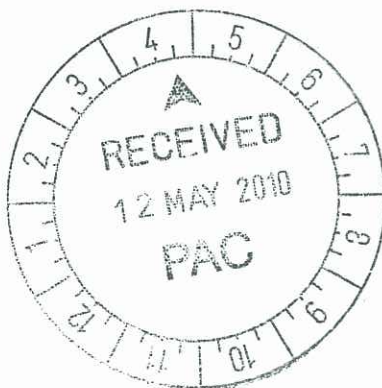




THE AUDIT OFFICE
OF NEW SOUTH WALES

CONTACT NAME
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OUR REFERENCE
YOUR REFERENCE

Mr Paul Gibson MP
Chair
Public Accounts Committee
Legislative Assembly
Parliament House, Macquarie Street
SYDNEY NSW 2000



10 May 2010

Dear Mr Gibson

**Examination of Auditor-General's Performance Audit Report
Efficiency of the Office of the Director of Public Prosecutions**

We have reviewed the submission provided by the Office of the Director of Public Prosecutions concerning the recommendations in the above performance audit report.

Following tabling of the report, we were pleased that the Office of the Director of Public Prosecutions (ODPP) accepted all of our recommendations. The ODPP's submission indicates that it is making some progress in implementing the recommendations.

For ease of reference we have compiled a document which includes:

- Column 1 - our report recommendations
- Column 2 - the response of the ODPP in April 2009
- Column 3 - the further response of the ODPP in March 2010
- Column 4 - our current assessment of whether each response addresses the issues raised in the original report, along with a comment on progress.

We have not substantiated the submission. In some instances, more information would be helpful to better understand what has been done to address our recommendations.

I plan to forward a copy of this correspondence to the Director of Public Prosecutions for his information.

I am happy to provide any further assistance the Committee may need in completing its examination.

Yours sincerely

Peter Achterstraat
Auditor-General

attachment

This document combines the Auditor General's recommendations from the performance audit on the efficiency of the ODPP tabled March 2008, with the responses provided by the ODPP in April 2009 and March 2010. It also includes the Auditor General's comment on progress to date.

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
Demonstrating efficiency			
1. Continue to build on recent improvements to its service and efficiency indicators. In so doing the ODPP should:			
a) by the end of 2007-08, clearly articulate its services, and how these services contribute to the results it is trying to achieve	2008-09 Results and Services Plan has been revised to include efficiency indicators as recommended by the Auditor General and to assist in benchmarking against other like agencies. Several indicators are still under development, notably the indicators associated with Activity Based Costing. The ODPP is working on a process to electronically measure the relevant indicia, rather than the current method of gathering the information manually. The project is expected to be completed by the third quarter 2009	Electronic capture and reporting of the indicators for the Results and Services Plan was implemented on 10 December 2009	While the electronic capture and reporting of information is a commendable development, the ODPP submission does not provide updated information on its progress over the past two years in developing more appropriate and helpful indicators.
b) by the end of 2007-08, develop indicators of quantity, timeliness, total cost and unit cost for each service	Following the budget allocation the ODPP will update indicators, service measures and service group expenses for its Results and Services Plan.		See comment at 1 a)
c) from the beginning of 2008-09,	An examination of the ODPP's		

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
include these indicators in its planning and internal reporting	Corporate and Business Plans is being conducted to ensure consistency with the Results and Services Plan		
d) select from these a smaller number of 'headline' indicators to use in its reports to Parliament and to the Minister	Headline Indicators will be selected and used in ODPP Annual Report and reports to the Minister.		
e) start building a data development agenda and report progress alongside its reporting on service performance (page 48)	All data necessary for the Results and Services Plan indicators will be captured with modifications to the ODPP's workflow system.		
2. Include in its reporting to the Attorney General and Parliament:			
a) its improved service and efficiency indicators	The indicia contained in the Results and Services Plan will form the basis for reporting in the ODPP's Annual Report and Budget Paper 3 submission.	All recommendations from the AG regarding performance assessment and reporting with the exception of Crown Prosecutors, is being addressed in the ODPP Annual Report and Results and Services Plan. Crown Prosecutors performance currently being addressed.	ODPPs submission indicates good progress is being made in understanding and reporting its performance. It would be helpful if the ODPP could advise progress over the past two years in assessing and reporting Crown Prosecutor performance.
b) an explanation of why these indicators are important			
c) advice on what represents			

