

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

Section 1: Entity overview and resources

1.1 STRATEGIC DIRECTION STATEMENT

The Office of the Director of Public Prosecutions (DPP) was established under the *Director of Public Prosecutions Act 1983* within the Attorney-General's portfolio. The DPP is headed by a Director appointed for a statutory term of up to seven years.

The role of the DPP is to prosecute offences against Commonwealth law. The DPP is not an investigative agency. It prosecutes cases investigated by other agencies.

The DPP's outcome is to contribute to a fair, safe and just society by delivering an effective, independent prosecution service in accordance with the Prosecution Policy of the Commonwealth.

Three strategic themes are identified for 2020-21 to 2023-24 to achieve this outcome within allocated resources:

- Service: to provide an efficient and effective prosecution service.
- Partners: to effectively engage with partner agencies and stakeholders.
- People: to invest in our people.

1.2 ENTITY RESOURCE STATEMENT

Table 1.1 shows the total funding from all sources available to the DPP for its operations and to deliver programs and services on behalf of the government.

Table 1.1 is presented on a resourcing (appropriations and cash available) basis, while the budgeted expenses by Outcome 1 table in section 2 and the financial statements in section 3 are presented on an accrual basis.

Table 1.1: Entity resource statement – budget estimates for 2020-21 as at October 2020 Budget

	2019-20 Estimated actual \$'000	2020-21 Estimate \$'000
DEPARTMENTAL		
Annual appropriations – ordinary annual services (a)		
Prior year appropriations available	11,152	12,707
Departmental appropriation (b)	83,211	90,293
s74 External Revenue (c)	12,800	10,887
Departmental capital budget (d)	1,858	1,852
Annual appropriations – other services – non-operating		
Equity injection	2,345	-
Total resourcing for entity	111,366	115,739
<hr/>		
Average staffing level (number)	398	417

Prepared on a resourcing (appropriations available) basis

All figures are GST exclusive and may not match figures in the cash flow statement.

(a) Appropriation Bill No. 1 2020-21.

(b) Excludes departmental capital budget.

(c) Estimated External Revenue receipts under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

(d) Departmental capital budgets are not separately identified in Appropriation Bill No. 1 and form part of ordinary annual services items. Refer to Table 3.5 for further details. For accounting purposes, this amount has been designated as a 'contribution by owner'.

1.3 BUDGET MEASURES

The DPP has no measures announced after the July 2020 Economic and Fiscal Update. For this reason, Table 1.2 is not presented.

Section 2: Outcomes and planned performance

Government outcomes are the intended results, impacts or consequences of actions by the government on the Australian community. Commonwealth programs are the primary vehicle by which government entities achieve the intended results of their outcome statements. Entities are required to identify the programs which contribute to government outcomes over the budget and forward years.

The DPP's outcome is described below together with its related program.

Note:

Performance reporting requirements in the Portfolio Budget Statements are part of the Commonwealth performance framework established by the *Public Governance, Performance and Accountability Act 2013*. It is anticipated the performance criteria described in Portfolio Budget Statements will be read with broader information provided in an entity's corporate plans and annual performance statements – included in annual reports – to provide a complete picture of an entity's planned and actual performance.

The most recent corporate plan for DPP can be found at:
<https://www.cdpp.gov.au/about-us/strategic-directions>

The most recent annual performance statement can be found at:
<https://www.cdpp.gov.au/publications>

2.1 BUDGETED EXPENSES AND PERFORMANCE FOR OUTCOME 1

Outcome 1: Contribute to a fair, safe and just society by delivering an effective, independent prosecution service in accordance with the Prosecution Policy of the Commonwealth.

Budgeted expenses for Outcome 1

Table 2.1.1 shows how much the DPP intends to spend (on an accrual basis) on achieving Outcome 1, broken down by program and departmental funding sources.

Table 2.1.1: Budgeted expenses for Outcome 1

	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
Program 1.1: An independent service to prosecute alleged offences against the criminal law of the Commonwealth.					
DEPARTMENTAL EXPENSES					
Departmental appropriation	83,006	89,101	86,392	79,170	76,810
s74 External Revenue (a)	11,830	10,887	10,586	9,686	4,686
Expenses not requiring appropriation in the budget year (b)	4,186	4,093	4,160	4,721	2,510
Total expenses for outcome 1	99,022	104,081	101,138	93,577	84,006
	2019-20	2020-21			
Average staffing level (number)	398	417			

Note: Departmental appropriation splits and totals are indicative estimates and may change in the course of the budget year as government priorities change.

