



CDPP

*Australia's Federal Prosecution Service*

Office of the Director of  
Public Prosecutions (Cth)



Annual Report  
2023–24

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# ★ About this report

This is the Director’s report to the Commonwealth Attorney-General on the performance of the Office of the Director of Public Prosecutions (CDPP) for the financial year 2023–24. The report has been prepared in accordance with [Resource Management Guide No. 135: Annual reports for non-corporate Commonwealth entities](#).

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# ★ Letter of transmittal



**CDPP**

*Australia's Federal Prosecution Service*

**Commonwealth Director  
of Public Prosecutions**

14 October 2024

The Hon Mark Dreyfus KC MP  
Attorney-General  
Parliament House  
Canberra ACT 2600

Dear Attorney-General

It is my pleasure to present to you the annual report of the Office of the Director of Public Prosecutions (**CDPP**) for the financial year 2023–24.

The report has been prepared pursuant to section 46 of the *Public Governance, Performance and Accountability Act 2013* and reflects the matters the CDPP dealt with and the legislation it administered in pursuing its purpose for the year to 30 June 2024.

In accordance with section 10 of the *Public Governance, Performance and Accountability Rule 2014*, I certify I am satisfied the CDPP has prepared fraud risk assessments and a fraud control plan; that the Office has appropriate fraud prevention, detection, investigation recording and reporting mechanisms that meet its needs; and that I have taken all reasonable measures to minimise the potential incidence of fraud in the CDPP. There have been no instances of fraud identified for the year to 30 June 2024.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R. Sharp'.

Raelene Sharp KC  
Director of Public Prosecutions

# ★ Director's review

The Office of the Director of Public Prosecutions (**CDPP**) is the peak agency in the Commonwealth criminal justice system. We provide an independent prosecution service, prosecuting offences against Commonwealth law in all Australian jurisdictions.

We conduct some of the most complex criminal prosecutions in the country. Our case load includes prosecutions relating to foreign interference, terrorism, slavery, war crimes, human trafficking, child exploitation, organised crime, and serious financial and corporate crime.

In the 2023–24 financial year, we had 4,249 cases, 2,018 of those were dealt with, either by conviction, acquittal or otherwise. During the same period, we received 2,094 new referrals from 51 partner agencies.

While the principles and duties that comprise the role of a prosecutor do not change, everything else about what we do does, and has. The legal environment we operate in continues to evolve, from the crimes we prosecute to the court's expectations, our partner agencies' priorities and demands, the evidence we rely on and, most importantly, what our staff want out of work.

In May 2024, I announced a new program of work to review the practising model, and other areas of the Office, with a view to enhancing and modernising the legal practice. This review will ensure our practice is fit for purpose, today and tomorrow, and can effectively understand and meet future challenges. This program of work will be conducted and completed during the 2024–25 financial year.

Our people are our most valuable resource. During the reporting period, we successfully negotiated a new Enterprise Agreement (**EA**) that provided a salary increase to staff, as well as a variety of enhanced non-salary benefits including improvements to flexible working arrangements and an increase to our Employee Health Initiative.

In May 2024, as part of the Federal Budget, the Government announced additional funding for the CDPP over the next two years to specifically address high levels of legal staff attrition. A new prosecutor allowance is expected to help the CDPP attract and retain the experienced legal staff we need to better manage our complex workload.

To ensure we can continue to deliver an effective and efficient prosecution service, we have committed to a legal capability uplift through a comprehensive professional development program. This is outlined in our Legal Capability Strategy 2023–26, which sets out what is required for the Office to respond to capability challenges, risks and opportunities presented by our current and future operating environment. We must ensure our prosecutors are equipped to meet the evolving needs of our partners, our stakeholders, and the community.

We recognise the growing importance of supporting our partner agencies. They play a vital role in the prosecution process by providing briefs of evidence and working closely with us to prepare and present cases in court.



We continue to refine and improve the range of services we provide to our partner agencies. We are committed to collaborating closely with our partners to build investigator and prosecutor capability to deliver improvements in prosecutorial outcomes and timeliness. Our Partner Agency Engagement Strategy 2024-26 will better position us to work more effectively with our partner agencies to seize new opportunities and address future challenges.

This year, we conducted our biennial Partner Agency Satisfaction Survey. We engaged a new provider to review the survey methodology and suite of questions to ensure we are receiving actionable feedback across all our unique stakeholder cohorts. We received 648 responses from our partner agencies and their staff, which is more than triple the responses from our last survey. While we did not meet our ambitious overall target of 90% satisfaction, the more robust survey meant that we received wide-ranging and constructive feedback that will help us improve our performance in the years ahead.

As our prosecutions become increasingly more resource intensive, we are modernising the way we operate. In 2023–24, we launched our eTrial solution. When deployed, this solution streamlines the way jury trials are conducted by facilitating the electronic display, tender and recording of evidence. The solution has the potential to significantly reduce costs, save time and deliver efficiencies for all court participants. The CDPP is working with other prosecution agencies and with courts throughout Australia to expand the number of jury trials conducted without paper court books and (where appropriate) without paper exhibits.

We have also procured a new Evidence Management Solution. In line with that we have developed a cohesive program of training and assistance across our legal practice and built capability in our partners. This year, we also completed the rollout of our Electronic Document and Records Management System, moved to Microsoft Teams calling, built a data warehouse and strengthened our cybersecurity settings.

It has been another busy year for our Office, but our dedicated staff remain committed to serving the community by providing an independent prosecution service that contributes to a fair, safe and just Australia, where Commonwealth laws are respected, offenders are brought to justice and potential offenders are deterred.

I commenced in the role in December 2023. I have been getting to know the great people who together comprise the Office. I appreciate their dedication to the difficult task of prosecuting. Their hard work ensures the Office can and does fulfil its purpose. I look forward to working with them for the rest of my term. I specifically want to thank Scott Bruckard PSM, the Commonwealth Solicitor for Public Prosecutions, who acted as Director for 15 months prior to my appointment.

It is a privilege to be the Director of Public Prosecutions and I am proud to present the 2023–24 Annual Report.

**Raelene Sharp KC**

Director of Public Prosecutions

# Year in review

## Prosecution statistics 2023–24



**7,485**

Offences dealt with\*



**4,249**

Cases before the courts\*



**2,018**

Cases dealt with\*



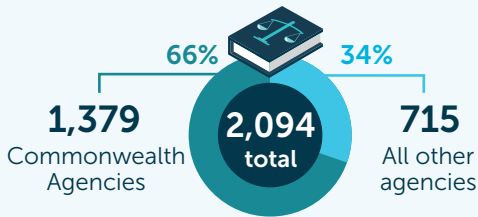
**1,413**

Prosecutions resulting in conviction\*

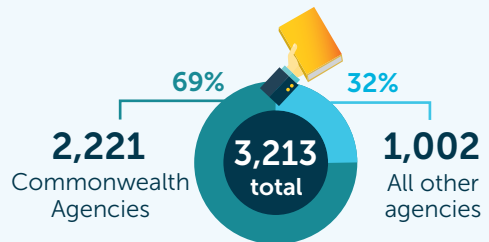
\*includes matters carried over from previous reporting periods

## Breakdown of referrals

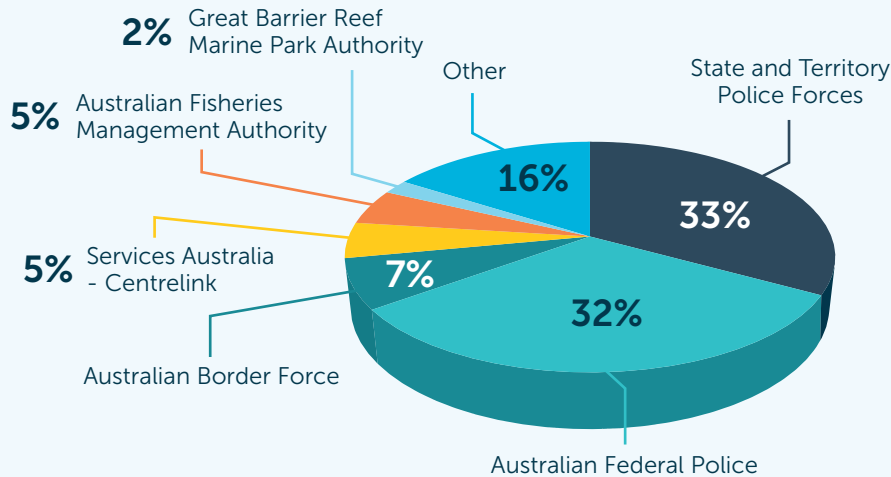
### Referrals received



### Referrals on hand at 30 June 2024



## Top referring agencies



# ★ Part 1: About the CDPP

## Purpose

As outlined in the [Corporate Plan 2023–27](#) and the Portfolio Budget Statements 2023–24, the CDPP’s purpose is to contribute to a fair, safe and just society by delivering an effective independent prosecution service in accordance with the [Prosecution Policy of the Commonwealth](#).

In 2023–24 the CDPP’s strategic framework was based on three themes, which focused and guided effort and underpinned how priorities were set, enabling achievement of the purpose and delivery of outcomes:



## Entity overview

The CDPP is the peak agency in the Commonwealth criminal justice system. It is established under the [Director of Public Prosecutions Act 1983](#) (the **DPP Act**).

The CDPP is an independent agency within the Attorney-General’s portfolio and is led by the Director, who is appointed by the Governor-General for a specified term of up to seven years. The Director and staff together constitute an Office referred to as the Office of the Director of Public Prosecutions (Cth).

The Office prosecutes crimes against Commonwealth laws, from fraud, corporate crime and online child exploitation, through to terrorism and war crimes. It works to build public confidence in the Australian justice system, where the laws of the Commonwealth are respected, offenders are brought to justice and potential offenders are deterred.

The matters the Office prosecutes are diverse and range in complexity, reflecting the evolving and expanding Commonwealth criminal law enforcement and regulatory environment.

## Responsible Minister

The Attorney-General, the Hon Mark Dreyfus KC MP, was the CDPP’s responsible Minister for the reporting period.

## Directions

The Attorney-General has power under section 8 of the DPP Act to issue directions or guidelines to the Director. Directions or guidelines must be in writing and tabled in Parliament, and there must be prior consultation between the Attorney-General and the Director.

No section 8 directions were issued during the reporting period.



## Director of Public Prosecutions

The Director's powers and functions, as set out in the DPP Act, include to institute and carry on prosecutions on indictment for indictable offences against the laws of the Commonwealth and to institute and carry on proceedings for the summary conviction of persons in respect of offences against the laws of the Commonwealth.

The Director has a range of other powers and functions including to:

- discontinue a prosecution
- take over a prosecution instigated by another person
- grant an indemnity
- consent to certain criminal proceedings requiring the Director's consent
- provide legal advice to Commonwealth investigators and
- apply for superannuation forfeiture orders under Commonwealth law.

The CDPP is a non-corporate entity for the purposes of the *Public Governance, Performance and Accountability Act 2013* (the **PGPA Act**). As the CDPP's Accountable Authority, the Director also has a range of responsibilities relating to governance, business operations and outcomes.

Reported powers and functions exercised by the Director, or their delegate, during 2023–24 are set out in **Appendix 5 – Exercise of the Director's statutory functions and powers**.

## Accountable Authority

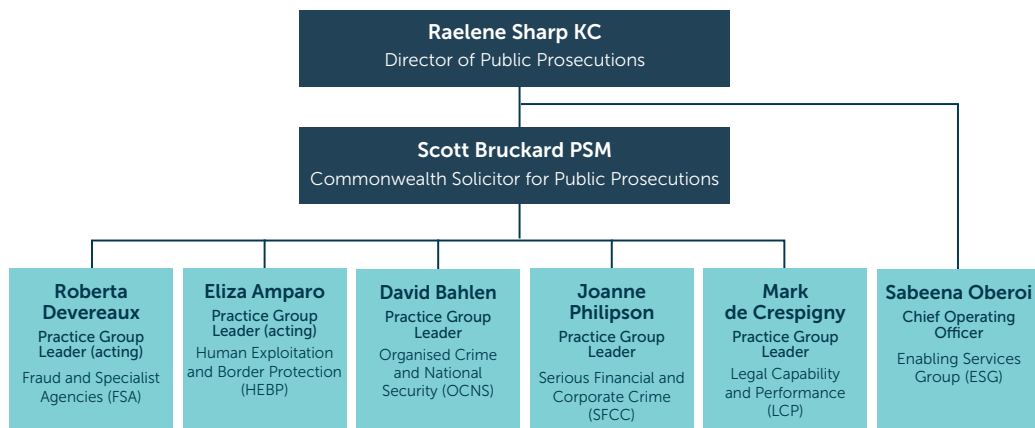
Scott Bruckard PSM served as Acting Director of the CDPP from 3 September 2022 to 3 December 2023.

On 9 November 2023, the Governor-General appointed Ms Raelene Sharp KC as Director of Public Prosecutions for a five-year period commencing 4 December 2023. Ms Sharp KC continued as Director throughout the remainder of the reporting period.

## Structure

The Director is supported by the Commonwealth Solicitor for Public Prosecutions (**CSPP**) to meet her statutory obligations. The CSPP is a Senior Executive Service (**SES**) position under the *Public Service Act 1999*. Practice Group Leaders (Deputy Directors) and the Chief Operating Officer (**COO**) oversee legal and enabling services functions respectively. Each Practice Group Leader reports to the CSPP while the COO reports to the Director.

**Figure 1: CDDP structure as at 30 June 2024**



## A National Practice

The CDPP prosecutes in the courts of every Australian state and territory, and in the Federal Court of Australia. It has offices in Adelaide, Brisbane, Cairns, Canberra, Darwin, Hobart, Melbourne, Perth, Sydney and Townsville.

To most effectively prosecute the broad range of Commonwealth crime types, the Office operates under a national practice model with four prosecuting Practice Groups and a Legal Capability and Performance Group (**LCP**), each led by a Practice Group Leader.

The CDPP’s four prosecuting Practice Groups are organised by broadly compatible crime types, each is responsible for the prosecution of offences that are serious in nature and each requires a high level of specialisation. The LCP works to build capability and improve performance across the legal practice and is also responsible for the Office’s Witness Assistance Service (**WAS**), Freedom of Information and Data and Reporting.

The Enabling Services Group (**ESG**) gives the practice timely and quality corporate advice and services, while delivering modern business solutions and systems to equip lawyers with tools to conduct prosecutions effectively and efficiently. It is also responsible for ensuring the Director meets her obligations and requirements under the PGPA Act and related policies and frameworks.

The national practice group model enables the Office to harness the expertise of our staff and respond to the changing nature and complexity of criminal activity, while delivering consistent prosecution services across the Commonwealth. A summary of the work undertaken by each practice group is provided at Table 1. Further details are available at [www.cdpp.gov.au/our-national-practice](http://www.cdpp.gov.au/our-national-practice).

**Table 1: CDDP Group responsibilities as at 30 June 2024**

Group name	Key responsibilities
Fraud and Specialist Agencies (FSA)	<ul style="list-style-type: none"> <li>• Prosecutes fraud against the Commonwealth.</li> <li>• Prosecutes matters referred from specialist regulatory agencies.</li> <li>• Prosecutes matters in the Jervis Bay territory and Norfolk Island.</li> <li>• Offence types include general tax fraud, social security fraud, Medicare fraud, NDIS fraud, family day care fraud, childcare benefits fraud, disaster relief payment fraud, fraud-related money laundering, fraud against the <i>Bankruptcy Act 1966</i>, counterfeit currency and identity fraud.</li> <li>• Offence types referred from specialist agencies include fisheries, marine safety, secrecy, crimes at sea, offences involving Commonwealth officials and property, and aviation.</li> </ul>
Human Exploitation and Border Protection (HEBP)	<ul style="list-style-type: none"> <li>• Prosecutes crimes relating to the integrity of Australia’s borders and the exploitation of persons within and outside Australia.</li> <li>• Offence types include drug and drug precursor importation and trafficking, money laundering, child exploitation offending within Australia and overseas, human trafficking and slavery, cybercrime, computer and telecommunications offences, illicit tobacco, quarantine and wildlife offences.</li> </ul>
Organised Crime and National Security (OCNS)	<ul style="list-style-type: none"> <li>• Prosecutes crimes relating to transnational, serious and organised crime, terrorism and national security.</li> <li>• Offence types include terrorism, transnational drug importations, money laundering, espionage, foreign interference and prosecutions referred by the Special Investigator appointed to investigate allegations of war crimes committed by Australian defence personnel in Afghanistan.</li> </ul>
Serious Financial and Corporate Crime (SFCC)	<ul style="list-style-type: none"> <li>• Prosecutes serious financial crimes, focusing on offences involving corporations, financial markets and services, large-scale tax fraud, criminal cartel conduct, and bribery and corruption of Commonwealth and foreign officials.</li> <li>• Offence types include fraud offences under the <i>Criminal Code</i> (Cth) and financial offences under the <i>Corporations Act 2001</i>, bribery of foreign public officials and corruption involving Commonwealth officials, and cartel offences such as price fixing and rigged tenders.</li> </ul>
Legal Capability and Performance (LCP)	<ul style="list-style-type: none"> <li>• Builds capability and improve performance across the legal practice to support the delivery of an effective and efficient prosecution service.</li> <li>• Works collaboratively with the practice groups and ESG to deliver business innovation and modernisation to improve performance.</li> <li>• Develops and maintains national legal policies and guidance.</li> <li>• Leads strategic and business planning for the legal practice.</li> <li>• Drives partner agency engagement and strategy.</li> <li>• Manages data and reporting functions for the legal practice.</li> <li>• Supports international assistance requests including mutual assistance and extradition, to effectively investigate and prosecute serious offences.</li> <li>• Provides support to vulnerable victims and witnesses through the specialist WAS.</li> <li>• Manages <i>Freedom of Information Act 1982</i> requests.</li> </ul>
Enabling Services Group (ESG)	<p>The ESG is led by the Chief Operating Officer and consists of five branches. They support the Office through the delivery of the following key enabling services:</p> <ul style="list-style-type: none"> <li>• Finance, property and security.</li> <li>• People services, performance, work health safety and wellbeing, recruitment, workforce planning, employee relations and payroll.</li> <li>• Information technology, cyber security and case management services.</li> <li>• Governance, risk, audit, parliamentary coordination, legal support and library and research services.</li> <li>• Digital transformation, project management office, records and information management, communication and change.</li> </ul>

## Operating environment

The CDPP manages a volume of Australia's largest and most complex criminal litigation and works with a range of partner agencies who face an increasingly dynamic and challenging operating environment.

With this environment in mind, we continue to focus our effort on modernisation, improving capability and attracting and retaining talented staff.

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

The nature of our casework often results in trials which run for weeks or months. We continue to see a significant number of large and complex matters referred to us for prosecution. Some of this complexity arises from the increasing volume of digital evidence that is obtained by our partner agencies.

Our performance management is informed and supported by regular reviews and analyses of our prosecution outcomes and processes and engagement with our stakeholders.

In 2023–24:

- 2,094 cases were referred from 51 agencies.
- 4,249 cases were before the courts.
- 2,018 cases were dealt with, whether by conviction, acquittal or otherwise. Those cases involved 3,351 summary and 4,134 indictable charges against Commonwealth, state and territory legislation.
- 1,413 cases resulted in conviction. Of those, 1,305 or 92% were resolved via a plea of guilty.

At the conclusion of the reporting period, the CDPP had 3,213 referrals on hand (including some received in prior reporting periods).

## Working with partners

Strong and effective partnerships are critical to our Office prosecuting a significant number of crime types with increasing complexity.

The CDPP has no investigative function. However, we work closely with investigators, who play a vital role throughout the prosecution process. Consistent with previous years, in 2023–24, matters were received from 51 partner agencies. Around 72% of the matters we received came from state and territory police, the Australian Federal Police (**AFP**) and Australian Border Force (**ABF**) combined.

We continue to refine and improve the range of services we provide to partner agencies, collaborating closely to build investigator and prosecutor capability and drive improvements in the prosecutorial process. Our Partner Agency Engagement Strategy 2024–26 focuses our engagement efforts and seeks to position us to work more effectively with our partner agencies to seize new opportunities and address future challenges.

We continue to pursue productive working relationships with the courts, defence counsel, national legal aid agencies and state and territory prosecuting agencies.

Further information about our prosecution services is available at [www.cdpp.gov.au](http://www.cdpp.gov.au).

## Victim and Witness Support

The CDPP treats victims of crime with courtesy, compassion, cultural sensitivity and respect for their dignity.

The WAS is a national service staffed by qualified social workers based in our Sydney and Melbourne offices. WAS staff provided a range of specialised information and support services to victims of crime including updates on the progress of a prosecution, general information about the prosecution process, court tours, referrals to support services, support at court and during conferences with prosecutors, and information concerning victim impact statements and reparation orders. These services were delivered in accordance with the *Prosecution Policy of the Commonwealth* (the **Prosecution Policy**) and the CDPP *Victims of Crime Policy*. As at 30 June 2024, the service consisted of 4.6 full-time equivalent staff.

The WAS Referral Guidelines aim to ensure these resources are focused on the most vulnerable victims. All identifiable child victims, victims of slavery, sexual servitude and forced marriage, and direct family members impacted by death of a loved one, must be referred to WAS as a priority.

