



Annual Report 16/17

DIRECTOR OF PUBLIC PROSECUTIONS
OFFICE OF PUBLIC PROSECUTIONS



DIRECTOR of
PUBLIC PROSECUTIONS
VICTORIA



OFFICE of
PUBLIC PROSECUTIONS
VICTORIA

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Annual Report 2016/17

This document includes:

The 2016/17 Annual Report of the Director of Public Prosecutions pursuant to section 12 of the *Public Prosecutions Act 1994*.

The 2016/17 Annual Report of the Office of Public Prosecutions pursuant to the *Financial Management Act 1994*.

Full financial statements for the Office of Public Prosecutions are either provided in this report or can be accessed at www.opp.vic.gov.au

Office of Public Prosecutions
565 Lonsdale Street
Melbourne Victoria 3000

Accountable Officer's Declaration

In accordance with the *Financial Management Act 1994*, I am pleased to present the Office of Public Prosecutions Annual Report for the year ending 30 June 2017.



John Cain
Solicitor for Public Prosecutions
Office of Public Prosecutions
9 October 2017

Highlights

OUR VALUES

ACT FAIRLY

ACT WITH
INTEGRITY

RESPECT OTHERS

WORK TOGETHER

STRIVE FOR
EXCELLENCE

The Director of Public Prosecutions (DPP), Crown Prosecutors' Chambers and the Office of Public Prosecutions (OPP) delivered strong outcomes in criminal prosecutions in 2016/17. Highlights of the year included:

Guilty outcomes were achieved in 90.1 per cent of matters – the highest level on record.

Guilty pleas were achieved in 78.9 per cent of matters – a record level for the OPP.

The average time to complete a prosecution was 17.6 months, down from a five-year average of 20.5 months.

A record 1,268 new matters were referred to the Witness Assistance Service.

The Witness Assistance Service provided 2,639 professional consultations to victims and witnesses.

Briefs prepared and hearings attended were at an all-time high of 76,075.

OPP Proceeds of Crime obtained a record 132 restraining orders worth about \$100 million in assets.

More than \$18 million in illegally used assets and proceeds of crime was confiscated and paid to the State's consolidated revenue; and \$1.23 million was paid to victims of crime.

The OPP was involved in 853 contraventions matters, up from 510 in the previous year.

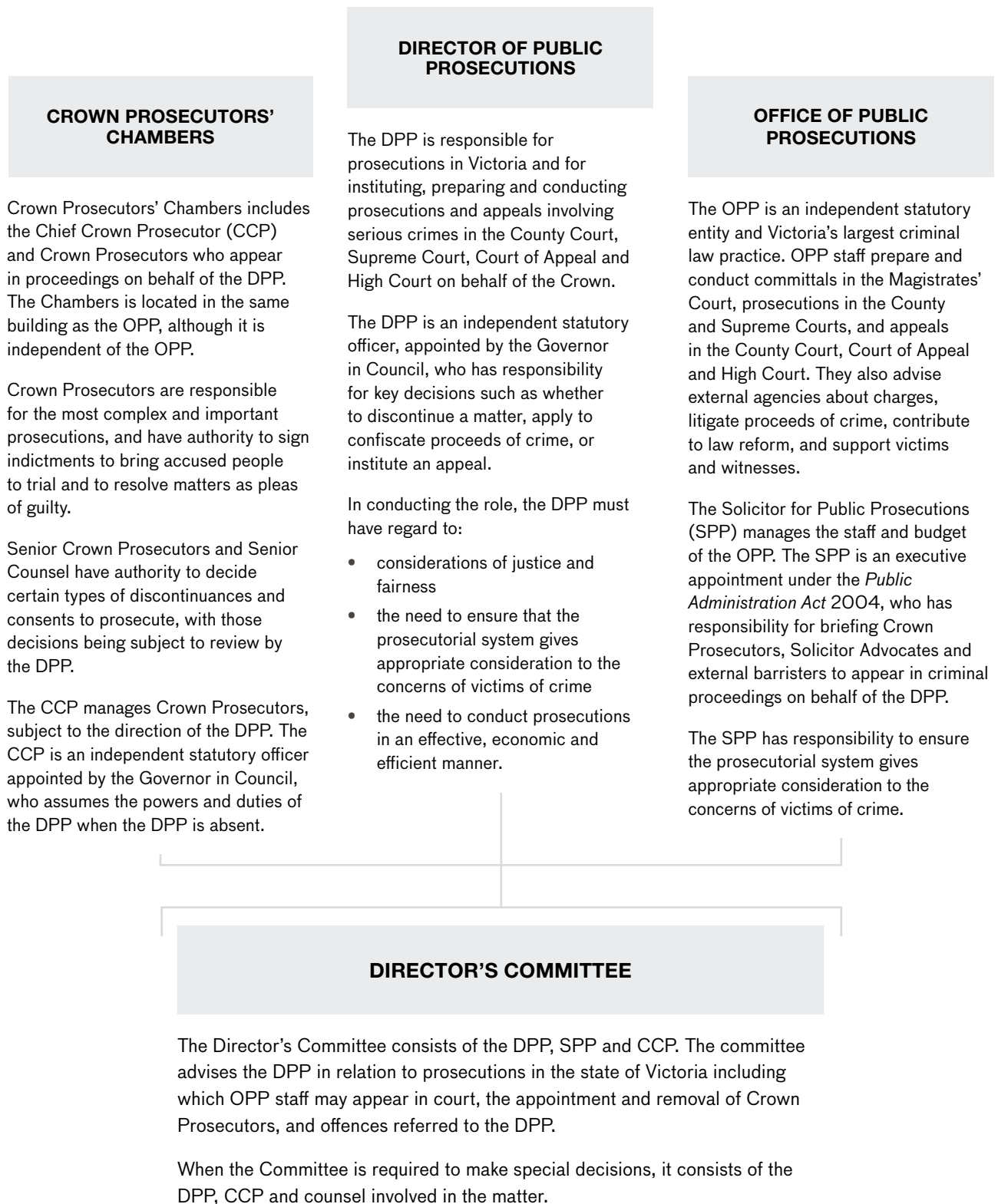
The Audio-Visual team performed a record 1,149,095 media actions, including conversions, edits and audio or visual enhancements to enable evidence to be provided in a court compatible format.

The fourth Modern Prosecutor Conference for external barristers was held, and rated a success by attendees.



The Director's Committee, from left, Solicitor for Public Prosecutions John Cain, Director of Public Prosecutions John Champion S.C. and Chief Crown Prosecutor Gavin Silbert QC.

Structure



Our Work

Our purpose

To provide an independent prosecution service to the people of Victoria.

Our vision

To make a positive difference to the community through the justice system.

Who we are

Serious crime in Victoria is prosecuted independently and impartially by:

- the DPP John Champion S.C.
- Crown Prosecutors' Chambers, led by CCP Gavin Silbert QC, which has eight Senior Crown Prosecutors and 12 Crown Prosecutors. One Crown Prosecutor is based in Geelong
- the OPP, led by SPP John Cain, which has 325 full-time equivalent staff including 256 in its Legal Practice. Based at 565 Lonsdale Street, the OPP also has a Geelong office with 16 staff who service south-west Victorian courts.

What we do

Together with the DPP and Crown Prosecutors, the OPP is responsible for prosecuting the most serious criminal matters in Victoria on behalf of the community. Crimes prosecuted include homicide, culpable driving, armed robbery, drug trafficking, serious sex offences, corruption, fraud, organised crime and serious assaults.

Most prosecutions are referred to the OPP by Victoria Police, which investigates crime, files charges and provides the OPP with a brief of evidence.

Throughout a prosecution, the OPP works closely with the Victoria Police informant who has investigated the crime.

Other investigative agencies that refer matters to the OPP include the Australian Federal Police; Consumer Affairs Victoria; the Department of Health and Human Services; the Department of Environment, Land, Water and Planning; Environment Protection Authority Victoria; the Independent Broad-based Anti-corruption Commission Victoria; and WorkSafe.

The OPP briefs Crown Prosecutors, private barristers with expertise in criminal law and its own Solicitor Advocates to appear in court in bail applications; committal hearings in the Magistrates' Court; pleas and trials in the County and Supreme Courts; and appeals in the County Court, Court of Appeal, the civil jurisdiction of the Supreme Court, and the High Court of Australia.

Proceeds of Crime is a specialist unit within the OPP that conducts major confiscation litigation on behalf of the DPP under the *Confiscation Act 1997*.

