



Office of the **Director of Public Prosecutions**
for **Western Australia**



**ANNUAL
REPORT
2023
2024**

Statement of compliance

For year ended 30 June 2024

Hon John Quigley LLB JP MLA

Attorney General; Minister for Electoral Affairs

In accordance with section 63 of the [Financial Management Act 2006](#), I hereby submit for your information and presentation to Parliament, the Annual Report of the Office of the Director of Public Prosecutions for Western Australia (ODPP) for the reporting period ending 30 June 2024.

The Annual Report has been prepared in accordance with the provisions of the [Financial Management Act 2006](#) and section 32 of the [Director of Public Prosecutions Act 1991](#).

The financial statements comply with Australian Accounting Standards – Reduced Disclosure Requirements issued by the Australian Accounting Standards Board.



Robert Owen SC

Director of Public Prosecutions

30 August 2024

About this report

This report provides a comprehensive overview of our performance and services that we delivered over the past year. It details our activities against four key themes. It also describes our functions and operations; achievements and successes; the challenges we face; and, future opportunities. It also presents the audited financial statements and key performance indicators for the year ended 30 June 2024, as well as outlines the ODPP's contribution to broader government desired outcomes and compliance with legislation and policy.

This report is consistent with the Public Sector Commission's Annual report guidelines for 2023-24 and the Department of Treasury's Illustrative Model Annual Report Tier 2 (Simplified Disclosures) Agency.

All photos in the ODPP Annual Report 2023-24 were supplied by members of our dedicated staff. Thank you for your valuable contributions.

This report can be made available in alternative formats on request.

National Relay Service TTY: 13 36 77 (to assist people with hearing and voice impairment).

(C) 2024 Office of the Director of Public Prosecutions for Western Australia. All rights reserved. This report may be copied in whole or part provided the ODPP is acknowledged.

Contact details

Ground Floor, 55 St Georges Terrace
PERTH WA 6000

Telephone: (08) 9425 3999
Freecall for country callers: 1800 264 144
Email: dpp@dpp.wa.gov.au

The ODPP would like to acknowledge the traditional custodians throughout Western Australia and pay our respects to them, their cultures, and to Elders past, present and emerging.

Contents

Overview	4
Executive Summary: From the Director	4
About the ODPP	6
Performance management framework	8
Agency Performance	9
Report on operations.....	9
Summary of key performance indicators.....	9
Our business	10
Our collaborative oversight.....	12
Our people.....	14
Our systems and processes	16
Significant Issues	18
Significant issues and emerging trends.....	18
Looking ahead	19
Climate change and sustainability	20
Disclosures and Legal Compliance	22
Other disclosures	22
Financial Statements and Key Performance Indicators	30
Statement of comprehensive income	37
Statement of financial position.....	38
Statement of changes in equity.....	39
Statement of cash flows.....	40
Notes to the financial statements	41
Key performance indicators	68
Key effectiveness indicators	70
Key efficiency indicators.....	74

Executive Summary: From the Director

Presenting the ODPP's Annual Report for 2023-2024 prompts a reflection on this year's achievements and challenges. While the scope of our accomplishments and the obstacles we faced is broad, it is crucial to first recognise that our ability to fulfill our mission of providing an independent, fair, and just criminal prosecution service to the community of Western Australia is due to the diligent efforts and strong commitment of our valued staff.

These achievements and challenges cannot be measured by statistics alone. Many indictable prosecutions come at a personal cost to victims – a criminal prosecution is a difficult, sometimes retraumatising experience. There can also be a personal impact on those involved in prosecuting these matters. Neither this report, nor any statistical account, can adequately capture the professionalism, competence and sensitivity with which the ODPP's staff engage with complainants and victims, and the rigorously ethical approach they adopt to ensure each accused person receives a fair trial.

Statistics can be almost meaningless without proper context. For example, the conviction rate for matters proceeding to trial in 2023-24 was 63.7 per cent, compared with 55 per cent in 2022-23. However, since a prosecutor's role excludes any notion of 'winning' or 'losing', a higher conviction rate is not an achievement the ODPP strives for. The context required to interpret conviction rates includes that a jury is only able to determine the guilt or innocence of an accused when all relevant and admissible evidence has been led in trial, and the matter has been prosecuted fairly and firmly. The work effort required by the ODPP to prosecute matters fairly and firmly continues to grow, not only due to increases in the volume and complexity of criminal prosecutions, but also because of the need to manage the impact of prosecuting serious offences on staff wellbeing.

The ODPP's Confiscations team continues to ensure that those who financially benefit from crime are deprived of their illegal assets, as demonstrated by their exceeding the key performance indicators for confiscations.

This year, we published our [Strategic Plan 2024-27](#), which defines the pathways forward to manage the performance of our prosecution and confiscation functions, and improve our effectiveness. The first 'pillar' of the Strategic Plan is focused on our people, our most important asset. The wellbeing of our staff is critical to the ODPP successfully achieving our newly adopted Vision: *To be trusted by the community we serve to skilfully prosecute cases to just outcomes and contribute to the delivery of a fair criminal justice system in which people are treated with dignity and respect.*

Our staff's exceptional legal expertise and dedication shone through once again this financial year. We proudly announced the court appointment of one team member, with two more receiving similar honours at the start of 2024-25. They join a growing number of former employees to join the judiciary. These appointments highlight the high caliber of our legal professionals, who consistently demonstrate outstanding legal acumen, integrity, and commitment to justice. These qualities are evidently valued and sought after within the judicial system. The transition of our staff to these prestigious roles underscores the excellence and professionalism that define our legal practice. We are confident that they will continue to uphold the highest standards of the judiciary and make significant contributions to the legal community.

In May 2024, I was pleased to announce that the Attorney General appointed Mr Justin Whalley SC as the Deputy Director of Public Prosecutions for Western Australia. The Deputy Director role includes overseeing the effective delivery of the ODPP's criminal prosecution service, by providing leadership, direction and support to State Prosecutors.

The ODPP is dedicated to building our staff's capabilities, as demonstrated by the diverse training and development opportunities provided over the past year. This success is largely attributed to our internal training committee, who skilfully balanced their own workload and court responsibilities with the learning obligations of our staff. Their efforts ensure we continue to lead in legal excellence within the justice system.

To ensure a fair and just prosecution service, the ODPP must establish and maintain robust systems and processes, which are regularly reviewed and updated to align with best practices for effectiveness and efficiency. Throughout 2023-24, the ODPP focused on enhancing the efficiency of case and evidence management and embarked on a comprehensive digital transformation. Additionally, collaboration with partners across the justice sector and the broader public service is crucial. This is exemplified by the formation of a working group with other criminal justice agencies to address the ongoing issue of large volumes of digital evidentiary materials. This cooperative approach fosters a comprehensive and cohesive justice system, enhancing the overall quality and fairness of prosecutions. These efforts underscore the ODPP's commitment to modernisation, security, and continuous improvement.

We continue to uphold a high standard of accountability, in particular with ensuring that victims are appropriately acknowledged, informed and consulted in accordance with the [Policy and Guidelines for Victims of Crime 2022](#).

Whilst the ODPP continues to expand its workforce and to look for, and adopt, innovative measures to meet our growing work demands, there is always more to be done. The end of the reporting year sees us anticipating new challenges, and welcoming the opportunities the year ahead presents. It continues to be a privilege to lead, and work with, all the hardworking and dedicated ODPP staff in meeting the growing demands on our office to achieve just outcomes for the Western Australian community.

Robert Owen SC
Director of Public Prosecutions

About the ODPP

Enabling legislation

The ODPP was established in February 1992 under the [Director of Public Prosecutions Act 1991](#).

Legislation administered

[Director of Public Prosecutions Act 1991](#).

Changes in written law

There were no changes to the [Director of Public Prosecutions Act 1991](#).

Organisational structure

Responsible minister

The Hon John Quigley LLB JP MLA; Attorney General; Minister for Electoral Affairs.

Legal Services

Reflecting the legal work undertaken by the ODPP, our Legal Services directorate is team-based:

- Trial Teams: responsible for all prosecutions in the Supreme and District Courts throughout the State and take over prosecutions before committal in the Perth and Stirling Gardens Magistrates Courts.
- Children’s Court Team: responsible for all prosecutions that come before the President of the Children’s Court (wherever they are to be heard in the State) and all cases before Magistrates sitting in the Children’s Court at Perth.
- Confiscations Team: manages civil litigation and other functions under the [Criminal Property Confiscation Act 2000](#) to facilitate the confiscation of property arising from criminal and unlawful activities or that is the property of a declared drug trafficker.
- Appeals Team: manages all aspects of the ODPP’s appellate practice, including: all appeals brought by the State or an accused in the Court of Appeal or High Court; and, single Judge appeals from decisions in some classes of Magistrates Court cases.

The Office of the Director of Public Prosecutions (ODPP) is the independent prosecuting authority for the State of Western Australia responsible for the prosecution of serious offences committed against state criminal law.

Our purpose

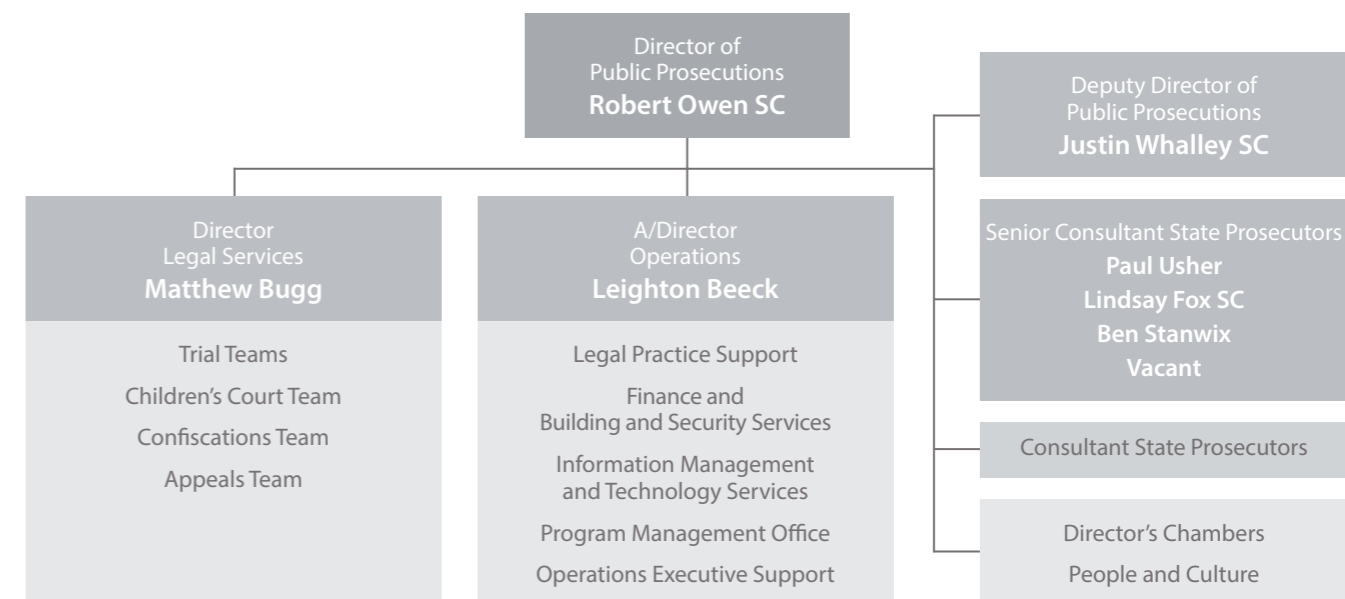
To deliver an independent, fair and just criminal prosecution service to the community of Western Australia.

Our vision

To be trusted by the community we serve to skilfully prosecute cases to just outcomes and contribute to the delivery of a fair criminal justice system in which people are treated with dignity and respect.

Our values

- We treat people with respect.
- We act with integrity.
- We are committed.
- We work as a team.



Operations

The Operations directorate provides legal and administrative support to facilitate the delivery of prosecution services to the Western Australian community. Other services provided by the directorate include financial management, information management, technology services, program management, communications, business analytics, risk management and building and security services.

Senior Consultant State Prosecutors

Our most senior prosecutors, Senior Consultant State Prosecutors conduct the most complex legal matters as well as provide high level legal support and advice across the ODPP. They are also authorised to approve substantive discontinuances of whole cases and the resolution of charges.

Director's Chambers

A small team in the Director's Chambers provides executive and administrative support, handles legal information requests, engages in legislative reform and policy development, and responds to ministerial, parliamentary, and media enquiries, and external complaints.

People and Culture

The People and Culture team manages functions related to human resources, learning and development, mental health and wellbeing, and other workforce-related activities.



Agency Performance

Report on operations

Actual results versus budget targets

	Agreed limit ⁽¹⁾	Target/Actual	Variation ⁽²⁾
Financial targets (\$000)			
Total cost of services (expense limit) (sourced from Statement of Comprehensive Income)	65,307	68,702	-3,395
Net cost of services (sourced from Statement of Comprehensive Income)	65,257	68,583	-3,326
Total equity (sourced from Statement of Financial Position)	19,628	17,664	1,964
Net increase / (decrease) in cash held (sourced from Statement of Cash Flows)	-1,276	6,487	-7,763
Approved salary expense level	43,281	44,944	-1,663
Agreed borrowing limit (where applicable)	NA	NA	-
Working cash targets (\$000)			
Agreed working cash limit (at Budget)	3,187	3,395	-208
Agreed working cash limit (at Actuals)	3,187	3,355	-168

(1) As specified in the 2023-24 State Budget Papers.

(2) Further explanations are contained in the Financial Statements [Note 9.1 Explanatory statement for controlled operations](#).

Performance management framework

Our outcome-based management framework defined:

The ODPP contributed to the Government goal:
Safe, Strong and Fair Communities: Supporting our local and regional communities to thrive.

Desired outcome against Government goal:
To deliver an independent, fair and just criminal prosecution service to the community of Western Australia.

Key effectiveness indicators

- Early advice to Court on charges: Indictment filed within three months of committal
- Establishing a case to answer
- Convictions after trial
- Application for a Declaration of Confiscations filed within four months of the Drug Trafficker Declaration

Key efficiency indicators

- | | | |
|------------------------------------|--|-------------------------|
| • Service 1: Criminal Prosecutions | | Cost per prosecution |
| • Service 2: Confiscation of Asset | | Ratio of cost to return |

Changes to outcome-based management framework

The ODPP's outcome-based management framework did not change during 2023-24.

Shared responsibilities with other agencies

The ODPP did not share any responsibilities with other agencies in 2023-24.

Summary of key performance indicators

The following table summarises how we performed against each of our [Key Performance Indicators](#) in 2023-24. Further information is provided in the Key Performance Indicators section of this report.

Outcome 1: That the people of Western Australia are provided with a fair and just criminal prosecution service.

	Target ⁽¹⁾	Actual	Variance	Achieved
Key effectiveness indicators				
Early advice to Court on charges: Indictment filed within three months of committal	85%	49.5%	-35.50%	✘
Establishing a case to answer	98%	99.2%	1.20%	✓
Convictions after trial	50%	63.7%	13.70%	✓
Application for a Declaration of Confiscations filed within four months of the Drug Trafficker Declaration	20%	35.7%	15.70%	✓
Key efficiency indicators				
Service 1: Criminal Prosecutions Cost per prosecution	\$20,000	\$20,507	-\$507	✘
Service 2: Confiscation of Assets Ratio of cost to return	25%	20.64%	-4.36%	✓

(1) As specified in the Budget Statements.

✓ Performance target achieved or exceeded

✘ Performance target not achieved



Our business

Service 1: Criminal Prosecutions

As a critical participant in the administration of justice, the ODPP provides an independent criminal prosecution service that is both fair and just throughout the State. We are the prosecuting authority for Western Australia, responsible for the prosecution of all State criminal cases in the District and Supreme Courts. This means we prosecute the most serious criminal matters, including homicide, culpable driving, armed robbery, drug trafficking, serious sex offences, organised crime, and serious assaults.

Cases committed for trial demand significant time and effort. Even if the accused pleads guilty before the trial begins, substantial trial preparation would have already been undertaken. While cases committed for sentencing require comparatively less work than those for trial, they still necessitate careful attention to assessing the appropriate charges, preparing the indictment, compiling the prosecution brief, and preparing for and attending sentencing hearings in court.

In 2023-24, we concluded a total of 2,785 cases. Of the matters which proceeded on indictment, 93 per cent resulted in a finding of guilt, either by plea or verdict. This highlights the effectiveness of our early resolution focus and positively impacts the overall resources of the criminal justice system. Resolving cases before they reach the committal stage saves time and resources for the WA Police Force, the ODPP, and the Courts. Importantly, it also spares victims and witnesses from delays and the ordeal of attending court and giving evidence. Early resolution can also reduce the time an accused person spends in custody on remand and lower the public costs of providing legal representation.