The number of WAS referrals significantly increased in 2023–24 as compared to the past three years. A total of 785 new victims/witnesses and caregiver referrals were accepted by the WAS during 2023–24. This represents a significant increase on previous years (there were 589 in 2022–23, 599 in 2021–22 and 493 in 2020–21). The most common offence types referred to the WAS related to online child sexual exploitation offences against children. In 2023–24, a total of 196 (approximately 25%) of all new victims/witnesses referred were under 18 years of age.

**Table 2: WAS Referrals 2023–24**

Offence type	Victims/witnesses*	Matters
Online Child Sexual Exploitation/Abuse	429	84
Financial	133	9
Telecommunications (inc. use to menace, harass, cause offence)	97	33
Other Child Sex Offences	47	10
Work Health and Safety & Marine Safety	23	8
Miscellaneous (inc. assaults, crimes at sea)	21	18
Aircraft Offences	19	12
Human Trafficking (inc. slavery and forced marriage offences)	16	5
<b>Total</b>	<b>785</b>	<b>179</b>

Note: \*This figure includes parents and caregivers of child victims, including 143 victims/witnesses involved in nine existing matters referred to the WAS in previous years.

## Business modernisation

*Transforming Your CDPP* was initiated in 2021 with a five-year vision to achieve a highly efficient, effective, and end-to-end digital prosecution service. More than halfway through this planned modernisation, we are seeing the benefits of our investment.

In 2023–24, we launched the eTrial Solution (**eTS**) in New South Wales (**NSW**). The eTS was developed in consultation with a range of court users including judges, prosecutors and defence legal representatives to electronically replicate existing court processes in paper-based jury trials.

During the reporting period, we also made significant progress in developing our Evidence Management Solution (**EMS**). The EMS provides efficiencies in reviewing and analysing evidence and preparing for court. It also provides insights into the evidence and the offending. EMS will become an even more vital tool for prosecutors in the future as criminals increase their use of new technologies, including artificial intelligence. We continue to develop the EMS holistically, not only modernising the system, but also updating our internal service and support model, to ensure our prosecutors are enabled by the tools we now have available.

## Contributing to law reform

Many Commonwealth and state government agencies, including some of our operational partner agencies, are responsible for developing policy and legislation that impacts our work. Given we conduct prosecutions throughout Australia, we are in a unique position to comment on, and provide feedback to, policy formulators and lawmakers about the operation of Commonwealth criminal law. We have significant practical experience in the way these laws operate.

Our assistance includes providing input on how proposed offences might operate in practice and highlighting issues that may arise during a potential prosecution. We also identify issues affecting prosecutions or criminal justice processes and bring those to the attention of the relevant policy agency.

## International engagement

In recognition of the ever-changing and global nature of crime, we actively participate in a range of international forums each year to engage, share knowledge and learn from international counterparts. In 2023–24 we:

- Hosted an international delegation from the Philippine National Police and National Bureau of Investigations as part of the Philippine-Australia Investigator Exchange Program hosted by the AFP and the Joint Anti Child Exploitation Taskforce.
- Met with a delegation from Indonesia’s Victim and Witness Protection Agency. We presented on the CDPP’s WAS reparation orders, victim impact statements, and the various protections available to vulnerable witnesses giving evidence.
- Hosted a delegation from the National Police of the Netherlands to discuss prosecuting espionage and foreign interference offences.
- Participated in a workshop for Thai prosecutors on how to combat child sexual exploitation and abuse. Jointly facilitated by the Attorney-General’s Department (**AGD**) and UNICEF, the workshop formed part of a series focused on the role of public prosecutors in supporting children while working with multidisciplinary teams at the local level.
- Participated at the 28th International Association of Prosecutors (**iAP**) Annual Conference and General Meeting in London, UK, along with approximately 430 delegates from over 90 countries. The theme of the IAP conference was the Changing Nature of Crime in the 21st Century: Challenges and Responses. The CDPP presented a case study on Operation Ironside and the legal challenges experienced to date, as part of a panel on encryption and “Going Dark”.
- Participated at the 8th Meeting of the Pacific Prosecutors Association conference hosted in Nadi, Fiji. The theme of the conference was “Emerging Transnational and Cyber Crime Trends in the Pacific Region: Challenges for Prosecutors”. The conference enabled participants to share challenges and successes about cyber related offences and navigating digital evidence. The CDPP co-presented on Operation Ironside, specifically the key legal and practical challenges arising in these matters.

- Presented and participated at the “Improving the capacity of prosecutors to work with multidisciplinary professionals on the protection and prevention of crime and violence against children, youth and family institutions” conference in Surat Thai, Thailand. The conference was hosted by the Public Prosecutor Centre for the Protection of the Rights of Children, Youth and Family Institutions, part of the Office of the Attorney-General in Thailand. The CDPP presented on the Australian prosecution experience and our multi-disciplinary approach to the prosecution of Commonwealth child sex offences, including our federal prosecution service and WAS, and how prosecutors work closely and collaboratively with investigative agencies. The CDPP was also part of a case study panel.



## Examples of cases prosecuted in the reporting period

### Two co-offenders sentenced for gold bullion GST fraud

On 11 July 2023, following a six-week trial in the Supreme Court of NSW, two co-offenders were each found guilty of two counts of conspiring to dishonestly cause a loss to the Commonwealth for their role in a fraud involving gold bullion. The offenders purchased GST free gold bullion and transformed it into scrap gold. The offenders then sold the scrap gold to a gold refiner, adding 10% GST. The offenders intentionally failed to remit GST owed to the Australian Taxation Office on the sale of scrap gold and, as a result, defrauded the Commonwealth of over \$40.9 million over a two-year period. Both offenders were sentenced to eight years' imprisonment, with a non-parole period of four years and six months.

### Offender imprisoned for exploitation of Filipino children

On 19 September 2023, an offender was sentenced to 14 years' imprisonment, with a non-parole period of eight years, after he pleaded guilty to sexually abusing Filipino children over the internet for three and a half years. The offending was facilitated by women he met over social media. The offender communicated with 11 different women in the Philippines via social media and requested they send him child abuse material or livestream the physical and sexual abuse of children, in exchange for money. The offender was also in possession of child abuse material which he had received from other paedophiles. With the assistance of the AFP, the Philippine National Police arrested four people and removed 10 children from harm in the Philippines.

### "Sovereign citizens" prosecuted for desecrating ancient Uluru cave

On 12 October 2023, two men were found guilty of eight charges of vandalising a sacred Uluru cave site. The offenders, who asserted they were "sovereign citizens", failed to appear in court and were found guilty and convicted in absentia on all charges. The cave was located in a prohibited area at the base of Uluru and is a sacred men's cave site, which holds great significance to Anangu men. The offenders climbed through a fence into the prohibited area and entered the cave where they damaged heritage rock art by making handprints with a liquid suspected to be oil. They also lit a fire in the cave and moved sand to make a drawing on the cave floor. The offenders were each fined \$8,600.

### First criminal prosecution of foreign interference

In December 2023, following a five-week trial and seven days of jury deliberations, a guilty verdict was returned against a man for engaging in foreign interference. The offender, while purporting to engage in community work, sought to involve a parliamentary Minister in the donation of money related to the COVID-19 pandemic to influence the Minister to adopt and advance positions favourable to the Chinese Communist Party and its interests. The Victorian County Court sentenced the offender to two years and nine months' imprisonment, to be released on a recognizance release order after serving 12 months.

### Sentence of imprisonment for fraudulent claims for Queensland disaster relief payments

On 21 December 2023, an offender pleaded guilty to defrauding the Commonwealth of \$94,777 by fraudulently obtaining disaster relief payments, attempting to obtain a further \$55,000 from fraudulent disaster relief claims and possessing identification information that was not his own. The offender received 116 payments of either social security benefits paid in relation to fraudulent claims for disaster relief, or redirected payments of legitimate benefits to other recipients.





The offender created 66 false identities and assumed the identities of 17 existing Centrelink recipients to submit the fraudulent claims. He also assumed the identities of 11 existing Centrelink recipients for redirected payments. The offender operated 26 separate bank accounts in false names to facilitate obtaining the benefits. At the time of his arrest, the offender had in his possession 289 items of identification information that were not his own. The offender was sentenced to four years' imprisonment, with a non-parole period of 21 months.

## Former company director sentenced for theft, fraud and dishonesty offences

In December 2023, a former company director was sentenced to five years and two months' imprisonment for State offences, with a non-parole period of three years and two months, and sentenced to 12 months' imprisonment, to serve six months, for stealing \$2,236,435.88 and giving false and misleading information to the ASX and the Australian Securities and Investment Commission. The offender, in his capacity as company director, misappropriated the funds by taking the money from a bank account without the knowledge of the other directors and used it for his own benefit, the benefit of other related companies and to repay investors. In January 2024, the offender was sentenced to a further two months' imprisonment for failing to hold \$1,032,000 on trust after he transferred the money from a trust account into other various bank accounts prior to securities being issued or the money being returned to the applicants.

## High Court dismissed offender appeals in relation to mandatory minimum sentencing provisions for Commonwealth child sexual abuse offences

In March 2024, the High Court unanimously dismissed the appeals of two offenders who had been sentenced separately by the NSW District Court and the ACT Supreme Court for offences relating to accessing, possessing and transmitting child abuse material. These matters were among the first to be dealt with under the mandatory minimum sentencing regime for Commonwealth child sex offences as set out in the *Crimes Act 1914* (Cth). In their decision, the High Court found that the CDPP's approach to the mandatory minimum sentencing provisions in ss 16AAA, 16AAB and 16AAC of the *Crimes Act 1914* (Cth) was correct.

## Prosecution of Ai generated child abuse material

On 26 March 2024, a male offender was sentenced to two years' imprisonment, to be released after serving 10 months, for using a carriage service to access and possess child abuse material, contrary to the *Criminal Code* (Cth) and for producing child exploitation material, contrary to the *Criminal Code Act 1924* (Tas). The conduct relevant to the state charge involved the offender creating and saving to his computer 2,066 child abuse material images. The offender produced the images by using websites that utilise artificial intelligence to generate images from text descriptions.

## CDPP appeal to the High Court unanimously allowed

On 17 April 2024, the High Court upheld an appeal brought by the Director of Public Prosecutions against a judgment delivered by the South Australian Court of Appeal which considered jury directions in conspiracy cases for Commonwealth drug importation offences. In September 2022, following a jury trial, the offender was found guilty of one count of conspiring to import a commercial quantity of cocaine. The trial judge gave the jury directions consistent with those approved by the NSW Court of Criminal Appeal in *Standen v The Queen* (2011) 218 A Crim R 28. The offender successfully appealed. The South Australian Court of Appeal set aside the conviction finding that the trial judge had erred in her directions to the jury about the elements of the conspiracy offence. The High Court unanimously allowed the Director's appeal finding there was no error in the trial judge's directions.

# ★ Part 2: Annual performance statements

## Statement of preparation



**CDPP**

*Australia's Federal Prosecution Service*

**Commonwealth Director  
of Public Prosecutions**

14 October 2024

As the Accountable Authority, I present the 2023–24 annual performance statements of the Office of the Director of Public Prosecutions (**CDPP**) as required under paragraph 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (the **PGPA Act**).

In my opinion, the annual performance statements accurately present the entity's performance in the reporting period and comply with section 39(2) of the PGPA Act (section 16F of the PGPA Rule).

A handwritten signature in blue ink, appearing to read 'R. Sharp'.

**Raelene Sharp KC**  
Director of Public Prosecutions

# Performance framework

The CDPP's performance is managed through planning, monitoring and measurement of key performance targets. These targets provide an overall assessment of the Office's achievement of its purpose through two key activities that describe its functions and align with its strategic themes of service, partners and people:

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

The CDPP is committed to accurate, accountable and transparent performance monitoring and reporting. In 2024–25, the CDPP will be undertaking a complete review of its performance reporting framework and performance measures in preparation for the 2025–26 reporting cycle. This will ensure the performance measures remain fit-for-purpose and are continually improving.

The Office's performance against its targets for 2023–24 is detailed under *Results*.

## Results

The processes or methodologies the CDPP used to determine the 2023–24 performance results are outlined in the CDPP Corporate Plan 2023–27. Additional information has been included in this report where necessary to provide further context for the results.

Performance under Key Activity 1 is measured against three annual targets and under Key Activity 2 through a biennial survey. These measures allow the CDPP to assess how well it delivers an effective independent prosecution service.

## Key Activity 1 – Prosecute with integrity

The CDPP prides itself on its integrity. To prosecute fairly, we must act ethically in everything we do. Prosecutions conducted consistently with the *Prosecution Policy of the Commonwealth* help create and maintain public confidence in the Australian criminal justice system. We serve the public interest by making prosecutorial decisions independently of government and those responsible for the investigation of federal offences.

### Performance measure 1.1 – Prosecution Policy Compliance

Measure	Target	Result
Compliance in addressing the terms of the test for prosecution in the <i>Prosecution Policy of the Commonwealth</i> , namely the existence of a <i>prima facie</i> case, reasonable prospects of conviction and that prosecution is required in the public interest, when deciding to commence or continue a prosecution.	100%	100% <b>Achieved</b>

This performance measure provides assurance the prosecution test in the *Prosecution Policy of the Commonwealth* has been applied. The test is integral to all cases considered by the CDPP.

As outlined in the CDPP Corporate Plan 2023–27, compliance is measured throughout the prosecution process. Certification that the test for prosecution has been applied occurs by way of a Prosecution Policy Declaration (**PPD**) which records information about the relevant decision and refers to evidence of the application of the Prosecution Policy.

PPDs may be generated at a number of different decision points depending on the nature of the case and the course it takes. Key legal decision-making tasks cannot be finalised in the CDPP’s case management database until a PPD is completed, providing assurance the test in the Prosecution Policy has been met.

Decisions to discontinue or not to commence proceedings under the Prosecution Policy are collated and reviewed with the aim of identifying any systemic issues that require consideration by either the CDPP and/or by our partner agencies.

The CDPP has consistently met the target for 100% compliance with the Prosecution Policy since implementing this performance measure in 2015, demonstrating its continued contribution and commitment to a fair, safe and just society. The CDPP once again met the target in 2023–24 and this performance measure is therefore *achieved*.

## Performance measure 1.2 – Prosecutions resulting in a finding of guilt

Measure	Target	Result	
1.2.1 Prosecutions resulting in a finding of guilt (total matters) – percentage of the total number of defendants found guilty.	90% or greater	98%	<b>Achieved</b>
1.2.2 Prosecutions resulting in a finding of guilt (defended matters) – percentage of the total number of defendants found guilty.	70% or greater	67%	<b>Not Achieved</b>

This performance measure assesses the percentage of prosecutions commenced by the CDPP that result in a finding of guilt being imposed by a court. It is interrelated with performance measure 1.1, in that a proper application of the Prosecution Policy test should inevitably link to prosecution outcomes, including the level of convictions.

The method for assessing the finding of guilt rate is set out at in the Corporate Plan 2023–27. Defendants may be prosecuted for more than one offence; a defendant is counted as being convicted if at least one offence is proven.

This measure relies on the two targets above, which are weighted equally. Achievement of the measure is determined by reference to the number of targets achieved. Neither target achieved equates to the measure not being achieved. One target achieved equates to the measure being partly achieved. Both targets achieved equates to the measure being achieved.

In 2023–24, the CDPP once again met the target for total matters, but not for defended matters. This performance measure was therefore *partly achieved*.

### 1.2.1 Prosecutions resulting in a finding of guilt (total matters)

The finding of guilt rate for this target is calculated by taking the total number of defendants found guilty as a percentage of the total number of defendants found guilty or acquitted. The calculation covers defended matters, matters where the defendant has pleaded guilty and findings of guilt that result in a non-conviction sentencing outcome.

“Conviction” includes any finding of guilt by jury or tribunal of fact including but not limited to where a formal conviction is recorded. As to the latter, a court may proceed to impose a “non-conviction” disposition. This most commonly occurs in less serious matters, and where extenuating circumstances exist.

The calculation does not include defendants where the CDPP discontinued the prosecution in its entirety or where a prosecution is commenced, and the defendant failed to appear before the court. Information about discontinuances is at **Appendix 4 – Prosecution statistics**.

There are a variety of reasons why a matter might be discontinued after it has commenced, including the evidence no longer being available (for example, the death of a witness) or changing circumstances that mean it is no longer in the public interest to prosecute.

The CDPP has consistently exceeded the 90% target, with a result of 98% in 2023–24.

### 1.2.2 Prosecutions resulting in a finding of guilt (defended matters)

A defended matter is a trial on indictment, or a summary hearing or trial. The target for findings of guilt in defended matters is lower than the target for total matters reflecting the added complexity and uncertainty that is part of most defended hearings, and the fact that prospects for a conviction are required to be reasonable, not absolute.

The finding of guilt rate for this target is calculated by taking the total number of defendants found guilty in defended matters as a percentage of the total number of defendants found guilty or acquitted in defended matters. The calculation covers findings of guilt that result in a non-conviction sentencing outcome. It does not include matters where the CDPP discontinued the prosecution in its entirety or where a prosecution was commenced and the defendant failed to appear before the court.

The CDPP achieved a result of 67% against this target in 2023–24. While below the target of 70%, this is an improvement from the previous year (65%). To ensure progress towards the target in 2024-25, we will further embed the enhanced Prosecution Review process. This includes the mandatory review of concluded trials, which enables us to identify any systemic issues or lessons to be learned and successful strategies for wider adoption.

## Key Activity 2 – Work in partnership

The CDPP's overarching purpose is to contribute to a fair, safe and just society by delivering an effective independent prosecution service. Strong and effective partnerships are critical to the CDPP achieving this objective. We work closely with investigators, who play a vital role throughout the prosecution process.

Understanding partner agency perceptions of the CDPP and obtaining actionable feedback through our biennial survey provides an opportunity to improve our processes, procedures and performance.

### Performance measure 2.1 – Partner agency satisfaction with CDPP service delivery

The CDPP conducts a partner agency satisfaction survey every two years. The survey is a critical tool used to guide, focus and evaluate the CDPP's partner engagement. This performance measure has historically been calculated from responses to a single question in the survey: *"Thinking about your dealings with CDPP staff overall, how satisfied have you been in your dealings with them?"*. Respondents were asked to rate the CDPP using a score out of 10, where 10 is extremely satisfied and 0 is extremely dissatisfied.

In 2024, the partner agency survey underwent a significant review and update. This review resulted in substantial changes to the survey content, and a fundamental change to the structure and definition of those surveyed. The major change to the 2024 survey was to clearly define and separate out key respondents, to ensure sampling and reporting was more robust and transparent. A suite of new questions was incorporated into the 2024 survey (while retaining the previously used question), covering a range of topics relevant to the CDPP's new Partner Engagement Strategy for 2024-26.

In the new methodology, four clearly defined cohorts were identified, with distinct eligibility criteria and selection rules set for each cohort. This has allowed the results to be reported individually for each cohort (rather than as an overarching result that blended the views of fundamentally different cohorts sampled in fundamentally different ways).

The four cohorts are:

1. Informants/case management primary contacts.
2. Case management team leaders.
3. Knowledgeable observers.
4. Strategic Stakeholder organisations.

In the 2024 survey, systematic samples were created for three of the four cohorts, and prosecutors were asked to provide contact details for Cohort 3 only. Rather than providing an overall assessment of performance from the four cohorts, the results from each cohort are reported separately against the target, providing an accurate and meaningful representation for each cohort.

Given the robust sampling methods used for Cohorts 1, 2 and 4, the headline performance measure presents the results across these three cohorts only. Cohort 3 results are presented separately due to the more open sampling approach used for this group which allowed the opt-in distribution of the survey within partner organisations.

The survey response rates, definition of the four cohorts and methodology are at **Appendix 6 - Survey methodology and response analysis**.

### Survey results and analysis

Measure	Target	Result		
		Cohort 1	Cohort 2	Cohort 4
Partner agency satisfaction with CDPP service delivery.	90% or greater	80%	77%	89%
		<b>Not Achieved</b>	<b>Not Achieved</b>	<b>Not Achieved</b>

The new 2024 survey sought actionable feedback on a wider range of CDPP performance. The CDPP has reported very strong performance using its previous performance indicators. The 2024 survey gives the CDPP the opportunity to consider a wider range of indicators that can prompt and measure improvement over time, building on the existing base strength.

For the purposes of continuity, the survey asked the same performance measure question as the 2022 survey: *“Thinking about your dealings with CDPP staff overall, how satisfied have you been in your dealings with them?”* Respondents were asked to rate the CDPP using a score out of 10, where 10 is very satisfied and 0 is very dissatisfied.

In determining the final result:

- A score of 0 to 4 is considered unfavourable.
- A score of 5 to 6 is considered neutral.
- A score of 7 to 10 is considered favourable.

## Overall satisfaction

Although the results fell slightly below the target of 90%, more than three quarters of respondents in all cohorts provided favourable assessments of their overall dealings with CDPP staff in the specified 12 months. Nearly all strategic stakeholder organisations in Cohort 4 provided favourable ratings (89%), followed by knowledgeable observers in Cohort 3 (86%). Stakeholders from Cohorts 1 and 2 rated their dealings with CDPP staff only slightly less favourably (80% and 77%, respectively). Across Cohorts 1-3, only a small proportion provided unfavourable ratings (6-8%), while no Cohort 4 organisations were unfavourable in their assessment.