Policy and Specialised Legal Division represents the OPP in law reform. The Department of Justice and Regulation consults the OPP on legislative reforms, and the OPP actively seeks legislative reforms concerning issues arising in prosecution matters.

Throughout the course of their work, the DPP and SPP have an obligation under the *Public Prosecutions Act 1994* to conduct prosecutions in an effective, economic and efficient manner, and to give consideration to the concerns of victims of crime.

The OPP's Witness Assistance Service consists of social workers who provide information and assistance to witnesses, victims of crime and their families to ensure they are supported throughout the criminal justice process. Matters involving family violence, sexual assault, or the death of a victim are given priority assistance.

The OPP's *Strategic Plan 2013–2017* outlines strategies and Key Performance Indicators towards achieving its four goals, which are to:

- Deliver high quality prosecution services to achieve fair outcomes effectively, economically and efficiently
- Be responsive and respectful to victims and witnesses in the prosecution process
- Influence and implement policy, procedure and law reform
- Deliver our legal services with strong corporate governance and professional capability.

Significant work was undertaken in 2016/17 to develop a new Strategic Plan for the period 2017 to 2021.

Report of the Director of Public Prosecutions



Director of Public Prosecutions
John Champion S.C.

This year we entered into an exciting period of change by moving towards modernising the Victorian prosecuting service and preparing it for the many challenges that lay ahead.

The OPP launched a new legal practice structure in the previous year and the success of this project contributed to outstanding prosecution outcomes in 2016/17.

In this reporting period the OPP has led the way in the use of in-court technology and I am confident this will lead to many benefits and efficiencies across all areas of the criminal justice system, including police, the courts and victims of crime. The deployment of an integrated knowledge management system has also been a highlight, as it will give OPP staff and Crown Prosecutors better access to legal knowledge to assist them in the cases they will work on.

There has also been a sustained commitment to improving the experiences of victims of crime in the criminal justice system. I regard this as very important work and look forward to seeing this evolve in the months and years to come.

I can say with great pride that the membership of the Victorian prosecution service is working cooperatively to achieve the modernisation of this service for the years ahead, for the benefit of all Victorians.

New Director's Policy

A project to consolidate a series of more than 50 Director's policies and instructions into a single and simplified Policy of the Director of Public Prosecutions for Victoria was instigated in 2016/17.

The policy will provide guidance in making prosecuting decisions and ensure that the procedures associated with prosecuting criminal cases are conducted according to principled standards.

This will reflect a modern approach to prosecuting and is an important part of accountability and transparency.

The new Director's policy will not be a printed document and will reside on the OPP website where it will be available for all Victorians to see. It will remain under constant review and will be updated as required.

Forensic science

The ever advancing area of forensic science is of particular interest to the Victorian public prosecution service, especially how the science and associated evidence applies to investigations and prosecutions.

It is important to ensure we maintain strong communication and relationships with forensic bodies and agencies that provide services to us.

During the year I was asked, and agreed, to take on the role of Chair of the Victorian Chapter of the Australian Academy of Forensic Sciences (AAFS). I was honoured to be re-elected to hold the same position across the 2017/18 year.

The AAFS is unique in bringing together people of professional standing from the legal, medical and scientific professions who have contributed to the advancement or practice of forensic science.

The AAFS also promotes research and publishes the Australian Journal of Forensic Sciences.

Responses to Royal Commissions

In 2016/17, the OPP and my office continued to make contributions to the Royal Commission into Institutional Responses to Child Sexual Abuse. I travelled to Sydney to appear at hearings and give evidence on panels, joining other Australian DPPs. In particular, these hearings focused on the contentious issue of tendency and coincidence evidence and its use in child sex offence cases. A large number of people from within the criminal justice system were called to give evidence at these hearings.

I am confident we have, through our work with the Royal Commission, made a significant contribution to achieving important positive changes in many areas of the law in Australia, particularly with respect to the future protection of our children and vulnerable people. It has been very pleasing indeed to have had the opportunity to contribute to the work of this important Royal Commission.

Training

The fourth annual Modern Prosecutor Conference focused on better engagement with victims of crime and the use of technology in the Victorian criminal justice system. The conference provided a valuable opportunity for me to convey important messages and developments.

This annual conference is held for the benefit of external barristers briefed on my behalf to appear in the cases conducted by the OPP.

I was delighted that the Victorian Attorney-General the Hon. Martin Pakula MP officially opened the conference, and that Royal Commissioner His Honour Justice Peter McClellan AM presented the keynote speech on seeking justice for victims.

It was also pleasing to run an engaging panel discussion on The Prosecutor's Role, which was conducted by Her Honour Judge Lisa Hannan, Her Honour Judge Meryl Sexton, and His Honour Judge Gerard Mullaly.

A new online portal, OPP Connect, was launched in 2016/17 to allow me to communicate directly to external barristers on a regular basis. The portal is being used to provide updates on legislative changes, training materials and presentations relevant to their work.

I was also pleased to host Chief Judge Peter Kidd and Victorian Equal Opportunity and Human Rights Commissioner Kristen Hilton as the 2016/17 speakers in the ongoing Director's Series.

I commenced the Director's Series in 2014 with the intention of exposing staff at the OPP, Crown Prosecutors and some of our stakeholders to inspiring leaders outside our organisation who can speak about their personal journey and insights gained along the way.

Acknowledgments

I would like to take this opportunity to thank Senior Legal Advisor to the DPP Bruce Gardner for his support and advice throughout the year. Bruce has been an important sounding board for me on policy and legal issues, and has provided me with expert strategic advice on a consistent basis. His knowledge and experience remains an important asset to the Victorian public prosecution service.

I also thank the Director's Committee, made up of CCP Gavin Silbert QC and SPP John Cain, for their advice and support in 2016/17. I particularly recognise the outstanding contribution made by Gavin to the Victorian criminal justice system since being appointed to lead Crown Prosecutors' Chambers in 2008. I am looking forward to continuing to work closely with him as he enters his final year in Chambers.

I acknowledge John's incredible enthusiasm for his role, which has percolated throughout the OPP. His commitment and dedication to modernising Victoria's prosecution service has led to many important changes that will stand the OPP in good stead as it faces future challenges in the criminal justice system.

John Champion S.C.
Director of Public Prosecutions

Report of the Chief Crown Prosecutor



Chief Crown Prosecutor
Gavin Silbert QC

Crown Prosecutors' Chambers has met the challenge of another busy year in criminal prosecutions.

Crown Prosecutors' Chambers

Crown Prosecutors provided advice to the OPP on 6,707 occasions including 2,477 on plea offers, 571 on discontinuances and 3,659 general advisings in 2016/17. The advice and indictment signing function of Crown Prosecutors cannot be briefed to the Victorian Bar and remains the most important function of Crown Prosecutors.

The total number of indictments signed for the period was 2,788. The total number of days in court was 1,589.

As at 30 June 2017, we comprised eight Senior Crown Prosecutors and 12 Crown Prosecutors.

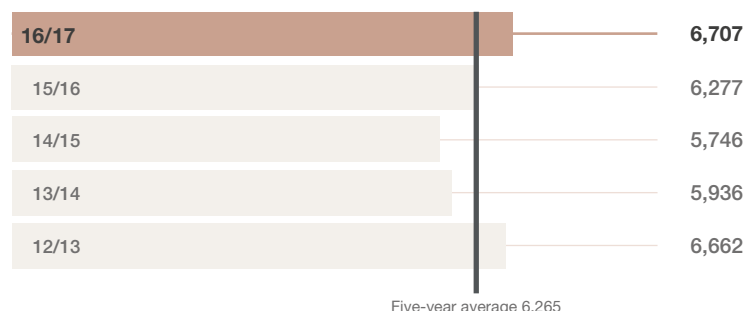
Chambers movements

In June 2017, Senior Crown Prosecutor Douglas Trapnell QC was appointed as a judge of the County Court. His Honour had a distinguished career practising for more than 26 years as a barrister and 14 years as a Crown Prosecutor, seven of them as a Senior Crown Prosecutor. He carried a large load on behalf of the Director of Public Prosecutions in the Court of Appeal.

In October 2016, Senior Crown Prosecutor Michele Williams QC retired after 15 years in Prosecutors' Chambers. Michele was a tenacious and scrupulously fair prosecutor who ran back-to-back murder trials.

