98</b>
	23%	54%	5%	5%	6%	2%	4%	<b>100%</b>
Nov-23	27	62	2	6	18	0	1	<b>116</b>
	23%	53%	2%	5%	16%	0%	1%	<b>100%</b>
Dec-23	22	42	2	9	8	1	1	<b>85</b>
	26%	49%	2%	11%	9%	1%	1%	<b>100%</b>
Jan-24	31	55	1	8	14	2	2	<b>113</b>
	27%	49%	1%	7%	12%	2%	2%	<b>100%</b>
Feb-24	41	68	3	15	5	2	4	<b>138</b>
	30%	49%	2%	11%	4%	1%	3%	<b>100%</b>
Mar-24	37	61	0	7	19	0	0	<b>124</b>
	30%	49%	0%	6%	15%	0%	0%	<b>100%</b>
Apr-24	32	48	3	3	2	0	0	<b>88</b>
	36%	55%	3%	3%	2%	0%	0%	<b>100%</b>
May-24	36	92	6	11	18	1	0	<b>164</b>
	22%	56%	4%	7%	11%	1%	0%	<b>100%</b>
Jun-24	32	62	2	11	10	0	1	<b>118</b>
	27%	53%	2%	9%	8%	0%	1%	<b>100%</b>
<b>2023-24 total</b>	<b>384</b>	<b>715</b>	<b>39</b>	<b>93</b>	<b>135</b>	<b>8</b>	<b>18</b>	<b>1392</b>
	<b>28%</b>	<b>51%</b>	<b>3%</b>	<b>7%</b>	<b>10%</b>	<b>1%</b>	<b>1%</b>	<b>100%</b>

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

	Guilty plea (all/some/lesser)	Nolle Prosequi	White Paper	Other	Total
Jul-23	12	3	3	0	<b>18</b>
	67%	17%	17%	0%	<b>100%</b>
Aug-23	13	1	7	1	<b>22</b>
	59%	5%	32%	5%	<b>100%</b>
Sep-23	11	3	6	1	<b>21</b>
	52%	14%	29%	5%	<b>100%</b>
Oct-23	10	4	6	2	<b>22</b>
	45%	18%	27%	9%	<b>100%</b>

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Nov-23	13	2	5	0	<b>20</b>
	65%	10%	25%	0%	<b>100%</b>
Dec-23	15	1	4	1	<b>21</b>
	71%	5%	19%	5%	<b>100%</b>
Jan-24	9	0	3	0	<b>12</b>
	75%	0%	25%	0%	<b>100%</b>
Feb-24	20	2	2	2	<b>26</b>
	77%	8%	8%	8%	<b>100%</b>
Mar-24	8	1	1	0	<b>10</b>
	80%	10%	10%	0%	<b>100%</b>
Apr-24	10	0	3	1	<b>14</b>
	71%	0%	21%	7%	<b>100%</b>
May-24	11	8	7	0	<b>26</b>
	42%	31%	27%	0%	<b>100%</b>
Jun-24	15	2	3	2	<b>22</b>
	68%	9%	14%	9%	<b>100%</b>
<b>FY Totals</b>	<b>147</b>	<b>27</b>	<b>50</b>	<b>10</b>	<b>234</b>
	<b>63%</b>	<b>12%</b>	<b>21%</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>*