(a) Estimated expenses incurred in relation to receipts retained under section 74 of the *Public Governance, Performance and Accountability Act 2013*.

(b) Expenses not requiring appropriation in the budget year are made up of depreciation and amortisation expenses, audit fees and other services received free of charge.

Performance criteria for Outcome 1

Table 2.1.2 shows the performance criteria for the program associated with Outcome 1. It also shows how the program is delivered.

Table 2.1.2: Performance criteria for Outcome 1

Outcome 1: Contribute to a fair, safe and just society by delivering an effective, independent prosecution service in accordance with the Prosecution Policy of the Commonwealth.		
Program 1.1: An independent service to prosecute alleged offences against the criminal law of the Commonwealth.		
Delivery	<p>The DPP delivers a national prosecution service across the following crime types:</p> <ul style="list-style-type: none"> • commercial, financial and corruption; • revenue and benefits fraud; • international assistance and specialist agencies; • organised crime and counter-terrorism; • illegal imports and exports; • human exploitation and border protection. <p>This involves:</p> <ul style="list-style-type: none"> • being fair, consistent and professional in everything we do; • recognising, valuing and developing the knowledge, skills and commitment of our people; • working with our partner agencies to assist them in advancing their goals and priorities; • treating victims of crime with courtesy, dignity and respect; • providing information to the public about Commonwealth criminal law and prosecutions. 	
Performance information		
Year	Performance criteria	2019-20 actual achievement/targets
2019-20	<p>Compliance in addressing the terms of the test for prosecution in the Prosecution Policy of the Commonwealth, namely the existence of a prima facie case, reasonable prospects of conviction and that prosecution is required in the public interest, when deciding to commence or continue a prosecution.</p> <p>Partner agency satisfaction with DPP service delivery. Quantitative and qualitative evidence is gathered about partner agency satisfaction with DPP service delivery. Characteristics evaluated include: timeliness, relevance to partner agency, business, responsiveness and level of communication. The results deliver a comprehensive evidence base to inform continuous improvement.</p>	<p>Achieved 100%</p> <p>Target: 100% compliance with the Prosecution Policy of the Commonwealth.</p> <p>Achieved 88%</p> <p>Target: 90% partner agency satisfaction.</p>

Table 2.1.2: Performance criteria for Outcome 1 (continued)

Program 1.1 (continued): An independent service to prosecute alleged offences against the criminal law of the Commonwealth.		
Performance information		
Year	Performance criteria	2019-20 actual achievement/targets
2019-20 (continued)	<p>Prosecutions resulting in a finding of guilt</p> <p><u>Total matters:</u> The finding of guilt rate is calculated by taking the total number of defendants found guilty as a percentage of the total number of defendants found guilty or acquitted. The calculation covers both defended matters and matters where the defendant has pleaded guilty. The calculation does not include defendants where the DPP discontinued the prosecution against them in its entirety or where a prosecution has commenced and the defendant failed to appear before the court.</p> <p><u>Defended matters:</u> The finding of guilt rate is calculated by taking the total number of defendants found guilty in defended matters as a percentage of the total number of defendants found guilty or acquitted in defended matters. A defended matter is a trial on indictment or a summary hearing/summary trial. It does not include defendants where the DPP discontinued the prosecution against them in its entirety or where a prosecution has commenced and the defendant failed to appear before the court.</p>	<p>Achieved 98%</p> <p>Target: 90% of prosecutions resulting in a finding of guilt.</p> <p>Achieved 69%</p> <p>Target: 70% of defended matters resulting in a finding of guilt.</p>
2020-21	<p>Compliance in addressing the terms of the test for prosecution in the Prosecution Policy of the Commonwealth, namely the existence of a prima facie case, reasonable prospects of conviction and that prosecution is required in the public interest, when deciding to commence or continue a prosecution.</p> <p>Partner agency satisfaction with DPP service delivery. Quantitative and qualitative evidence is gathered about partner agency satisfaction with DPP service delivery. Characteristics evaluated include: timeliness, relevance to partner agency, business, responsiveness and level of communication. The results deliver a comprehensive evidence base to inform continuous improvement.</p>	<p>Target: 100% compliance with the Prosecution Policy of the Commonwealth.</p> <p>Biennial: The next survey will take place in 2021-2022 with a target of 90% partner agency satisfaction.</p>

Table 2.1.2: Performance criteria for Outcome 1 (continued)

