



**CDPP**

*Australia's Federal Prosecution Service*



**COMMONWEALTH DIRECTOR  
OF PUBLIC PROSECUTIONS**



**CORPORATE PLAN**  
**2022–26**

## Acknowledgement of Country

The Commonwealth Director of Public Prosecutions acknowledges First Nations Australians as the traditional owners and custodians of country throughout Australia and recognises their continuing connection to land, sea and community. We pay our respects to the people, the cultures and the Elders past, present and emerging.



## Commonwealth Director of Public Prosecutions Corporate Plan

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## ★ Statement of preparation

As the accountable authority of the Office of the Commonwealth Director of Public Prosecutions, I present the 2022–26 Commonwealth Director of Public Prosecutions Corporate Plan, which covers the period from 2022–23 to 2025–26, as required under s.35(1)(b) of the *Public Governance, Performance and Accountability Act 2013*.



**Sarah McNaughton SC**  
Commonwealth Director of Public Prosecutions  
August 2022

# ★ Director's foreword



The Commonwealth Director of Public Prosecutions (CDPP) remains focused on modernising our prosecution service to ensure we are well placed to respond to challenges and take advantage of the opportunities presented by our complex legal operating environment.

Over the next 12 months and beyond, we will build on the recent changes to our organisational structure and continue to implement digital initiatives to maximise our capability and efficiency. Our underlying approach remains focused on our people, and our partnerships, is data driven and technologically enabled.

The recent creation of a new Legal Capability and Performance Practice Group reflects our ongoing commitment to invest more effectively in the professional development of our people and to engage with our partner agencies and stakeholders.

Guided by our Workforce Plan 2022–26, our investment in professional development will seek to further develop the technical expertise of our prosecutors and strengthen our management and leadership capability across the organisation.

As part of our ongoing commitment to *Transforming your CDPP*, we have established a Digital Transformation Office (DTO) to drive the development and implementation of new and enhanced digital capabilities. Taking a co-design approach, the DTO is delivering innovative digital tools such as our new e-Trial Solution for jury trials.

We continue to embed digital solutions into our legal practice. The enhanced Referral Gateway and Collaboration Platform provide seamless data sharing with our partner agencies. Through our digital transformation initiatives we aim to build a stronger and more efficient criminal justice system.

As we face an increasingly complex operating environment, our legal practice remains focused on sharing our specialist knowledge and responding effectively to changing referral patterns. We continue to work collaboratively with partners and stakeholders to meet our collective goals and objectives.

I would also like to take this opportunity to welcome Scott Bruckard PSM as our new Commonwealth Solicitor for Public Prosecutions. Scott brings with him a wealth of experience in the conduct of complex prosecutions of strategic importance to our partner agencies. He fosters a user centric approach to providing our partners and stakeholders with informed, highly valuable services.

As an organisation, we can be proud of the practical and sustainable enhancements we are making to our prosecution service which in turn helps to contribute to a fair, safe and just society.

**Sarah McNaughton SC**

Commonwealth Director of Public Prosecutions  
August 2022

# ★ About us

The CDPP was established under the *Director of Public Prosecutions Act 1983* (the DPP Act) and began operations on 5 March 1984. The DPP Act sets out the functions and powers of the Director, including independent responsibility for conducting prosecutions for offences against the laws of the Commonwealth.

The CDPP is led by the Director, who is appointed by the Attorney-General for a term of up to seven years. The Director and staff together constitute a statutory agency.

The CDPP operates as an independent agency within the Attorney-General's portfolio.

The Attorney-General has power under section 8 of the DPP Act to issue directions or guidelines to the Director. Prior to issuing any such directions or guidelines, the Attorney-General must consult with the Director and any directions or guidelines must be in writing and tabled in Parliament.

## Purpose

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 (the Prosecution Policy)*.

We achieve our purpose through two key activities that describe our functions and align with our strategic themes.

### Key activities

We contribute to a fair, safe and just society by delivering an effective, independent prosecution service by **prosecuting with integrity** and **working in partnership**.

- **Key Activity 1** - Prosecute with Integrity
- **Key Activity 2** - Work in Partnership

## Strategic themes

Our three strategic themes focus and guides our efforts and underpins how we set priorities to deliver our stated outcomes. The themes are:



## Values

The CDPP's work is underpinned by our values. Our agency prides itself on its integrity.

To prosecute fairly and effectively, we must act ethically in everything we do.