	<b>Guilty plea (all/some/lesser)</b>	<b>Not guilty verdict</b>	<b>Guilty verdict (all/some/lesser)</b>	<b>Nolle Prosequi</b>	<b>Other</b>	<b>Total</b>
Jul-23	23	7	14	9	0	<b>53</b>
	43%	13%	26%	17%	0%	<b>100%</b>
Aug-23	29	14	7	14	1	<b>65</b>
	45%	22%	11%	22%	2%	<b>100%</b>
Sep-23	25	13	9	12	0	<b>59</b>
	42%	22%	15%	20%	0%	<b>100%</b>
Oct-23	15	12	18	5	0	<b>50</b>
	30%	24%	36%	10%	0%	<b>100%</b>
Nov-23	29	5	13	12	0	<b>59</b>
	49%	8%	22%	20%	0%	<b>100%</b>
Dec-23	24	9	10	4	1	<b>48</b>
	50%	19%	21%	8%	2%	<b>100%</b>
Jan-24	25	0	4	6	0	<b>35</b>
	71%	0%	11%	17%	0%	<b>100%</b>
Feb-24	28	8	5	8	0	<b>49</b>
	57%	16%	10%	16%	0%	<b>100%</b>
Mar-24	17	3	14	8	0	<b>42</b>
	40%	7%	33%	19%	0%	<b>100%</b>
Apr-24	10	11	10	10	1	<b>42</b>
	24%	26%	24%	24%	2%	<b>100%</b>
May-24	13	8	7	3	1	<b>32</b>

	41%	25%	22%	9%	3%	<b>100%</b>
Jun-24	31	5	9	7	2	<b>54</b>
	57%	9%	17%	13%	4%	<b>100%</b>
<b>2023-24 total</b>	<b>269</b>	<b>95</b>	<b>120</b>	<b>98</b>	<b>6</b>	<b>588</b>
	<b>46%</b>	<b>16%</b>	<b>20%</b>	<b>17%</b>	<b>1%</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	Trials commencing in the month listed but not resolved until a later month	Total	Co-accused matters and matters vacated due to COVID-19
Jul-23	19	38	29	8	<b>94</b>	6 matters with co accused. 2 matters vacated due to COVID-19.
	20%	40%	31%	9%	<b>100%</b>	
Aug-23	23	53	35	4	<b>115</b>	11 matters with co accused. 3 matters vacated due to COVID-19.
	20%	46%	30%	3%	<b>100%</b>	
Sep-23	16	48	27	9	<b>100</b>	8 matters with co accused. 1 matter vacated due to COVID-19.
	16%	48%	27%	9%	<b>100%</b>	
Oct-23	20	26	30	4	<b>80</b>	7 matters with co-accused. 0 matters vacated due to COVID-19.
	25%	33%	38%	5%	<b>100%</b>	

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Nov-23	16	43	23	12	<b>94</b>	17 matters with co-accused. 0 matters vacated due to COVID-19.
	17%	46%	24%	13%	<b>100%</b>	
Dec-23	12	26	15	0	<b>53</b>	6 matters with co-accused. 0 matters vacated due to COVID-19.
	23%	49%	28%	0%	<b>100%</b>	
Jan-24	14	23	13	7	<b>57</b>	4 matters with co-accused. 0 matters vacated due to COVID-19.
	25%	40%	23%	12%	<b>100%</b>	
Feb-24	29	32	46	4	<b>111</b>	12 matters with co-accused. 1 matter vacated due to COVID-19.
	26%	29%	41%	4%	<b>100%</b>	
Mar-24	16	29	27	5	<b>77</b>	7 matters with co-accused. 0 matters vacated due to COVID-19.
	21%	38%	35%	6%	<b>100%</b>	
Apr-24	28	27	24	13	<b>92</b>	14 matters with co-accused. 0 matters vacated due to COVID-19.
	30%	29%	26%	14%	<b>100%</b>	
May-24	22	25	24	10	<b>81</b>	14 matters with co-accused. 0 matters vacated due to COVID-19.
	27%	31%	30%	12%	<b>100%</b>	
Jun-24	4	38	17	5	<b>64</b>	5 matters with co-accused. 0 matters vacated due to COVID-19.
	6%	59%	27%	8%	<b>100%</b>	
<b>2023-24 total</b>	<b>219</b>	<b>408</b>	<b>310</b>	<b>81</b>	<b>1018</b>	
	<b>22%</b>	<b>40%</b>	<b>30%</b>	<b>8%</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</b>	<b>Total</b>
Jul-23	12	5	8	13	0	<b>38</b>
	32%	13%	21%	34%	0%	<b>100%</b>
Aug-23	7	14	5	27	0	<b>53</b>
	13%	26%	9%	51%	0%	<b>100%</b>
Sep-23	5	10	8	24	1	<b>48</b>
	10%	21%	17%	50%	2%	<b>100%</b>
Oct-23	9	8	3	6	0	<b>26</b>

