

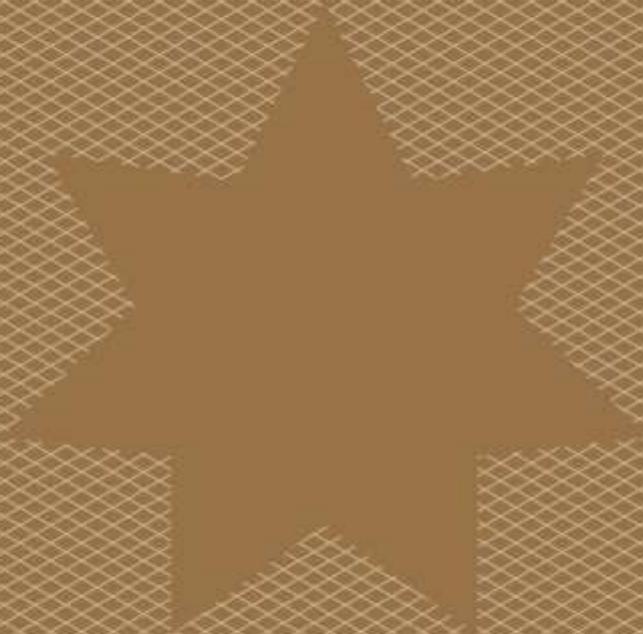


CDPP

Australia's Federal Prosecution Service

**Partner Agency
Engagement Strategy**

JANUARY 2021



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About this strategy

Taking every opportunity to enhance the quality of the service delivered to agencies to further strengthen relationships to help ensure delivery of an efficient and effective prosecution service to the Australian community

The Commonwealth Director of Public Prosecution's (CDPP) purpose is to prosecute crimes against Commonwealth law through an independent prosecution service that is responsive to the priorities of our law enforcement and regulatory partners and that effectively contributes to the safety of the Australian community and the maintenance of the rule of law.

To achieve our purpose, we build effective relationships with partner agencies and bring cases to a close through successful prosecutions.

Strong relationships between the CDPP and investigative agencies are fundamental to the efficient and effective delivery of prosecution services to agencies and the Australian community.

The CDPP is referred briefs of evidence by over 40 federal agencies as well as state and territory police forces. Many of those partner agencies have a long history of working collaboratively with the CDPP.

The CDPP places great value on the strong relationships it has with its partner agencies and recognises the vital role they play throughout the entire prosecution process. It is not possible for the CDPP to fulfil its strategic objectives without closely partnering with investigative agencies.

Strategic themes

The CDPP's activities are guided by its strategic themes and engagement with partner agencies is one of those key themes. This strategy sets out the CDPP's approach to ensuring its engagement with partner agencies is effective.

The CDPP's key aims are to:

- Deliver a timely, comprehensive legal service of technical excellence
- Provide key resources, training and support to partner agencies in relation to prosecutions
- Provide regular opportunities for interactions, at all levels, to strengthen understanding and to enhance relationships with partner agencies
- Ensure appropriate governance arrangements are in place to regulate and provide clarity to the distinct roles of the CDPP and partner agencies.

The CDPP will approach engagement in a manner that is:

- Responsive
- Collaborative
- Accountable
- Future focused
- Innovative
- In accordance with the Prosecution Policy of the Commonwealth.

Engagement occurs at all levels of the CDPP, and through the lens of its national practice group model. As a result, engagement may occur at a practice group, local office or case based level.

Timely, comprehensive legal service of technical excellence

The comprehensive nature of the legal service provided by the CDPP is unique among Australian prosecution agencies and includes:

- pre-brief advice and brief assessment work
- litigation services in the summary, committal, trial, sentence and appeal phases and
- post-trial reports and case reviews as part of the finalisation of the case. They also provide the opportunity to capture learnings from our significant cases.