<i>Thinking about your/your agency's dealings with CDPP staff overall in the last 12 months, how satisfied have you been in your dealings with them?</i>	<b>Cohort 1 (n=529)</b>	<b>Cohort 2 (n=13)</b>	<b>Cohort 3 (n=90, Weighted result)</b>	<b>Cohort 4 (n=18)</b>
Favourable (7-10)	80%	77%	86%	89%
Neutral (5-6)	12%	15%	8%	11%
Unfavourable (0-4)	8%	8%	6%	0%

Please note that 'not applicable' responses were excluded from the calculation of results for this question.

## Understanding and effectiveness

Self-assessed understanding of the CDPP's role in the Commonwealth criminal justice system was mixed between cohorts. While the vast majority of Cohort 3 (93%) and Cohort 2 (92%) stakeholders rated their understanding as "good" or "very good", only around three quarters of Cohort 1 (78%) and Cohort 4 (72%) stakeholders felt they had a good understanding.

Stakeholders' perceptions of how effectively the CDPP has delivered its role in the Commonwealth criminal justice system were positive across each of the cohorts, but somewhat less so. Cohort 3 stakeholders were most likely to feel that the CDPP has delivered its role "very well" or "completely" (74%), compared to around six in 10 stakeholders from Cohorts 4 (65%), 1 (63%) and 2 (62%).

## Values and attributes

Most stakeholders across all cohorts agreed that the CDPP and its staff demonstrate each of the identified values and attributes. Cohort 4 stakeholders generally had the most positive perceptions and Cohort 1 stakeholders were generally a little less positive. At least nine in ten stakeholders agreed that the CDPP and its staff are "fair, consistent and professional" (90% Cohort 1, 92% Cohorts 2 and 3, 100% Cohort 4), while nearly all respondents agreed that the CDPP "is a valued partner" (89% Cohort 1, 92% Cohort 2, 97% Cohort 3, 100% Cohort 4). Agreement that the CDPP and its staff are "collaborative" was somewhat lower among Cohorts 1 (79%), 2 (85%) and 3 (87%), but still unanimous among Cohort 4 stakeholders (100%).

## Pre-brief advice

Eighty-three per cent of Cohort 4 organisations reported that they found the CDPP's pre-brief advice service "somewhat" or "very" effective.

## Training and development

All Cohort 4 organisations (100%) indicated they were "somewhat" or "very" satisfied with the training the CDPP provides to their agency.

# ★ Part 3: Financial statements

## Financial performance 2023–24

The work of the CDPP is primarily funded through parliamentary appropriations, with a component of revenue through memoranda of understanding agreements with partner agencies.

The CDPP reported a total comprehensive loss of \$0.47 million in 2023–24. Excluding the impact of depreciation, the result for the 2023–24 financial year was an operating surplus of \$2.88 million (Note 3.2 to the financial statements).

The 2023–24 Portfolio Additional Estimates Statements (**PAES**) show that the Government provided the CDPP with \$2.99 million in 2023–24 funding for community safety measures in response to the High Court’s decision in *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs & Anor* (**NZYQ**). Unused 2023–24 NZYQ funding, totalling \$2.55 million, will be returned to Government in the 2024–25 financial year.

Employees and engagement of counsel are CDPP’s largest individual costs, making up approximately 53% and 13% of total expenses respectively.

CDPP’s average staffing level (**ASL**) grew to 440 for 2023–24 (423 in 2022–23) while prosecution legal costs (predominately engagement of counsel) have remained consistent against the prior year.

For 2023–24 the CDPP recognised \$1.04 million in expenses for costs awarded against the Commonwealth. Unsuccessful prosecutions may result in the CDPP being required to meet costs of the defendant. Awards of costs are made by the Courts and the CDPP is unable to control or predict the quantum or number of such awards.

The CDPP remains in a sound financial position. As at 30 June 2024, the CDPP’s total assets of \$71.23 million exceed total liabilities of \$50.43 million. The CDPP has sufficient financial assets to fund its liabilities and commitments as they fall due.

The Australian National Audit Office issued an unmodified opinion for the financial statements.

There were no significant instances of non-compliance with the finance law.





## INDEPENDENT AUDITOR'S REPORT

### To the Attorney-General

#### Opinion

In my opinion, the financial statements of the Office of the Director of Public Prosecutions (Cth) (the Entity) for the year ended 30 June 2024:

- (a) comply with Australian Accounting Standards – Simplified Disclosures and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2024 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2024 and for the year then ended:

- Statement by the Accountable Authority and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Cash Flow Statement; and
- Notes to and forming part of the financial statements, comprising material accounting policy information and other explanatory information.

#### Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the 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 Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and their delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

#### Other information

The Accountable Authority is responsible for the other information. The other information comprises the information included in the annual report for the year ended 30 June 2024 but does not include the financial statements and my auditor's report thereon.

My opinion on the financial statements does not cover the other information, and accordingly I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

## Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the Director of Public Prosecutions is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Simplified Disclosures and the rules made under the Act. The Director of Public Prosecutions is also responsible for such internal control as the Director of Public Prosecutions determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Director of Public Prosecutions is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Director of Public Prosecutions is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the assessment indicates that it is not appropriate.

## Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Fiona Sheppard  
Senior Executive Director  
Delegate of the Auditor-General  
Canberra  
11 October 2024

**Office of the Director of Public Prosecutions (Cth)**  
**STATEMENT BY THE ACCOUNTABLE AUTHORITY AND CHIEF FINANCIAL OFFICER**

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In our opinion, the attached financial statements for the year ended 30 June 2024 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Office of the Director of Public Prosecutions (CDPP) will be able to pay its debts as and when they fall due.



Signed

Raelene Sharp KC  
Director of Public Prosecutions  
9 October 2024



Signed

John Barnes  
Chief Financial Officer  
9 October 2024

**Office of the Director of Public Prosecutions (Cth)**  
**STATEMENT OF COMPREHENSIVE INCOME**

For the period ended 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Budget \$'000
<b>NET COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits	1.1A	63,113	55,664	61,486
Suppliers	1.1B	43,340	43,208	32,871
Depreciation and amortisation	2.2A	10,555	11,634	11,360
Finance costs	1.1C	315	372	400
Impairment loss on financial instruments		1	-	-
Write-down and impairment of other assets		25	5	-
Costs awarded against the Commonwealth		1,037	3,233	570
<b>Total expenses</b>		<b>118,386</b>	<b>114,116</b>	<b>106,687</b>
<b>Own-source income</b>				
<b>Own-source revenue</b>				
Revenue from contracts with customers	1.2A	13,791	11,637	4,370
Other	1.2B	275	586	290
<b>Total own-source revenue</b>		<b>14,066</b>	<b>12,223</b>	<b>4,660</b>
<b>Gains</b>				
Other		32	-	-
<b>Total gains</b>		<b>32</b>	<b>-</b>	<b>-</b>
<b>Total own-source income</b>		<b>14,098</b>	<b>12,223</b>	<b>4,660</b>
<b>Net cost of services</b>		<b>104,288</b>	<b>101,893</b>	<b>102,027</b>
Revenue from Government	1.2C	103,822	94,594	97,866
<b>Surplus / (deficit)</b>		<b>(466)</b>	<b>(7,299)</b>	<b>(4,161)</b>
<b>OTHER COMPREHENSIVE INCOME</b>				
<b>Items not subject to subsequent reclassification to net of cost of services</b>				
Changes in asset revaluation	2.2A	-	2,252	-
<b>Total other comprehensive income</b>		<b>-</b>	<b>2,252</b>	<b>-</b>
<b>Total comprehensive income / (loss)</b>		<b>(466)</b>	<b>(5,047)</b>	<b>(4,161)</b>

The above statement should be read in conjunction with the accompanying notes.

**Office of the Director of Public Prosecutions (Cth)**  
**STATEMENT OF FINANCIAL POSITION**

As at 30 June 2024

	Notes	2024 \$'000	2023 \$'000	Budget \$'000
<b>ASSETS</b>				
<b>Financial assets</b>				
Cash and cash equivalents		249	450	464
Trade and other receivables	2.1A	37,598	30,959	32,575
<b>Total financial assets</b>		<b>37,847</b>	<b>31,409</b>	<b>33,039</b>
<b>Non-financial assets<sup>1</sup></b>				
Property	2.2A	26,841	32,351	56,902
Plant and equipment	2.2A	2,980	2,779	3,163
Intangibles	2.2A	1,208	1,614	4,279
Prepayments		2,351	2,692	2,462
<b>Total non-financial assets</b>		<b>33,380</b>	<b>39,436</b>	<b>66,806</b>
<b>Total assets</b>		<b>71,227</b>	<b>70,845</b>	<b>99,845</b>
<b>LIABILITIES</b>				
<b>Payables</b>				
Suppliers		4,704	3,416	4,649
Other payables	2.3A	1,763	1,692	1,454
<b>Total payables</b>		<b>6,467</b>	<b>5,108</b>	<b>6,103</b>
<b>Interest bearing liabilities</b>				
Leases	2.4A	22,034	27,533	52,555
<b>Total interest bearing liabilities</b>		<b>22,034</b>	<b>27,533</b>	<b>52,555</b>
<b>Provisions</b>				
Employee leave provisions	4.1	19,649	16,940	19,313
Other provisions	2.5A	2,280	1,916	668
<b>Total provisions</b>		<b>21,929</b>	<b>18,856</b>	<b>19,981</b>
<b>Total liabilities</b>		<b>50,430</b>	<b>51,497</b>	<b>78,639</b>
<b>Net assets</b>		<b>20,797</b>	<b>19,348</b>	<b>21,206</b>
<b>EQUITY</b>				
Contributed equity		29,160	27,245	32,063
Reserves		20,743	20,743	18,491
Accumulated deficit		(29,106)	(28,640)	(29,348)
<b>Total equity</b>		<b>20,797</b>	<b>19,348</b>	<b>21,206</b>

<sup>1</sup> Right-of-use assets are included in the Property and Plant and equipment line items.

The above statement should be read in conjunction with the accompanying notes.

**Office of the Director of Public Prosecutions (Cth)**  
**STATEMENT OF CHANGES IN EQUITY**

*For the period ended 30 June 2024*

	Notes	2024 \$'000	2023 \$'000	Budget \$'000
<b>CONTRIBUTED EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		27,245	23,910	27,971
<b>Transactions with owners</b>				
<b>Distributions to owners</b>				
Return of equity	3.1B	(4,750)	(726)	-
<b>Contributions by owners</b>				
Equity injection	3.1B	2,200	2,200	2,177
Departmental capital budget	3.1A	4,465	1,861	1,915
<b>Closing balance as at 30 June</b>		<b>29,160</b>	<b>27,245</b>	<b>32,063</b>
<b>ACCUMULATED DEFICIT</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		(28,640)	(21,341)	(25,187)
<b>Comprehensive income</b>				
Surplus/(deficit) for the period		(466)	(7,299)	(4,161)
<b>Closing balance as at 30 June</b>		<b>(29,106)</b>	<b>(28,640)</b>	<b>(29,348)</b>
<b>RESERVES</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		20,743	18,491	18,491
<b>Comprehensive income</b>				
Other comprehensive income		-	2,252	-
<b>Closing balance as at 30 June</b>		<b>20,743</b>	<b>20,743</b>	<b>18,491</b>
<b>TOTAL EQUITY</b>				
<b>Opening balance</b>				
Balance carried forward from previous period		19,348	21,060	21,275
<b>Comprehensive income</b>				
Surplus/(deficit) for the period		(466)	(7,299)	(4,161)
Other comprehensive income		-	2,252	-
<b>Transactions with owners</b>				
<b>Distributions to owners</b>				
Returns of capital		(4,750)	(726)	-
<b>Contributions by owners</b>				
Equity injection		2,200	2,200	2,177
Departmental capital budget		4,465	1,861	1,915
<b>Closing balance as at 30 June</b>		<b>20,797</b>	<b>19,348</b>	<b>21,206</b>

The above statement should be read in conjunction with the accompanying notes.

**Office of the Director of Public Prosecutions (Cth)**  
**CASH FLOW STATEMENT**

*For the period ended 30 June 2024*

	<b>2024</b>	2023	Budget
	<b>\$'000</b>	\$'000	\$'000
<b>OPERATING ACTIVITIES</b>			
<b>Cash received</b>			
Appropriations	<b>97,856</b>	101,508	97,866
Sale of goods and rendering of services	<b>14,215</b>	11,534	4,578
Net GST received	<b>4,804</b>	4,792	3,999
Other	-	309	-
<b>Total cash received</b>	<b>116,875</b>	118,143	106,443
<b>Cash used</b>			
Employees	<b>60,144</b>	55,612	61,486
Suppliers	<b>48,754</b>	48,432	36,788
Interest payments on lease liabilities	<b>287</b>	348	400
Appropriation cash returned to the Official Public Account	-	3,464	-
Other	<b>682</b>	2,789	570
<b>Total cash used</b>	<b>109,867</b>	110,645	99,244
<b>Net cash from / (used by) operating activities</b>	<b>7,008</b>	7,498	7,199
<b>INVESTING ACTIVITIES</b>			
<b>Cash used</b>			
Purchase of property, plant and equipment	<b>1,812</b>	543	1,778
Purchase of intangibles	<b>36</b>	311	2,314
<b>Total cash used</b>	<b>1,848</b>	854	4,092
<b>Net cash from / (used by) investing activities</b>	<b>(1,848)</b>	(854)	(4,092)
<b>FINANCING ACTIVITIES</b>			
<b>Cash received</b>			
Contributed equity	<b>1,848</b>	530	4,092
<b>Total cash received</b>	<b>1,848</b>	530	4,092
<b>Cash used</b>			
Principal payments of lease liabilities	<b>7,209</b>	7,188	7,199
<b>Total cash used</b>	<b>7,209</b>	7,188	7,199
<b>Net cash from / (used by) financing activities</b>	<b>(5,361)</b>	(6,658)	(3,107)
<b>Net increase / (decrease) in cash held</b>	<b>(201)</b>	(14)	-
Cash and cash equivalents at the beginning of the reporting period	<b>450</b>	464	464
<b>Cash and cash equivalents at the end of the reporting period</b>	<b>249</b>	450	464

The above statement should be read in conjunction with the accompanying notes.

# Office of the Director of Public Prosecutions (Cth)

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

For the period ended 30 June 2024

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### Overview

#### Objectives of the Entity

The objective of the CDPP is to contribute to a fair, safe, and just society by delivering an effective, independent prosecution service in accordance with the *Prosecution Policy of the Commonwealth*.

The CDPP is a not-for-profit, Commonwealth statutory agency domiciled in Australia. The CDPP's registered office is 28 Sydney Avenue, Forrest in the Australian Capital Territory. The CDPP undertakes its legal work in the courts of every Australian state and territory, as well as in the Federal Court of Australia.

#### The Basis of Preparation

The financial statements are required by section 42 of the PGPA Act.

The financial statements have been prepared in accordance with:

- *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015 (FRR)*; and
- Australian Accounting Standards and Interpretations - including simplified disclosures for Tier 2 Entities under AASB 1060 issued by the Australian Accounting Standards Board (**AASB**) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars.

#### Significant Accounting Judgments and Estimates

In the process of applying the accounting policies listed in the notes, the CDPP has made judgements in relation to:

- the fair value of property, plant and equipment and the related make good – assessed at market value or current replacement costs as determined by an independent valuer, with the last valuation being performed as at 30 June 2023. Fair value is subject to management assessment in between formal valuations; and
- employee provisions – involves assumptions based on the expected tenure of existing staff, patterns of leave claims and payouts, future salary movements and future discount rates.

that have a significant impact on the amounts recorded in the financial statements.

No accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next 12 months.

#### New Australian Accounting Standards

All new/revised/amending standards and/or interpretations that were issued prior to the sign-off date and are applicable to the current reporting period did not have a material effect on the CDPP's financial statements.

#### Taxation

The CDPP is exempt from all forms of taxation except Fringe Benefits Tax (**FBT**) and the Goods and Services Tax (**GST**).

#### Events After the Reporting Period

There have been events that have the potential to significantly affect the ongoing structure and financial activities of the CDPP.

#### *Return of unused 2023–24 operating funding*

The 2023–24 Portfolio Additional Estimates Statements (**PAES**) show that the Government provided the CDPP with \$2.99 million in 2023–24 funding for community safety measures in response to the High Court's decision in NZYQ Minister for Immigration, Citizenship and Multicultural Affairs & Anor (**NZYQ**). Unused 2023–24 NZYQ funding, totalling \$2.55 million, will be returned to Government in the 2024–25 financial year.



**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

*For the period ended 30 June 2024*

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**Events After the Reporting Period (continued)**

*Administered Funding Arrangements*

As shown in the 2024–25 Portfolio Budget Statements (**PBS**), CDPP will receive administered appropriation from 1 July 2024. CDPP's administered expenses relate to costs awarded against the Commonwealth. Unsuccessful prosecutions may result in CDPP being required to meet costs of the defendant.

*Sydney Leasing arrangements*

In 2023–24, the CDPP signed a lease for new office space in Sydney. The CDPP will recognise the associated right-of-use asset and lease liability on the lease commencement date of 1 July 2024. Commitments related to the signed lease are disclosed in note 2.2 (Contractual commitments for the acquisition of property, plant and equipment and intangible assets) and note 2.4 (Maturity analysis - contractual undiscounted cash flows).

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Budget Variances**

The following table provides high-level commentary on major variances between budgeted information for the CDDP as published in the Attorney-General's 2023–24 PBS and the 2023–24 final outcome as presented in accordance with Australian Accounting Standards. Major variances are those relevant to an analysis of CDDP's performance and are not focused merely on numerical differences between the budget and actual results.

Explanation of major variances	Affected line items
<p>The CDDP received additional funding from new Budget measures in the 2023–24 PAES Budget and the 2023–24 Portfolio Supplementary Additional Estimates Statements (<b>PSAES</b>) Budget rounds.</p> <p>The PAES Budget round included a reclassification of capital to operating funding.</p> <p>Additional and reclassified funding contributed to:</p> <ul style="list-style-type: none"> <li>Revenue from government \$6.0 million higher than budgeted.</li> <li>Intangibles \$3.1 million lower than budgeted.</li> </ul>	<p>Statement of comprehensive income, <i>Revenue from Government</i></p> <p>Statement of financial position, <i>Intangibles</i></p> <p>Cash flow statement, <i>Investing cash used (Purchase of intangibles)</i></p>
<p>Budgeted revenue from contracts with customers excludes future Memorandum of Understanding (<b>MOU</b>) extensions unless those extensions have been approved when Budget is prepared.</p> <p>Subsequent to PBS, CDDP extended one MOU and obtained supplementary funding under two MOUs.</p> <p>Additional funding contributed to:</p> <ul style="list-style-type: none"> <li>Revenue from contracts with customers \$9.4 million higher than budgeted.</li> <li>Operating cash received (sale of goods and rendering of services) \$9.6 million higher than budgeted.</li> </ul>	<p>Statement of comprehensive income, <i>Revenue from contracts with customers</i></p> <p>Cash flow statement, <i>Operating cash received (Sale of goods and rendering of services)</i></p>
<p>Additional appropriation and MOU funding received (see above) provided for higher than budgeted prosecution expenses. Notably, MOU extensions and supplementary funding did not alter CDDP's budgeted average staffing level.</p> <p>This contributed to:</p> <ul style="list-style-type: none"> <li>Supplier expenses \$10.5 million higher than budgeted.</li> <li>Operating cash used (suppliers) \$12.1 million higher than budgeted.</li> </ul>	<p>Statement of comprehensive income, <i>Suppliers</i></p> <p>Cash flow statement, <i>Operating cash used (Suppliers)</i></p>
<p>Unsuccessful prosecutions may result in CDDP being required to meet costs of the defendant. Awards of costs are made by the Courts, and the CDDP is unable to control or predict the quantum or number of such awards. Cost decisions during 2023–24 contributed to:</p> <ul style="list-style-type: none"> <li>Costs awarded against the Commonwealth \$0.5 million higher than budgeted.</li> </ul>	<p>Statement of comprehensive income, <i>Costs awarded against the Commonwealth</i></p>
<p>Protracted lease negotiations delayed the lease commencement date of CDDP's Sydney office, originally budgeted for the 2023–24 financial year.</p> <p>This contributed to:</p> <ul style="list-style-type: none"> <li>Property being \$30.1 million lower than budgeted.</li> <li>Lease liabilities being \$30.5 million lower than budgeted.</li> </ul>	<p>Statement of financial position, <i>Property and Leases</i></p>
<p>Unused funding received in the 2023–24 PAES Budget, expected to be returned to Government (see Events after the Reporting Period), is currently reported as appropriation receivable.</p> <p>Delays to lease commencement (see above) and fitout construction has resulted in higher than budgeted capital funding included in appropriation receivable.</p> <p>This contributed to:</p> <ul style="list-style-type: none"> <li>Trade and other receivables \$5.0 million higher than budgeted.</li> </ul>	<p>Statement of financial position, <i>Trade and other receivables</i></p>

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

*For the period ended 30 June 2024*

Explanation of major variances	Affected line items
<p>During the 2023–24 year, the CDPP undertook a movement of capital funds (see note 3.1) between financial years and a reclassification of funds from capital to operating.</p> <p>This contributed to:</p> <ul style="list-style-type: none"> <li>• Contributions by owners \$2.6 million higher than budgeted.</li> <li>• Return of equity \$4.8 million higher than budgeted.</li> </ul>	<p>Statement of financial position, <i>Contributed equity</i></p> <p>Statement of Changes in Equity <i>Return of equity and Departmental capital budget</i></p>
<p>The CDPP undertook a revaluation of non-financial assets in the 2022–23 financial year. Revaluation results were not available at the time of PBS preparation.</p> <p>This contributed to:</p> <ul style="list-style-type: none"> <li>• Reserves \$2.3 million higher than budgeted.</li> </ul>	<p>Statement of financial position, <i>Reserves</i></p>

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Financial Performance**

This section analyses the financial performance of the CDPP for the year ended 2024.

