

Office of the
Director of Public
Prosecutions
Annual Report
2015/2016



ODPP
New South Wales

Letter of Transmittal

OUR REFERENCE

DIRECTOR'S CHAMBERS

YOUR REFERENCE

DATE

28 October 2016



Letter of Transmittal

The Hon. G Upton, MP
Attorney General
52 Martin Place
SYDNEY NSW 2000

Dear Attorney

2015-2016 Annual Report

I am pleased to forward to you the 29th Annual Report for the Office of the Director of Public Prosecutions (ODPP) for presentation to Parliament. This report encompasses the ODPP's financial statements and performance review for the financial period 2015-2016.

This report has been prepared in accordance to section 34 of the *Director of Public Prosecutions Act 1986* and in compliance with the guidelines from the *Annual Reports (Departments) Act 1985*, *Annual Reports (Departments) Regulation 2015* and the *Public Finance and Audit Act 1983*.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Lloyd Babb'.

Lloyd Babb SC
Director of Public Prosecutions

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Highlights of the Year

A New Deputy Director of Public Prosecutions

On 30 May 2016, Kara Shead was appointed as a Deputy Director of Public Prosecutions.



Crown Prosecutors Appointed to the Bench

Deputy Director of Public Prosecutions John Pickering SC, Deputy Senior Crown Prosecutor Jennie Girdham SC and Crown Prosecutor Siobhan Herbert were appointed as Judges of the District Court.

Crown Prosecutors Appointed

During the year, the following people were appointed as Crown Prosecutors for NSW.

- Brendan Campbell
- Michael Clark
- Benjamin Cochrane
- Brian Costello
- Catherine Dodds
- Katharine Jeffreys
- Nerissa Keay
- Paul Kerr
- Paul Marr
- Andrew Miller
- Monica Millward
- Robert Munro
- Susan Oliver
- Dean Robinson
- David Scully
- Sally Traynor
- Jeffrey Tunks
- Georgia Turner

Nomination for the Justice Medal

In recognition of her outstanding contribution to the welfare of victims and witnesses in NSW over 17 years, Lee Purches, the former Manager of the Witness Assistance Service, was nominated for the Justice Medal at the Law and Justice Awards in October 2015



Prosecution Statistics

- 88% of matters resulted in a finding of guilt
- 5770 Committal Matters were completed, 66.5% resulted in early resolution
- 1593 District Court Trials were completed
- 52 additional positions were recruited to
- \$3.7 Million was confiscated as proceeds of crime



The Office and the Criminal Justice System

The Office of the Director of Public Prosecutions (ODPP) is the independent prosecuting authority of NSW.

The Office was created in 1987 by the *Director of Public Prosecutions Act 1986* (the Act) and is responsible for the prosecution of all serious offences committed against the laws of the State on behalf of the people of NSW. Key provisions of the Act are contained in Appendix 2.

The Director of Public Prosecutions (DPP) acts independently and impartially. The principal functions of the ODPP are to institute and conduct prosecutions for indictable offences in the District and Supreme Courts; conduct appeals in any court for any such prosecution; and conduct, as the responding party, any appeal in any court for any such prosecution.

The ODPP advises in, institutes and conducts proceedings in the public interest in accordance with the Director's Prosecution Guidelines. Decisions about criminal prosecutions are made free of inappropriate influence of political, individual or other sectional interests.

Head Office is located in Sydney. There are three western Sydney offices, located at Parramatta, Penrith and Campbelltown, and six regional offices throughout NSW: Lismore, Newcastle, Gosford, Wagga Wagga, Dubbo and Wollongong. Lawyers appear and also instruct Crown Prosecutors in courts across NSW in a wide range of matters including:

- Trials and pleas of guilty in the District Court and the Supreme Court
- Committal proceedings in the Local Court
- Some summary hearings in the Local Court, Appeals in the District Court, Court of Appeal, Court of Criminal Appeal and the High Court.

The ODPP also has a Witness Assistance Service (WAS) in each office. WAS officers provide information, support and assistance to victims of crime and witnesses in the cases we prosecute.

The ODPP does not investigate crime – that is the role of investigative agencies such as the NSW Police Force.

In the performance of their functions, the DPP and the ODPP operate within the context of the following legislation:

- *Bail Act 2013 (NSW)*
- *Children (Criminal Proceedings) Act 1987 (NSW)*
- *Crimes (Appeal and Review) Act 2001 (NSW)*
- *Crimes (Domestic and Personal Violence) Act 2007 (NSW)*
- *Crimes (Sentencing Procedure) Act 1999 (NSW)*
- *Crimes Act 1900 (NSW)*
- *Criminal Appeal Act 1912 (NSW)*
- *Criminal Procedure Act 1986 (NSW)*
- *Director of Public Prosecutions Act 1986 (NSW)*
- *Drug Misuse and Trafficking Act 1985 (NSW)*
- *Evidence Act 1995 (NSW)*
- *Drug Court Act 1988 (NSW).*

ODPP Executive

Lloyd Babb SC BA MA LLB **Director of Public Prosecutions**

Appointed Director of Public Prosecutions in July 2011. Before Lloyd's appointment he practised as a barrister for 16 years, after working as a solicitor in private practice and for the ODPP. Appointed a Crown Prosecutor in 1998. Seconded as Director of the Criminal Law Review Division from 2003 to 2005 and an Acting Public Defender from 2006 to 2007. Appointed Senior Counsel and Crown Advocate in 2007. Member of the Bar Council of the Bar Association of New South Wales between 1995 and 2000. He is New South Wales' third DPP.

Keith Alder B. Leg S **Deputy Director of Public Prosecutions**

Admitted as a solicitor in 1988 and in that same year commenced at the ODPP. In 1992 Keith was appointed the Managing Lawyer of the Penrith Regional Office, a Trial Advocate in 1998, a Crown Prosecutor in 2001 and in 2010 a Deputy Senior Crown Prosecutor. He was appointed a Deputy Director of Public Prosecutions in November 2011. In 2012 he was appointed the Chief Audit Executive of the ODPP Audit and Risk Committee. He has been seconded to the Office of the Ombudsman and the Independent Commission Against Corruption.

John Pickering SC BEC LLB **Deputy Director of Public Prosecutions** (27 February 2012 – 31 March 2016)

Admitted as a solicitor in 1993, and in that same year employed as a solicitor at the ODPP. John was appointed as a Trial Advocate in 1998, a Crown Prosecutor in 2001 and an Acting Deputy Senior Crown Prosecutor in January 2012. He was appointed a Deputy Director of Public Prosecutions in February 2012 and Senior Counsel in October 2012. In April 2016 he was appointed a Judge of the District Court of NSW.

Kara Shead BA LLB (Hons) **Deputy Director of Public Prosecutions** (from 30 May 2016)

Appointed as a Deputy Director of Public Prosecutions on 30 May 2016. Kara worked as a solicitor for the ODPP between 1996 and 2005, appearing as a Trial Advocate between 2002 and 2005. She was appointed a Crown Prosecutor in 2005. In 2014 she was appointed as a Deputy Senior Public Defender. She is a Member of the Bar Council, the Criminal Law Committee and a Professional Conduct Committee of the Bar Association of New South Wales.

Mark Tedeschi AM QC MA LLB **Senior Crown Prosecutor**

Appointed as a Crown Prosecutor in 1983. Mark has been a Queen's Counsel since 1988 and Senior Crown Prosecutor since 1997. He is the author of a book on international trade law and of numerous articles on environmental law, social welfare law, business law, mental health law and criminal law. He is the President of the Australian Association of Crown Prosecutors and a visiting Professor at the University of Wollongong, and a member of the Board of Directors of the National Art School in Sydney.

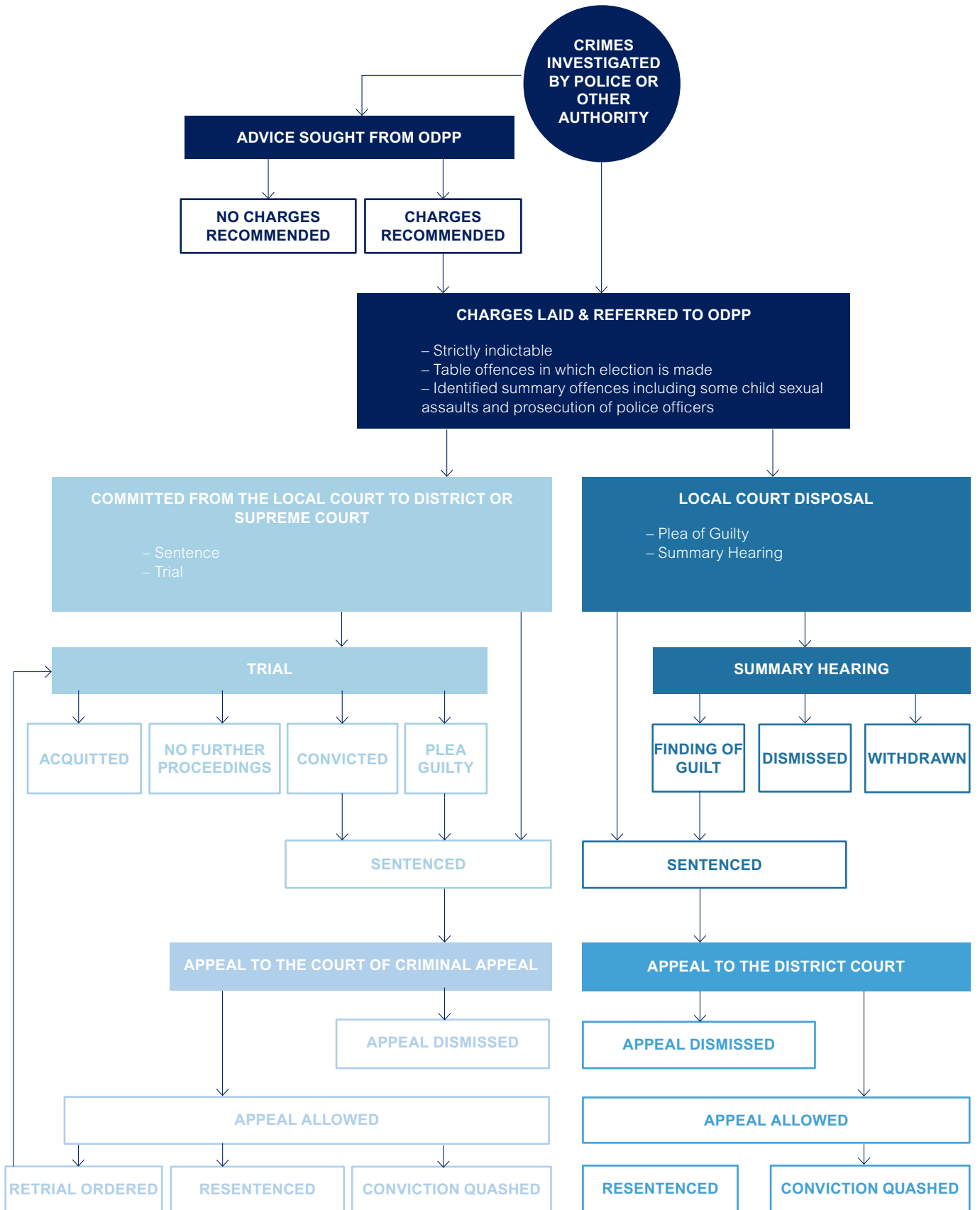
Craig Hyland BJURIS LLB GDPA **Solicitor for Public Prosecutions**

Appointed as the Solicitor for Public Prosecutions from 2 February 2015. Craig has in excess of 25 years' experience in the criminal justice system, recently as the Solicitor for Public Prosecutions in Victoria from 2009 to 2015. The remainder was as a solicitor, manager and Senior Executive in the ODPP NSW. Craig graduated from the University of NSW with a Bachelor of Laws and a Bachelor of Jurisprudence in May 1985. He has post graduate qualifications in Public Administration conferred by the University of Sydney in 2007.

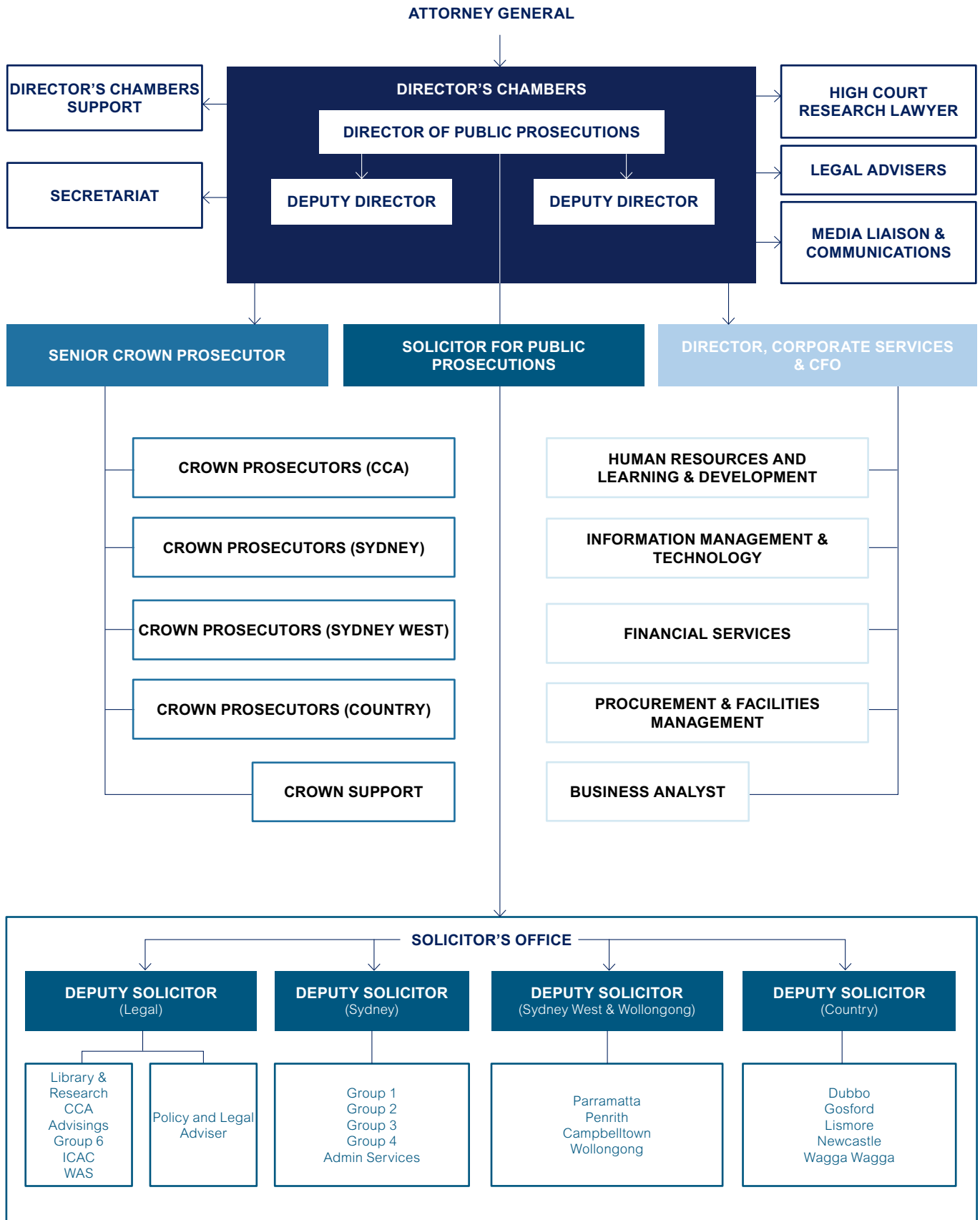
Elizabeth Stratford BCom, MPA, FCPA, GAICD **Director, Corporate Services and CFO**

Appointed Director, Corporate Services and CFO in October 2015. Elizabeth was appointed a Fellow of CPA Australia in 2012, and a Graduate of the Australian Institute of Company Directors in 2013. She is an Executive of the public sector having held roles in Education and Health portfolios and was most recently the Director of Corporate Resources and CFO for the Museum of Applied Arts and Sciences. She has held senior leadership roles at NSW Treasury and Department of Education and is currently the Chair of the NSW Public Sector Community of Finance Professionals.

Outline of the Prosecution Process



ODPP NSW Organisational Structure



Report of the Director of Public Prosecutions



This is my sixth annual report, having been appointed Director in July 2011. I continue to head an Office that is staffed by excellent officers and prosecutors. At the heart of the ODPP are the people, the prosecution lawyers, administrative officers, the Witness Assistance Service and those in Corporate Services, who work hard as one team to provide a professional and effective prosecution service for New South Wales.

The ODPP has a wide and varied legal practice in New South Wales. We conduct cases in the Local Court, the Children's Court, the District Court, the Supreme Court, the Court of Criminal Appeal, the Court of Appeal and the High Court. The Office also provides legal advice to investigators in respect of serious offences in the State.

Committals for trial or sentence are generated from regional and metropolitan Local Courts throughout the State. The ODPP completed 5,770 Committal matters in 2015/2016. Of those, 31% were finalised in the Local Court, 68% were committed to the District Court, and the remainder committed to the Supreme Court. A total of 1,593 trials were completed in the District Court in 2015/2016. Late pleas of guilty occurred in just over half of those matters.

My Office has sought to be proactive in reducing the number of late guilty pleas. One initiative that has been trialled is the Rolling List Court, a joint initiative of the District Court of NSW, the ODPP, Public Defenders and Legal Aid NSW. It is a dedicated court with the same prosecution teams (Crown Prosecutor and ODPP lawyer) and defence teams (Public Defender and Legal Aid NSW lawyer) appearing before the same Judge each week in order to efficiently dispose of matters. The Crown Prosecutor and Public Defender enter into discussions soon after a matter has been committed for trial in an attempt to negotiate a plea or at least narrow the issues for trial. Matters are not listed for trial until those discussions have taken place. This has provided good outcomes even in the early stages - more pleas of guilty, better use of resources for the court, the prosecution and defence teams avoiding late pleas being entered on the day of trial and more certainty and better outcomes for victims of crime.

The Rolling List Court commenced as a pilot on 13 April 2015. The Bureau of Crime Statistics and Research (BOCSAR) has undertaken an independent review of the Court. Data was collected to assess the efficiency and the timeliness in disposing of matters, compared to matters that remained in the general list

but were identified as part of a control group. The findings of BOCSAR show that in the Rolling List Court a higher proportion of matters resulted in a guilty plea than matters dealt with by the control courts (63% vs. 41%). Further, a significantly higher proportion of matters balloted to the Rolling List Court had been finalised compared with matters dealt with in the general court list (65% vs. 37%). A guilty plea was entered within three months of ballot for nearly one in five (18%) of all the Rolling List Court matters. This compares with just 5% of matters dealt with in the control courts.

The Rolling List Court has highlighted the desirability of early briefing of the Crown Prosecutor who will run the trial. The ODPP Priority Matters Initiative commenced in November 2015 and targeted three categories of offences on which to focus best practice strategies of early allocation of matters, early intervention of senior legal staff, continuity of representation, and early and ongoing victim engagement. The categories of offences that fall within this initiative are matters involving death, special interest and child sexual assault offences. An interim evaluation of this initiative will be conducted in the coming financial year.

The prioritising of child sexual assault matters for early intervention to senior legal staff who will run the trial fits neatly with the Child Sexual Offence Evidence Pilot. This Pilot is a three year program operating in the Sydney and Newcastle District Courts, and is aimed at reducing trauma for child victims in sexual assault trials. Under the Pilot, the time at which the victims give evidence will be brought forward and their evidence will be pre-recorded prior to trial. A Witness Intermediary will be appointed to assist victims to communicate in court. Training has been provided to ODPP staff in relation to the Pilot processes and to the role and appointment of the Witness Intermediary.

On behalf of the ODPP I take great pride in the introduction of witness intermediaries. In 2013, Amy Watts, then Acting Deputy Solicitor (Legal), was granted a Churchill Fellowship to investigate models of intermediaries for child victims and witnesses in criminal justice systems in England, Wales, Ireland, Austria and Norway. In her report to the Fellowship, one of her recommendations was that *“Australian criminal jurisdictions give consideration to the introduction of a Registered Intermediary Scheme modelled on the Registered Intermediary Scheme in England and Wales”*. I endorsed that report and submitted it to the Department of Justice in 2014. I pay special tribute to Amy Watts. Amy saw the

introduction of Witness Intermediaries, however, passed away on 11 September 2016.

The ODPP continues to achieve a workplace of diversity. Of the 680 full time equivalent staff, 61% of all employees are female and 13% of staff are working part time. At the Senior Executive level six out of 10 office holders are women.

This year, Kara Shead SC commenced as a Deputy Director of Public Prosecutions. I welcome Kara. I also extend my congratulations to Deputy Director John Pickering SC, Deputy Senior Crown Prosecutor Jennie Girdham SC, and Crown Prosecutor Siobhan Herbert, all of whom were appointed Judges of the District Court. All appointments were well deserved and recognise John, Jennie and Siobhan's high standing in the legal profession. While the appointments are a loss to the ODPP, it will be the case that the community will continue to be served by each of them in their new roles as members of the judiciary.

Finally, I wish to take this opportunity to thank all staff members for their outstanding work and contributions to the ODPP. I am grateful to be able to work alongside such dedicated staff.

Lloyd Babb SC
Director of Public Prosecutions

Report of the Solicitor for Public Prosecutions

This is my second report as Solicitor for Public Prosecutions NSW having commenced in the role on 2 February 2015.

While the last year has been one of challenge and innovation for the ODPP, we have continued to build upon our previous good results, demonstrated by a finding of guilt in all matters (either by plea or verdict) in 88% of all matters.

The year has seen increased registrations in the Local and District Courts with the District Court implementing strategies to reduce the growing backlog of trials through an additional 82 sitting weeks across the state; additional Courts sitting at Campbelltown and at Penrith from January 2016; and intensive matter management with targeted call overs at regional locations. The Drug Court has also seen a doubling in the number of referrals. The Witness Assistance Unit (WAS) has continued to face increased demand particularly in relation to sexual assault matters which have increased steadily since 2012 and now represent 64% of the WAS caseload. The increased demand has impacted on the recruitment of staff with recruitment during the year being 37% higher than the previous year with consequent pressure on Corporate Services to assist in the recruitment and training of staff; and provide the necessary technical and administrative support.

Continued legislative activity including the commencement of numerous Acts and Regulations over the year and involvement in submissions concerning law reform have added to the dynamic environment within which the ODPP operates.

Last year's Annual report introduced the ODPP Strategic Plan 2015 – 2019 with a new organisational vision "A dynamic prosecution service recognised for its excellence and leadership" and four new goals. Those goals, and strategies to achieve each of those goals, form the basis of this year's Annual Report. In furthering those goals the Project Management Office has continued to manage the various project streams which focus on: legal process; standard operating procedures; performance and education of staff; communication and knowledge management; and the measure of our performance.

During the year significant effort was directed by the project stream on performance and education of staff to implement a new personal development system which was rolled out across the Office towards the end of the reporting year under the auspices of a comprehensive change management process. Central to the personal development system is the incorporation of the ODPP Signature Behaviours of; Act with Integrity, Communicate, Be

Courageous, Accountable and Adaptive, Promote a Supportive Environment and Never Stop Learning. Although specific to the ODPP these behaviours are aligned to, and incorporate, the key elements of the NSW Public Sector Values, the Ethical Framework and the NSW Public Sector Capability Framework.

Significant effort was also devoted during the year by the Legal Process project stream to planning and commencing the pilot of a new prosecution model at Burwood Local Court based on a team based approach, with early allocation and continuity as cornerstones of the model. An external agency will review the model. It is hoped that the principles of the model will then be able to be implemented across the wider ODPP operational practice. This project stream also concentrated on the development of standard operating procedures in relation to new initiatives and current procedures to ensure that the operational practice is standardised and best practice principles are followed. To complement the project work in these areas the Priority Matters Initiative commenced in November 2015; and a Workload Weighting System commenced as a trial in five offices to assess the efficiency of service delivery and assist in resource planning.

With increased recent focus on the criminal justice system by the 'Royal Commission

into Institutionalised Responses to Child Sexual Abuse' and the 'Inquest into the deaths arising from the Lindt Café Siege' the ODPP will be well placed to implement practice reforms leveraging off the extensive work to date in relation to continuity of representation, active case management, and quality standards.