Program 1.1 (continued): An independent service to prosecute alleged offences against the criminal law of the Commonwealth.		
Performance information		
Year	Performance criteria	2019-20 actual achievement/targets
2020-21 (continued)	<p>Prosecutions resulting in a finding of guilt</p> <p><u>Total matters:</u> The finding of guilt rate is calculated by taking the total number of defendants found guilty as a percentage of the total number of defendants found guilty or acquitted. The calculation covers both defended matters and matters where the defendant has pleaded guilty. The calculation does not include defendants where the DPP discontinued the prosecution against them in its entirety or where a prosecution has commenced and the defendant failed to appear before the court.</p> <p><u>Defended matters:</u> The finding of guilt rate is calculated by taking the total number of defendants found guilty in defended matters as a percentage of the total number of defendants found guilty or acquitted in defended matters. A defended matter is a trial on indictment or a summary hearing/summary trial. It does not include defendants where the DPP discontinued the prosecution against them in its entirety or where a prosecution has commenced and the defendant failed to appear before the court.</p>	<p>Target: 90% of prosecutions resulting in a finding of guilt.</p> <p>Target: 70% of defended matters resulting in a finding of guilt.</p>
2021-22 and beyond	As per 2020-21	As per 2020-21 with the inclusion of the biennial Partner Agency Survey results
Purpose	To prosecute crimes against Commonwealth law through an independent prosecution service responsive to the priorities of our law enforcement and regulatory partners, to effectively contribute to the safety of the Australian community and to uphold and maintain the rule of law.	

Section 3: Budgeted financial statements

Section 3 presents budgeted financial statements which provide a comprehensive snapshot of entity finances for the 2020-21 budget year, including the impact of budget measures and resourcing on financial statements.

3.1 BUDGETED FINANCIAL STATEMENTS

3.1.1 Differences between entity resourcing and financial statements

There is no material difference between the entity resourcing and financial statements.

3.1.2 Explanatory notes and analysis of budgeted financial statements

The DPP's 2019-20 estimated actual result is a small surplus of \$0.920 million. This surplus is due to the impact of the COVID-19 pandemic resulting in a reduction of expenses, primarily in relation to prosecution legal expenses.

Revenue from government in 2020-21 is \$90.293 million, which is an increase of \$7.082 million when compared to 2019-20 (\$83.211 million). The increase is mainly due to the continuation of previously reported budget measures.

The DPP is budgeting for a break-even operating result for the budget year 2020-21 and forward estimates after taking into account unfunded depreciation expenses, amortisation expenses and the new Australian Accounting Standards for leases.

3.2. BUDGETED FINANCIAL STATEMENTS TABLES

Table 3.1: Comprehensive income statement (showing net cost of services) for the period ended 30 June

	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
EXPENSES					
Employee benefits	50,753	54,538	51,708	47,571	43,949
Suppliers	36,419	39,473	39,139	34,995	29,454
Depreciation and amortisation (a)	10,337	9,490	9,711	10,431	10,023
Finance costs	12	10	10	10	10
Impairment loss on financial instruments	10	-	-	-	-
Write-down and impairment of assets	345	-	-	-	-
Other expenses	1,146	570	570	570	570
Total expenses	99,022	104,081	101,138	93,577	84,006
LESS:					
OWN-SOURCE INCOME					
Own-source revenue					
Sale of goods and rendering of services	11,464	10,887	10,586	9,686	4,686
Other	501	284	284	284	284
Total own-source revenue	11,965	11,171	10,870	9,970	4,970
Gains					
Other	255	-	-	-	-
Total gains	255	-	-	-	-
Total own-source income	12,220	11,171	10,870	9,970	4,970
Net (cost of)/contribution by services	(86,802)	(92,910)	(90,268)	(83,607)	(79,036)
Revenue from government	83,211	90,293	87,656	80,509	76,602
Surplus/(deficit) attributable to the Australian Government	(3,591)	(2,617)	(2,612)	(3,098)	(2,434)
Total comprehensive income/(loss) attributable to the Australian Government	(3,591)	(2,617)	(2,612)	(3,098)	(2,434)
Note: Impact of net cash appropriation arrangements					
	2019-20 \$'000	2020-21 \$'000	2021-22 \$'000	2022-23 \$'000	2023-24 \$'000
Total comprehensive income/(loss) excluding depreciation/amortisation expenses previously funded through revenue appropriations	920	-	-	-	-
Less: depreciation/amortisation expenses previously funded through revenue appropriations (a)	(4,090)	(3,809)	(3,876)	(4,437)	(2,226)
Less: depreciation/amortisation expenses for ROU assets (b)	(6,247)	(5,681)	(5,835)	(5,994)	(7,797)
Add: principal repayments on leased assets (b)	5,826	6,873	7,099	7,333	7,589
Total comprehensive income/(loss) as per the statement of comprehensive income	(3,591)	(2,617)	(2,612)	(3,098)	(2,434)

Notes for Table 3.1

Prepared on Australian Accounting Standards basis.