**Note 1.1: Expenses**

	2024	2023
	\$'000	\$'000
<b>Note 1.1A: Employee benefits</b>		
Wages and salaries	47,212	43,007
Superannuation		
Defined contribution plans	5,821	5,197
Defined benefit plans	2,437	2,386
Leave and other entitlements	7,441	4,863
Separation and redundancies	81	93
Other employee benefits	121	118
<b>Total employee benefits</b>	<b>63,113</b>	<b>55,664</b>

**Accounting Policy**

Accounting policies for employee related expenses are contained in the People and Relationships section.

**Note 1.1B: Suppliers**

**Goods and services**

Prosecution legal costs	18,581	18,770
Services Advice and Training	10,590	11,330
Information and Communication Technology	7,483	6,588
Property	2,607	2,530
Library	1,606	1,590
Other	2,232	2,192
<b>Total goods and services</b>	<b>43,099</b>	<b>43,000</b>

**Other suppliers**

Workers compensation expenses	212	176
Low value leases	29	32
<b>Total other suppliers</b>	<b>241</b>	<b>208</b>
<b>Total suppliers</b>	<b>43,340</b>	<b>43,208</b>

The CDPP had no short-term lease commitments as at 30 June 2024.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C, 1.2B, 2.2A and 2.4A.

**Accounting Policy**

**Short-term leases and leases of low-value assets**

The CDPP has elected not to recognise right-of-use assets and lease liabilities for short-term asset leases with a lease term of 12 months or less and leases of low-value assets (less than \$10,000 per asset). The CDPP recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

**Note 1.1C: Finance costs**

Interest on lease liabilities	287	348
Unwinding of discount	28	24
<b>Total finance costs</b>	<b>315</b>	<b>372</b>

The above lease disclosures should be read in conjunction with the accompanying notes 1.1B, 1.2B, 2.2A and 2.4A.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Note 1.2: Revenue and Gains**

	2024	2023
	\$'000	\$'000
<b>Note 1.2A: Revenue from contracts with customers</b>		
Prosecution Services	13,791	11,637
<b>Total rendering of services</b>	<b>13,791</b>	<b>11,637</b>
<b>Disaggregation of revenue from contracts with customers</b>		
Australian Government entities (related parties)	13,791	11,637
	<b>13,791</b>	<b>11,637</b>

**Accounting Policy**

The CDPP provides prosecution services to Australian Government entities (related parties) under Memorandum of Understanding (MOU). MOUs contain the specific performance obligation to provide a stand ready prosecution service over specified financial years. Revenue is recognised over time in line with agreed annual funding set out in each MOU.

Receivables for goods and services, which have 30-day terms, are recognised at the nominal amounts due less any impairment allowance. Collectability of debts is reviewed at the end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

**Note 1.2B: Other revenue**

Resources received free of charge - auditor's remuneration	82	82
Sublease	193	195
Proceeds of Crime Act 2002	-	309
<b>Total other revenue</b>	<b>275</b>	<b>586</b>

**Maturity analysis of sublease rental income receivables:**

Within 1 year	181	176
One to two years	61	181
Two to three years	63	61
Three to four years	5	63
Four to five years	-	5
More than 5 years	-	-
<b>Total undiscounted lease payments receivable</b>	<b>310</b>	<b>486</b>

As at 30 June 2024, the CDPP had sublease arrangements at 2 locations with Australian Government entities (2023: 2 locations).

The above lease disclosures should be read in conjunction with the accompanying notes 1.1B, 1.1C, 2.2A and 2.4A.

**Accounting Policy**

***Resources received free of charge***

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined, and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

*For the period ended 30 June 2024*

**Note 1.2: Revenue and Gains (continued)**

	2024	2023
	\$'000	\$'000
<b>Note 1.2C: Revenue from Government</b>		
<b>Appropriations</b>		
Departmental appropriations	103,822	94,594
<b>Total revenue from Government</b>	<u>103,822</u>	<u>94,594</u>

**Accounting Policy**

Revenue from Government

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the CDPP gains control of the appropriation. Appropriation receivables are recognised at their nominal amounts.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

## Financial Position

This section analyses the CDP's assets used to conduct its operations and the operating liabilities incurred as a result. Employee related information is disclosed in the People and Relationships section.

### Note 2.1: Financial Assets

	2024 \$'000	2023 \$'000
<b>Note 2.1A: Trade and other receivables</b>		
<b>Goods and services</b>		
Goods and services	847	319
<b>Total goods and services receivables</b>	<b>847</b>	<b>319</b>
<b>Appropriation receivables</b>		
For existing programs	35,709	29,676
<b>Total appropriation receivables</b>	<b>35,709</b>	<b>29,676</b>
<b>Other receivables</b>		
GST receivable from the Australian Taxation Office	811	843
Other receivables	232	121
<b>Total other receivables</b>	<b>1,043</b>	<b>964</b>
<b>Total trade and other receivables (gross)</b>	<b>37,599</b>	<b>30,959</b>
<b>Less expected credit loss allowance</b>	<b>(1)</b>	<b>-</b>
<b>Total trade and other receivables (net)</b>	<b>37,598</b>	<b>30,959</b>

Credit terms for goods and services was 30 days (2023: 30 days).

#### Accounting Policy

##### Cash and cash equivalents

Cash is recognised at its nominal amount.

##### Trade and other receivables

Trade and other receivables that are held for the purpose of collecting the contractual cash flows where the cash flows are solely payments of principal and interest, that are not provided at below-market interest rates, are subsequently measured at amortised cost using the effective interest method adjusted for any loss allowance.

CDPP recognises a loss allowance and impairment expense at an amount equal to lifetime expected credit losses. A loss allowance of \$434 was recognised as at 30 June 2024 (2023: nil).

The fair value of CDP's financial assets and liabilities approximate their carrying amounts. The CDP derived no interest income from financial assets in either the current or prior year.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Note 2.2: Non-Financial Assets**

**Note 2.2A: Reconciliation of the opening and closing balances of property, plant, and equipment and intangibles**

	Property \$'000	Plant and equipment \$'000	Intangibles \$'000	Total \$'000
<b>As at 1 July 2023</b>				
Gross book value	58,847	2,893	8,220	<b>69,960</b>
Accumulated depreciation, amortisation, and impairment	(26,496)	(114)	(6,606)	<b>(33,216)</b>
<b>Total as at 1 July 2023</b>	<b>32,351</b>	<b>2,779</b>	<b>1,614</b>	<b>36,744</b>
<b>Additions</b>				
Purchase or internally developed	2,532	931	-	<b>3,463</b>
Right-of-use assets	1,306	96	-	<b>1,402</b>
Depreciation and amortisation	(2,479)	(733)	(406)	<b>(3,618)</b>
Depreciation on right-of-use assets	(6,869)	(68)	-	<b>(6,937)</b>
Disposals	-	(25)	-	<b>(25)</b>
<b>Total as at 30 June 2024</b>	<b>26,841</b>	<b>2,980</b>	<b>1,208</b>	<b>31,029</b>
<b>Total as at 30 June 2024 represented by</b>				
Gross book value	62,685	3,832	7,580	<b>74,097</b>
Accumulated depreciation, amortisation, and impairment	(35,844)	(852)	(6,372)	<b>(43,068)</b>
<b>Total as at 30 June 2024</b>	<b>26,841</b>	<b>2,980</b>	<b>1,208</b>	<b>31,029</b>
<b>Carrying amount of right-of-use assets</b>	<b>17,284</b>	<b>128</b>	<b>-</b>	<b>17,412</b>

No indicators of impairment were found for property, plant and equipment and intangibles. Intangibles includes both purchased software and internally generated software.

No significant property, plant and equipment and intangibles are expected to be sold or disposed of within the next 12 months.

**Revaluations of non-financial assets**

All revaluations were conducted in accordance with the revaluation policy. CDPP engaged the services of an independent valuer to conduct the revaluations as at 30 June 2023. No revaluation was performed for 2023–24. Management has determined that the carrying value is not materially different to the fair value for property and plant and equipment asset classes.

**Contractual commitments for the acquisition of property, plant and equipment and intangible assets**

The capital commitments disclosed below are GST exclusive.

	2024 \$'000	2023 \$'000
Building (non-right-of-use)	<b>8,043</b>	1,386
Building (right-of-use)	<b>22,012</b>	-
Plant and equipment	<b>2</b>	42



**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Note 2.2: Non-Financial Assets (continued)**

**Accounting Policy**

Recognition and Depreciation

Assets are recognised initially at cost on acquisition in accordance with the table below.

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the CDPP using, in all cases, the straight-line method of depreciation. Intangible assets are amortised on a straight-line basis.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives:

	<b>Useful Life (years)</b>	<b>Threshold (\$)</b>
Property	lease term	20,000 or 5% of total value
Plant and equipment	2 to 100 years	2,000
Intangibles	3 to 6 years	5,000

The depreciation rates for right-of-use assets are based on the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term.

Lease Right-of-Use Assets

Leased right-of-use assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, estimated restoration costs and initial direct costs incurred when entering into the lease, less any lease incentives received. These assets are accounted for as separate asset classes to corresponding assets owned outright but included in the same column as where the corresponding underlying assets would be presented if they were owned.

Following initial application, an impairment review is undertaken for any right-of-use lease asset that shows indicators of impairment and an impairment loss is recognised against any right-of-use lease asset that is impaired.

Revaluations

Fair values for each class of asset are determined as shown below:

<b>Asset class</b>	<b>Fair value measured at</b>
Property	Depreciated replacement cost
Plant and equipment	Market selling price and depreciated replacement cost

Following initial recognition at cost, property, plant, and equipment (excluding right-of-use assets) are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets. The most recent independent valuation was conducted on 30 June 2023. An impairment assessment is carried out on an annual basis.

Assets are revalued in accordance with AASB 116 *Property, Plant and Equipment* approximately every three years unless the annual fair value assessment suggests that there is a material difference between carrying value of assets and their fair value. Where there is a material difference, all assets in that category are revalued.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Note 2.2: Non-Financial Assets (continued)**

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reversed a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reversed a previous revaluation increment for that class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Impairment

All assets are assessed annually for impairment. Where indications of impairment exist, the asset's recoverable amount is estimated, and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

Intangibles

CDPP's intangibles include purchased software and internally generated software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the CDPP's software are 3 to 6 years (2023: 3 to 6 years).

All software assets were assessed for indications of impairment as at 30 June 2024.

**Note 2.3: Payables**

	2024	2023
	\$'000	\$'000
<b>Note 2.3A: Other payables</b>		
Wages and salaries	1,324	1,188
Superannuation	223	208
Other	216	296
<b>Total other payables</b>	<b>1,763</b>	1,692

**Accounting Policy**

Supplier and other payables

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received. Supplier and other payables are derecognised on payment. Supplier payables are settled within 20 days.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Note 2.4: Interest Bearing Liabilities**

	2024	2023
	\$'000	\$'000
<b>Note 2.4A: Leases</b>		
<b>Lease Liabilities</b>		
Property	21,907	27,431
Plant and equipment	127	102
<b>Total leases</b>	<b>22,034</b>	<b>27,533</b>
<b>Maturity analysis - contractual undiscounted cash flows<sup>1</sup></b>		
Within 1 year	8,999	7,152
Between 1 to 5 years	29,916	20,033
More than 5 years	21,703	1,237
<b>Total leases</b>	<b>60,618</b>	<b>28,422</b>

<sup>1</sup> Contractual undiscounted cash flows include a new Sydney office lease with a commencement date of 1 July 2024. Due to the commencement date, no lease liability has been recognised at 30 June 2024.

Cash outflow for leases for the year ended 30 June 2024 was \$7,495,778 (GST exclusive) (2023: \$7,536,832).

The CDPP in its capacity as lessee, has recognised lease liabilities in relation to leases of office space at 10 premises (2023: 10) and 8 automobiles (2023: 8). All of these leases have a fixed schedule of rent payments.

Five of the property lease agreements include extension options ranging from 2 to 5 years. The likelihood of exercising these options is reviewed regularly and incorporated into the measurement of the lease liability where appropriate.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1B, 1.1C, 1.2B and 2.2A.

**Accounting Policy**

For all new contracts entered into, the CDPP considers whether the contract is, or contains a lease. A lease is defined as 'a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period of time in exchange for consideration'.

Once it has been determined that a contract is, or contains a lease, the lease liability is initially measured at the present value of the lease payments unpaid at the commencement date, discounted using the interest rate implicit in the lease, if that rate is readily determinable, or the department's incremental borrowing rate.

Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification to the lease. When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset or profit and loss depending on the nature of the reassessment or modification.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

*For the period ended 30 June 2024*

**Note 2.5: Other Provisions**

	Provision for restoration \$'000	Other provisions \$'000	Total \$'000
<b>Note 2.5A: Other provisions</b>			
<b>As at 1 July 2023</b>	802	1,114	1,916
Additional provisions made	-	336	336
Unwinding of discount or change in discount rate	28	-	28
<b>Total as at 30 June 2024</b>	<u>830</u>	<u>1,450</u>	<u>2,280</u>

The CDPP currently has 2 (2023: 2) agreements for the leasing of premises which have provisions requiring the CDPP to restore the premises to their original condition at the conclusion of the lease. The CDPP has made a provision to reflect the present value of these obligations.

**Office of the Director of Public Prosecutions (Cth)**  
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For the period ended 30 June 2024

**Funding** This section identifies the CDPP's funding structure.

**Note 3.1: Appropriations**

	2024	2023
	\$'000	\$'000
<b>Note 3.1A: Annual appropriations ('recoverable GST exclusive')</b>		
<b>Ordinary annual services</b>		
Annual appropriation		
Ordinary annual services	103,822	94,594
Departmental capital budget <sup>1</sup>	4,465	1,861
PGPA Act section 74 receipts	15,319	13,277
<b>Total available appropriation</b>	<b>123,606</b>	<b>109,732</b>
<b>Appropriation applied (current and prior years)</b>		
Ordinary annual services	(113,376)	(111,335)
Departmental capital budget	(1,848)	(530)
<b>Total appropriation applied</b>	<b>(115,224)</b>	<b>(111,865)</b>
<b>Variance</b>	<b>8,382</b>	<b>(2,133)</b>
Opening unspent ordinary annual services appropriation balance	27,926	30,059
<b>Closing unspent ordinary annual services appropriation balance</b>	<b>36,308</b>	<b>27,926</b>
<b>Other services</b>		
Annual appropriation		
Equity injection <sup>2</sup>	4,377	2,200
<b>Total available appropriation</b>	<b>4,377</b>	<b>2,200</b>
<b>Appropriation applied (current and prior years)</b>	<b>-</b>	<b>-</b>
<b>Variance</b>	<b>4,377</b>	<b>2,200</b>
Opening unspent other services appropriation balance	2,200	726
Other services appropriation repealed	-	(726)
<b>Closing unspent other services appropriation balance</b>	<b>6,577</b>	<b>2,200</b>
<b>Total closing unspent appropriation balance</b>	<b>42,885</b>	<b>30,126</b>

<sup>1</sup> Departmental capital budgets are appropriated through Appropriation Acts (No. 1 and 3). They form part of ordinary annual services and are not separately identified in the Appropriation Acts.

<sup>2</sup> As at 30 June 2024, \$2.177 million of equity injection funding was withheld under section 51 of the PGPA Act due to reclassification.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Note 3.1: Appropriations (continued)**

	2024	2023
	\$'000	\$'000
<b>Note 3.1B: Unspent annual appropriations ('recoverable GST exclusive')</b>		
<b>Departmental</b>		
<i>Appropriation Act (No. 1) - 2021–2022<sup>1,2</sup></i>	689	725
<i>Supply Act (No. 1) - 2022–2023<sup>1</sup></i>	775	775
<i>Supply Act (No. 3) - 2022–2023<sup>1</sup></i>	1,086	10,680
<i>Appropriation Act (No. 1) - 2022–2023</i>	-	15,296
<i>Appropriation Act (No. 2) - 2022–2023<sup>1</sup></i>	2,200	2,200
<i>Appropriation Act (No. 1) - 2023–2024</i>	24,487	-
<i>Appropriation Act (No. 2) - 2023–2024</i>	2,177	-
<i>Appropriation Act (No. 3) - 2023–2024</i>	8,613	-
<i>Appropriation Act (No. 4) - 2023–2024</i>	2,200	-
<i>Appropriation Act (No. 5) - 2023–2024</i>	409	-
Cash at bank	249	450
<b>Total departmental</b>	<b>42,885</b>	<b>30,126</b>

<sup>1</sup> As at 30 June 2024, the following prior year departmental capital budget and equity injection funding was withheld under section 51 due to a movement of funds decision:

- *Appropriation Act (No. 1) 2021–2022* – \$0.689 million;
- *Supply Act (No. 1) 2022–2023* – \$0.775 million;
- *Supply Act (No. 3) 2022–2023* – \$1.086 million;
- *Appropriation Act (No. 2) 2022–2023* – \$2.200 million.

<sup>2</sup> \$0.689 million unspent appropriation will lapse on 1 July 2024.

**Note 3.2: Net Cash Appropriation Arrangements**

	2024	2023
	\$'000	\$'000
<b>Total comprehensive income / (loss) - as per the Statement of Comprehensive Income</b>	<b>(466)</b>	<b>(7,299)</b>
<b>Plus:</b> depreciation/amortisation of assets funded through appropriations (departmental capital budget funding and/or equity injections) <sup>1</sup>	<b>3,618</b>	4,769
<b>Plus:</b> depreciation of right-of-use assets <sup>2</sup>	<b>6,937</b>	6,865
<b>Less:</b> lease principal repayments <sup>2</sup>	<b>(7,209)</b>	(7,188)
<b>Net Cash Operating Surplus / (Deficit)</b>	<b>2,880</b>	<b>(2,853)</b>

<sup>1</sup> From 2010–11, the Government introduced net cash appropriation arrangements where revenue appropriations for depreciation/amortisation expenses of non-corporate Commonwealth entities and selected corporate Commonwealth entities were replaced with a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

<sup>2</sup> The inclusion of depreciation/amortisation expenses related to right-of-use leased assets and the lease liability principal repayment amount reflects the impact of AASB 16 *Leases*, which does not directly reflect a change in appropriation arrangements.

**Office of the Director of Public Prosecutions (Cth)**  
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*For the period ended 30 June 2024*

## People and relationships

This section describes a range of employment and post-employment benefits provided to our people and our relationships with other key people.

### Note 4.1: Employee Provisions

#### Accounting Policy

Liabilities for short-term employee benefits and termination benefits expected within 12 months of the end of reporting period are measured at their nominal amounts.

#### Leave

The liability for employee benefits includes provision for annual leave and long service leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the CDPP's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined using an employee-based spreadsheet model developed by the Australian Government Actuary for the 2020–21 financial year and future years. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

#### Separation and Redundancy

Provision is made for separation and redundancy benefit payments. There were no provisions for termination as at 30 June 2024 (2023: nil).

#### Superannuation

CDPP's staff are members of the Commonwealth Superannuation Scheme (**CSS**), the Public Sector Superannuation Scheme (**PSS**) or the PSS accumulation plan (**PSSap**), or other superannuation funds held outside the Australian Government.

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's administered schedules and notes.

The CDPP makes employer contributions to the employees' defined benefit superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government. The CDPP accounts for the contributions as if they were contributions to defined contribution plans. The liability for superannuation recognised as at 30 June represents outstanding contributions.

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Note 4.2: Key Management Personnel Remuneration**

Key management personnel are those persons having authority and responsibility for planning, directing, and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity. The CDPP has determined key management personnel to be the Director of Public Prosecutions and the Executive Leadership Group (made up of the Commonwealth Solicitor for Public Prosecutions, Practice Group Leaders, and the Chief Operating Officer). Key management personnel remuneration is reported in the table below:

	2024	2023
	\$'000	\$'000
<b>Note 4.2A: Key management personnel remuneration</b>		
Short-term employee benefits	2,440	2,249
Post-employment benefits	398	383
Other long-term employee benefits	113	98
<b>Total key management personnel remuneration expenses<sup>1</sup></b>	<b>2,951</b>	<b>2,730</b>

The total number of key management personnel that are included in the above table is 9 (2023: 10) representing the people who individually occupied the key management personnel position during the year. The total key management personnel remuneration includes all substantive key management personnel (full and part period).

<sup>1</sup> The above key management personnel remuneration excludes the remuneration and other benefits of the Attorney-General. The Attorney-General's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the CDPP.

**Note 4.3: Related Party Disclosures**

**Related party relationships:**

The CDPP is an Australian Government controlled entity. Related parties to this entity are key management personnel, including the Attorney-General and other Australian Government entities.

**Transactions with related parties:**

Given the breadth of Government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. These transactions have not been separately disclosed in this note.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the entity, it has been determined that there are no related party transactions to be separately disclosed.