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
good performance			
d) comparisons over time, against benchmarks and to targets			
e) narrative to clearly explain performance (page 51)			
<p>3. Collect accurate and comprehensive information about the costs of its services and activities and use this to assess its efficiency and cost effectiveness. In so doing the ODPP should:</p>			
<p>a) bed down its prosecution service and activity costing methodology and ensure the costing process adopted is able to accurately identify the cost of delivering prosecution services</p>	<p>The advice of an expert on Activity Based Costing is being sought to assess the ODPP's implementation including the activities used, data capture methodology and appropriate sample size. A proposal from the Director, IT Risk Management, Internal Audit Bureau is expected shortly.</p>	<p>Progress is being made by Activity Based Costing (ABC) Working Group. Specifications being reviewed, external systems being considered and progressions towards completion of first phase in a three phase project.</p> <p>Last meeting of the Working Groups, comprising management, Crown prosecutor and PSA held on Friday 26 March 2010.</p> <p>Project completion targeted for 30 June 2010.</p>	<p>if the June 2010 target is achieved this will demonstrate progress towards the ODPP being able to accurately identify the cost of delivering its prosecution services. It would be helpful to know what the three phases of this project are, and the likelihood of meeting the June target date.</p> <p>The ODPP has not advised how it does now, or will in future, use its service costing information in its reporting.</p>
<p>b) apply appropriate costing methodologies to its other key services such as witness assistance, contribution to an efficient justice system, and advice to government</p>	<p>The costings of the ODPP's witness assistance service are now the subject of a comprehensive monthly report to the AGD.</p> <p>The ODPP will update its case</p>		<p>The ODPP submission does not indicate any progress in updating its case management system to facilitate the capture and reporting of time spent on interagency work.</p>

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
on proposed legislation	management system to facilitate the capture of time spent on interagency work. This will be implemented shortly.		
c) use service costing information to enhance its reporting (page 53)			See comment at 3 b)
4. Strengthen its data management practices to provide greater assurance that reported performance information is accurate and complete. In so doing the ODPP should:			
a) clearly define and document roles and responsibilities for data collection, processing, monitoring and quality assurance, analysis and reporting for service performance indicators	Aspects of data definition, collection and analysis for the Results and Services Plan have been under development and are approaching finalisation. The reporting specifications of the Key Performance Indicators will then comprise the "Statistical Performance Management System". It is intended that this new system will permit electronic retrieval of all relevant data.	Committee established to look at business rules for all areas of work. Working parties have been allocated specific areas to examine workflows. Progress in Court of Criminal Appeal area- workflow developed, work continuing in other areas. Committee meets monthly, last meeting 17 March 2010.	The ODPP has not advised whether the "Statistical Performance Management System" has operated as intended. It is positive that the workflow of one area of responsibility has been developed, however it seems there is still much to be done in this regard. Has the ODPP set targets for the completion of this work? It will also be important to ensure that there is clear accountability to implement and maintain the system, with well trained staff.
b) develop and document data quality standards and expectations, and clearly communicate these needs to responsible officers			See comment at 4 a)

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
c) document data definitions and collection methods to ensure consistent measurement and calculation			
d) implement suitable data collection, processing and monitoring controls to ensure the accuracy, completeness and reliability of performance data			
e) implement appropriate training for staff who are responsible for collection, processing and reporting of performance information			
f) consider the development of a data dictionary in the longer term (page 55)			
Improving information management			
5. Use service costing information to improve its service delivery, efficiency and resource allocation. In so doing the ODPP should use service costing information to:			
a) inform its planning, decision-making and cost management	As per recommendation 3 above, implementation of the ODPP's Activity Based Costing project continues.	Reports being developed as required by management. This is an ongoing project.	The ODPP has advised that it is only in phase one of a three phase Activity Based Costing project. Completion of this project should enhance the ODPP's evidence base for decision making. It would be helpful to know the intended