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	35%	31%	12%	23%	0%	<b>100%</b>
Nov-23	9	4	8	22	0	<b>43</b>
	21%	9%	19%	51%	0%	<b>100%</b>
Dec-23	7	6	2	11	0	<b>26</b>
	27%	23%	8%	42%	0%	<b>100%</b>
Jan-24	4	0	2	17	0	<b>23</b>
	17%	0%	9%	74%	0%	<b>100%</b>
Feb-24	6	5	5	16	0	<b>32</b>
	19%	16%	16%	50%	0%	<b>100%</b>
Mar-24	10	2	5	12	0	<b>29</b>
	34%	7%	17%	41%	0%	<b>100%</b>
Apr-24	7	10	3	7	0	<b>27</b>
	26%	37%	11%	26%	0%	<b>100%</b>
May-24	8	7	1	8	1	<b>25</b>
	32%	28%	4%	32%	4%	<b>100%</b>
Jun-24	8	4	2	22	2	<b>38</b>
	21%	11%	5%	58%	5%	<b>100%</b>
<b>2023-24 total</b>	<b>92</b>	<b>75</b>	<b>52</b>	<b>185</b>	<b>4</b>	<b>408</b>
	<b>23%</b>	<b>18%</b>	<b>13%</b>	<b>45%</b>	<b>1%</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-23	17	5	1	1	5	<b>29</b>
	59%	17%	3%	3%	17%	<b>100%</b>
Aug-23	17	13	1	0	4	<b>35</b>
	49%	37%	3%	0%	11%	<b>100%</b>
Sep-23	16	8	0	0	3	<b>27</b>
	59%	30%	0%	0%	11%	<b>100%</b>
Oct-23	15	7	2	0	6	<b>30</b>
	50%	23%	7%	0%	20%	<b>100%</b>
Nov-23	13	6	0	0	4	<b>23</b>
	57%	26%	0%	0%	17%	<b>100%</b>
Dec-23	7	5	0	0	3	<b>15</b>
	47%	33%	0%	0%	20%	<b>100%</b>
Jan-24	9	2	1	0	1	<b>13</b>
	69%	15%	8%	0%	8%	<b>100%</b>
Feb-24	24	9	7	1	5	<b>46</b>
	52%	20%	15%	2%	11%	<b>100%</b>

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Mar-24	15	5	1	0	6	<b>27</b>
	56%	19%	4%	0%	22%	<b>100%</b>
Apr-24	16	5	0	1	2	<b>24</b>
	67%	21%	0%	4%	8%	<b>100%</b>
May-24	11	7	1	0	5	<b>24</b>
	46%	29%	4%	0%	21%	<b>100%</b>
Jun-24	13	2	0	0	2	<b>17</b>
	76%	12%	0%	0%	12%	<b>100%</b>
<b>2023-24 total</b>	<b>173</b>	<b>74</b>	<b>14</b>	<b>3</b>	<b>46</b>	<b>310</b>
	<b>56%</b>	<b>24%</b>	<b>5%</b>	<b>1%</b>	<b>15%</b>	<b>100%</b>