Consistent with the Australian Public Service Values and Code of Conduct, the CDPP has developed a values and behaviours statement to guide the work of our staff to provide further clarity on expectations.

We aim to provide an effective and efficient independent prosecution service that contributes to a fair, safe and just Australia where Commonwealth laws are respected, offenders are brought to justice and potential offenders are deterred. In doing so, we will:

- be fair, consistent and professional in everything we do
- recognise, value and develop the knowledge, skills and expertise of our people
- work with our partner agencies to assist them in advancing their goals and priorities in accordance with the *Prosecution Policy*
- treat victims of crime with courtesy, dignity and respect
- provide information to the public about Commonwealth criminal law and prosecutions.

# ★ Operating Context

## How we operate

As we have no investigative function, we can only prosecute where there has been an adequate criminal investigation. We rely on law enforcement and compliance agencies to investigate matters and refer briefs of evidence to us for our consideration. We support the work of investigators, particularly in complex matters.

We work closely with these agencies to prepare and present cases in court. We make prosecutorial decisions independently of those responsible for the investigation of federal offences.

## What we prosecute

As Australia's independent federal prosecution service, the CDPP prosecutes a diverse range of criminal offences. In addition to the offences set out in the *Criminal Code*, the CDPP prosecutes a wide range of crimes which are to be found in other Commonwealth legislation.

We work in a dynamic and complex operating environment in which our workload is determined by the investigative priorities and operational activities of our partner agencies. In recent years, we have seen an increase in size and complexity of the matters referred to us for prosecution.

Some of this complexity arises from the increasing volume of digital evidence gathered in the course of a modern criminal investigation of serious crime.

Federal prosecutors now regularly work on matters which involve criminal conspiracies reaching across international borders, multiple child victims of sexual exploitation, complex financial, corporate and commercial arrangements, sensitive or security classified evidence and highly technical regulatory regimes requiring the assistance of expert witnesses.

The CDPP also plays an important role in maintaining the integrity of the APS, conducting prosecutions for more serious fraud and corruption offences and continues to work closely with the Office of the Special Investigator established to examine the findings of the Australian Defence Force Afghanistan Inquiry.

Based on current trends, we anticipate that highly complex cases will represent more than 50 per cent of our workload by 2025.

## How and where we prosecute

The powers and functions of the CDPP are set out in the DPP Act.

All matters referred to the CDPP for consideration of a prosecution are assessed in accordance with the *Prosecution Policy* which is the foundational document for all decision making. In addition to setting out the test for prosecution, this document provides guidance to prosecutors on a number of other key decisions that may arise during the course of a criminal prosecution.

The CDPP conducts prosecutions in every criminal court throughout Australia. Whilst we prosecute a small number of matters in the Federal Court, most of the crimes we prosecute are Commonwealth offences which are heard before state and territory courts exercising federal jurisdiction. The relevant rules of evidence and criminal procedure are those applicable in the relevant jurisdiction, which are picked up and applied as federal law.

The CDPP also has responsibility for prosecuting offences committed in Australia's external territories.

The nature of our casework often results in trials which run for weeks or months rather than a few days. Restrictions imposed during the COVID-19 pandemic significantly delayed the commencement of many long and complex jury trials in criminal courts throughout Australia. This has created challenges for the courts and for prosecutors, particularly in the context of conducting longer jury trials.

Notwithstanding the challenges, the pandemic has created opportunities for courts and prosecutors to use technology more effectively to conduct remote court hearings and file digital evidence.

The CDPP has invested in an important project to pilot an innovative e-Trial Solution for the presentation of evidence in digital form in jury trials.

# National Practice Model

Every matter referred to the CDPP is allocated to a team of prosecutors according to the crime type or the partner agency which conducted the investigation. Since 2014, the CDPP has operated a national practice group operating model. This is a functional model which seeks to ensure that matters are assessed consistently by prosecutors with specialist skills in the relevant crime types. In April 2022, the Director announced changes to the national practice group operating model which reflect emerging crime types, shifting referral patterns and consolidation of cross practice functions.

The new structure for the national practice took effect on 30 May 2022 and comprises the following five practice groups:



The Legal Capability and Performance Practice Group brings together a range of cross practice group functions which support prosecutors in their day-to-day case work. These functions include our witness assistance service, as well as international extradition and mutual assistance functions. In addition, this new practice group will play a lead role in developing and delivering a more structured and targeted approach to legal training and development for lawyers at all levels, which will enable us to more rapidly develop and sustain a legal workforce that is best positioned to respond to the complexity of our work.