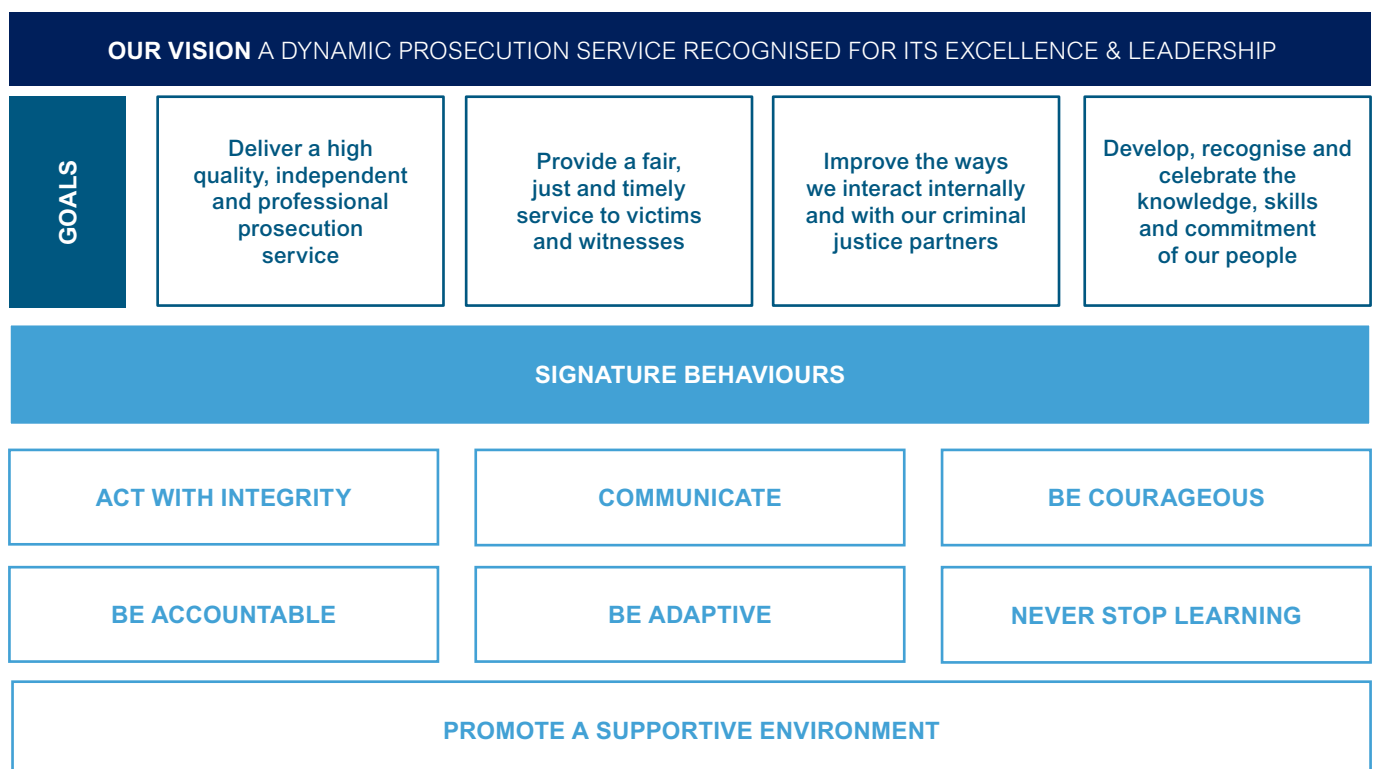
Extensive work during the year has also been undertaken to improve our communication and knowledge management with Knowledge Sharing and Communications Framework Projects, a Digital Working Strategy, and technological improvements all designed to improve our interaction internally and with our stakeholders.

In addition to the project work flowing from the strategic plan the Office has been involved in cross agency initiatives to reduce the trauma for child victims in

sexual assault trials through the Child Sexual Offence Evidence Pilot; and the efficiency in the listing matters through dedicated prosecution, defence and judicial resources in the Rolling List Court.

It has been a productive year at the ODPP with significant advances in our strategic planning projects, meeting increased demands with our prosecution resources, and responding to initiatives across the criminal justice system. I take this opportunity to thank all Crown Prosecutors and staff at the ODPP - legal, corporate and administrative - for their hard work and tireless effort over the year.

Craig Hyland
Solicitor for Public Prosecutions



Report of the Director, Corporate Services

Corporate Services played a key role in the determination of investment priorities to support the Strategic Plan. Funding secured as a result of the 2014/2015 Funding Model budget increase allowed for modest but targeted investment to ensure that the Office could deliver against key strategic project goals outlined throughout the report, including:

Legal Process:

Project management of Information and Communications Technology (ICT) infrastructure investment in the CASES practice management system, and development of the system to support the implementation of the Priority Matters Initiative and Workload Weightings.

People Matter:

Design and delivery of the Performance Development System (PDS).

Delivery of training programs to support the PDS implementation, encouraging open and ongoing dialogue between supervisors and team members.

Improving Interaction:

Development and delivery of a SharePoint platform to transition knowledge articles held by the Research System.

Commencement of a significant upgrade of operating systems to support mobility and accessibility of staff.

Measuring Performance:

Input into the development of a set of proposed new Key Performance Indicators (KPIs).

Initiatives to address the District Court backlog drove significant day to day operational support to the business including facility upgrades and delivery of Information Management & Technology (IM&T) Hardware and Software to support the expanding workforce. Promotional movements arising as a result of the increase in the workforce led to Human Resources managing disproportionately increased recruitment and training volumes.

The Office committed to modernising its enterprise resource package by joining the Justice Cluster SAP as a Service solution. The Justice SAP solution will be finalised in 2016/2017, resulting in an integrated business package that should streamline how staff interact with their own information and with the Corporate Services team. It is envisaged that this will take the Office closer to its goal of developing an ongoing reporting capacity with respect to activity management and the measurement of related KPIs.

Key roles were filled including the Director, Corporate Services and CFO; Director, Information Management & Technology; and Workplace Health & Safety Coordinator.

Elizabeth Stratford

**Director, Corporate Services
and CFO**



The background features a person in a dark suit and white shirt, partially obscured by a large, semi-transparent blue circle. Overlaid on the person's chest is a circular seal for the Campbelltown City Council. The seal contains the text 'Heritage Trust of Campbelltown', '1884', and 'CAMPBELLTOWN CITY COUNCIL'.

Goal 1:
**A high quality
independent
and professional
prosecution service**

Strategies

- *Develop and implement ways to provide continuity of representation, active case management and the early disposition of matters*
- *Develop and implement quality standards to support the prosecution process*
- *Improve our collection and measurement of data*

Overview

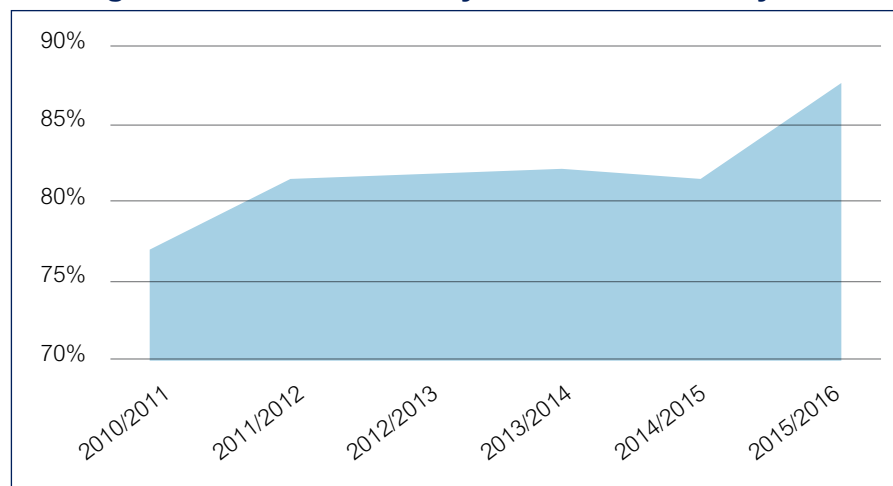
Highlights

- *There was an 88% finding of guilt in all matters, either by a plea of guilty or by verdict following a trial*
- *Of the 5,770 committals completed, 66.5% resulted in early resolution, either through Local Court disposal or through committal for sentence to the higher courts*

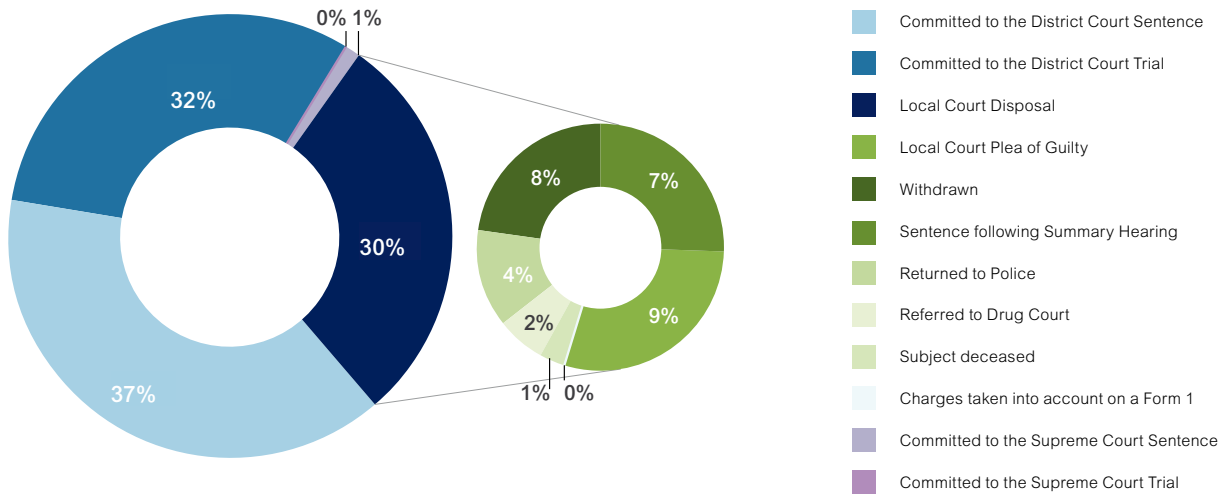
The Office of the Director of Public Prosecutions operates out of ten sites in New South Wales. The Head Office is in Sydney and there are offices at Parramatta, Campbelltown, Penrith, Wollongong, Newcastle, Gosford, Lismore, Wagga Wagga, and Dubbo. Crown Prosecutors, Trial Advocates, Lawyers and administrative staff work from each of these sites. In addition, there are separately located Drug Court Groups, comprising lawyers and administrative staff, at Toronto and Parramatta. The operations of the Office are managed regionally, with a Deputy Solicitor responsible for each region

(Sydney, Sydney West and Wollongong, and the Country). The Legal Division (Court of Criminal Appeal, Advising, Research, Independent Commission Against Corruption (ICAC) Referral Group and Group 6) is managed by the Deputy Solicitor Legal, who is also responsible for the Witness Assistance Service (WAS).

Finding of Guilt - Plea of Guilty or Verdict of Guilty

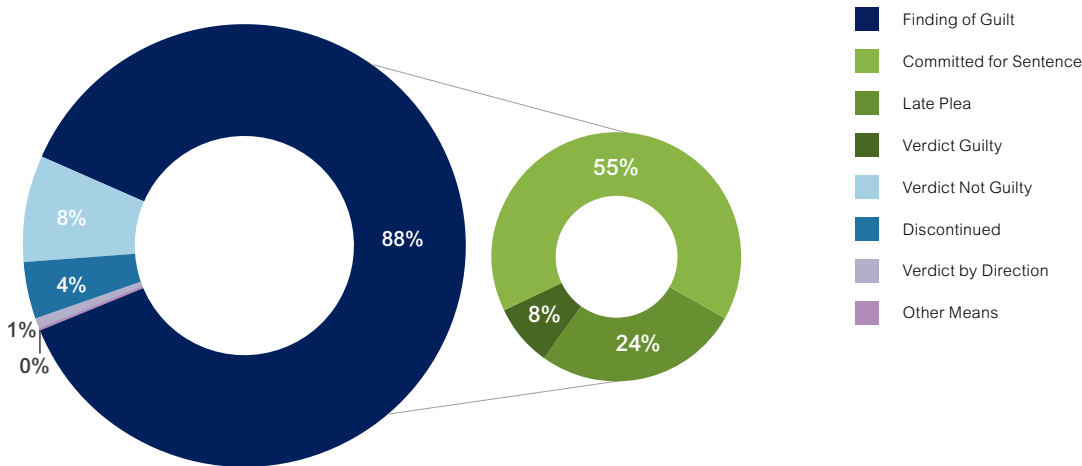


Local Court Outcomes



The ODPD completed 5,770 Committal matters in 2015/2016. Of those, 30% were finalised in the Local Court, 69% were committed to the District Court, and the remainder committed to the Supreme Court.

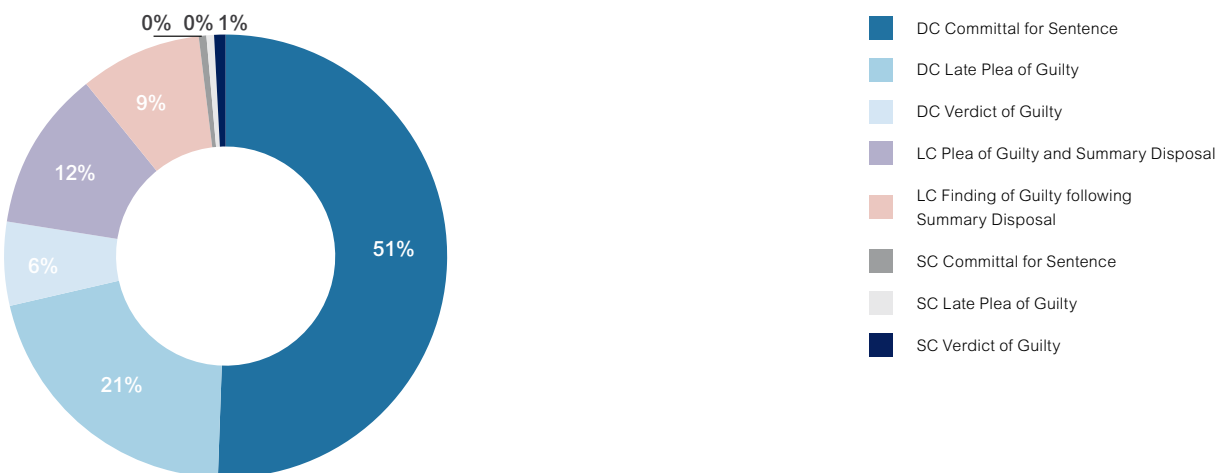
District Court Outcomes



The ODPD completed 3537 matters in 2015/16 in the District Court. 55% of those were matters committed for Sentence and 45% committed for trial. 88% of all matters were finalised by a finding of guilt, either through plea or verdict.

9% of matters dealt with by the District Court resulted in Verdicts of Not Guilty or Directed Verdicts. 4% of matters were discontinued.

Finding of Guilt



Of the 4,197 matters where there was a finding of guilt across the Local, District and Supreme Courts, 51% were early pleas of guilty in the Local Court and sentences in the District Court.

Operations

Sydney

Sydney Operations includes Trial Groups 1 to 3, Short Matters (Group 4) and the Drug Court. Sydney experienced a steady increase in workload this year in both the Local and District Courts. There has been a 20% increase in new Local Court matters and a 7% increase in District Court trial registrations.

One of the major challenges faced by the ODPP this year was servicing additional trial listings in the District Court in Sydney and regional courts as the court implemented strategies to address the growing trial backlog. One of those initiatives was the transfer of 41 trials with estimated trial lengths of more than ten days from regional courts to the Downing Centre in Sydney. This transfer has increased the number of new trials in Sydney by 200 in the past 12 months. The Sydney District Court continues to list an average of 80 trials per month.

To case manage trials with an estimated duration of six weeks or more, the Chief Judge of the District Court, Justice Derek Michael Price AM, issued *Practice Note 12, Readiness Hearings*, to list those matters for a readiness hearing to identify issues of contention and for the efficient management and conduct of the trial. Earlier briefing of these trials will play a vital role in the conduct of these matters.

Another District Court backlog initiative has been the additional sitting of a Short Matters court in the first week of each month. This has assisted in the reduction of the sentencing backlog.

Case management of Bail Applications in the Supreme Court was introduced on 7 March 2016 through *Practice Note 11, Bail*. The requirement to file a Notice of Readiness and the introduction of a call

over before the hearing date to ascertain the status of the application have enabled our staff to better manage resources and prepare only those matters that will proceed to hearing on the listed date.

Drug Court

The Drug Court, operating at the Downing Centre, Parramatta and Toronto (Newcastle) has more than doubled its referrals, from 350 to 755 in this last financial year. The Parramatta Drug Court is also responsible for the Compulsory Drug Treatment Correctional Centre (CDTCC) at Parklea. The ODPP has met the challenge of increased referrals by adopting new work practices and coordinating with other team member organisations. At the end of this financial year, the Drug Court was actively engaged in the rehabilitation of 333 offenders across the three centres and the CDTCC.

During the year, the ODPP Drug Court Group hosted four students from the University of Wollongong Law School Legal Internship Program, and showcased the Office's role to the National Director of Amnesty International and to the CEO of the Family Drug Support Organisation.

Sydney West and Wollongong

Sydney West and Wollongong Operations consists of offices at Parramatta, Campbelltown, Penrith and Wollongong.

The start of the 2016 court year brought with it some changes to the Sydney West and Wollongong offices.

In late January, the Wollongong Court complex re-opened after being closed for 18 months for renovations. During the closure period, Campbelltown District

Court had been operating an additional court to accommodate Wollongong trials. As a result, a number of Wollongong trial lawyers had been transferred to the Campbelltown office for the duration.

Both Campbelltown and Penrith Court complexes commenced operating 2 courts from January 2016 to address the District Court backlog. This expansion required a modification to the Local Court committal boundaries, reducing the number of trials that would otherwise have been committed to Parramatta District Court. This required additional resources to be placed at both locations.

In the week commencing 30 May 2016, Parramatta District Court conducted a special call over of approximately 130 pending trials. The purpose of the call over was to identify trial matters that could be resolved prior to the listing date, thereby reducing the backlog and delay for all parties. On average, 26 trial matters were listed on each of the five days. Over the special call over period, more than 20 pending trial matters were resolved, saving an estimated 170 days of court time and months of unnecessary delay.

Country

Country Operations consists of offices at Dubbo, Gosford, Lismore, Newcastle and Wagga Wagga.

An increase in the District Court backlog has been experienced in all of the regional offices and circuit courts. The District Court has listed additional courts and sittings in regional areas to address the backlog. Of the 82 additional sitting weeks gazetted during the year, 42 were in regional New South Wales, including Newcastle, Albury, Armidale, Coffs Harbour, Queanbeyan, Taree and Wagga Wagga. The Country offices

have serviced District Court sittings as follows: Dubbo – 68 weeks; Gosford – 49 weeks; Lismore – 89 weeks; Newcastle – 156 weeks; Wagga Wagga – 60 weeks.

Special call overs were conducted in two regional courts in 2015 in an effort to address the backlog. These took place at Wagga Wagga District Court in the week commencing 16 November 2015, and at Newcastle District Court in the week commencing 7 December 2015. Keith Alder, Deputy Director of Public Prosecutions, working with local lawyers and administrative staff, appeared at the call overs. Approximately 80 trials were listed at the Wagga Wagga call over, from the circuit courts of Wagga Wagga, Albury and Griffith. Approximately 30 matters

resulted in pleas and those trials were vacated. The Newcastle District Court listed approximately 110 trials for the call over. Pleas of guilty were successfully negotiated in 50 matters. The 80 trials that were resolved resulted in a saving of about 400 days of court time in regional NSW

In August 2015 a review of the Newcastle office operations was undertaken as part of the internal audit plan. Overall, the audit results were very positive. The Newcastle office demonstrated a strong commitment to delivery of a high quality prosecution service to its stakeholders, including courts, police, victims and other witnesses. Prosecution outcomes showed compliance with the Director's

Prosecutions Guidelines, delegations, ODPP policies and procedures, and the Charter of Victims' Rights.

Targeted Assistance Group

The Targeted Assistance Group (TAG) is a group of seven experienced lawyers who provide short term assistance in all jurisdictions and offices across the State. The group has been an invaluable resource to staff the extra District Court sittings. In the past all TAG members were based in Sydney however, two lawyers are now based at the Newcastle office, allowing more flexibility to provide assistance to regional offices.

R V Turnbull

Amendments to the Partial Defence of Provocation

On 27 May 2016 Ian Turnbull was convicted by a jury of the murder of Glendon Turner on 29 June 2014. Mr Turner and his colleague Robert Strange were employed as Compliance and Regulation Officers for the Office of Environment and Heritage. Their role involved investigating illegal land clearing and prosecuting individuals for breaches of s12 Native Vegetation Act 2003. Mr Turner had previously prosecuted Mr Turnbull for illegal clearing.

On 29 June 2014 Mr Turner and Mr Strange noticed fires burning on a property owned by Mr Turnbull's son. Locals driving past Mr Turner and Mr Strange recognised them and alerted Mr Turnbull that they were in the area.

At about 5:30pm, Mr Turnbull drove to their location with a firearm and shot Mr Turner three times over a

period of half an hour, during which time Mr Turner and Mr Strange were trying to avoid his gunfire. After killing Mr Turner, Mr Turnbull left Mr Strange and returned to his property, where he was arrested and charged by police with murder and with the detaining of Mr Strange.

The case was significant as the incident occurred days after amendments to the partial defence of provocation came into effect. The previous defence allowed an accused to argue they were not guilty of murder, but instead of the lesser charge of manslaughter if they were provoked by the deceased.

Under the amended defence, the provocative conduct of the deceased must itself be a serious indictable offence, and the personal characteristics and attributes of the accused are not relevant.

Mr Turnbull attempted to raise the defence of extreme provocation by arguing Mr Turner had stalked and intimidated him with the intent of causing fear of physical or mental harm in breach of s13 of the Crimes (Domestic and Personal Violence) Act 2007. The court found that a public officer exercising compliance or enforcement duties would be incapable of breaching s13 unless their conduct fell completely outside their duties. An appeal to the NSW Court of Criminal Appeal was unsuccessful.

For both the murder of Mr Turnbull and the detaining of Mr Strange, Mr Turnbull was sentenced to 35 years' imprisonment, with a non-parole period of 24 years. Mr Turnbull will be eligible for release on 28 July 2038, at the age of 104.

Legal

The Legal Division of the ODPP is made up of six specialist groups: Witness Assistance Service, Group 6, the Independent Commission Against Corruption (ICAC) Referral Group, the Advising Group, the Court of Criminal Appeal Group (CCA) and the Library and Research Group.

Witness Assistance Service

The Witness Assistance Service (WAS) provides information, referral, assessment and case management of victims of violent/sexual crime and vulnerable witnesses who are involved in prosecutions, to meet the obligations in the NSW Charter of Victims Rights. A full description of WAS activities may be seen under Goal 2.

Group 6

Group 6 is a specialist group established to prosecute serving police officers. The Group provides pre charging advice to the NSW Police, the Independent Commission Against Corruption (ICAC), the Police Integrity Commission (PIC) and the Ombudsman as well as prosecuting the matters at court. The Group 6 lawyers have been involved in a number of lengthy complex trials involving outlaw criminal groups that are currently subject to non-publication orders.

ICAC Referral Group

The Independent Commission Against Corruption (ICAC) Referral Group was established by the ODPP to deal with referrals from the ICAC arising out of a number of complex high profile operations in 2013 and 2014, including Operations Credo, Jasper, Cyrus, and Spicer.

Of 14 referrals since 2014, five people are facing or have faced trial pursuant to three of the referrals, including Edward Moses Obeid (senior) for the offence of Misconduct in Public Office.

The prosecution of Ian MacDonald and Edward Moses Obeid (senior) as a result of ICAC Operation Jasper (concerning the Mount Penny Coal Mine) is listed for committal hearing at the Downing Centre Local Court in December 2016.

The trial of Ian MacDonald and John Maitland as a result of ICAC Operation Acacia (which dealt with a training mine established at Doyles Creek in the Bylong Valley) is listed in February 2017.

Advising Group

The Advising Group conducts appellate litigation arising from criminal proceedings in the Supreme Court, Court of Appeal, Court of Criminal Appeal and High Court, and also provides legal advice and representation to the Director in relation to a range of specialised matters. This year a number of judgments of interest were delivered, including *The Queen v Beckett* [2015] HCA 38, and *DPP v Best* [2016] NSWSC 261.

R v McNamara & Rogerson Joint Criminal Enterprise Murder

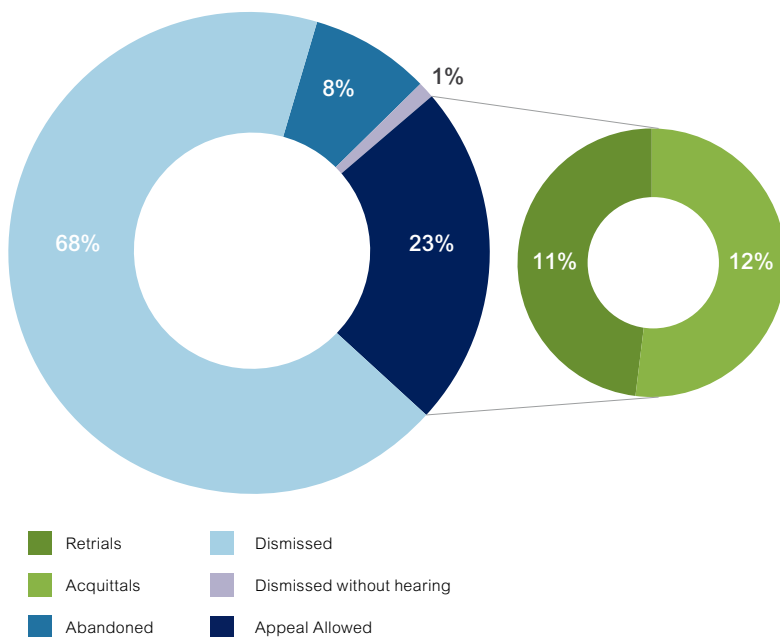
The trial of R v McNamara & Rogerson commenced on 1 February 2016 in the Supreme Court of NSW before Justice Bellew. Both accused were former police officers. They were charged with the murder of Jamie Gao, as well as supplying 2.78 kilograms of methylamphetamine. Roger Rogerson was also charged with an alternative count of being an accessory after the fact to murder knowing that Glen McNamara had murdered Mr Gao.

The Crown argued that both men were involved in a joint criminal enterprise to kill Mr Gao and 'rip off' the methylamphetamine that Mr Gao brought to the storage shed in Padstow, Sydney on 20 May 2014. Each offender ran a 'cut throat' defence, blaming each other for the murder and drug deal.

On 15 June 2016, some 20 weeks after the commencement of the trial and on the eighth day of deliberation, the jury returned guilty verdicts for both accused, to murder and drug supply. The matter is listed for sentence on 25 August 2016.

The prosecution team included a Deputy Senior Crown Prosecutor, Chris Maxwell QC, a Trial Advocate and an instructing lawyer, who between them put more than 3,000 hours of work into the prosecution.