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
<p>b) benchmark costs between different groups in the organisation and other agencies (page 62)</p>			<p>outcomes of the project and the targets for implementation of its developments.</p>
<p>6. Ensure staff keep the case management system (CASES) up to date so managers can use CASES for effective monitoring, reporting and decision making. CASES should be developed as the only repository for pro forma. In so doing the ODPP should:</p> <p>a) develop a regular, consistent and systematic approach to the review of solicitors' practices by Managing Lawyers</p>	<p>Present processes are being reviewed and made consistent across the Office.</p> <p>The frequency of practice reviews has been negotiated with the PSA as part of the ODPP's Workload management Agreement. The reviews are to be formally conducted every six months.</p> <p>For the allocation of work, Managing Lawyers are required to examine a lawyer's practice and the progress of cases within it. As a result, reviews of workload and progress of matters within practices are conducted regularly through CASES.</p> <p>Regular feedback about the quality</p>	<p>Practice reviews are conducted regularly as an adjunct to the allocation and disposition of work.</p>	<p>The ODPP's submission reports good progress.</p>

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	<p>of work (especially committal practices) is being received from the Pre-Trial Unit.</p> <p>The Manager Admin Services is producing a monthly Operational Performance Report from statistical information provided by each operations unit regarding activity in Trials, Committals and Advising. Collating this information from CASES enables each operational unit to monitor and report on the progress of matters each month.</p>		
<p>b) review case-specific pro forma that are available on the Integrated Document Management System, ODPP intranet (DPP Net) and CASES and relocate all relevant pro forma to CASES (page 63)</p>	<p>On 1 March 2008, an officer was transferred from the Court of Criminal Appeal Unit to the Information Management and Technology Branch for six months to undertake this particular task. The project has now been completed.</p>	<p>Templates completed.</p> <p>Results of a recent audit reveal greatly improved compliance in maintenance of the case management system (CASES).</p> <p>CASES is now the only repository for pro forma.</p>	<p>Overall ODPP has reported significant achievements in the management and utilisation of CASES.</p>
<p>Improving management practices</p>	<p>Improve its management of workload and workflow including Crown Prosecutors' workload and efficiency. In so doing the ODPP should:</p>		
<p>a) ensure that the systems for performance management in the Solicitor's Office are implemented consistently</p>	<p>The ODPP has performance management program in place for all staff.</p> <p>A database has been established to</p>	<p>Performance management plans are in place for staff including Trial Advocates in the Solicitor's Office.</p> <p>Enhancement of the systems of</p>	<p>The ODPP's submission indicates that good progress is being made.</p>

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	<p>record the number of Performance Work Plans that are current across the Office. These work plans will be analysed and Managers consulted to ascertain whether there is consistency in reporting, feedback and the extent of compliance. This exercise is expected to be completed by the end of April.</p> <p>Negotiations with the PSA are continuing in relation to workload management and monitoring of the Solicitor's Office.</p>	<p>performance management is linked to the Business Rules Project (see 4 above)</p>	
<p>b) systematically analyse the workload and efficiency of Crown Prosecutors</p>	<p>The workload and efficiency of Crown Prosecutors is now an ongoing process undertaken by the Senior Crown Prosecutor, Deputy Senior Crown Prosecutor, Deputy Senior Crown prosecutors and the Professional Assistant to the Senior Crown prosecutor. The latter oversees the workload and efficiency of the Crown Prosecutors within their areas of responsibility.</p> <p>Changes are being implemented to the computerised system maintained by the Professional Assistant in Sydney for the briefing</p>	<p>As per the AG's recommendations, Crown Prosecutors are now required to report on data as per their counterparts in Victoria</p> <p>Crown Prosecutors are required to give a detailed account of the hours spent in total on a particular matter they are briefed with. This is in line with ABC. To date it has been applied to 15% if the matters briefed. ABC is now moving to 100% coverage. This material is available to the Senior Crown Prosecutor and his professional assistant to assess with precision the time that each</p>	<p>The Prosecutor Indicators included in the 2008 performance audit report are reproduced at attachment 1.</p> <p>Collecting and analysing this information should assist the Office to analyse the workload and efficiency of Crown Prosecutors.</p> <p>It would be helpful to know how this information is reported and if it is also available to the Director of Public Prosecutions and the Executive Director.</p> <p>The submission regarding the CCA</p>