## Risk oversight and management

A measured and calculated approach to engaging with risk has always been at the forefront of how we successfully prosecute. A more complex operating environment has introduced new risks but also provided new opportunities to work with partners and stakeholders to further transform our prosecution services. We seek to empower our workforce and provide them with the skills and tools to engage with risk at all levels.

To support the active management of our risks, we are guided by the Commonwealth Risk Management Policy, our Risk Management Framework and supporting artefacts.

Although risk is inherent in our organisation's functions and activities, we consider, accept and carefully manage risks in the pursuit of our strategic objectives within a framework of robust governance.

This acceptance is enshrined in our Risk Appetite Statement and the *Prosecution Policy*.

The Executive Leadership Group plays an active role in monitoring strategic risks, existing controls and new treatments, which and these are reviewed on a regular basis together with a more comprehensive annual review. We are continually improving our risk capability with an area of focus being the effectiveness of control frameworks upon which the management of risks relies. We are also currently developing our processes to better enable the identification, assessment and management of emerging and shared risks.

The CDPP Audit Committee supports good governance by providing independent advice to the Director on the appropriateness of the CDPP's system of risk oversight and management, system of internal control and financial and performance reporting.

The key strategic risks potentially affecting delivery of prosecution service are set out in the following table along with an overview of management responses.

Strategic risk	How we manage this risk
<p><b>Securing the right capability mix of staff</b></p>	<p>Our People Strategy and planning initiatives set out clear priorities for attracting, developing and retaining capable staff.</p> <p>Guided by our Workforce Planning Committee, we closely monitor our people capability profile to ensure it supports our existing and emerging needs. A Workforce Profile has been developed which outlines the mix of capacity and capability required by each of the Practice Groups.</p> <p>A Workforce Plan Roadmap is under development and will outline targeted mitigation strategies to attract, develop and retain the right capability (including an evidence-based recruitment plan to support a growth strategy and a Learning and Development Plan to more rapidly develop critical legal capabilities).</p>
<p><b>Availability of specialist counsel to appear and advise</b></p>	<p>A combination of factors has seen the pool of available counsel with specialist knowledge of Commonwealth criminal law and relevant advocacy experience reduce over time.</p> <p>We closely monitor our counsel engagements at an operational level and continue to develop our panel arrangement for junior counsel. We are also developing new strategies to identify and develop suitable junior and senior counsel to advise and appear in our prosecutions.</p>
<p><b>Managing the increasing complexity and varying quality of briefs of evidence</b></p>	<p>As the nature of the crimes we prosecute and the volume and type of supporting evidence evolves, we continue to develop the suite of services available to assist and support our partner agencies including guidelines and national offence guides for investigators available on a dedicated partner agency portal.</p> <p>An area of focus will be on more targeted pre-brief discussions regarding the scope of investigations given available charges and quality assurance processes for the content and format of digital e-briefs.</p>
<p><b>Anticipating and responding to evolving cyber security threats</b></p>	<p>We continue to carefully monitor our ICT infrastructure, security posture and exposures on an ongoing basis given the dynamic nature of cyber threats. This includes regular testing for vulnerabilities, scanning for new threats, robust business continuity planning and maintaining up-to-date cyber security protection across the board.</p>

# Cooperation

The CDPP has no investigative function. However, our prosecutors work closely with investigators as we support their investigative efforts and consider the evidence gathered during their investigation. Whilst this work is not without risk, we know it helps to deliver better prosecution outcomes for our partners, stakeholders and the community.

We provide prosecution services to around 59 Commonwealth partner agencies as well as state and territory police. Around 70 percent of matters received by the CDPP come from the following agencies:

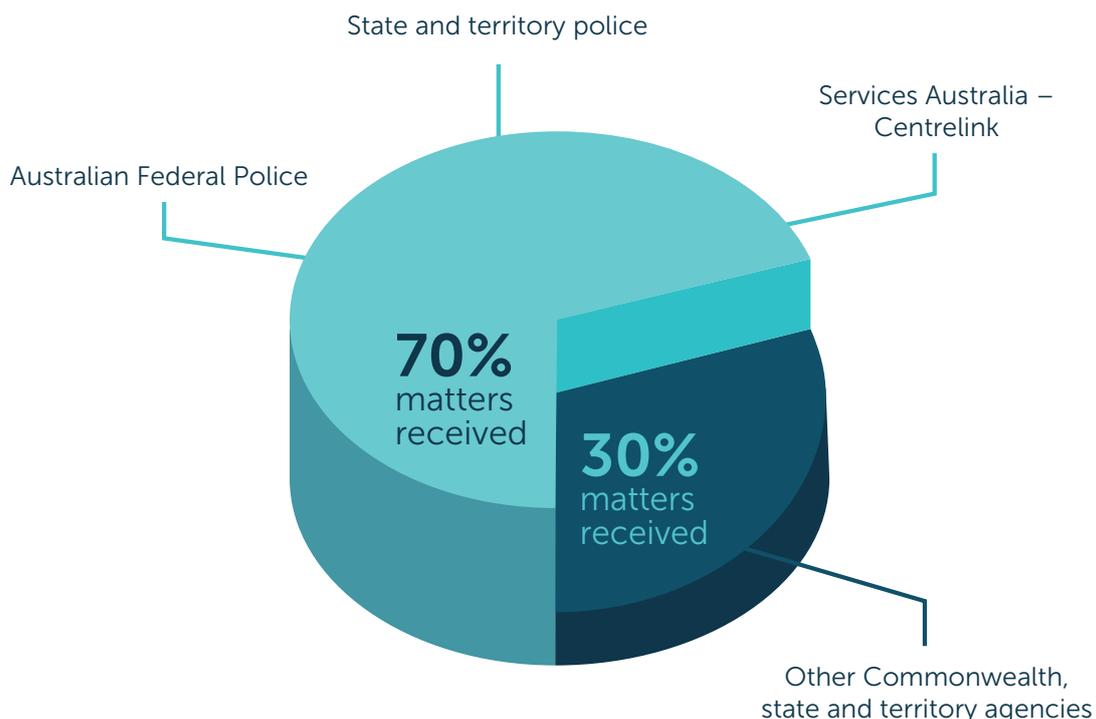
- Australian Federal Police
- Services Australia – Centrelink
- State and territory police.

We continue to develop and refine the suite of prosecution services we provide to our partner agencies. These services include pre-brief advice and support, training and legal resources which are made available via a dedicated portal for our partners. Going forward and guided by the results of CDPP’s biennial Partner Agency Survey, we will continue to look for opportunities to improve the timeliness of our brief assessment practice, widen the scope of our pre-brief advice and support services and enhance the platforms available to facilitate more efficient collaboration with partners and stakeholders.

During the COVID-19 pandemic, the CDPP moved to online platforms to deliver training to our partner agencies. Many of these training sessions reached a much wider audience than a typical in person event. We continue to look for opportunities to further develop and enhance our online training and resources.

In addition, the CDPP operates a digital Referral Gateway. This gateway offers partner agencies an opportunity to submit materials to the CDPP by uploading e-briefs to a dedicated server. Last year, over 90 per cent of all briefs of evidence referred by partner agencies to the CDPP were received electronically.

In 2022, we will continue to enhance the gateway to maximise the types and size of e-briefs we can receive. We will also work with our partner agencies to strengthen quality assurance processes in respect of the content and format of e-briefs.



# ★ Capability

## ★ People

To deliver on our purpose, we must have a workforce which is, skilled, agile, resilient and well positioned to respond to change. We achieve this by investing in the development and wellbeing of our people, fostering innovation and embracing digitisation supported by integrated technologies.

## A highly skilled and adaptable workplace

The CDPP continues to invest in its people, ensuring we have an agile, inclusive and diverse, healthy and highly skilled workforce, responsive to the challenges of the future.

Our 2023–2026 People Strategy will be underpinned by CDPP’s Workforce Plan 2022–26, which outlines mitigations for identified strategic workforce risks.

The People Strategy will support CDPP to deliver on its strategic deliverables and ensure we continue to maintain:

- a diverse, talented workforce with highly skilled and high performing lawyers, legal support workers and enabling service professionals who are resilient to the changing legal environment in which we operate
- an organisational culture that fosters collaboration, ongoing learning and development and capability building and embraces innovation and change
- a work environment that is productive, safe and promotes flexibility and wellbeing.

As we continue to position the CDPP to be future ready and adaptable to current and emerging workforce challenges, our key people priorities will focus on:

## ★ Workforce planning

Against a backdrop of increasing complexity in our prosecution cases, we are maturing our workforce planning practices in line with CDPP’s Workforce Plan 2022–26.