Result of Defence Conviction and Sentence Appeals



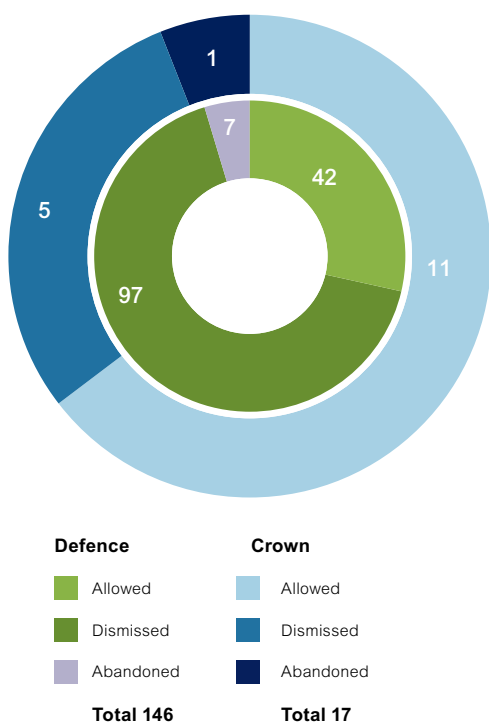
Court of Criminal Appeal Group

The Court of Criminal Appeal (CCA) Group handles appeals against conviction and sentence, appeals by the Director against the leniency of sentence, and interlocutory appeals made to the Court of Criminal Appeal. The lawyers in the Group are assisted by a dedicated team of Crown Prosecutions, who were led during the year by Deputy Senior Crown Prosecutor Phillip Ingram SC.

The CCA Group dealt with 275 matters, 82% as respondents in Defence Appeals. The Court of Criminal Appeal dealt with 82 Conviction and Sentence Appeals. Of those, only 19 were allowed.

77% were either dismissed or abandoned. Additionally, the Court of Criminal Appeal dealt with 146 Defence Sentence Appeals and 17 Crown Inadequacy Appeals. The Crown was successful in 65% of their appeals, whilst Defence were successful in 29% of their appeals.

Crown Inadequacy and Defence Sentence Appeals



DPP v Best [2016] NSWSC 261 Intimidation of a police officer

In DPP v Best [2016] NSWSC 261, the defendant entered a police station and asked to speak to an officer (Detective F) who had previously charged him. When Detective F was unable to be contacted, the defendant said to the officer present (Sgt M), "Just tell him that if he doesn't back off I'm going to get a gun and kill him." Sgt M later telephoned Detective F and informed him of the threat. The defendant was charged with Intimidate police officer in the execution of his duty pursuant to s60(1) of the Crimes Act 1900. The charge was dismissed in the

Local Court, the Magistrate holding that in order for the offence to be made out, the intimidating words or deeds had to be made directly to the officer in question.

An appeal to the Supreme Court against that dismissal was allowed. The Supreme Court held that an offence of intimidating a police officer required proof: 1) that the defendant deliberately engaged in conduct intended or designed to intimidate the police officer in the exercise of the officer's duty; and 2) that the conduct had that effect. Whether that conduct was carried out in the presence of the officer, or communicated to him or her by some other means, was not determinative of itself.

The Queen v Beckett [2015] HCA 38

Perverting the Course of Justice – Course of justice commences before charges are laid

Ms Beckett was a solicitor who was authorised by the Office of State Revenue (OSR) to stamp transfers of real property, but only after receiving the duty payable. To stamp transfers before receiving the duty was an offence under the Taxation Administration Act 1996 (TA Act). As part of an investigation by the OSR into the non-receipt of duty in relation to a particular transfer, Ms Beckett attended a compelled interview to determine if there had been any breaches of the TA Act. During the interview Ms Beckett allegedly produced copies of two forged bank cheques for the amount of duty payable and falsely told the OSR investigators that she had received those cheques prior to processing

the transfer in question. Ms Beckett was arraigned for the offence of doing an “Act with intent to pervert the course of justice” pursuant to s319 of the Crimes Act 1900 in relation to her allegedly false statements and production of the forged cheques. Ms Beckett applied to quash the indictment, contending that the offence under s319 could not be established because at the time of the impugned conduct (ie at the interview) there was no course of justice in existence.

The notice of motion was dismissed by the District Court. However the CCA allowed an appeal by the respondent against that decision and ordered that the prosecution be permanently stayed.

The Crown appealed to the High Court. The High Court allowed the appeal and overturned the CCA’s decision, holding that an act done before the commencement of judicial proceedings may constitute an offence under s319 where it is done with intent to frustrate or deflect the course of judicial proceedings that an accused contemplates may possibly be instituted.

R v Obeid

Misconduct in Public Office

On 28 June 2016, a jury returned a guilty verdict in the Supreme Court trial of Edward Moses Obeid (senior) for the offence of Misconduct in Public Office. This trial was historic as it marks the first time that a Member of Parliament (MP) has ever been convicted of the common law offence of Misconduct in Public Office.

Mr Obeid was accused of making representations to the Deputy CEO of Maritime NSW in 2007 in favour of tenants at Circular Quay, without disclosing that his family owned two cafes in the area, breaching his duty to not use his position to promote his own pecuniary interests or those of his family.

Mr Obeid was charged with the offence on 20 November 2014, arraigned in the Supreme Court on 8 May 2015 and the trial was originally scheduled to begin on 12 October 2015 but this date was vacated due to a defence appeal to the Court of Criminal Appeal regarding the refusal of their permanent stay application. The defence had argued that Mr Obeid could not be prosecuted by the Courts because, amongst other things, an MP was not a public officer for the purpose of the offence; that the finding of guilt and punishment of an MP for misconduct as an MP was within the exclusive jurisdiction of the Parliament of NSW; and that a Court exercising jurisdiction over the alleged misconduct would violate s9 of the Bill of Rights 1689. This argument was rejected on appeal and the High Court declined to temporarily stay the trial until the issue was decided or to grant Special Leave to hear this argument.

The first trial started on 10 January 2016 but the jury was discharged on the 10th day after new evidence came to light regarding bookkeeping records kept by the Obeid family, showing payments from the Circular Quay cafes to Mr & Mrs Obeid from November 2007. The second trial started on 6 June 2016 and lasted for 15 days; the jury deliberated for 4½ hours before delivering their verdict.

The prosecution involved a large volume of evidence, a detailed canvass of case law spanning centuries from multiple jurisdictions, and many interlocutory applications during the proceedings. The solicitor worked on the matter electronically wherever possible and the prosecution team between them put more than 1,500 hours of work into the prosecution.

Initiatives



Child Sexual Offence Evidence Pilot

This pilot is a three year program operating at Sydney and Newcastle District Courts, aimed at reducing trauma for child victims in sexual assault trials. Under the pilot, the time at which the victims give evidence will be brought forward and their evidence will be pre-recorded prior to trial. A Witness Intermediary will be appointed to assist child victims to communicate in court.

Training has been provided to ODPP staff in relation to the pilot processes and to the role and appointment of the Witness Intermediary. As at the end of June 2016 there were 16 trials in the Sydney and Newcastle pilot.

Rolling List Court

The Rolling List Court is a joint initiative of the ODPP, Public Defenders and Legal Aid NSW. It is a dedicated court with the same prosecution teams (Crown Prosecutor and ODPP lawyer) and defence teams (Public Defender and Legal Aid NSW lawyer) appearing before the same Judge each week in an attempt to efficiently dispose of matters. The Crown Prosecutor and Public Defender enter into discussions soon after a matter has been committed for trial in an attempt to negotiate a plea or at least narrow the issues for a trial. Matters are not listed for trial until these discussions have taken place. The initiative has resulted in more pleas of guilty at an earlier stage and the trials that do go ahead are shorter in length. By avoiding late pleas of guilty and longer trials, this provides better outcomes and certainty for victims of crime and a more efficient use of resources for all parties.

The Rolling List commenced as a pilot on 13 April 2015 and has been extended until June 2017.

The Bureau of Crime Statistics and Research (BOCSAR) has undertaken an independent review*. The BOCSAR review found that in the Rolling List Court a higher proportion of matters resulted in a guilty plea than matters dealt with by the control courts (63% vs. 41%). Further, a significantly higher proportion of matters balloted to the Rolling List Court had been finalised compared with matters dealt with in the general court list (65% vs. 37%). A guilty plea was entered within three months of ballot for nearly one in five (18%) of all the Rolling List Court matters. This compares with just 5% of matters dealt with in the control courts

*The NSW Rolling List Court Evaluation: Preliminary Report" NSW Bureau of Crime Statistics and Research September 2016



Digital Evidence Processing Unit (DEPU)

The DEPU was established in 2013 to centralise the editing, conversion and enhancement of digital evidence for presentation in Court. In 2015/2016 it completed 3,091 requests state wide including 1,527 edits, 1,541 conversions and 23 enhancements. This is an increase of over 30% from the inaugural year. This service is centralised within Head Office.

To accommodate the increase in demand and quality of work, the Unit has expanded from one digital technician to three, and has procured a significant roll out of hardware and software solutions. Further growth in DEPU work is anticipated as the ODPP and the NSW criminal justice system continue to embrace advances in technology.

Local Court Improvements Project

The ODPP Local Court Improvements Project commenced in 2015. The objective of this project is to achieve earlier determination and more efficient disposal of appropriate charges and an increased efficiency of internal Local Court practices. As part of the Local Court Improvements Project, Local Court Team Leaders (LCTLs) were established in each local Office and Group. The role of a LCTL is to motivate and mentor other staff to engage in early and effective screening, negotiation and turnover of Local Court matters. A further initiative of the Local Court Improvements Project was the creation of a Local Court Kit. This contains a collection of practical materials to assist ODPP lawyers with carriage of Local Court matters (both committal and summary) to prosecute their matters expeditiously. The overarching purpose of the Kit is to facilitate the resolution of appropriate matters at an early stage in the criminal justice process. The Kit was launched at the Solicitors' Workshop in July 2015 and is now available to all ODPP staff on the intranet.

Workload Weighting System

A Workload Weighting System is being developed to provide quantitative information about workload size and complexity, to assess the efficiency of service delivery and assist in resource planning. This information will also assist in informing ODPP funding. In April 2016 Phase 1 of the Workload Weighting Project was piloted at five locations: Group 3, Burwood Pilot Group, the Sydney West office at Penrith and two Country offices. Dubbo and Lismore. Phase 1 relates to assessing and assigning a complexity rating to each matter and rating specified factors in the prosecution process to measure the amount of work involved in Advisings and Local Court matters. Weighting criteria for other matter states, including trials, will be developed after the evaluation of Phase 1 in January 2017.

Strategic Plan

Several strategies were pursued in the reporting year to enhance the delivery of high quality, independent and professional prosecutions:

- develop and implement ways to provide continuity of representation, active case management and the early disposition of matters
- develop and implement quality standards to support the prosecution process
- improve the collection and measurement of data.

Individual projects as detailed below were established to deliver on these strategies.

Legal Process

The aim of this project is to review the current prosecution model and determine ways of working more efficiently and effectively. The project seeks to harmonise practice across different offices so there is a uniform prosecution model aimed at best practice. This project consists of two teams, the New Prosecution Model and Standard Operating Procedures.

New Prosecution Model and the Burwood Pilot

The Burwood Pilot Group, which is a 12 month pilot of the New Prosecution Model, involves a team based approach for matters at Burwood Local Court. The pilot commenced in March 2016 in Sydney. Up until then, Burwood matters had been prosecuted by the Parramatta office.

The Pilot incorporates strategies from the Priority Matters Initiative and is aimed at delivering all four strategic priorities. To deliver a high quality service, it will focus on developing new procedures to ensure appropriate plea negotiation,

timely turnover of matters, and knowledge sharing with better paralegal and administrative support. It will also concentrate on greater interaction with victims and witnesses through early allocation of matters and continuity of representation.

The Pilot is comprised of six lawyers led by a co-coordinator. The team based approach includes sub groups being aligned to the main NSW Police Local Area Commands that charge to Burwood Local Court, for better interaction with police.

The Pilot evaluation will commence in September 2016 and will be conducted by an external agency.

Standard Operating Procedures

As well as creating the Standard Operating Procedures (SOPs) for the Priority Matters Initiative and the Burwood Pilot, the SOPs project group conducted a review of the current procedures in many other areas of the ODPP.

Work is underway to develop SOPs for ODPP File Management, the provision of advice to the New South Wales Police Force, the efficient resolution of Coronial Referrals, the duties undertaken by the ODPP support staff, and for lawyers instructing in trials in both the District and Supreme Courts.

SOPs have been introduced to implement the Memorandum of Understanding (MOU) on Pre Committal Plea and Charge Negotiations with Legal Aid NSW. The MOU is dealt with more fully in Goal 3.

New templates have been developed to enhance the consistency and professionalism of ODPP communication with stakeholders.

Priority Matters Initiative

To further explore some of the efficiencies and prioritise ODPP resources towards particular matters, the Priority Matters Initiative was rolled out to all sections of the Office in November 2015

The initiative targets three categories of offences on which to focus best practice strategies of early allocation of matters, early intervention of senior legal staff, continuity of representation, and early and ongoing victim engagement. The categories of offences that fall within this initiative are matters involving death, special interest and child sexual assault offences where the victim is 16 years or under at the time of registration. An interim evaluation of this initiative will be conducted in September 2016.

Measuring Performance

This project stream was tasked with developing a reporting framework, including the formulation of key performance indicators (KPIs). The project has followed a two-pronged approach for measuring the Office's performance in achieving its goal of delivering a high quality, independent and professional prosecution service:

- strategic Plan KPIs/reporting – to monitor and measure the success of the Strategic Plan
- corporate KPIs/reporting – to meet external/legislative requirements and deliver ongoing internal measurables.

To this end, a stocktake was undertaken of all current reporting. The next stage of the project is to develop a KPI Register containing both Strategic Plan and Corporate measurables.

Confiscation of Proceeds of Crime

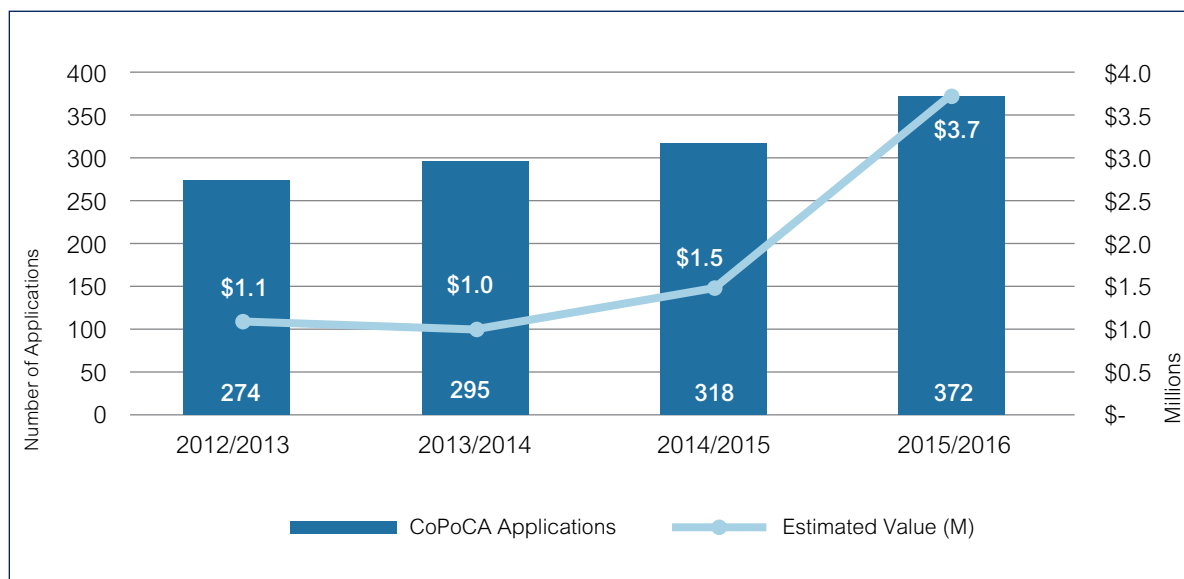
The ODPP is empowered, pursuant to the *Confiscation of Proceeds of Crime Act 1989* (CoPoCA), to make applications for the forfeiture of “tainted” property (Forfeiture Orders – FO) or for Pecuniary Penalty Orders (PPO) or Drug Proceeds Orders (DPO) against the accused.

Applications under CoPoCA must be made within six months of the conviction (or plea of guilty by the accused). In practice the ODPP makes applications at the same time as the sentencing proceedings. The most common types of property forfeited are cash and motor vehicles.

Number, Type of Order and Success Rate

	12/13	13/14	14/15	15/16
Number of Orders Applied for (FO, PPO & DPO)	274	295	318	372
Number of Orders Granted	265	274	303	360
Percentage of matters where application was successful	97%	93%	95%	97%
Total Estimated Value of property confiscated (Millions)	\$1.1	\$1.0	\$1.5	\$3.7

Number of Granted Applications and Estimated Value



Costs Awarded against the ODPP

Costs may be awarded against the prosecution in circumstances provided for by various statutes, including the *Criminal Procedure Act 1986*, *Costs in Criminal Cases Act 1967* and the *Crimes (Appeal and Review) Act 2001*.

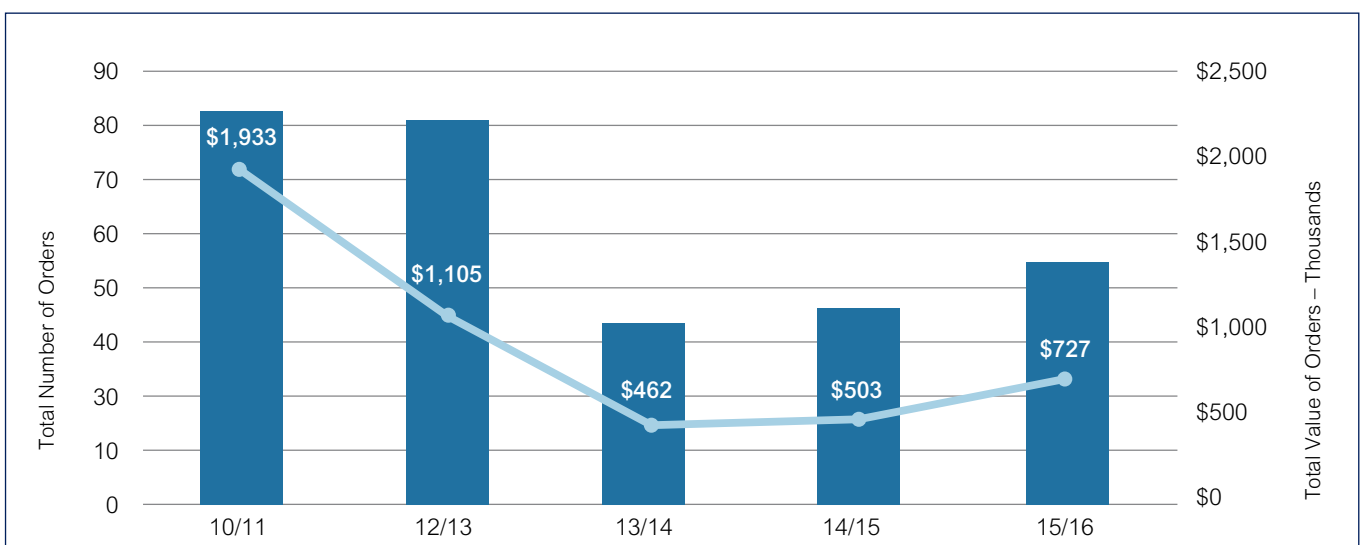
The common law line of authority from the decision in *R v Mosely (1992) 29 NSWLR 735* also allows the court to seek an undertaking from the prosecution to pay the accused reasonable costs in circumstances where the Crown seeks an adjournment of a trial.

The total value of orders made in the below table does not include values under the *Cost in Criminal Cases Act 1967* since, pursuant to that Act, the court does not make an order as to required amount.

Matters where costs awarded against ODPP

	11/12	12/13	13/14	14/15	15/16
Total number of orders	83	81	45	47	55
Total Value of orders made	\$1,932,711	\$1,104,884	\$462,257	\$503,210	\$ 726,540
Number of matters registered by ODPP in period	16,254	16,347	16,946	17,385	18,280
Number of costs awarded where fault of prosecution	6	12	2	9	9
Percentage of matters where costs orders were made due to the conduct of the prosecution	0.04%	0.07%	0.01%	0.05%	0.05%

Value and Number of costs orders awarded against the ODPP



Hughes v R [2015] NSWCCA 330*

Robert Hughes “Hey Dad” – Pre-trial publicity did not prejudice a fair trial

Robert Hughes appealed against his convictions in relation to ten offences of sexual and indecent assaults on four children, including one child actor who played his daughter in the TV sitcom Hey Dad!. The CCA acknowledged that the trial was surrounded by an “extraordinary level” of pre-trial publicity, which included extensive reporting in mainstream and social media, in print and also online, and which at times included the publication of inaccurate and prejudicial reports, as well as “satirical videos in the poorest of taste accessible on YouTube and ... commentary that not only denigrated the applicant (and which also amounted to) vigilantism”.

A stay application was refused by the trial judge, and this refusal formed the basis of one of the grounds of appeal to the CCA. The Court held that there was no error in the refusal to grant

a stay, taking into consideration “what actually transpired at the trial, including the steps taken to ensure that it was a fair trial, and their results”. The CCA held that it is not the case that an accused who is the subject of intense public interest cannot receive a fair trial, and in this case, the Court took into consideration the manner in which the trial was actually conducted, to conclude that not only was the trial conducted fairly but that the jury also exercised their duty impartially. The Court considered the fact that the jury asked insightful and relevant questions of the trial judge.

The CCA accepted the reality that everyone now lives “in a world of instant, largely unregulated communication of opinions disseminated by publication on social media, where they can endlessly be accessed and responded to by others”. However, the Court

reiterated the centuries-old confidence in the jury system and in juries deciding cases on the basis of evidence and in accordance with directions.

This appeal also addressed the relevance to sentence of an offender’s (mis)-treatment whilst in custody. Mr Hughes was subjected to ongoing and “disturbing” verbal and physical abuse whilst serving time in custody post-trial. The Court severely admonished this conduct, but there was no basis to reduce the sentence imposed on appeal. The CCA held that the sentencing judge had anticipated that the offender would be the subject of serious abuse and had sentenced him accordingly.

Aubrey v R [2015] NSWCCA 323*

Reckless transmission of HIV and maliciously inflicting grievous bodily harm


A novel conviction appeal was heard by the CCA in a case of “maliciously inflict GBH” (as s35 Crimes Act 1900 then stood) through the transmission of HIV. The offender had assured his partner that he was HIV negative prior to engaging in unprotected intercourse. (In fact, he had found out two years prior that he was HIV positive). Subsequently, the offender’s partner submitted to a blood test and discovered he was HIV positive. Although the offender initially denied having HIV, he subsequently admitted that he had been the one who had infected his partner with HIV.

The Court held that one can “inflict” harm even where it is not “the immediate consequence”, and where it is in the nature of a viral illness with symptoms that manifest after some delay

following the act which transmitted the infection. An unreasonable verdict ground of appeal, on the basis that the victim might have been infected by someone else or some other means, was dismissed, in the context of ample and undisputed evidence of the victim and the offender engaging in unprotected anal intercourse relative to the manifestation of symptoms. It was not reasonably possible that the victim was infected through engaging in oral sex with other men, or by surgical liposuction, or tattooing, “where uncontested evidence of repeated unprotected anal penetration combined with expert opinion about the propensity of that activity for transmission provided a ready explanation for (the victim) having acquired the virus”.

The CCA also dismissed a ground of appeal which argued that the element of recklessness could only be established if the offender foresaw the “probability” (as opposed to “possibility”) of harm, as is the case with establishing recklessness for murder. The CCA held that the authorities did not support that proposition. There was also no requirement for the judge to distinguish for the jury between a “merely theoretical possibility” and a “possibility of harm as a matter of reality”. The word “possibility” was said to be “an ordinary English word of perfectly clear meaning”.

*At the time of publication this matter has appeal proceedings before the High Court.



**Goal 2:
A fair, just and timely
service to victims
and witnesses**

Strategies

- *Ensure the services we provide to victims and witnesses are at the core of our work*
 - *Uphold the Charter of Victims Rights*
 - *Engage in timely communications with victims and witnesses to inform them of the prosecution process*
-

Witness Assistance Service

In 2015 the Witness Assistance Service (WAS) began its 23rd year of operation as a specialist group within the ODPP. It provides information, referral, assessment and case management of victims of violent/sexual crime and vulnerable witnesses who are involved in prosecutions, to meet the obligations in the NSW Charter of Victims Rights.

In response to the ODPP Strategic Plan and Royal Commission into Institutional Child Sexual Abuse, WAS has refocused its policies and practices to ensure victims are delivered early intervention, a consistent prosecution team and a more collaborative, trauma informed service.

WAS Staffing

Following a review of WAS caseloads in light of the increased workload in the District Court, four new full time WAS Officer positions have been created, which will bring the total WAS staff establishment to 35 positions in 2016/2017. These four new positions are based at Newcastle, Wollongong, Sydney and Parramatta. It is anticipated that with these new resources, WAS will be better equipped to manage the increase in workload, court sitting weeks and delays currently impacting on the NSW District Court.

WAS has maintained three identified Aboriginal and Torres Strait Islander (ATSI) WAS officers throughout the

financial year, enabling the ODPP to provide culturally appropriate service delivery to some of our most vulnerable victims and witnesses. ATSI victims and witnesses made up 11% of the total NSW WAS service delivery, and NSW continues to act as a leader to the national WAS, being the only ODPP with designated ATSI positions.

WAS Interagency Activities

WAS has been proactive in establishing and maintaining key agency partnerships to increase efficiency, improve service delivery and reduce service duplication. In keeping with the ODPP strategy to prioritise child sexual abuse cases, the WAS has continued to be a vocal leader and contributor to a range of interagency forums and taskforces throughout 2015/2016, including the Sexual Assault Review Committee, the Child Sexual Assault Taskforce, the Child Sexual Assault Legislative Working Group and the Royal Commission public enquiries and private roundtable discussions. WAS has also continued to provide training and workshops to many non-government organisations (NGOs) and charity organisations including the Education Centre Against Violence, specialist sexual assault services, Mission Australia, Victim and Witness Community Court Support and the Homicide Victims' Support Group.