In cases in which an accused pleads not guilty, a trial is required. In 2023-24, the conviction rate after trial was 63.7 per cent (compared with 55 per cent in 2022-23). This high rate reflects our appropriate pre-trial evidence assessment, effective case management, and sound trial advocacy.

Service 2: Confiscation of Assets

The ODPP operates a specialised confiscations practice that functions independently from the State's criminal prosecution service. This team focuses on the proceeds of crime and confiscation, as mandated by the [Criminal Property Confiscation Act 2000](#) (CPC Act) and the [Misuse of Drugs Act 1981](#). In 2023-24, our Confiscations team refined our civil litigation and investigation practices to benefit the local community by ensuring the proper management of proceeds from criminal activities.

To support the Attorney-General in fulfilling the objectives of the CPC Act, the ODPP collaborates with, but remains independent from, the WA Police Force's Proceeds of Crime Squad. The ODPP's litigation under the CPC Act resulted in \$19.19 million being deposited into the Confiscations Proceeds Account (CPA). Our efforts have helped to remove a key motivator of serious and organised crime, which is financial gain. The accumulated funds in the CPA support the Western Australian community by enabling the Attorney-General to allocate grants for crime prevention programs, victim support initiatives and law enforcement efforts.

Throughout the year, we filed 74 substantive applications for declarations under Part 3 of the CPC Act in various State courts. As of 30 June 2024, 31 of these applications were still progressing through the courts. Our litigation efforts are typically conducted in open courts, allowing public attendance and occasionally resulting in published judgments. In 2023-24, the Supreme Court of Western Australia published eight judgments related to ODPP litigation under the CPC Act.

A key focus for the fiscal year was the timely application for confiscation declarations, a key performance indicator (KPI) requiring 20 per cent of all court applications filed within four months of a drug trafficker declaration. In collaboration with the WA Police Force, we exceeded this KPI for the first time in several years.

Our Confiscations team also assessed 230 freezing notices issued under section 34 of the CPC Act, referred by the WA Police Force's Proceeds of Crime investigators. These notices typically lead to subsequent civil litigation managed by the ODPP. Additionally, the Supreme Court of Western Australia issued ten freezing orders in response to our applications under section 43 of the CPC Act. In some cases, this resulted in the freezing of property outside of Western Australia, invoking mutual recognition laws to ensure that property outside of the State was available for confiscation. We responded to 130 objections to the confiscation of property filed in various Western Australian courts during 2023-24, stemming from freezing notices and orders.

We continue to progress more complex confiscation cases through superior courts in the State and effectively manage and control frozen and confiscated property. This ongoing commitment ensures our confiscations practice remains an effective tool in serving the Western Australian community.

Our collaborative oversight

Legislation and law reform

The ODPP contributes to the development of the criminal law and the criminal justice system in Western Australia by providing advice on proposed reforms and draft legislation. Work to implement new offences, new procedures, or other relevant changes to the law, is an ongoing part of the ODPP's practice.

In 2023-24, the Director made submissions to inquiries and reviews, including an appearance before the Commonwealth Senate Legal and Constitutional Affairs References Committee in its [Inquiry into missing and murdered First Nations women and children](#).

The ODPP also participated in several projects to address sexual violence and family violence:

- In October 2023, the Director delivered written submissions to the Commissioner for Victims of Crime's [Review of the Criminal Justice System Response to Sexual Offending](#).
- The ODPP was represented on the Steering Committee for the development of the State's first [Sexual Violence Prevention and Response Strategy](#), and the Reference Group for the pilot Sexual Assault Legal Service WA.
- The ODPP continues to engage on a working group to implement pilot funding for medico-legal reports in family violence prosecutions.
- ODPP representatives participated in a roundtable conducted by the Australian Law Reform Commission as part of its [Inquiry into Justice Responses to Sexual Violence](#).

The ODPP continued to be heavily engaged in inter-agency efforts, and internal work, to prepare the criminal justice system for the planned commencement of the [Criminal Law \(Mental Impairment\) Act 2023](#). The ODPP has a 'transitional' function under the Act to bring applications, when the Act commences, in relation to persons on existing custody orders. The Director and a Senior Consultant State Prosecutor presented to the legal profession on the new law at seminars hosted by the Law Society of Western Australia.

The following reforms introduced in 2023-24 are relevant to the ODPP's work.

Notifications to Teacher Registration Board of WA

Amendments to the [Teacher Registration Act 2012](#) made by the [Teacher Registration Amendment Act 2023](#) commenced on 19 December 2023. The amendments made some changes to the notifications the ODPP is required to make to the Teacher Registration Board of WA, where a registered teacher is charged or prosecuted.

New on-water offences

On 21 December 2023, amendments to the [Western Australian Marine Act 1982](#) commenced which introduced new offences in relation to marine incidents and unsafe navigation of vessels, including indictable-only offences where death or grievous bodily harm results.

Repeal of abortion in *The Criminal Code*

On 27 March 2024, s 199 of *The Criminal Code* was deleted by operation of the [Abortion Legislation Reform Act 2023](#). The offence was replaced by a new indictable-only offence in s 202MN of the [Public Health Act 2016](#).

Consultation with victims

In 2017, the [Criminal Justice Report of the Royal Commission into Institutional Responses to Child Sexual Abuse](#) included the following recommendations –

41 – Each Australian Director of Public Prosecutions should establish a robust and effective formalised complaints mechanism to allow victims to seek internal merits review of key decisions.

42 – Each Australian Director of Public Prosecutions should establish robust and effective internal audit processes to audit their compliance with policies for decision-making and consultation with victims and police.

43 – Each Australian Director of Public Prosecutions should publish the existence of their complaints mechanism and internal audit processes and data on their use and outcomes online and in their annual reports.

The ODPP first established its [Policy and Guidelines for Victims of Crime](#) (the Guidelines) as a standalone statement on 1 September 2018. The Guidelines govern the ODPP's consultation with victims and police, and, in some circumstances, allow for victims to seek a review of a decision made by the ODPP to discontinue a charge or a prosecution. The Director issued an updated version of the Guidelines, being effective from 1 July 2022.

Under the Guidelines, a decision by a State Prosecutor is reviewable at the request of a victim if the effect of the decision is to discontinue a prosecution, or to discontinue one or more charges such that the prosecution case in relation to that victim is significantly altered ('a reviewable decision').

In 2023-24, the ODPP completed its fifth internal audit of compliance with the processes for decision-making and consultation with victims and police set out in the Guidelines. The internal audit involved inspection of 112 randomly selected ODPP cases by officers independent of the prosecution trial teams.

The audit period refers to cases that had a final outcome recorded between 1 January 2023 and 31 December 2023.

Consultation with victims about decisions

- In 86 per cent of all cases the victim, or a child victim's parent, was consulted about a significant decision that would alter the prosecution case.
- Where the victim had not been consulted (16 cases), there was a legitimate reason recorded for the lack of consultation in 94 per cent of those cases, usually that the victim was not able to be contacted despite attempts.
- In 1 per cent of all cases there were insufficient records of whether the victim had been consulted for an assessment of compliance to be made.

Consultation with investigating officers about decisions

- Across all cases, in 79 per cent there were records that the investigating officer was consulted about a significant decision that would alter the prosecution case.
- Of the 16 cases where the victim was unable to be consulted, the investigating officer was consulted instead in 88 per cent of these cases.

Reviews of decisions

- In 89 per cent of all cases, there were records of victims being informed of their right to request that a decision be reviewed.
- In the 12 cases where there was no record of the victim being informed of these rights, the victim was either supportive of the decision (33 per cent) or they were unable to be contacted (33 per cent).
- In the cases that were audited, there were 6 requests from victims that a decision be reviewed; in 5 cases the decision was endorsed upon review and in 1 case the decision was overturned.

Our people

A holistic approach to staff safety, wellbeing and security

At the heart of the ODPP's operations lies a commitment to ensuring the safety and wellbeing of our staff. Guided by the principles of the *Work Health and Safety Act 2020*, and model Codes of Practice, we aim to create understanding and ensure compliance.

We champion the notion that incident reporting is essential to cultivating a safer workplace and for addressing psychosocial hazards. By helping to avert potential future harm and nurturing a culture of ongoing improvement, we intensified our efforts to heighten staff awareness about incident protocols and risk management throughout the fiscal year. This focus extends beyond work health and safety to encompass personal safety and information security.

To enhance staff security, we implemented internal educational initiatives to raise awareness about personal, professional and online security. Emphasis is placed on risk management and staff security, ensuring our staff are well-prepared to handle potential threats and risk situations. Wherever feasible, physical security measures are also put in place, mitigating risk factors and prioritising staff safety.

Enhancements to our mail handling area have improved mail scanning and safe handling practices. We also updated information and processes related to circuit travel and advocated for the use of technology for added safety measures.

We actively promote psychosocial safety by providing mental health support services and awareness programs. Furthermore, by increasing resources in our prosecution support areas, we worked towards a more equitable work distribution. This has fostered overall wellness, improved workload management, and a better work-life balance for the team.

This staff-centric approach reflects our belief that a safe and secure environment is integral to our success.

From recruitment to career progression

During 2023-24, we transformed our recruitment strategy by implementing several innovative initiatives to improve our ability to attract and retain skilled professionals. By expanding our reach to various job platforms and universities, and maintaining an active presence at career fairs, we have elevated the visibility of the legal practice profession to potential applicants.

One of our key innovations was the introduction of a new talent acquisition pool for Levels 2 to 4 paralegal positions. This approach enabled us to quickly fill vacancies for fixed-term contracts, ensuring minimal business disruption and consistent service delivery.

We also ran a joint recruitment pool for Levels 3 and 4, allowing applicants to apply for both paralegal positions through a single interview process. This streamlined method has expedited the recruitment timeline, while still facilitating comparable assessments between the levels.

For the Level 5 and 6 paralegal pools, innovative methods were introduced for candidates statement submissions, allowing them to better articulate their motivation and highlight their experience. This fresh approach was well-received, allowing applicants to present themselves in a compelling manner, and diverging from the standard criteria statement, while providing deeper insights into their suitability for the role.

Since the start of 2024, we have engaged many applicants from the different talent pools. Collectively, these strategies have enhanced our ability to maintain operational strength through our recruitment processes, enriched our candidate pool and improved efficiency and effectiveness.

Once recruitment occurs, our aim is to ensure new starters feel valued, well-informed and prepared for success from the very beginning. To achieve this, we are revitalising a comprehensive staff induction program, which includes general training sessions and role-specific modules, as well as seeking feedback from recently recruited staff to enhance the onboarding experience. This program is designed to provide an understanding of the ODPP and our values.

During 2023-24, the Program Management Office, in collaboration with People and Culture, focused on procuring a Learning Management Solution (LMS) in accordance with WA Procurement Rules, with plans to roll it out in early 2024-25.

The LMS is designed to support all staff with their training and development. It centralises access, enabling staff to undertake training and development easily through various methods, including eLearning. The automation of enrolment processes and training records supports the management of compliance with core training obligations, making the LMS a key component of our commitment to continuous development of our staff.

We are also reviewing our Legal Practice Support learning curriculum, with an aim to move towards tailored eLearning modules that empower staff to learn at their own pace. This approach ensures consistency in training, improves efficiency, and relieves senior staff from repetitive training tasks. It also accommodates flexible work patterns, eliminating the need to plan bulk inductions and training sessions around part-time schedules.

The learning curriculum will also support our staff's ongoing journey, as it will provide staff with the necessary training before progressing to a new role, level or task.

For example, staff will complete training on coping strategies and tools before facing specific issues, undergo manager induction before taking on supervisory duties, and shadow a senior paralegal on a complex file before being assigned one themselves.

As part of our ongoing commitment to excellence and progress, we are undertaking a comprehensive review of our capability framework. The primary focus of the review is on refining job-specific capabilities. The new framework is cross-referenced with the public sector standards and against the previous framework to ensure consistency across classifications. For our Legal Practice Support area, Levels 2 and 3 have been successfully completed, and we anticipate finishing Levels 4 through 6 by the end of 2024. The updated capability framework will serve as a valuable guide for staff on the skillset required for career progression as a paralegal.

In parallel, we are strategically developing career pathways to help manage workloads while creating opportunities for promotion, cross-training and role specialisation. In part driven by the criminal justice system's increasing demands, this initiative also emphasises recognising work value and supporting team integration. Additionally, a strong focus has been placed on enhancing our leadership capabilities to navigate this transformation effectively. This ongoing journey is our commitment to progress and excellence.

To better support our staff, we are implementing MyPlan, our performance and development solution, which we plan to trial later in 2024. MyPlan aims to clarify roles, responsibilities, and performance expectations, while also providing development opportunities to aid career progression.

Our systems and processes

Enhancing case and evidence management through efficiency and collaboration

Throughout 2023-24, the ODPP embarked on several initiatives aimed at enhancing the efficiency of case and evidence management. This included the legal services and prosecution support areas collaboratively establishing standards, practices and procedures for the allocation of new matters.

Our improvement efforts extended to streamlining internal processes, strengthening relationships with investigating officers for police disclosure, and increasing resources within our audiovisual team. These changes had a direct impact on file management, allocation, and evidence upload activities, providing prosecutors with crucial information earlier in their engagement with defence, the WA Police Force and investigators.

Additionally, the WA Police Force and the ODPP established a standardised naming and organisational structure for electronic evidentiary materials, including documents and digital media. This agreement is an important first step in improving the quality and handling of police disclosure. The standards were developed by reviewing briefs over a year and prioritising commonly used terminology to simplify the transition.

We also made improvements to our aging case management system to ensure it continues to meet our evolving business needs. The implemented changes supported the use of pronouns, flagged cases involving persons held in custody for heightened awareness, and accommodated new team structures and processes.

We are in the process of developing a comprehensive practice and procedure guide for paralegals. This guide, serving as a central repository of information, will not only support our junior workforce but also foster continuous knowledge development. It will include information about operating from our District Court Building office, ensuring consistent service delivery from this location, even in the absence of regular staff.

In parallel, we are making progress in supporting business process improvements, particularly for the Children's Court team. This is facilitated by the creation of new cases and case details through improved processing of messages received from the interface with the Court's systems. We have been actively working with the vendor of the case management system to understand the requirements to maintain support viability for this system.

Despite these advancements, we continue to grapple with managing large volumes of digital evidentiary materials. Over the past financial year, we received over 160TB of new materials. To address this shared issue, a working group has been formed with other criminal justice agencies. Their aim is to develop a collaborative approach to evidence management. In the meantime, the ODPP has begun implementing an improved storage approach within our infrastructure, with some enhancements already in place and further work planned for the coming year. This proactive step is aimed at alleviating some of the strain caused by the massive volume of materials.

The ODPP remains committed to driving efficiencies and improving the overall effectiveness of case and evidence management for 2024-25 and beyond, while closely collaborating with our partners in the criminal justice sector.

Strengthening prosecution services through digital strategy

In an effort to modernise and streamline our operations, the ODPP embarked on a comprehensive digital transformation journey, improving our technological infrastructure and cyber security measures. This initiative aligns with the [Digital Strategy for the Western Australia Government 2021-2025](#), aiming to improve prosecution services.

One key initiative involved implementing a desktop device strategy to provide greater portability and flexibility in our working environment. This strategy enables staff to securely access digital evidence, case management applications, legal research tools, corporate systems, email, administrative applications, and other digital mediums from any location and at any time. This initiative is a significant step towards leveraging digitalisation, enabling better service delivery and operational efficiency.

In parallel, we made substantial progress in bolstering our cyber security maturity and controls. This included achieving the minimum Essential 8 maturity levels ahead of schedule, in compliance with the [WA Government Cyber Security Policy](#). This was accomplished through the implementation of new and updated policies related to information access and transportation, strengthened technical controls for privileged accounts and endpoints, and increased staff awareness regarding phishing risks and effective response strategies. These measures have empowered staff to better recognise and handle malicious emails, which remain a major threat to our information security.

We also secured funding to further support the uplift of our cyber security capability and capacity, thereby strengthening the protections for the sensitive information we hold. Additionally, the ODPP secured critical infrastructure contracts, with the help of the Department of Finance, to support essential business services and manage risks. Through effective engagement of contractors, we aim to streamline processes and achieve financial and operational efficiencies.

Furthermore, we successfully implemented a new telephony system in April, providing unified telecommunications capabilities, full mobility and softphone features. Upgrades to server and database platforms were also carried out to maintain good technology hygiene, and a regular patching regime ensured software vulnerabilities were mitigated.