In August 2016, Kerri Judd QC was appointed a Senior Crown Prosecutor. Kerri signed the Bar Roll in 1991 and has had an extensive practice in crime and civil matters, including an appellate practice in the Court of Appeal and the High Court of Australia. She has appeared in numerous

Crown Prosecutor Advice



commissions of inquiry and has advised and appeared in proceedings for government agencies with emphasis on both criminal and administrative law matters.

In June 2017, Mark Gibson and Catherine Parkes were appointed Crown Prosecutors. Mark signed the Bar Roll in 2002, since when he has practised as a criminal barrister both prosecuting and defending. Catherine signed the Bar Roll in 2009 and has practised exclusively in criminal law.

Future movements

Senior Crown Prosecutor Peter Rose QC and I are both due to retire during the next year. We will both have completed the term of our Governor in Council appointments. This will open the way for generational change in the ranks of Senior Crown Prosecutors.

Having held office in the Australian Association of Crown Prosecutors and having attended each of its annual conferences, I have no hesitation in saying that the system of Crown Prosecutors applying in this state is the best in the country.

The independence granted to Crown Prosecutors and the security of tenure granted to Senior Crown Prosecutors ensures total freedom from political influence, which I must say has always been respected by governments of both political persuasions. Victorians can be confident that they have truly independent Crown Prosecutors.

This is my final report and I take the opportunity of thanking the two Directors of Public Prosecutions who have held office during my tenure and all the Crown Prosecutors who have served in Prosecutors' Chambers over that period.

Gavin Silbert QC
Chief Crown Prosecutor

Message from the Solicitor for Public Prosecutions



Solicitor for Public Prosecutions
John Cain

In my message in last year's Annual Report, I foreshadowed that in 2016/17 we would be focusing on the areas of appropriate early resolution, improving the experience of victims and witnesses in the criminal justice system and embracing innovation and technology.

We have directly addressed each of these areas over the past 12 months and, although this work is ongoing, significant progress has been made in a period in which we have also managed a growing volume of work.

This increased workload has been largely managed without additional staffing and resources thanks to the hard work and dedication of OPP staff. We achieved a record guilty outcome rate of 90.1 per cent, while the average duration of matters was at a record low of 17.6 months. Our Witness Assistance Service team consulted with more victims than ever before and our Proceeds of Crime unit made a record 132 restraining orders over assets worth about \$100 million.

Major projects

Our work in early resolution has been enhanced by the new Legal Practice Structure, which was introduced in the previous year. Smaller teams have created a more supportive working environment where supervision is focused on improving knowledge and skills to enable staff to manage their workloads more efficiently.

In 2016/17, we have taken the time to review the key decision making processes throughout the Office to ensure that they facilitate early and speedy resolution of matters. We have consulted with key stakeholders as we look to implement a new Decision Making Matrix in the coming months.

Over the course of the year we have focused a lot of attention on improving the experience of victims in the criminal justice system. The collaboration between OPP solicitors and Witness Assistance Service social workers is vital to ensuring that victims and witnesses are engaged early, that communication with them is effective and that any additional referrals required occur in a timely manner.

While this effective communication is vitally important, we acknowledge it needs to be supported by information from other sources. This information needs to be easily accessible and available to victims and witnesses at a time when they are best able to review and absorb it. To address this we are developing a dedicated website for victims and witnesses to ensure that appropriate information is available. In developing this site we have drawn on the expertise of the Victims of Crime Consultative Committee and their input has proved

invaluable. We were very grateful that they were prepared to take the time to assist us in this very important work. In this context we have also been mindful of the needs of people living in regional Victoria and this website will be a great resource for them.

The most significant opportunity to improve efficiency in criminal prosecutions comes through the adoption of innovative technology. I am pleased to report that over the last year, we have a number of new initiatives based on cutting edge technology. The OPP's knowledge management system has been upgraded, adopting a web-based interactive search engine to enable our legal staff to access knowledge easily and efficiently. This is available to our lawyers whether they are in the office, at home or in the courts. Our Policy and Specialised Legal Division staff have done a fantastic job building this state-of-the-art knowledge management system.

We have also built a portal that will facilitate the service of Victoria Police briefs electronically. As part of this new system, Police will produce a searchable, hyperlinked and indexed PDF brief that can be served on the courts and other parties via cloud technology. This work was completed in 2016/17 and is now ready to be trialled. We have also built an electronic jury book to replace the traditionally used paper-based version, which will give jurors access to material via tablet or other electronic devices. We have piloted a number of tools that have assisted with presenting different types of evidence in court, including maps, photos and CCTV footage.

A paperless office working group has also commenced work in developing ways to run current prosecution files digitally. This work is enormously challenging, but the office is committed to embracing technology and leading the way in building a cutting edge technology platform that will carry us through the next decade.

With this work, the OPP is in a period of transformation, which will enable us to meet the demands of the criminal justice system for 2020 and beyond. This is indeed an exciting time for the Office.

Acknowledgments

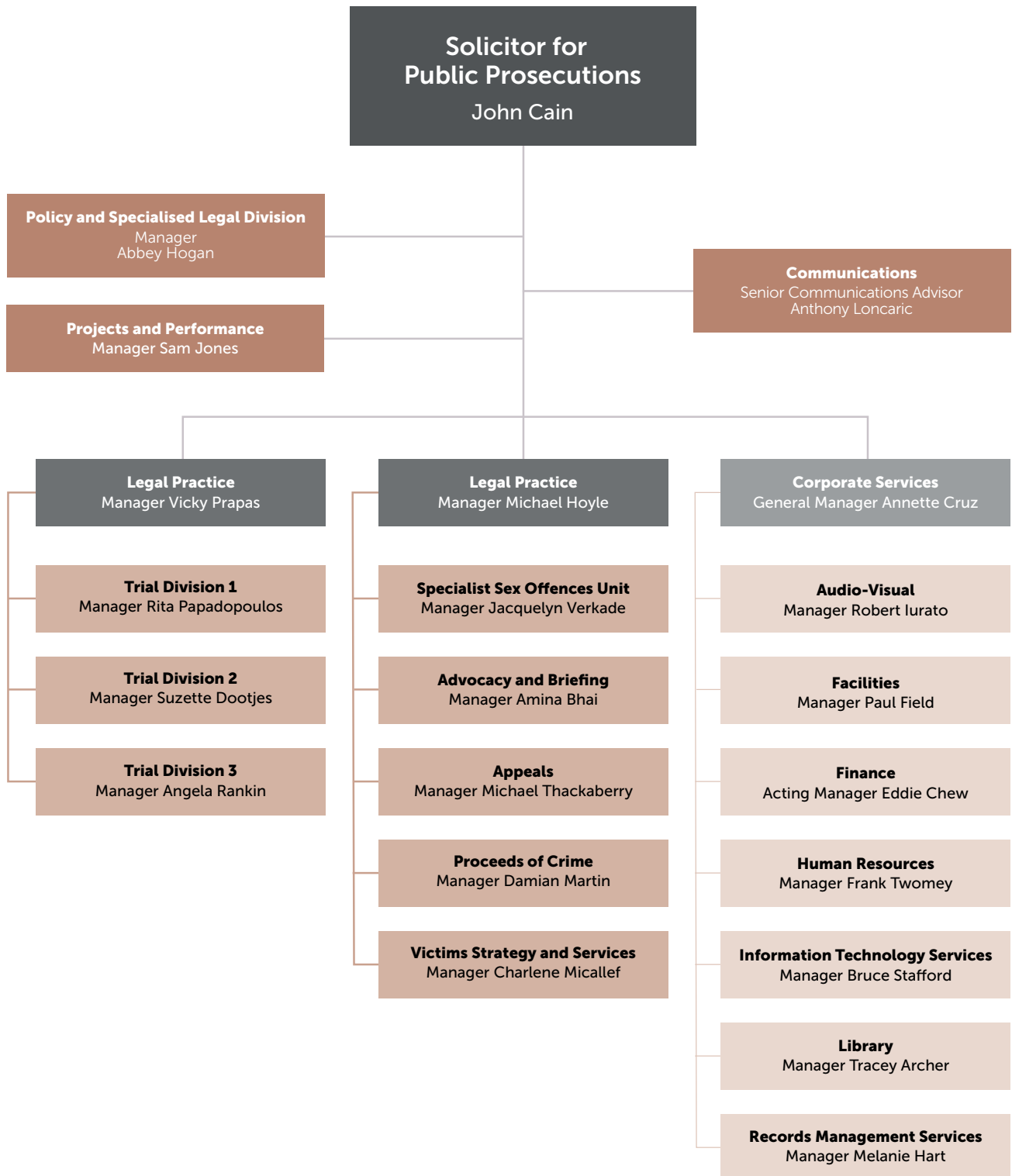
I have been greatly supported by the Director of Public Prosecutions John Champion S.C. and my Legal Practice Managers Vicky Prapas and Michael Hoyle, and Corporate Services Manager Annette Cruz. The progress this Office has made over the past 12 months would not have been possible without their assistance, support and leadership. I am very grateful to each of them.