Witness Assistance Service

Key Performance Indicators

The WAS workload and referrals have continued to escalate in a consistent pattern over the past five years, with a slight increase in referrals in the first half of 2016. In the last five years the total number of new referrals has increased by 25%.

The number and proportion of sexual assault matters (child sexual assault historical/contemporary and adult sexual assault) have also increased over the five year period.

In 2012 there was a total of 1,256 sexual assault matters, comprising 56% of all matters. In 2015/2016 the number of sexual assault matters had increased to 1,753 matters, representing some 64% of all WAS matters. The consistent escalation in reporting of these matters is likely to be not as a result of an escalation in sexual offending, but rather an upward trend in reporting of such crimes, correlated to a range of factors including the spotlight of the Royal Commission, better policing practices and improved procedures for sexual assault victims when giving evidence.

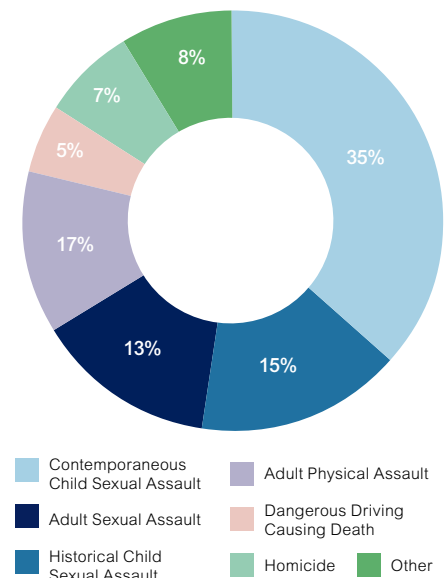
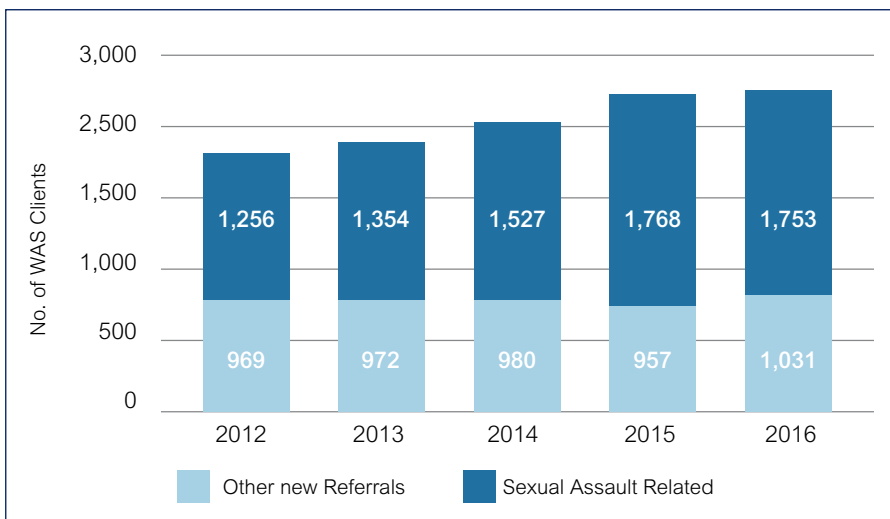
The number and percentage of priority matters handled by WAS, being cases involving child sexual assault, adult sexual assault, homicide and physical assaults, have remained relatively consistent over the preceding twelve months, with the central focus of WAS intervention being adult and child sexual assault. Victims of domestic violence are also a priority group for intervention by WAS, and in the 2015/2016 financial year they accounted for 17% of all matters.

In 2015/2016 the ODPP commenced reporting to Victims Services NSW about WAS's compliance with the Charter of Victims Rights. Its capacity to report on some aspects of compliance is currently limited by the type of data able to be collected, however the highlights of what was reported include:

- 100% of new staff received induction training on the Charter of Victims' Rights
- 64% of relevant staff were trained in the impact of crime
- 838 victims in "priority matters or groups" were provided with assistance in making victim impact statements

- 2,565 victims in "priority matters or groups" were contacted proactively with the offer of witness support 1,160 victims were contacted regarding court preparation and support
- 1,336 victims were provided with timely written or verbal information about the resources available when attending a trial.

WAS Referrals and Workload



Child Sexual Offence Evidence Pilot

In 2013 Amy Watts, then Acting Deputy Solicitor (Legal), was granted a Churchill Fellowship to investigate models of intermediaries for child victims and witnesses in criminal justice systems in England, Wales, Ireland, Austria and Norway. In her report to the Fellowship, one of her recommendations was that “Australian criminal jurisdictions give consideration to the introduction of a Registered Intermediary Scheme modelled on the Registered Intermediary Scheme in England and Wales”. Her report was endorsed by the Director of Public Prosecutions and furnished to the Department of Justice in 2014.

In light of Ms Watts’ research, the ODPP welcomed the NSW Government initiative to conduct the Child Sexual Offence Evidence Pilot that commenced in April 2016 and was enabled by the *Criminal Procedure Amendment (Child Sexual Offence Evidence Pilot) Act 2015* and associated Regulations. The Pilot provides for the evidence of child sexual assault victims in trials before the Sydney and Newcastle District Courts to be pre-recorded prior to trial and for a

Witness Intermediary to assist the child to communicate in court. These innovations are designed to reduce the trauma suffered by child victims by bringing forward the time at which the child victim gives evidence and by providing communication assistance, ensuring that the child victim gives the best evidence they can.

A greater proportion of child sexual assault matters are finalised by way of trial. As a result, one of the most vulnerable class of victims are more likely to be required to give evidence against offenders, and this underscores the significance of the Pilot.

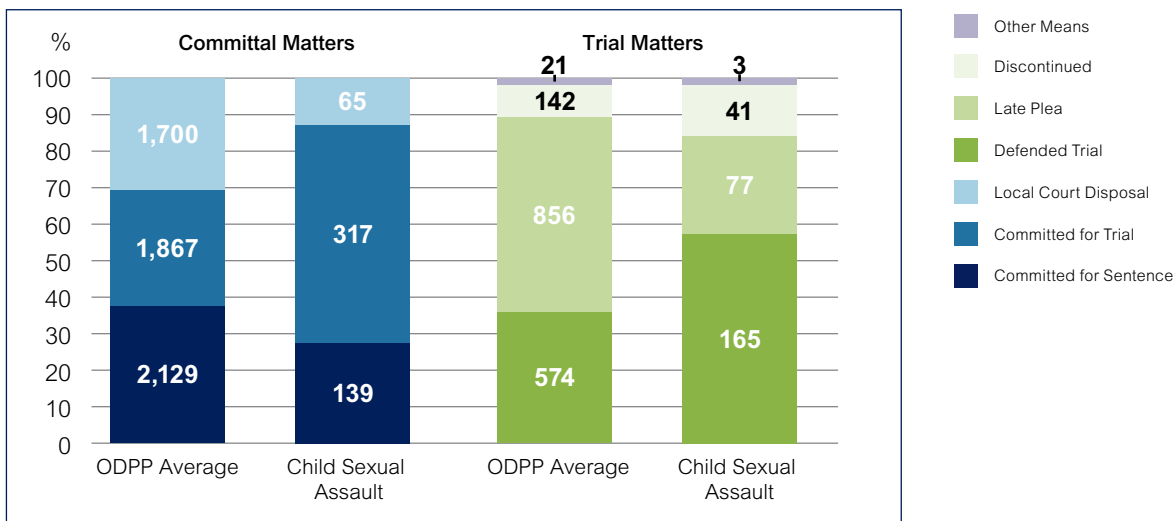
Training and Preparation

In preparation for the Pilot, training was attended by ODPP lawyers and Crown Prosecutors in Sydney and Newcastle in February and March 2016. As part of the training provided by Victims Services, Professor Cooper from the City University of London was engaged to conduct the training for the new Witness Intermediaries and legal practitioners. Professor Cooper is the preeminent expert on the use of Witness Intermediaries. She designs and leads all Registered Intermediary training in England and Wales, and lectures

internationally to lawyers and judges on the use of intermediaries. Her training was highly informative and well received, particularly her practical insights into the lessons to be drawn from the United Kingdom’s experience with Witness Intermediaries.

The Pilot commenced in early 2016 with suitable trials that had been committed to the Sydney District Court being identified and placed in a special call over. Her Honour Judge Tupman initially presided over the Pilot list, before Her Honour Judge Traill, one of two Judges specially appointed to champion the Child Sexual Offence Evidence Pilot, assumed this role. At the end of June 2016 there were 16 matters in the pilot (14 in Sydney and two in Newcastle). Pre-recording of the victims’ evidence has been completed in eight matters in Sydney and 42 editing of evidence requests have been completed in relation to those hearings, by the Digital Editing Processing Unit.

Local Court Committal and Trial Outcomes for Child Sexual Assault Matters



Statutory Compliance and Engagement

Disability Action Inclusion Plan

The Office remains committed to implementing the Disability Policy Framework to ensure that any difficulties in accessing its services faced by people with disabilities are identified and eliminated wherever possible.

The key objectives of the plan are to ensure that:

- all members of the community have equal access to our services
- there is no discrimination against people with disabilities in our services or workplaces
- disability principles are incorporated into the Office's policies and practices.

Victims and witnesses with a disability are an important group prioritised by the Witness Assistance Service (WAS) and account for more than 10% of the priority groups targeted for service delivery. In 2015/2016 WAS provided case management services to 228 victims and witnesses with identified disabilities. This included intellectual and cognitive disabilities, acquired brain injury, physical disabilities, sensory disabilities and mental illness.

People with a cognitive impairment are recognised under the *Criminal Procedures Act 1986* as vulnerable persons (as are children). As such, when called as witnesses they are entitled to:

- have their police statements recorded electronically and played to the court as evidence-in-chief
- give evidence via CCTV
- have improper questions restricted
- utilise communication aids
- have a support person with them while giving evidence.

WAS assists in preparing witnesses for court and informing them of their rights

and entitlements. WAS officers coordinate and provide court support if it is not provided by other services.

WAS liaises closely with ODPP staff and the following external agencies to enable people with disabilities to participate in the criminal justice system and give their evidence to the best of their ability:

- Lifestyle Solutions
- Department of Ageing, Disability and Homecare NSW (FACS)
- Diversity Services, Department of Attorney General and Justice (DAGJ)
- Victims Services NSW
- Intellectual Disability Rights Service – Criminal Justice Support Network.

The Office is also committed to providing training for all staff to ensure that they are familiar with the law, so that victims and witnesses with a disability are given every opportunity available. Training provided to staff included:

- Mental Health Review Tribunal observation and legislative review
- the use of Witness Intermediaries for children at court
- an overview of WAS as part of induction programs run for new staff.

In addition, the Office provided in depth training on changes to legislation that may impact upon those victims and witnesses with a disability:

- introduction of the Child Sexual Offence Evidence Pilot and legislated use of Witness Intermediaries
- changes to victim support and new legislation
- recent issues and changes to sexual assault prosecution procedures.

Ethnic Affairs Priority Statement

The ODPP continues to meet its commitment to the Community and

Ethnic Affairs Priority Statement. All staff endeavour to ensure that members of the community are afforded every respect when dealing with the ODPP. All witnesses, victims and accused are entitled to access free interpreter services and the Office consistently ensures that these entitlements are met.

Witness Assistance Service

WAS prioritises service delivery to sexual assault victims, family of victims in homicide and dangerous driving matters, domestic violence victims, children, Aboriginal and Torres Strait Islanders, people with a disability, the elderly and other vulnerable witnesses and special needs groups.

A number of victims and witnesses can experience cultural or language barriers. WAS consults with ODPP staff and Crown Prosecutors to assess the special needs and support issues of victims and witnesses. While some victims and witnesses who have cultural and language difficulties are able to communicate effectively in English under normal circumstances, their interaction with the criminal justice system can cause stress and anxiety. WAS utilises interpreter services for both face-to-face and telephone contacts with victims and witnesses so that the victim or witness can use their primary language. Victims are also able to utilise both interpreters and translation services when writing their Victim Impact Statements. When an interpreter is required for giving evidence at court, the interpreters are booked by the ODPP solicitors through the courts.

Learning and Development Branch

The ODPP training programs for all staff have components covering cultural diversity. Training providers are required to adhere to the ODPP Code of Conduct, which requires respect for individual differences and non-discriminatory behaviours.

In July 2015 the Office conducted training titled 'Radicalisation & Islamophobia: Two sides of the Same Coin' which was delivered as part of the ODPP Professional Development Workshops. This training was recorded and is available to all staff through the Online DVD Resource Library on the intranet.

Corporate induction training conducted throughout the year included information on the ODPP's policies on 'Dignity and Respect in the Workplace', 'Workplace Relations Policy (Building a Harassment-Free Workplace)' and 'Workplace Wellbeing Policy'.

Multicultural Policies and Services Program

As a small agency, providing indirect services to the people of NSW, the ODPP continues to focus on ensuring that the appropriate access to relevant information and services are available to all members of the community. Over the past three years the following key opportunities with respect to multicultural planning have continued:

- Witness and victim literature and media is available in different languages to assist those from non-English speaking backgrounds.
- Our staff receive regular on-going training and instruction in areas such as cross-cultural awareness and how to utilise and work with interpreter services when communicating with victims and witnesses.
- Where appropriate, all victims and witnesses are encouraged to use the services of interpreters when interacting with the criminal justice system.

As the Office progresses through its strategic planning cycle it will continue to recognise the challenges confronted by its culturally diverse victims and witnesses, and work with Multicultural NSW to


develop a new Multicultural Policies and Services Program to ensure that services and opportunities for improvement are incorporated into future plans.

Consumer Response

The ODPP conducts a biennial survey of all non-expert witnesses and victims who have been involved in trials. The latest survey was conducted in 2015 and found that the majority of victims and non-expert witnesses viewed their experience with the ODPP favourably.

The ODPP has a Witness Assistance Service, designed to improve engagement and communication between the ODPP and victims in certain prosecutions.

The ODPP has a formal procedure for handling complaints, which is made known to staff and to members of the public (via the ODPP's website). A record is kept of all complaints made against the Office.



**Goal 3:
Improve the
ways we interact
internally and
with our criminal
justice partners**

Strategies

- *Develop and implement better knowledge sharing across the ODPP*
 - *Engage in proactive and strategic communications internally and with the courts, police and defence*
 - *Work with our criminal justice partners to maximise efficiency and innovation*
 - *Engage with government in law and policy reform*
-

Law Reform

This year the ODPP participated in many inter-agency committees, court user groups and working parties to consider the reform of the criminal law and to implement new legislation.

These committees included:

- Victims Advisory Board
- Early Guilty Plea Implementation Steering Group
- Children's Evidence and Witness Intermediaries Pilot Steering Committee
- Child Protection Reclassification Working Group
- Drug Misuse and Trafficking Act amendments (handling of drug exhibits)
- Bail Act Monitoring Group
- Sexual Assault Review Committee
- Department of Justice AVL Project Team (improvement of courtroom technology in NSW).

The Director also made numerous submissions on proposals for law reform identified by the Attorney General and the Legislative Council Standing Committee on Law and Justice.

The Deputy Solicitor (Legal) has continued to be a member of, and participate in, the Law Society of New South Wales Criminal Law Committee.

Law reform submissions made this year included:

- *Revenge Porn: Submission to the Standing Committee on Law and Justice*
- *Response to the Wood Inquiry into s102 Crimes (Appeal and Review) Act 2001*

- *Submission to the Standing Committee on Law and Justice regarding alcohol fuelled violence*
- *Submission to the Attorney General in relation to the creation of an offence directed at disrespectful/disruptive behaviour in court*
- *Representations to the Attorney General regarding the limitation period for offences pursuant to s308H Crimes Act 1900 and the conduct of concurrent committal hearings for adults and juveniles.*

A number of Acts and Regulations have commenced over the past year, impacting the work of the Office, including:

- *Crimes Amendment (Off-road Fatal Accidents) Act 2015*
- *Crimes Legislation Amendment (Child Sex Offences) Act 2015*
- *Crimes (Sentencing Procedure) Amendment (Firearms Offences) Act 2015*
- *Drug Misuse and Trafficking Amendment (Methylamphetamine) Regulation 2015*
- *Drug Misuse and Trafficking Amendment (Prohibited Substances) Regulation 2016*
- *Firearms and Weapons Prohibition Legislation Amendment Act 2015*
- *Inclosed Lands, Crimes and Law Enforcement Legislation Amendment (Interference) Act 2016*
- *Independent Commission Against Corruption Amendment Act 2015*
- *Road Transport Legislation Amendment (Bicycle Riders) Regulation 2016.*

Innovation in Criminal Prosecutions



To improve interaction within the Office and the criminal justice system, a number of strategic projects were developed to improve the way the ODPP communicates internally and with our criminal justice partners by working with them to maximise efficiency and innovation in criminal prosecutions.

Knowledge Sharing

The Knowledge Sharing Project has assumed responsibility for engaging ODPP staff to make the best use of the new ODPP intranet, which was launched on 1 July 2015. The Project team seeks feedback about tools and features of the intranet and then seeks modifications and enhancements arising from the feedback. Over the year there has been an increase in the uptake of news items and interaction with forums. The introduction of 'DPPdia' gives staff the capacity to publish questions and ideas, share articles of interest and locate up to date information. Planned changes to the intranet will see increased usage of specialised sites for smaller teams and the development of a precedent library.

The ODPP is utilising the new intranet to communicate developments in sentencing law. Sentencing is an area of law with which all ODPP lawyers need to keep up to date; it is of increasing complexity and there are constantly new decisions of the Court of Criminal Appeal.

The Manager of the CCA Group has created in the DPPdia a user friendly compendium of important CCA decisions on sentencing that is regularly updated.

The Digital Working Strategy

One aspect of ODPP working life that has been identified by the Digital Working Strategy (DWS) team is the need to improve mobility and, in particular, improve access to ODPP legal resources from remote locations. This will be a focus in the 2016/2017 financial year. The DWS will recommend ways to integrate digital technology into work and court practices to save time, money and staffing resources.

Communications Framework

The Communications Framework Project is developing a Communication Framework to enhance proactive engagement internally and with the ODPP's criminal justice partners. The framework is intended to support interaction within and outside the Office and to improve access to information. The Communication Framework will ensure consistency of the ODPP's message both internally and externally.

Technological Improvements

The ODPP research database was first created in 1995, at a time before case law was available on other websites. In 2015 the Knowledge Sharing Project determined that a number of changes were needed to keep the database relevant and functional. A decision was made to rationalise the data and migrate the unique content created within the ODPP into the SharePoint intranet platform. That migration process is due for completion in 2016.

In 2016 the Library and Research merged and were co-located in the R O Blanch QC Library. The Library and Research Group curates and manages a large collection of legal resources relevant to the work of the Office.

In addition to maintaining various internal databases, it assists lawyers to locate relevant legal resources and provides legal research assistance. The Group regularly publishes news articles on the ODPP intranet in relation to legislative changes and relevant new judgments.

Building on the work of previous years, the Library and Research Group has continued to administer, explore and evaluate the resources and technology available to ODPP lawyers with a view to enhancing the scope and accessibility of legal reference sources (including online legal databases and eBooks).



In the last year, many legislative changes have occurred over a wide spectrum, which have had an impact on the work of the Office. The Group prepares internal briefing notes, in the form of Legislation Updates, for ODPP lawyers, explaining the relevant changes to the legislative landscape. Many of the recent legislative amendments have operated to create new offences. Others, by changing various statutory definitions, have expanded or narrowed the scope of existing offences. Others have provided for increased penalties and/or expanded the list of offences to which standard non-parole periods apply. In addition, there have been several legislative adjustments to the threshold quantities applicable to certain prohibited drugs.

Memorandum of Understanding on Pre Committal Plea and Charge Negotiations with Legal Aid NSW

One of the strategies to address the District Court backlog is the encouragement of early plea discussions between the ODPP and Legal Aid NSW lawyers. A Memorandum of Understanding on Pre Committal Plea and Charge Negotiations with Legal Aid NSW (MOU) was signed in September 2015 by the Solicitor for Public Prosecutions and the Director of Criminal Law (Legal Aid).

Under the MOU, the ODPP and Legal Aid lawyers identify matters suitable for plea negotiations at the beginning of the committal proceedings. Experienced lawyers from each agency meet regularly to discuss such matters. ODPP lawyers facilitate service of relevant brief material to assist Legal Aid lawyers in taking instructions from their client, to enable meaningful discussions at an early stage. It is anticipated that as a result of the early discussions, there will be a decrease in the number of matters committed for trial to the District Court.

The ODPP has developed Standard Operating Procedures to facilitate more formal and structured discussions. The feedback from both agencies regarding the initiative has been positive.

Overseas Visitors

Singapore

Two prosecutors from the Singaporean Prosecutorial Agency joined the Office for February and March 2016 and were able to take part in a range of prosecutions and legal administration. Both prosecutors worked alongside our Short Matters Group, Sydney Pre-Trial Arraignments Group and the CCA Group.

The two participants had been asked to report back on the systems we used to store and access our data. The Library and Research Group hosted our visitors, and outside libraries including the Judicial

Commission were generous with their time and resources. The Singaporean Prosecution Agency was extremely impressed with the reports and is sending two of its senior administrators in the new reporting year to meet and consult with the Solicitor's Executive.

Saudi Arabia

Twelve prosecutors from Saudi Arabia met with the Director as part of a one week program compiled by the Australian Institute of Criminology. The Prosecutors spent a day in Sydney and were able to see a snapshot of the NSW criminal justice system, starting with the ODPP and then visiting courts, Judges at the District and Supreme Court and observing a range of matters.

Africa

The Office hosted 24 delegates from 6 African Countries as part of the Australian Awards Fellowship, hosted by the University of Sydney. The delegates occupy senior roles in policy and the Judiciary of their home countries, work specifically in addressing violence towards women and children and visited the ODPP to learn about the Witness Assistance Service.

Requests and Disclosure of Information

Privacy and Personal Information Protection Act 1998

In 2015/2016 the ODPP did not receive any requests for access or amendment to personal information or privacy internal reviews under s53 of the *Privacy and Personal Information Protection Act 1998* (PPIP Act).

All new ODPP staff who received induction training were trained on the practical application of the PPIP Act to the prosecution process.

Public Interest Disclosure

The ODPP has a Public Interest Disclosure Policy in place. There were no disclosures made in 2015/2016 under this policy.

Government Information (Public Access) Act 2009 NSW

The ODPP is an agency under the *Government Information (Public Access) Act 2009* (the Act). Pursuant to s43 and clause 1 of Schedule 2 of the GIPA Act, information in respect of the ODPP's prosecuting functions is "excluded information".

The Office's program for the proactive release of information involves review of material that may be published on the ODPP website. As a result of this review no new information was released.

During the reporting period, the ODPP received no formal access applications (including withdrawn applications but not invalid applications) and refused no applications either wholly or in part because the information requested was information referred to in Schedule 1 to the GIPA Act.

The Office refused one application, in full, for access by a Member of Parliament; one application, in full, by a member of public (application by legal representative) and five applications, in full, by members of the public (other). In total, seven access refused in full applications were made (other than personal information applications), within the statutory timeframe. All seven applications were for excluded information under s43 of the Act.

The ODPP did not consider any applications against matters listed in Schedule 1 of the Act. No applications were considered against matters listed in the table to s14 of the Act.

Three applications were reviewed under Part 5 of the Act (type of review and outcome). In total, two applications were reviewed by the Information Commissioner and the decisions were both upheld. One application was reviewed by the ADT and the decision upheld.

No applications for review under Part 5 of the Act (type of applicant) were received during the reporting period.

Agency Name

Office of the Director of Public Prosecutions (NSW) (ODPP)

Reporting Period

2015/2016

Contact

Right to Information Officer Deputy
Solicitor for Public Prosecutions (Legal)
Telephone (02) 9285 8606

Committees

Executive Board

Comprises the Director (Chair), two Deputy Directors, Senior Crown Prosecutor, Solicitor for Public Prosecutions, Director Corporate Services & CFO and two independent members. The Board met six times during the reporting year. The Board's role is to:

- advise the Director on administrative and managerial aspects of the ODPP to ensure that it operates in a coordinated, effective, economic and efficient manner
- advise the Director on issues relating to strategic planning, management improvement and monitoring performance against strategic plans
- monitor the budgetary performance of the ODPP and advise the Director on improving cost effectiveness
- identify and advise the Director on initiatives for change and improvement in the criminal justice system and
- provide periodic reports on its operations to the Attorney General and report to the Attorney General upon request on any matter relating to the exercise of its functions, or, after consultation with the Attorney General, on any matters it considers appropriate.

Management Committee

Comprises the Director (Chair), two Deputy Directors, Senior Crown Prosecutor, Solicitor for Public Prosecutions, Director Corporate Services & CFO, Director Human Resources, Director Information Management & Technology, and Deputy Solicitors (Sydney, Legal, Country and Sydney West and Wollongong). The Committee met 11 times during the reporting year. Its primary functions are to:

- report on, discuss and resolve upon action operational and management issues affecting the ODPP, including (but not limited to) workload and resource allocation
 - consider monthly Financial, Human Resources, Information Management & Technology, and Crown and Solicitor's Office Reports, and to initiate action where activity related funding and resourcing issues are identified
 - discuss issues affecting major policy decisions and other matters requiring referral to the ODPP Executive Board
 - serve as a forum for discussion by senior management of any matter affecting the operations of the ODPP, including the activities, challenges and initiatives of the various areas within the Office.
- internal audit
 - risk management
 - anti-corruption functions across all areas of the Office's operations, ensuring that probity and accountability issues are addressed.

Information Management & Technology Steering Committee

Comprises the Chief Information Officer (currently the Deputy Solicitor (Sydney)) as Chair, Solicitor for Public Prosecutions, Director Corporate Services & CFO, Deputy Solicitor (Legal), Deputy Solicitor (Country), a Deputy Senior Crown Prosecutor representative and Director Information Management & Technology Services. The Committee met four times during the reporting year. Minutes of proceedings are kept and published on the ODPP intranet.