**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

**Managing uncertainties**

This section analyses how the CDPP manages financial risks with its operating environment

**Note 5.1: Contingent Assets and Liabilities**

**Quantifiable Contingencies**

As at 30 June 2024, the CDPP had no quantifiable contingent assets or liabilities (2023: nil).

**Unquantifiable Contingencies**

If a matter is unsuccessfully prosecuted by the CDPP, the Courts may order that the CDPP pay certain costs to the defendant. Costs so awarded are met from the CDPP and/or client organisation's annual appropriations.

Costs have been awarded against the CDPP by the Courts on some occasions in past financial years. On this basis, it is anticipated that this may occur on some occasions during the next financial year. However, since awards of costs are made by the Courts, and the CDPP is unable to control or predict the quantum or number of such awards, the CDPP is unable to quantify its potential future liabilities in this regard.

**Accounting Policy**

Contingent assets and liabilities are not recognised in the statement of financial position but are reported in the notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

**Note 5.2: Financial Instruments**

	2024	2023
	\$'000	\$'000
<b>Note 5.2A: Categories of financial instruments</b>		
<b>Financial assets</b>		
<b>Financial assets at amortised cost</b>		
Cash and cash equivalents	249	450
Trade and other receivables	1,078	440
<b>Total financial assets at amortised cost</b>	<b>1,327</b>	<b>890</b>
<b>Total financial assets</b>	<b>1,327</b>	<b>890</b>
<b>Financial liabilities</b>		
<b>Financial liabilities measured at amortised cost</b>		
Suppliers payable	4,704	3,416
<b>Total financial liabilities measured at amortised cost</b>	<b>4,704</b>	<b>3,416</b>
<b>Total financial liabilities</b>	<b>4,704</b>	<b>3,416</b>

There were no gains on financial instruments for the year ended 30 June 2024 (2023: nil).

There was a \$434 loss on financial instruments for the year ended 30 June 2024 (2023: nil).

**Office of the Director of Public Prosecutions (Cth)**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

For the period ended 30 June 2024

## Other Information

### Note 6.1: Current/Non-Current Distinction for Assets and Liabilities

	2024	2023
	\$'000	\$'000
<b>Note 6.1A: Current/non-current distinction for assets and liabilities</b>		
<b>Assets expected to be recovered in:</b>		
<b>No more than 12 months</b>		
Cash and cash equivalents	249	450
Trade and other receivables	37,598	30,959
Prepayments	2,344	2,590
<b>Total no more than 12 months</b>	<b>40,191</b>	<b>33,999</b>
<b>More than 12 months</b>		
Property	26,841	32,351
Plant and equipment	2,980	2,779
Intangibles	1,208	1,614
Prepayments	7	102
<b>Total more than 12 months</b>	<b>31,036</b>	<b>36,846</b>
<b>Total assets</b>	<b>71,227</b>	<b>70,845</b>
<b>Liabilities expected to be settled in:</b>		
<b>No more than 12 months</b>		
Suppliers	4,704	3,416
Other payables	1,763	1,692
Leases	5,537	6,883
Employee leave provisions	6,325	5,098
Other provisions	1,450	1,114
<b>Total no more than 12 months</b>	<b>19,779</b>	<b>18,203</b>
<b>More than 12 months</b>		
Leases	16,497	20,650
Employee leave provisions	13,324	11,842
Other provisions	830	802
<b>Total more than 12 months</b>	<b>30,651</b>	<b>33,294</b>
<b>Total liabilities</b>	<b>50,430</b>	<b>51,497</b>

# ★ Part 4: Management and Accountability

## Governance structures

The CDPP's governance framework reflects its legislative and operating environment. The governance structures and practices support it to achieve its purpose while meeting required levels of transparency and accountability.

## Governance committees

The following committees support the Director and ensure effective governance within the CDPP.

**Table 3: Governance committees**

Committee	Reports to	Responsibilities	Frequency of meetings
<b>Primary committees</b>			
Executive Leadership Group (ELG)	Director	<p>Key advisory group to the Director.</p> <p>Chaired by the Commonwealth Solicitor for Public Prosecutions and comprising the Director, Practice Group Leaders (Deputy Directors) and the Chief Operating Officer (COO).</p> <p>Advises the Director on key strategic, operational, financial and corporate matters, identifies and mitigates risks, and provides strategic and specialist legal expertise in support of agency performance and outcomes.</p>	At least quarterly
Audit Committee	-	Provides independent advice to the Director on the Office's financial and performance reporting responsibilities, system of risk oversight and management, and system of internal control.	Quarterly
<b>Secondary committees</b>			
Enterprise Board	ELG (on quarterly basis)	<p>Provides oversight for major projects.</p> <p>Monitors, evaluates and reports on the delivery progress of major projects.</p>	Monthly
Workforce Planning Committee	ELG (on quarterly basis)	<p>Provides advice on all matters relating to forecasting CDPP's human resourcing requirements.</p> <p>Considers and reviews a range of workforce planning requirements including the organisation's short, medium and long-term resourcing and capability needs.</p>	Monthly
<b>Consultative committees</b>			
National Consultative Committee	ELG (through the COO, as required)	Facilitates communication and consultation on agency employment and workplace matters related to the enterprise agreement.	At least three times a year
National Health and Safety Committee	ELG (through the COO, as required)	Provides assistance and advice on matters affecting the health, safety and wellbeing of CDPP staff and other workers.	Quarterly

## Audit Committee

The Director established the Audit Committee in accordance with section 45 of the PGPA Act and section 17 of the *Public Governance, Performance and Accountability Rule 2014 (PGPA Rule)*. The Audit Committee charter can be found at [www.cdpp.gov.au/publications/cdpp-audit-committee-charter](http://www.cdpp.gov.au/publications/cdpp-audit-committee-charter).

Table 4 sets out details for the Audit Committee as required under section 17AG(2A) of the PGPA Rule.

**Table 4: Audit Committee membership 2023–24**

Member name	Relevant qualifications, knowledge, skills or experience	Period of membership	Meetings attended/ total meetings	Total annual remuneration (GST inc.)
Ken Moore (Chair/ Independent member)	Bachelor of Arts (Economics/ Accounting).  Fellow CPA Australia.  Fellow Australian Institute of Company Directors.  Holds directorships for two organisations.  Previously held SES officer positions in the APS.	May 2015 – current	3/3	\$13,500
Tim Youngbery (Independent member)	Bachelor of Business (Accounting).  Fellow CPA Australia and Chartered Accountants Australia & New Zealand.  Former SES officer and CFO in the APS.  Member of other APS and non- government audit committees.	August 2023 – current	3/3	\$9,900
Elizabeth Montano (Independent member)	Bachelor of Arts.  Bachelor of Laws.  Fellow Australian Institute of Company Directors.  Chair and member of various APS audit committees.  Director of boards in the public and not-for-profit sectors.  Former Chief Executive Officer and SES officer within APS with senior experience in private legal practice in financial services.	February 2021 – current	3/3	\$10,190

## Fraud prevention and control

The CDPP works diligently to minimise the potential for fraud and corruption through continuous improvement of the fraud control framework and control mechanisms. The Fraud Control Policy helps employees, contractors, consultants and the public understand what fraud and corruption is and encourages employees at all levels to participate in protecting public resources. The Fraud Control Plan and Fraud Risk Register have been reviewed and work commenced to update the plan in anticipation of the new Commonwealth Fraud and Corruption Control Framework requirements.

The ELG is responsible for assuring the Director that fraud and corruption prevention, detection, investigation and reporting mechanisms are in place to meet the requirements of the Commonwealth Fraud Control Framework 2017, and specifically section 10 of the PGPA Rule. During the reporting period there were no reported incidents of fraud.

The Audit Committee oversees fraud management arrangements and provides independent assurance to the Director.

## Risk management

Risk management is an integral part of the CDPP's strategic planning processes. Our approach to risk management is measured and calculated, underpinning the successful delivery of our prosecution services. The CDPP Risk Management Framework aligns with the international standard AS/NZ ISO 31000:2018 – Risk Management – Principles and Guidelines, the PGPA Act and PGPA Rule, and the Commonwealth Risk Management Policy (**CRMP**).

The ELG and Audit Committee actively monitor the CDPP's Strategic Risk Register (**SRR**), ensuring our risk management is effective and continues to support the Office's performance of its functions. During the reporting period, the SRR was reviewed each quarter with updates made to risk controls and treatments as required. Other risks were monitored and managed as part of a broader risk management program.

Maintaining a positive risk culture within the Office is critical to promoting an approach to managing risk that considers both threats and opportunities. Staff are empowered and enabled to actively engage with risk through education, tools and guidance to confidently identify, measure and manage organisational risks within risk tolerances and without stifling opportunities for innovation.

The CDPP takes a proactive risk management approach in its litigation management plans, which help to manage complex cases by promoting active planning of case activities and regular updates as matters proceed through the prosecution process.

The CRMP, under element 6, requires that shared risks be identified, managed and reported with appropriate partner agencies. Each entity must implement arrangements to understand and contribute to the management of shared risks. The Office is working with AGD to establish procedures for reporting and managing shared risks.

## Internal audit

Internal Audit is an independent function that seeks to improve operations by providing objective assurance and advice that supports decision-making. It is part of the CDPP's governance framework and helps achieve objectives by bringing a systematic, disciplined approach to risk management, optimisation of controls, and effective governance.

The activities of our internal auditor are risk-based and detailed in a Strategic Internal Audit Plan endorsed by the Audit Committee and approved by the Director. This plan coordinates internal

audit activity with other assurance activities and mechanisms, including external audits. In the reporting period, the internal audit service provider undertook a broad range of audits, with no significant control breakdowns identified.

## Privacy

Obligations under the *Privacy Act 1988* and the Australian Privacy Principles guide the CDPP's Privacy Policy and the relevant National Legal Direction, which cover all privacy considerations in relation to our collection, storage, release and disposal of personal information. In addition, the Privacy Management Plan identifies specific, measurable privacy goals and targets and sets out how it will meet privacy compliance obligations.

There were no notifiable data breaches identified during the reporting period.

## Public interest disclosure

The CDPP is committed to the highest standards of ethical and accountable conduct, encouraging, supporting and protecting public officials who report disclosable conduct in accordance with the *Public Interest Disclosure Act 2013*.

The Office recognises the importance of an effective system for reporting and investigating disclosable conduct and provides appropriate training for our authorised officers. There is also a dedicated email address for disclosures to be made to authorised officers.

The CDPP's public interest disclosure procedure and supporting documents are published on the CDPP website at [www.cdpp.gov.au/about-us/accountability-and-reporting/public-interest-disclosure-act](http://www.cdpp.gov.au/about-us/accountability-and-reporting/public-interest-disclosure-act).

## Commonwealth Child Safe Framework

The safety and wellbeing of children and young people is a priority for our leadership team and staff, with particular emphasis on providing support for victims of child abuse offences. As Australia's Federal Prosecution Service, the Office has a significant role and responsibility for ensuring CDPP staff treat victims with courtesy, compassion, cultural sensitivity and respect for their dignity. Ensuring the safety of children and respecting their rights underpins the important work of the CDPP.

We review our risk register annually to ensure risks related to child safety are documented and treatments are applied to reduce levels of risk. The risk assessment conducted for the reporting period rated the child safety risk as low. The Office has limited interactions with children; however, these interactions usually occur during the process of prosecuting offences against Commonwealth law where the child or young person is a victim of crime.

In ensuring a child-safe environment, the CDPP has embedded the following initiatives:

- maintaining a specialised WAS staffed by qualified social workers who have been trained on trauma informed approaches
- requiring all cases involving child victims to be referred to the WAS
- published a Child Safety and Wellbeing Policy, which includes a list of Child Safe Professional Behaviours
- provided training to CDPP legal staff on vicarious trauma and
- included Child Safety and Wellbeing Policy requirements to the standard terms and conditions when briefing private barristers.

## External scrutiny

The CDPP considers relevant judicial or administrative decisions and reports, and recommendations made by Parliamentary committees and other governing or oversight bodies, that may impact its operations. Progress on implementing any relevant recommendations is reported to the ELG and the Audit Committee for oversight, where applicable.

During the reporting period, there were no decisions of judicial or administrative tribunals or the Australian Information Commissioner, or any report from the Commonwealth Ombudsman or a Parliamentary committee, that have had, or may have, a significant impact on CDPP operations.

## Complaints and feedback

The CDPP maintains a dedicated Feedback and Complaints page on the CDPP website. The page sets out the process for making a complaint or providing feedback, includes a link to the Complaints Policy, and summarises what an accused person, witness, victim of crime or member of the public can expect when they lodge a complaint.

The ELG reviews complaints and feedback data annually to identify any systemic issues and take appropriate action. In accordance with recommendations made by the Royal Commission into Institutional Responses to Child Abuse, the WAS provides victims of crime referred to it with information on feedback and complaints processes.

In 2023–24, the CDPP received 59 submissions to the Feedback and Complaints page, of which 14 were the subject of investigation. The remaining 45 submissions were not investigated because they were either a misdirected complaint, reporting an alleged crime, providing feedback on a current prosecution, or contained insufficient information to progress.

Of the 14 complaints the subject of investigation, seven were found to be without foundation and two were found to be partially substantiated, which led to remedial action being undertaken. There are five complaints where investigation is ongoing.

## Right of Review

The Right of Review process is an important way of ensuring the views of complainants are heard and that complainants are consulted in regard to prosecutorial decision making.

This review process relates to decisions to wholly discontinue a prosecution in cases involving:

- Child victims (person under 18 years).
- Slavery, servitude and forced marriage.
- Offences which result in death or serious physical or psychological harm.

Any such review is personally undertaken by the Director.

In 2023–24, the CDPP received one request to review a decision to discontinue a prosecution. Following the review, the decision to discontinue the prosecution was upheld.

# Our people

## Workplace agreements

Staff (non-SES) employed under the *Public Service Act 1999 (PS Act)* are covered by the *Office of the Commonwealth Director of Public Prosecutions (CDPP) Enterprise Agreement 2024–2027*. In the last 12 months, while the Enterprise Agreement was being negotiated, the CDPP had in place the following:

- A section 24(1) determination under the PS Act that provided a 3% salary increase from 8 August 2023.
- A section 24(1) determination under the PS Act that provided an increase equivalent to 0.92% of each employee’s base annual salary, paid on 4 March 2024.
- A 4% salary increase on 28 March 2024, backdated to 14 March 2024.

The terms and conditions of employment for SES officers are provided for under individual common law agreements. A salary increase of 4% was provided to SES officers in March 2024 under a section 24(1) determination. Prior to that determination, the last salary increase received by SES was 3% in October 2022.

A small number of employees have remuneration and employment conditions covered by section 24(1) determinations made under the PS Act, or individual flexibility agreements.

The CDPP also offers staff a variety of non-salary benefits including:

- flexible and remote working arrangements
- salary packaging
- learning and development opportunities, including studies assistance and
- access to a comprehensive Wellbeing Program.

## Employment arrangements

Tables 5 and 6 show the employment arrangements of SES and non-SES staff.

**Table 5: Employment arrangements of SES and non-SES employees as at 30 June 2024**

	SES	Non-SES	Total
Section 24(1) determinations	3	15	18
Individual flexibility agreements	0	12	12
Common law contracts	21	9	30
<b>Total</b>	<b>24</b>	<b>36</b>	<b>60</b>



**Table 6: Public Service Act 1999 employment salary ranges by classification and level—as at 30 June 2024 (2023–24)**

	Minimum salary	Maximum salary
SES 3	\$292,611	\$348,634
SES 2	\$250,266	\$302,389
SES 1	\$211,607	\$238,096
PFP	\$147,550	\$156,952
EL 2	\$135,230	\$187,973
SFP	\$112,233	\$136,570
EL 1	\$112,233	\$141,838
APS 6	\$90,199	\$112,284
FP2	\$81,145	\$101,793
APS 5	\$80,619	\$89,615
FP1	\$72,369	\$80,059
APS 4	\$72,369	\$80,059
APS 3	\$65,021	\$71,498
APS 2	\$58,739	\$64,584
APS 1	\$52,000	\$56,984
Other	-	-
<b>Minimum/maximum range</b>	<b>\$52,000</b>	<b>\$348,634</b>

The salary ranges by classification level are available under an EA, section 24(1) determinations, common law agreements, individual flexibility agreements or maintenance of current salaries.

## Employee profile

All staffing information is prepared in accordance with section 17AG(4) of the PGPA Rule.

As at 30 June 2024, the CDPP had 454 employees. For information related to workforce statistics, including numbers and locations of staff, employment arrangements and remuneration, refer to **Appendix 3 – Workforce statistics**.

## Workforce strategies

### Capability development

The CDPP remains committed to investing in the development of its people through learning and development opportunities. We aim to embed an organisational culture of continual learning and skills development that drives high performance, builds capability and supports our people to successfully deliver on strategic priorities.

**Legal Learning:** This commitment is captured in the Legal Capability Strategy 2023–26. This strategy sets out a framework for the CDPP to respond to capability challenges, risks and opportunities presented by the current and future operating environment. The strategy recognises the importance of building the CDPP’s legal capability through on the job learning and specialised training programs. Leadership and management expertise are the other key areas of capability development addressed through the strategy.

**Leadership and Management Capability:** We provide staff with access to executive and leadership coaching, APS Academy training, programs including the EL2 Leadership Edge Program and participation in the Women in Law Enforcement Strategy program. Focusing on identified agency risks during the reporting period, there was an emphasis this year on cultural capability and safety and wellbeing training and awareness.

## Workforce planning

The CDPP Workforce Plan 2022–26 identifies and mitigates key workforce capability and capacity risks to position the Office to proactively manage and respond to emerging and evolving work challenges. The plan ensures a sustainable approach to managing workforce supply and capability into the future.

## Diverse workforce

Diversity and inclusion are fundamental elements of the CDPP Office culture. Individual views, values, experiences and perspectives shape and strengthen how the Office delivers a fair, equitable and consistent prosecution service to a diverse Australian community.

We recognise diversity comprises many forms including gender, sexual orientation, educational or professional background, cultural and linguistic backgrounds, caring responsibilities, age, ability and life experiences.

Our commitment to diversity and inclusion is supported and shaped by the Diversity and Inclusion Network, comprising employees from across the Office and led by the Diversity and Inclusion Champion and Deputy Champions.

## Diversity and inclusion Strategy

The CDPP Diversity and Inclusion Strategy 2024-26 was implemented in February 2024. This strategy provides a three-year roadmap to help us continue to build an inclusive culture and progress diversity efforts and focus through practical actions. The strategy is underpinned by three key principles:

- **Visibility** - the commitment to diversity and inclusion is actively and visibly promoted.
- **Capability** - the CDPP workforce is equipped with the knowledge required to embrace and continue to embed workplace inclusion across the Office.
- **Inclusion** - the CDPP drives a consistent, supportive, and respectful approach to inclusion and seeks to create career pathways for diverse talent.

Each of these principles demonstrates an ongoing commitment to increasing the level of understanding and awareness of diversity and inclusion across the Office.

## Australia's Disability Strategy 2021–2031

Australia's Disability Strategy 2021–31 is the overarching framework for inclusive policies, programs and infrastructure that will support people with disability to participate in all areas of Australian life. The strategy sets out where practical changes will be made to improve the lives of people with disability in Australia. It acts to ensure the principles underpinning the United Nations Convention on the Rights of Persons with Disabilities are incorporated into Australia's policies and programs that affect people with disability, their families and carers.

All levels of government have committed to deliver more comprehensive and visible reporting under the strategy. A range of reports on progress of the strategy's actions and outcome areas will be published and available at [www.aspc.gov.au](http://www.aspc.gov.au).

## Work health and safety

The CDPP is committed to the safety and wellbeing of all its employees and other workers. This commitment is informed by adherence to compliance requirements under the *Work Health and Safety Act 2011*, *Work Health and Safety Regulations 2011* and the *Safety, Rehabilitation and Compensation Act 1988*.

The CDPP's Work Health and Safety Management System provides a framework of policies, procedures, and guidelines to help build a safe workplace and to ensure risk of injury and/or illness are effectively assessed and managed.

## Reporting incidents and enforcement measures

All hazards and incidents are reported in accordance with the CDPP Work Health Safety Incident and Hazard reporting guidelines.

Thirty-five hazard incident reports were received during 2023–24. One incident required notification to Comcare, which determined no further action was required. No additional actions, enforcement measures or improvement notices were issued to the Office during the reporting period.

## Wellbeing program

The Office prioritises employee health and wellbeing through the CDPP Wellbeing Program. The program fosters a supportive environment and facilitates health and wellbeing practices. In 2023–24, the program was reviewed to include a renewed focus on mental health, including building employee and manager capabilities on enacting mental health strategies, and on ensuring tools and resources are available to support identified risks in our working environment.

All staff are supported by regular wellbeing checks (conducted by registered psychologists) and the Employee Assistance Program, which offers free and confidential assistance to all employees and their immediate families, as well as a manager assistance service. During the reporting period, our employee assistance provider delivered 124 hours of support to employees and their families and conducted over 578 wellbeing checks.

We recognise that employees who are fit and healthy are likely to be more productive and engaged in the workplace. The EA provides staff with reimbursement of up to \$295 a year for approved health and wellbeing activities and equipment to assist employees maintain a healthy lifestyle.

The annual influenza vaccination program was undertaken in April 2024, providing free vaccinations to all employees.