Finally, an active asset management program led to the upgrade of a significant portion of our laptop fleet and the replacement of end-of-life smartphones. Although no longer suitable for our business needs, these smartphones will find a new purpose through donations to charities supporting victims of domestic violence. This initiative not only demonstrated our commitment to technological advancement but also our dedication to social responsibility.

Overall, these initiatives and improvements highlight our strategic digital transformation and enhancements in supporting the delivery of prosecution services. They also demonstrate the power of digitalisation and our commitment to continuous improvement amidst evolving technological capabilities and security challenges.

Significant issues and emerging trends

Addressing case backlogs and confiscation challenges

In an ongoing effort to address the challenges of managing a large volume of case referrals, the ODPP has been actively collaborating with the WA Police Force. Together, we aim to establish a sustainable process that benefits the Western Australian community.

During 2022 and 2023, we conducted a thorough review of evidentiary and forensic requirements necessary for confiscation proceedings. This review, along with stakeholder feedback, led to the implementation of stricter requirements for advancing confiscation cases through the courts in 2023-24 and beyond. As a result, we now face the challenge of coordinating a larger number of witnesses to resolve cases before courts. Additionally, a backlog of older cases has emerged, which we are managing with existing resources while also addressing more urgent cases referred by proceeds of crime investigators.

This backlog has impacted our Confiscations team, limiting their ability to resource more complex cases for the community's benefit. To address this, we are implementing several measures, including reviewing and improving workflows and practices between the WA Police Force and the ODPP, as well as enhancing internal resources to expedite the resolution of older cases. These steps aim to facilitate the administration of justice more efficiently.

During 2023-24, the Confiscations team experienced staffing changes, welcoming senior legal professionals with expertise in civil litigation and proceeds of crime law. This infusion of experience is part of a broader capability-building effort aimed at future-proofing our operations. A key focus area is enhancing our ability to confiscate non-traditional assets, such as cryptocurrency. Additionally, specialised training is being arranged to improve the financial acumen of the team. This strategic approach positions the Confiscations team to better serve the evolving needs of the community and the justice system.

Navigating workforce challenges

During the 2023-24 financial year, challenges persisted in recruiting key positions, notably experienced prosecutors, senior paralegals, and managerial roles.

To fill these gaps, we continued the recruitment strategy initiated in prior years, focusing on hiring entry-level team members and engaging short-term contractors. While this strategy brought new perspectives and benefits it also posed unique recruitment challenges. Developing a junior workforce to meet the ODPP's standards and expertise level is a long-term investment, and managing the influx of largely inexperienced staff has been a complex yet fulfilling endeavour.

The inclusion of a junior workforce has proven particularly beneficial for Team 5. Focused on nurturing and developing our emerging prosecutors and paralegals, the team found value in onboarding new members. Their fresh perspectives and absence of preconceived notions about operational processes have fostered a creative and dynamic work environment. The synergy between the team's existing innovative style and the newcomers' receptiveness has led to a harmonious atmosphere where new ideas and changes are welcomed and celebrated. This conducive and supportive setting has enabled Team 5 to deliver outstanding results over the past fiscal year, even with minimal support staff.

A complementary success was the advancement of our first Team 5 cohort of Legal Officers 1LGs to State Prosecutor 2LGs. This progression is the result of a meticulously planned initiative spanning several years, aimed at infusing new talent into the agency. Team 5 provides a supportive learning environment focused on developing a sound knowledge of criminal law, practice, and procedure, with an emphasis on understanding the role and obligations of a prosecutor and the functions and operations of the ODPP. One of the goals for creating Team 5 was to address the shortage of criminal prosecutorial skillsets in the external job market. By nurturing and developing these individuals internally, we have not only strengthened our workforce but also ensured a more robust and skilled prosecutorial team to meet the demands of our mission.

The past 12 months have been enlightening. Navigating the complexities of integrating a junior workforce has demonstrated our team's resilience and adaptability. The lessons learned will undoubtedly shape our future strategies as we strive for a balanced and skilled workforce capable of fulfilling our purpose.

Looking ahead

Driving efficiencies through digital evolution

In 2024-25, the ODPP will advance key procurement activities through strategic initiatives funded by the Digital Capability Fund. This involves two main programs: the Change and System Replacement Program (CSR) and the Corporate Business Systems Replacement Program (CBSRP).

The CSR addresses the growing reliance on digital evidence in the criminal justice system. It aims to simplify case handling and improve case management efficiency, while creating synergies across the criminal justice sector. This initiative focuses on digitising evidence handling, automating data collaboration, improving workflow administration, and reducing manual duplication.

The CBSRP, on the other hand, focuses on our corporate business solutions. Its goals are to comply with legislative, prosecution and operational requirements for various functions including case management, finance, human resources, payroll, and recordkeeping. This mandate aims to deliver contemporary corporate and operational systems that support the delivery of prosecution services.

These programs collectively represent a major advancement in modernisation and efficiency. They will enhance prosecution services for the State and equip the ODPP to handle the continuous evolution and expansion of digital evidence management.

Embracing inclusivity, growth and wellbeing in 2024-25

For the upcoming 2024-25 financial year, the ODPP is poised to launch several key initiatives aimed at cultivating a more inclusive and supportive environment while also addressing the growing demands of our services.

A cornerstone of this endeavour is the establishment of InclusiveVoices, a staff-driven committee dedicated to championing the implementation of our Diversity and Inclusion Strategy, Disability Access and Inclusion Plan, and Multicultural Plan. The committee is set to commence in mid-2024.

To further promote inclusivity for both clients and staff, we are installing First Nations artwork, sourced from various Western Australian regions and artists, in our interview area. This walk-through gallery will provide a warm, welcoming environment and facilitate cultural dialogue and learning through visual storytelling that reflects the diverse regions we serve.

In response to our growing workforce and the increasing demands for criminal prosecution and confiscations activity, we are rolling out a Strategic Accommodation Plan. This involves assessing and securing fit-for-purpose premises to ensure the continuity of services in the medium to long term.

Additionally, to support the essential services we provide at the Perth Children's Court, we are refurbishing our tenancy there. The new workspace will feature private interview rooms, a dedicated waiting area and a service counter. It will also include modern video conferencing facilities to assist vulnerable victims and witnesses in serious child-related cases. Additionally, stringent security measures will be implemented to ensure the safety of our staff and clients.

To support the professional growth of our employees, we are deploying MyPlan, a tool designed to enhance performance development and management. This platform encourages meaningful discussions between staff and managers about capability building and career advancement within the agency through a collaborative approach.

Lastly, the Wellcheck Program is set to become a permanent program for all employees in 2025. Initially piloted in 2023, this program underscores the importance of employee wellbeing and is a key component of our Mental Health and Wellness Strategy.

Climate change and sustainability

The ODPP acknowledges the environmental footprint of our activities. We are committed to enhancing our sustainability through efficient and effective resource management. Additionally, we are striving to deepen our understanding of climate change and its associated risks and opportunities, as well as improving our awareness of the potential impacts of significant climate events and broader climate change on our operations.

Given that our services extend across the entirety of Western Australia, it is crucial to recognise that climate change will have varied impacts throughout the State. While physical risks are often associated with climate change, we must also consider transition and liability risks. Similarly, all aspects of our business should be considered, including potential climate impacts on service delivery, supply chain, financial, regulatory, technology, and reputation.

The potential climate-related impacts and risks to our operations include:

- Failure to recognise and adjust to the evolving environmental, economic, and social effects on our workforce and their families.
- Inability to deliver critical services due to loss of sites, operations from vendors/suppliers, records/evidence, and access to regional areas affected by weather events or disasters.
- Failure to detect and adapt to shifts in criminal behaviour stemming from climate impacts and the associated civil unrest.

Driving towards a greener future

To support the [State Electric Vehicle Strategy for Western Australia](#), we have proactively launched our Green Fleet Strategy. As part of this initiative, we have received our first plug-in hybrid vehicle, which will primarily serve as a circuit vehicle for staff travel to regional Western Australia.

We will consider electric options for all pool and operational replacement vehicles whenever feasible. Moreover, staff eligible for the Senior Officer Vehicle Scheme will now have the option to select an electric vehicle. Unfortunately, due to our premises being leased, we do not have access to on-site charging facilities, which may impact the rate of adoption.

Nevertheless, we remain committed to achieving the goals of the [State Electric Vehicle Strategy for Western Australia](#) wherever possible and practical.

Building sustainability

In 2023-24, our core premises underwent a National Australian Built Environment Rating System (NABERS) evaluation. The base building achieved a 5-star energy rating and a 5.5-star indoor environment rating, demonstrating superior performance in both categories. Considering the building's age, this is a remarkable accomplishment. We will continue to seek ways to positively impact environmental initiatives.

From paper to pixels: Digital and eco-friendly practices

After a successful six-month pilot in 2022-23, PathWest and the ODPP have continued their memorandum of understanding to issue electronic notices instead of witness summons. This streamlined process includes safeguards to ensure notices are not missed and eliminates the need for the Sheriff's Office to deliver hard copy summons. This change obviates the need for a sheriff to personally deliver a physical summons, reduces the need for motor vehicle use and cuts down on paper consumption.

Additionally, we are exploring options to communicate with certain victims and witnesses via email, where it is deemed suitable, instead of traditional mail. We are also encouraging prosecutors to prepare digital briefs. In instances where physical copies are necessary, we are committed to promoting environmentally friendly practices such as double-sided printing and the reusing of backing cards and plastic file sleeves to further our sustainability and resource conservation efforts.

Other disclosures

Ministerial directions

No Ministerial directives were received during 2023-24.

Pricing policies of services provided

There were no pricing policies of services provided during 2023-24.

Insurance policy

No monies were paid to indemnify any director against liability incurred under sections 13 and 14 of the [Statutory Corporations \(Liability of Directors\) Act 1996](#).

Expenditure on advertising

Section 175ZE of the [Electoral Act 1907](#) requires public agencies to report details of expenditure to organisations providing services in relation to advertising, market research, polling, direct mail and media advertising. The ODPP did not incur expenditure of this nature.

Capital works

Capital project incomplete

The multi-year Strategic Asset Program is progressing with the majority of the work slated for completion in 2024-25. This pivotal program encompasses a series of critical investments and initiatives designed to modernise and enhance our operational systems. These upgrades are essential to meet the evolving legislative, prosecutorial, statutory, audit, and functional demands. We will continue to collaborate with stakeholders in the criminal justice sector and other relevant agencies to advance these outcomes.

In the 2023-24 fiscal year, we achieved several milestones, including the procurement and test deployment of a Learning Management Solution (final implementation is scheduled for early 2024-25), as well as the release of the Finance Management Information System tender to market.

In addition to these system works, the fit-out program for the Perth Children's Court has moved past the tender award stage. This project aims to carry out essential upgrades to our footprint at the facility. The focus of the new design is to create a more welcoming and supportive environment for witnesses and victims involved in Children's Court matters.

We are also looking to expand our existing occupancy with the inclusion of an additional fit-for-purpose space. The proposed layout includes 11 workstations, a dedicated interview room for high-risk engagements and a tailored training facility. These facilities will enhance our capability, foster professional development, and provide a practical setting for developing trial advocacy. This comprehensive approach ensures we remain a contemporary prosecutorial service.

Capital projects completed

The ODPP engaged artists from various Western Australian regions to create First Nations artwork for our interview area. The works will be unveiled to coincide with NAIDOC Week 2024.

The ODPP invested \$0.284 million towards the laptop devices upgrade program to maintain the mobility of our prosecution services.

Unauthorised use of credit cards

Approved staff hold corporate credit cards to facilitate the operations of the ODPP. These cards are authorised for use in accordance with corporate policies. There were three instances of inadvertent usage of corporate card in transactions that were not for ODPP business purposes. The matters were not referred for disciplinary action.

	2024
Number of instances the Western Australian Government Purchasing Cards have been used for personal purposes	3
Aggregate amount of personal use expenditure for the reporting period	\$123
Aggregate amount of personal use expenditure settled by the due date (within 5 working days)	\$123
Aggregate amount of personal use expenditure settled after the period (after 5 working days)	-
Aggregate amount of personal use expenditure remaining unpaid at the end of the reporting period	-
Number of referrals for disciplinary action instigated by the notifiable authority during the reporting period	-

National Strategic Plan for Asbestos Awareness and Management Progress

The [Asbestos National Strategic Plan](#) (ANSP) aims to eliminate asbestos-related diseases in Australia through a long-term, phased approach. Implemented by the Asbestos and Silica Safety and Eradication Agency, the ANSP ensures nationally consistent and coordinated actions across the Commonwealth, state, and territory governments.

The ODPP has been identified as a non-key agency, meaning we do not own any buildings, land, or infrastructure. The ODPP operates from a leased site and does not directly manage the Asbestos Containing Material (ACM) register. However, relevant staff are aware of the limited ACM on-site, which is currently managed in situ according to the Asbestos Management Plan by the lessor. The ANSP 2024-2030 consultation document has been submitted by the ODPP to the Department of Energy, Mines, Industry Regulation and Safety, as per the annual requirement.



External complaints handling

As part of our commitment to delivering a fair and just prosecution service to the community of Western Australia, the ODPP values feedback from our stakeholders, including victims of crime, witnesses, and other participants in the criminal justice system.

Consistent with previous years, most complaints received during the 2023-24 financial year were unrelated to our functions, conduct or cases. However, we did receive 17 external complaints regarding matters handled by this office, nearly double the number received in the preceding two years. This is also the highest number of complaints recorded since the introduction of annual reporting.



This significant increase reflects the ODPP’s ongoing commitment to ensuring that feedback from participants in the criminal justice system is considered, and investigated where appropriate, at the highest level of the agency’s corporate structure.

Freedom of information

The ODPP is an ‘Exempt Agency’ under Schedule 2 of the [Freedom of Information Act 1992](#).

Information governance and recordkeeping

In accordance with the [State Records Act 2000](#) and the State Records Commission’s standards, the ODPP has a comprehensive Record Keeping Plan (RKP) that affirms our commitment to rigorous recordkeeping practices, and outlines the measures we take to ensure they remain robust and transparent.

During 2023-24, we improved our recordkeeping practices by enhancing the security and safety of our physical record archives. This included implementing a secure vault storage system with gas suppression fire protections and environmental controls. Throughout the fiscal year, we closed off over 15,000 file volumes and sent or returned more than 22,000 volumes to offsite storage in nearly 2,000 containers.

On 29 August 2023, the State Records Commission approved our latest RKP. This revision noted the need for reviews of relevant policies and procedures, and a mechanism for annual staff feedback. To ensure the efficiency and effectiveness of our recordkeeping systems, we conduct a thorough evaluation at least once every five years.

One area flagged for enhancement is the review and improvement of our induction and training materials and methods. The Information Management (IM) team will prioritise the inclusion of a Records Awareness Training module in our new learning management solution, which is currently under implementation.

Currently, our induction program for new starters provides multiple opportunities to highlight staff’s roles and responsibilities in terms of recordkeeping. This is firstly achieved through the induction session discussing our Code of Conduct, in which Chapter 3 is dedicated to “Record Keeping and Use of Information” and that sets clear expectations for all staff regarding records management.

Moreover, new staff attend a targeted induction session provided by a senior member of the IM team regarding information governance. This records management module contains information covering:

- An introduction to the IM team staff and their responsibilities.
- An overview of the recordkeeping information on our intranet, including policies and procedures.
- End-user training on our electronic document and records management system.

Upon completing the induction session, feedback is sought from all attendees on the induction’s effectiveness and potential enhancements. This feedback informs the yearly review of the training program.

Additionally, our staff are kept well-informed and aware of their recordkeeping responsibilities through a multifaceted program. Mechanisms include:

- Regular updates and information published on our intranet.
- Ad-hoc information sessions for ongoing staff development.
- Specialised external training for IM staff.

Staff development

Throughout 2023-24, our staff participated in an array of training and development offerings. Ongoing professional growth is crucial for maintaining and improving our staff’s expertise, which is key to delivering a prosecution service that is both high-quality and aligned with contemporary standards.

In July 2023, we held our Junior Prosecutors’ Advocacy Course. The program offered a nurturing environment where our novice prosecutors gained insights and knowledge from seasoned prosecutors.

From August to October 2023, the Management 101 Program was delivered to aspiring and current managers. Twenty-five participants attended six learning sessions, covering topics from across the employee journey. The program equipped managers with essential tools and insights to optimise team performance and foster a constructive work environment.

In October 2023, the WA Police Force facilitated the third Graduated Exposure to Child Exploitation Material session. The workshop familiarised prosecutors with the hazards associated with viewing such content, while providing effective strategies for managing these risks. Mandatory individual debriefing sessions with an external psychologist, both before and after the workshop, are integral to this program.