The Committee meets quarterly and is the management body convened to:

- ensure and promote effective use, security and management of information and technology
- guide the selection, development and implementation of information and technology projects
- assure the strategic and cost effective use of information and systems to support ODPP activities.


Audit and Risk Committee

The Audit and Risk Committee, in accordance with Treasury Policy TPP 15-03, comprises three independent members who have been selected from the panel of pre-qualified individuals maintained by the Department of Finance, Services and Innovation. Representatives of the Audit Office of NSW, a Deputy Director in their capacity as the Chief Audit Executive, the Chief Risk Officer (currently the Deputy Solicitor (Sydney)) and the Director Corporate Services & CFO attend meetings by invitation. The Committee met six times during the reporting year. Minutes of proceedings are kept.

The Committee meets a minimum of four times each year, to address key activities defined by the Charter and Annual Calendar and to monitor:

Internal Committees

Refer to Appendix 5.



Goal 4:
**Develop, recognise
and celebrate the
knowledge, skills
and commitment
of our people**

Strategies

- *Develop and implement a performance management system based on quality standards*
- *Build a training and development plan to ensure our people have the tools they need to deliver a high quality service*

Our People

Highlights

- *680.8 full-time equivalent staff*
- *61% of all employees are female*
- *13% of staff are working part time*
- *11.76% of new starters are under the age of 25*
- *34.6 years is the average age of new starters.*

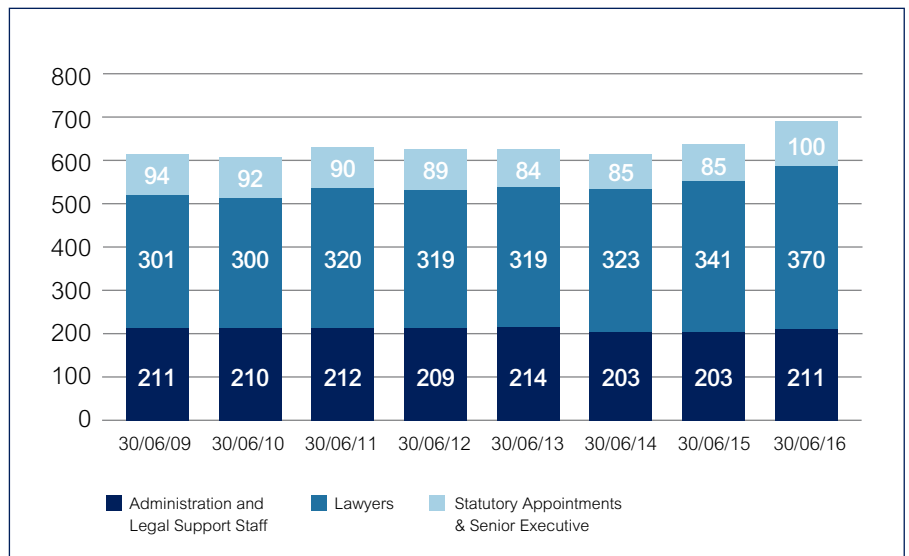
Recruitment and Retention of Quality Staff

- Staff turnover for 2015/2016 was 9.22% in comparison with 10.2% in 2014/2015. 18 newly appointed Crown Prosecutors, seven (39%) were promotional appointments from within the Office
- 119 new staff were employed during the year

- One salary increment was deferred during 2015/2016.

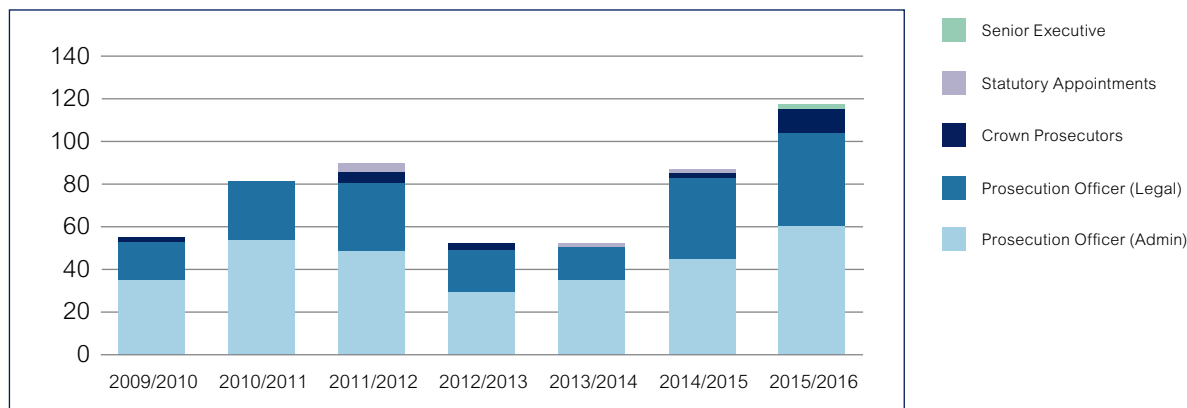
The Office had a total of 90 statutory appointed staff as at 30 June 2016. Recruitments overall were 37% higher than 2014/2015 reflecting both the funding model re-basing of the Office's budget and the District Court Backlog initiatives and related staff increases to meet activity demands.

Staff Numbers



Our People

Recruitment Statistics



	09/10	10/11	11/12	12/13	13/14	14/15	15/16
Senior Executive	0	0	0	0	0	0	2
Statutory Appointments	0	0	3	0	1	1	1
Crown Prosecutors	2	0	5	2	0	3	11
Prosecution Officer (Lawyers)	18	32	33	21	16	38	44
Admin and Legal Support Staff	35	50	49	29	35	45	61

Enhancement of Staff Skills and Knowledge

The annual training calendar was developed based on training needs analysis results, manager assessment of staff developmental needs and legislative and law reform changes. In total, 270 sessions were delivered over 594 hours of training.

A wide variety of professional learning programs were offered to staff including:

- Equity and Diversity - Managing Psychological Injury and Illness.
- Ethics and Integrity in the Legal Profession
- Fingerprint Identification
- Digital Forensics

- Facilitating the Communication of Vulnerable Witnesses and Defendants
- Responding to the Needs of Victims and Survivors of Child Sexual Assault
- Amendments to the *Bail Act*

Studies Assistance

- Number of Studies Assistance participants: 28
- Total study leave granted: 271.88 days; actually accessed: 177.46 days
- Total study re-imbursments of \$27,923.71 paid to 9 participants.

Awards for Service and Excellence

External Recognition

Lee Purches, Manager of the Witness Assistance Service (WAS), retired in July 2015. In recognition of her outstanding contribution to the welfare of victims and witnesses in NSW over 17 years, she was nominated for the Justice Medal at the Law and Justice Awards in October 2015. The program noted that Ms Purches has received national recognition for developing best practice policies and procedures to support people giving evidence in court, such as children, women who have experienced domestic violence and/or sexual violence, Aboriginal people and people from culturally and linguistically diverse (CALD) backgrounds.

From 1998 to 2015, Ms Purches managed the WAS, which is the “human face” of prosecution in NSW. Following her submission to the Samuels Inquiry in 2003, WAS underwent significant expansion, growing to 33 officers across NSW who assist more than 5,500 witnesses a year. Ms Purches developed a practice and policy for social workers and psychologists working in a legal environment, and shared her knowledge through training and consulting to other agencies, prosecution services and government departments nationally and internationally.

Internal Recognition

The ODDP is proud of the 29 dedicated staff who this year became eligible for recognition for their service to the Office. During the reporting period, 17 staff became eligible for the 10 Year Service Award and 12 staff for the 20 Year Service Award.

A Director’s Excellence Award was awarded to the team of Ms Nanette Williams, Crown Prosecutor, Ms Sevinch Morkaya, Trial Advocate and Ms Catherine Kirkpatrick, Solicitor, who prosecuted the first trial in the English speaking world for an offence of Female Genital Mutilation. The trial ran for three months and involved many overlapping legal, cultural and factual issues. The team demonstrated commitment, dedication and persistence of the highest

order in a most challenging case.

Ms Deborah Scott, WAS Officer, was the recipient of a Director’s Individual Excellence Award for an outstanding effort assisting victims, witnesses and the Office.

Health and Wellbeing

The Office continued its holistic approach towards physical and mental health throughout 2015/2016. A Debriefing/Wellness Check Program plan was completed,

with implementation arrangements to be finalised and introduced next year.

The Workplace Wellbeing Taskforce (WWT) continued providing guidance to the Director on determining the direction the Office should take to best manage wellbeing into the future. The training and awareness sessions conducted as part of the Wellbeing Program were:

- Why Zebras Don’t Get Ulcers and Humans Do (Stress Management)
- Workplace Health & Safety
- It Feels Personal: Resolving Conflict at Work/Building Resilience: How to Stay Healthy at Work
- Understanding Mindfulness – Using Your Brain to Manage
- Smart, Cool, Well – A Wellbeing Guide for Lawyers
- Managing Psychological Injury or Illness and Difficult Behaviours (Managers).

Healthy Lifestyles Program

The Healthy Lifestyles Program continued in 2015/2016 with 192 staff receiving flu vaccinations across the State. The Office endorsed and actively encouraged staff to participate in the Fitness Passport Program which provides discounted gym and exercise facilities memberships for staff and their families, commencing next year. The Office committed to providing space for external providers for activities such as yoga, where there was sufficient demand.



Workers Compensation

The Office continues to work on preventative and early intervention strategies to effectively manage workers compensation claims. This year, the return to work process and performance in this area was outstanding.

In comparison to 2014/2015, the Office had a:

- 55% reduction in workers compensation claims when compared to an average across the last five years
- 67% reduction in the number of open workers compensation claims as at 30 June.

The ongoing development and improvement in monthly Work Health and Safety reporting to the Management Committee and Executive Board has demonstrated the Executive's commitment to a broader strategic approach to injury prevention and management

Workplace Support

Average Sick Leave for the Office for 2015/2016 was 6.39 days. This is a 5% decrease from last year's figure.

There was a 55% reduction in workers compensation claims compared to last year

The Office continues to ensure that injured workers are returned to work as soon as they are deemed medically fit to resume duties.

Two large claims lead to a 16% increase in the average cost of claims for the Office over 2015/2016 (as reported by NSW SI Corp). The Office will continue to work to returning to a target of a 5% reduction for 2015/2016.

The Office has maintained its 100% record with respect to managing injured workers within statutory timeframes. All workers injured within the reporting period have been returned to suitable duties and provided with graduated return to work plans in line with medical restrictions presented.

The Office continues to provide appropriate information, instruction and training to managers in their roles and responsibilities

Appointments to the Bench

In the last year, Deputy Director of Public Prosecutions John Pickering SC, Deputy Senior Crown Prosecutor Jennie Girdham SC and Crown Prosecutor Siobhan Herbert appointed Judges of the District Court. Judge Girdham SC was appointed as a specialist District Court Judge to hear child sexual assault matters across NSW.

Crown Prosecutor Appointments

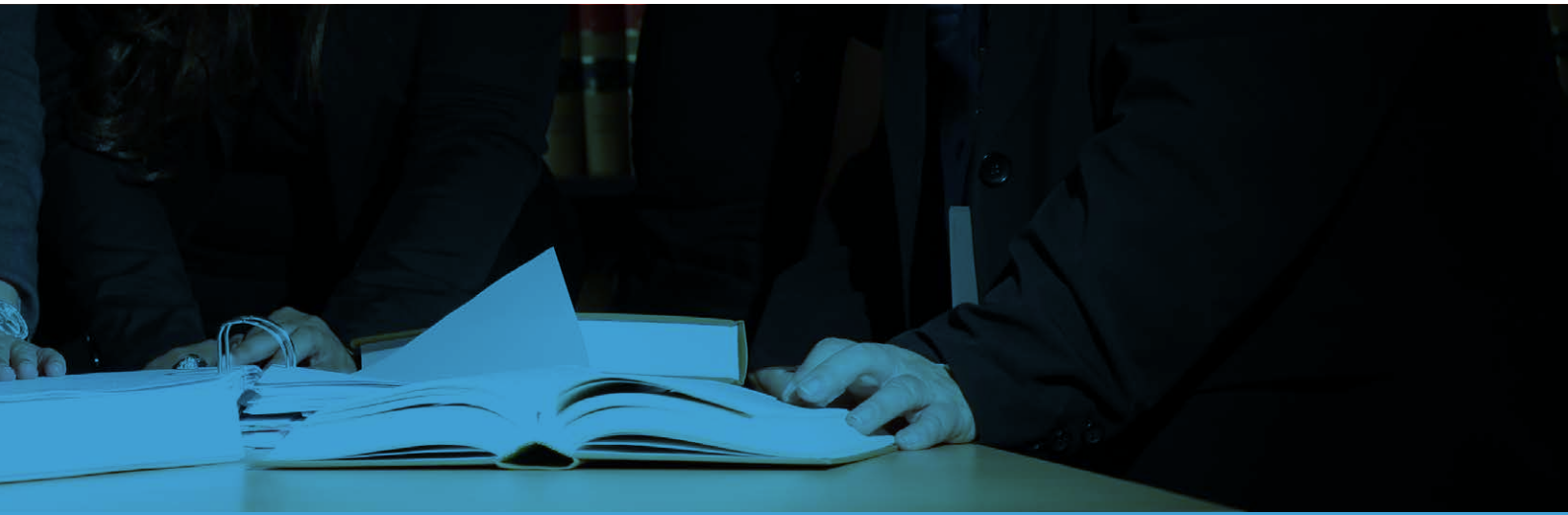
During the year, 18 Crown Prosecutors were appointed; of these, seven (39%) were promotional appointments from within the Office.

Trial Developmental List

This initiative is in its fifth year and continues to provide excellent development opportunities to lawyers to conduct short and less complex trials in the District Court. With the assistance of their mentors, who included the Director, Deputy Directors and Crown Prosecutors, lawyers were briefed in 83 trials. This was an increase of 45% in the number of Development List trials from the previous year. The one-on-one mentoring and advocacy in jury trials has added a new dimension to the development of lawyers' trial advocacy skills.

Secondments

The ODPP further demonstrates its commitment to developing, recognising and celebrating the knowledge, skills and commitment of its people by actively promoting, supporting and encouraging staff to participate in secondment opportunities where they are available. During the 2015/2016 reporting period, 19 staff were involved in secondments across the public sector in a diverse range of agencies. Many of these opportunities were in related agencies within the



justice cluster, such as the Department of Justice, the NSW Ombudsman's Office, Legal Aid and the NSW Police Force, but a number were also into different areas such as education, health, finance, service and innovation. The benefits of the different perspectives and experiences available across the sector have allowed these staff to develop capabilities, skills and knowledge that can be shared more broadly upon their return through internal training and mentoring sessions.

People Matter

The Office is committed to the ongoing success of its staff and one of the key goals of its Strategic Plan is to 'Develop, recognise and celebrate the knowledge, skills and commitment of our people'. One of the key strategies to deliver on this goal during the 2015/2016 year was to develop and implement a Performance Development System (PDS). The implementation of these strategies is seen as key to the ongoing success, development and improvement of all staff across the Office, as well as being a requirement under s67 of the *Government Sector Employment Act 2013*.

A simple to use online PDS software system went live across the Office in June 2016. It enables ongoing two way conversations between managers and employees to improve performance by assisting both managers and employees to understand their respective roles and responsibilities,

the standards expected of them, and how to develop the capabilities required for success. It ensures that conversations include wellbeing issues and have a strong focus on development and career opportunities.

The PDS also introduces a focus on the ODPP Signature Behaviours which were developed as a key aspect of the Strategic Plan. These are a collection of behaviours that staff are expected to display in undertaking their duties:

- Act with Integrity
- Communicate
- Be Courageous
- Be Accountable
- Be Adaptive
- Promote a Supportive Environment
- Never Stop Learning

In conjunction with the introduction of an online PDS, a Learning and Development (L&D) Framework was developed. The L&D Framework outlines the learning and development opportunities that are available to staff to drive their own careers. Work is now underway to roll out an online Learning Management System to accompany the online PDS and to ensure that access to and recording of learning activities is simple and efficient.

The introduction of a PDS and L&D

Framework is expected to bring an increase in job satisfaction for all staff through clearer definition of responsibilities, greater accountability, recognition of performance, identification of areas needing development and opportunities for improvement within those areas, transparency for those with performance development needs, and identification of career development opportunities.

Appendices

THE STATUTES
OF
NEW SOUTH WALES.

THE STATUTES
OF
NEW SOUTH WALES.

VOL. 1.
A.D. 1800

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Appendix 1: Productivity Statistics

Number of Matters Completed and Received

		Received	Completed
Local Court	Committal Matters	5,863	5,770
	Summary Prosecutions	533	467
District Court	District Court Sentences	2,159	1,944
	District Court Trials	1,837	1,593
	Severity Appeals	5,982	6,014
	All Grounds Appeals	1,010	967
Supreme Court	Supreme Court Sentences	6	4
	Supreme Court Trials	68	47

Local Court Results

		No.	%
Local Court Disposal	Plea of Guilty	514	8.9%
	Withdrawn	446	7.7%
	Sentence following Summary Hearing	367	6.4%
	Returned to Police	235	4.1%
	Dismissed by the Local Court	99	1.7%
	Referred to Drug Court	17	0.3%
	Subject deceased	15	0.3%
	Charges taken into account on a Form 1	7	0.1%
	Total	1,700	29%
Committed to the District Court	Sentence	2,159	37%
	Trial	1,837	32%
	Total	3,996	69%
Committed to the Supreme Court	Sentence	6	0%
	Trial	68	1%
	Total	74	1%

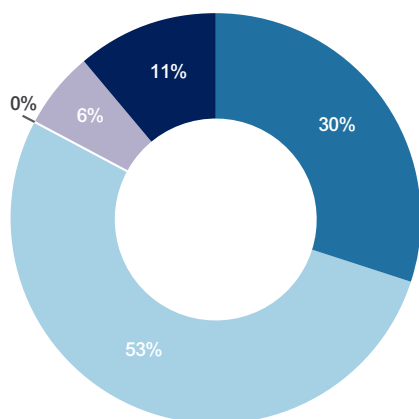
Result of District Court Trials

		No.	%
Late Plea		856	54%
Defended Trial	Verdict Not Guilty	302	19%
	Verdict Guilty	265	17%
	Verdict by Direction	7	0%
	Total	574	36%
Discontinued		142	9%
Other Means		21	1%

Results of Supreme Court Trials

		No.	%
Late Plea		6	13%
Defended Trial	Verdict Not Guilty	14	19%
	Verdict Guilty	24	51%
	Verdict by Direction	0	0%
	Total	38	81%
Discontinued		2	4%
Other Means		1	2%

Number of Completed Court of Criminal Appeal Matters



Crown Appeals	
s5F Appeals	29
Inadequacy Appeals	17
Appeal against Directed Verdict	1
Total	47

Defence Appeals	
Sentence appeals	146
Conviction and Sentence appeals	82
Total	228

Result of Conviction and Sentence Appeals

		No.	%
Allowed	Retrials	10	12%
	Acquittals	9	11%
	Total	19	23%
Dismissed		56	55%
Abandoned		6	7%
Dismissed without Hearing		1	1%
Total		82	100%

Result of Defence Sentence and Crown Inadequacy Appeals

	Defence	Crown
Allowed	42	11
Dismissed	97	5
Abandoned	7	1
Total	146	17

Breakdown of Finding of Guilt

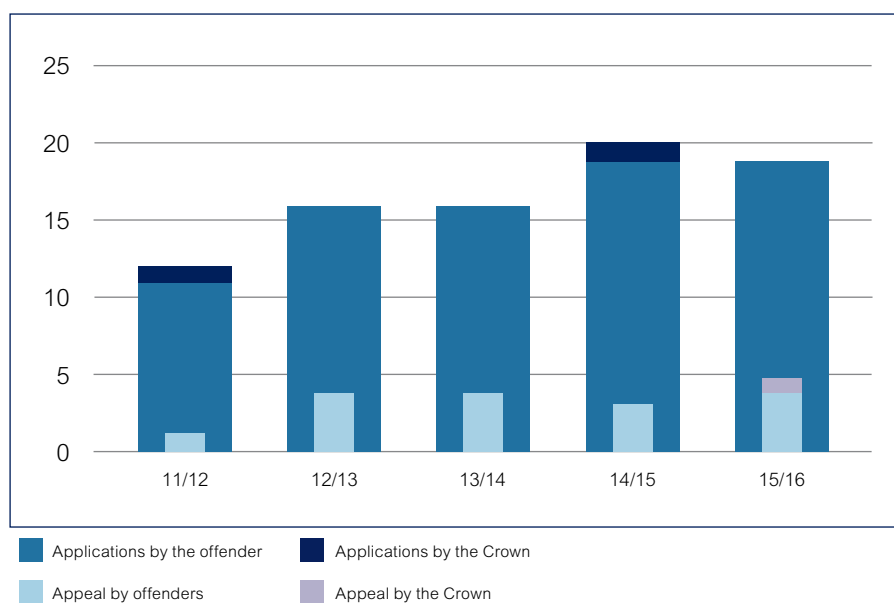
		No.	%
Local Court	Plea of Guilty and Summary Disposal	514	12%
	Following Summary Hearing	367	9%
	Total	881	21%
District Court	Committal for Sentence	2,159	51%
	Late Plea of Guilty	856	21%
	Verdict of Guilty	265	6%
	Total	3,280	78%
Supreme Court	Committal for Sentence	6	0%
	Late Plea of Guilty	6	0%
	Verdict of Guilty	24	1%
	Total	36	1%

Finding of Guilt

Year	%
2010/11	77.3%
2011/12	81.6%
2012/13	82.0%
2013/14	82.2%
2014/15	81.7%
2015/16	87.7%

High Court Special Leave Applications and Appeals

	12/13	13/14	13/14	14/15	15/16
Completed Applications for Special Leave to appeal					
Applications by the Offender	11	16	16	19	19
Applications by the Crown	1	0	0	1	0
Hearings conducted after grant of Special Leave to appeal					
Appeal by Offenders	1	4	4	3	4
Appeal by the Crown	0	0	0	0	1



Results of Appeals Heard

	Allowed	Refused
Offender Appeal	1	3
Crown Appeal	1	0

Appendix 2:

Key Provisions of the DPP Act

The **Director of Public Prosecutions Act 1986** was enacted to create the Office of Director of Public Prosecutions, to confer functions on the Director and for related purposes.

For the period 1 July 2015 to 30 June 2016 there were no significant amendments made to the Act.

s4 Director The Director is responsible to the Attorney General for the exercise of his functions but that does not affect or derogate from the authority of the Director in respect of the preparation, institution and conduct of any proceedings.

s7 Principal Functions The principal functions of the Director are to: (a) institute and conduct prosecutions for indictable offences in the Supreme Court and District Court; (b) conduct appeals in any court for any such prosecution and (c) conduct, as the responding party, any appeal in any court for any such prosecution: s 7 (1). The Director has the same functions as the Attorney General in relation to: (a) finding a bill of indictment or determining that no bill of indictment be found for an indictable offence where the person charged has been committed for trial; (b) directing that no further proceedings be taken against a person committed for trial or sentence; and (c) finding an ex officio indictment where the person has not been committed for trial: s 7(2).

s8 Instituting other proceedings

The Director can institute and conduct committal proceedings for indictable offences, proceedings for summary in any court, and summary proceedings for those indictable offences which can be dealt with summarily in the Local Court.

s11 Consents The power to consent, authorise or sanction various prosecutions is delegated to the Director.

s12 Coroners The Director can, with the Coroner's consent, assist a coroner in any inquest or inquiry.

s13 Guidelines to Crown Prosecutors by Director The Director can provide written guidelines to the Deputy Directors, the Solicitor for Public Prosecutions and Crown Prosecutors concerning the prosecution of offences, but Guidelines are not issued in relation to particular cases.

s14 Recommendations and guidelines to police by Director The Director can recommend to the Commissioner of Police and certain others that proceedings be instituted in respect of an offence and can issue guidelines to the Commissioner of Police regarding the prosecution of offences, but not in relation to specific cases.

s15 Provisions relating to guidelines Guidelines issued by the Director are required to be published in the Office's Annual Report.

s15A Disclosures by law enforcement officers Police have a duty to disclose, to the Director, all relevant material obtained during an investigation that might reasonably be expected to assist the prosecution or defence case.

s18 Request for assistance from police by Director The Director may request police assistance in investigating a matter that the Director may institute or take over.

s19 Indemnities and undertakings The Director may request the Attorney General to grant indemnities and give an undertaking that an answer or statement will not be used in evidence.

s24 Offences under Commonwealth laws Where an officer, with the consent of the Attorney General, holds an authority to prosecute Commonwealth offences, that officer may institute and conduct prosecutions for such offences.

s25 Consultation Consultation between the Director and the Attorney General is provided for.

s26 Guidelines by Attorney General

The Attorney General may provide guidelines to the Director but not in relation to a particular case. Guidelines furnished are required to be published in the Government Gazette and laid before both Houses of Parliament.

s27 Attorney General to notify Director of bills and no bills

The Attorney General is obliged to notify the Director whenever the Attorney exercises any of the following functions: (a) finding a bill of indictment, or determining that no bill of indictment be found for an indictable offence where the person concerned has been committed for trial; (b) directing that no further proceedings be taken against a person committed for trial or sentence; (c) finding a bill of indictment for an indictable offence where the person has not been committed for trial; and (d) appealing under s5D of the Criminal Appeal Act 1912 to the Court of Criminal Appeal against a sentence. The Director is required to include in the Annual Report, information on notifications received from the Attorney General under this section during the period to which the report relates.

s29 Director may make request to Attorney General

If the Director considers it desirable, in the interests of justice, that he not exercise certain functions in relation to a particular case, the Director may request the Attorney General to exercise the Attorney General's corresponding functions.

s30 Attorney General's powers not affected

Nothing in this Act affects any functions of the Attorney General that the Attorney General has apart from this Act.

s33 Delegation

The Director may delegate to an Officer, a Crown Prosecutor, or a person approved by the Attorney General, the exercise of any of the Director's functions other than this power of delegation.