- (a) From 2010-11, the Government introduced net cash appropriation arrangements where Bill 1 revenue appropriations for the depreciation/amortisation expenses of non-corporate Commonwealth entities (and select corporate Commonwealth entities) were replaced with a separate capital budget (the departmental capital budget, or DCB) provided through Bill 1 equity appropriations. For information regarding DCBs, refer to Table 3.5: Departmental capital budget statement.
- (b) Applies to leases under AASB 16 Leases.

Table 3.2: Budgeted departmental balance sheet (as at 30 June)

	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
ASSETS					
Financial assets					
Cash and cash equivalents	505	505	505	505	505
Trade and other receivables	13,446	11,743	11,743	13,943	13,943
Total financial assets	13,951	12,248	12,248	14,448	14,448
Non-financial assets					
Land and buildings	53,656	52,152	52,835	53,314	53,224
Property, plant and equipment	2,984	4,062	3,185	2,327	1,697
Intangibles	3,555	3,435	3,323	2,943	2,909
Other non-financial assets	1,893	1,893	1,893	1,793	1,793
Total non-financial assets	62,088	61,542	61,236	60,377	59,623
Total assets	76,039	73,790	73,484	74,825	74,071
LIABILITIES					
Payables					
Suppliers	3,728	3,715	3,715	3,715	3,715
Other payables	721	891	891	891	891
Total payables	4,449	4,606	4,606	4,606	4,606
Interest bearing liabilities					
Leases	44,288	42,525	42,992	43,490	43,326
Total interest bearing liabilities	44,288	42,525	42,992	43,490	43,326
Provisions					
Employee provisions	17,354	17,354	17,354	19,454	19,454
Other provisions	989	1,111	1,111	1,111	1,111
Total provisions	18,343	18,465	18,465	20,565	20,565
Total liabilities	67,080	65,596	66,063	68,661	68,497
EQUITY (a)					
Parent entity interest					
Contributed equity	20,213	22,065	23,904	25,745	27,589
Reserves	18,491	18,491	18,491	18,491	18,491
Retained surplus (accumulated deficit)	(29,745)	(32,362)	(34,974)	(38,072)	(40,506)
Total parent entity interest	8,959	8,194	7,421	6,164	5,574
Total equity	8,959	8,194	7,421	6,164	5,574

Prepared on Australian Accounting Standards basis.

- (a) 'Equity' is the residual interest in assets after deduction of liabilities.

Table 3.3: Departmental statement of changes in equity – summary of movement (2020-21 budget year)

	Retained earnings \$'000	Asset revaluation reserve \$'000	Contributed equity/ capital \$'000	Total equity \$'000
Opening balance as at 1 July 2020				
Balance carried forward from previous period	(29,745)	18,491	20,213	8,959
Adjusted opening balance	(29,745)	18,491	20,213	8,959
Comprehensive income				
Other comprehensive income				-
Surplus/(deficit) for the period	(2,617)	-	-	(2,617)
Total comprehensive income	(2,617)	-	-	(2,617)
Transactions with owners				
Contributions by owners				
Departmental capital budget	-	-	1,852	1,852
Sub-total transactions with owners	-	-	1,852	1,852
Estimated closing balance as at 30 June 2021	(32,362)	18,491	22,065	8,194
Closing balance attributable to the Australian Government	(32,362)	18,491	22,065	8,194

Prepared on Australian Accounting Standards basis

Table 3.4: Budgeted departmental statement of cash flows (for the period ended 30 June)