During 2023, we reviewed and updated our Mandatory Training Policy. Subsequently the policy was renamed the Core Training Policy upon its publication in October 2023. This policy encompasses essential training that all staff must complete, in addition to modules tailored to specific jobs or roles.

Over the course of the financial year, continuing professional development sessions delved into subjects such as racial vilification legislation, managing homicide files, ethical practices, prosecutorial independence, circumstantial evidence, and unexplained wealth. These sessions ensured our lawyers’ compliance with the continuing professional development component of the [Legal Profession Uniform Law](#).



Staff profile

Full-time equivalents	2023	2024
Full-time		
• permanent	226	246
• fixed-term contract	39	54
Part-time		
• permanent	37.45	39.96
• fixed-term contract	2.6	6.2
On secondment	4	9.8
	309.05	355.96

Compliance with public sector standards and ethical codes

The Public Sector Standards in Human Resource Management play a pivotal role in the People and Culture initiatives outlined in the ODPP's [Strategic Plan 2024-27](#). This is seen through our efforts to implement a performance development system, and create a psychologically safe workplace for raising grievances and complaints. Additionally, our approach to addressing conduct allegations will be guided by our revised Code of Conduct, which is underpinned by the [Public Sector Code of Ethics](#).

The launch of the learning management solution, in early 2024-25, will offer staff the opportunity and flexibility to stay compliant with core and mandatory training specific to their roles within the public sector. The six standards will be incorporated into individual training programs, as well as a Code of Conduct module.

During the reporting period, the ODPP has investigated and reported on two investigations into the conduct and integrity of ODPP employees. No breach of standard claims were upheld by the Public Sector Commission for 2023-24.

Industrial relations

All staff at the ODPP are employed under the conditions and entitlements set out in the Public Service Award 1992 and the Public Sector CSA Agreement 2022. The Director, Deputy Director, Director Legal Services, Director Operations, Senior Consultant State Prosecutors and Consultant State Prosecutors' salaries and allowances are determined by the Salaries and Allowances Tribunal, as established by the [Salaries and Allowances Act 1975](#).

Workers compensation

The ODPP is dedicated to ensuring a safe working environment, in compliance with the [Work Health and Safety Act 2020](#) (WHS Act), across all of our premises. During the reporting period, no new workers' compensation claims were filed, compared to one claim in 2022-23.

Although workplace injuries at the ODPP are infrequent, we remain committed to ongoing safety measures. Our goal is a safe and healthy work environment that is free from work-related injuries and illnesses. This includes creating a psychologically safe workplace where staff feel comfortable reporting incidents as they occur.

In light of the WHS Act, and in anticipation of the [Workers Compensation and Injury Management Act 2023](#) and regulations effective from 1 July 2024, the ODPP continued to progress work in the area of mental health and psychosocial risks training and awareness. In the 2023-24 period, our mental health training was expanded to the boarder workforce, with most managers already having completed the program. Additionally, mental health training is now integrated within the induction process.

The ODPP is committed to supporting injured or ill employees in returning to work as soon as medically appropriate. This includes providing alternative duties, developing individual return-to-work programs, and/or referring employees to approved vocational rehabilitation providers.

Public sector health, safety and injury management performance

The ODPP is committed to creating a safe and responsive workplace. Our workforce understands that safety is a collective responsibility, and we are mindful of how our actions impact others. Guided by our core values and leadership, we take practical measures to safeguard each other's physical and mental health. Together, we sustain a supportive environment free from bullying, harassment and discrimination.

We continue to drive positive change and promote a safe workplace by:

- establishing a consistent approach for managing and reporting incidents, hazards and near misses.
- addressing WHS matters as they arise and monitoring trends to strive for continuous improvement.
- increasing the use of technology to provide additional safety measures for staff attending regional court commitments.

- revising the WHS Committee composition, appointing an employee representative as chairperson and introducing an executive as a corporate sponsor.
- calling for staff nominations to fill end-of-term and vacated health and safety representatives.
- accommodating staff with reasonable adjustments and supportive return-to-work programs.
- providing training in manual handling, ergonomics and mental health awareness, with over half of our managers having attended a new WHS for Managers module.
- offering access to mental health services and promoting health and wellness through a corporate wellbeing program.

For 2024-25, we will focus on establishing a robust WHS framework and ensuring compliance with legislative requirements.

Measures	Results			Targets	Comments about targets
	2021-22 base year	2022-23 prior year	2023-24 current reporting year		
Number of fatalities	0	0	0	0	Target achieved.
Lost time injury and disease incidence rate	0%	0.32%	0	0 or 10% reduction in incidence rate	1 LTI incident from the prior year returned to full duties within 13 weeks.
Lost time injury and severity rate	0%	0%	0	0 or 10% reduction in severity rate	Target achieved.
Percentage of injured workers returned to work (i) within 13 weeks	0%	100%	0%	Greater than or equal to 80% return to work within 13 weeks	Target achieved.
Percentage of injured workers returned to work (ii) within 26 weeks	0%	100%	0%	Greater than or equal to 80%	Target achieved.
Percentage of managers and supervisors trained in work health and safety injury management responsibilities, including refresher training within 3 years.	0%	0%	60%	Greater than or equal to 80%	Over half of our managers and supervisors attended this training in the reporting period. More training is scheduled for the new reporting year, which will increase the number.



Workforce inclusiveness requirements

The ODPP is dedicated to creating and sustaining an inclusive workplace culture that values and respects all employees. This is embedded in our core values of respect, integrity, commitment and teamwork. Meanwhile, our Diversity and Inclusion Strategy 2024-2027 outlines our aspirational targets for the diversity groups identified by the Public Sector Commission, along with the associated action plan.

Our staff can provide equity and diversity details within our human resources system, which enables us to report the most accurate demographic information and helps to ensure relevant initiatives and strategies are as representative of our staff as possible.

In addition to this information, the recent [WA Public Sector Census](#) identified that several staff members had shared their diverse information with us. Those who did not share cited reasons such as the lack of impact on their role or a reluctance to act as a spokesperson for their diversity.

The Census also provided valuable insights into the diverse gender identities, sexual orientations, and sex characteristics of our staff; information we had not previously collected. It highlighted the importance of cultivating a workplace where staff felt safe to express their diverse gender identities. We have since introduced guidelines to include pronouns in email signatures and on internal staff profiles, as well as when communicating with victims and witnesses.

An inclusive workplace goes beyond merely tracking diversity metrics by actively assessing employees' perceptions of respect, belonging, contribution, accountability, psychological safety, and empowerment. Such a culture supports everyone to be their authentic selves without fear, enables diverse thought to flourish, and drives innovation, creativity, and collaboration. This perception of inclusion (or exclusion) significantly influences employees' engagement levels, likelihood of leaving the company, and risk of burnout, making an inclusive workplace essential for supporting a happy, engaged, and committed workforce.

The ODPP understands that it is only when a workplace measures perceptions of inclusion, in conjunction with diversity metrics, can it address inequalities and drive the behavioural change and capability uplift required to unleash the benefits of a diverse workforce. This is because, while diversity targets help to drive action, it is understanding staff views of workplace inclusivity that is essential to deliver meaningful, systemic, cultural change.

This is why the primary goal of the ODPP's leadership group is to support our staff through the provision of a safe workplace environment and continual improvement of work practices. Information gained from the Census, along with internal workplace culture surveys, revealed valuable opportunities for future growth.

A focus of our [Strategic Plan 2024-27](#) is to help resolve some of the identified ongoing issues, as well as strengthening our workplace for the future needs of the criminal justice system. It is hoped that any future employee assessments will demonstrate improvements in staff inclusion, reflecting our ongoing commitment to creating a more inclusive and supportive workplace environment.

Substantive equality

[The Policy Framework for Substantive Equality](#) (Policy Framework) aims to achieve equitable outcomes for all Western Australians. It encourages agencies to continuously review and improve their policies and service delivery practices to address systemic discrimination and meet their obligations under the [Equal Opportunity Act 1984](#). While the ODPP is not listed in the schedule of departments, as per [Commissioner's Circular 2015-01](#), we recognise the significance of the Policy Framework.

In supporting substantive equality, we continue to assess how policies, programs and practices affect different groups. Additionally, we provide training and development opportunities to equip staff with the knowledge and skills necessary to address issues of systemic discrimination.



Disability access and inclusion plan outcomes

To address the requirements of the [Disability Services Act 1993](#) and the [Disability Services Regulations 2004](#), the ODPP must ensure our [Disability Access and Inclusion Plan](#) (DAIP) is effectively implemented and reported.

In 2019, we launched our third DAIP, reaffirming our commitment to enhancing the accessibility of our information, services, and facilities, thereby promoting the inclusion of individuals with disabilities. In compliance with the [Disability Services Act 1993](#), we will submit a review of our DAIP to the Disability Services Commission in 2024.

Participation in disability awareness training is mandatory for all staff, as a component of our core training program. To facilitate adherence, workshops are conducted quarterly. For 2023-24, we introduced a shorter session for staff who have previously completed the initial training and require a refresher after five years.

WA Multicultural Policy Framework

The ODPP's Multicultural Plan 2021-23 established tangible ways to implement priorities, strategies and outcomes aligned with the [Western Australian Multicultural Policy Framework](#). Several culturally and linguistically diverse (CALD) initiatives now remain permanently in place.

To deliver a fair criminal justice system, bridging cultural and language barriers is crucial. Our staff adhere to a structured process for arranging interpreters and translators, ensuring compliance with relevant court jurisdictions and the interpreting and translating services common use arrangement. This process guarantees that language services are provided by qualified professionals who follow industry standards and ethical guidelines. As a result, communications are accurate and culturally appropriate, leading to better outcomes and stronger relationships with diverse communities.

CALD initiatives will continue to be promoted as part of our revitalised Multicultural Plan 2024-2027.



OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS
for WESTERN AUSTRALIA

Disclosures and Legal Compliance

Certification of financial statements

For the financial year ended 30 June 2024

The accompanying financial statements of the Office of the Director of Public Prosecutions have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the financial year ended 30 June 2024 and the financial position as at 30 June 2024.

At the date of signing we are not aware of any circumstances which would render the particulars included within the financial statements misleading or inaccurate.

Rob Monte CPA
Chief Finance Officer
29 August 2024

Robert Owen SC
Accountable Authority
29 August 2024

Key Performance Indicators



DIRECTOR OF PUBLIC PROSECUTIONS
for WESTERN AUSTRALIA

Certification of Key Performance Indicators

I hereby certify that the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the performance of the Office of the Director of Public Prosecutions and fairly represent the performance of the Office of the Director of Public Prosecutions for the financial year ended 30 June 2024.

Robert Owen SC
Accountable Authority
29 August 2024

Rob Monte CPA
Chief Finance Officer
29 August 2024



Auditor General

INDEPENDENT AUDITOR'S REPORT

2024

Office of the Director of Public Prosecutions

To the Parliament of Western Australia

Report on the audit of the financial statements

Opinion

I have audited the financial statements of the Office of the Director of Public Prosecutions (Office) which comprise:

- the statement of financial position as at 30 June 2024, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended
- notes comprising a summary of material accounting policies and other explanatory information.

In my opinion, the financial statements are:

- based on proper accounts and present fairly, in all material respects, the operating results and cash flows of the Office of the Director of Public Prosecutions for the year ended 30 June 2024 and the financial position as at the end of that period
- in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the *Financial Management Act 2006* and the Treasurer's Instructions.

Basis for opinion

I conducted my audit in accordance with 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 believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the Director for the financial statements

The Director is responsible for:

- keeping proper accounts
- preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the *Financial Management Act 2006* and the Treasurer's Instructions
- such internal control as it determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Page 1 of 5

7th Floor Albert Facey House 469 Wellington Street Perth MAIL TO: Perth BC PO Box 8489 Perth WA 6849 TEL: 08 6557 7500

In preparing the financial statements, the Director is responsible for:

- assessing the entity's ability to continue as a going concern
- disclosing, as applicable, matters related to going concern
- using the going concern basis of accounting unless the Western Australian Government has made policy or funding decisions affecting the continued existence of the Office.

Auditor's responsibilities for the audit of the financial statements

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial statements. The objectives of my audit are 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 Australian 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. 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.

A further description of my responsibilities for the audit of the financial statements is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf

Report on the audit of controls

Opinion

I have undertaken a reasonable assurance engagement on the design and implementation of controls exercised by the Office of the Director of Public Prosecutions. The controls exercised by the Office of the Director of Public Prosecutions are those policies and procedures established to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with the State's financial reporting framework (the overall control objectives).

In my opinion, in all material respects, the controls exercised by the Office of the Director of Public Prosecutions are sufficiently adequate to provide reasonable assurance that the controls within the system were suitably designed to achieve the overall control objectives identified as at 30 June 2024, and the controls were implemented as designed as at 30 June 2024.

The Director's responsibilities

The Director is responsible for designing, implementing and maintaining controls to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities are in accordance with the *Financial Management Act 2006*, the Treasurer's Instructions and other relevant written law.

Page 2 of 5



Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the suitability of the design of the controls to achieve the overall control objectives and the implementation of the controls as designed. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3150 Assurance Engagements on Controls issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements and plan and perform my procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the overall control objectives and were implemented as designed.

An assurance engagement involves performing procedures to obtain evidence about the suitability of the controls design to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including an assessment of the risks that controls are not suitably designed or implemented as designed. My procedures included testing the implementation of those controls that I consider necessary to achieve the overall control objectives.

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

Limitations of controls

Because of the inherent limitations of any internal control structure, it is possible that, even if the controls are suitably designed and implemented as designed, once in operation, the overall control objectives may not be achieved so that fraud, error or non-compliance with laws and regulations may occur and not be detected. Any projection of the outcome of the evaluation of the suitability of the design of controls to future periods is subject to the risk that the controls may become unsuitable because of changes in conditions.

Report on the audit of the key performance indicators

Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the Office of the Director of Public Prosecutions for the year ended 30 June 2024 reported in accordance with *Financial Management Act 2006* and the Treasurer's Instructions (legislative requirements). The key performance indicators are the Under Treasurer-approved key effectiveness indicators and key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, the key performance indicators report of the Office of the Director of Public Prosecutions for the year ended 30 June 2024 is in accordance with the legislative requirements, and the key performance indicators are relevant and appropriate to assist users to assess the Office's performance and fairly represent indicated performance for the year ended 30 June 2024.

The Director's responsibilities for the key performance indicators

The Director is responsible for the preparation and fair presentation of the key performance indicators in accordance with the *Financial Management Act 2006* and the Treasurer's Instructions and for such internal controls as the Director determines necessary to enable the preparation of key performance indicators that are free from material misstatement, whether due to fraud or error.

In preparing the key performance indicators, the Director is responsible for identifying key performance indicators that are relevant and appropriate, having regard to their purpose in accordance with Treasurer's Instruction 904 Key Performance Indicators.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the key performance indicators. The objectives of my engagement are to obtain reasonable assurance about whether the key performance indicators are relevant and appropriate to assist users to assess the entity's performance and whether the key performance indicators are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3000 Assurance Engagements Other than Audits or Reviews of Historical Financial Information issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements relating to assurance engagements.

An assurance engagement involves performing procedures to obtain evidence about the amounts and disclosures in the key performance indicators. It also involves evaluating the relevance and appropriateness of the key performance indicators against the criteria and guidance in Treasurer's Instruction 904 for measuring the extent of outcome achievement and the efficiency of service delivery. The procedures selected depend on my judgement, including the assessment of the risks of material misstatement of the key performance indicators. In making these risk assessments, I obtain an understanding of internal control relevant to the engagement in order to design procedures that are appropriate in the circumstances.

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

My independence and quality management relating to the report on financial statements, controls and key performance indicators

I have complied with the independence requirements of the *Auditor General Act 2006* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQM 1 Quality Management for Firms that Perform Audits or Reviews of Financial Reports and Other Financial Information, or Other Assurance or Related Services Engagements, the Office of the Auditor General maintains a comprehensive system of quality management including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Other information

The Director is responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2024, but not the financial statements, key performance indicators and my auditor's report.

My opinions on the financial statements, controls and key performance indicators 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, controls and key performance indicators my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and key performance indicators 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 did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to those charged with governance and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

Matters relating to the electronic publication of the audited financial statements and key performance indicators

This auditor's report relates to the financial statements and key performance indicators of the Office of the Director of Public Prosecutions for the year ended 30 June 2024 included in the annual report on the Office's website. The Office's management is responsible for the integrity of the Office's website. This audit does not provide assurance on the integrity of the Office's website. The auditor's report refers only to the financial statements, controls and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version.