Appendix 3: Delegations

The Attorney General has delegated to the Director, by orders published in the Gazette, authority to consent to prosecutions for particular offences by virtue of section 11(2) of the *Director of Public Prosecutions Act 1986*. This notification of the giving or refusing of consent under the authorisation is made pursuant to section 11(6).

Consent was given for the commencement of proceedings for the following offences:

- Section 66F(2), *Crimes Act 1900* (sexual intercourse with person with cognitive impairment by person responsible for care) x 3
- Section 66F(3), *Crimes Act 1900* (sexual intercourse by taking advantage of person with cognitive impairment) x 13
- Section 78A, *Crimes Act 1900* (incest) x 20

- Section 78B, *Crimes Act 1900* (attempted incest) x 1
- Section 78H, *Crimes Act 1900* (homosexual intercourse with male under 10 years where the accused was under 18 years) x 2
- Section 8, *Surveillance Devices Act 2007* (install, use or maintain an optical surveillance device) x 7
- Section 11, *Surveillance Devices Act 2007* (knowingly communicate or publish recording of private conversation or activity obtained in contravention of the Act) x 6
- Section 12, *Surveillance Devices Act 2007* (knowingly possess recording of private conversation or activity in contravention of the Act) x 1

No request for consent to commence proceedings was refused.

Appendix 4: Independence and Accountability

No guideline under section 26 of the Director of Public Prosecutions Act has been received from the Attorney General, nor has notice been received from her of the exercise by her of any of the functions described in section 27. Three requests have been made to the Attorney General pursuant to section 29.

Appendix 5:

Internal Committees

Committee	ODPP Representatives	
Executive Board	Lloyd Babb SC (Chair) Keith Alder John Pickering SC (final meeting 18 February 2016) Kara Shead (first meeting 16 June 2016) Mark Tedeschi AM QC	Elizabeth Stratford (first meeting 10 December 2015) Craig Hyland John Hunter (Independent)(final meeting 10 December 2015) Kenneth Dixon (Independent)(first meeting 18 February 2016) Robyn Gray (Independent)(first meeting 20 August 2015)
Management Committee	Lloyd Babb SC (Chair) Keith Alder John Pickering SC (final meeting 10 March 2016) Kara Shead (first meeting 16 June 2016) Mark Tedeschi AM QC Bernie O'Keeffe (final meeting 16 July 2015) Elizabeth Stratford (first meeting 19 November 2015)	Craig Hyland Johanna Pheils Sashi Govind Paula McNamara Janine Lacy Nigel Richardson Brendan Oldham (first meeting 21 April 2016)
Audit & Risk Committee	Alexander Smith AM (Chair/Independent) Carolyn Walsh (Independent) Ian Gillespie (Independent) (first meeting 17 June 2016)	Sashi Govind (Invitee) (appointed Chief Risk Officer on 17 June 2016) Keith Alder (Invitee) Elizabeth Stratford (Invitee) (first meeting 14 December 2015)
Information Management & Technology Steering Committee	Sashi Govind (Chair) Mark Hobart SC (alt. Richard Herps) Paula McNamara	Elizabeth Stratford (first meeting 17 November 2015) Brendan Oldham (first meeting 1 March 2016) Craig Hyland Johanna Pheils
Crown Prosecutors Management Committee	Mark Tedeschi AM QC Chris Maxwell QC Phillip Ingram SC Lee Carr Terry Thorpe Craig Everson Peter McGrath SC (alt. Michael O'Brien)	Siobhan Herbert (alt. Neil Adams) Michael Fox Ken Gilson Gina O'Rourke SC (alt. Sharon Harris) Huw Baker (alt. James Gibson) Ana Seeto (Treasurer) Deborah Carney (Crown Support)
Work Health & Safety Committee	Employee Representatives Melissa Day Vesna Medica Bree Chisholm Andrew McMaster (Proxy)	Employer Representatives Peter Bridge (retired 22 July 2016) Keith Holder (retired 24 November 2015) Keith Dawson (not yet met) Nigel Richardson
PSA / Management Joint Consultative Committee	ODPP Representatives Nigel Richardson (Chair) Craig Hyland Keith Alder Sashi Govind Elizabeth Stratford	ODPP PSA Representatives Fiona Horder Andrew Horowitz PSA Industrial Officer Xanthe Thomson
Workplace Wellbeing Taskforce	Lloyd Babb SC (Chair) Nanette Williams Sharon Wills Susan Ayre Beata Woolford Andrew Horowitz	Julie Booth Michael Reville Luke Muller Keith Holder (retired 24 November 2015) Keith Dawson (first meeting 3 May 2016) Nigel Richardson Elizabeth Stratford (first meeting 3 May 2016)

Appendix 6:

Risk Management and Insurance Activities

Risk Management

The following internal audits were completed in the 2015/2016 financial year:

- IT General Controls audit
- Newcastle ODPP operational audit
- Audit of staff awareness of key internal policies

The Office accepted the improvement recommendations tabled in the report.

In addition, the Office commenced the review and update of its Risk Management Framework and Risk Register. It will complete this work early in 2016/2017 which will inform the audit plan for the remainder of the financial year, including:

- Review of Practice Audit protocols and procedures to ensure compliance with TPP 15-03
- CASES controls and access compliance
- Review best practice compliance in Priority Matters, being matters involving death, special interest matters and child sexual assault offences
- Evaluation of internal processes and stakeholder engagement through the Burwood Pilot.

Motor Vehicles

- The Office's 2015/2016 Motor Vehicle claims totalled thirteen (13), representing an average damage/loss net cost in claim payments of \$4,049. This was an increase of three (3) claims and a decrease in the average net damage/loss of \$1,011 per claim compared to the 2014/2015 Financial Year.

Property

In 2015/2016, there were NIL (0) property claims finalised for the Office compared to a total of four (4) property claims with a total amount of \$4,282.32 in the previous financial year.

Miscellaneous

The Office had NIL (0) Miscellaneous Claims in the 2015/2016 reporting year.

Credit Card Certification

During the 2015/2016 financial year, credit card usage within ODPP complied with relevant policy frameworks including Premier & Cabinet Memoranda, the Treasurer's Directions and Travel and Expenses Award conditions.

Credit card use

Credit card usage within the ODPP is largely limited to:

- Claimable work-related travel expenses; and
- Expenditure for minor purchases as a more efficient means of payment.

Monitoring credit card use

The efficient use of credit cards within ODPP is ensured by the adherence to the following guidelines and monthly monitoring practices

- Officers are issued with a credit card monthly statement to verify and certify that all expenses were incurred for official purposes
- Acquittals are examined and authorised by officers with appropriate financial delegation
- As a minimum, annual reviews of usage levels and appropriateness of credit card limits are conducted
- A half-yearly report is submitted to Treasury certifying that credit card use in the ODPP is within set guidelines.

Appendix 7:

Internal Audit and Risk Management Attestation

OUR REFERENCE

DIRECTOR'S CHAMBERS

YOUR REFERENCE

DATE

16 September 2016



Internal Audit and Risk Management Attestation for the 2015-2016 Financial Year for the Office of the Director of Public Prosecutions

I, Lloyd Babb SC am of the opinion that the Office of the Director of Public Prosecutions has internal audit and risk management processes in operation that are, excluding the exceptions or transitional arrangements described below, compliant with the eight (8) core requirements set out in the *Internal Audit and Risk Management Policy for the NSW Public Sector*, specifically:

Core Requirements	Compliance Status
Risk Management Framework	
1.1 The agency head is ultimately responsible and accountable for risk management in the agency	Compliant
1.2 A risk management framework that is appropriate to the agency has been established and maintained and the framework is consistent with AS/NZS ISO 31000:2009	Compliant
Internal Audit Function	
2.1 An internal audit function has been established and maintained	Compliant
2.2 The operation of the internal audit function is consistent with the International Standards for the Professional Practice of Internal Auditing	Partial Compliance
2.3 The agency has an Internal Audit Charter that is consistent with the content of the 'model charter'	Compliant
Audit and Risk Committee	
3.1 An independent Audit and Risk Committee with appropriate expertise has been established	Compliant
3.2 The Audit and Risk Committee is an advisory committee providing assistance to the agency head on the agency's governance processes, risk management and control frameworks, and its external accountability obligations	Compliant
3.3 The Audit and Risk Committee has a Charter that is consistent with the content of the 'model charter'	Compliant

Membership

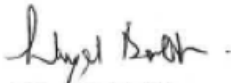
The chair and members of the Audit and Risk Committee are:

- Alexander Smith, Independent Chairperson (8 October 2013 – 7 October 2016)
- Carolyn Walsh, Independent Member (7 January 2013 – 1 February 2019)
- Ian Gillespie, Independent Member (6 June 2016 – 6 June 2019)
- Sashi Govind, Non Independent Member (31 August 2012 – 17 May 2016)

I, Lloyd Babb SC advise that the internal audit and risk management processes for the Office of the Director of Public Prosecutions depart from the following core requirements set out in the *Internal Audit and Risk Management Policy for the NSW Public Sector*.

The departure from the core requirements is due to the agency implementing measures to achieve compliance with new policy requirements consistent with the permitted transitional arrangements.

Departure	Reason for departure and steps being implemented
Internal Audit Function	
2.2 The operation of the internal audit function is consistent with the International Standards for the Professional Practice of Internal Auditing	The office has a co sourced model for Internal Audit activity. Partial compliance self relating acknowledges The Office's planned investment in reviewing all processes and developing a training package for relevant staff to ensure that International standards are met. The internal function has always been part of self-assurance practices of The Office.



Lloyd Babb SC
Director of Public Prosecutions



Department Contact Officer/ Chief Executive Officer (Audit and Risk)
Keith Alder
Deputy Director of Public Prosecutions

Appendix 8:

Digital Information Security Attestation

Digital Information Security Annual Attestation Statement for the 2015-2016 Financial Year for Office of the Director of Public Prosecutions

I, Keith Alder, am of the opinion that Office of the Director of Public Prosecutions had an Information Security Management System in place during the 2015-2016 financial year that is consistent with the Core Requirements set out in the *NSW Government Digital Information Security Policy*.

The controls in place to mitigate identified risks to the digital information and digital information systems of Office of the Director of Public Prosecutions are adequate.

There is no agency under the control of Office of the Director of Public Prosecutions which is required to develop an independent ISMS in accordance with the *NSW Government Digital Information Security Policy*.

The Office of the Director of Public Prosecutions has maintained certified compliance with *ISO 27001 Information technology - Security techniques - Information security management systems - Requirements* by an Accredited Third Party during the 2015-2016 financial year.



Keith Alder

Acting Director of Public Prosecutions

21st July 2016

Appendix 9:

Procurement, Corporate Governance and Financial Accountability

Caring for the Environment: NSW Government Resource Efficiency Policy (GREP)

GREP aims to drive resource efficiency in four main areas – energy, water, waste and clean air, replacing the previous NSW Government Sustainability and Waste Reduction and Purchasing Policies. GREP ensures that NSW Government agencies:

- meet the challenge of rising costs for energy, water, clean air and waste management
- use purchasing power to drive down the cost of resource-efficient technologies and services
- show leadership by incorporating resource efficiency into decision making.

The ODPP submitted its GREP Agency Report for the financial year 2014/2015. The Office has developed a four pillar strategic approach to reducing its environmental impact, consistently aiming to:

- implement established Government procurement and management strategies that reduce waste
- utilise Government contracts to purchase recycled or 'green' products (carbon neutral)
- recycle or reuse furniture and equipment where possible.

In this way, it will reduce waste within the Office, reduce dumping in landfill and attain its energy management goals.

The Office's results against each of the focus areas are detailed below:

Energy Use

- The ODPP saves energy by using T5 lighting. T5 bulbs last five times longer than the T8 bulbs also reducing waste and service costs for replacement.
- When establishing new leases, energy efficient sensor operated lighting systems are incorporated.
- Photocopiers have power reduction buttons – 'sleep mode'.
- Air conditioning plants are fitted with timers which limit operation to business hours.
- Energy efficient hot water systems are used in bathrooms and kitchens.
- Green electricity is purchased where possible, via contracts 777 and 776, with a minimum 6% green power. The Sydney office continues to achieve a 5 Star NABERS rating.
- Equipment is procured to comply with energy star-rating requirements.
- Facilities utilise best-practice guides to manage energy usage across the asset portfolio, such as setting timers on lights, air conditioning and other building services.

Water

- Water efficient taps are fitted in bathrooms and kitchens.
- Toilets are fitted with half flush and full flush.
- Auto flushing systems are fitted in the men's toilets.
- Showers are fitted with water saving heads.
- Hydra boil or mini boil hot water units are installed to eliminate water wastage.

Equipment, furniture and motor vehicles

- The amount of office equipment is reduced through the purchase of multi function devices (MFDs)
- Equipment at the expiry of its serviceable life is traded in for use as re-engineered machines or stripped for the supply of parts
- The 'life-span' of office equipment is managed by rotating and relocating machines to low use ODPP chambers in court houses)
- Computers at the expiry of their serviceable life are recycled to enable the salvaging of appropriate parts or to be re-engineered as usable machines
- Furniture is re-used, sold at auction, sent to tender or transferred to other Government Departments
- Motor vehicles leased are fuel-efficient and designed for the use of E10 fuel.

Paper procurement, waste and recycling

- MFDs offer multiple page and double-sided copying.
- Facilities provides clear instructions and training to key staff on the use of MFDs and printers to minimise paper usage.
- Information Management & Technology sets MFDs to default to double-sided non-colour printing, to minimise paper and ink usage.
- Multi-destination envelopes for internal use.
- Electronic documents with workflow and digital signatures reduce paper use.
- Toner cartridges, paper and cardboard products are recycled where possible.
- Co-mingled waste collection where possible.
- Papers stocks purchased are environmentally friendly.
- Soy-based inks are used in preference to solvent-based products where possible.

For further information regarding GREP please visit www.environment.nsw.gov.au.

Stock Item	Recycled	Environmental Accreditation	Elemental Chlorine Free	Wood Fibre Sustainable Forests	Archival	ISO14001 International Standard
Folders	40-60%	•	•	•		
Letterhead		•	•		•	•
With Comp Slips		•	•		•	•
Business Cards		•	•			•
Envelopes	80-90%					
Brochures	30%	•	•	•		

Accountability and Efficiency

The Office submitted all Statutory Reports within prescribed timeframes:

2015/2016 Annual Financial Statements finalised and submitted to the Auditor General on the due date of 25 July 2016.

- Fringe Benefit Tax (FBT) 2015/2016 Annual Return submitted on the due date of 20 May 2016.
- Business Activity Statement (BAS) Monthly Returns all submitted by monthly due dates.

The Audit and Risk Committee monitors compliance with ODPP policies, overseeing an internal audit program designed to test performance. The Committee reviews all audit reports; where recommendations are made in relation to adherence to ODPP policy, the management-identified corrective actions are monitored for resolution.

Appendix 10: Chief Executive Officer Statement of Performance

The Director of Public Prosecutions is a statutory appointment under Section 4 of the *Director of Public Prosecutions Act 1986*. The Director is responsible to Parliament and there is no annual performance review under the *Government Sector Employment Act 2013*.

Lloyd Babb SC

Period in Position:

1 July 2015 to 30 June 2016

Position and Level:

Director of Public Prosecutions

Remuneration:

\$437,565 pa (salary plus allowance as at 30 June 2016)

Senior Executive Performance Statement

Nil to report

Appendix 11: Chief Executive Service and Senior Executive Service

30 June 2015					
SES Band	Total Number	Male	Female	Average Remuneration	% of Total Employee Related Expenditure
Band 1	11	5	6	158,102.36	2.28
Band 2	–	–	–	–	–
Band 3	–	–	–	–	–
Band 4	–	–	–	–	–

30 June 2016					
SES Band	Total Number	Male	Female	Average Remuneration	% of Total Employee Related Expenditure
Band 1	10	4	6	213,635.70	2.45
Band 2	–	–	–	–	–
Band 3	–	–	–	–	–
Band 4	–	–	–	–	–

In addition to the Senior Executive roles shown in the above table, the ODPP also has the Director of Public Prosecutions, two Deputy Directors of Public Prosecutions and the Solicitor for the Public Prosecutions

who are statutory appointees, appointed under the *Director of Public Prosecutions Act 1996*. All executive roles were transitioned into the new *Government Sector Employment Act 2013* arrangements during the year.

Appendix 12: Overseas Travel

Staff Member	Dates, Places and Travel Details	Reason for Travel and Expenses Details (\$AUS)	Total Cost
Nil	Nil	Nil	Nil

Appendix 13: Consultants

Engagements greater than \$50,000

Consultant	Category	Name of project and purpose	Cost ex GST
Pharink Pty Ltd	Management Services	Record Management Strategic Plan	\$58,625

Engagements less than \$50,000

Categories	Total No. of Engagements	Cost ex GST
Organisational review	Six	\$67,541
Management Services	Two	\$8,650
Total consultancies each engagements costing less than \$50,000		\$76,191

Appendix 14:

Accounts Payment Performance

1 July 2015 to 30 June 2016

Ageing of accounts payable at the end of each quarter

Quarter	Current (within due date) \$	< 30 days overdue \$	30 – 60 days overdue \$	60 – 90 days overdue \$	> 90 days overdue \$
September					
All suppliers	1,479,408	–	–	–	–
Small business suppliers	8,740	–	–	–	–
December					
All suppliers	1,128,404	48,190	–	–	–
Small business suppliers		–	–	–	–
March					
All suppliers	356,808	304	–	–	–
Small business suppliers	–	–	–	–	–
June					
All suppliers	381,399	2,719	–	–	–
Small business suppliers	12,513	–	–	–	–

Details of accounts due or paid within each quarter

	September	December	March	June
Number of accounts due for payment				
All suppliers	1,330	1,519	1,220	1,700
Small business suppliers	11	16	11	17
Number of accounts paid on time				
All suppliers	1,269	1,457	1,145	1,613
Small business suppliers	11	16	11	17
Actual percentage of accounts paid on time (based on number of accounts)				
All suppliers	95%	96%	94%	95%
Small business suppliers	100%	100%	100%	100%
Dollar amount of accounts due for payment				
All suppliers	\$ 5,991,318	\$ 6,849,918	\$ 6,251,574	\$ 10,108,216
Small business suppliers	\$ 70,376	\$ 76,646	\$ 24,505	\$ 101,038
Dollar amount of accounts paid on time				
All suppliers	\$ 5,858,778	\$ 6,711,133	\$ 6,030,267	\$ 9,805,135
Small business suppliers	\$ 70,376	\$ 76,646	\$ 24,505	\$ 101,038
Actual percentage of accounts paid on time (based on dollar amount of accounts)				
All suppliers	98%	98%	96%	97%
Small business suppliers	100%	100%	100%	100%
Number of payments for interest on overdue accounts				
All suppliers	–	–	–	–
Small business suppliers	–	–	–	–
Interest paid on late accounts				
All suppliers	–	–	–	–
Small business suppliers	–	–	–	–

Reasons for Accounts Not Paid on Time: Suppliers' invoices were not received within Finance Unit for payment.

Appendix 15: Financial Accounts

Office of the Director of Public Prosecutions

**Financial statements
for the year ended 30 June 2016**

**Office of the Director of Public Prosecutions
Statement by Director for the year ended 30 June 2016**

Pursuant to Section 45F of the *Public Finance and Audit Act 1983*, I state that:

- (a) the accompanying financial statements have been prepared in accordance with applicable Australian Accounting Standards (which include Australian Accounting Interpretations), the requirements of the *Public Finance and Audit Act 1983*, and *Public Finance and Audit Regulation 2015* and Financial Reporting Directions published in the Financial Reporting Code for General Government Sector Entities or issued by the Treasurer;
- (b) the statements exhibit a true and fair view of the financial position and transactions of the Office; and
- (c) I am not aware of any circumstances which would render any particulars included in the financial statements to be misleading or inaccurate.



Lloyd Babb SC
Director of Public Prosecutions

Sydney
13 September 2016



INDEPENDENT AUDITOR'S REPORT

Office of the Director of Public Prosecutions

To Members of the New South Wales Parliament

Opinion

I have audited the accompanying financial statements of the Office of the Director of Public Prosecutions (the Office), which comprise the statement of financial position as at 30 June 2016, the statement of comprehensive income, statement of changes in equity, statement of cash flows, service group statements and summary of compliance with financial directives for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion the financial statements:

- give a true and fair view of the financial position of the Office as at 30 June 2016, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards
- are in accordance with section 45E of the *Public Finance and Audit Act 1983* (PF&A Act) and the Public Finance and Audit Regulation 2015

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report.

I am independent of the Office in accordance with the auditor independence requirements of:

- Australian Auditing Standards
- ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants' (the Code).

I have also fulfilled my other ethical responsibilities in accordance with the Code.

The PF&A Act further promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies, but precluding the provision of non-audit services.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Director's Responsibility for the Financial Statements

The Director of the Office (the Director) is responsible for preparing financial statements that give a true and fair view in accordance with Australian Accounting Standards and the PF&A Act, and for such internal control as the Director determines is necessary to enable the preparation of financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Director must assess the Office's ability to continue as a going concern unless the Office's operations will cease as a result of an administrative restructure. The assessment must include, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting.

Auditor's Responsibility for the Audit of the Financial Statements

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A further description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: <http://www.auasb.gov.au/Home.aspx>. The description forms part of my auditor's report.

My opinion does *not* provide assurance:

- that the Office carried out its activities effectively, efficiently and economically
- about the assumptions used in formulating the budget figures disclosed in the financial statements
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented.



David Daniels
Director, Financial Audit Services

16 September 2016
SYDNEY

Office of the Director of Public Prosecutions
Statement of comprehensive income for the year ended 30 June 2016

	Notes	Actual 2016 \$'000	Budget 2016 \$'000	Actual 2016 \$'000
Expenses excluding losses				
Operating expenses				
Employee related	2(a)	101,512	103,357	93,344
Other operating expenses	2(b)	21,877	17,193	19,379
Depreciation and amortisation	2(c)	3,206	3,240	2,991
Grants and subsidies	2(d)	1	107	266
Other expenses	2(e)	<u>3,080</u>	<u>3,342</u>	<u>2,876</u>
Total expenses excluding losses		<u>129,676</u>	<u>127,239</u>	<u>118,856</u>
Revenue				
Recurrent appropriation	3(a)	113,797	115,790	103,206
Capital appropriation	3(a)	3,068	3,068	1,367
Sale of goods and services	3(b)	23	80	27
Investment revenue	3(c)	-	-	200
Grants and contributions	3(d)	4,202	-	1,936
Acceptance by the Crown Entity of employee benefits and other liabilities	3(e)	8,715	8,380	7,752
Other revenue	3(f)	<u>263</u>	<u>34</u>	<u>516</u>
Total revenue		<u>130,068</u>	<u>127,352</u>	<u>115,004</u>
Gain / (loss) on disposal	4	(6)	5	(7)
Other gains/(losses)	5	<u>-</u>	<u>-</u>	<u>(1,466)</u>
Net result	15,17	<u>386</u>	<u>118</u>	<u>(5,325)</u>
Other comprehensive income		<u>-</u>	<u>-</u>	<u>-</u>
Total other comprehensive income		<u>-</u>	<u>-</u>	<u>-</u>
TOTAL COMPREHENSIVE INCOME		<u>386</u>	<u>118</u>	<u>(5,325)</u>

The accompanying notes form part of these financial statements.

Office of the Director of Public Prosecutions
Statement of financial position as at 30 June 2016

	Notes	Actual 2016 \$'000	Budget 2016 \$'000	Actual 2015 \$'000
ASSETS				
Current assets				
Cash and cash equivalents	7	2,352	2,824	2,693
Receivables	8	<u>1,584</u>	<u>1,550</u>	<u>2,752</u>
Total current assets		<u>3,936</u>	<u>4,374</u>	<u>5,445</u>
Non-current assets				
Receivables	8	-	-	166
Plant and equipment	9	9,976	8,928	9,723
Intangible assets	10	<u>2,376</u>	<u>1,383</u>	<u>2,664</u>
Total non-current assets		<u>12,351</u>	<u>10,311</u>	<u>12,553</u>
Total assets		<u>16,287</u>	<u>14,685</u>	<u>17,998</u>
LIABILITIES				
Current liabilities				
Payables	11	1,341	2,695	4,226
Provisions	12	12,084	10,787	11,422
Other	13	<u>93</u>	<u>275</u>	<u>118</u>
Total current liabilities		<u>13,518</u>	<u>13,757</u>	<u>15,766</u>
Non-current liabilities				
Provisions	12	<u>3,329</u>	<u>2,914</u>	<u>3,178</u>
Total non-current liabilities		<u>3,329</u>	<u>2,914</u>	<u>3,178</u>
Total liabilities		<u>16,847</u>	<u>16,671</u>	<u>18,944</u>
Net assets		<u>(560)</u>	<u>(1,986)</u>	<u>(946)</u>
EQUITY				
Accumulated funds		<u>(560)</u>	<u>(1,986)</u>	<u>(946)</u>
Total equity		<u>(560)</u>	<u>(1,986)</u>	<u>(946)</u>

The accompanying notes form part of these financial statements.

