

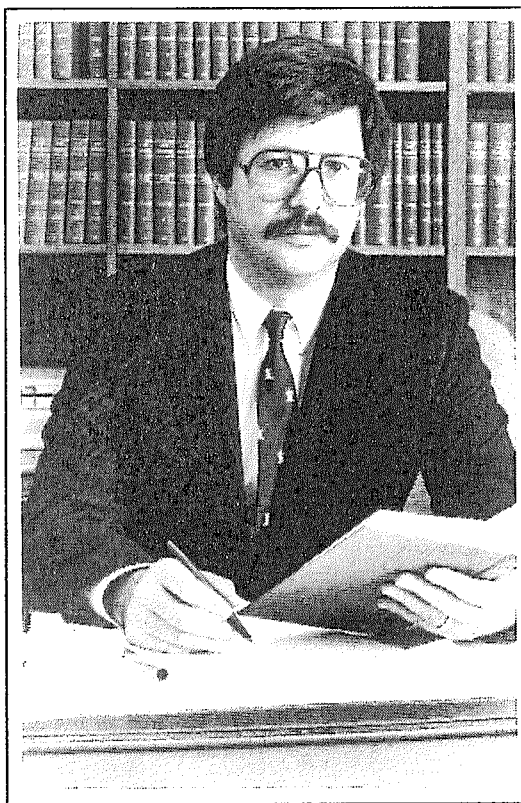
Commonwealth Director of Public Prosecutions

Annual Report 1989–90

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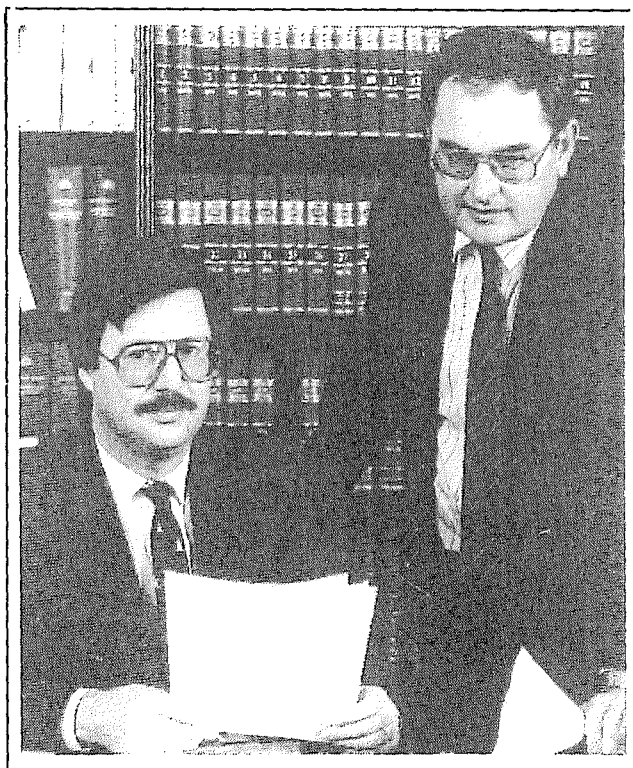
Director's overview



*Mark Weinberg QC,
Commonwealth Director of Public Prosecutions*

This is the seventh annual report of the Office of the Director of Public Prosecutions, and the second such report under my hand. My first report was written not long after I had assumed the position of Director. A year having passed, while I can scarcely claim to have acquired the status of a veteran, I am at least more comfortable performing the tasks expected of me.

The position of Commonwealth Director of Public Prosecutions is, in many ways, an intriguing one. The Director is required to take responsibility for the management of what is, on any view, a large law office, comprising over 400 staff, approximately half of whom are lawyers. The office is, of course, a national one with its management centred in Canberra. However, the operational work is undertaken principally in the larger capital cities. A Melbourne based Director must travel interstate a great deal. Even so, it



Mark Weinberg QC with First Deputy Director Peter Walshe

came as something of a surprise to me to discover that I had spent over 50 days interstate visiting one or other of my regional offices, or Head Office in Canberra, in the year ending 30 June 1990.

The year has been an extremely busy one. My Office has dealt with over 4 000 matters summarily, and almost 500 matters on indictment. The overwhelming majority of these prosecutions have been handled in-house by DPP staff. Cases of exceptional difficulty or importance, and those tried on indictment in New South Wales and Victoria, have generally been briefed out to the private Bar. I have myself appeared in court on a fairly regular basis. My diary records that I spent a total of 61 days during the past year either in court, or directly involved in the preparation of cases for court.

The role of Director is not, however, confined to management of the office and court appearance work. There are numerous decisions of an operational nature which need to be taken or approved by the Director personally. There are also written advices to be prepared, papers to be written for publication in various journals, and for presentation at conferences, seminars or symposiums.

My reason for remarking upon the diverse range of functions performed by the Director is not to present a public whinge. It is rather to provide the basis for a proper



Associate Director Paul Coghlan.

acknowledgement of the enormous assistance which I have received from all my staff. Without their tireless contributions my position would very swiftly become an intolerable one.

There is very little more that I need to say. The major operational matters dealt with by my Office during the past year are set out in detail in the chapters which follow. Among those which have received most attention are the first War Crimes prosecution brought in this country, and the Winchester Inquest. There were also a number of important drug and fraud trials which are singled out for attention.

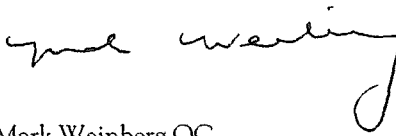
The work of each of our Criminal Assets branches is worthy of particular note. Restraining orders have been obtained over property totalling \$46.7 million. I am confident that there will be a number of significant forfeitures and pecuniary penalties in the months ahead.

Potentially the most important new development so far as our work is concerned is the creation of the Australian Securities Commission. This involves the transfer of company fraud prosecutions from the States to the Commonwealth. Corporate regulation in Australia is, of course, a matter of national concern. It requires a concerted national effort. The prosecution of those who, as directors, commit serious fraud is of paramount importance. This has been recognised in the United States where, in recent years, significant progress has been made in exposing major wrongdoing through successful prosecutions. I am confident that, given adequate resources, my Office will be able to achieve similar success.

I conclude this overview by noting the retirement of the previous Attorney-General, the Honourable Lionel Bowen. He and I had established a sound and cordial working relationship. A similar relationship has already developed between his successor, the Honourable Michael Duffy, and myself.

I am pleased to report that, as would be expected, I was permitted to and did perform all my statutory functions in an entirely independent manner. There was no hint of interference from any source within Government.

I acknowledge my cordial working relations with the Federal Attorney-General's Department, my various State counterparts, and also the heads of the major law enforcement agencies with whom I deal on a regular basis.

A handwritten signature in cursive script, appearing to read 'Mark Weinberg', with a long, sweeping underline.

Mark Weinberg QC

Commonwealth Director of Public Prosecutions