# Other management and accountability information

## Asset management

The CDPP's major assets are right-of-use leased premises, office fit out, office furniture, computer equipment, purchased software, and library holdings, which are subject to an annual stocktake to ensure the accuracy of our asset records. The CDPP's asset management policy and practices are designed to protect the interests of the Australian Government.

## Purchasing

The CDPP's approach to procuring goods and services is consistent with, and reflects the principles of, the [Commonwealth Procurement Rules \(CPRs\)](#), particularly the core rule of competition contributing to demonstrating value for money.

The CDPP maintains a centralised procurement team that coordinates procurement activities and liaises with business areas and financial delegates. The team ensures consistency and compliance with the CPRs and other policies. The team also supports other business areas on matters of risk management, probity, specification development and contract management.

In assessing performance against the CPRs during the 2023–24 financial year, the CDPP identified two areas for improvement:

- The CPRs require entities to report contracts and amendments on AusTender within 42 days of entering or amending a contract. 19 contracts and nine amendments due for reporting in the 2023–24 year were published outside of the 42 day period.
- The CPRs require entities to use coordinated procurements. During 2023–24, the CDPP exceeded the off-panel expenditure threshold in the People Panel's Flexibility Framework. The CDPP is progressing the transition of contracts to the People Panel.

The CDPP's procurement policies and practices are informed by the Director's Finance Instructions and supporting guidelines. These have been developed to ensure the Office undertakes competitive, non-discriminatory procurement processes; obtains value for money; encourages competition among actual and potential suppliers; promotes the use of resources in an efficient, effective, economical, and ethical manner; and is accountable and transparent during the procurement process.

No contracts of \$100,000 or more (inclusive of GST) were entered into during 2023–24 that did not provide for the Auditor-General to have access to the contractor's premises where appropriate.

The CDPP has not published details of prosecution legal counsel expenditure on the basis that to do so would disclose exempt matters under the *Freedom of Information Act 1982*. In 2023–24, the CDPP spent \$15.66 million on legal counsel expenditure.

## Reportable consultancy contracts

During 2023–24, seven new reportable consultancy contracts were entered into involving total actual expenditure of \$216,946. In addition, five ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of \$417,833.

**Table 7: Reportable consultancy contracts 2023–24**

	Number	Expenditure (GST inc.)
New contracts entered into during the reporting period	7	\$216,946
Ongoing contracts entered into during a previous reporting period	5	\$417,833
<b>Total</b>	<b>12</b>	<b>\$634,779</b>

Table 8 shows the organisations that received the five largest shares of CDPP’s reportable consultancy contract expenditure during 2023–24.

**Table 8: Organisations receiving the largest shares of reportable consultancy contract expenditure 2023–24**

Name of organisation	Expenditure (GST inc.)
Synergy Group Australia Pty Ltd	\$220,204
North Security Digital Pty Ltd	\$157,905
Gartner Australasia Pty Ltd	\$123,310
Proximity Advisory Services Pty Ltd	\$39,674
35 South Advisors Pty Ltd	\$32,346

Annual reports contain information about actual expenditure on reportable consultancy contracts. Information on the value of reportable consultancy contracts can be found on the AusTender website.

The CDPP engages consultants where it lacks specialist expertise or when independent research, review or assessment is required. Typically, the CDPP engages consultants to investigate or diagnose a defined issue or problem, carry out defined reviews or evaluations, or provide independent advice, information, or solutions to assist in decision-making.

Before engaging consultants, the CDPP considers the skills and resources required for the task, the skills available internally, and the cost-effectiveness of engaging external expertise. Decisions to engage a consultant are made in line with the PGPA Act and related regulations (including the CPRs and relevant internal policies).

## Reportable non-consultancy contracts

During 2023–24, 87 new reportable non-consultancy contracts were entered into involving total actual expenditure of \$7.40 million. In addition, 155 ongoing reportable non-consultancy contracts were active during the period, involving total actual expenditure of \$25.11 million.

**Table 9: Reportable non-consultancy contracts 2023–24**

	Number	Expenditure (GST inc.)
New contracts entered into during the reporting period	87	\$7,402,072
Ongoing contracts entered into during a previous reporting period	155	\$25,109,424
<b>Total</b>	<b>242</b>	<b>\$32,511,497</b>

Table 10 shows the organisations that received the five largest shares of CDPP’s reportable non-consultancy contract expenditure during 2023–24.

**Table 10: Organisations receiving the largest shares of reportable non-consultancy contract expenditure 2023–24**

Name of organisation	Expenditure (GST inc.)
Sicard Pty Ltd	\$3,424,589
Hays Specialist Recruitment (Australia) Pty Limited	\$2,741,186
GPT Pty Limited	\$1,915,261
ThinkStream Pty Ltd	\$1,906,105
Macquarie Telecom Pty Limited	\$1,337,341

Annual reports contain information about actual expenditure on reportable non-consultancy contracts. Information on the value of reportable non-consultancy contracts is available on the AusTender website.

## Legal services expenditure

The *Legal Services Directions 2017* (the **Directions**) require agencies to report expenditure on legal services. The Directions are not intended to cover the handling of criminal prosecutions and related proceedings (see General Note 4 to the Directions). Therefore, our report relates to our administrative activities only.

Our total expenditure on legal services (excluding the handling of criminal prosecutions and related proceedings) during 2023–24 was \$277,873 (excluding GST). The following table outlines CDPP legal services expenditure and is published in compliance with paragraph 11.1(ba) of the Directions.

**Table 11: Legal services expenditure 2023–24**

Description	Cost
<b>Expenditure</b>	
Total (external and internal) expenditure	\$277,873
Total internal legal services expenditure	\$0
Total external legal services expenditure	\$277,873
<b>Summary of external legal services expenditure</b>	
Total value of briefs to Counsel (A)	\$0
Total value of disbursements (excluding counsel) (B)	\$6,963
Total value of professional fees paid (C)	\$270,910
Total external legal services expenditure (A + B + C)	\$277,873

**Note:** Excludes the handling of criminal prosecutions and related proceedings.

## Small and medium enterprises

The CDPP supports small business participation in the Commonwealth Government procurement market. Small and medium enterprises (**SME**) and small enterprise participation statistics are available on the [Department of Finance’s website](#).

Some of the ways the CDPP’s procurement practices support SMEs include:

- using the Commonwealth Contracting Suite for low-risk procurements valued under \$200,000
- communicating in clear, simple language and presenting information in an accessible format and
- adhering to the Pay-on-Time Policy relating to paying small business suppliers.

## Advertising and market research

Under section 311A of the *Commonwealth Electoral Act 1918*, the CDPP is required to disclose payments of \$16,300 or more (inclusive of GST) to specific types of organisations. These organisations are advertising agencies, market research organisations, polling organisations, media advertising organisations and direct mail organisations.

During 2023–24, the CDPP did not conduct any advertising campaigns or make any payments to polling organisations, media advertising organisations or direct mail organisations, and did not make any payments of \$16,300 or more (inclusive of GST) to market research organisations.

## Ecological sustainability

The CDPP is committed to the ongoing efficient and effective management of resources and has initiatives in place that contribute to a more sustainable environment. The Office embraces technology to minimise energy consumption, reduce the need for paper-based records and limit the environmental impact of staff travel.

Emissions are required to be calculated in line with the APS Net Zero Emissions Reporting Framework provided by Department of Finance, consistent with the Whole-of-Australian Government approach as part of the APS Net Zero by 2030 policy.

Table 12 presents greenhouse gas emissions over the 2023–24 period. Results are presented as carbon dioxide equivalent (**CO<sub>2</sub>-e**) emissions and are based on the best available data at the time of reporting.

Waste data was not available at the time of the report and amendments to data may be required in future reports. The quality of data is expected to improve over time as emissions reporting matures.

Emissions from electricity consumed by electric vehicles have only been reported for electricity directly purchased by the CDPP. Emissions associated with electricity consumption from public charging stations has not been reported for 2023–24.

**Table 12: Greenhouse gas emissions inventory (location-based method) 2023–24**

Emission source	Scope 1 † CO <sub>2</sub> -e	Scope 2 † CO <sub>2</sub> -e	Scope 3 † CO <sub>2</sub> -e	Total † CO <sub>2</sub> -e
Electricity (location-based approach)	N/A	378.411	42.257	420.668
Natural gas	0.000	N/A	0.000	0.000
Solid waste*	N/A	N/A	0.000	0.000
Refrigerants*†	0.000	N/A	N/A	0.000
Fleet and other vehicles	4.950	N/A	1.259	6.209
Domestic commercial flights	N/A	N/A	293.595	293.595
Domestic hire car*	N/A	N/A	2.352	2.352
Domestic travel accommodation	N/A	N/A	118.650	118.650
Other energy	0.000	N/A	0.000	0.000
<b>Total kg CO<sub>2</sub>-e</b>	<b>4.950</b>	<b>378.411</b>	<b>458.113</b>	<b>841.474</b>

Note: The table above presents emissions related to electricity usage using the location-based accounting method. CO<sub>2</sub>-e = Carbon Dioxide Equivalent.

\* indicates emission sources collected for the first time in 2023–24. The quality of data is expected to improve over time as emissions reporting matures.

† indicates optional emission source for 2023–24 emissions reporting.

Since 2020, 100% of the Australian Capital Territory (**ACT**) electricity comes from renewable energy sources, marking ACT with the highest renewable electricity target within Australia. This has had a direct impact on the carbon emissions associated with the CDPP Canberra office. For more details, visit [www.climatechoices.act.gov.au/energy](http://www.climatechoices.act.gov.au/energy).

The electricity emissions reported in Table 12 are calculated using the location-based approach. When applying the market-based method, which accounts for activities such as Greenpower, purchased LGCs and/or being located in the ACT, the total emissions for electricity are as set out in Table 13.



**Table 13: Greenhouse Gas Emissions inventory – market-based method**

Emission source	Scope 1 ↑ CO <sub>2</sub> -e	Scope 2 ↑ CO <sub>2</sub> -e	Scope 3 ↑ CO <sub>2</sub> -e	Percentage of electricity use
Location-based electricity emissions	378.411	42.257	420.668	100.00%
Market-based electricity emissions	327.601	40.445	368.046	71.33%
Total renewable electricity	-	-	-	28.67%
<i>Mandatory renewables<sup>1</sup></i>	-	-	-	18.72%
<i>Voluntary renewables<sup>2</sup></i>	-	-	-	9.95%

**Note:** the table above presents emissions related to electricity usage using both the location-based and the market-based accounting methods. CO<sub>2</sub>-e = Carbon Dioxide Equivalent.

- 1 Mandatory renewables are the portion of electricity consumed from the grid that is generated by renewable sources. This includes the renewable power percentage.
- 2 Voluntary renewables reflect the eligible carbon credit units surrendered by the entity. This may include purchased large-scale generation certificates, power purchasing agreements, GreenPower and the jurisdictional renewable power percentage (ACT only).

## Freedom of information

Australian Government agencies subject to the *Freedom of Information Act 1982 (FOi Act)* are required to publish a range of information to the public on a website as part of the Information Publication Scheme (**IPS**). This requirement is set out in Part II of the FOi Act.

The CDPP's IPS plan showing the information published in accordance with the IPS requirements is available on the CDPP website at [www.cdpp.gov.au](http://www.cdpp.gov.au).

# ★ Appendices

## Appendix 1 – Entity resource statement

### Entity resource statement 2023–24

Departmental expenses	Actual available appropriation (a) \$'000	Payments made (b) \$'000	Balance remaining (a)-(b) \$'000
Annual appropriations – ordinary annual services <sup>1,3</sup>	151,532	115,224	36,308
Annual appropriations – other services – non operating <sup>2</sup>	6,577	-	6,577
<b>Total resourcing and payments</b>	<b>158,109</b>	<b>115,224</b>	<b>42,885</b>

- 1 *Appropriation Act (No. 1) 2023–24, Appropriation Act (No. 3) 2023–24, and Appropriation Act (No. 5) 2023–24.* Includes prior year departmental appropriation, and section 74 external revenue.
- 2 *Appropriation Act (No. 2) 2023–24 and Appropriation Act (No. 4) 2023–24.* Includes prior year appropriation.
- 3 Departmental capital budgets are not separately identified in Appropriation Bill (No. 1, 3) and form part of ordinary annual services. For accounting purposes, this amount has been designated as a 'contribution by owner'.

### Expenses by outcome 2023–24

Outcome 1: Contribution to a fair, safe and just society by delivering an effective, independent prosecution service in accordance with the Prosecution Policy of the Commonwealth.	Budget <sup>1</sup> (a) \$'000	Actual Expenses (b) \$'000	Variation (a)-(b) \$'000
<b>Program 1.1: An independent service to prosecute alleged offences against the criminal law of the Commonwealth</b>			
Departmental expenses			
Departmental Appropriation	103,341	99,342	3,999
s74 external revenue <sup>2</sup>	11,608	15,319	(3,711)
Expenses not requiring appropriation <sup>3</sup>	4,724	3,725	999
<b>Total expenses for Outcome 1</b>	<b>119,673</b>	<b>118,386</b>	<b>1,287</b>
	<b>Budget</b>	<b>Actual</b>	
Average staffing level (number)	480	440	

- 1 Full-year budget, including any subsequent adjustment made to the 2023–24 Budget.
- 2 Estimated expenses incurred in relation to receipts retained under section 74 of the *PGPA Act*.
- 3 Expenses not requiring appropriation in the budget year are made up of depreciation and amortisation expenses, write-down and impairment of non-financial assets, and services received free of charge.

# Appendix 2 – Remuneration tables: key management personnel, SES and other highly paid staff

The following tables are prepared on an accrual accounting basis. Benefits expenses in previous financial years (such as leave taken) are excluded from 2023–24 remuneration.

## Executive remuneration for key management personnel

Table 14: Remuneration for key management personnel 2023–24

Name	Position	Short-term benefits			Post-employment benefits		Termination benefits	Total remuneration
		Base Salary	Bonuses	Benefits and allowances <sup>1</sup>	Superannuation contributions	Other long-term benefits		
<b>Raelene Sharp KC</b>	Director of Public Prosecutions <sup>2,3</sup>	\$323,290	\$0	\$0	\$18,905	\$3,380	\$0	\$345,575
<b>Scott Bruckard PSM</b>	Commonwealth Solicitor for Public Prosecutions <sup>4</sup>	\$401,571	\$0	\$2,387	\$61,011	\$28,695	\$0	\$493,664
<b>Eliza Amparo</b>	Acting Practice Group Leader	\$258,225	\$0	\$3,053	\$43,919	\$8,379	\$0	\$313,576
<b>David Bahlen</b>	Practice Group Leader	\$232,729	\$0	\$2,637	\$46,188	\$13,305	\$0	\$294,859
<b>James Carter</b>	Practice Group Leader <sup>5</sup>	\$127,687	\$0	\$1,394	\$26,463	\$4,553	\$0	\$160,098
<b>Mark de Crespigny</b>	Practice Group Leader	\$304,508	\$0	\$1,429	\$51,098	\$17,474	\$0	\$374,507
<b>Roberta Devereaux</b>	Acting Practice Group Leader	\$255,618	\$0	\$2,329	\$45,974	\$10,819	\$0	\$314,741
<b>Joanne Philipson</b>	Practice Group Leader	\$238,610	\$0	\$250	\$48,080	\$13,979	\$0	\$300,918
<b>Sabeena Oberoi</b>	Chief Operating Officer	\$282,908	\$0	\$1,179	\$56,817	\$12,781	\$0	\$353,685

**Notes:**

- 1 Other benefits include employee health initiative reimbursements and carparking.
- 2 Part year period of service.
- 3 During the 2023–24 financial year, due to an administrative error, Ms Sharp KC received an overpayment of superannuation totalling \$2,291.88. This amount will be recovered in the 2024–25 financial year. The impact of this overpayment has not been adjusted for in Table 14.
- 4 During the 2023–24 financial year, due to an administrative error while Mr Bruckard PSM was acting as the Director of Public Prosecutions, he received salary overpayments totalling \$2,672.98. This amount has been recovered in the 2024–25 financial year. The impact of this overpayment has not been adjusted for in Table 14.
- 5 Part year period of service (retired).

## Executive remuneration by salary band

Table 15: Remuneration for senior executives 2023–24

Total remuneration bands <sup>1</sup>	Number of senior executives	Short-term benefits			Post-employment benefits		Other long-term benefits			Termination benefits		Total remuneration
		Average Base salary	Average bonus	Average Other benefits and allowances <sup>2</sup>	Average superannuation contributions	Average long service Leave	Average Other long-term benefits	Average termination benefits	Average total remuneration			
\$0 - \$220,000	11	\$115,832	\$0	\$937	\$16,058	\$4,612	\$0	\$0	\$0	\$137,439		
\$220,001 - \$245,000	5	\$194,937	\$0	\$853	\$31,004	\$9,350	\$0	\$0	\$0	\$236,143		
\$245,001 - \$270,000	1	\$217,228	\$0	\$2,758	\$35,257	\$9,972	\$0	\$0	\$0	\$265,215		
\$270,001 - \$295,000	9	\$227,372	\$0	\$1,789	\$41,533	\$11,132	\$0	\$0	\$0	\$281,827		
\$295,001 - \$320,000	1	\$243,652	\$0	\$0	\$45,264	\$10,437	\$0	\$0	\$0	\$299,352		

### Notes:

1. Remuneration reported includes part-year periods of service, including acting arrangements of greater than three months.
2. Other benefits include employee health initiative reimbursements, carparking, individual flexibility allowances, and health and safety representative allowances.

## Remuneration of other highly paid staff

Table 16: Remuneration for other highly paid staff, 2023–24

Total remuneration bands <sup>1</sup>	Number of senior executives	Short-term benefits			Post-employment benefits	Other long-term benefits		Termination benefits	Total remuneration
		Average Base salary	Average bonus	Average Other benefits and allowances <sup>1</sup>		Average long service Leave	Average Other long-term benefits		
\$250,000 - \$270,000	1	\$188,456	\$0	\$35,885	\$27,076	\$2,455	\$0	\$0	\$253,871

1 Other benefits include individual flexibility allowances.

## Appendix 3 – Workforce statistics

Tables 17 and 18 include inoperative employees. They do not include statutory office holders.

### Ongoing employees

Table 17: All ongoing employees—current period (2023–24)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	
NSW	44	2	46	75	12	87	0	0	0	0	0	0	0	0	0	133
QLD	21	1	22	32	8	40	0	0	0	0	0	0	0	0	0	62
SA	5	0	5	14	3	17	0	0	0	0	0	0	0	0	0	22
TAS	3	0	3	6	2	8	0	0	0	0	0	0	0	0	0	11
VIC	28	0	28	61	3	64	0	0	0	0	0	0	0	0	0	92
WA	7	0	7	16	3	19	0	0	0	0	0	0	0	0	0	26
ACT	16	0	16	45	6	51	0	0	0	0	0	0	0	0	0	67
NT	0	0	0	3	0	3	0	0	0	0	0	0	0	0	0	3
External territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>124</b>	<b>3</b>	<b>127</b>	<b>252</b>	<b>37</b>	<b>289</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>416</b>

**Table 18: All ongoing employees—previous period (2022–23)**

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	
NSW	47	1	48	81	8	89	0	0	0	0	0	0	0	0	0	137
QLD	20	0	20	36	8	44	0	0	0	0	0	0	0	0	0	64
SA	6	0	6	12	5	17	0	0	0	0	0	0	0	0	0	23
TAS	5	0	5	2	2	4	0	0	0	0	0	0	0	0	0	9
VIC	30	0	30	50	8	58	0	0	0	0	0	0	0	0	0	88
WA	6	0	6	17	3	20	0	0	0	0	0	0	0	0	0	26
ACT	17	1	18	46	2	48	0	0	0	0	0	0	0	0	0	66
NT	0	0	0	3	1	4	0	0	0	0	0	0	0	0	0	4
External territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>131</b>	<b>2</b>	<b>133</b>	<b>247</b>	<b>37</b>	<b>284</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>417</b>

Tables 19 and 20 report employees at their substantive classification and include inoperative employees. They do not include statutory office holders.