It is also important to recognise the input of Crown Prosecutors who perform a vital function in the workings of the Victorian public prosecution service and their contribution to new initiatives has been invaluable.

Finally, I would like to acknowledge and thank all OPP staff for their hard work, dedication and commitment over the last year. The nature of our work is such that it is always challenging, and this group of dedicated people continue to make an outstanding contribution to the Victorian community.

John Cain
Solicitor for Public Prosecutions

Organisational Structure



* As at 30 June 2017

Legal Practice Report

A modern and innovative Legal Practice

Following the successful implementation of a new Legal Practice Structure in 2015/16, the OPP sought to improve current work practices through innovation and the adoption of new technology.

In 2016/17, the OPP commenced a number of projects to transition to a more streamlined, efficient and modernised Legal Practice.

Electronic brief portal

An electronic brief portal was developed to enable Victoria Police members to serve digital briefs of evidence to the OPP, the Magistrates' Court and defence on an online platform. The portal, which will be piloted in late-2017, notifies the parties in a criminal matter via email that the brief has been uploaded and served. The OPP is working with Victoria Police to create digital briefs that are fully searchable and hyperlinked, making case preparation easier and more efficient.

Paperless Pilot Project

The OPP commenced a move away from its reliance on paper by launching a Paperless Pilot Project to challenge staff to work in a digital format in the preparation of criminal matters. All key documents are now scanned at their entry point and OPP solicitors and administrative staff use specialised software to create briefs for external counsel and internal advocates. This innovative approach is aimed at significantly reducing time spent on file and brief preparation, allowing OPP solicitors more time to provide legal support and add value to their cases. This challenge has also been met by staff in Corporate Services, who have used digital document programs in their daily work.

Electronic jury book

The OPP also developed an electronic jury book, which gives jurors in criminal cases access to evidence presented in court via tablet devices. The electronic jury book allows exhibits to be preloaded, or loaded in real-time, onto a tablet. This format also allows jurors to make annotations and comments on their devices in privacy, eliminating the need for large amounts of folders and paper in a jury box. The traditional paper-based jury books take a huge amount of time to prepare, collate and print. The electronic jury book allows for greater agility and responsiveness in the preparation of information that a jury will hear in the running of criminal trials. This project is part of a broader move by the OPP to run criminal trials electronically. Smart screen technology was also used in criminal trials in 2017, which allows the prosecution and



defence to present evidence in court digitally, to capture the evidence and tender it to the jury without a reliance on paper.

Prosecution outcomes

In 2016/17, the OPP handled 2,728 new briefs for prosecution in the higher courts.

Of the new matters prosecuted in 2016/17, 517 matters – 19 per cent – involved family violence. The matters prosecuted included 1,500 general crime matters covering serious assaults, aggravated burglaries and armed robberies; 550 sexual offence matters; 338 drug offence matters; 145 homicide/culpable driving matters; 102 commercial crime matters; 54 mental impairment matters; 34 corruption matters; three Occupational Health and Safety matters; and two organised crime matters.

Crown Prosecutors, external barristers with expertise in criminal law, and OPP Solicitor Advocates were briefed to appear in these matters in courts in Melbourne and across regional Victoria.

Appearing on behalf of the DPP, they worked closely with OPP solicitors to deliver fair and just outcomes. Their role is to represent the State and act as 'ministers of justice' to assist the courts to fairly and impartially expose all relevant facts.

Overall, 90.1 per cent of prosecutions completed resulted in a guilty outcome – the highest guilty outcome achieved by the OPP on record.

Legal Practice Report

In achieving this outcome, prosecutors appeared in a total of 37,002 hearings in Victorian courts, 21 per cent of which were in regional Victoria.

Solicitors trained in prosecuting Koori Court matters appeared in 110 of these matters across Victoria, with 103 matters in County Koori Courts and seven matters in Magistrates' Koori Courts. This compared to 77 County Koori Court matters the previous year.

The OPP took over 27 matters in the Children's Court in 2016/17, following requests by Victoria Police and approval by the DPP. These matters involved the prosecution of serious crimes committed by children aged between 10 and 17 at the time of offending, including two sex offence matters and one culpable driving or homicide matter. The 24 other matters included violent offending, theft and carjacking. Many of these matters were legally complex, factually complex or the subject of high public interest.

The OPP serviced 11,916 Judicial Officer Sitting Days, up from 11,464 last year and a record level for the OPP.

Early resolution

OPP solicitors assess each matter as early as possible for a potential guilty plea to appropriate charges that reflect the accused's criminality, based on what can be proved beyond reasonable doubt, and that allows for a sentence that adequately reflects the criminality.

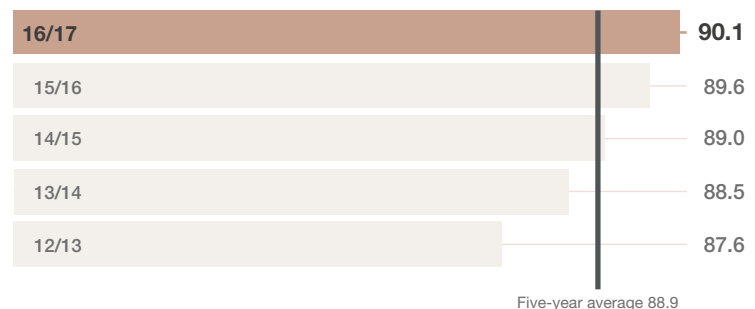
The Director's policy provides guidance and instruction to OPP solicitors and prosecutors in relation to resolving matters as guilty pleas.

As well as achieving fair and just outcomes in an efficient way, guilty pleas may relieve victims and witnesses of the burden of giving evidence at a trial, and provide certainty of outcome.

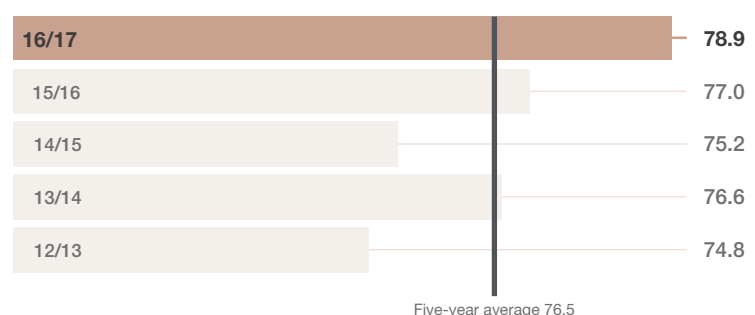
In 2016/17, 78.9 per cent of prosecutions were finalised as a guilty plea – the highest level recorded at the OPP since comparable records began 21 years ago.

Efforts were also made to achieve guilty pleas as early as possible in the prosecution process to save resources being diverted to trials that did not ultimately proceed. Of the guilty pleas achieved in 2016/17, 80.3 per cent were achieved by committal.

Overall Guilty Outcomes %



Guilty pleas as a percentage of all matters finalised %



Other results that reflect improved efficiencies in criminal prosecutions include:

- the average time taken to complete matters was 17.6 months, down from a five-year average of 20.5 months
- only 1.3 per cent of trials were adjourned on application of the Crown.

In 2016/17, acquittals were handed down in 103 matters, down from 118 in 2015/16.

Expertise

Crown Prosecutors are among the most experienced criminal prosecutors in Victoria. They are appointed to work exclusively for the DPP, and are allocated the most serious and complex matters.

They are responsible for signing indictments to bring accused people to trial, and for authorising the resolution of matters as guilty pleas.

Crown Prosecutors are also required to spend large amounts of time preparing written openings for both trials and pleas, and preparing written cases for all matters proceeding to the Court of Appeal, be they appeals on conviction or sentence.

In 2016/17, Crown Prosecutors appeared in the most high-profile and complex matters and prosecuted 30.1 per cent of Supreme Court trials.