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	<p>of trials to Crown Prosecutors. It is envisaged that these improvements will enhance workload and workflow management for Crown Prosecutors. It is also felt that the improvements will be of assistance in the briefing of Crown Prosecutors in Regional Chambers.</p> <p>Steps to permit the Crown Prosecutors access to the ODPP's computerised personnel management system is being undertaken. This action will assist those with managerial responsibilities in processing Crown Prosecutors' leave applications and hence monitor their availability for criminal trials.</p>	<p>prosecutor is devoting to briefs.</p> <p>The Senior Crown, Deputy Senior Crown (Appeals) and Deputy Senior (Sydney) are particularly interested in cases where the Court of Criminal Appeal (CCA) has been critical of the performance of a particular Trial Crown. In such a case one of the above Senior Crowns will talk with the Crown and go through in detail the matter criticised. If possible all efforts will be made to have the same Crown have carriage of any new trial that has been ordered by the CCA. Such trial will be undertaken with the close counselling of the relevant Senior Crown.</p> <p>Arrangements are now in place to address those occasions during the year when there is a much higher demand for Crown Prosecutors, eg school holidays. Leave applications are being scrutinised to maximise the number of Crowns available at these times.</p>	<p>criticisms does not indicate whether this model been implemented and if it is effective.</p> <p>No updated information is provided on the technological improvements outlined in 2009.</p>
c) consider asking the Attorney General to amend	Section 9A of the Crown prosecutors Act 1986 has been amended		Completed

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
<p>the Crown Prosecutors Act 1986 to give the Director of Public Prosecutions power to suspend and dismiss Crown Prosecutors for serious neglect of duty. This would be subject to appropriate controls to ensure that the process is fair, transparent and affords natural justice (page 71)</p>	<p>accordingly. It passed both houses on 4 December 2009, was assented to on 8 December and proclaimed on 12 December.</p>		
<p>8. Once the ODPP has better information on the cost of prosecutions, use this to:</p>			
<p>a) improve its management arrangements</p>	<p>The current method of capturing information in the Activity Based Costing system is being examined and further work is necessary. An internal committee has been established to oversight this project.</p>		<p>Point 3 seems to indicate there is some progress with the Activity Based Costing system, however no further update of developments since April 2009 is provided.</p>
<p>b) inform a detailed, independent study into the feasibility of creating a number of smaller Crown Prosecutors' chambers in Sydney and 'pairing' these with groups of solicitors (page 75)</p>	<p>Particular kinds of prosecutions (eg homicide, child sexual assault, fraud) are now approached in a 'pairing' fashion in that particular solicitors and Crown Prosecutors (wherever physically located) are identified as the most suitable recipients of such matters and habitually work together.</p> <p>The Crown Prosecutors in the Criminal Court of Appeal Unit are</p>	<p>Crown Prosecutors are now grouped with a Deputy Senior Crown Prosecutor as leader in Sydney. Each group of Crown Prosecutors have been aligned with a group of solicitors.</p> <p>The Solicitor's Office and Crown Prosecutors are now within the same building which has meant solicitors have much easier access to Crown Prosecutors for advice and</p>	<p>ODDP's submission indicates good progress is being made in the 'pairing' of solicitors and Crown Prosecutors in Sydney.</p> <p>The ODDP's submission does not indicate if it sets targets for, captures information on, or reports on contact (both formal and informal) between Crown Prosecutors and solicitors so it can evaluate its achievements.</p>