Jordan Langford-Smith
Senior Director Financial Audit
Delegate of the Auditor General for Western Australia
Perth, Western Australia
29 August 2024

Statement of comprehensive income

For the year ended 30 June 2024

	Notes	2024 (\$000)	2023 (\$000)
Cost of Services			
Expenses			
Employee benefits expense	2.1 (a)	50,446	46,086
Supplies and services	2.2	8,534	6,599
Depreciation and amortisation expense	4.1, 4.2, 4.3	644	716
Accommodation expenses	2.2	5,626	5,185
Other expenses	2.2	3,452	3,914
Total Cost of Services		68,702	62,500
Income			
Other Income	3.2	119	107
		119	107
Net Cost of Services		68,583	62,393
Income from State Government			
Service appropriation	3.1	58,251	51,743
Contribution from Confiscation Proceeds Account	3.1	8,807	10,947
Resources received	3.1	363	240
Total Income from State Government		67,421	62,930
(Deficit)/surplus for the period		(1,162)	537
Other Comprehensive Income		-	-
Total comprehensive (loss)/income for the period		(1,162)	537

The Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

Statement of financial position

As at 30 June 2024

	Notes	2024 (\$000)	2023 (\$000)
Assets			
Current Assets			
Cash and cash equivalents	6.3	7,111	3,718
Restricted cash and cash equivalents	6.3	7,340	3,092
Receivables	5.1	2,737	5,545
Amounts receivable for services	5.2	439	458
Other current assets	5.3	1,532	1,513
Total Current Assets		19,159	14,326
Non-Current Assets			
Restricted cash and cash equivalents	6.3	1,394	2,549
Receivables	5.1	1,266	1,040
Amounts receivable for services	5.2	8,155	7,754
Plant and equipment	4.1	2,108	2,660
Right-of-use assets	4.2	472	373
Intangible assets	4.3	115	123
Other non-current assets	5.3	23	23
Total Non-Current Assets		13,532	14,522
Total Assets		32,691	28,848
Liabilities			
Current Liabilities			
Payables	5.4	2,215	3,263
Lease Liabilities	6.1	144	112
Employee related provisions	2.1 (b)	9,303	8,733
Total Current Liabilities		11,662	12,108
Non-Current Liabilities			
Lease Liabilities	6.1	348	273
Employee related provisions	2.1 (b)	3,018	2,433
Total Non-Current Liabilities		3,366	2,706
Total Liabilities		15,028	14,814
Net Assets		17,664	14,034
Equity			
Contributed Equity		14,565	9,773
Accumulated surplus		3,099	4,261
Total Equity		17,664	14,034

The Statement of Financial Position should be read in conjunction with the accompanying notes.

Statement of changes in equity

For the year ended 30 June 2024

	Contributed Equity (\$000)	Reserves (\$000)	Accumulated surplus/ (deficit) (\$000)	Total Equity (\$000)
Balance at 1 July 2022	7,906	-	3,724	11,630
Surplus	-	-	537	537
Other comprehensive income	-	-	-	-
Total comprehensive income for the period:	-	-	537	537
<i>Transactions with owners in their capacity as owners:</i>				
Capital contributions	286	-	-	286
Capital appropriation - Digital Capability Fund	1,581	-	-	1,581
Total	1,867	-	-	1,867
Balance at 30 June 2023	9,773	-	4,261	14,034
Balance at 1 July 2023	9,773	-	4,261	14,034
(Deficit)	-	-	(1,162)	(1,162)
Other comprehensive income	-	-	-	-
Total comprehensive loss for the period:	-	-	(1,162)	(1,162)
<i>Transactions with owners in their capacity as owners:</i>				
Capital contributions	2,272	-	-	2,272
Capital appropriation - Digital Capability Fund	2,520	-	-	2,520
Total	4,792	-	-	4,792
Balance at 30 June 2024	14,565	-	3,099	17,664

The Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Statement of cash flows

For the year ended 30 June 2024

	Note	2024 (\$'000)	2023 (\$'000)
Cash flows from the State Government			
Service appropriation		57,430	50,802
Contributions from Confiscation Proceeds Account		11,447	10,765
Holding account drawdown		439	-
Capital appropriations		4,792	1,867
Net cash provided by State Government		74,108	63,434
<i>Utilised as follows:</i>			
Cash flows from operating activities			
Payments			
Employee benefits		(47,469)	(43,666)
Supplies and services		(17,883)	(16,908)
GST payments on purchases		(1,806)	(1,605)
Receipts			
Receipts from services		119	107
GST receipts on sales		10	8
GST receipts from taxation authority		1,421	1,199
Net cash used in operating activities		(65,607)	(60,865)
Cash flows from investing activities			
Payments			
Purchase of non-current assets		(1,431)	(947)
Net cash used in investing activities		(1,431)	(947)
Cash flows from financing activities			
Payments			
Principal elements of lease payments		(357)	(135)
Payment to accrued salaries account		(226)	(200)
Net cash used in financing activities		(583)	(335)
Net increase in cash and cash equivalents		6,487	1,286
Cash and cash equivalents at the beginning of the period		9,358	8,072
Cash and cash equivalents at the end of the period	6.3	15,845	9,358

The Statement of Cash flows should be read in conjunction with the accompanying notes.

Notes to the financial statements

1. Basis of preparation

The Office of the Director of Public Prosecutions for Western Australia (the Office) is a Government not-for-profit entity controlled by the State of Western Australia, which is the ultimate parent.

A description of the nature of its operations and its principal activities have been included in the 'Overview' which does not form part of these financial statements.

These annual financial statements were authorised for issue by the accountable authority of the Office on 29 August 2024.

Statement of compliance

These general purpose financial statements comply with Australian Accounting Standards – Simplified Disclosures. The general purpose financial statements have been prepared in accordance with Australian Accounting Standards, the Framework, Statement of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board as applied by Treasurer's instructions. Several of these are modified by Treasurer's instructions to vary application, disclosure, format and wording.

The Act and Treasurer's instructions are legislative provisions governing the preparation of financial statements and take precedence over Australian Accounting Standards, the Framework, Statement of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board. Where modification is required and has had a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

Basis of preparation

These financial statements are presented in Australian dollars applying the accrual basis of accounting and using the historical cost convention. All values are rounded to the nearest thousand dollars (\$'000).

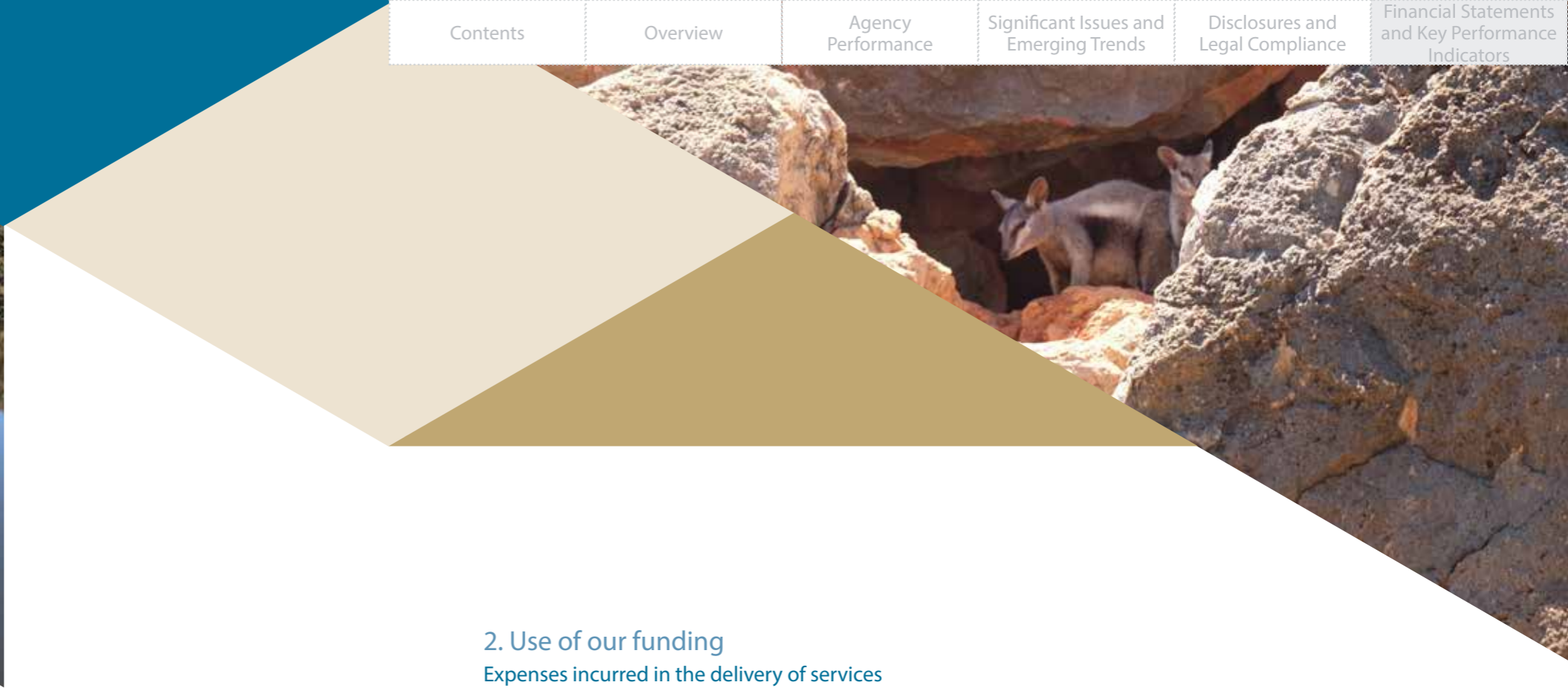
Accounting for Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of goods and services tax (GST), except that the:

(a) amount of GST incurred by the Office as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense, and

(b) receivables and payables are stated with the amount of GST included.

Cash flows are included in the [Statement of cash flows](#) on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.



Contributed equity

AASB Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, as designated as contributions by owners (at the time of, or prior to, transfer) be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by TI 955 *Contributions by Owners made to Wholly Owned Public Sector Entities* and have been credited directly to Contributed Equity.

Comparative information

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements. AASB 1060 *General Purpose Financial Statements – Simplified Disclosures for For-Profit and Not-for-Profit Tier 2 Entities* provides relief from presenting comparatives for:

- Property, Plant and Equipment reconciliations,
- Intangible Asset reconciliations, and
- Right-of-Use Asset reconciliations.

Judgements and estimates

Judgements, estimates, and assumptions are required to be made about financial information being presented. The significant judgements and estimates made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements and/or estimates are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances.

2. Use of our funding

Expenses incurred in the delivery of services

This section provides additional information about how the Office's funding is applied and the accounting policies that are relevant for an understanding of the items recognised in the financial statements. The primary expenses incurred by the Office in achieving its objectives and the relevant notes are:

	Notes
Employee benefits expenses	2.1(a)
Employee related provisions	2.1(b)
Other expenditure	2.2

2.1(a) Employee benefits expenses

	2024 (\$000)	2023 (\$000)
Employee benefits	45,665	41,911
Superannuation – defined contribution plans	4,781	4,175
Employee benefits expenses	50,446	46,086
Add: AASB 16 <i>Leases</i> Non-monetary benefits (not included in employee benefits expense)	171	121
Less: Employee Contributions (per note 3.2 Other Income)	(100)	(70)
Total employee benefits provided	50,517	46,137

Employee benefits include wages, salaries and social contributions, accrued and paid leave entitlements and paid sick leave, and non-monetary benefits recognised under accounting standards other than AASB 16 *Leases* (such as medical care, housing, cars and free or subsidised goods or services) for employees.

Superannuation is the amount recognised in profit or loss of the [Statement of Comprehensive Income](#) comprises employer contributions paid to the GSS (concurrent contributions), the WSS, other GESB schemes or other superannuation funds.

AASB 16 non-monetary benefits are non-monetary employee benefits, predominantly relating to the provision of vehicles is recognised under AASB 16 and is excluded from the employee benefits expense.

Employee contributions are contributions made to the Office by employees towards employee benefits that have been provided by the Office. This includes both AASB 16 and non-AASB 16 employee contributions.

2.1(b) Employee related provisions

	2024 (\$000)	2023 (\$000)
Current		
<u>Employee benefits provisions</u>		
Annual leave ^(a)	3,978	3,668
Long service leave ^(b)	5,202	4,982
Deferred salary scheme ^(c)	107	67
	9,287	8,717
<u>Other provisions</u>		
Employment on-costs ^(d)	16	16
Total current employee related provisions	9,303	8,733
Non-current		
<u>Employee benefits provisions</u>		
Long service leave ^(b)	3,013	2,429
<u>Other provisions</u>		
Employment on-costs ^(d)	5	4
Total non-current employee related provisions	3,018	2,433
Total employee related provisions	12,321	11,166

Provision is made for benefits accruing to employees in respect of annual leave and long service leave for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

(a) **Annual leave liabilities** are classified as current as there is no right at the end of the reporting period to defer settlement for at least 12 months after the end of the reporting period.

The provision for annual leave is calculated at the present value of expected payments to be made in relation to services provided by employees up to the reporting date.

(b) **Long service leave liabilities** are unconditional long service leave provisions and are classified as current liabilities as the Office does not have the right at the end of the reporting period to defer settlement of the liability for at least 12 months after the end of the reporting period.

Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the Office has the right to defer the settlement of the liability until the employee has completed the requisite years of service.

The provision for long service leave is calculated at present value as the Office does not expect to wholly settle the amounts within 12 months. The present value is measured taking into account the present value of expected future payments to be made in relation to services provided by employees up to the reporting date. These payments are estimated using the remuneration rate expected to apply at the time of settlement and discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

(c) **Deferred salary scheme liabilities** are classified as current where there is no right at the end of the reporting period to defer settlement for at least 12 months after the reporting period.

(d) **Employment on-costs** involve settlements of annual and long service leave liabilities which gives rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments. Employment on-costs, including workers' compensation insurance premiums, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses, [Note 2.2](#) [apart from the unwinding of the discount (finance cost)]' and are not included as part of the Office's 'employee benefits expense'. The related liability is included in 'Employment on-costs provision'.

	2024 (\$000)
Employment on-costs provision	
Carrying amount at start of period	20
Additional/(reversals of) provisions recognised	6
Payments/other sacrifices of economic benefits	(6)
Unwinding of the discount	-
Carrying amount at end of the period	20

Key sources of estimation uncertainty – long service leave

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next reporting period.

Several estimates and assumptions are used in calculating the Office's long service leave provision. These include:

- Expected future salary rates,
- Discount rates,
- Employee retention rates, and
- Expected future payments.

Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision. Any gain or loss following revaluation of the present value of long service leave liabilities is recognised as employee benefits expense.

2.2 Other expenditure

	2024 (\$000)	2023 (\$000)
Supplies and services		
Communications	227	210
Consultants and contractors	6,301	4,556
Consumables	915	863
Travel	417	435
Other supplies and services expenses	674	535
Total supplies and services expenses	8,534	6,599
Accommodation expenses		
Office rental	5,626	5,185
Total accommodation expenses	5,626	5,185
Other expenses		
Repairs and maintenance	509	404
Witness expenses	731	824
Vehicle maintenance	138	128
Litigation costs	173	261
External brief out expense	1,823	2,232
Impairment losses	-	14
Other expenses ^(a)	78	51
Total other expenses	3,452	3,914
Total other expenditure	17,612	15,698

(a) Includes workers' compensation insurance, audit fees and lease interest expenses.

Supplies and services expenses are recognised as an expense in the reporting period in which they are incurred. The carrying amounts of any materials held for distribution are expensed when the materials are distributed.

Office rental is expensed as incurred as Memorandum of Understanding Agreements between the Office and the Department of Finance for the leasing of office accommodation contain significant substitution rights.

Repairs, maintenance and cleaning costs are recognised as expenses as incurred.

Other operating expenses generally represent the day-to-day running costs incurred in normal operations.

Expected credit losses is recognised for movement in the allowance for impairment of trade receivables. Please refer to [note 5.1 Receivables](#) for more details.

Employee on-cost includes workers' compensation insurance and other employment on-costs. The on-costs liability associated with the recognition of annual and long service leave liabilities is included at [Note 2.1\(b\) Employee related provisions](#). Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

3. Our funding sources

How we obtain our funding

This section provides additional information about how the Office obtained its funding and the relevant accounting policy notes that govern the recognition and measurement of this funding. The primary income received by the Office and the relevant notes are:

	Notes
Income from State Government	3.1
Other Income	3.2

3.1 Income from State Government

	2024 (\$000)	2023 (\$000)
Appropriation received during the period:		
Service appropriations ^(a)	58,251	51,743
Total service appropriation	58,251	51,743
Income received from other public sector entities during the period:		
Contributions from Confiscation Proceeds Account ^(b)	8,807	10,947
Total income from other public sector entities	8,807	10,947
Services received free of charge from other public sector entities during the period: ^(c)		
- Department of Justice	55	38
- State Solicitors Office	21	6
- Department of Finance	208	97
- Landgate	79	99
Total resources received	363	240
Total income from State Government	67,421	62,930

(a) **Service Appropriations** are recognised as income at fair value of consideration received in the period in which the Office gains control of the appropriated funds. The Office gains control of appropriated funds at the time those funds are deposited in the bank account or credited to the holding account held at Treasury.