External counsel, assisted by OPP solicitors who prepare matters for prosecution, appeared in 84.4 per cent of all committals, County and Supreme Court trials, and appeals. This included 93.2 per cent of County Court trials and 69.9 per cent of Supreme Court trials. Of matters briefed externally, 45.9 per cent of briefs went to female counsel.

In undertaking OPP briefs, counsel must abide by OPP Advocacy Key Competencies, which details expectations of behaviour and ethics, knowledge of the law, preparation, advocacy skills, and adherence to the DPP's policy and directions.

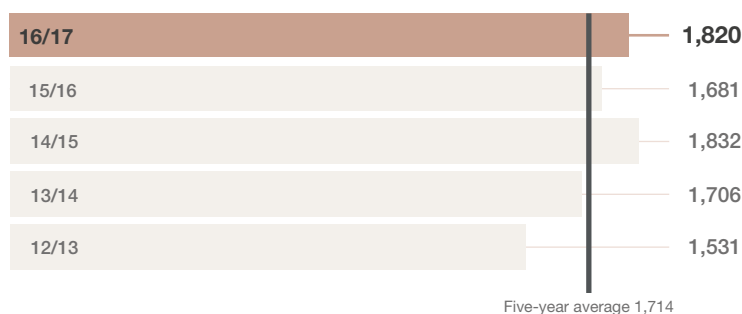
The OPP also has Solicitor Advocates who are internal prosecutors who have undertaken dedicated advocacy training and who appear in court to prosecute a variety of hearings on a daily basis. They are an integral part of the OPP Legal Practice.

In 2016/17, Solicitor Advocates conducted 1,820 hearings. They appeared at filing hearings, bail applications, committal mentions, contested committal hearings, and Magistrates' and County Court plea hearings. Principal Solicitor Advocates also appeared as junior counsel to Crown Prosecutors in trials.

Having an internal pool of Solicitor Advocates allows the OPP to:

- ensure effective and efficient use of OPP resources
- increase the pool of skilled prosecutors
- provide engaging and challenging work, and another career path for OPP solicitors
- attract the best advocates.

Solicitor Advocates – number of hearings conducted

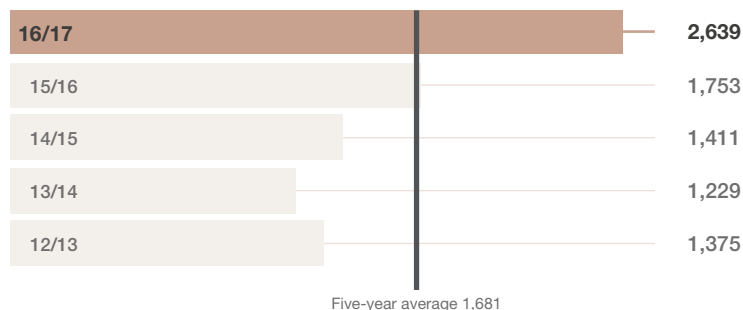


Victims and witnesses

The OPP's Witness Assistance Service (WAS) provides a specialist service to support victims and witnesses throughout their involvement in the criminal justice process.

In 2016/17, the OPP assisted 3,958 victims and witnesses, with some matters involving support for multiple victims and witnesses.

WAS consultations with victims and witnesses



A record 1,268 new matters were referred to WAS by OPP solicitors and WAS provided 2,639 professional consultations including debriefings, remote witness assistance and court tours.

Of the matters handled by WAS:

- 42.8 per cent involved sex offences
- 8.6 per cent involved homicide/culpable driving
- 46.4 per cent were general crime
- 2.2 per cent were for other matter types.

Of all the matters handled by WAS, 43.5 per cent involved family violence.

WAS prioritised assistance for matters involving a death, sexual assault, family violence, and particularly vulnerable victims and witnesses. Some matters were referred to the Child Witness Service and the Victims Assistance Programs, particularly for regional matters.

Proceeds of Crime

Proceeds of Crime is a specialist civil litigation unit that undertakes major litigation on behalf of the DPP under the *Confiscation Act 1997*.

Proceeds of Crime solicitors work to deter and disrupt criminal activity, and undermine the

Legal Practice Report

profitability of crime, by confiscating assets used to commit a crime or acquired through criminal activity. They also play an important role in preserving assets to compensate victims.

In 2016/17, Proceeds of Crime solicitors worked closely with partner agencies of the Victorian Asset Confiscation Scheme – the Victoria Police Criminal Proceeds Squad and Asset Confiscation Operations of the Department of Justice and Regulation – to confiscate tainted assets such as money, digital currency, real property, shares and motor vehicles. Proceeds of Crime also worked closely with an emerging partner in the asset confiscation space, the Independent Broad-based Anti-corruption Commission (IBAC) of Victoria, on a number of high-profile investigations.

Proceeds of Crime contributed to the Victorian Asset Confiscation Scheme by:

- obtaining a record 132 restraining orders worth about \$100 million in assets (gross value)
- confiscating more than \$18 million in illegally used assets and proceeds of crime which was paid to the State's consolidated revenue
- facilitating the payment of \$1.23 million to victims of crime (to satisfy compensation orders).

Landmark cases for Proceeds of Crime included:

- Unexplained Wealth laws were used successfully to shut down a cannabis crop cultivation operating in Melbourne's western suburbs
- Proceeds of Crime unit also successfully obtained unexplained wealth forfeiture of five properties worth more than \$3 million registered in the names of the family members of a convicted drug trafficker
- Proceeds of Crime obtained 15 serious drug offence restraining orders over assets connected to persons charged with a large commercial quantity drug offence in what was believed to be one of the largest drug hauls in Victoria. The assets restrained by the DPP include a multimillion-dollar property portfolio. This type of order serves as a highly effective deterrent as it results in a confiscation of all assets owned by an accused who is convicted of large commercial quantity drug trafficking or cultivation offence.

Appeals

The Appeals Division is responsible for the preparation and prosecution of most appeal matters where the DPP is a party.

These include:

- appeals from the Magistrates' Court or Children's Court to the County Court

- civil appeals and judicial reviews from the Magistrates' Court or the County Court to the Supreme Court
- appeals from the County Court or Supreme Court to the Court of Appeal
- applications for special leave to appeal, and appeals from the Court of Appeal to the High Court.

In 2016/17 the Appeals Division was restructured to consist of three teams, with each team led by a Team Leader. One of these teams was assigned to conduct contraventions prosecutions on behalf of the OPP.

County Court appeals

The DPP appears on behalf of Victoria Police to respond to most of the appeals by an accused person against either their conviction or sentence in the Magistrates' or Children's Courts. Appeals to the County Court are reheard from the beginning.

The DPP also has the power to appeal a sentence imposed in the Magistrates' Court or Children's Court to the County Court. The DPP must be satisfied that an appeal should be brought in the public interest. These appeal hearings also involve rehearings.

The OPP prosecuted 2,531 County Court appeals that were finalised in 2016/17. This was up from a five-year average of 2,479 a year. Of these, 83 per cent were sentence appeals and 17 per cent were conviction appeals. Of the appeals lodged by an accused person that were finalised, 51.8 per cent were allowed in full or in part.

Civil appeals and judicial reviews

The DPP can lodge or respond to civil appeals and judicial reviews in the Supreme Court's common law jurisdiction. These appeals are usually in relation to a question of law.

In the 2016/17 period, the DPP was a party to 33 decided civil appeals and judicial reviews.

Court of Appeal

The DPP responds to appeals lodged by any accused who has been sentenced in the Supreme Court or County Court. An accused can appeal their conviction by a jury, or the sentence imposed by a judge, or both. In the first instance, an accused person will seek leave to appeal from the Court of Appeal. If leave is granted, the appeal is then listed for a full hearing.

Alternatively, an applicant who is refused leave to appeal may seek to renew their application before two or more judges. The Court of Appeal then hands down a judgment in each case.

Of the 205 judgments handed down in 2016/17, the Court of Appeal:

- allowed 35 sentence appeals, and dismissed or refused leave in 89 cases. A further five appeals were abandoned by the accused.
- allowed 15 conviction appeals and dismissed or refused leave in 39 conviction appeals, while four were abandoned.

Nine retrials were ordered following an accused's successful appeal against conviction. Acquittals were ordered for at least one charge in six of the conviction appeals.

High Court appeals

The DPP is a party to all High Court proceedings flowing from any Court of Appeal judgment. There were 13 matters determined by the High Court in 2016/17.