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	<p>working in a team approach with solicitors from that Unit.</p> <p>The Sydney Crown Prosecutors have been divided into groups of about eight people under the leadership of a Deputy Senior Crown Prosecutor, and aligned with groups of solicitors.</p> <p>With the move to new premises in Liverpool Street later this year, Crown Prosecutors will be in rooms in close proximity to their relevant Deputy Senior Crown Prosecutor.</p> <p>By 27 March 2009, all Deputy Senior Crown Prosecutors had had productive meetings with their respective Managing Lawyers and discussed in detail how the pairing system will work.</p> <p>Every effort is being made to encourage formal and informal contact between this 'pairing' of Crown Prosecutors and solicitors.</p> <p>The grouping system will allow the ODPP to more accurately measure the amount of such interaction. The</p>	<p>mentoring.</p> <p>Although there is the "pairing" of groups, solicitors are encouraged to seek the advice from any of the Crown Prosecutors.</p> <p>Crown Prosecutors continue to be active in the professional development of solicitors. For instance, Crown Prosecutors are participating in conferences with solicitors and in the presentation of advocacy workshops for solicitors.</p> <p>All Deputy Senior Crown Prosecutors continue to have productive meetings with their respective Managing Lawyers and are contributing to the pairing system.</p> <p>Every effort is being made to encourage formal and informal contact between this 'pairing' of Crown Prosecutors and solicitors.</p> <p>Meetings address the kinds of factual and evidentiary problems that regularly occur in prosecutions.</p>	

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	<p>amount of contact will be closely monitored and reported upon. A system will be instituted whereby each Crown will note the details of every meeting with solicitors. Those events will be collated by their Deputy Senior Crown Prosecutor every three months. The formatting of a schedule to assist in that regard is underway.</p> <p>The meetings are illustrating the kinds of factual and evidentiary problems that regularly occur in prosecutions.</p> <p>Interactive teaching, specifically designed to address factual and evidentiary problems will be organised with relevant Crown Prosecutors talking to the solicitors.</p> <p>The Deputy Senior Crown Prosecutor in charge of the Pre-Trial Unit is now visiting all of the managing lawyers with a view to further streamlining the work of the Unit. The Deputy Senior Crown is working to establish a degree of uniformity in the quality of Briefs and improving the speed with which they are currently received at the Unit.</p>	<p>Interactive teaching, specifically designed to address factual and evidentiary problems has been organised with relevant Crown Prosecutors talking to the solicitors.</p> <p>The Deputy Senior Crown Prosecutor in charge of the Pre-Trial Unit continues to visit all of the managing lawyers with a view to further streamlining the work of the Unit. The Deputy Senior Crown is working to establish a degree of uniformity in the quality of Briefs and improving the speed with which they are currently received at the Unit.</p>	

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	<p>with which they are received at the Unit.</p> <p>All of the Deputy Senior Crown Prosecutors have been invited to contribute on how the pairing system can be improved and to demonstrate how it is working in practise.</p>		
<p>9. Document the rationale for the relative number of prosecutors and levels of experience required, and examine the risks and potential benefits of reducing the number of Crown Prosecutors and using the funds to create additional Trial Advocate, Senior Trial Advocate or Associate Crown Prosecutor positions (page 79)</p>	<p>A study will be undertaken of Crown representation and of the matching of the difficulty and complexity of trials with the categories of representation at Crown Prosecutor and Trial Advocate levels.</p> <p>The documented criteria for the assignment of matters to Trial Advocates was reviewed recently.</p> <p>The addition of a grade of prosecutor between Trial Advocate and Crown Prosecutor is agreed to and a Position Description is being prepared and evaluated. The study referred to above would assist in determining the number of such</p>	<p>Documented criteria for the assignment of matters to Trial Advocates has been finalised.</p> <p>The addition of a grade of prosecutor between Trial Advocate and Crown Prosecutor is agreed in principle.</p> <p>A draft submission on the establishment of an intermediate level of trial prosecutor submitted to AG in February 2010. On 5 March 2010 he provided some preliminary observations. Views are currently being sought and considered across the ODPP.</p>	<p>ODPP's submission indicates good progress is being made.</p>