- 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*

	<b>Defence Application</b>	<b>DPP Application</b>	<b>Joint Application</b>	<b>No judge/No Court available</b>	<b>Bench Warrant</b>	<b>COVID-19</b>	<b>Other</b>	<b>Total</b>
Jul-23	8	6	1	2	0	0	0	<b>17</b>
	47%	35%	6%	12%	0%	0%	0%	<b>100%</b>
Aug-23	8	4	1	3	0	0	1	<b>17</b>
	47%	24%	6%	18%	0%	0%	6%	<b>100%</b>
Sep-23	8	1	5	2	0	0	0	<b>16</b>
	50%	6%	31%	13%	0%	0%	0%	<b>100%</b>
Oct-23	5	2	1	6	0	0	1	<b>15</b>
	33%	13%	7%	40%	0%	0%	7%	<b>100%</b>
Nov-23	4	2	0	4	0	0	3	<b>13</b>
	31%	15%	0%	31%	0%	0%	23%	<b>100%</b>
Dec-23	5	1	0	1	0	0	0	<b>7</b>
	71%	14%	0%	14%	0%	0%	0%	<b>100%</b>
Jan-24	4	1	0	3	0	0	1	<b>9</b>
	44%	11%	0%	33%	0%	0%	11%	<b>100%</b>
Feb-24	6	2	1	10	1	1	3	<b>24</b>
	25%	8%	4%	42%	4%	4%	13%	<b>100%</b>
Mar-24	4	5	0	6	0	0	0	<b>15</b>
	27%	33%	0%	40%	0%	0%	0%	<b>100%</b>
Apr-24	4	6	3	3	0	0	0	<b>16</b>
	25%	38%	19%	19%	0%	0%	0%	<b>100%</b>
May-24	3	3	2	3	0	0	0	<b>11</b>
	27%	27%	18%	27%	0%	0%	0%	<b>100%</b>
Jun-24	5	1	1	4	1	0	1	<b>13</b>
	38%	8%	8%	31%	8%	0%	8%	<b>100%</b>
	<b>56</b>	<b>28</b>	<b>14</b>	<b>45</b>	<b>2</b>	<b>1</b>	<b>10</b>	<b>156</b>

<b>2023-24 total</b>	<b>36%</b>	<b>18%</b>	<b>9%</b>	<b>29%</b>	<b>1%</b>	<b>1%</b>	<b>6%</b>	<b>100%</b>
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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*

Outcome	Allowed	Dismissed	Other	Withdrawn / abandoned	Total
Jul-23	0	1	0	0	1
Aug-23	0	0	0	0	0
Sep-23	1	0	0	0	1
Oct-23	0	0	0	0	0
Nov-23	1	2	0	0	3
Dec-23	0	0	0	0	0
Jan-24	0	0	0	1	1
Feb-24	2	0	0	0	2
Mar-24	1	2	0	0	3
Apr-24	2	0	0	0	2
May-24	1	0	0	0	1
Jun-24	1	0	0	0	1
<b>2023-24 total</b>	9	5	0	1	15

*Table 8.2 Appeal Against Acquittal/Verdict*

Outcome	Allowed	Dismissed	Other	Withdrawn / abandoned	Total
Jul-23	0	0	0	0	0
Aug-23	0	0	0	0	0
Sep-23	0	0	0	0	0
Oct-23	0	0	0	0	0
Nov-23	0	0	0	0	0
Dec-23	0	0	0	0	0
Jan-24	0	0	0	0	0
Feb-24	0	0	0	0	0
Mar-24	0	0	0	0	0
Apr-24	0	0	0	0	0
May-24	0	0	0	0	0
Jun-24	0	0	0	0	0
<b>2023-24 total</b>	0	0	0	0	0

Note: There were some appeals heard in 2023-24 but the judgements were not handed down in the financial year. They will be included in the 2024-25 Annual Report.