The CDPP is committed to ensuring all matters referred by an agency are dealt with in a timely manner. Upon receiving a completed brief of evidence, the CDPP aims to make a decision on whether there is sufficient evidence to commence the prosecution within internal timeliness targets.

Expectations of CDPP prosecutors for service delivery to partner agencies are set at the commencement of their employment via the CDPP's induction program. Additional education about this important aspect of practice management also forms a component of the CDPP's [Continuing Legal Education Program](#). Key resources used to assist and guide in reinforcing those expectations, include in particular, [National Legal Direction: Prosecution Services for Partner Agencies](#) and [Practical Guide to Prosecutors](#).

Key resources and training to support partner agencies

The CDPP provides partner agencies with a wealth of key information and resources through the Partner Agency Portal. These resources include [National Offence Guides](#), [Warrant Manuals](#) and key guidelines relating to issues such as disclosure.

The CDPP is committed to using technology and digital tools to ensure efficiency and effectiveness in the conduct of its prosecutions. The CDPP works closely with partner agencies in transitioning them to electronic briefs. The CDPP's digital capability team assists agencies with the transition to e-briefs and ensures briefs are compliant with the [CDPP's E-brief Referral Guidelines](#).

The CDPP also provides an electronic [Referrals Gateway](#) to enable electronic submission of briefs by partner agencies.

While investigative agencies have the primary responsibility for training their investigators, the CDPP recognises the important complementary role it can play in providing information and training to investigators in relation to prosecutions

Consequently, where appropriate, the CDPP provides training and information sessions to partner agencies on relevant topics utilising their experience and knowledge in order to upskill investigators in relevant areas and to outline the role of the CDPP in the prosecution process.

This training is aimed at continuing to improve briefs of evidence to ensure successful prosecution outcomes and a saving of time and resources for all.

The CDPP is keen to learn from investigative agencies and to benefit from their knowledge and expertise. The CDPP is also keen to learn of, and contribute to, their enforcement strategies and objectives. Consequently, the CDPP also welcomes the opportunity for agencies to present sessions to CDPP staff.

Interactions at all levels to strengthen and enhance relationships

Case Based interactions provide the most extensive opportunity to strengthen understanding and enhance the relationships between the CDPP and partner agencies. These include providing advice at the pre-brief stage, by briefings by the agency about the brief upon its referral and during the course of the litigation itself.

Formal Liaison Meetings also serve a critical function in achieving this outcome. The level of formal liaison activity that takes place for each agency is flexible, recognizing the diversity of agency needs and interest, the level and nature of referrals and the risks posed by failing to sufficiently engage. The frequency of engagement is tailored by agreement with each agency. Formal liaison arrangements are available for all external agencies, including state and territory police.

Liaison may occur at a national as well as at an office level. In such instances, best practice is for office liaison meetings to occur prior to national liaison meetings, in order that issues can be fed through to the national forum. Formal liaison will usually involve senior CDPP staff, but appropriate opportunities should be used to expose more junior staff to liaison roles and deepen their strategic perspective. A [template](#) liaison meeting agenda is included at Annexure A.

Larger agencies will often meet regularly with the CDPP (often quarterly), enabling each to provide an agency update, identify trends and emerging issues (including in relation to law reform), to provide forecasts regarding referrals, and to provide case updates on more important matters. The CDPP's **PowerBI Reports** provide key data which can be used to inform liaison discussions with agencies. A suggested template for use in liaison meetings can be located at the end of this Strategy. It can be adapted depending on the partner agency involved.

In between liaison meetings and for non-case based and general enquiries, dedicated liaison officers or Practice Group Coordinators are available to respond to queries the agency might have. These may relate to law reform or policy issues, for example.

Non-Prosecution Legal Files are used to store meeting minutes and other significant liaison interactions to ensure corporate knowledge is preserved.

Participation by senior CDPP staff in multi-agency **Taskforces and Interdepartmental Committees (IDCs)** are additional fora in which the CDPP participates, and which facilitate strategic engagement with key partner agencies.