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
	positions to be created and their desirable status (ie under the Crown Prosecutors Act of the Public Sector Employment and Management Act).		
<p>10. Work towards adopting a 'cradle to grave' approach to case management and systematically set about standardising practices across the Solicitor's Office. In so doing the ODPP should:</p> <p>a) brief workflow analysts to undertake a detailed study to determine the pros and cons of moving from the current 'division of labour' approach toward greater continuity</p>	<p>The work of the Crown Prosecutors in the Pre-Trial Unit (PTU) is assisting the "cradle to grave" approach.</p> <p>Every endeavour is being made to achieve continuity of Crown Prosecutors in matters, particularly sexual assault matters.</p> <p>The 'pairing' of groups of Crown Prosecutors with groups of solicitors will assist to facilitate the approach.</p> <p>Practices across the Solicitor's Office are now standard, subject only to minor variations caused by local conditions at regional offices.</p> <p>Discussions underway with Internal Audit Bureau.</p>	<p>The work of the Crown Prosecutors in the Pre-Trial Unit (PTU) continues to assist the "cradle to grave" approach.</p> <p>Every endeavour is being made to achieve continuity of Crown Prosecutors in matters, particularly sexual assault matters.</p> <p>The 'pairing' of groups of Crown Prosecutors with groups of solicitors is assisting the approach.</p> <p>Continuity of solicitor from cradle to grave is being achieved in targeted matters, particularly child sexual assault and sexual assault prosecutions.</p> <p>Cradle to grave cannot be achieved in all matters, particularly in view of the listing practices at some courts. Judges are not taking into account</p>	<p>While the ODPP's submission indicates progress, it does not detail the results of discussion with the Internal Audit Bureau, or provide details of what proportion of total caseload achieves continuity of solicitor and/or Crown Prosecutor.</p> <p>The impact of listing practices on efficiencies should be addressed by actions in response to recommendation 11 below.</p>

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
		<p>Crown Prosecutors' availability as they are of the view that another Crown can be briefed.</p> <p>Amendments to Criminal Procedure Act included case management provisions. One optimal outcome is that 'cradle to grave' allocation of matters may become real possibility, at least in many cases. The provisions will change ODPP practices to ensure solicitor with carriage of the prosecution retains the matter until the Notice of the Prosecution Case is settled. In selected cases it will be necessary for the same solicitor to also instruct at trial. The fact that Crown Prosecutors must access briefs at a much earlier time and make definite decisions about the matter also provides the opportunity for Crown Prosecutors to seek to retain those matters for trial. Other factors may hinder this course (ie availability of resources) but it is the present intention of the Office to implement best practice to aim for these outcomes.</p>	

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<p>b) examine opportunities to identify and implement common practices between offices and groups within the Solicitor's Office (page 81)</p>	<p>Common practices have been implemented with only minor differences to take account of local conditions.</p> <p>Reviews of groups and regional offices are now placing a greater emphasis on identifying best practice and the development of a mechanism for evaluation for office-wide implementation.</p>	<p>A number of the Deputy Senior Crown Prosecutors are becoming fully involved with homicide cases at an early stage (ie pre committal hearing) by virtue of the compulsory criminal case conferencing system. This allows Defence counsel and Crown Prosecutor to meet with a view to seeing whether there is any prospect of taking a plea to a lesser charge or to the existing charge. Even if a plea is not forthcoming there is often a resolution of what will be in contest and what will not. The Deputy Senior Crowns have welcomed and embraced this initiative.</p>	<p>ODPP's submission indicates good progress is being made.</p>
<p>11. Adopt a more systematic approach to capturing and quantifying the impact of the practices of other agencies on its efficiency, and use the resulting information to support efforts to maximise the efficiency of the justice system. In so doing the ODPP should:</p>			