(b) **The Confiscations Proceeds Account** sees funds paid out at the direction of the Attorney General to the Office for reimbursement of costs associated with administering the [Criminal Property Confiscation Act 2000](#) and briefing Criminal trials. As this WA Government Grant does not have specific performance obligations, it is recognised as revenue under AASB 1058 *Income of Not-or-Profit Entities* when receivable.

(c) **Resources received free of charge** from other public sector entities is recognised as income equivalent to the fair value of assets received, or the fair value of services received that can be reliably determined and which would have been purchased if not donated.

Summary of consolidated account appropriations For the year ended 30 June 2024

	2024 Budget (\$000)	2024 Section 25 transfers (\$000)	2024 Additional funding * (\$000)	2024 Revised budget (\$000)	2024 Actual ** (\$000)	2024 Variance (\$000)
Delivery of Services						
Item 66 Net amount appropriated to deliver services	51,370	-	336	51,706	51,706	-
Amount Authorised by Other Statutes						
- Salaries and Allowances Act 1975	4,178	-	2,040	6,218	6,218	-
Total appropriations provided to deliver services	55,548	-	2,376	57,924	57,924	-
Capital						
Item 138 Capital Appropriation	125	-	2,147	2,272	2,272	-
Total consolidated account appropriations	55,673	-	4,523	60,196	60,196	-

* Additional funding includes supplementary funding and new funding authorised under section 27 of the Act and amendments to standing appropriations.

** 2023-24 service appropriations include \$327,000 from the National Redress Scheme, which is not provided under the abovementioned item numbers.

3.2 Other Income

	2024 (\$000)	2023 (\$000)
Contributions to the motor vehicle scheme	100	70
Other income	19	37
Total other income	119	107

4. Key assets

This section includes information regarding the key assets the Office utilises to gain economic benefits or provide service potential. The section sets out both the key accounting policies and financial information about the performance of these assets:

	Notes
Plant and equipment	4.1
Right-of-use assets	4.2
Intangibles	4.3

4.1 Plant and equipment

Year Ended 30 June 2024	Leasehold improvements (\$000)	Computer hardware (\$000)	Office equipment (\$000)	Total (\$000)
1 July 2023				
Gross carrying amount	2,118	1,716	601	4,435
Accumulated depreciation	(115)	(1,082)	(418)	(1,615)
Accumulated Impairment Loss	-	(146)	(14)	(160)
Carrying amount at start of period	2,003	488	169	2,660
Additions	8	247	-	255
Works in progress	(413)	34	-	(379)
Impairment losses	-	-	-	-
Depreciation	(35)	(313)	(80)	(428)
Carrying amount at 30 June 2024	1,563	456	89	2,108
Gross carrying amount	1,713	1,997	601	4,311
Accumulated depreciation	(150)	(1,395)	(498)	(2,043)
Accumulated Impairment losses	-	(146)	(14)	(160)

Initial recognition

Items of plant and equipment, costing \$5,000 or more are measured initially at cost. Where an asset is acquired for no cost or significantly less than fair value, the cost is valued at its fair value at the date of acquisition. Items of plant and equipment costing less than \$5,000 are immediately expensed direct to the [Statement of Comprehensive Income](#) (other than where they form part of a group of similar items which are significant in total).

The cost of a leasehold improvement is capitalised and depreciated over the shorter of the remaining term of the lease or the estimated useful life of the leasehold improvement.

Subsequent measurement

Plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Useful lives

All plant and equipment having a limited useful life, are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits.

Depreciation is generally calculated on a straight-line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life. Estimated useful lives for the different asset classes for current and prior years are included in the table below:

Asset	Useful life: years
Leasehold improvements	7 to 13
Computer equipment	3 to 4
Office equipment	4 to 5

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments should be made where appropriate.

Leasehold improvements are depreciated over the shorter of the lease term and their useful lives.

Impairment

Non-financial assets, including items of plant and equipment, are tested for impairment whenever there is an indication that the asset may be impaired. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised.

Where an asset measured at cost is written down to its recoverable amount, an impairment loss is recognised through profit or loss.

If there is an indication that there has been a reversal in impairment, the carrying amount shall be increased to its recoverable amount. However this reversal should not increase the asset's carrying amount above what would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.

4.2 Right-of-use assets

Year ended 30 June 2024	Vehicles (\$000)	Total (\$000)
Right-of-use assets		
Carry amount at beginning of period	373	373
Additions	263	263
Depreciation	(164)	(164)
Net carrying amount at end of period	472	472

The Office has leases for vehicles. The lease contracts are typically made for fixed periods of 1-6 years with an option to renew the lease after that date.

The Office has also entered into a Memorandum of Understanding Agreements with the Department of Finance for the leasing of office accommodation. These are not recognised under AASB 16 *Leases* because of substitution rights held by the Department of Finance and are accounted for as an expense as incurred.

Initial recognition

At the commencement date of the lease, the Office recognises right-of-use assets and a corresponding lease liability for most leases. The right-of-use assets are measured at cost comprising of:

- the amount of the initial measurement of lease liability;
- any lease payments made at or before the commencement date less any lease incentives received;
- any initial direct costs; and
- restoration costs, including dismantling and removing the underlying asset.

The corresponding lease liabilities in relation to these right-of-use assets have been disclosed in [note 6.1](#).

The Office has elected not to recognise right-of-use assets and lease liabilities for short-term leases (with a lease term of 12 months or less) and low value leases (with an underlying value of \$5,000 or less). Lease payments associated with these leases are expensed over a straight-line basis over the lease term.

Subsequent Measurement

The cost model is applied for subsequent measurement of right-of-use assets, requiring the asset to be carried at cost less any accumulated depreciation and accumulated impairment losses and adjusted for any re-measurement of lease liability.

Depreciation and impairment of right-of-use assets

Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the underlying assets.

If ownership of the leased asset transfers to the Office at the end of the lease term or the cost reflects the exercise of a purchase option, depreciation is calculated using the estimated useful life of the asset.

Right-of-use assets are tested for impairment when an indication of impairment is identified. The policy in connection with testing for impairment is outlined in [note 4.1](#).

The total cash outflow for vehicle leases in 2024 was \$356,984 (2023: \$135,111).

The corresponding lease liabilities in relation to these right-of-use assets have been disclosed in [note 6.1](#).

4.3 Intangible assets

Year ended 30 June 2024	Licences (\$000)	Computer Software (\$000)	Total (\$000)
1 July 2023			
Gross carrying amount	166	509	675
Accumulated amortisation	(43)	(509)	(552)
Carrying amount at start of period	123	-	123
Gross Carrying Amount	123	-	123
Additions	43	-	43
Amortisation expense	(51)	-	(51)
Carrying amount at 30 June 2024	115	-	115
Gross carrying amount	209	509	718
Accumulated amortisation	(94)	(509)	(603)
Carrying amount at 30 June 2024	115	-	115

Initial recognition

Intangible assets are initially recognised at cost. For assets acquired at no cost or significantly less than fair value, the cost is their fair value at the date of acquisition.

An internally generated intangible asset arising from development (or from the development phase of an internal project) is recognised if, and only if, all of the following are demonstrated:

- the technical feasibility of completing the intangible asset so that it will be available for use or sale,
- an intention to complete the intangible asset, and use or sell it,
- the ability to use or sell the intangible asset,
- the intangible asset will generate probable future economic benefit,
- the availability of adequate technical, financial and other resources to complete the development and to use or sell the intangible asset, and
- the ability to measure reliably the expenditure attributable to the intangible asset during its development.

Costs incurred in the research phase of a project are immediately expensed.

Acquired and internally generated intangible assets costing \$5,000 or more that comply with the recognition criteria of AASB 138 *Intangible Assets* (as noted above) are capitalised.

Costs incurred below these thresholds are immediately expensed directly to the [Statement of comprehensive income](#).

Subsequent measurement

The cost model is applied for subsequent measurement of intangible assets, requiring the asset to be carried at cost less any accumulated amortisation and accumulated impairment losses.

The Office held no goodwill or intangible assets with an indefinite useful life during the reporting period and at the end of the reporting period there were no intangible assets not yet available for use.

Useful lives

Amortisation of finite life intangible assets is calculated on a straight-line basis at rates that allocate the asset's value over its estimated useful life. All intangible assets controlled by the Office have a finite useful life and zero residual value. Estimated useful lives are reviewed annually.

The estimated useful lives for each class of intangible asset are detailed in the table below:

Asset	Useful life: years
Licences	3 to 5
Software ^(a)	3 to 5

(a) Software that is not integral to the operation of any related hardware.

Impairment of intangible assets

Intangible assets with indefinite useful lives are tested for impairment annually or when an indication of impairment is identified. As at 30 June 2024 there were no indications of impairment to intangible assets.

The policy in connection with testing for impairment is outlined in [note 4.1](#).

5. Other assets and liabilities

This section sets out those assets and liabilities that arose from the Office's controlled operations and includes other assets utilised for economic benefits and liabilities incurred during normal operations:

	Notes
Receivables	5.1
Amounts receivable for services	5.2
Other assets	5.3
Payables	5.4

5.1 Receivables

	2024 (\$000)	2023 (\$000)
Current		
Receivables ^(a)	2,737	5,545
Total current	2,737	5,545
Non-current		
Accrued salaries account ^(b)	1,266	1,040
Total non-current	1,266	1,040
Total receivables	4,003	6,585

(a) Receivables mainly relate to expected funds from the Confiscation Proceeds Account.

(b) Funds held in the suspense account for the purpose of meeting the 27th pay in a reporting period that occurs every 11 years. This account is classified as non-current except for the year before the 27th pay year.

Accrued salaries account contains amounts paid annually into the Treasurer's special purpose account. It is restricted for meeting the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.

The account has been reclassified from 'Cash and cash equivalents' to 'Receivables' as it is considered that funds in the account are not cash but a right to receive the cash in future. Comparative amounts have also been reclassified.

Receivables are recognised at original invoice amount less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net receivables is equivalent to fair value as it is due for settlement within 30 days.

Receivables are considered not impaired because they are current in nature (i.e. there is no expected credit loss due to the nature of the account).

5.2 Amounts receivable for services (Holding Account)

	2024 (\$000)	2023 (\$000)
Current	439	458
Non-Current	8,155	7,754
Total Amounts receivable for services at end of period	8,594	8,212

Amounts receivable for services represent the non-cash component of service appropriations. It is restricted in that it can only be used for asset replacement or payment of leave liability.

The amounts receivable for services are financial assets at amortised cost, and are not considered impaired (i.e. there is no expected credit loss of the Holding Account).

5.3 Other assets

	2024 (\$000)	2023 (\$000)
Prepayments		
Current	1,532	1,513
Non-Current	23	23
Total other assets at end of period	1,555	1,536

Prepayments are amounts paid by the Office in advance of the receipt of goods/services. These are predominantly for information technology systems support and maintenance.

5.4 Payables

	2024 (\$000)	2023 (\$000)
Current		
Trade payables	358	138
Accrued expenses	795	668
Accrued capital	-	1,503
Accrued salaries	1,053	950
Other current liabilities	10	4
Total current	2,215	3,263

Payables are recognised at the amounts payable when the Office becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value as settlement is generally within 15-20 days.

Accrued capital represents the amount due to other government agency for the Leasehold improvements but unpaid at the end of reporting period.

Accrued salaries represent the amount due to staff but unpaid at the end of the reporting period. Accrued salaries are settled within a fortnight after the reporting period. The Office considers the carrying amount of accrued salaries to be equivalent to its fair value.

6. Financing

This section sets out the material balances and disclosures associated with the financing and cashflows of the Office.

	Notes
Lease liabilities	6.1
Finance Costs	6.2
Cash and cash equivalents	6.3
Commitments	6.4

6.1 Lease liabilities

	2024 (\$000)	2023 (\$000)
Not later than one year	144	112
Later than one year and not later than five years	339	262
Later than five years	9	11
	492	385
Current	144	112
Non-current	348	273
	492	385

The Office measures a lease liability, at the commencement date, at the present value of the lease payments to be made over the lease term. The lease payments are discounted using the interest rate implicit in the lease. If that rate cannot be readily determined, the Office uses the incremental borrowing rate provided by Western Australia Treasury Corporation.

Lease payments included by the Office as part of the present value calculation of lease liability include:

- Fixed payments (including in-substance fixed payments), less any lease incentives receivable,
- Variable lease payments that depend on an index or a rate initially measured using the index or rate as at the commencement date,
- Amounts expected to be payable by the lessee under residual value guarantees,
- The exercise price of purchase options (where these are reasonably certain to be exercised),
- Payments for penalties for terminating a lease, where the lease term reflects the Office exercising an option to terminate the lease, and
- Periods covered by extension or termination options are only included in the lease term by the Office if the lease is reasonably certain to be extended (or not terminated).

The interest on the lease liability is recognised in profit or loss over the lease term so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period. Lease liabilities do not include any future changes in variable lease payments (that depend on an index or rate) until they take effect, in which case the lease liability is reassessed and adjusted against the right-of-use asset.

Variable lease payments, not included in the measurement of lease liability, that are dependent on sales are recognised by the Office in profit or loss in the period in which the condition that triggers those payments occurs.

This section should be read in conjunction with [note 4.2](#).

Subsequent Measurement

Lease liabilities are measured by increasing the carrying amount to reflect interest on the lease liabilities, reducing the carrying amount to reflect the lease payments made, and remeasuring the carrying amount at amortised cost, subject to adjustments to reflect any reassessment or lease modifications.

This section should be read in conjunction with [note 4.2](#).

6.2 Finance costs

	2024 (\$000)	2023 (\$000)
Interest expense		
Lease interest expense ^(a)	31	17
Total finance costs expensed	31	17

(a) Lease interest expense is included as part of 'other expenses' in [note 2.2](#).

Finance cost includes the interest component of lease liability repayments.

6.3 Cash and cash equivalents

	2024 (\$000)	2023 (\$000)
Cash advances	1	1
Cash and cash equivalents	7,110	3,717
Restricted cash and cash equivalents	8,734	5,640
Balance at end of period	15,845	9,358

	2024 (\$000)	2023 (\$000)
Restricted cash and cash equivalents		
Current		
- Mental health and wellbeing account ^(a)	1,554	1,511
- Asset investment plan account ^(b)	5,786	1,581
Non-current		
- Mental health and wellbeing account ^(a)	1,394	2,549

(a) The funds for the Mental Health and Wellbeing Program remain in restricted cash for the purposes of delivery of the strategic outcome associated with the program.

(b) The funds for the Strategic Asset Portfolio and accommodation fitout programs remain in restricted cash until program completion.

For the purpose of the [statement of cash flows](#), cash and cash equivalent assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and which are subject to insignificant risk of changes in value.

6.4 Capital Commitments

	2024 (\$000)	2023 (\$000)
Capital expenditure commitments, being contracted capital expenditure additional to the amounts reported in the financial statements, are payable as follows:		
Within 1 year	88	-
Later than 1 year and not later than 5 years	-	-
Later than 5 years	-	-
	88	-

The totals presented for capital commitments are GST inclusive.

7. Financial instruments and Contingencies

This note sets out the key risk management policies and measurement techniques of the Office.

	Notes
Financial Instruments	7.1
Contingent assets and liabilities	7.2

7.1 Financial instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are:

	2024 (\$000)	2023 (\$000)
Financial Assets		
Cash and cash equivalents	7,111	3,718
Restricted cash and cash equivalents	8,734	5,640
Financial assets at amortised cost ^(a)	12,207	14,325
Total financial assets	28,052	23,684
Financial Liabilities		
Financial liabilities at amortised cost ^(b)	2,215	3,263
Total financial liability	2,215	3,263

(a) The amount of financial assets at amortised cost excludes GST recoverable from the ATO (statutory receivable).

(b) The amount of financial liabilities at amortised cost excludes GST payable from the ATO (statutory payable).

7.2 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the [statement of financial position](#) but are disclosed and, if quantifiable, are measured at best estimate.

The Office had no contingent assets and liabilities at 30 June 2024.

8. Other disclosures

This section includes additional material disclosures required by accounting standards or other pronouncements, for the understanding of this financial report.