The DPP was the appellant or an intervening party in four of these matters and was successful in three cases.

The DPP was the respondent in nine cases and was successful in all of them.

Appeals by the DPP

The DPP can lodge an appeal against a Supreme Court or County Court sentence to the Court of Appeal if the DPP considers:

- there is an error in the sentence and that a different sentence should be imposed; and
- is satisfied an appeal should be brought in the public interest.

In 2016/17, 18 DPP appeals against sentence to the Court of Appeal were finalised. The Court allowed 11 appeals and re-sentenced offenders, and dismissed seven appeals. In one

appeal lodged by the DPP that was dismissed, the Court of Appeal found that the sentences imposed were manifestly inadequate, but dismissed the DPP appeal on the basis of a residual discretion. Details of the Crown appeals decided in 2016/17 are listed in Appendix 3.

Contraventions

Contraventions matters are conducted when a person has not complied with the conditions of a community-based sentence.

In 2016/17, the OPP conducted 853 contraventions matters. This was a substantial increase from the 2015/16 period, in which 510 contraventions matters were conducted.

Case Completion Reports

Case Completion Reports are compiled by OPP solicitors detailing the key elements and outcomes for County and Supreme Court matters. These reports assisted the DPP to decide whether to lodge an appeal.

In 2016/17, 185 Case Completion Reports were referred to the DPP for instructions and 36 matters were appealed to either the County Court or Court of Appeal.

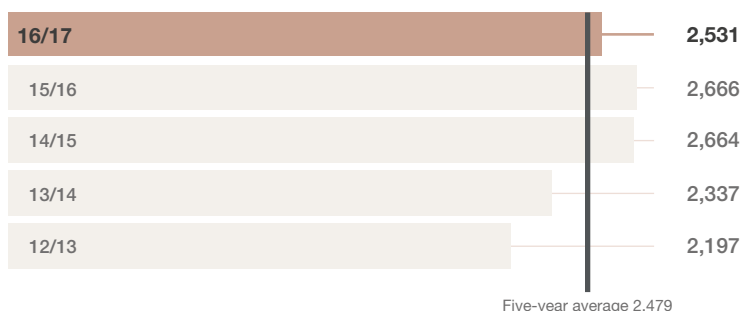
Policy and Specialised Legal Division

The Policy and Specialised Legal Division (PASL) undertakes research, develops policies and delivers advice on current legal issues for the DPP and the OPP.

One of its key roles is to coordinate and provide advice on matters dealt with by OPP staff and external agencies.

PASL processes requests for advice pursuant to the Director's policy on providing advice to external agencies. In 2016/17 the OPP received 164 requests for advice from external agencies, of which 141 were accepted. Advices are allocated to the legal practice with 54 being done within PASL.

County Court appeals completed



Significant cases

In 2016/17 the Court of Appeal continued to review and give guidance on current sentencing practices for a number of important categories of offending:

- *DPP v Bowden* [2016] VSCA 283 – confrontational aggravated burglary
- *DPP v Perry; Perry v R* [2016] VSCA 152 – statutory murder

Legal Practice Report

- *Poursanidis v R* [2016] VSCA 164 – fraud charged as a course of conduct
- *Nguyen v R* [2016] VSCA 198 – cultivation of a commercial quantity of a narcotic plant
- *Gregory (A Pseudonym) v R* [2017] VSCA 151 – trafficking of a commercial quantity of a drug of dependence.

The question of the weight to be given to current sentencing practice in the sentencing synthesis was taken up by the High Court of Australia in *R v Kilic* [2016] HCA 48 and there was continued guidance given on the *Evidence Act* 2009 (Vic) in relation to key concepts such as probative value and the use of tendency evidence in *R v Dickman* [2017] HCA 24 and *Hughes v R* [2017] HCA 20 respectively.

In addition, the first prosecution under section 25 of the *Racial and Religious Tolerance Act* 2001 was commenced in relation to the mock beheading that occurred in protests against the building of a mosque in Bendigo.

In another significant case, a major news publisher was fined \$300,000 and convicted of contempt of court following a civil proceeding brought by the DPP. The Director issued the proceeding following the abandonment of a murder trial in the Supreme Court after an article containing material that was not the subject of evidence before the jury was published on the Yahoo!7 news website.

Law reform

The OPP provided consultative comment on proposed amendments to the various Acts comprising the criminal law, including:

- *Drugs, Poisons and Controlled Substances Act* 1981
- *Sentencing Act* 1991
- *Jury Directions Act* 2015
- *Bail Act* 1977
- *Open Courts Act* 2013
- *Criminal Procedure Act* 2009.

The OPP also provided consultative comment on the introduction of new criminal offences including:

- carjacking
- aggravated carjacking
- home invasion
- aggravated home invasion
- public disorder offences.

The OPP contributed to the following law reform papers, draft legislation and consultation groups/forums:

- Expert Panel Review on Terrorism and Violent Extremism
- Victorian Law Reform Commission Consultation on the *Family Violence and the Victims of Crime Assistance Act* 1996
- Department of Justice and Regulation proposals on recommendations arising out of the Family Violence Royal Commission
- Criminal Law Review on Reducing trauma and delay for witnesses and victims
- Australian Law Reform Commission consultation on rates of indigenous incarceration
- Sentencing Advisory Council discussion paper on sentencing approaches to family violence
- Review of bail laws by the Hon. Paul Coghlan QC
- Sentencing Advisory Council Report on sentencing children.

New Policy of the Director of Public Prosecutions

A project to consolidate a series of more than 50 Director's policies and instructions into a single and simplified Policy of the Director of Public Prosecutions for Victoria was instigated by PASL in 2016/17.

The new policy will reflect a modern approach to prosecuting and is aimed at improving the community's understanding of how prosecuting decisions are made.

OPPedia

PASL made significant progress on the development of the OPP's new knowledge management system, OPPedia. It is a cutting edge resource containing the OPP's legal information and is available to all OPP solicitors and Crown Prosecutors. PASL's knowledge management team designed and built OPPedia from the ground up and it will soon replace all other OPP legal knowledge management systems.

Royal Commissions

The OPP continued to assist the Director in responding to the requirements and recommendations of three Royal Commissions affecting the criminal justice system:

- The OPP assisted the Director in cooperating with the requirements of the Royal Commission into Institutional Responses to Child Sexual Abuse. The Director provided the Commission with a detailed response to its Criminal Justice Consultation Paper and subsequently, along with

senior OPP staff, attended further public hearings to give evidence about a range of issues, in particular, technical legal issues relating to trials involving multiple child complainants. Following the hearings at which the Director gave evidence about the operation of tendency and coincidence evidence, the High Court delivered judgment in Hughes, which has significantly affected that area of evidence law.

- The OPP continued to support the Director in responding to a recommendation made by the Royal Commission into Family Violence in relation to identifying cases that may be a suitable basis for an application for a Guideline Judgment relating to sentencing in family violence-related matters.
- In conjunction with Victoria Police, OPP staff continued to assist the Director in assessing and coordinating responses to the various recommendations and referrals arising out of the Royal Commission into Trade Union Governance and Corruption.

The work of the OPP in assisting the Director to respond to the requirements and recommendations of these three significant Royal Commissions is expected to continue throughout 2017/18.

Other responsibilities

PASL managed one successful international extradition request from New Zealand in 2016/17, and also assisted the Commonwealth Attorney-General's Department with a number of ongoing requests for extradition from a variety of countries.

Learning and development

The Learning and Development Program has focused on three key areas:

- Legal Practice Induction
- Continuing Legal Education (CLE)
- Specialised Training.

The Legal Practice Induction Program utilises a blended learning methodology combining formal training, videos and eLearning modules. This program is mandatory for all new solicitors. Non-legal staff also participate in an induction program using this approach.

The past year saw the delivery of 39 CLE sessions. Total attendance at these sessions was 1,946. About half of these sessions were delivered by speakers from external agencies and Victoria Police.

A number of Specialised Training programs were developed and delivered to legal and non-legal staff. These included presentation skills, leadership and management development, mentoring, early resolution and Koori awareness.

The Modern Prosecutor Conference – organised on behalf of the DPP

The fourth Modern Prosecutor Conference was held for the benefit of external barristers briefed on the DPP's behalf to appear in cases conducted by the OPP.

It was officially opened by Attorney-General the Hon. Martin Pakula MP, and attracted more than 150 attendees, including about 100 external counsel.