Implementation of the initiatives in the Workforce Plan 2022–26 will enable optimisation of our footprint and capability mix to deliver on our strategic objectives.

We remain focused on developing our capability to effectively respond to an evolving operational environment particularly with emerging crime types and the changing nature of referrals. Our people initiatives will be reviewed and evaluated on an ongoing basis to ensure they enable delivery of an effective and efficient prosecution service.

## ★ Learning and development

We will continue to embed an organisational culture of continual learning and skills transfer that supports our people to successfully deliver on our strategic priorities to ensure it drives high performance and builds capability. This will enable the CDPP to effectively respond to the challenges of the future.

Our learning and development strategies in the short to medium term will focus on driving a more structured approach to professional development and further building our management and leadership capability.

## ★ Diversity and Inclusion

We continue to foster an inclusive and respectful culture across the CDPP through the implementation of our Diversity and Inclusion Strategy that is underpinned by three key principles:

- **Visibility:** Our commitment to diversity and inclusion is actively and visibly promoted
- **Capability:** Our workforce is equipped with the knowledge required to embrace and embed workplace inclusion across the organisation and identify unconscious bias, addressing it where it may exist.
- **Inclusion:** We drive a consistent, supportive and respectful approach to inclusion and seek to create career pathways for diverse talent.

## ★ Wellbeing

We prioritise employee health and wellbeing by providing information and advice, promoting our wellbeing resources and prioritising a safe and healthy work environment particularly as Australia continues to navigate the COVID-19 pandemic.

We will continue to provide proactive support for healthy work and lifestyle behaviours by focusing on the seven key priorities in our Wellbeing program including regular Wellbeing Checks and prevention of vicarious trauma.

For those employees who may become ill or sustain an injury, our early intervention program provides support and guidance.

We will continue to embed and promote flexible working across the organisation.

Our flexible work framework has and continues to deliver benefits to both the CDPP and our workforce, including the agility, productivity and engagement that comes with supporting employees to achieve a healthy work-life balance.



# Transforming your CDPP

We remain committed to the *Transforming your CDPP* agenda to deliver a modern, effective and efficient prosecution service. As part of this agenda, the Digital Transformation Office has been established to co-design, develop and implement a suite of digital tools and to embed digital capabilities into the way we work.

Our Federal prosecutors will have enhanced skills and confidence in the use of a range of digital tools that will help them more effectively and efficiently analyse and manage large volumes of data.

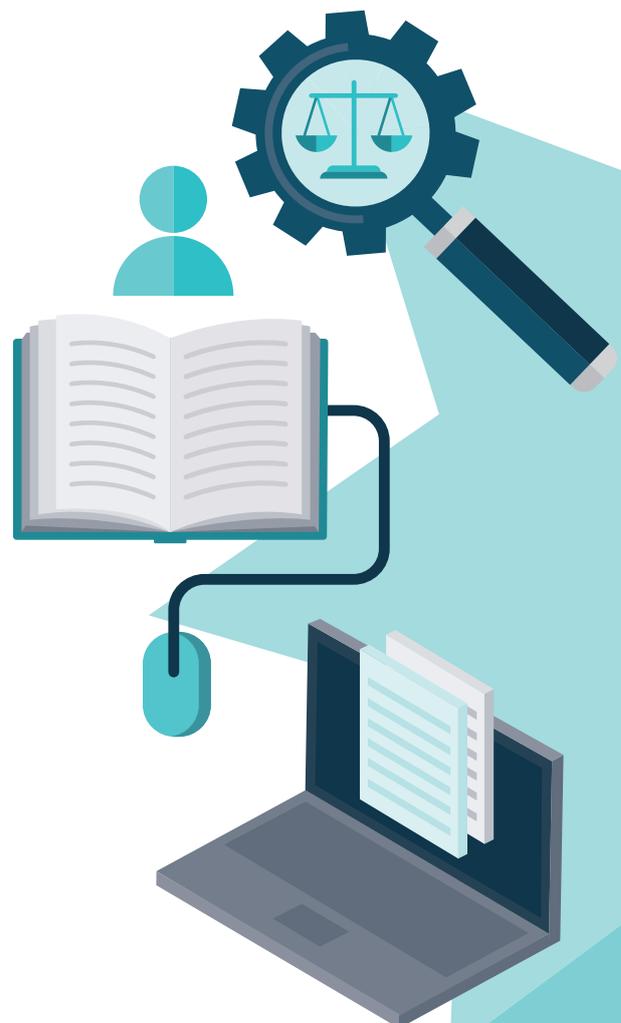
The Digital Transformation Office will focus on two broad strategic themes over the coming 12 months and beyond, **Consolidation** and **Optimisation**.