*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-23	1	0	0	0	1
Aug-23	1	0	0	0	1
Sep-23	1	4	0	0	5
Oct-23	0	2	0	0	2
Nov-23	1	4	0	0	5
Dec-23	0	0	0	0	0
Jan-24	0	0	0	1	1
Feb-24	0	4	0	0	4
Mar-24	0	1	0	0	1
Apr-24	0	1	0	1	2
May-24	4	2	0	0	6
Jun-24	2	2	0	0	4
<b>2023-24 total</b>	<b>10</b>	<b>20</b>	<b>0</b>	<b>2</b>	<b>32</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-23	0	0	0	0	0
Aug-23	0	2	0	2	4
Sep-23	1	1	0	0	2
Oct-23	3	0	0	0	3
Nov-23	0	1	0	0	1
Dec-23	5	1	0	0	6
Jan-24	0	0	0	0	0
Feb-24	0	3	0	0	3
Mar-24	1	4	0	0	5
Apr-24	1	2	0	0	3
May-24	1	6	0	0	7
Jun-24	0	1	0	0	1
<b>2023-24 total</b>	<b>12</b>	<b>21</b>	<b>0</b>	<b>2</b>	<b>35</b>

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

Table 9.1 Special Leave to Appeal Applications

Special leave applications	Granted/conceded	Refused
Conviction	0	1
Sentence	0	1
Other	0	0

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

Table 9.2 High Court Appeals

High Court Appeal	Dismissed	Allowed
Conviction	1	0
Sentence	0	0
Other	0	0

## Agency contribution to whole of Government objectives

Agency's contribution
<ul style="list-style-type: none"> <li>• 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:                             <ul style="list-style-type: none"> <li>○ 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</li> <li>○ 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;</li> <li>○ Assisting vulnerable families within the criminal justice system through the ongoing use of the Court Canine Companion, in conjunction with Guide Dogs SA/NT.</li> </ul> </li> </ul>

## Agency specific objectives and performance

Agency objectives	Indicators	Performance
Data Modelling and Analytics	Data modelling and visual displays of key information will assist management and staff to understand how to better	During 2023-24, the ODPP has embarked on a number of projects relating to the Data Analytics Strategy. The first of these is a

Agency objectives	Indicators	Performance
	<p>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>dashboard which provides key information in relation to the Trial Counsel Section, including analysis of time spent on defined activities, cost of resourcing and activities. In addition, each trial prosecutor has an individualised screen which provides them with the breakdown of time on a percentage basis, and a profile of their trials by offence type and by outcome. This project was completed in late 2023.</p> <p>Since this time, the ODPP has now engaged with a number of providers to provide data modelling and analysis in three additional projects. Work will continue into 2024-25.</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>As per the requirements for procurement, in late 2023, an EOI for an electronic exhibit system was uploaded to the Government procurement site via the PARS application. However, in early 2024, the ODPP became aware that the Courts Administration Authority (CAA) had received funding for the development of a business case for the electronic evidence management solution for the whole criminal justice jurisdiction. On that basis, it was determined unfeasible for the ODPP to pursue a separate, alternate solution.</p> <p>Notwithstanding, the ODPP conducted a large trial in the latter half of 2023-24, using electronic evidence management technology, with great success.</p> <p>Regular communication on the CAA project occurs between the CAA and the ODPP, to ensure that the business requirements of the</p>

Agency objectives	Indicators	Performance
		Office are included in the recommended system.
Employment of identified Aboriginal Witness Assistance Officers.	The engagement of an identified Aboriginal Witness Assistance Officer within the ODPP has several 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 considered in the conduct of prosecutions.	In November 2023, two ATSI Witness Assistance Officer roles were advertised. However, after feedback from Aboriginal member of the selection panel, the Job and Person specification for the roles was adjusted to correctly reflect a primary case management role with some aspects of cultural consultation. Two identified Aboriginal Witness Assistance Officer roles were advertised in early July 2024.
2023 Workplace Experience Report	In early 2022-23, the AGD 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 between 2020 and 2023. The Workplace Experience report contained 20 recommendations against a background that found that workload, pay and conditions, and wellbeing were key issues for ODPP staff.	<p>The ODPP received the consultant’s report and reviewed the recommendations. All except one were accepted by the ODPP. The one that was not accepted relates to a whole of government issue. The recommendations of the 2023 Workplace Experience Report and other preceding reports were included into a comprehensive ODPP Change Program that has been developed in the first half of 2024. A total of 24 business focussed projects have been developed within the Program. The first tranche of 10 projects were commenced in May/June 2024.</p> <p>The ODPP Change Program will continue to be implemented throughout 2024 - 25, with significant projects addressing the improvement of staff wellbeing, simplifying business processes for all internal and external</p>