	Notes
Events occurring after the end of the reporting period	8.1
Key management personnel	8.2
Related party transactions	8.3
Related bodies	8.4
Affiliated bodies	8.5
Remuneration of auditors	8.6
Supplementary financial information	8.7

8.1 Events occurring after the end of the reporting period

There were no events occurring after the end of the reporting period that have an impact on the financial statements.

8.2 Key management personnel

The Office has determined that key management personnel include Ministers and senior officers of the Office. However, the Office does not incur expenditures to compensate Ministers and those disclosures may be found in the [Annual Report on State Finances](#).

The total fees, salaries, superannuation, non-monetary benefits and other benefits for senior officers of the Office for the reporting period are presented within the following bands:

Compensation Band(\$)	2024	2023
100,001 - 150,000	-	1
150,001 - 200,000	1	-
250,001 - 300,000	1	-
300,001 - 350,000	3	5
350,001 - 400,000	4	1
400,001 - 450,000	4	6
600,001 - 650,000	1	1

	2024 (\$000)	2023 (\$000)
Total compensation of senior officers	5,201	5,164

Total compensation includes the superannuation expense incurred by the Office in respect of senior officers.



8.3 Related party transactions

The Office is a wholly owned public sector entity that is controlled by the State of Western Australia.

Related parties of the Office include:

- all cabinet ministers and their close family members, and their controlled or jointly controlled entities,
- all senior officers and their close family members, and their controlled or jointly controlled entities,
- other agencies and statutory authorities, including related bodies, that are included in the whole of government consolidated financial statements (i.e. wholly-owned public sector entities),
- associates and joint ventures of a wholly-owned public sector entity, and
- the Government Employees Superannuation Board (GESB).

Material transactions with related parties

Outside of normal citizen type transactions with the Office, there were no other related party transactions that involved key management personnel and/or their close family members and/or their controlled (or jointly controlled) entities.

8.4 Related bodies

The Office did not have any related bodies during the reporting period.

8.5 Affiliated bodies

The Office did not have any affiliated bodies during the reporting period.

8.6 Remuneration of auditors

Remuneration paid or payable to the Auditor General in respect of the audit for the current financial year is as follows:

	2024 (\$000)	2023 (\$000)
Auditing the accounts, financial statements, controls, and key performance indicators	42	38

8.7 Supplementary financial information

(a) Write-offs

During the financial year, \$4,948 (2023: \$0) was written off as bad debts under the authority of the Accountable Authority.

(b) Losses through theft, defaults and other causes

During the financial year, no losses occurred due to theft, defaults and other causes.

(c) Forgiveness of debts

There was no waiver of debt during the financial year.

(d) Gifts of public property

During the financial year, no gifts of public property occurred.



9. Explanatory statements

This section explains variations in the financial performance of the Office.

	Notes
Explanatory statement for controlled operations	9.1

9.1 Explanatory statement for controlled operations

This explanatory section explains variations in the financial performance of the Office undertaking transactions under its own control, as represented by the primary financial statements.

All variances between estimates (original budget) and actual results for 2024, and between the actual results for 2024 and 2023 are shown below. Narratives are provided for key major variances, which vary more than 10% from their comparative and that the variation is more than 1% of the following variance analysis for the:

1. Estimate and actual results for the current year:

- Total Cost of Services for the [Statements of comprehensive income](#) and [Statement of cash flows](#) (i.e. 1% of \$65,307,000 totalling \$653,070), and
- Total Assets for the [Statement of financial position](#) (i.e. 1% of \$31,358,000 totalling \$313,580).

2. Actual results for the current year and the prior year actual:

- Total Cost of Services for the [Statements of comprehensive income](#) and [Statement of cash flows](#) (i.e. 1% of \$62,500,000 totalling \$625,000), and
- Total Assets for the [Statement of financial position](#) (i.e. 1% of \$28,848,000 totalling \$288,480).

9.1.1 Statement of Comprehensive Income Variances

	Variance Notes	Estimate ⁽¹⁾ 2024 (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between	
					actual and estimate (\$000)	actual results 2024 and 2023 (\$000)
Expenses						
Employee benefits expense	2.1	50,161	50,446	46,086	285	4,360
Supplies and services	1.1, 2.2	5,878	8,534	6,599	2,656	1,935
Depreciation and amortisation expense		885	644	716	(241)	(72)
Accommodation expenses		5,100	5,626	5,185	526	441
Other expenses		3,283	3,452	3,914	169	(462)
Total cost of services		65,307	68,702	62,500	3,395	6,202
Income						
Other Income		50	119	107	69	11
Total income other than income from State Government		50	119	107	69	11
Net cost of services		65,257	68,583	62,393	3,326	6,191
Income from State Government						
Service Appropriation	1.2, 2.3	55,875	58,251	51,743	2,376	6,508
Contribution from Confiscation Proceeds Account	1.3, 2.4	6,363	8,807	10,947	2,444	(2,140)
Services received free of charge		793	363	240	(430)	123
Total income from State Government		63,031	67,421	62,930	4,390	4,491
Surplus/ (deficit) for the period		(2,226)	(1,162)	537	1,064	(1,700)
Other comprehensive income						
Total comprehensive income for the period		(2,226)	(1,162)	537	1,064	(1,700)

(1) These estimates are published in the State Budget 2023-24, Budget Papers No. 2 'Budget Statements'.

Major estimate and actual (2024) variance narratives:

- 1.1 Increases due to the costs associated with Office of Digital Government's Digital WA Strategy, ICT system support and maintenance for systems and security costs.
- 1.2 Increase due to the demand for prosecution services as the Office continues to respond to increased caseloads and associated case complexity.
- 1.3 Increase due to the growth in criminal monies confiscated by the Western Australian Police Force, the Office of the Director of Public Prosecutions and the Corruption and Crime Commission during the period.

Major actual (2024) and comparative (2023) variance narratives:

- 2.1 Increase in the significant workload demands for criminal prosecution and confiscation of assets services to cater for the increase in the complexity and volume of caseloads and an increase in employee benefits awarded through the Public Sector Wages Policy.
- 2.2 Increase due to the costs associated with Office of Digital Government's Digital WA Strategy, ICT system support and maintenance for systems, the progression of the Office's Mental Health and Wellbeing Program, and security costs.
- 2.3 Increase in the significant workload demands for criminal prosecution and confiscation of assets services to cater for the increase in the complexity and volume of caseloads and funding to meet escalated cost, demand and operating requirements.
- 2.4 Lower overall collections confiscated by the Western Australian Police Force, the Office of the Director of Public Prosecutions and the Corruption and Crime Commission relative to prior year.

9.1.2 Statement of Financial Position

	Variance Notes	Estimate ⁽¹⁾ 2024 (\$'000)	Actual 2024 (\$'000)	Actual 2023 (\$'000)	Variance between	
					actual and estimate (\$'000)	actual results 2024 and 2023 (\$'000)
Assets						
Current Assets						
Cash and cash equivalents	1.1 , 2.1	9,857	7,111	3,718	(2,746)	3,393
Restricted cash and cash equivalents	1.1 , 2.1	-	7,340	3,092	7,340	4,248
Receivables	1.2 , 2.2	428	2,737	5,545	2,309	(2,808)
Amounts receivable for services		539	439	458	(100)	(19)
Other current assets	1.3	1,087	1,532	1,513	445	19
Total Current Assets		11,911	19,159	14,326	7,248	4,833
Non-Current Assets						
Restricted cash and cash equivalents	1.4 , 2.3	-	1,394	2,549	1,394	(1,155)
Receivables		840	1,266	1,040	426	226
Amounts receivable for services	2.4	8,126	8,155	7,754	29	401
Plant and equipment	1.5 , 2.5	2,476	2,108	2,660	(368)	(552)
Right-of-use assets		327	472	373	145	99
Intangible assets	1.6	7,678	115	123	(7,563)	(8)
Other non-current assets		-	23	23	23	-
Total Non-Current Assets		19,447	13,533	14,522	(5,914)	(989)
Total Assets		31,358	32,692	28,848	1,334	3,844
Liabilities						
Current Liabilities						
Payables		863	2,215	3,263	1,352	(1,048)
Lease Liabilities		135	144	112	9	32
Employee related provisions	1.7 , 2.6	7,830	9,303	8,733	1,473	570
Other Provisions		309	-	-	(309)	-
Total Current Liabilities		9,137	11,662	12,108	2,525	(446)
Non-Current Liabilities						
Lease Liabilities		209	348	273	139	75
Provisions	1.7 , 2.6	2,384	3,018	2,433	634	585
Total Non-Current Liabilities		2,593	3,366	2,706	773	660
Total Liabilities		11,730	15,028	14,814	3,298	214
Net Assets		19,628	17,664	14,034	(1,964)	3,630
Equity						
Contributed Equity		18,520	14,565	9,773	(3,955)	4,792
Accumulated surplus/(deficit)		801	3,099	4,261	2,298	(1,162)
Other		307	-	-	(307)	-
Total Equity		19,628	17,664	14,034	(1,964)	3,630

(1) These estimates are published in the State Budget 2023-24, Budget Papers No. 2 'Budget Statements'.

**Major estimate and actual (2024) variance narratives:**

- 1.1 Necessary reallocation of cash balances performed to appropriately segregate capital program funding to progress office refurbishments, essential system upgrades and continued delivery of the Mental Health and Wellbeing Program.
- 1.2 Increase due to the growth in criminal monies confiscated by the Western Australian Police Force, the Office of the Director of Public Prosecutions and the Corruption and Crime Commission during the period.
- 1.3 Increase due to timing of prepaid ICT expenses.
- 1.4 Representation of the allocation of the Mental Health and Wellbeing Program funds.
- 1.5 Decrease due to timing differences associated with the Office's fixed asset replacement program.
- 1.6 Decrease due to timing of major milestones associated with the Asset Investment Program.
- 1.7 Increase due to the progression of the Public Sector Wages Policy, and the broader growth in the Office's total workforce to meet service demand pressures tied to case volume and complexities.

Major actual (2024) and comparative (2023) variance narratives:

- 2.1 Increase in cash balances due to Digital Capability Fund receipts (\$2.5m) and Asset Investment Program (\$2.1m) resulted in restricted cash increases. Program milestones and corresponding cashflow timing differences sees these funds remain in restricted balances.
- 2.2 Lower overall collections confiscated by the Western Australian Police Force, the Office of the Director of Public Prosecutions and the Corruption and Crime Commission relative to prior year.
- 2.3 Reduction in restricted cash balances given the progression of the Mental Health and Wellbeing Program under current funding levels.
- 2.4 Increase due to the amount provisioned by the Department of Treasury to align with operational and program spends.
- 2.5 Decrease due accumulated depreciation on the Office's fixed assets.
- 2.6 Increase due to the progression of the Public Sector Wages Policy, and continued broader growth in the Office's total workforce to meet service demand pressures tied to case volume and complexities.

9.1.3 Statement of Cash Flows

	Variance Notes	Estimate ⁽¹⁾ 2024 (\$000)	Actual 2024 (\$000)	Actual 2023 (\$000)	Variance between	
					actual and estimate (\$000)	actual results 2024 and 2023 (\$000)
Cash flows from State Government						
Service appropriations	1.1, 2.1	54,663	57,430	50,802	2,767	6,628
Contributions from Confiscation Proceeds Account	1.2, 2.2	6,690	11,447	10,765	4,757	682
Holding account drawdowns		439	439	-	-	439
Capital appropriation	1.3, 2.3	7,045	4,792	1,867	(2,253)	2,925
Net cash provided by State Government		68,837	74,108	63,434	5,271	10,674
Utilised as follows:						
Cash flows from Operating Activities						
Payments						
Employee benefits	1.4, 2.4	(50,161)	(47,469)	(43,666)	2,692	(3,802)
Supplies and services	1.5, 2.5	(13,462)	(17,883)	(16,908)	(4,421)	(975)
GST payments on purchases		(840)	(1,806)	(1,605)	(966)	(201)
Receipts						
Receipts from services		50	119	107	69	12
GST receipts on sales		-	10	8	10	2
GST receipts from taxation authority		834	1,421	1,199	587	222
Net cash provided by/(used in) operating activities		(63,579)	(65,607)	(60,865)	(2,029)	(4,742)
Cash flows from Investing Activities						
Payments						
Purchase of non-current physical assets	1.6	(6,409)	(1,431)	(947)	4,978	(484)
Net cash provided by/(used in) investing activities		(6,409)	(1,431)	(947)	4,978	(484)
Cash flows from Financing Activities						
Payments						
Repayment of borrowings and leases		(125)	(357)	(135)	(232)	(222)
Payment to accrued salaries account		-	(226)	(200)	(226)	(26)
Net cash provided by/(used in) financing activities		(125)	(583)	(335)	(458)	(248)
Net increase/(decrease) in cash and cash equivalents		(1,276)	6,487	1,286	7,763	5,201
Cash and cash equivalents at the beginning of the period		11,973	9,358	8,072	(2,615)	1,286
Cash and cash equivalents at the end of the period		10,697	15,845	9,358	5,148	6,487

(1) These estimates are published in the State Budget 2023-24, Budget Papers No. 2 'Budget Statements'.

Major estimate and actual (2024) variance narratives:

- 1.1 Increase due to the demand for prosecution services as the Office continues to respond to increased caseloads and associated case complexity.
- 1.2 Increase due to the growth in criminal monies confiscated by the Western Australian Police Force, the Office of the Director of Public Prosecutions and the Corruption and Crime Commission during the period.
- 1.3 Decrease due to the timing and nature of projects within the Asset Investment Plan resulting in capital rollovers.
- 1.4 Decrease due to the impacts of the leave liability actuarial adjustments and the accrued salaries and wages.
- 1.5 Increases due to the costs associated with progression of the Mental Health and Wellbeing Program, ICT system support and maintenance for systems and brief-out costs to support prosecutorial workload demands.
- 1.6 Decrease due to timing of major milestones associated with the Asset Investment Program.

Major actual (2024) and comparative (2023) variance narratives:

- 2.1 Increase due to the demand for prosecution services as the Office continues to respond to increased caseloads and associated case complexity.
- 2.2 Increase due to additional funds allocated from the Confiscations Proceeds Account in accordance with the funding agreement.
- 2.3 Increase due to funding drawdowns from the Digital Capability Fund and Asset Investment program to fund strategic projects.
- 2.4 Increase in the significant workload demands for criminal prosecution and confiscation of assets services to cater for the increase in the complexity and volume of caseloads and an increase in employee benefits awarded through the Public Sector Wages Policy.
- 2.5 Increase due to progression of the Mental Health and Wellbeing Program, ICT system support and maintenance for systems and security costs.

Key performance indicators

The Office of the Director of Public Prosecutions (ODPP) prosecutes serious criminal offences in the Supreme Court, District Court, and before the Perth Children's Court. The ODPP manages committal proceedings in the Perth Magistrates Court and also appears in all matters which proceed to appeal. In addition, the ODPP initiates confiscations actions pursuant to the [Criminal Property Confiscation Act 2000](#) and the [Misuse of Drugs Act 1981](#).

Assessing the work of a prosecuting service is complex and difficult. The Offices of Directors of Public Prosecutions in all jurisdictions have a critical role in their respective criminal justice systems and as such they do not operate in isolation. The performance of any ODPP is influenced by a range of external factors, including the activities of other criminal justice agencies – principally the courts and the WA Police Force.

Relationship to Government Goals

GOVERNMENT GOAL	ODPP DESIRED OUTCOME	ODPP SERVICES
Safe, Strong and Fair Communities:	To deliver an independent, fair and just criminal prosecution service to the community of Western Australia.	1. Criminal Prosecutions
Supporting our local and regional communities to thrive.		2. Confiscation of Assets

KEY EFFECTIVENESS INDICATORS	MEASUREMENT PARAMETERS
Service 1 – Criminal Prosecutions	
Early advice to Court on charges: Indictment filed within three months of committal. (Target 85%)	Percentage of new cases committed to the Supreme and District Courts where an indictment is filed within 90 days of the date of committal.
Establishing a case to answer. (Target 98%)	Percentage of trials which proceed where the outcome is determined by a jury or Judge alone because the State was able to demonstrate a case to answer.
Convictions after trial. (Target 50%)	Percentage of trial outcomes resulting in a conviction against the accused for one or more of the charges indicted.
Service 2 – Confiscation of Assets	
Application for a declaration of confiscations filed within four months of the Drug Trafficker Declaration. (Target 20%)	Percentage of applications for a Declaration of Confiscation filed within four months of the drug trafficker declaration.