**Table 19: Public Service Act 1999 ongoing employees by classification and gender—current period (2023–24)**

	Man/Male		Woman/Female		Non-Binary		Prefers not to answer		Uses a different term		Total	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time		
SES 3	1	0	0	0	0	0	0	0	0	0	0	1
SES 2	2	0	2	0	0	0	0	0	0	0	0	4
SES 1	9	0	7	0	0	0	0	0	0	0	0	16
PFP	14	0	14	8	40	0	0	0	0	0	0	54
EL 2	4	0	4	10	1	11	0	0	0	0	0	15
SFP	25	1	26	70	14	84	0	0	0	0	0	110
EL 1	10	0	10	16	1	17	0	0	0	0	0	27
APS 6	9	0	9	20	2	22	0	0	0	0	0	31
FP 2	36	2	38	61	4	65	0	0	0	0	0	103
APS 5	4	0	4	14	1	15	0	0	0	0	0	19
FP 1	0	0	0	0	0	0	0	0	0	0	0	0
APS 4	5	0	5	19	6	25	0	0	0	0	0	30
APS 3	3	0	3	1	0	1	0	0	0	0	0	4
APS 2	1	0	1	0	0	0	0	0	0	0	0	1
APS 1	1	0	1	0	0	0	0	0	0	0	0	1
Other	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>124</b>	<b>3</b>	<b>127</b>	<b>252</b>	<b>37</b>	<b>289</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>416</b>



**Table 20: Public Service Act 1999 ongoing employees by classification and gender—previous period (2022–23)**

	Man/Male		Woman/Female		Non-Binary		Prefers not to answer		Uses a different term		Total	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time		
SES 3	1	0	1	0	0	0	0	0	0	0	0	1
SES 2	3	0	3	2	0	0	0	0	0	0	0	5
SES 1	7	0	7	8	0	0	0	0	0	0	0	15
PPP	15	0	15	27	8	35	0	0	0	0	0	50
EL 2	6	0	6	7	2	9	0	0	0	0	0	15
SFP	23	1	24	58	19	77	0	0	0	0	0	101
EL 1	11	0	11	13	0	13	0	0	0	0	0	24
APS 6	6	1	7	15	0	15	0	0	0	0	0	22
FP 2	45	0	45	77	3	80	0	0	0	0	0	125
APS 5	3	0	3	12	1	13	0	0	0	0	0	16
FP 1	0	0	0	0	0	0	0	0	0	0	0	0
APS 4	5	0	5	25	4	29	0	0	0	0	0	34
APS 3	3	0	3	3	0	3	0	0	0	0	0	6
APS 2	1	0	1	0	0	0	0	0	0	0	0	1
APS 1	2	0	2	0	0	0	0	0	0	0	0	2
Other	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>131</b>	<b>2</b>	<b>133</b>	<b>247</b>	<b>37</b>	<b>284</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>417</b>

## Non-ongoing employees

The following tables include inoperative employees. They do not include statutory office holders.

**Table 21: All non-ongoing employees—current period (2023–24)**

	Male		Female		Non-binary		Prefers not to answer		Uses a different term		Total
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	
NSW	5	0	5	6	0	0	0	0	0	0	11
QLD	0	0	0	4	0	0	0	0	0	0	4
SA	0	0	0	1	0	0	0	0	0	0	1
TAS	0	0	0	1	0	0	0	0	0	0	1
VIC	2	0	2	8	0	0	0	0	0	0	10
WA	0	0	0	2	0	0	0	0	0	0	2
ACT	2	0	2	4	1	5	0	0	0	0	7
NT	1	0	1	1	0	1	0	0	0	0	2
External territories	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>27</b>	<b>1</b>	<b>28</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>38</b>

**Table 22: All non-ongoing employees—previous period (2022–23)**

	Male			Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	
NSW	4	0	4	6	0	6	0	0	0	0	0	0	0	0	0	10
QLD	1	0	1	2	0	2	0	0	0	0	0	0	0	0	0	3
SA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TAS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VIC	3	0	3	11	0	11	0	0	0	0	0	0	0	0	0	14
WA	0	0	0	3	0	3	0	0	0	0	0	0	0	0	0	3
ACT	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	2
NT	2	0	2	1	0	1	0	0	0	0	0	0	0	0	0	3
External territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>25</b>	<b>0</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>35</b>

Tables 23 and 24 report employees at their substantive classification. They do not include inoperative employees or statutory office holders.

**Table 23: Public Service Act 1999 non-ongoing employees by classification and gender—current period (2023–24)**

	Male		Female		Non-binary		Prefers not to answer		Uses a different term		Total
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	
SES 3	0	0	0	0	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0	0	0	0	0
SES 1	0	0	0	0	0	0	0	0	0	0	0
PFP	0	0	1	0	0	0	0	0	0	0	1
EL 2	0	0	0	0	0	0	0	0	0	0	0
SFP	2	0	3	0	0	0	0	0	0	0	5
EL 1	1	0	1	0	0	0	0	0	0	0	1
APS 6	0	0	1	0	0	0	0	0	0	0	1
FP2	5	0	9	0	0	0	0	0	0	0	14
APS 5	0	0	2	0	0	0	0	0	0	0	2
FPI	0	0	0	0	0	0	0	0	0	0	0
APS 4	0	0	7	1	8	0	0	0	0	0	8
APS 3	2	0	4	0	4	0	0	0	0	0	6
APS 2	0	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>27</b>	<b>1</b>	<b>28</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>38</b>

Table 24: Public Service Act 1999 non-ongoing employees by classification and gender—previous period (2022–23)

	Male			Female			Non-binary			Prefers not to answer			Uses a different term		
	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total	Full-time	Part-time	Total
SES 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PFP	0	0	0	3	0	3	0	0	0	0	0	0	0	0	3
EL 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SFP	0	0	0	4	0	4	0	0	0	0	0	0	0	0	4
EL 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
APS 6	0	0	0	1	0	1	0	0	0	0	0	0	0	0	1
FP2	9	0	9	5	0	5	0	0	0	0	0	0	0	0	14
APS 5	0	0	0	2	0	2	0	0	0	0	0	0	0	0	2
FP1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
APS 4	0	0	0	4	0	4	0	0	0	0	0	0	0	0	4
APS 3	1	0	1	6	0	6	0	0	0	0	0	0	0	0	7
APS 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>25</b>	<b>0</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>35</b>

## Employment type by full-time and part-time status

Tables 25 and 26 report employees at their substantive classification. They do not include inoperative employees or statutory office holders.

**Table 25: Public Service Act 1999 employees by full-time and part-time status—current period (2023–24)**

	Ongoing			Non-ongoing			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
SES 3	1	0	1	0	0	0	1
SES 2	4	0	4	0	0	0	4
SES 1	16	0	16	0	0	0	16
PFP	46	8	54	1	0	1	55
EL 2	14	1	15	0	0	0	15
SFP	95	15	110	5	0	5	115
EL 1	26	1	27	1	0	1	28
APS 6	29	2	31	1	0	1	32
FP2	97	6	103	14	0	14	117
APS 5	18	1	19	2	0	2	21
FP1	0	0	0	0	0	0	0
APS 4	24	6	30	7	1	8	38
APS 3	4	0	4	6	0	6	10
APS 2	1	0	1	0	0	0	1
APS 1	1	0	1	0	0	0	1
Other	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>376</b>	<b>40</b>	<b>416</b>	<b>37</b>	<b>1</b>	<b>38</b>	<b>454</b>

**Table 26: Public Service Act 1999 employees by full-time and part-time status—previous period (2022–23)**

	Ongoing			Non-ongoing			Total
	Full-time	Part-time	Total Ongoing	Full-time	Part-time	Total Non-ongoing	
SES 3	1	0	1	0	0	0	1
SES 2	5	0	5	0	0	0	5
SES 1	15	0	15	0	0	0	15
PFP	42	8	50	3	0	3	53
EL 2	13	2	15	0	0	0	15
SFP	81	20	101	4	0	4	105
EL 1	24	0	24	0	0	0	24
APS 6	21	1	22	1	0	1	23
FP2	122	3	125	14	0	14	139
APS 5	15	1	16	2	0	2	18
FP1	0	0	0	0	0	0	0
APS 4	30	4	34	4	0	4	38
APS 3	6	0	6	7	0	7	13
APS 2	1	0	1	0	0	0	1
APS 1	2	0	2	0	0	0	2
Other	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>378</b>	<b>39</b>	<b>417</b>	<b>35</b>	<b>0</b>	<b>35</b>	<b>452</b>

## Employment type by location

Tables 27 - 30 report employees by location of employment and include inoperative employees. They do not include statutory office holders.

**Table 27: Public Service Act 1999 employment type by location—current period (2023–24)**

	Ongoing	Non-Ongoing	Total
NSW	133	11	144
QLD	62	4	66
SA	22	1	23
TAS	11	1	12
VIC	92	10	102
WA	26	2	28
ACT	67	7	74
NT	3	2	5
External territories	0	0	0
Overseas	0	0	0
<b>TOTAL</b>	<b>416</b>	<b>38</b>	<b>454</b>

**Table 28: Public Service Act 1999 employment type by location—previous period (2022–23)**

	Ongoing	Non-Ongoing	Total
NSW	137	10	147
QLD	64	3	67
SA	23	0	23
TAS	9	0	9
VIC	88	14	102
WA	26	3	29
ACT	6	2	68
NT	4	3	7
External territories	0	0	0
Overseas	0	0	0
<b>TOTAL</b>	<b>417</b>	<b>35</b>	<b>452</b>



## indigenous employment

**Table 29: *Public Service Act 1999* employees—indigenous employment—current period (2023–24)**

	Total
Ongoing	4
Non-Ongoing	1
<b>TOTAL</b>	<b>5</b>

**Table 30: *Public Service Act 1999* employees—indigenous employment—previous period (2022–23)**

	Total
Ongoing	5
Non-Ongoing	1
<b>TOTAL</b>	<b>6</b>

## Appendix 4 – Prosecution statistics

The CDPP's core prosecution data is sourced from available digital solutions where data governance practices ensure the information is accurate, up to date and consistent. Reporting and data analytics capability are continuously enhanced to track progress, report on work delivered and analyse and enhance business decision making.

Additional prosecution statistics can be found at [www.cdpp.gov.au](http://www.cdpp.gov.au).

### Matters dealt with 2023–24

Tables 31 and 32 provide statistics in relation to matters dealt with as at 30 June 2024.

**Table 31: Legislation under which charges dealt with 2023–24**

Legislation	Summary (charges)	indictable (charges)
<i>Airports (Control of On-Airport Activities) Regulations 1997 (Cth)</i>	4	0
<i>Anti-Money Laundering and Counter Terrorism Financing Act 2006 (Cth)</i>	24	33
<i>Australian Capital Territory National Land (Unleased) Ordinance 2022 (Cth)</i>	1	0
<i>Australian Citizenship Act 2007 (Cth)</i>	2	1
<i>Australian Human Rights Commission Act 1986 (Cth)</i>	2	0
<i>Australian Passports Act 2005 (Cth)</i>	7	6
<i>Australian Securities and Investments Commission Act 2001 (Cth)</i>	39	1
<i>Aviation Transport Security Regulations 2005 (Cth)</i>	3	0
<i>Bankruptcy Act 1966 (Cth)</i>	96	42
<i>Biosecurity Act 2015 (Cth)</i>	47	0
<i>Civil Aviation Act 1988 (Cth)</i>	2	1
<i>Civil Aviation Regulations 1988 (Cth)</i>	9	0
<i>Civil Aviation Safety Regulations 1998 (Cth)</i>	57	0
<i>Commonwealth Electoral Act 1918 (Cth)</i>	18	0
<i>Competition and Consumer Act 2010 (Cth)</i>	0	7
<i>Control of Naval Waters Regulation 2015 (Cth)</i>	3	0
<i>Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)</i>	26	0
<i>Corporations Act 2001 (Cth)</i>	36	64
<i>Crimes (Aviation) Act 1991 (Cth)</i>	38	11
<i>Crimes (Currency) Act 1981 (Cth)</i>	16	0
<i>Crimes (Foreign Incursions and Recruitment) Act 1978 (Cth)</i>	0	5
<i>Crimes Act 1914 (Cth)</i>	17	55
<i>Criminal Code (Cth)</i>	2136	3069
<i>Customs Act 1901 (CI) (Cth)</i>	3	0
<i>Customs Act 1901 (Cth)</i>	62	119
<i>Defence Act 1903 (Cth)</i>	0	4
<i>Education Services for Overseas Students Act 2000 (Cth)</i>	33	0

Legislation	Summary (charges)	Indictable (charges)
<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>	24	9
<i>Environment Protection and Biodiversity Conservation Regulations 2000 (Cth)</i>	16	0
<i>Export Control Act 1982 (Cth)</i>	2	0
<i>Family Law Act 1975 (Cth)</i>	0	1
<i>Fisheries Management Act 1991 (Cth)</i>	66	0
<i>Foreign Passports (Law Enforcement and Security) Act 2005 (Cth)</i>	25	0
<i>Great Barrier Reef Marine Park Act 1975 (Cth)</i>	20	0
<i>Great Barrier Reef Marine Park Regulations 2019 (Cth)</i>	20	0
<i>Income Tax Assessment Act 1936 (Cth)</i>	10	0
<i>Marine Order 21 (Safety and emergency arrangements) 2016 (Cth)</i>	2	0
<i>Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cth)</i>	20	0
<i>Maritime Transport and Offshore Facilities Security Regulations 2003 (Cth)</i>	2	0
<i>Marriage Act 1961 (Cth)</i>	4	0
<i>Migration Act 1958 (Cth)</i>	45	12
<i>National Consumer Credit Protection Act 2009 (Cth)</i>	10	0
<i>National Vocational Education and Training Regulator Act 2011 (Cth)</i>	11	0
<i>Navigation Act 2012 (Cth)</i>	2	1
<i>Norfolk Island Legislation</i>	51	6
<i>Protection of the Sea (Prevention of Pollution from Ships) Act 1983 (Cth)</i>	4	0
<i>Public Order (Protection of Persons and Property) Act 1971 (Cth)</i>	17	1
<i>Radiocommunications Act 1992 (Cth)</i>	7	1
<i>Social Security (Administration) Act 1999 (Cth)</i>	1	0
<i>Social Security Act 1991 (Cth)</i>	1	0
<i>Taxation Administration Act 1953 (Cth)</i>	101	24
<i>Telecommunications Act 1997 (Cth)</i>	1	0
<i>Therapeutic Goods Act 1989 (Cth)</i>	12	0
Non Commonwealth Legislation (Total)	196	661
<b>Total</b>	<b>3,351</b>	<b>4,134</b>

**Table 32: Referring agencies - defendants dealt with 2023–24**

Referring agency	Summary	indictable
Australian Border Force	28	55
Australian Commission for Law Enforcement Integrity	2	1
Australian Communications and Media Authority	1	0
Australian Competition and Consumer Commission	1	5
Australian Electoral Commission	18	0
Australian Federal Police	275	412
Australian Financial Security Authority	51	16
Australian Fisheries Management Authority	62	0
Australian Maritime Safety Authority	16	1
Australian Securities and Investments Commission	14	21
Australian Skills Quality Authority	2	0
Australian Taxation Office	26	16
Civil Aviation Safety Authority	6	0
Clean Energy Regulator	1	0
Department of Agriculture, Fisheries and Forestry	5	0
Department of Agriculture, Water and the Environment*	2	1
Department of Climate Change, Energy, the Environment and Water	4	0
Department of Defence	4	2
Department of Education	4	2
Department of Education, Skills and Employment**	1	2
Department of Foreign Affairs and Trade	2	3
Department of Health and Aged Care	3	8
Department of Social Services	2	0
Director of National Parks	4	0
Great Barrier Reef Marine Park Authority	30	0
National Disability Insurance Agency	2	10
National Indigenous Australians Agency	1	0
Office of the Registrar of Indigenous Corporations	5	0
Services Australia	34	0
Services Australia - Centrelink	214	28
Services Australia - Child Support Agency	1	0
Services Australia - Medicare	30	0
Therapeutic Goods Administration	1	0
Non Commonwealth Agencies (Total)	134	449
<b>TOTAL</b>	<b>986</b>	<b>1,032</b>

\* Department of Agriculture, Water and the Environment has split into two different agencies: Department of Agriculture, Fisheries and Forestry and Department of Climate Change, Energy, the Environment and Water.

\*\* Department of Education, Skills and Employment has split into two different agencies: Department of Employment and Workplace Relations, and the Department of Education.

“Defendants dealt with” includes not only convictions and findings of guilt but also:

- Matters resulting in acquittals.
- Prosecutions that are discontinued in accordance with the *Prosecution Policy of the Commonwealth* based on evidentiary or public interest considerations.
- Discontinuances as part of a plea negotiation.
- When a matter scheduled for trial resolves into a guilty plea.
- When there is a hung jury.
- When the defendant has absconded and a warrant has been issued.
- Determinations that a defendant is unfit to be tried.
- Matters where a charge is issued but is unable to be served.

It does not include:

- Matters where the CDPP has provided pre-brief advice to an investigative agency.
- Brief assessments that do not proceed to prosecution, whether on evidentiary or public interest grounds.
- Breach proceedings.
- Matters determined on appeal.

## Prosecution appeals

The CDPP appellate practice plays an important role in providing an effective prosecution service. It also contributes to maintaining public confidence in the justice system by seeking review of sentences that reveal error or are considered to be outside the range of applicable sentencing standards.

The *Prosecution Policy of the Commonwealth* provides that the Director’s right to appeal against sentence should be exercised with appropriate restraint. Factors which may be considered when deciding to appeal include whether:

- the sentence is manifestly inadequate
- the sentence reveals an inconsistency in sentencing standards
- the sentence proceeded based on a material error of law or fact requiring appellate correction
- the sentencing is substantially and unnecessarily inconsistent with other relevant sentences
- an appeal to a Court of Appeal will enable the court to lay down some general principles for the governance and guidance of sentencing courts
- an appeal will enable the court to establish and maintain adequate standards of punishment for crime
- an appeal will ensure, so far as the subject matter permits, uniformity in sentencing
- an appeal will enable an appellate court to correct an error of legal principle.

In addition to the above considerations, the CDPP only institutes appeal proceedings when there are reasonable prospects of success.

In 2023–24, a total of nine prosecution appeals against sentence were lodged and three appeals (33%) were upheld.

**Table 33: Prosecution appeals and outcomes**

Description of appeal	Number of appeals		Appeal upheld	
	2023–24	2022–23	2023–24	2022–23
Prosecution sentence appeals in summary prosecutions	0	0	0	0
Prosecution sentence appeal in a prosecution on indictment	9	5	3	2

While appellate intervention did not occur in six of the appeals brought by the CDPP, the judgments provided useful guidance in relation to sentencing principles and in the exercise of the residual discretion on appeal.

# Appendix 5 – Exercise of the Director’s statutory functions and powers

The *DPP Act* empowers the Director to exercise a range of statutory functions and powers. During the reporting period the Director, or a delegate, exercised the powers and functions outlined below.

## Discontinuance of a prosecution

### Discontinuance following commitment to trial or the filing of an indictment

After an accused has been committed for trial, the question sometimes arises whether the prosecution should continue. This can arise as a result of an application made by the accused or on the CDPP’s own initiative.

The Director’s power to discontinue a prosecution is found in section 9(4) of the *DPP Act*. A submission made to the Director to discontinue such a matter is known as a “no bill” application. The Director’s power to discontinue is delegated to the Commonwealth Solicitor for Public Prosecutions, practice group leaders and branch heads who make these decisions in certain circumstances.

In 2023–24, a total of 59 prosecutions were discontinued following commitment for trial or the filing of an indictment because there was either insufficient evidence to proceed or for public interest reasons. Four matters were discontinued for other reasons, for example, the death of the accused.

### Discontinuance in the summary jurisdiction

The CDPP also discontinued 171 matters in the summary jurisdiction on either evidentiary or public interest grounds. Seven of those were because of the death of the accused.

## Indemnities

The *DPP Act* empowers the Director to give an undertaking to a potential witness in certain circumstances:

- Section 9(6) authorises the Director to undertake to a potential witness in Commonwealth proceedings that any evidence the person may give, and anything derived from that evidence, will not be used in evidence against the person, other than in proceedings for perjury.
- Section 9(6B) empowers the Director to undertake to a person that any evidence he or she may give in proceedings under state or territory law will not be used in evidence against them in a Commonwealth matter.

The *DPP Act* also empowers the Director to indemnify persons from prosecution:

- Section 9(6D) empowers the Director to undertake to a person that he or she will not be prosecuted under Commonwealth law in respect of a specified offence. This kind of undertaking is referred to as an indemnity.

During the reporting period, the Director provided four undertakings under section 9(6) and one undertaking under section 9(6B).

## ***Ex-officio* indictments**

Under sections 6(2A)–(2D) of the *DPP Act*, the Director may institute prosecutions on indictment, referred to as *ex-officio* indictments. In certain circumstances, the decision to present an *ex-officio* indictment is delegated to the Commonwealth Solicitor for Public Prosecutions, practice group leaders and branch heads.

The powers in section 6(2A)–(2C) are used in circumstances where an accused consents to a prosecution on indictment without being examined or committed for trial, or where an accused, having been committed on either Commonwealth, state or territory offences, is indicted on different charges from those on which they were committed. Section 6(2D) of the *DPP Act* provides that, in any other case where the Director considers it appropriate to do so, they may institute a prosecution of a person on indictment for an indictable offence against the laws of the Commonwealth, in respect of which the person has not been examined or committed for trial.

During the reporting period, the Director or a delegate exercised *ex-officio* powers on 31 occasions.

## **Consent to conspiracy charges**

The Director's consent is required before proceedings for Commonwealth conspiracy offences can commence. During the reporting period, the Director consented to the commencement of conspiracy charges against 49 defendants in relation to 24 alleged conspiracies.

## **Taking matters over and discontinuing – private prosecutions**

Section 13 of the *Crimes Act 1914* (Cth) protects the right for any person to bring a private prosecution in a Commonwealth matter. This right is expressly preserved under section 10(2) of the *DPP Act*.

Under section 9(5) of the *DPP Act*, the Director has the power to take over a prosecution for a Commonwealth offence that has been instituted by another person. The Director is empowered to either carry on the prosecution or, if appropriate, to discontinue it. The decision to discontinue a prosecution taken over is delegated to the Commonwealth Solicitor for Public Prosecutions, practice group leaders and branch heads who make these decisions in certain circumstances. The Director exercised the power on four occasions during 2023–24. In each of those cases, the Director or a delegate took over the prosecution and discontinued it because the evidence was insufficient for the charges to proceed.