Office of the Director of Public Prosecutions
Statement of changes in equity for the year ended 30 June 2016

	Accumulated Funds	Total
	\$'000	\$'000
Balance at 1 July 2015	(946)	(946)
Net result for the year	<u>386</u>	<u>386</u>
Other comprehensive income:		
Total other comprehensive income	<u>-</u>	<u>-</u>
Total comprehensive income for the year	<u>386</u>	<u>386</u>
Balance at 30 June 2016	<u>(560)</u>	<u>(560)</u>
Balance at 1 July 2014	4,379	4,379
Net result for the year	<u>(5,325)</u>	<u>(5,325)</u>
Other comprehensive income:		
Total other comprehensive income	<u>-</u>	<u>-</u>
Total comprehensive income for the year	<u>(5,325)</u>	<u>(5,325)</u>
Balance at 30 June 2015	<u>(946)</u>	<u>(946)</u>

Office of the Director of Public Prosecutions
Statement of cash flows for the year ended 30 June 2016

	Actual 2016 \$'000	Budget 2016 \$'000	Actual 2015 \$'000
Notes			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee related	(95,206)	(96,027)	(84,324)
Grants and subsidies	(1)	(107)	(265)
Other	<u>(25,935)</u>	<u>(22,226)</u>	<u>(24,800)</u>
Total payments	<u>(121,142)</u>	<u>(118,360)</u>	<u>(109,389)</u>
Receipts			
Recurrent appropriation	113,890	115,790	103,323
Capital appropriation	3,068	3,068	1,368
Transfers to the Crown Entity	(118)	-	(1,600)
Sale of goods and services	23	80	27
Interest received	90	112	220
Grants and contributions	4,202	-	280
Other	<u>2,714</u>	<u>2,414</u>	<u>2,909</u>
Total receipts	<u>123,869</u>	<u>121,464</u>	<u>106,527</u>
NET CASH FLOWS FROM OPERATING ACTIVITIES	<u>17</u>	<u>3,104</u>	<u>(2,862)</u>
CASH FLOWS FROM INVESTING ACTIVITIES			
Proceeds from sale of plant and equipment	1	5	4
Purchases of plant and equipment	(2,503)	(2,568)	(1,007)
Other	<u>(566)</u>	<u>(500)</u>	<u>(364)</u>
NET CASH FLOWS FROM INVESTING ACTIVITIES	<u>(3,068)</u>	<u>(3,063)</u>	<u>(1,367)</u>
CASH FLOWS FROM FINANCING ACTIVITIES			
NET CASH FLOWS FROM FINANCING ACTIVITIES	<u>-</u>	<u>-</u>	<u>-</u>
NET INCREASE (DECREASE) IN CASH	<u>(341)</u>	<u>41</u>	<u>(4,229)</u>
Opening cash and cash equivalents	<u>2,693</u>	<u>2,783</u>	<u>6,922</u>
CLOSING CASH AND CASH EQUIVALENTS	<u>7</u>	<u>2,824</u>	<u>2,693</u>

The accompanying notes form part of these financial statements.

Office of the Director of Public Prosecutions
Service group statements for the year ended 30 June 2016

	Service Group 1 Prosecutions*		Service Group 2 Victim and Witness Assistance*		Not Attributable		Total	
	2016	2015	2016	2015	2016	2015	2016	2015
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
OFFICE'S EXPENSES AND INCOME								
Expenses excluding losses								
Operating expenses								
• Employee related	98,154	90,312	3,358	3,032	-	-	101,512	93,344
• Other operating expenses	21,272	18,826	605	553	-	-	21,877	19,379
Depreciation and amortisation	3,052	2,857	154	134	-	-	3,206	2,991
Grants and subsidies	1	261	-	5	-	-	1	266
Other expenses	-	-	3,080	2,876	-	-	3,080	2,876
Total expenses excluding losses	122,479	112,256	7,197	6,600			129,676	118,856
Revenue**								
Recurrent appropriation	-	-	-	-	113,797	103,206	113,797	103,206
Capital appropriation	-	-	-	-	3,068	1,367	3,068	1,367
Sale of goods and services	23	27	-	-	-	-	23	27
Investment revenue	-	193	-	7	-	-	-	200
Grants and contributions	4,202	1,858	-	78	-	-	4,202	1,936
Acceptance by the Crown Entity of employee benefits and other liabilities	8,427	7,500	288	252	-	-	8,715	7,752
Other revenue	255	514	8	2	-	-	263	516
Total revenue	12,907	10,092	296	339	116,865	104,573	130,068	115,004
Gain / (loss) on disposal	(6)	(7)	-	-	-	-	(6)	(7)
Other gains / (losses)	-	(1,466)	-	-	-	-	-	(1,466)
Net result	(109,578)	(103,637)	(6,901)	(6,261)	116,865	104,573	386	(5,325)
Other comprehensive income								
Total other comprehensive income								
TOTAL COMPREHENSIVE INCOME	(109,578)	(103,637)	(6,901)	(6,261)	116,865	104,573	386	(5,325)

* The names and purposes of each service group are summarised in note 6.

** Appropriations are made on an entity basis and not to individual service groups. Consequently, appropriations must be included in the 'Not Attributable' column.

Supplementary financial statements

Office of the Director of Public Prosecutions
Service group statements for the year ended 30 June 2016

OFFICE'S ASSETS & LIABILITIES	Service Group 1 Prosecutions *		Service Group 2 Victim and Witness Assistance *		Not Attributable		Total	
	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000	2016 \$'000	2015 \$'000
Current assets								
Cash and cash equivalents	2,240	2,564	112	129	-	-	2,352	2,693
Receivables	1,528	2,640	56	112	-	-	1,584	2,752
Total current assets	3,768	5,204	168	241			3,936	5,445
Non-current assets								
Receivables	-	160	-	6	-	-	-	166
Plant and equipment	9,507	9,264	468	459	-	-	9,975	9,723
Intangible assets	2,261	2,538	115	126	-	-	2,376	2,664
Total non-current assets	11,768	11,962	583	591			12,351	12,553
TOTAL ASSETS	15,536	17,166	751	832			16,287	17,998
Current liabilities								
Payables	1,144	3,922	197	304	-	-	1,341	4,226
Provisions	11,684	10,998	400	424	-	-	12,084	11,422
Other	90	118	3	-	-	-	93	118
Total current liabilities	12,918	15,038	600	728			13,518	15,766
Non-current liabilities								
Provisions	3,215	3,140	114	38	-	-	3,329	3,178
Total non-current liabilities	3,215	3,140	114	38			3,329	3,178
TOTAL LIABILITIES	16,133	18,178	714	766			16,847	18,944
NET ASSETS	(597)	(1,012)	37	66			(560)	(946)

* The names and purposes of each service group are summarised in note 6.

Supplementary financial statements

Office of the Director of Public Prosecutions
 Summary of compliance with financial directives for the year ended 30 June 2016

	2016			2015			
	Recurrent Appropriation \$'000	Expenditure / Net Claim on Consolidated Fund \$'000	Capital Appropriation \$'000	Expenditure / Net Claim on Consolidated Fund \$'000	Recurrent Appropriation \$'000	Capital Appropriation \$'000	Expenditure / Net Claim on Consolidated Fund \$'000
ORIGINAL BUDGET APPROPRIATION / EXPENDITURE							
▪ Appropriation Act	115,790	113,797	3,068	3,068	106,688	1,368	1,367
OTHER APPROPRIATIONS / EXPENDITURE							
Total Appropriations / Expenditure / Net Claim on Consolidated Fund (includes transfer payments)	115,790	113,797	3,068	3,068	106,688	1,368	1,367
Amount drawn down against Appropriation		113,890		3,068			1,368
Liability to Consolidated Fund *		93		-			117

The summary of compliance is based on the assumption that Consolidated Fund moneys are spent first (except where otherwise identified or prescribed).

* The "Liability to Consolidated Fund" represents the difference between the 'Amount drawn down against Appropriation' and the 'Expenditure / Net Claim on Consolidated Fund'.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

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Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

1 Summary of Significant Accounting Policies

(a) Reporting entity

The Office of the Director of Public Prosecutions (the Office) is a NSW government entity. The Office is a not-for-profit entity (as profit is not its principal objective) and it has no cash generating units. The Office is consolidated as part of the NSW Total State Sector Accounts.

These financial statements for the year ended 30 June 2016 have been authorised for issue by the Director on 13 September 2016.

(b) Basis of preparation

The Office's financial statements are general purpose financial statements which have been prepared on an accruals basis and in accordance with:

- applicable Australian Accounting Standards (which include Australian Accounting Interpretations)
- the requirements of the *Public Finance and Audit Act 1983* and *Public Finance and Audit Regulation 2015* and
- the Financial Reporting Directions published in the Financial Reporting Code for NSW General Government Sector Entities or issued by the Treasurer.

While the Office has negative net assets at reporting date, the financial statements have been prepared on a going-concern basis, after taking into account future funding from government appropriations. Cash flow forecasts demonstrate that with the appropriation funding, the Office will have sufficient funds to pay its debts as and when they are due for at least next 12 months from the end of the reporting period.

Plant and equipment are measured at fair value. Other financial statement items are prepared in accordance with the historical cost convention except where specified otherwise.

Judgements, key assumptions and estimations management has made are disclosed in the relevant notes to the financial statements.

All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency.

(c) Statement of compliance

The financial statements and notes comply with Australian Accounting Standards, which include Australian Accounting Interpretations.

(d) Insurance

The Office's insurance activities are conducted through the NSW Treasury Managed Fund Scheme of self-insurance for Government entities. The expense (premium) is determined by the Fund Manager based on past claims experience.

(e) Accounting for the Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of GST, except that the:

- amount of GST incurred by the Office as a purchaser that is not recoverable from the Australian Taxation Office is recognised as part of an asset's cost of acquisition or as part of an item of expense and
- receivables and payables are stated with the amount of GST included.

Cash flows are included in the statement of cash flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the Australian Taxation Office are classified as operating cash flows.

(f) Income recognition

Income is measured at the fair value of the consideration or contribution received or receivable. Comments regarding the accounting policies for the recognition of income are discussed below.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

1 Summary of Significant Accounting Policies (cont'd)

(f) *Income recognition (cont'd)*

(i) Parliamentary appropriations and contributions

Except as specified below, parliamentary appropriations and contributions from other bodies (including grants and donations) are recognised as income when the Office obtains control over the assets comprising the appropriations / contributions. Control over appropriations and contributions is normally obtained upon the receipt of cash.

Appropriations are not recognised as income in the following circumstance:

Unspent appropriations are recognised as liabilities rather than income, as the authority to spend the money lapses and the unspent amount must be repaid to the Consolidated Fund.

The liability is disclosed in note 13 as part of 'Current liabilities - Other'. The amount will be repaid and the liability will be extinguished next financial year.

(ii) Rendering of services

Revenue is recognised when the service is provided or by reference to the stage of completion (based on labour hours incurred to date).

(iii) Investment revenue

Interest revenue is recognised using the effective interest method as set out in AASB 139 *Financial Instruments: Recognition and Measurement*.

(g) *Assets*

(i) Acquisitions of assets

Assets acquired are initially recognised at cost. Cost is the amount of cash or cash equivalents paid or the fair value of the other consideration given to acquire the asset at the time of its acquisition or construction or, where applicable, the amount attributed to that asset when initially recognised in accordance with the requirements of other Australian Accounting Standards.

Assets acquired at no cost, or for nominal consideration, are initially recognised at their fair value at the date of acquisition.

Fair value is the price that would be received to sell an asset in an orderly transaction between market participants at measurement date.

(ii) Capitalisation thresholds

Plant and equipment and intangible assets costing \$5,000 and above individually (or forming part of a network costing more than \$5,000) are capitalised.

(iii) Revaluation of plant and equipment

Physical non-current assets are valued in accordance with the 'Valuation of Physical Non-Current Assets at Fair Value' Policy and Guidelines Paper (TPP 14-01). This policy adopts fair value in accordance with AASB 13 *Fair Value Measurement*, AASB 116 *Property, Plant and Equipment*.

Plant and equipment is measured at the highest and best use by market participants that is physically possible, legally permissible and financially feasible. The highest and best use must be available at a period that is not remote and takes into account the characteristics of the asset being measured, including any socio-political restrictions imposed by government. In most cases, after taking into account these considerations, the highest and best use is the existing use. In limited circumstances, the highest and best use may be a feasible alternative use, where there are no restrictions on use or where there is a feasible higher restricted alternative use.

Fair value of plant and equipment is based on a market participants' perspective, using valuation techniques (market approach, cost approach, income approach) that maximise relevant observable inputs and minimise unobservable inputs. Also refer to note 9 for further information regarding fair value.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

1 Summary of Significant Accounting Policies (cont'd)

(g) *Assets (cont'd)*

(iii) Revaluation of plant and equipment (cont'd)

The Office revalues each class of plant and equipment at least every five years or with sufficient regularity to ensure that the carrying amount of each asset in the class does not differ materially from its fair value at reporting date. The last revaluation of the Office's library books was completed on 31 March 2015 and was based on an independent assessment.

Non-specialised assets with short useful lives are measured at depreciated historical cost, as an approximation of fair value. The Office has assessed that any difference between fair value and depreciated historical cost is unlikely to be material.

When revaluing non-current assets using the cost approach, the gross amount and the related accumulated depreciation are separately restated.

For other assets valued using other valuation techniques, any balances of accumulated depreciation at the revaluation date in respect of those assets are credited to the asset accounts to which they relate. The net asset accounts are then increased or decreased by the revaluation increments or decrements.

Revaluation increments are credited directly to revaluation surplus, except that, to the extent that an increment reverses a revaluation decrement in respect of that class of asset previously recognised as an expense in the net result, the increment is recognised immediately as revenue in the net result.

Revaluation decrements are recognised immediately as expenses in the net result, except that, to the extent that a credit balance exists in the asset revaluation surplus in respect of the same class of assets, they are debited directly to the asset revaluation surplus.

As a not-for-profit entity, revaluation increments and decrements are offset against one another within a class of non-current assets, but not otherwise.

Where an asset that has previously been revalued is disposed of, any balance remaining in the asset revaluation surplus in respect of that asset is transferred to accumulated funds.

(iv) Impairment of plant and equipment

As a not-for-profit entity with no cash generating units, impairment under AASB 136 *Impairment of Assets* is unlikely to arise. As plant and equipment is carried at fair value or an amount that approximates fair value, impairment can only arise in the rare circumstances such as where the costs of disposal are material. Specifically, impairment is unlikely for not-for-profit entities given that AASB 136 modifies the recoverable amount test for non-cash generating assets of not-for-profit entities to the higher of fair value less costs of disposal and depreciated replacement cost where depreciated replacement cost is also fair value.

(v) Depreciation of plant and equipment

Depreciation is provided for on a straight-line basis for all depreciable assets so as to write off the depreciable amount of each asset as it is consumed over its useful life to the Office.

All material identifiable components of assets are depreciated separately over their useful lives.

	2016	2015
Computer laptop	4 years	3 years
Computer servers	4 years	3 years
Computer equipments	4 years	4 years
Office equipments	5 years	5 years
Multifunction devices	5 years	5 years
PABX equipments	5 years	5 years
Office furniture and fittings	10 years	10 years
Library books	15 years	15 years

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

1 Summary of Significant Accounting Policies (cont'd)

(g) Assets (cont'd)

(vi) Restoration costs

The estimated cost of dismantling and removing an asset and restoring the site is included in the cost of an asset, to the extent it is recognised as a liability.

(vii) Maintenance

Day-to-day servicing costs or maintenance are charged as expenses as incurred, except where they relate to the replacement of a part or component of an asset, in which case the costs are capitalised and depreciated.

(viii) Leased assets

A distinction is made between finance leases which effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of the leased assets, and operating leases under which the lessor does not transfer substantially all the risks and rewards.

Operating lease payments are recognised as an expense on a straight-line basis over the lease term.

(ix) Intangible assets

The Office recognises intangible assets only if it is probable that future economic benefits will flow to the Office and the cost of the asset can be measured reliably. Intangible assets are measured initially at cost. Where an asset is acquired at no or nominal cost, the cost is its fair value as at the date of acquisition.

Development costs are only capitalised when certain criteria are met.

The useful lives of intangible assets are assessed to be finite.

Intangible assets are subsequently measured at fair value only if there is an active market. As there is no active market for the Office's intangible assets, the assets are carried at cost less any accumulated amortisation and impairment losses.

The Office classifies software as intangible assets. The Office's intangible assets are amortised using the straight line method over a period of 4 years.

Intangible assets are tested for impairment where an indicator of impairment exists. If the recoverable amount is less than its carrying amount the carrying amount is reduced to recoverable amount and the reduction is recognised as an impairment loss.

(x) Receivables

Short-term receivables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(xi) Impairment of financial assets

All financial assets, except those measured at fair value through profit and loss, are subject to an annual review for impairment. An allowance for impairment is established when there is objective evidence that the Office will not be able to collect all amounts due.

For financial assets carried at amortised cost, the amount of the allowance is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate. The amount of the impairment loss is recognised in the net result for the year.

(xii) Derecognition of financial assets and financial liabilities

A financial asset is derecognised when the contractual rights to the cash flows from the financial assets expire; or if the Office transfers the financial asset:

- where substantially all the risks and rewards have been transferred or

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

1 Summary of Significant Accounting Policies (cont'd)

(g) *Assets (cont'd)*

(xii) Derecognition of financial assets and financial liabilities (cont'd)

- where the Office has not transferred substantially all the risks and rewards, if the entity has not retained control.

Where the Office has neither transferred nor retained substantially all the risks and rewards or transferred control, the asset is recognised to the extent of the Office's continuing involvement in the asset.

A financial liability is derecognised when the obligation specified in the contract is discharged or cancelled or expires.

(h) *Liabilities*

(i) Payables

These amounts represent liabilities for goods and services provided to the Office and other amounts. Payables are recognised initially at fair value, usually based on the transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method. Short-term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(ii) Financial guarantees

The Office has reviewed its financial guarantees and determined that there is no material liability to be recognised for financial guarantee contracts as at 30 June 2016 and at 30 June 2015. However, refer note 16 regarding disclosures on contingent liabilities.

(iii) Employee benefits and other provisions

(a) Salaries and wages, annual leave, sick leave and on-costs

Salaries and wages (including non-monetary benefits) and paid sick leave that are expected to be settled wholly within 12 months after the end of the period in which the employees render the service are recognised and measured at the undiscounted amounts of the benefits.

Annual leave is not expected to be settled wholly before twelve months after the end of the annual reporting period in which the employees render the related service. As such, it is required to be measured at present value in accordance with AASB 119 *Employee Benefits* (although short-cut methods are permitted).

Actuarial advice obtained by Treasury has confirmed that the use of a nominal annual leave balance plus the annual leave entitlements accrued while taking annual leave (calculated using 7.9% of the nominal value of annual leave) can be used to approximate the present value of the annual leave liability. The Office has assessed the actuarial advice based on the Office's circumstances and has determined that the effect of discounting is immaterial to annual leave.

Unused non-vesting sick leave does not give rise to a liability as it is not considered probable that sick leave taken in the future will be greater than the benefits accrued in the future.

Crown Prosecutors are entitled to compensatory leave when they perform duties during their vacation. Unused compensatory leave gives rise to a liability and is disclosed as part of annual leave.

(b) Long service leave and superannuation

The Office's liabilities for long service leave and defined benefit superannuation are assumed by the Crown Entity. The Office accounts for the liability as having been extinguished, resulting in the amount assumed being shown as part of the non-monetary revenue item described as 'Acceptance by the Crown Entity of employee benefits and other liabilities'.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

1 Summary of Significant Accounting Policies (cont'd)

(h) *Liabilities (cont'd)*

(iii) **Employee benefits and other provisions (cont'd)**

Long service leave is measured at present value in accordance with AASB 119 *Employee Benefits*. This is based on the application of certain factors (specified in NSWTC 15/09) to employees with five or more years of service, using current rates of pay. These factors were determined based on an actuarial review to approximate present value.

The superannuation expense for the financial year is determined by using the formulae specified in the Treasurer's Directions. The expense for certain superannuation schemes (e.g Basic Benefit and First State Super) is calculated as a percentage of the employees' salary. For other superannuation schemes (ie State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees' superannuation contributions.

(c) **Consequential on-costs**

Consequential costs to employment are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised. This includes outstanding amounts of payroll tax, workers' compensation insurance premiums and fringe benefits tax.

(iv) **Other Provisions**

Other provisions exist when: the Office has a present legal or constructive obligation as a result of a past event; it is probable that an outflow of resources will be required to settle the obligation; and a reliable estimate can be made of the amount of the obligation.

Any provisions for restructuring are recognised only when the Office has a detailed formal plan and the Office has raised a valid expectation in those affected by the restructuring that it will carry out the restructuring by starting to implement the plan or announcing its main features to those affected.

If the effect of the time value of money is material, provisions are discounted at 2%, which is a pre-tax rate that reflects the current market assessments of the time value of money and the risks specific to the liability.

(i) *Fair value hierarchy*

A number of the Office's accounting policies and disclosures require the measurement of fair values, for both financial and non-financial assets and liabilities. When measuring fair value, the valuation technique used maximises the use of relevant observable inputs and minimises the use of unobservable inputs. Under AASB 13, the Office categorises, for disclosure purposes, the valuation techniques based on the inputs used in the valuation techniques as follows:

- Level 1 - quoted prices in active markets for identical assets / liabilities that the Office can access at the measurement date.
- Level 2 - inputs other than quoted prices included within Level 1 that are observable, either directly or indirectly.
- Level 3 - inputs that are not based on observable market data (unobservable inputs).

The Office recognises transfers between levels of the fair value hierarchy at the end of the reporting period during which the change has occurred.

Refer Note 9 and Note 18 for further disclosures regarding fair value measurements of financial and non-financial assets.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

1 Summary of Significant Accounting Policies (cont'd)

(j) *Equity and reserves*

(i) *Revaluation surplus*

The revaluation surplus is used to record increments and decrements on the revaluation of non-current assets. This accords with the Office's policy on the revaluation of property, plant and equipment as discussed in note 1(g)(iii).

(ii) *Accumulated Funds*

The category 'Accumulated Funds' includes all current and prior period retained funds.

(k) *Budgeted amounts*

The budgeted amounts are drawn from the original budgeted financial statements presented to Parliament in respect of the reporting period. There are no budget adjustments to the original budget as a result of Administrative Arrangement Orders. Major variances between the original budgeted amounts and the actual amounts disclosed on the primary financial statements are explained in Note 15.

(l) *Comparative information*

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements.

(m) *Incentive*

Lease incentives payable under operating leases are recognised initially as liabilities. The incentive is subsequently amortised over the contract term, as a reduction of expenses. The straight-line method is adopted for reduction of expense.

(n) *Witness expenses*

Witness expenses are paid to witnesses who attend conferences with the Office and court to give evidence for the prosecution. Witness expenses are designed to minimise financial hardship and are paid towards lost income and direct out of pocket expenses such as travel expenses incurred in attending court.

(o) *Changes in accounting policy, including new or revised Australian Accounting Standards*

(i) The accounting policies applied in 2015-16 are consistent with previous financial year

(ii) Issued but not yet effective

The following new Accounting Standards have not been applied and are not yet effective

AASB 9 and AASB 2014-7 regarding financial instruments. AASB 2014-7 incorporates the consequential amendments arising from the issuance of AASB 9.

AASB 1057 and AASB 2015-9 *Amendments to Australian Accounting Standards - Scope and Application Paragraphs*. The amendments set out in this Standard apply to entities and financial statements in accordance with the application of the other Standards and Interpretations set out in AASB 1057 *Application of Australian Accounting Standards*.

AASB 2014-4 *Amendments to Australian Accounting Standards - Clarification of acceptable methods of depreciation and amortisation*. This standard amends AASB 116 *Property, Plant and Equipment* and AASB 138 *Intangible Assets*.

AASB 2015-1 regarding annual improvements to Australian Accounting Standards 2012-2014 cycle. This Standard makes amendments to Australian Accounting Standards listed in paragraph 1 of the Standards. These amendments arise from the issuance of International Financial Reporting Standard Annual Improvements to IFRS s2012-2014 Cycle in September 2014 by the IASB, and editorial corrections.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

1 Summary of Significant Accounting Policies (cont'd)

(o) *Changes in accounting policy, including new or revised Australian Accounting Standards (cont'd)*

(ii) *Issued but not yet effective (cont'd)*

AASB 2015-2 regarding amendments to AASB 101 disclosure initiatives. This Standard makes amendments to Australian Accounting Standards AASB 7 *Financial Instruments: Disclosures*, AASB 101 *Presentation of Financial Statements*, AASB 134 *Interim Financial Reporting* and AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

AASB 2015-6 *Amendments to Australian Accounting Standards-Extending Related Party Disclosures to Not-for-Profit Public Sector Entities*. The amendments extend the scope of AASB 124 *Related Party Disclosures* to include Not-for-Profit Public Sector entities. The key impact of the amendments is to specify consistent related party disclosure requirements for the Australian Government, State Governments, Local Councils and other Not-for-Profit entities.

AASB 2015-7 *Amendments to Australian Accounting Standards - Fair Value Disclosures of Not-for-Profit Public Sector Entities*. This Standard relieves Not-for-Profit Public Sector Entities from the following disclosure specified in AASB 13 for assets within the scope of AASB 116 that are held primarily for their current service potential rather than to generate future net cash inflows.

AASB 15 *Revenue from Contracts with Customers*. This Standard replaces AASB 118 *Revenue*, AASB 111 *Construction Contracts* and some revenue-related Interpretations and establishes a new revenue recognition model.

AASB 16 *Leases*. This standard replaces AASB 117 *Leases* and some lease related interpretations and requires all leases to be accounted for 'on-balance sheet' by lessees, other than short-term and low value asset leases.

While the impact of these standards in the period of initial application has not been specifically quantified, they are not expected to materially impact the financial statements.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

2 Expenses Excluding Losses

	2016	2015
	\$'000	\$'000
(a) Employee related expenses		
Salaries and wages (including annual leave)*	80,621	74,008
Superannuation - defined benefit plans	2,084	2,340
Superannuation - defined contribution plans	6,145	5,716
Long service leave	6,514	5,285
Workers' compensation insurance	233	269
Payroll tax and fringe benefit tax	5,278	4,981
On-cost on long service leave	335	555
Temporary staff	302	190
	<u>101,512</u>	<u>93,344</u>

* Employee related costs of \$0.099 million have been capitalised as intangible assets and therefore excluded from above. (2015:\$0.095 million).