KEY EFFICIENCY INDICATORS	MEASUREMENT PARAMETERS
Service 1 – Criminal Prosecutions	
Cost per prosecution. (Target \$20,000)	The average cost per matter, expressed as the total cost of service of criminal prosecutions divided by the number of new indictable prosecutions received.
Service 2 – Confiscation of Assets	
Ratio of cost to return. (Target 25%)	The total cost of service of confiscation of assets divided by the payments made to the Confiscation Proceeds Account for the same year, expressed as a percentage.

Service 1 – Criminal Prosecutions

Criminal offences prosecuted by the ODPP are mostly found in the [Criminal Code](#) and the [Misuse of Drugs Act 1981](#) which together cover almost the full range of offences dealt with by the District Court and Supreme Court on indictment.

An indictment is the formal document commencing a prosecution in the superior court which advises the court, and the accused, of the charges laid. Without the indictment, the case cannot proceed through the District or Supreme Court.

The work of prosecuting is primarily conducted by State Prosecutors, who have the task of:

- Analysing briefs of evidence which have been prepared by WA Police;
- Indicting the appropriate charges on the basis of that evidence; and
- Assessing whether the prosecution is in the public interest.

Paralegal staff also play a significant role in preparing files and drafting indictments in less complex and uncontested matters under the supervision of Senior State Prosecutors.

Once the indictment is presented to the relevant court, State Prosecutors represent the State in court on every appearance by an accused, whether it is a proceeding for bail, plea, trial, sentence, or appeal.

Representing the State in criminal proceedings places obligations on State Prosecutors to adhere to legal principles and published guidelines issued under Section 24 of the [Director of Public Prosecutions Act 1991](#). To prosecute fairly is to prosecute according to law and in accordance with the DPP's published [Statement of Prosecution Policy and Guidelines](#) which consolidates the relevant legal principles. These principles are fundamental to the criminal justice system, are of universal application and govern matters on which the State is accountable to victims of crime, witnesses, accused persons, the court and the broader public interest.

While the ODPP is accountable as a public sector agency, the paramount duty of State Prosecutors in every case is to the court and the administration of criminal justice.

Service 2 – Confiscation of Assets

To confiscate and liquidate property acquired as a result of criminal activity, property used for criminal activity and the property of a declared drug trafficker. Much of this work is conducted in close co-operation with the WA Police under the [Criminal Property Confiscation Act 2000](#).

Key effectiveness indicators

Service 1 – Criminal Prosecutions

1). Early Advice to Court on Charges: Indictment filed within three months of committal

Relationship to Desired Outcome

The timely resolution of cases contributes significantly to fair and just outcomes for all stakeholders in the criminal justice system. A case cannot progress in the Supreme or District Court until an indictment has been filed. Therefore, the timely filing of the indictment by the ODPP at the Court is a key factor in achieving a fair and just outcome.

The overall rate is calculated by dividing the number of indictments that are filed on-time by the total number of indictments that are due during the year. An indictment becomes due three months after committal of an accused and the charges they face to the Supreme or District Court.

Performance Outcome 2023-24

In 2023-24, there were 2,714 committals to the Supreme or District Court. Following case reviews, 265 of these matters were either remitted to the Magistrates Court to be dealt with summarily, or wholly discontinued, prior to an indictment being filed. In the 2023-24 reporting period, indictments are due for the remaining 2,449 committals. A total of 1,213 (or 49.5%) were filed with the court within three months of the date of committal.

KPI Target 2023-24	KPI Result 2023-24
85.0%	49.5%

Performance trends are illustrated in the following table:

PERFORMANCE TRENDS	2020-21	2021-22	2022-23	2023-24
Indictment Filed Within three months of committal	65.5%	59.5%	47.4%	49.5%
Indictments Due	2,521	2,337	2,123	2,449
Average days to file Indictment	84	88	98	97

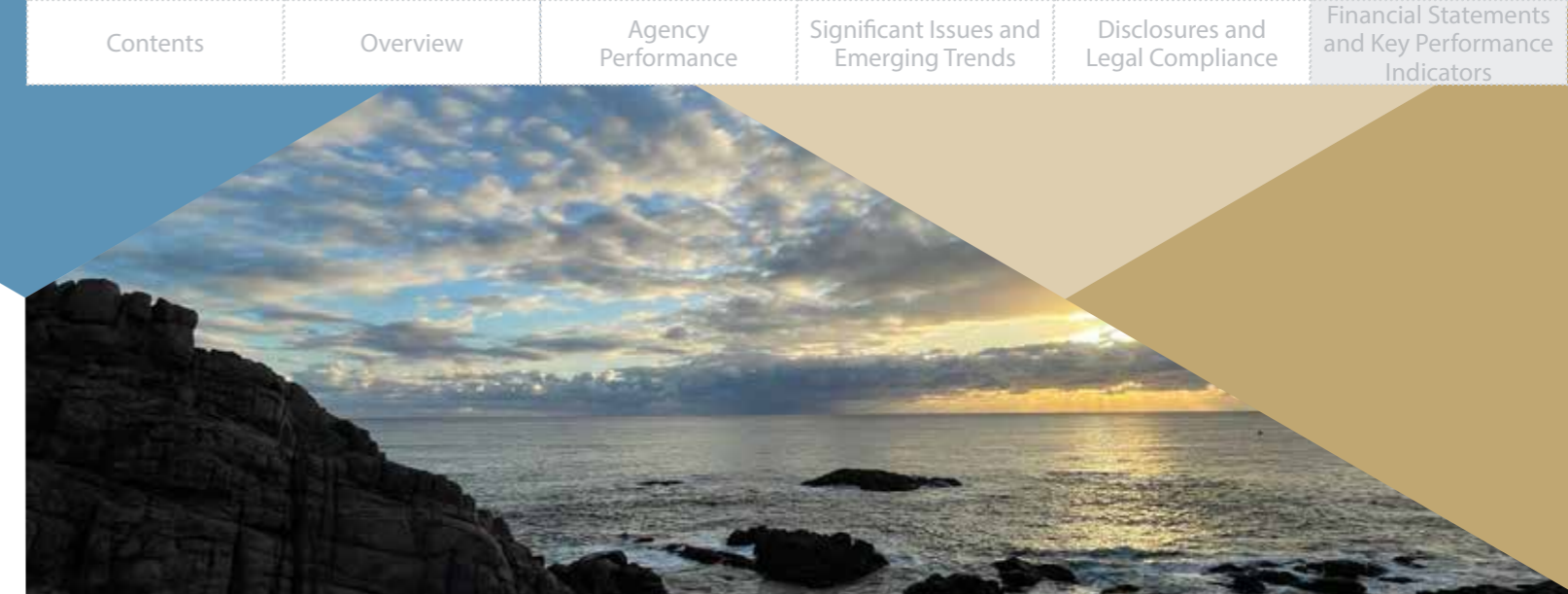
Explanation between the target and actual performance

Indictments due to be filed with the court during 2023-24 increased by 326 to 2,449, a substantial 15%. Importantly the 2023-24 results show an increase in the effectiveness of prosecutorial decision making, in light of this sharp increase in overall indictments due. A partial measure to respond to this increase, the ODPP established a trial resolution team that enhances critical quality decisions at earlier stages in the prosecution process. This has resulted in earlier resolution but inadvertently increased the time and complexity of matters proceeding to indictment due to this additional quality control layer.

To file an indictment, the ODPP must have all the evidence before them to properly review whether it is sufficient to support the charges and determine prosecution is in the public interest.

Factors that have had an impact on this process include:

- The extensive processes involved in liaison with criminal justice sector stakeholders, the changes in case nature and types of serious crimes committed, with an increase in domestic violence and serious sex related crimes which carry sensitivities and for vulnerable witness and victim engagement;
- Significant increase in the volume of material received from WA Police in digital format which requires much more time to upload, sort, assess and process;
- Obtaining and processing complex forensic and medical evidence;



- Negotiation of plea offers received from the accused. The ODPP's prosecutors typically wait for a longer period of time to file an indictment in matters where plea negotiations are ongoing. Having an agreed indictment filed with pleas creates overall effectiveness to the criminal justice sector and adds clarity to the Court process, but results in a negative impact on this KPI;
- Further charges or co-accused awaiting committal; and
- Indictment filing delays are impacted by the increasing volume of evidentiary material provided by investigators and an increase in time required for further investigative requisitions before an indictable offence decision can be made on the initial charges. The prosecutors and staff members assigned to perform this function have other competing functions including the increasing trend of court day attendances. Whilst efforts are being made to generate capacity for these officers, and the longer-term lifecycle of a case, benefits will only be realised over time.

2). Establishing a case to answer

Relationship to Desired Outcome

A fair and just prosecution service must establish its case against an accused person. Each instance of a failure to establish a case to answer, measured by the early termination of proceedings by a trial judge, is an event which warrants scrutiny.

Establishing a Case to Answer is determined by dividing the number of Completed Trials in the District and Supreme Courts that do not have a Judge Directed Acquittal by the number of Completed Trials.

Performance Outcome 2023-24

There were three Judge Directed Acquittals in 2023-24 from the 387 trials which proceeded, resulting in 384 (or 99.2%) of trials proceeding with a case to answer.

KPI Target 2023-24	KPI Result 2023-24
98.0%	99.2%

Performance trends are illustrated in the following table:

PERFORMANCE TRENDS	2020-21	2021-22	2022-23	2023-24
Establishing Case to Answer	99.6%	100.0%	99.4%	99.2%

Explanation between the target and actual performance

The ODPP's case assessment and pre-trial review process is robust and has been demonstrated to be effective in identifying unsuitable cases prior to trial, resulting in appropriate action. To further compliment the ODPP's high standards in this regard, the ODPP have undertaken initiatives to increase the effectiveness of prosecutorial decision making enabling dedicated focus on earlier case resolution aiming on improving speed of outcomes and resource allocation across the criminal justice pipeline.

3). Convictions after Trial

Relationship to Desired Outcome

In cases in which an accused pleads not guilty, a trial is required. The ODPP fairly and effectively presents the evidence to the court and the jury. Monitoring and measuring the percentage of convictions after trial assists the ODPP to assess the fairness of its decisions to prosecute.

Convictions after trial is calculated by dividing the number of trials resulting in a conviction by the total number of trials that have either a conviction or an acquittal result.

Performance Outcome 2023-24

In 2023-24 387 trials proceeded before a jury, or a judge alone trial, in the District and Supreme Court. Of these, 11 (or 3%) resulted in a hung jury, 25 (or 9%) resulted in a mistrial and two trials have a reserved decision, and the Trial Judge will deliver a verdict at a later date.

The remaining 339 trials delivered either a conviction or acquittal. Of these, 216 (or 63.7%) resulted in a conviction being recorded against the accused for one or more of the charges listed in the indictment.

KPI Target 2023-24	KPI Result 2023-24
50.0%	63.7%

Performance trends are illustrated in the following table:

PERFORMANCE TRENDS	2020-21	2021-22	2022-23	2023-24
Convictions After Trial	59.4%	60.2%	55.0%	63.7%

Explanation between the target and actual performance

The target and prior year results were exceeded in 2023-24, reflecting the thorough and consistent approach of the ODPP in properly assessing and preparing matters for trial. This is particularly important in building confidence in the criminal justice sector given the recent trends of increased caseloads, complexity and public interest for cases that ultimately progress to convictions after trial.

Service 2 – Confiscation of Assets

Application for a Declaration of Confiscations filed within four (4) months of the Drug Trafficker Declaration

Relationship to Desired Outcome

The timely resolution of a confiscations case contributes to fair and just outcomes for all stakeholders including the community and declared drug traffickers. Many confiscation cases relate to drug traffickers cannot be completed until an application for a Declaration of Confiscation is filed with a court by the ODPP.

The outcome is calculated by dividing the number of applications filed within four (4) months by the total number of applications filed.

Performance Outcome 2023-24

In 2023-24, 14 declarations for confiscations were filed. Of these, five (or 35.7%) were filed within four (4) months of the drug trafficker declaration.

KPI Target 2023-24	KPI Result 2023-24
20%	35.7%

Performance trends are illustrated in the following table:

PERFORMANCE TRENDS	2020-21	2021-22	2022-23	2023-24
Number of Declarations Filed	28	32	16	14
Number of Declarations filed within four (4) months	3	2	2	5
Percentage Applications filed within four (4) months	10.7%	6.3%	12.5%	35.7%

Explanation for the variation between the target and the actual performance

The ODPP manages a high number of drug trafficking declarations and the preparation of applications for confiscation in matters, which can include personal property, cash, land and intangible property, is a complex process. The confiscation activity requires significant liaison and engagements throughout the process, including multiple participants across the justice system and stakeholders with interests in these seized assets.

The primary cause in exceeding prior year results and stated targets for declarations of confiscation in 2023-24 was due to effective collaboration with the WA Police Force and prioritisation of ODPP resources. This result is important in the context of the recent procedural and court document preparation, which have increased service demand, complexity and the ODPP confiscations work effort.

Key efficiency indicators

Service 1 – Criminal Prosecutions

Cost per Prosecution

Relationship to Desired Outcome

Criminal prosecutions vary in the type of offence, complexity, and length. Some matters may be concluded within a short time upon an early plea of guilty, whilst others will require preparation for trial, and perhaps an appeal, and may not be concluded for several years and are resource intensive. As a consequence, the ODPP sets a target cost at the average prosecution output level. The KPI target and actual performance is therefore determined by dividing the number of new indictable cases, by the ODPP's total cost of services for criminal prosecutions.

Performance Outcome 2023-24

The ODPP's total cost of service for criminal prosecutions in 2023-24 was \$64.637 million. A total of 3,152 new indictable prosecution cases were received by the ODPP during the reporting year. This is an increase of 9% on previous year.

The average cost per criminal prosecution in 2023-24 was \$20,507.

KPI Target 2023-24	KPI Result 2023-24
\$20,000	\$20,507

Performance trends over time are illustrated in the following table:

PERFORMANCE TRENDS	2020-21	2021-22	2022-23	2023-24
Cost Per Prosecution	\$16,462	\$19,490	\$20,217	\$20,507
Indictable Prosecutions	3,015	2,627	2,893	3,152

Explanation between the target and actual performance

The ODPP exceeded the target for 2023-24 due to the:

- the increase in criminal case management time and complexity as the ODPP continues to migrate to digital evidence management whilst seeing an increase in the broader caseloads;
- ongoing increases in the nature and types of serious indictable crimes committed particularly the increase in domestic violence and serious sex crime related cases, which are highly resource intensive and often progress through to final stages in the criminal justice pipeline;
- increase in salary expenses comprising continuation of the Public Sector Wages Policy, cost and service demand pressures and broader workforce growth to meet the 9% increase caseload demands handled by the ODPP; and
- increase in costs associated with digital evidence storage and expenses. The ODPP continue to progress development of fit for purpose future programs that support the ODPP's criminal prosecution service delivery pressures.

Service 2 – Confiscation of Assets

Ratio of Cost to Return

Relationship to Desired Outcome

Confiscation proceedings vary greatly as to the type of application, the nature and value of the property and the complexity and length of time required to resolve them. Some proceedings can be dealt with relatively quickly, such as where there is no objection to the application for confiscation. Some proceedings are, by virtue of the underlying factual matrix, or by virtue of the type of application, complex in nature.

Proceedings may take considerable time to be resolved, especially where the criminal charges must be completed first, including trial and appeal, which can take several years and are therefore demanding of resources.

The KPI is measured by total cost of service of confiscation of assets, divided by the payments made to the Confiscation Proceeds Account (which is administered by the Department of Justice) for the same year, expressed as a percentage.

Performance Outcome 2023-24

In 2023-24, payments totalling \$19.691 million was deposited to the Confiscation Proceeds Account. The total cost of service for the confiscations function in the reporting year was \$4.064 million. The ratio of cost to return was therefore 20.64%.

KPI Target 2023-24	KPI Result 2023-24
25.0%	20.64%

Performance trends are illustrated in the following table:

PERFORMANCE TRENDS	2020-21 (\$'000)	2021-22 (\$'000)	2022-23 (\$'000)	2023-24 (\$'000)
Delivered Payments to Confiscations Proceeds Account	15,214	27,882	28,489	19,691
Total Cost of Services for the Confiscations Function	3,730	3,847	4,017	4,064
Cost as a Percentage of Return	24.52%	13.80%	14.10%	20.64%

Explanation between the target and actual performance

The target was met in 2023-24 due to a number of large, confiscated receipts and high value acquisitions increasing the payments delivered which reduces the cost percentage ratio. This is due to ongoing efforts undertaken to confiscate criminal assets, and disrupt organised crime by criminal justice sector stakeholders and the Office of the Director of Public Prosecutions. The increase in cost correlates directly to increases in workload demand due to several process changes around Freezing Orders, changes to affidavits for applications made pursuant to section 30 of the [Criminal Property Confiscation Act 2000](#), valuation requirements and additional requirements for court document preparation.