CDPP Conferences are a further forum for partner agencies to engage with prosecutors and to exchange ideas and experiences.

The CDPP's expertise can sometimes be best used by CDPP staff being **seconded to or co-located** with the offices of investigative agencies. The CDPP can also benefit from investigative agency staff being co-located or seconded to the CDPP. Whilst such arrangements are not routine they do provide a valuable opportunity for a more direct utilization of expertise and a vehicle for gaining deeper insights into the work and operating environment of the relevant agency. Appropriate governance frameworks would need to be considered to manage risk and to confirm the respective role of the seconded staff member.

Governance arrangements

The CDPP's *Guidelines for Dealings between Investigators and the CDPP* provide a governance framework outline the roles and responsibilities of the partner agency and the CDPP throughout the prosecution process.

Memoranda of Understanding with the CDPP, or an exchange of letters, can be used as an additional mechanism where a bespoke arrangement governing particular activities is needed.

The CDPP also enters into specific funding arrangements with partner agencies from time to time.

Improving CDPP and partner agency performance

The CDPP has a culture of continuous improvement and is uniquely placed to contribute to enhancing the performance of partner agencies.

The main feedback loops are:

- **Liaison meetings** – which provide a timely mechanism for two-way feedback.
- **Brief assessment** and ongoing advice during prosecutions.
- **Post-trial reports** – Trials consume significant resources for both the CDPP and agencies. A post trial report is prepared following the completion of all jury trials and in significant summary hearings. This is an important mechanism to identify areas for improvement or reform. This data is also reviewed periodically to identify any systemic issues in the CDPP's trial practice.
- **Case reviews in significant matters** – These are not confined to trials. The reviews enable a broader sweep of cases to be reviewed and allow for the identification of areas for improvement.

Measuring partner agency satisfaction

Partner agency satisfaction with the CDPP's service delivery is a key performance measure for the CDPP and is reported in the CDPP's Annual Report and Portfolio Budget Statement.

Satisfaction is measured through the biennial Partner Agency Satisfaction Survey.

Quantitative and qualitative evidence is gathered about agency satisfaction with CDPP service delivery.

Characteristics evaluated include timeliness, relevance to partner agency business, responsiveness and the level of communication. The results deliver a comprehensive evidence base to inform continuous improvement. The CDPP has set an ambitious target of 90 per cent partner agency satisfaction.

The feedback obtained via the survey is reviewed by the ELG and the legal practice to identify business improvement opportunities.



CDPP and xxxxx– Liaison Meeting

Date: 202x

Meeting Details

Meeting Name	
Location/Address	
Time	
Invited Attendees	<i>CDPP</i> <i>Partner Agency</i>
Apologies	
Agenda items	<ol style="list-style-type: none">1. Welcome and Introductions:<ol style="list-style-type: none">a. Minutes of previous liaison meetingb. Action Items from previous meetingc. Confirmation of liaison arrangements2. CDPP Issues / Update:<ol style="list-style-type: none">a. Staffingb. Brief qualityc. Requisitionsd. Pre-brief advicee. Judgments of significancef. Issues for potential Law Reform3. Prosecutions:<ol style="list-style-type: none">a. Referral numbers – 12 months to dateb. Finalised in previous six months (including post trial reports/significant case reviews)c. Current mattersd. Specific complex / high profile matters – cases worth noting4. Investigative Agency Issues / Update<ol style="list-style-type: none">a. Staffingb. Current / Future Operational Prioritiesc. Report on upcoming referralsd. Anticipated referral patterns/numbers for the coming 12 monthse. New Policy Proposals (NPPs – funding)

f. Other specific matters for discussion (eg feedback on partner agency portal, referral gateway or e-brief guidelines)

5. Training and Development

- a. Training requirements of either agency.
- b. Offence guides required.

6. Other business

7. Next meeting