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
<p>a) develop more systematic approaches to capturing and quantifying the impact on its operations of court listing practices and the quality of NSW Police briefs</p>	<p>Reviews are being conducted to identify deficiencies in the quality of police briefs. This information has been conveyed to police at ODPP-Police Liaison Group meetings.</p> <p>The Solicitor to the DPP and Senior Crown Prosecutor became members of the Trial Efficiencies Working Group chaired by Justice Peter McClellan during the latter half of 2008. That Group's report was finalised and provided to the Attorney in late November 2008.</p> <p>In the Local Court, the management of complex cases has been the subject of recent correspondence involving the ODPP, the Commonwealth DPP and the Chief Magistrate. There is a proposal to meet soon.</p>	<p>A review has been conducted to identify deficiencies in the quality of police briefs. This information has been conveyed to police at ODPP Police Liaison Group meetings.</p> <p>The Office has regular meetings with Police in relation to operational issues. Police management has responded by issuing directions to investigators, crime managers and brief handling managers accordingly.</p> <p>Training of investigators by senior solicitors is regular and ongoing to improve the quality of investigations.</p> <p>A quality rating for briefs of evidence received has been added to CASES in order to better inform the Office and police of systemic or particular problems in relation to brief quality. The system began in July 2009 and as at 1 March 2010, 80% of committal briefs received required further investigation. This figure will enable comparisons into the future.</p> <p>The Office has been liaising with the Chief Magistrate in relation to court</p>	<p>ODPP's submission indicates good progress is being made in some areas. However ODPP needs to continue its efforts to capture and report on inefficiencies due to court listing practices if this is impacting on its performance.</p>

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<p>b) use this information to support its efforts to reduce the impact of these on its efficiency</p>	<p>The results of the latest analysis have been raised with senior police at a recent Police Liaison Group Steering Committee meeting, which in turn will be raised and discussed at individual regional Police Liaison Group meetings.</p>	<p>appearance and the streamlining of brief service orders made by the court. A new Practice Note was issued on 4 January 2010.</p> <p>Liaison is expected in relation to an on line court system in this financial year.</p>	<p>The ODPP's submission indicates progress, however see also comment at 11 a).</p>
	<p>The Solicitor to the DPP and Senior Crown Prosecutor were members of the Trial Efficiencies Working Group chaired by Justice Peter McClellan. That Group's final report was submitted to Government in March 2009. Legislation to give effect to the report's major recommendations for improved Case Management was enacted and commenced on 1 February 2010. Practice directions, instructions and templates have been circulated to all legal staff and were the subject of a presentation at the Solicitors' Conference in late December 2009. A similar presentation will be made at the forthcoming Crown Prosecutors' Conference.</p> <p>A proposal by this Office and others to generate an expansion of the</p>		

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		jurisdiction of the Local Court and thereby streamline the nature and volume of trial work in the District Court was referred to the Sentencing Council by the Attorney General last year. The Council has concluded that the proposal has far-reaching consequences and should not be undertaken without further detailed consideration.	
c) report the impacts to the Attorney General, NSW Treasury and in its Annual Report (page 86)	The next Annual Report will mention the impact of the practices of other agencies on ODPP efficiency. The Attorney General is briefed by the Director and Executive Director on a fortnightly basis. Treasury to be advised.		See comment at 11 a)
12. Introduce a position of Executive Director with similar or greater status to the existing Deputy Directors, reporting directly to the Director of Public Prosecutions (page 90)			
	Cabinet endorsed Government support for the recommendation to fund and appoint a new position of Executive Director (CM 63-08). The holder of this position was appointed on 28 October 2008. Reporting to the Director of Public Prosecutions and Attorney General,		Completed.