## Consolidation:

- Transitioning our partner agencies to use and integrate seamlessly with our new digital tools and solutions, for instance the enhanced Referral Gateway.
- Embedding digital capabilities into the way our prosecutors work. This includes further training in the use of contemporary digital tools; ongoing education to lift overall digital literacy across our workforce; as well as equipping our leaders to manage a highly digitally skilled workforce.
- Continuing to implement new digital capabilities, such as the e-Trial Solution and adapting its application for different jurisdictional environments, thus advancing digital transformation across the criminal justice system.

## Optimisation:

- Simplifying and standardising incoming briefs of evidence from our partners by applying consistent data quality standards.
- Improving the flow and seamless management of information through integration of various digital platforms utilised across the prosecution lifecycle.
- Ongoing and continuous improvements to our digital capability to reflect our evolving needs and those of our stakeholders and partners.



## Data and reporting

The CDPP collects a range of important business data which is used to track the progress of prosecution referrals, report on the work we do before the courts and analyse and enhance our business decision making.

We are committed to a process of continuous improvement as we seek to improve our data reporting and analytics capability.

We recognise the importance of trusted, high-quality data in effective decision making.

Over the coming 12 months and beyond, we will continue to focus on improving business management tools, including key dashboards, to enhance business decision making and improve productivity.

In addition, we are committed to exploring new technologies to improve our data analytics. Looking forward, the CDPP will seek out opportunities to use data in a more predictive way to forecast future resourcing requirements, exploring systems and tools used by prosecution agencies in different jurisdictions.

## Data integrity

Timely, accurate and consistent data is essential to any effective business management system.

CaseHQ is the CDPP's case management system. Data integrity in caseHQ is maintained through business rules, mandatory data fields, workflow functionality and online training resources, supplemented with system training sessions. Data integrity is monitored by the CDPP through exception reporting.

In the year ahead, we will seek to enhance our data integrity through improvements to caseHQ exception reporting, including more targeted training where it is required.

We will promote a culture of responsibility for data integrity whilst also considering business system changes to make our data entry and collection more intuitive and streamlined.



# ★ Performance

## Performance framework

The CDPP’s performance framework assesses our ability to deliver on our purpose in accordance with the requirements of the *Public Governance, Performance and Accountability Act 2013*.

Our performance framework seeks to present relevant performance information to the public and the Parliament in a way which is meaningful, informative and provides an appropriate level of public accountability.

## Measuring performance

The CDPP’s performance is managed through careful planning, monitoring and measurement of key performance indicators. At a strategic level, we measure performance across our three strategic themes being service, partners and people. Together, these measures provide an overall assessment of how effective the CDPP has been in our goal to deliver an effective and independent prosecution service. The three measures are:

- compliance in addressing the terms of the test for prosecution in the *Prosecution Policy*
- partner agency satisfaction with CDPP service delivery
- prosecutions resulting in a finding of guilt, categorised into:
  - findings of guilt (total)
  - findings of guilt in defended matters.

Figure 1

CDPP Portfolio Budget Statements	CDPP Corporate Plan
<p><b>Outcome statement</b></p> <p>Contribute to a fair, safe and just society by delivering an effective, independent prosecution service in accordance with the <i>Prosecution Policy of the Commonwealth</i>.</p>	<p><b>Purpose</b></p> <p>Contribute to a fair, safe and just society by delivering an effective, independent prosecution service in accordance with the <i>Prosecution Policy of the Commonwealth</i>.</p>
<p><b>Program 1.1</b></p> <p>An independent service to prosecute alleged offences against the criminal law of the Commonwealth.</p>	
<p><b>Delivery</b></p> <p>The CDPP delivers a national prosecution service across the following crime types:</p> <ul style="list-style-type: none"> <li>• commercial, financial and corruption</li> <li>• revenue and benefits fraud</li> <li>• international assistance and specialist agencies</li> <li>• organised crime and counter terrorism</li> <li>• illegal imports and exports</li> <li>• human exploitation and border protection.</li> </ul>	<p><b>Key activities</b></p> <ul style="list-style-type: none"> <li>• Prosecute with integrity.</li> <li>• Work in partnership.</li> </ul>
<p><b>Performance measures</b></p> <ul style="list-style-type: none"> <li>• Compliance in addressing the terms of the test for prosecution in the <i>Prosecution Policy of the Commonwealth</i>, namely the existence of a <i>prima facie</i> case, reasonable prospects of conviction and that prosecution is required in the public interest, when deciding to commence or continue a prosecution.</li> <li>• Partner agency satisfaction with CDPP service delivery.</li> <li>• Prosecutions resulting in a finding of guilt (total matters).</li> <li>• Prosecutions resulting in a finding of guilt (defended matters).</li> </ul>	