	2016	2015
	\$'000	\$'000
(b) Other operating expenses include the following:		
Auditor's remuneration - audit of the financial statements	52	49
Cleaning	411	356
Consultants	135	232
Insurance	567	430
Motor vehicle expenses	222	230
Operating lease rental expense - minimum lease payments	8,277	7,847
Telephone	902	634
Stores and equipment	591	494
Training	170	259
Travel	1,518	1,270
Other expenses	743	834
Outgoings	812	394
Books and online services	531	537
Fees - private barristers	4,622	3,767
Fees - practising certificates	346	320
Fees - security	216	170
Gas and electricity	289	377
Postage	172	153
Maintenance*	1,301	1,026
	<u>21,877</u>	<u>19,379</u>
<i>* Reconciliation - Total maintenance</i>		
Maintenance expense - contracted labour and other (non-employee related), as above	1,301	1,026
Employee related maintenance expense included in Note 2(a)	26	18
Total maintenance expenses included in Note 2(a) + 2(b)	<u>1,327</u>	<u>1,044</u>

	2016	2015
	\$'000	\$'000
(c) Depreciation and amortisation expense		
Depreciation		
Plant and Equipment	1,707	1,752
Computer equipment	623	701
Library collection	22	149
Total Depreciation	<u>2,352</u>	<u>2,602</u>
Amortisation		
Intangible	854	389
	<u>3,206</u>	<u>2,991</u>

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

2 Expenses Excluding Losses (cont'd)

	2016 \$'000	2015 \$'000
(d) Grants and subsidies		
Contribution to TMF for hindsight adjustment	1	150
Grants to agencies for recurrent purposes	<u>-</u>	<u>116</u>
	<u>1</u>	<u>266</u>

	2016 \$'000	2015 \$'000
(e) Other expenses		
Allowances to witness	3,023	2,795
Living expenses of defendant non Australian citizens	<u>57</u>	<u>81</u>
	<u>3,080</u>	<u>2,876</u>

3 Revenue

	2016 \$'000	2015 \$'000
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(a) Appropriations and transfers to the Crown entity

<i>Recurrent appropriations</i>		
Total recurrent draw-downs from NSW Treasury (per Summary of compliance)	113,890	103,323
Less: Liability to Consolidated Fund (per Summary of compliance)	<u>93</u>	<u>117</u>
	<u>113,797</u>	<u>103,206</u>

Comprising:		
Recurrent appropriations (per Statement of comprehensive income)	<u>113,797</u>	<u>103,206</u>
	<u>113,797</u>	<u>103,206</u>

<i>Capital appropriations</i>		
Total capital draw-downs from NSW Treasury (per Summary of compliance)	3,068	1,368
Less: Liability to Consolidated Fund (per Summary of compliance)	<u>-</u>	<u>1</u>
	<u>3,068</u>	<u>1,367</u>

Comprising:		
Capital appropriations (per Statement of comprehensive income)	<u>3,068</u>	<u>1,367</u>
	<u>3,068</u>	<u>1,367</u>

	2016 \$'000	2015 \$'000
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(b) Sale of goods and services

Commissions - miscellaneous deductions	1	1
Cost awarded	<u>22</u>	<u>26</u>
	<u>23</u>	<u>27</u>

	2016 \$'000	2015 \$'000
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(c) Investment revenue

Interest revenue from financial assets not at fair value through profit or loss	<u>-</u>	<u>200</u>
	<u>-</u>	<u>200</u>

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

3 Revenue (cont'd)

	2016	2015
	\$'000	\$'000

(d) Grants and contributions

Contribution from Budget Dependant agencies	4,202	1,936
	4,202	1,936

Grant received from Department of Attorney & Justice for District Court Backlog Program \$3.645 million, Child Sexual Assault Task Force \$0.447 million and E-indictment Software maintenance \$0.110 million.

	2016	2015
	\$'000	\$'000

(e) Acceptance by the Crown Entity of employee benefits and other liabilities

The following liabilities and / or expenses have been assumed by the Crown Entity or other government agencies:

Superannuation - defined benefit	2,084	2,340
Long service leave	6,514	5,285
Payroll tax	117	127
	8,715	7,752

Long service leave valuations are subject to actuarial reviews. The Commonwealth 10 year bond rate as at 30th June each year has an impact on the valuation.

	2016	2015
	\$'000	\$'000

(f) Other revenue

Other revenue	263	516
	263	516

4 Gain / (loss) on Disposal

	2016	2015
	\$'000	\$'000

Gain / (loss) on disposal of computer equipment

Proceeds from disposal	-	2
Written down value of assets disposed	(6)	(9)
Net gain / (loss) on disposal of office equipment	(6)	(7)

5 Other gains/(losses)

	2016	2015
	\$'000	\$'000

Library collection revaluation decrement	-	(1,466)
Other gains / (losses) total	-	(1,466)

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

6 Service Groups of the Office

(a) Service Group 1 Prosecutions

Purpose: To provide the people of New South Wales with an efficient, fair and just prosecution service.

Description: The service group covers the institution and conduct of prosecutions and related proceedings for indictable offences under NSW laws. This includes providing advice to police and investigative agencies on evidentiary matters, participating in the law reform process and capturing the proceeds of crime.

(b) Service Group 2 Victim and Witness Assistance

Purpose: To provide victims and witnesses with relevant information and support in the prosecution process.

Description: This service group covers the provision of information, referral and support services to victims of violent crimes and to vulnerable witnesses who give evidence in matters prosecuted by the Director of Public Prosecutions.

Service Group 'Statement of assets and liabilities' and 'Statement of expenses and income' are provided in the supplementary financial statements.

7 Current Assets - Cash and Cash Equivalents

	2016 \$'000	2015 \$'000
Cash at bank and on hand	2,317	2,650
Permanent witness advance	35	43
	2,352	2,693

For the purposes of the statement of cash flows, cash and cash equivalents include cash at bank, cash on hand and witness advances float given to courthouses.

Cash and cash equivalent assets recognised in the statement of financial position are reconciled at the end of the financial year to the statement of cash flows as follows:

	2016 \$'000	2015 \$'000
Cash and cash equivalents (per statement of financial position)	2,352	2,693
Closing cash and cash equivalents (per statement of cash flows)	2,352	2,693

Refer note 18 for details regarding credit risk, liquidity risk, and market risk arising from financial instruments.

8 Current / Non-Current Assets - Receivables

	2016 \$'000	2015 \$'000
Current Receivables		
Rendering of services	28	22
Goods and Services Tax recoverable from ATO	384	394
Prepayments	1,134	2,197
Interest	-	90
Advances	38	49
	1,584	2,752

Details regarding credit risk, liquidity risk and market risk, including financial assets that are either past due or impaired, are disclosed in note 18.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

8 Current / Non-Current Assets - Receivables (cont'd)

	2016 \$'000	2015 \$'000
Non-current Receivables		
Prepayments	-	<u>166</u>
	<u>-</u>	<u>166</u>

9 Non-Current Assets - Plant and Equipment

	Total \$'000
At 1 July 2015 - fair value	
Gross carrying amount	28,669
Accumulated depreciation	<u>(18,946)</u>
Net carrying amount	<u>9,723</u>
At 30 June 2016 - fair value	
Gross carrying amount	30,245
Accumulated depreciation	<u>(20,270)</u>
Net carrying amount	<u>9,975</u>

Reconciliation

A reconciliation of the carrying amount of plant and equipment at the beginning and end of the current reporting period is set out below.

As the fair value of the library collection assets is immaterial to the financial statements, collection assets are included within the plant and equipment asset class.

	Total \$'000
Year ended 30 June 2016	
Net carrying amount at start of year	9,723
Additions	2,610
Disposals	(6)
Depreciation expense	<u>(2,352)</u>
Net carrying amount at end of year	<u>9,975</u>
	Total \$'000
At 1 July 2014 - fair value	
Gross carrying amount	29,645
Accumulated depreciation	<u>(16,849)</u>
Net carrying amount	<u>12,796</u>
At 30 June 2015 - fair value	
Gross carrying amount	28,669
Accumulated depreciation	<u>(18,946)</u>
Net carrying amount	<u>9,723</u>

Reconciliation

A reconciliation of the carrying amount of each class of plant and equipment at the beginning and end of the previous reporting period is set out below.

As the fair value of the library collection assets is immaterial to the financial statements, collection assets are included within the plant and equipment asset class.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

9 Non-Current Assets - Plant and Equipment (cont'd)

	Total \$'000
Year ended 30 June 2015	
Net carrying amount at start of year	12,796
Additions	1,007
Disposals	(11)
Net revaluation increment less revaluation decrements	(1,466)
Depreciation expense	<u>(2,603)</u>
Net carrying amount at end of year	<u>9,723</u>

(a) Fair value hierarchy

	Level 1	Level 2	Level 3	Total fair value
	\$'000	\$'000	\$'000	\$'000
2016				
Library collection	<u>-</u>	<u>159</u>	<u>157</u>	<u>316</u>
	<u>-</u>	<u>159</u>	<u>157</u>	<u>316</u>
	Level 1	Level 2	Level 3	Total fair value
	\$'000	\$'000	\$'000	\$'000

2015

Library collection	<u>-</u>	<u>142</u>	<u>169</u>	<u>311</u>
	<u>-</u>	<u>142</u>	<u>169</u>	<u>311</u>

There were no transfer between Level 1 or 2 during the period.

(b) Valuation techniques, inputs and processes

The Office controls and maintains a law library collection. Assets that do not transact with enough frequency or transparency to develop objective opinions of value from observable market evidence (monographs) have been measured utilising the cost approach. Under the cost approach the estimated cost to replace the asset is calculated and then adjusted to take into account its consumed economic benefit / asset obsolescence (accumulated depreciation). Consumed economic benefit / asset obsolescence has been determined based on professional judgement regarding physical, economic and external obsolescence factors relevant to the asset under consideration. Inputs include current average replacement costs, which have been sourced from observable market related evidence and are considered level 2 inputs as well as physical deterioration and obsolescence deductions. These are considered unobservable inputs and categorised as level 3 in the fair value hierarchy.

As part of the law library collection, the entity controls a legislation sub-collection where the market transitions do not generally occur with reliable frequency. Reference was made to available sales evidence together with other relevant information related to market conditions. Market transactions have been scarce and the valuer has used significant professional judgement in determining the fair value measurements.

The current use of the assets is considered the highest and best use.

Significant Level 3 inputs utilised by the agency are derived and evaluated as follows:

The significant unobservable inputs used in the fair value measurement of library collection relate to the consumed economic benefit/asset obsolescence. A significant increase (decrease) in this input would result in a significantly lower (higher) fair value measurement.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

9 Non-Current Assets - Plant and Equipment (cont'd)

(c) Reconciliation of recurring level 3 fair value measurements

	Library collection \$'000	Total Recurring level 3 Fair value \$'000
Fair value as at 1 July 2015	169	169
Depreciation	(12)	(12)
Fair value as at 30 June 2016	<u>157</u>	<u>157</u>
	Library collection \$'000	Total Recurring level 3 Fair value \$'000
Fair value as at 1 July 2014	-	-
Transfers from Level 2	169	169
Fair value as at 30 June 2015	<u>169</u>	<u>169</u>

10 Non-Current Assets - Intangible Assets

	Software and Others \$'000
At 1 July 2015	
Cost (gross carrying amount)	3,621
Accumulated amortisation	(957)
Net carrying amount	<u>2,664</u>
At 30 June 2016	
Cost (gross carrying amount)	4,174
Accumulated amortisation	(1,798)
Net carrying amount	<u>2,376</u>
Year ended 30 June 2016	
Net carrying amount at start of year	2,664
Additions	566
Amortisation (recognised in "depreciation and amortisation")	(854)
Net carrying amount at end of year	<u>2,376</u>
At 1 July 2014	
Cost (gross carrying amount)	1,607
Accumulated amortisation	(574)
Net carrying amount	<u>1,033</u>
At 30 June 2015	
Cost (gross carrying amount)	3,621
Accumulated amortisation	(957)
Net carrying amount	<u>2,664</u>
Year ended 30 June 2015	
Net carrying amount at start of year	1,033
Additions	2,020
Amortisation (recognised in "depreciation and amortisation")	(389)
Net carrying amount at end of year	<u>2,664</u>

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

11 Current Liabilities - Payables

	2016	2015
	\$'000	\$'000
Accrued salaries, wages and on-costs	103	2,698
Creditors	381	795
Accruals	<u>867</u>	<u>733</u>
	<u>1,341</u>	<u>4,226</u>

Details regarding credit risk, liquidity risk and market risk, including a maturity analysis of the above payables, are disclosed in note 18.

12 Current / Non-Current Liabilities - Provisions

	2016	2015
	\$'000	\$'000
Current		
Employee benefits and related on-costs		
Annual leave	6,716	6,426
On-cost on annual leave and long service leave	3,147	2,903
Payroll tax on-cost for annual leave and long service leave	<u>1,945</u>	<u>1,785</u>
	<u>11,808</u>	<u>11,114</u>

Annual leave includes \$0.842 million expected to be taken after 12 months (2015: \$0.700 million).

Other provisions

Rent adjustment reserve	-	35
Incentive	<u>276</u>	<u>273</u>
	<u>276</u>	<u>308</u>
Total provisions - current	<u>12,084</u>	<u>11,422</u>

	2016	2015
	\$'000	\$'000

Non-current

Employee benefits and related on-costs		
On-cost on long service leave	227	249
Payroll tax on-cost for long service leave	<u>137</u>	<u>155</u>
	<u>364</u>	<u>404</u>

Other provisions

Restoration costs	2,308	1,939
Rent adjustment reserve	182	95
Incentive	<u>475</u>	<u>740</u>
	<u>2,965</u>	<u>2,774</u>
Total provisions - non-current	<u>3,329</u>	<u>3,178</u>

Aggregate employee benefits and related on-costs

Provisions - current	11,808	11,114
Provisions - non-current	364	404
Accrued salaries, wages and on-costs (note 11)	<u>103</u>	<u>2,698</u>
	<u>12,275</u>	<u>14,216</u>

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

12 Current / Non-Current Liabilities - Provisions (cont'd)

Movements in provisions (other than employee benefits)

Movements in each class of provision during the financial year, other than employee benefits are set out below:

	Lease incentive \$'000	Restoration costs \$'000	Rent adjustment reserve \$'000	Total \$'000
2016				
Carrying amount at the beginning of financial year	1,013	1,939	130	3,082
Additional provisions recognised	10	285	116	411
Amounts used	(272)	-	(64)	(336)
Unwinding / change in the discount rate	-	84	-	84
Carrying amount at end of financial year	<u>751</u>	<u>2,308</u>	<u>182</u>	<u>3,241</u>

Restoration costs refers to the present value of estimated cost of make good obligations (in accordance with AASB137) that will arise when existing office accommodation leases expire. The provision is adjusted annually for unwinding and changes in discount rates. Any cost variations in make good expenses at the time of implementation will be recognised in the statement of comprehensive income.

	Lease incentive \$'000	Restoration costs \$'000	Rent adjustment reserve \$'000	Total \$'000
2015				
Carrying amount at the beginning of financial year	1,024	2,080	205	3,309
Additional provisions recognised	130	-	53	183
Amounts used	(141)	-	(128)	(269)
Unwinding / change in the discount rate	-	(141)	-	(141)
Carrying amount at the end of financial year	<u>1,013</u>	<u>1,939</u>	<u>130</u>	<u>3,082</u>

13 Current / Non-Current Liabilities - Other

	2016 \$'000	2015 \$'000
Current		
Liability to consolidated fund	<u>93</u>	<u>118</u>
	<u>93</u>	<u>118</u>

14 Commitments for Expenditure

(a) Capital commitments

Aggregate capital expenditure for the acquisition of computer equipment and library reference materials contracted for at balance date and not provided for:

	2016 \$'000	2015 \$'000
Not later than one year	<u>-</u>	<u>9</u>
Total (including GST)	<u>-</u>	<u>9</u>

The total "capital commitments" above includes nil input tax credit (30 June 2015 : \$0.001 million) recoverable from Australian Taxation Office.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

14 Commitments for Expenditure (cont'd)

(b) Operating lease commitments

Future non-cancellable operating lease rentals not provided for and payable:

	2016 \$'000	2015 \$'000
Not later than one year	8,774	5,225
Later than one year and not later than five years	31,221	10,467
Later than five years	<u>11,966</u>	<u>6,714</u>
Total (including GST)	<u>51,961</u>	<u>22,406</u>

The total "operating lease commitments" above includes input tax credit of \$4.724 million (30 June 2015: \$2.037 million) recoverable from Australian Taxation Office.

Non-cancellable leases relate to commitments for accommodation for ten leased premises throughout the state and lease of motor vehicles. Commitments for accommodation are based on current costs and are subject to future rent reviews.

15 Budget Review

Net result

The actual net result was higher than budget by \$0.268 million, primarily due to the following factors:

- \$0.231 million increase of revenue from a TMF Hindsight adjustment refund
- \$0.034 million less than expected depreciation due to a delay in capitalisation of assets
- \$0.106 million less grant expenses
- \$0.081 million reduction in other expenses

Offsetting factors were

- \$0.114 million reduction in revenue due to a decreased witness assistance expense claim from Treasury
- \$0.059 million reduction in other revenue
- \$0.011 million loss on asset disposal

Other budget variances not impacting on net result were:

- \$3.645 million additional expenditure incurred for the district court backlog program
- \$0.447 million additional expenditure incurred for the child sexual assault pilot and
- \$0.110 million e-indictment software maintenance
- \$2.637 million increase in Crown accepted long service leave
- \$0.118 million decrease in payroll tax on Crown accepted long service leave
- \$2.184 million decrease in Crown accepted define benefits superannuation

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

15 Budget Review (cont'd)

Offset by

- \$4.202 million grant revenue received from Department of Attorney & Justice
- \$0.335 million Crown accepted revenue

Assets and liabilities

Total current assets were lower than budget by \$0.438 million mainly due to decreases in cash and cash equivalents.

Total non-current assets are higher than budget by \$2.040 million mainly due to \$1.656 million non-cash assets transfer for the e-indictment project, \$1.466 million revaluation of the Library collection in 2014/15 and \$1.706 million non cash assets transfer for Newcastle fitout in 2014.

Total current liabilities were lower than budget by \$0.239 million mainly due to a decrease in payables \$1.354 million, Other \$0.182 million and a compensating increase in Provision of \$1.296 million.

Total non-current liabilities were higher than budget by \$0.415 million mainly due to increased revaluation of restoration provision and additional provision for new leased property.

Cash flows

Net cash flows from operating activities were lower than budget by \$0.377 million mainly due to a reduction in revenue collection of \$0.079 million, unexpected liability to con fund payment of \$0.110 million and increased payments to suppliers of \$0.182 million.

16 Contingent Liabilities and Contingent Assets

The Office was not aware of any contingent asset or liability as at 30 June 2016 (\$nil in 2015) that may materially affect the future results of the Office.

17 Reconciliation of Net Cash Flows from Operating Activities to Net Result

	2016 \$'000	2015 \$'000
Net cash flow from operating activities	2,727	(2,862)
Depreciation and amortisation	(3,206)	(2,991)
Decrease / (increase) in provisions	(813)	(371)
Increase / (decrease) in prepayments and other assets	(1,334)	(9)
Decrease / (Increase) in creditors	2,885	(756)
Decrease / (increase) in other liabilities	25	1,482
Increase/(decrease) in Assets	108	182
Net gain / (loss) on sale of plant and equipment	(6)	-
Net result	<u>386</u>	<u>(5,325)</u>

18 Financial Instruments

The Office's principal financial instruments are outlined below. These financial instruments arise directly from the Office's operations or are required to finance the Office's operations. The Office does not enter into or trade financial instruments, including derivative financial instruments, for speculative purposes.

The Office's main risks arising from financial instruments are outlined below, together with the Office's objectives, policies and processes for measuring and managing risk.

The Director has overall responsibility for the establishment and oversight of risk management and reviews and agrees policies for managing each of these risks. Risk management policies are established to identify and analyse the risks faced by the Office, to set risk limits and controls and to monitor risks. Compliance with policies is reviewed by the Audit and Risk Committee on a continuous basis.

Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016

18 Financial Instruments (cont'd)

(a) Financial instrument categories

Financial Assets	Note	Category	Carrying Amount	Carrying Amount
Class:			2016	2015
			\$'000	\$'000
Cash and cash equivalents	7	N/A	2,352	2,693
Receivables ¹	8	Receivables measured at amortised cost	66	151
Financial Liabilities	Note	Category	Carrying Amount	Carrying Amount
Class:			2016	2015
			\$'000	\$'000
Payables ²	11, 13	Financial liabilities measured at cost	1,405	3,679
Provisions	12	Financial liabilities measured at amortised cost	2,308	1,939

¹ Excludes statutory receivables and prepayments

² Excludes statutory payables and unearned revenue

(b) Credit risk

Credit risk arises when there is the possibility of the Office's debtors defaulting on their contractual obligations, resulting in a financial loss to the Office. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance for impairment).

Credit risk arises from the financial assets of the Office, including cash and receivables. No collateral is held by the Office. The Office has not granted any financial guarantees.

Credit risk associated with the Office's financial assets, other than receivables, is managed through the selection of counterparties and establishment of minimum credit rating standards.

Cash

Cash comprises cash on hand and bank balances within the NSW Treasury Banking System. Interest is earned on daily bank balances at the monthly average NSW Treasury Corporation (TCorp) 11am unofficial cash rate, adjusted for a management fee to NSW Treasury.

Receivables - trade debtors

All trade debtors are recognised as amounts receivable at balance date. Collectability of trade debtors is reviewed on an ongoing basis. Procedures as established in the Treasurer's Directions are followed to recover outstanding amounts, including letters of demand. Debts which are known to be uncollectible are written off. An allowance for impairment is raised when there is objective evidence that the entity will not be able to collect all amounts due. This evidence includes past experience, and current and expected changes in economic conditions and debtor credit ratings. No interest is earned on trade debtors. Account receivable invoices are made on 30 day terms.

The Office is not materially exposed to concentrations of credit risk to a single trade debtor or group of debtors. Based on past experience, debtors that are not past due (2016: \$nil; 2015: \$nil) and not less than 3 months past due are not considered impaired. Together, these represent 100% of the total trade debtors. Most of the Office's debtors have a 100% credit rating. There are no debtors which are currently not past due or impaired whose terms have been renegotiated.

**Office of the Director of Public Prosecutions
Notes to the financial statements for the year ended 30 June 2016**

18 Financial Instruments (cont'd)

(c) Liquidity risk

Liquidity risk is the risk that the Office will be unable to meet its payment obligations when they fall due. The Office continuously manages risk through monitoring future cash flows planning to ensure adequate holding of high quality liquid assets. The objective is to maintain a balance between continuity of funding and flexibility through the use of overdrafts, loans and other advances.

During the current and prior years, there were no defaults of loans payable. No assets have been pledged as collateral. The Office's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

The liabilities are recognised for amounts due to be paid in the future for goods or services received, whether or not invoiced. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in NSW TC 11/12. For small business suppliers, where terms are not specified, payment is made not later than 30 days from date of receipt of a correctly rendered invoice. For other suppliers, if trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received. For small business suppliers, where payment is not made within the specified time period, simple interest must be paid automatically unless an existing contract specifies otherwise. For payments to other suppliers, the Office may automatically pay the supplier simple interest. No interest was paid during the year (2016: \$nil, 2015: \$nil).

(d) Market risk

The Office's financial instruments are not exposed to price risk.

Interest rate risk

The Office has no interest bearing liabilities.

Other price risk

The Office's financial instruments are not exposed to price risk.

(e) Fair value measurement

Financial instruments are generally recognised at cost and the carrying amount is a reasonable approximation of fair value because of the short term nature of many of the financial instruments.

19 After Balance Date Events

The Office is not aware of any circumstances that occurred after balance date, which would materially affect the financial statements.

End of audited financial statements

Appendix 16:

ODPP Locations

HEAD OFFICE

Level 17, 175 Liverpool Street
SYDNEY NSW 2000
Locked Bag A8, SYDNEY SOUTH NSW 1232
DX 11525 Sydney Downtown
Telephone: (02) 9285 8606
Facsimile: (02) 9285 8600

SYDNEY WEST OFFICES

Campbelltown

Level 3, Centrecourt Building
101 Queen Street
CAMPBELLTOWN NSW 2560
PO Box 1095, CAMPBELLTOWN NSW 2560
Telephone: (02) 4629 2811
Facsimile: (02) 4629 2800

Parramatta

4 George Street
PARRAMATTA NSW 2150
PO Box 3696, PARRAMATTA NSW 2124
Telephone: (02) 9891 9800
Facsimile: (02) 9891 9866

Penrith

Level 2, 295 High Street
PENRITH NSW 2750
PO Box 781, Penrith Post Business Centre NSW 2750
Telephone: (02) 4721 6100
Facsimile: (02) 4721 4149

REGIONAL OFFICES

Dubbo

Ground Floor, 130 Brisbane Street
DUBBO NSW 2830
PO Box 811, DUBBO NSW 2830
Telephone: (02) 6881 3300
Facsimile: (02) 6882 9401

Wagga Wagga

Level 3, 43-45 Johnston Street
WAGGA WAGGA NSW 2650
PO Box 124, WAGGA WAGGA NSW 2650
Telephone: (02) 6925 8400
Facsimile: (02) 6921 1086

Newcastle

Level 6, 317 Hunter Street
NEWCASTLE NSW 2300
PO Box 779, NEWCASTLE NSW 2300
Telephone: (02) 4929 4399
Facsimile: (02) 4926 2119

Lismore

Level 3, Credit Union Centre
101 Molesworth Street
LISMORE NSW 2480
Po Box 558, LISMORE NSW 2480
Telephone: (02) 6627 2222
Facsimile: (02) 6627 2233

Gosford

Level 2, 107-109 Mann Street
GOSFORD NSW 2250
PO Box 1987, GOSFORD NSW 2250
Telephone: (02) 4337 1111
Facsimile: (02) 4337 1133

Wollongong

Level 2, 166 Keira Street
WOLLONGONG NSW 2500
PO Box 606, WOLLONGONG EAST NSW 2520
Telephone: (02) 4224 7111
Facsimile: (02) 4224 7100

Note: All offices are open Monday to Friday 9:00am – 5:00pm (excluding Public Holidays)