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	<p>the Executive Director is responsible for the efficient and economical management of the function, resources and activities of the ODPP</p>		
<p>13. Review other positions to rationalise management responsibilities within the new position of Executive Director (page 90)</p>	<p>An external consultant has been engaged to assist in this review.</p> <p>Following an examination of the ODPP's Finance Branch, the role of Chief Finance Officer has been upgraded to a new position of Financial Controller.</p> <p>This person will report direct to the Executive Director. Recruitment is currently underway.</p> <p>The consultant has also reviewed the Asset and Facilities Management Branch. His findings have been deferred until November when the implications of the relocation of Head Office to a single site can be ascertained.</p> <p>Personnel Services to be reviewed.</p> <p>The review of the internal audit function and Information</p>	<p>Reviews of the internal audit function and Corporate Services have been undertaken.</p> <p>Recommendations are being acted upon.</p>	<p>ODPP's submission indicates good progress is being made.</p>

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
<p>14. Provide better information on costs and services to the Board so it can more effectively monitor efficiency and make realistic and practical improvement recommendations (page 90)</p>	<p>Management and Technology Branch will be undertaken by the Internal Audit Bureau in late April.</p>		
	<p>Improved and increased presentation of information to the Board is underway, particularly as a result of addressing recommendation 1 to 6 "Demonstrating Efficiency" and "Improving Information Management".</p>	<p>Improved financial reporting underway following appointment of new General Manager Corporate/Financial Controller.</p> <p>Financial Reports to the Board have been transformed and now focused on key financial issues. They also provide information in an easy to read format with graphic presentation of ODPP services and costs.</p>	<p>ODPP's submission indicates good progress is being made.</p>
<p>15. Appoint an independent Chair to the Audit and Risk Management Committee (page 90)</p>	<p>Two independent members were appointed to the Audit and Risk Committee on 16 October 2008. They are Ms Patricia Azarias and Mr Jon Isaacs. One of these members will chair the Committee on a one-year rotating basis.</p>	<p>Completed.</p>	<p>Completed</p>
<p>16. Conduct regular surveys of staff satisfaction and implement a systematic process to address staff concerns and improve morale (page 90).</p>	<p>Personnel Services Branch is currently examining the results of the 2004 staff survey to ascertain</p>	<p>Proposals and quotes received from six providers. One found to be the most favourable and</p>	<p>A key feature of this recommendation was for the staff surveys to be regular. Does the</p>

Recommendation	ODPP response on action to date April 2009	ODPP response on action to date March 2010	AO comment on progress
	<p>action taken to date, identify outstanding issues, and consider the key issues that need to be addressed.</p> <p>The Office has commenced consultation with three external staff survey providers and the PSA. A submission will be taken to the Management Committee.</p> <p>A number of the issues arising from the last staff survey related to the accommodation at Head Office. The next survey will be launched following the move to new premises later this year.</p> <p>The ODPP's staff exit questionnaire has been revised to ensure that results are more meaningful to the Management Committee. Questions have been included to ascertain if issues raised in the last staff survey are ongoing.</p> <p>An entry questionnaire for new staff has been developed and will be piloted in the next quarter.</p>	<p>recommendation forwarded to Director.</p> <p>Anticipated survey will be undertaken in April 2010.</p>	<p>ODPP plan to undertake an annual survey of staff satisfaction?</p>

OPP Victoria Prosecution performance indicators

- Number of briefs prepared and hearings attended
- Findings of guilt (guilty pleas and convictions), acquittals and other as a % of case disposals
- Number of guilty pleas pre trial as a % of case disposals
- Judge sitting days in the Supreme and County Courts (as an indication of workload impacts within the OPP)
- County Court appeals completed
- Number of appeals by the DPP to the Supreme Court, the Court of Appeal and the High Court
- Number of contested committals
- Number of filing hearings – Magistrates’ Court
- Number of adjournments sought by the Crown in Country Court and Magistrates’ Court on the grounds of insufficient time to prepare
- Percentage of procedures not meeting statutory time limits
- Number of guilty pleas listed as a trial as a % of case disposals
- Number of trials as a % of total case disposals
- Trials conducted in various Courts
- Pleas of guilt in various Courts
- Case outcomes as a % of total disposals
- Judge sitting days (excluding circuits) in various Courts
- Appeals to Court of Appeal, Supreme Court and High Court
- County Court appeals completed
- Contested committals
- Prosecutor appearance rates
- Expenditure on external counsel fee as a % of recurrent expenditure
- Total Counsel appearance costs as a % of total recurrent expenditure
- Briefs prepared and hearings attended