# Performance measures

## Key activity one - prosecute with integrity

### Compliance in addressing the terms of the test for prosecution in the Prosecution Policy

Compliance in addressing the terms of the test for prosecution set out in the *Prosecution Policy* is measured throughout the prosecution process. At appropriate points in time during the prosecution process, the CDPP case officer or a supervisor must certify that the test for prosecution in the *Prosecution Policy* has been addressed. Certification occurs by way of a Prosecution Policy Declaration (PPD). PPDs are generated in the CDPP's case management system.

The PPD records information about the relevant decision and refers to evidence of the application of the *Prosecution Policy*, such as a minute, summary of facts, notes to prosecutor, evidence matrix, file note or other relevant materials.

The test set out in the *Prosecution Policy* is integral to all cases considered and prosecuted by the CDPP. Application of the *Prosecution Policy* is of fundamental importance to the manner in which the CDPP undertakes its work. The test for prosecution requires that when deciding to commence or continue a prosecution, the prosecutor must determine whether there is a prima facie case, there are reasonable prospects of a conviction and whether a prosecution would be in the public interest. The number of times a PPD will be required in any particular case will depend on the nature of the case and the course that any litigation may take before the courts.

Performance measure	Key performance indicator	Target			
		2022–23	2023–24	2024–25	2025–26
<b>Compliance in addressing the terms of the test for prosecution in the <i>Prosecution Policy</i>, namely the existence of a <i>prima facie</i> case, reasonable prospects of conviction and that prosecution is required in the public interest, when deciding to commence or continue a prosecution.</b>	Percentage of compliance against each element of the test set out in the <i>Prosecution Policy</i> .	100%	100%	100%	100%

#### Methodology

Assessment by a case officer or supervisor that the test for prosecution in the *Prosecution Policy* has been addressed. Certification occurs upon completion of a PPD, which is generated in the CDPP's case management system. The PPD records information about documents on file and refers to evidence of the application of the *Prosecution Policy*, such as a minute, summary of facts, notes to prosecutor, evidence matrix, file note or other relevant materials.

#### Description

Whether the CDPP is addressing the criteria governing the decision to institute or continue a prosecution, as specified in the *Prosecution Policy*.

#### Rationale

Measure of how fully the CDPP is addressing the prosecution test in the *Prosecution Policy*.

#### Collection and reporting

Progress reports are provided to the Executive Leadership Group throughout the year and to the Audit Committee each quarter. Results are published yearly in the annual report.

## Prosecutions resulting in a finding of guilt

This measure indicates the number of defendants against whom a finding of guilt is made by a court during the relevant financial year. A finding of guilt may result in a court imposing either a conviction or a non-conviction disposition. While in the past the CDPP has reported on the total number of findings of guilt across all cases prosecuted, since 2019–20 the CDPP has provided additional data relating specifically to defended cases.

The reporting records:

- findings of guilt in all matters, against a target of 90 per cent
- findings of guilt in all defended matters, against a target of 70 per cent.

The two targets tell a more comprehensive story. A large proportion of the CDPP's practice is a plea practice, much of it in the summary jurisdiction, where a brief is assessed and enhanced before criminal charges are initiated against a defendant. This helps to ensure the charges are appropriate and therefore makes it more likely that a defendant will plead guilty.

The target for findings of guilt in defended matters is set lower than the overall target to appropriately reflect the inherent risks associated with conducting contested criminal proceedings. Many of the CDPP's defended matters involve more serious indictable offences, large volumes of evidence and complex legal issues which must be presented for determination by a jury according to the criminal standard of beyond reasonable doubt.