	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
OPERATING ACTIVITIES					
Cash received					
Appropriations	95,633	102,883	98,242	87,995	81,288
Sale of goods and rendering of services	11,732	10,887	10,586	9,686	4,686
Net GST received	4,211	4,189	4,178	3,813	3,342
Total cash received	111,576	117,959	113,006	101,494	89,316
Cash used					
Employees	49,065	54,368	51,708	45,471	43,949
Suppliers	37,538	39,202	38,855	34,611	29,170
Net GST Paid	4,608	4,189	4,178	3,813	3,342
Interest payments on lease liability	4	10	10	10	10
s74 External Revenue transferred to the Official Public Account	12,800	10,887	10,586	9,686	4,686
Other	1,521	448	570	570	570
Total cash used	105,536	109,104	105,907	94,161	81,727
Net cash from/(used by) operating activities	6,040	8,855	7,099	7,333	7,589
INVESTING ACTIVITIES					
Cash used					
Purchase of property, plant and equipment and intangibles	3,240	3,834	1,839	1,841	1,844
Total cash used	3,240	3,834	1,839	1,841	1,844
Net cash from/(used by) investing activities	(3,240)	(3,834)	(1,839)	(1,841)	(1,844)
FINANCING ACTIVITIES					
Cash received					
Contributed equity	2,928	1,852	1,839	1,841	1,844
Total cash received	2,928	1,852	1,839	1,841	1,844
Cash used					
Principal payments on lease liability	5,826	6,873	7,099	7,333	7,589
Total cash used	5,826	6,873	7,099	7,333	7,589
Net cash from/(used by) financing activities	(2,898)	(5,021)	(5,260)	(5,492)	(5,745)
Net increase/(decrease) in cash held	(98)	-	-	-	-
Cash and cash equivalents at the beginning of the reporting period	603	505	505	505	505
Cash and cash equivalents at the end of the reporting period	505	505	505	505	505

Prepared on Australian Accounting Standards basis.

Table 3.5: Departmental capital budget statement (for the period ended 30 June)

	2019-20 Estimated actual \$'000	2020-21 Budget \$'000	2021-22 Forward estimate \$'000	2022-23 Forward estimate \$'000	2023-24 Forward estimate \$'000
NEW CAPITAL APPROPRIATIONS					
Capital budget – Bill 1 (DCB)	1,858	1,852	1,839	1,841	1,844
Equity injections – Bill 2	2,345	-	-	-	-
Total new capital appropriations	4,203	1,852	1,839	1,841	1,844
Provided for:					
Purchase of non-financial assets	4,203	1,852	1,839	1,841	1,844
Total items	4,203	1,852	1,839	1,841	1,844
PURCHASE OF NON-FINANCIAL ASSETS					
Funded by capital appropriations (a)	1,213	1,132	-	-	-
Funded by capital appropriation – DCB (b)	2,027	2,702	1,839	1,841	1,844
Total	3,240	3,834	1,839	1,841	1,844
RECONCILIATION OF CASH USED TO ACQUIRE ASSETS TO ASSET MOVEMENT TABLE					
Total purchases	3,240	3,834	1,839	1,841	1,844
Total cash used to acquire assets	3,240	3,834	1,839	1,841	1,844

Prepared on Australian Accounting Standards basis.

(a) Includes both current Bill 2 and prior Acts 2/4/6 appropriations and special capital appropriations.

(b) Includes purchases from current and previous years' Departmental capital budgets (DCBs).

Table 3.6: Statement of asset movements (2020-21 budget year)

	Buildings \$'000	Other property, plant and equipment \$'000	Computer software and intangibles \$'000	Total \$'000
As at 1 July 2020				
Gross book value	15,492	4,741	7,019	27,252
Gross book value – ROU assets	47,438	74	-	47,512
Accumulated depreciation/amortisation and impairment	(3,062)	(1,796)	(3,464)	(8,322)
Accumulated depreciation/amortisation and impairment – ROU assets	(6,212)	(35)	-	(6,247)
Opening net book balance	53,656	2,984	3,555	60,195
CAPITAL ASSET ADDITIONS				
Estimated expenditure on new or replacement assets				
By purchase – appropriation ordinary annual services (a)	1,360	2,244	230	3,834
By purchase – appropriation ordinary annual services – ROU assets	5,076	34	-	5,110
Total additions	6,436	2,278	230	8,944
OTHER MOVEMENTS				
Depreciation/amortisation expense	(2,293)	(1,166)	(350)	(3,809)
Depreciation/amortisation on ROU assets	(5,647)	(34)	-	(5,681)
Total other movements	(7,940)	(1,200)	(350)	(9,490)
As at 30 June 2021				
Gross book value	16,852	6,985	7,249	31,086
Gross book value – ROU assets	52,514	108	-	52,622
Accumulated depreciation/amortisation and impairment	(5,355)	(2,962)	(3,814)	(12,131)
Accumulated depreciation/amortisation and impairment – ROU assets	(11,859)	(69)	-	(11,928)
Closing net book balance	52,152	4,062	3,435	59,649

Prepared on Australian Accounting Standards basis.

- (a) 'Appropriation ordinary annual services' refers to funding provided through Appropriation Bill No. 1 2020-21 for depreciation/amortisation expenses, departmental capital budgets or other operational expenses.