Agency objectives	Indicators	Performance
		stakeholders, optimising organisational structures and work allocation models, and providing better clarity of roles and responsibilities.
Wellbeing and Psychological Safety	The ODPP has developed a number of strategies and programs to ensure that staff are aware of the risks of psychological harm in the workplace and know that there are a range of supports available to them and their colleagues in the case of an adverse event.	<p>During 2023-24, 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 staff who deal with vulnerable witnesses, 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 with a psychologist.</li> <li>• Weekly assessments of caseloads for solicitors using data models and metrics to optimise allocation of new files.</li> <li>• Commenced a project developing and implementing a formal and ongoing psychosocial risk management process for the ODPP.</li> </ul>

### General Compliance

Reporting on the following aspects of the ODPP corporate functions is included within the Attorney-General’s Department 2023-24 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>2023-24</b>
Briefs Received	184
Briefs Finalised	207
<b>Non Prescribed Drug Offender Confiscation revenue (a)</b>	<b>\$3,692,708.20</b>
ODPP confiscation costs (b)	\$918,266.64
<b>Deposited to Victims of Crime Fund (a – b)</b>	<b>\$2,774,441.56</b>
<b>Prescribed Drug Offender Confiscation revenue (c)</b>	<b>\$4,441,275.75</b>
ODPP PDO confiscation costs (d)	\$448,787.04
<b>Deposited to Justice Rehabilitation Fund (c – d)</b>	<b>\$3,992,488.71</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>2023-24</b>
Number of matters briefed	100
Total briefing out costs	\$651,088.58

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

<b>Act or Regulation</b>	<b>Requirement</b>
<i>Director of Public Prosecutions Act 1991</i>	<p><u>Section 9(2)</u></p> <p>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></p> <p>The Director may give directions or furnish guidelines to the Commissioner of Police or</p>

Act or Regulation	Requirement
	<p>other persons investigating, or prosecuting, offences on behalf of the Crown.</p> <p><u>Section 11(2)</u></p> <p>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 2023-24 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 2023-24 financial year.

Act or Regulation	Requirement
<p><i>Criminal Assets Confiscations Act 2005</i></p>	<p><u>Section 229A (1)</u></p> <p>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></p> <p>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"> <li>a) the number of persons who became prescribed drug offenders during that period;</li> <li>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.</li> </ul> <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 2023-24, there were 100 persons who became prescribed drug offenders.

Section 229A (2) (b)

In 2023-24, there were 44 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 2023-24, the following property was deemed forfeited:

- Real Property: 48
- Vehicles: 35
- Cash:
  - CSTA: \$2,224,322.77
  - Cash: \$1,121,742.88
- Other items (value unknown)
  - jewellery
  - firearms
  - shares

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. There is other property deemed forfeited, that is subject to other applications for exclusion, under the Act including where an Interested Party makes a claim over it.

In 2023-24, 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: 22 (still negotiating)
- Vehicles: 20
- Cash:
  - CSTA: \$712,807.20
  - Cash: \$116,823.65
  - s.219: \$210,000.00
- Other items (value unknown)
  - gold ingots
  - gold and silver coins
  - jewellery
  - crypto/bitcoin
  - firearms
  - collectible wines

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

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**Appendix: Audited financial statements 2023-24**

Please refer to the Attorney-General's Department 2023-24 Annual Report