Performance measure	Key performance indicator	Target			
		2022–23	2023–24	2024–25	2025–26
<b>A. Prosecutions resulting in a finding of guilt (total matters).</b>	Percentage of the total number of defendants found guilty.	90%	90%	90%	90%
<b>B. Prosecutions resulting in a finding of guilt (defended matters).</b>	Percentage of the total number of defendants found guilty.	70%	70%	70%	70%

### Methodology

- A. 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 CDPP discontinued the prosecution against them in its entirety or where a prosecution has commenced and the defendant failed to appear before the court.
- B. 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 CDPP discontinued the prosecution against them in its entirety or where a prosecution has commenced and the defendant failed to appear before the court.

### Description

This measure calculates the percentage of prosecutions that result in a finding of guilt during the reporting period, both for all matters and for defended matters.

### Rationale

To provide a quantitative measure of CDPP's outputs that can be analysed, assessed and tracked over time to ensure the ongoing effectiveness and improvement of its prosecution service.

### Collection and reporting

Progress reports are provided quarterly to the Executive Leadership Group and the Audit Committee. Results are published yearly in the annual report.

## Key activity two - work in partnership

### Partner agency satisfaction with CDPP service delivery

The support of our partner agencies is critical to the work we do. Whilst decisions regarding a prosecution are always ultimately a matter for an independent CDPP, any successful prosecution requires a partnership between investigators and prosecutors. Understanding partner agency perceptions of the CDPP across a range of service areas provides the CDPP with valuable insights which help shape and improve processes, procedures and performance.

The CDPP has run a biennial satisfaction survey of partner agency satisfaction since 2016, with a satisfaction target of 90 per cent. The last survey was in 2021–22 and will be conducted again in 2023–24.

Performance measure	Key performance indicator	Target			
		2022–23	2023–24	2024–25	2025–26
Partner agency satisfaction with CDPP service delivery.	Percentage of respondents indicating satisfaction with CDPP service delivery.	N/A	90%	N/A	90%

#### Methodology

The biennial survey has a sample size of 600 respondents from partner agencies divided into two strata. The first strata (up to 400 respondents) are randomly selected case officers drawn from matters referred to the CDPP. All agencies listed as referring matters during the relevant period will have at least one survey sent to a respondent in their agency provided that contact information is available. The total number of survey respondents per agency will be weighted by reference to the number of referrals from that agency for the relevant period. The second strata (up to 200 respondents) are selected from names provided by CDPP prosecutors on the basis of significant dealings during the relevant period.

#### Description

Evidence of partner agency satisfaction including timeliness, relevance to partner agency business, responsiveness and level of communication.

#### Rationale

Independent biennial survey of individuals from partner agencies who have dealt with the CDPP to deliver a comprehensive evidence base to inform continuous improvement.

#### Collection and reporting

The survey is conducted every 2 years, usually in May/June, with results published in that year's annual report.

The survey was last conducted in June 2022, with results to be published in the 2021–22 annual report (due for tabling in October 2022).

## ANAO performance audit

On 30 March 2020, the Auditor-General tabled in Federal Parliament, its report - ANAO Performance Audit No. 28 of 2019–20–Case Management by the Office of the Commonwealth Director of Public Prosecutions.

The Auditor-General made recommendations to the CDPP relating to management reporting, cost monitoring, timeliness targets and performance reporting. The CDPP accepted all the Auditor-General's recommendations.

The CDPP has implemented systems and controls which address all the recommendations made by the Auditor-General, with the exception of that part of Recommendation 4 which recommended the introduction of a case management efficiency criterion in our annual performance statement.

However, meaningfully measuring the efficiency of a criminal prosecution is very challenging. Many external factors, such as evidence capture, witness recollections or the response of the defendant to the charges, will determine how long a prosecution takes and how much it costs. Notwithstanding these challenges, significant work has been done on this part of the recommendation.

This work has resulted in the development of a framework of 16 indicators which stretch across 4 categories of People, Partners, Practice and Performance (the 4P Model). This 4P Model will now be integrated into the CDPP's internal performance monitoring environment.

Paragraph 16EA(e) of the *Public Governance, Performance and Accountability Rule 2014* (PGPA Rule) provides that an entity should include measures of its outputs, efficiency and effectiveness where appropriate. In line with the PGPA Rule and the ANAO's recommendation, the CDPP will continue to explore potential opportunities for development of a suitable efficiency criterion for external reporting purposes.

The CDPP provides an independent prosecution service that contributes to a fair, safe and just Australia where Commonwealth laws are respected, offenders are brought to justice and potential offenders are deterred.

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