# Appendix 6 – Survey Methodology and Response Analysis

## Methodology

The four cohorts surveyed in the CDPP Partner Agency Survey were:

- **informants/case management primary contacts:** this includes the defined primary contact for all matters in the case management system that were open in the last 12 months. This includes matters where there is no file closed date, or the file closed date was after 1 June 2023.
  - All primary contacts from open matters within the previous 12 months were included in Cohort 1.
- **Case management team leaders:** this includes all agency team leaders recorded in the case management system with no file closed date or a file closed date after 1 June 2023.
  - Cohort 2 was defined as any secondary contacts recorded in the case management system who were not already included in Cohort 1.
- **Knowledgeable observers:** this includes individuals from key partner agencies who have direct interactions with CDPP or CDPP staff as part of their work in a separate capacity to operational cases. In-scope stakeholders include those who have collaborated with the CDPP on liaison, policy, law reform, training or similar activities.
  - All Practice Group Coordinators were asked to provide contact details for this cohort. Contact details were also obtained from a partner agency contact list (used for the e-brief Optimisation Project) and from a list of partner agencies who were consulted as part of the Partner Agency Engagement Strategy 2024-2026.
  - As this Cohort was less strictly defined than the other three cohorts and the list was drawn from *known* relevant contacts, Cohort 3 stakeholders were also provided with a generic survey link to pass on to any other relevant colleagues. Responses generated via this approach have been identified within the data and are not included in the response rate for the Cohort 3 survey.
- Weighting was applied to Cohort 3 results such that the agency with the greatest share of responses (43%), AGD was capped at 30% representation in the results, and AFP, 22% of responses was capped at 15% of the results. This resulted in a weight of 0.692 for AGD respondents, and a weight of 0.675 for AFP respondents. Stakeholders from all other agencies were then given equal weight (1.597 per respondent) to account for the remaining 55% share of the results.
- **Strategic stakeholder organisations:** this includes agency heads from key government partner agencies and organisations that refer cases to or work closely with the CDPP, or who may be expected to have an opinion on the role that CDPP performs.
  - This survey was sent to all heads of agencies that have had an open matter in the last 12 months (taken from the Cohort 1 data) or heads of agencies that the Director of the CDPP met with in the last 12 months.

The results of the 2024 partner agency survey are at Part 2: Annual Performance Statement.

**Table 34: Survey response rates**

Cohort	Sample size	No. Responses*	Response Rate
1 Case management informants/primary contacts	2,337	534	23%
2 Case management participants	55	13	24%
<b>Cohorts 1 and 2 survey overall</b>	<b>2,392</b>	<b>547</b>	<b>23%</b>
3 Knowledgeable observers	354	83	23%
Additional responses from "generic" links	-	7	N/A
<b>Cohort 3 overall</b>	<b>-</b>	<b>90</b>	<b>N/A</b>
4 Strategic stakeholder organisations	59	18	31%
<b>All cohorts overall</b>	<b>2,805</b>	<b>648</b>	<b>23%</b>

\*Respondents were included in the survey results if they completed the survey at least up to (and including) the "Overall Satisfaction" section.

The CDPP surveys were similar to those of a benchmarking group of 46 similar government agency stakeholder surveys (for both Commonwealth and State Government agencies) that ORIMA conducted between 2012 and 2023. Among this benchmarking group, response rates ranged from 9% to 43%, with an average of 28%.

Given this benchmarking data and the fact that empirical statistical research indicates survey response rates are a poor predictor of bias magnitudes (see Groves, Robert M. 2006. "Nonresponse Rates and Nonresponse Bias in Household Surveys." *Public Opinion Quarterly* 70:646–75), **a response rate of 20% or higher was considered adequate for the provision and reporting of valid and reliable performance information.** The response rates achieved for all four cohorts (23-31%) exceeded this threshold, and therefore the results can confidently be used in performance reporting.

## Data analysis and weighting approach

### Handling of "don't know"/"not applicable" responses

For some survey questions where appropriate (i.e. where there is a possibility of an appropriately selected stakeholder not being in a position to answer a particular question), survey respondents were given the option of providing a "don't know" or "not applicable" response. In the calculation of the headline performance measure and results for other rating-type questions, "don't know/not applicable" responses have been excluded. This was done to maximise data quality. For the survey results to be meaningful and reliable, it is important that only the ratings/responses of stakeholders in a position to provide an informed response were taken into account. In the absence of a "don't know" or "not applicable" option, survey respondents who were not in a position to provide a rating (due to a lack of knowledge or experience of a particular interaction/matter) tended to opt for the middle/neutral point of the rating scale, which resulted in measurement error.

## Presentation of results

Reported percentages were based on the total number of valid responses made to the particular issue being reported on. The total number of valid responses occasionally differs from the total number of completed survey questionnaires because of omissions in the completed questionnaires. The results reflect the responses of people who had a view and for whom the questions were applicable.

## Weighting approach

In the 2022 survey, the number of recipients (case officers) per referring agency was weighted by the number of files that were active during the referral period. However, in the 2024 survey, responses for Cohorts 1 and 2 (Informants/case management primary contacts and team leaders) were not weighted because the revised sampling methodology provided a robust and accurate representation of eligible stakeholders for each of these groups. Cohort 4 responses were also unweighted in order to provide each strategic stakeholder organisation with equal representation in the results.

Due to the large proportions of stakeholders from AGD and AFP in the Cohort 3 sample (36% and 15%, respectively), representation of these agencies was capped in order to provide a more balanced assessment of stakeholders' perceptions of the CDPP across different agencies. Initially it was proposed that AGD would be capped at 10% representation in the sample, while all other agencies would be capped at 5% representation. This was based on the sample composition (i.e. all Cohort 3 respondents invited to complete the survey). However, given the larger overrepresentation of AGD and AFP responses in the final data, the weighting method was modified in order to not overly reduce the representation of these two agencies or give a disproportionately large weight to any other agency.

In applying the revised weighting approach to Cohort 3 respondents, AGD (43% of responses) was capped at 30% representation in the results, and AFP (22% of responses) was capped at 15% of the results. This resulted in a weight of 0.692 for AGD respondents, and a weight of 0.675 for AFP respondents. Stakeholders from all other agencies were then given equal weight (1.597 per respondent) to account for the remaining 55% share of the results.

# Aids to access

## Glossary of terms

Term	Definition
Brief/brief of evidence	A collection of witness statements, exhibits and other materials given to the CDPP by the police or other investigating agency after it has finished its investigation. We use the material contained in the brief of evidence to decide whether a prosecution should be commenced or continued.
Conviction	Where there's a finding of guilt by the court against a defendant accused of committing a criminal offence.
Criminal Code	The Criminal Code is contained in the Schedule to the <i>Criminal Code Act 1995</i> .
Defended matter	A trial on indictment or a hearing or trial in a summary jurisdiction.
Evidence	Information provided to the court that is used to prove or disprove a fact in issued in court proceedings.
Guilty	To be legally responsible for a criminal offence.
Indictable offence	A serious criminal offence that is usually heard in a higher court before a judge and jury. Less serious indictable offences and summary offences may be heard in a Local (Magistrates') court.
Matter	A prosecution or a proceeding in a court (a "case") may be referred to as a "matter".
No bill/no further proceedings	Where the decision is made that a case will not proceed further, for example due to insufficient evidence, this may be referred to as a "no bill". A prosecution is discontinued when the court is advised of this.
Offender	A person convicted of a criminal offence. Prior to a guilty finding, the person is referred to as an "alleged offender", "the defendant" or "the accused".
<i>prima facie</i>	A legal term meaning there is some evidence to prove each of the elements of the offence for which the person has been or is intended to be charged.
<i>Prosecution Policy of the Commonwealth/ the Prosecution Policy</i>	The <i>Prosecution Policy of the Commonwealth</i> underpins all decisions made by the CDPP throughout the prosecution process and promotes consistency in decision making. It is a public document and applies to all Commonwealth prosecutions.
Sentencing	The phase of a trial where a sentence is handed down by the court.
Sentence	A range of penalties available to be imposed on an offender including imprisonment, community service orders, good behaviour bonds, and fines.
Victim	A person who has suffered harm as a result of an offence or offences.
Witness	Any person who provides answers to a magistrate, judge or jury as part of a trial.

## Acronyms and abbreviations

Acronym	Abbreviation
ABF	Australian Border Force
AFP	Australian Federal Police
AGD	Attorney-General's Department
APS	Australian Public Service
ASL	Average staffing level
FBT	Fringe Benefits Tax
COO	Chief Operating Officer
CDPP	Office of the Commonwealth Director of Public Prosecutions
CO <sub>2</sub> -e	Carbon Dioxide Equivalent
CPA	Certified practicing accountant
CPRs	Commonwealth Procurement Rules
CRMP	Commonwealth Risk Management Policy
CSPP	Commonwealth Solicitor for Public Prosecutions
Cth	Commonwealth
Director	Director of Public Prosecutions
DPP Act	<i>Director of Public Prosecutions Act 1983</i>
EA	Enterprise Agreement
EL	Executive Level
ELG	Executive Leadership Group
EMS	Evidence Management Solution
ESG	Enabling Services Group
eTS	eTrial Solution
FOI	Freedom of Information
FP1	Federal Prosecutor 1
FP2	Federal Prosecutor 2
FSA	Fraud and Specialist Agencies
GST	Goods and services tax
HEBP	Human Exploitation and Border Protection
IAP	International Association of Prosecutors
IPS	Information Public Scheme

Acronym	Abbreviation
KC	King's Counsel
LCP	Legal Capability and Practice Group
NZYQ	NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs & Anor
OCNS	Organised Crime and National Security
PAES	Portfolio Additional Estimates Statements
PFP	Principal Federal Prosecutor
PGPA Act	<i>Public Governance, Performance and Accountability Act 2013</i>
PGPA Rule	<i>Public Governance, Performance and Accountability Rule 2014</i>
PPD	Prosecution Policy Declaration
PS Act	Public Service Act 1999
PSM	Public Service Medal
SES	Senior Executive Service
SFCC	Serious Financial and Corporate Crime
SFP	Senior Federal Prosecutor
SME	Small and medium-sized enterprises
SRR	Strategic Risk Register
WAS	Witness Assistance Service

## List of requirements

Below is the table set out in Schedule 2 of the PGPA Rule. Subsection 17AJ (d) requires this table to be included in annual reports as an aid to access.

**Table 35: List of requirements 2023–24**

PGPA Rule Reference	Page number	Description	Requirement
<b>17AD(g) Letter of transmittal</b>			
17AI	1	A copy of the letter of transmittal signed and dated by accountable authority on date final text approved, with statement that the report has been prepared in accordance with section 46 of the Act and any enabling legislation that specifies additional requirements in relation to the annual report.	Mandatory
<b>17AD(h) Aids to access</b>			
17AJ(a)	i	Table of contents (print only).	Mandatory
17AJ(b)	99	Alphabetical index (print only).	Mandatory
17AJ(c)	89	Glossary of abbreviations and acronyms.	Mandatory
17AJ(d)	91	List of requirements.	Mandatory
17AJ(e)	ii	Details of contact officer.	Mandatory

PGPA Rule Reference	Page number	Description	Requirement
17AJ(f)	ii	Entity's website address.	Mandatory
17AJ(g)	ii	Electronic address of report.	Mandatory
<b>17AD(a)</b>	<b>Review by accountable authority</b>		
17AD(a)	2-3	A review by the accountable authority of the entity.	Mandatory
<b>17AD(b)</b>	<b>Overview of the entity</b>		
17AE(1)(a)(i)	5	A description of the role and functions of the entity.	Mandatory
17AE(1)(a)(ii)	6-7	A description of the organisational structure of the entity.	Mandatory
17AE(1)(a)(iii)	6	A description of the outcomes and programmes administered by the entity.	Mandatory
17AE(1)(a)(iv)	6	A description of the purposes of the entity as included in corporate plan.	Mandatory
17AE(1)(aa)(i)	6	Name of the accountable authority or each member of the accountable authority.	Mandatory
17AE(1)(aa)(ii)	6	Position title of the accountable authority or each member of the accountable authority.	Mandatory
17AE(1)(aa)(iii)	6	Period as the accountable authority or member of the accountable authority within the reporting period.	Mandatory
17AE(1)(b)	N/A	An outline of the structure of the portfolio of the entity.	Portfolio departments - mandatory
17AE(2)	N/A	Where the outcomes and programs administered by the entity differ from any Portfolio Budget Statement, Portfolio Additional Estimates Statement or other portfolio estimates statement that was prepared for the entity for the period, include details of variation and reasons for change.	If applicable, Mandatory
<b>17AD(c)</b>	<b>Report on the Performance of the entity</b>		
<b>Annual performance Statements</b>			
17AD(c)(i); 16F	15	Annual performance statement in accordance with paragraph 39(1)(b) of the Act and section 16F of the Rule.	Mandatory
<b>17AD(c)(ii)</b>	<b>Report on Financial Performance</b>		
17AF(1)(a)	21	A discussion and analysis of the entity's financial performance.	Mandatory
17AF(1)(b)	63	A table summarising the total resources and total payments of the entity.	Mandatory
17AF(2)	N/A	If there may be significant changes in the financial results during or after the previous or current reporting period, information on those changes, including: the cause of any operating loss of the entity; how the entity has responded to the loss and the actions that have been taken in relation to the loss; and any matter or circumstances that it can reasonably be anticipated will have a significant impact on the entity's future operation or financial results.	If applicable, Mandatory.
<b>17AD(d)</b>	<b>Management and Accountability</b>		
<b>Corporate Governance</b>			
17AG(2)(a)	1	Information on compliance with section 10 (fraud systems).	Mandatory

PGPA Rule Reference	Page number	Description	Requirement
17AG(2)(b)(i)	1	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared.	Mandatory
17AG(2)(b)(ii)	1	A certification by accountable authority that appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the entity are in place.	Mandatory
17AG(2)(b)(iii)	1	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity.	Mandatory
17AG(2)(c)	48	An outline of structures and processes in place for the entity to implement principles and objectives of corporate governance.	Mandatory
17AG(2)(d) – (e)	N/A	A statement of significant issues reported to Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with Finance law and action taken to remedy non-compliance.	If applicable, Mandatory
<b>Audit Committee</b>			
17AG(2A)(a)	49	A direct electronic address of the charter determining the functions of the entity's audit committee.	Mandatory
17AG(2A)(b)	49	The name of each member of the entity's audit committee.	Mandatory
17AG(2A)(c)	49	The qualifications, knowledge, skills or experience of each member of the entity's audit committee.	Mandatory
17AG(2A)(d)	49	Information about the attendance of each member of the entity's audit committee at committee meetings.	Mandatory
17AG(2A)(e)	49	The remuneration of each member of the entity's audit committee.	Mandatory
<b>External Scrutiny</b>			
17AG(3)	52	Information on the most significant developments in external scrutiny and the entity's response to the scrutiny.	Mandatory
17AG(3)(a)	52	Information on judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner that may have a significant effect on the operations of the entity.	If applicable, Mandatory
17AG(3)(b)	52	Information on any reports on operations of the entity by the Auditor-General (other than report under section 43 of the Act), a Parliamentary Committee, or the Commonwealth Ombudsman.	If applicable, Mandatory
17AG(3)(c)	N/A	Information on any capability reviews on the entity that were released during the period.	If applicable, Mandatory
<b>Management of Human Resources</b>			
17AG(4)(a)	53-56	An assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives.	Mandatory
17AG(4)(aa)	67-78	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees; (b) statistics on part-time employees; (c) statistics on gender; (d) statistics on staff location.	Mandatory



PGPA Rule Reference	Page number	Description	Requirement
17AG(4)(b)	67-78	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees; (b) statistics on part-time employees; (c) statistics on gender; (d) statistics on staff location.	Mandatory
17AG(4)(c)	53	Information on any enterprise agreements, individual flexibility arrangements, Australian workplace agreements, common law contracts and determinations under subsection 24(1) of the <i>Public Service Act 1999</i> .	Mandatory
17AG(4)(c)(i)	53	Information on the number of SES and non SES employees covered by agreements etc identified in paragraph 17AG(4)(c).	Mandatory
17AG(4)(c)(ii)	54	The salary ranges available for APS employees by classification level.	Mandatory
17AG(4)(c)(iii)	53	A description of non salary benefits provided to employees.	Mandatory
17AG(4)(d)(i)	N/A	Information on the number of employees at each classification level who received performance pay.	If applicable, Mandatory
17AG(4)(d)(ii)	N/A	Information on aggregate amounts of performance pay at each classification level.	If applicable, Mandatory
17AG(4)(d)(iii)	N/A	Information on the average amount of performance payment, and range of such payments, at each classification level.	If applicable, Mandatory
17AG(4)(d)(iv)	N/A	Information on aggregate amount of performance payments.	If applicable, Mandatory
<b>Assets Management</b>			
17AG(5)	N/A	An assessment of effectiveness of assets management where asset management is a significant part of the entity's activities.	If applicable, mandatory
<b>Purchasing</b>			
17AG(6)	57	An assessment of entity performance against the <i>Commonwealth Procurement Rules</i> .	Mandatory
<b>Reportable consultancy contracts</b>			
17AG(7)(a)	57	A summary statement detailing the number of new reportable consultancy contracts entered into during the period; the total actual expenditure on all such contracts (inclusive of GST); the number of ongoing reportable consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST).	Mandatory
17AG(7)(b)	57	A statement that <i>"During [reporting period], [specified number] new reportable consultancy contracts were entered into involving total actual expenditure of \$[specified million]. In addition, [specified number] ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of \$[specified million]."</i>	Mandatory
17AG(7)(c)	57	A summary of the policies and procedures for selecting and engaging consultants and the main categories of purposes for which consultants were selected and engaged.	Mandatory

PGPA Rule Reference	Page number	Description	Requirement
17AG(7)(d)	59	A statement that <i>“Annual reports contain information about actual expenditure on reportable consultancy contracts. Information on the value of reportable consultancy contracts is available on the AusTender website.”</i>	Mandatory
<b>Reportable non-consultancy contracts</b>			
17AG(7A)(a)	58	A summary statement detailing the number of new reportable non-consultancy contracts entered into during the period; the total actual expenditure on such contracts (inclusive of GST); the number of ongoing reportable non-consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST).	Mandatory
17AG(7A)(b)	58	A statement that <i>“Annual reports contain information about actual expenditure on reportable non-consultancy contracts. Information on the value of reportable non-consultancy contracts is available on the AusTender website.”</i>	Mandatory
<b>17AD(daa) Additional information about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts</b>			
17AGA	58	Additional information, in accordance with section 17AGA, about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts.	Mandatory
<b>Australian National Audit Office Access Clauses</b>			
17AG(8)	N/A	If an entity entered into a contract with a value of more than \$100 000 (inclusive of GST) and the contract did not provide the Auditor General with access to the contractor’s premises, the report must include the name of the contractor, purpose and value of the contract, and the reason why a clause allowing access was not included in the contract.	If applicable, Mandatory
<b>Exempt contracts</b>			
17AG(9)	57	If an entity entered into a contract or there is a standing offer with a value greater than \$10 000 (inclusive of GST) which has been exempted from being published in AusTender because it would disclose exempt matters under the FOI Act, the annual report must include a statement that the contract or standing offer has been exempted, and the value of the contract or standing offer, to the extent that doing so does not disclose the exempt matters.	If applicable, Mandatory
<b>Small business</b>			
17AG(10)(a)	60	A statement that <i>“[Name of entity] supports small business participation in the Commonwealth Government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance’s website.”</i>	Mandatory
17AG(10)(b)	60	An outline of the ways in which the procurement practices of the entity support small and medium enterprises.	Mandatory
17AG(10)(c)	N/A	If the entity is considered by the Department administered by the Finance Minister as material in nature—a statement that <i>“[Name of entity] recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury’s website.”</i>	If applicable, Mandatory

PGPA Rule Reference	Page number	Description	Requirement
<b>Financial Statements</b>			
17AD(e)	21	Inclusion of the annual financial statements in accordance with subsection 43(4) of the Act.	Mandatory
<b>Executive Remuneration</b>			
17AD(da)	64	Information about executive remuneration in accordance with Subdivision C of Division 3A of Part 2-3 of the Rule.	Mandatory
<b>17AD(f) Other Mandatory information</b>			
17AH(1)(a)(i)	N/A	If the entity conducted advertising campaigns, a statement that <i>"During [reporting period], the [name of entity] conducted the following advertising campaigns: [name of advertising campaigns undertaken]. Further information on those advertising campaigns is available at [address of entity's website] and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance's website."</i>	If applicable, Mandatory
17AH(1)(a)(ii)	60	If the entity did not conduct advertising campaigns, a statement to that effect.	If applicable, Mandatory
17AH(1)(b)	N/A	A statement that <i>"Information on grants awarded by [name of entity] during [reporting period] is available at [address of entity's website]."</i>	If applicable, Mandatory
17AH(1)(c)	56	Outline of mechanisms of disability reporting, including reference to website for further information.	Mandatory
17AH(1)(d)	62	Website reference to where the entity's Information Publication Scheme statement pursuant to Part II of FOI Act can be found.	Mandatory
17AH(1)(e)	N/A	Correction of material errors in previous annual report.	If applicable, mandatory
17AH(2)	57-62	Information required by other legislation.	Mandatory

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