DPP John Champion S.C. used the event to bring members of counsel up to date with recent developments in criminal prosecutions.

Of particular importance was the engaging panel discussion on The Prosecutor's Role – Judicial Insights, which was conducted by Her Honour Judge Lisa Hannan, Her Honour Judge Meryl Sexton, and His Honour Judge Gerard Mullaly.

Working with victims of crime was also a key focus and Royal Commissioner, His Honour Justice Peter McClellan AM, presented the Keynote Speech, Seeking 'Justice for Victims' – Part II.

The conference was a success, with 90 per cent of attendees surveyed rating it overall as either good, very good or excellent. More than 70 per cent of attendees rated the usefulness and relevance of the presentations as either very good or excellent.

Director's Series

The Director's Series is an initiative of the DPP in which leaders from across the community are invited to speak to those working in criminal prosecutions about their career path, to help inspire and motivate them in their work and daily lives.

County Court Chief Judge Peter Kidd shared insights about his life and career, as well as the experiences in his first year as Chief Judge.

Victorian Equal Opportunity and Human Rights Commissioner Kristen Hilton also presented on her career and leadership experiences.

Corporate Services Report

Corporate Services provided expertise in people management, technology, records management and a range of other services to support the OPP Legal Practice.

Corporate Services also put into place effective corporate governance mechanisms to ensure the OPP's statutory, operating, reporting and compliance obligations were met.

Seven business units worked together to provide corporate services, as well as manage the risk, strategic and business planning processes. These units were Audio-Visual, Human Resources, Finance, Information Technology Services, Facilities, Records Management Services and Library Services.

In 2016/17, Corporate Services supported the move to further modernise the Legal Practice by implementing innovative technology to create process efficiencies. Significant work was done to upgrade the OPP's information technology platforms, applications and infrastructure.

Harnessing technology to transform work practices

A number of information technology projects were delivered to support the OPP's move to reducing the amount of paper used to perform Legal Practice operations and create opportunities to better access, share and process information.

The OPP's email and calendar systems were successfully migrated to an online cloud environment, which resulted in greater functionality and the ability to integrate email and calendar information with records management and case management systems.

An upgrade of the OPP's electronic document and records management system (EDRMS) was completed in 2016/17, providing staff with increased capacity to manage documents in a paperless environment. Significant work was also done to develop and automate legal templates to ensure consistency in document preparation and simplify the process for assembling documentation.

A project to port the OPP's case management system onto a modern and extendable platform was completed in 2016/17. This allows for optimised performance speeds and improvements in data capture and reporting.

The Information Technology Services unit worked closely with Victoria Police to develop an electronic brief (eBrief) of evidence that is searchable, easy to use and compatible with portable devices. The eBrief and its accompanying online portal present a range of benefits in the use of cloud



**General
Manager
Corporate
Services
Annette Cruz.**

technology for delivering documents to stakeholders across the criminal justice system.

Support was also provided by the Information Technology Services and Audio-Visual units in introducing electronic jury books, which will eliminate the need to produce these documents in hard copy.

Improvements were made to the OPP's online invoice approval process and new templates were developed by Finance to enable this process to be undertaken in the new email environment. This has contributed to high-level payment performance, where 98.2 per cent of invoices were paid within the government terms of 30 days.

The upgrade of desktop computers and mobile devices, including laptops and tablets, commenced in 2016/17 and will continue into the coming year. A review of the Standard Operating Environment also commenced during the year to create an environment that can be effectively supported and maintained.

In 2016/17, the Audio-Visual unit performed 1,149,095 media actions including conversions, edits and audio or visual enhancements to enable evidence to be provided in a court compatible format. These included CCTV images, recordings of interviews, images extracted from computer hard drives and audio of phone intercepts. The Audio-Visual Unit also introduced touch screen technology in courtrooms. This technology will be used more extensively in 2017/18.

Paperless Pilot

Corporate Services staff provided information technology support for a Paperless Pilot Project, which commenced in 2016/17. The project explores the use of technology to create greater efficiencies with performing legal work and to support the move from an intensive paper-based environment to a digitised environment.

Productivity improvements were achieved in the first three months of the project, with reductions in time and effort to compile and collate documents. The findings from the pilot will inform future digital strategies.

Data and financial reporting

Data and financial reporting improvements were made to better assist in monitoring, analysing and assessing organisational and divisional/business unit performance. Financial reports were tailored to meet the specific needs of managers and with functional enhancements to the case management system, a wider range of reports are now produced to provide better performance information and business intelligence.

People management and support

Following the implementation of the new legal structure in 2015/16, a 12-month review was conducted this year by the Human Resources (HR) unit. The review confirmed that the new structure was working as intended and no major modifications were identified.

HR was also involved in providing support for reviews of the Audio-Visual, Projects and Performance, Appeals and Proceeds of Crime Units to ensure that structure, management and day-to-day operations of these units was optimal.

A number of HR policies were reviewed and updated including Gifts Benefits and Hospitality, Flexible Work Practices, Family Violence and Leave policies.

Health and wellbeing

The OPP offered a wellbeing program providing staff with the opportunity to participate in a range of activities, including lunchtime seminars on health and wellbeing topics. The value of the wellbeing program is reflected in the positive feedback from staff on how the program operates and how it promotes healthy lifestyles. Free annual wellbeing checks were made available to all staff, which provided them with an opportunity to confidentially discuss their mental wellbeing with a professional counsellor and receive practical feedback.

Training and development

The Legal Practice Induction Program was reviewed and refreshed by the HR unit and now utilises a blended learning methodology combining formal training, videos and eLearning modules. This program is mandatory for all new solicitors, while non-legal staff also participate in an induction program using this approach.

The Learning and Development Program focused on the areas of legal practice induction, Continuing Legal Education (CLE) and specialised training. In 2016/17, 39 CLE sessions were delivered, with a total of 1,946 legal staff attending these sessions across the year.

The Seasonal Clerkship Program was reintroduced providing an opportunity for students who are in their final year of study to gain practical legal experience, develop skills and explore the career path that the OPP can offer in criminal law. The clerks were each assigned to a team in the Legal Practice and given legal tasks to help them get involved and understand the work of the Office. The clerkship program also provided development opportunities for OPP staff, who took on the roles of mentors and supervisors. Given the success of the program, the OPP Legal Trainees for 2018 will be selected from this year's pool of seasonal clerks.

A People Strategy was developed by the HR unit to support the OPP Strategic Plan 2017-21. The strategy outlines five key areas of activity, with work to address these areas to be delivered in 2017/18:

- attracting and retaining the best employees to deliver a high quality prosecution service
- supporting professional growth and career development
- promoting a culture of inclusivity, good health and wellbeing
- establishing a culture of accountability and high performance
- enhance the Office's ability to lead, implement and respond to change.

Accommodation Project

Stage two of the OPP's Accommodation Project commenced in 2016/17, after additional funding was received to complete the remaining refurbishment works not covered in stage one. The works will provide improved operational amenities and environmental efficiency via lighting and mechanical services upgrades. Security upgrades were also completed in 2016/17, including the installation of additional security mechanisms and monitoring systems.

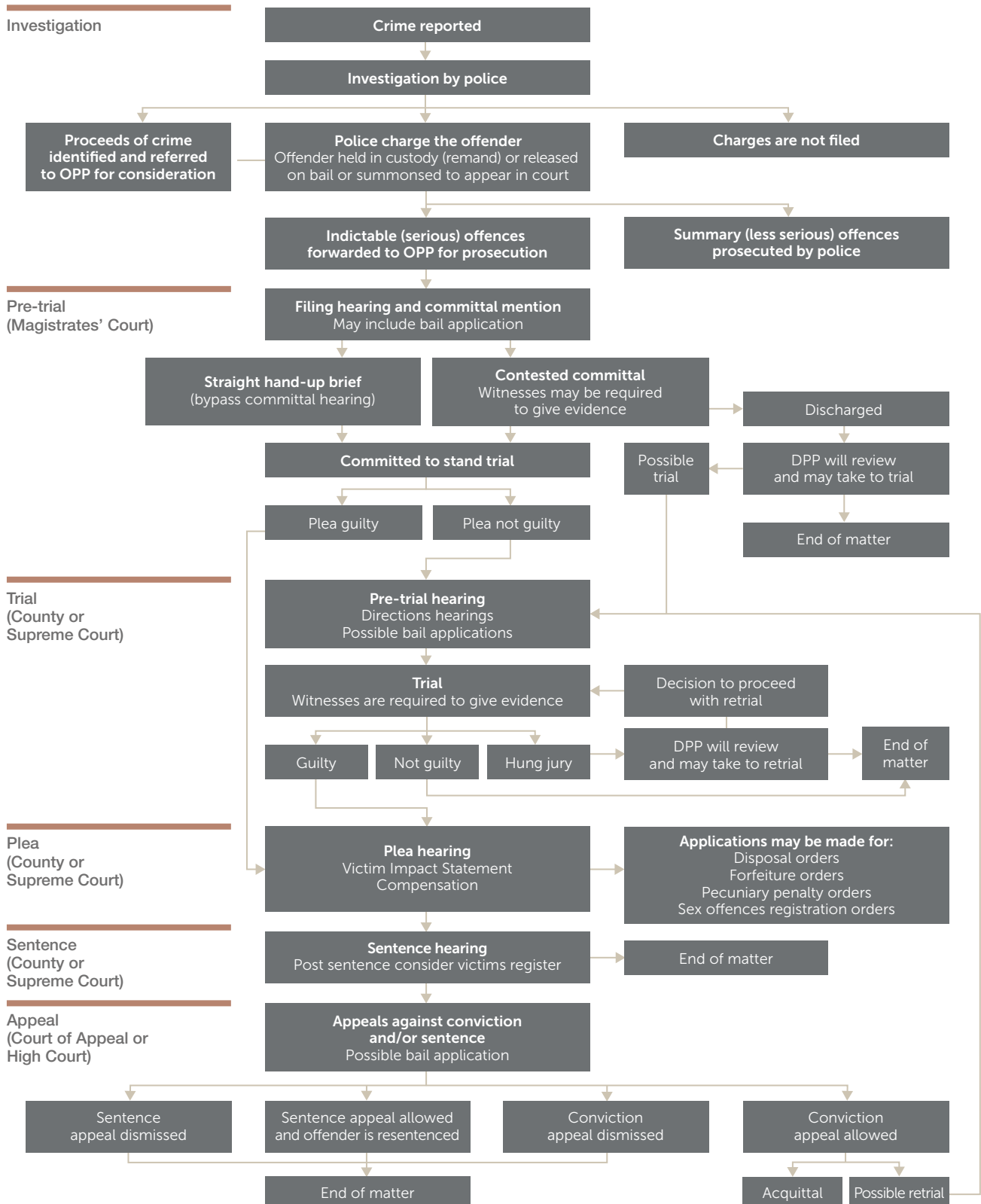
Committees

In 2016/17, the DPP, OPP and Crown Prosecutors' Chambers were represented on a range of standing committees and advisory groups with other representatives of the criminal justice system.

Committee	Purpose	Chair
Asset Confiscation Scheme Strategy Committee	Oversee management of the Confiscation Scheme	DOJR
Australian Academy of Forensic Sciences Steering Committee	Improve the practice and advance the knowledge of forensic sciences	DPP
Bail Reform Implementation Working Group	Progress further consultation on bail reforms, and to consider these reforms in conjunction with other criminal justice system reforms	DOJR
Child Witness Service Advisory Committee	Discuss and review CWS practice and policy	DOJR/VSA
Confiscations and Forfeiture Strategy Project Group	Discuss confiscation potential in IBAC matters	IBAC
County Court Criminal Users Group	Address issues about the County Court's criminal jurisdiction	County Court
Criminal Law Review – Offences Review Group	Oversee the review of all criminal offences in Victoria	DOJR
Court of Appeal Criminal Reforms Reference Group	Discuss criminal appeal reforms	COA President Maxwell
Expert Panel on Terrorism and Violent Extremism Prevention and Response Powers	Examine and evaluate the operation and effectiveness of Victoria's key legislation and related powers and procedures of relevant agencies to prevent, monitor, investigate and respond to terrorism	The Hon. David Harper/Ken Lay, Chief Commissioner of Police (Ret.)
Forensic Evidence Working Group	Develop and maintain court Practice Notes relating to forensic and expert evidence	COA President Maxwell
Forensic Services Advisory Board	Consult and advise to Deakin University on forensic science	Dr Jim Pearson, Acting Chief Forensic Scientist, Forensic Services Department, Victoria Police
Informer Offenders Working Group	Establish procedures for how sentencing courts deal with informers	DPP
Intermediary Pilot Advisory Committee	Provide advice on the intermediary pilot model and its effective implementation	Vicky Bahen, Victims Support Agency
Judicial College of Victoria Sentencing Manual Committee	Maintain and publicise the JCV Sentencing Manual	Supreme Court Judge Jane Dixon
Jury Directions Advisory Group	Implement the VLRC's recommendations on jury directions in criminal trials	DOJR
Magistrates' Court Criminal Court Users Group	Address issues relating to the Magistrates' Court criminal jurisdiction	Melbourne Magistrates' Court
OPP/Victoria Police Consultative Forum	Discuss issues of mutual concern	Victoria Police and OPP alternately
Sentencing Advisory Council	Conduct research and advise government and courts on sentencing issues	SAC
Supreme Court and Emergency Management Liaison Committee	Address security issues at the Supreme Court	DOJR
Victims of Crime Consultative Committee	Develop policy and services for victims of crime	Former Supreme Court Judge Bernard Teague
Victorian Law Reform Commission	Formal consultation with victim, witness and court support organisation	The Hon Philip Cummins

Summary of the Court and Prosecution Process

Victims and witnesses are supported throughout the prosecution process.



Financial Summary

Overview

A summary of the Office of Public Prosecution's financial performance in 2016/17 is set out below. Full financial details for 2016/17 are outlined in the Financial Statements.

The Victorian Government considers the net result from transactions to be the appropriate measure of financial management that can be directly attributed to government policy. This measure excludes the effects of revaluations (holding gains or losses) arising from changes in market prices and other changes in the volume of assets shown under 'other economic flows' on the comprehensive operating statement, which are outside the control of the OPP.

In 2016/17, the OPP reported a positive net result from transactions of \$306,000, an increase of \$305,000 from the previous financial year. Both total income and expenses from transactions have been steadily increasing since 2013/14 reflecting demand and price increases and funding to meet these escalations.

The overall net result of \$48,000 is a good turnaround following two previous years of negative net result.

Total net assets have continued to grow over the last five years with increased investment in refurbishment works, information technology systems, plant and equipment.

Net cash flows from operating activities have fluctuated over the last five years and are mainly impacted by the level of receivables, accruals and provision for employee entitlements.

Financial performance

In 2016/17, revenue totalled \$65.984 million against expenditure of \$65.678 million. Expenditure was higher by 8.5 per cent from the previous year due to increased external

barrister expenses associated with the volume and complexity of matters, IT licencing fees for new IT products and systems and employee costs linked to increased staff numbers and salary increases ensuing from the VPS Enterprise Agreement. The overall net result from continuing operations in 2016/17 was a surplus of \$48,000 after adjusting for movements in the long service leave provision affected by the adoption of a new Department of Treasury and Finance model.

Financial position – balance sheet

Total assets in 2016/17 increased by \$0.466 million from the previous year to \$27.502 million. This was mainly due to prepayments made to DTF to undertake refurbishment works to the Office's main premises. An increase in the value of land and buildings following an asset revaluation process accounted for \$0.147 million of the increase.

Total liabilities in 2016/17 increased by \$0.274 million with payables for barrister fees and provisions for employee benefits linked to higher salary costs and staff leave patterns accounting for the increase.

Cash flows

Net cash flows from operating activities were \$0.754 million lower than last year due to a pattern and timing of payment to suppliers and a higher level of employee provisions compared to the previous year. Net cash outflows from investing activities were \$5.096 million lower than the previous year due to lower capital expenditure following the completion of major refurbishment works last year. Net cash outflows from financing activities were \$3.961 million lower due to the absence of capital funding following the completion of refurbishment works in the previous year.

Five year financial summary		(\$ thousand)			
	2017	2016	2015	2014	2013
Income from government	65,984	60,521	59,902	57,908	57,587
Total income from transactions	65,984	60,521	59,902	57,908	57,587
Total expenses from transactions	65,678	60,522	59,900	57,888	57,548
Net result from transactions	306	(1)	2	20	39
Net result for the period	48	(1,100)	(198)	72	122
Net cash flows from operating activities	922	1,676	963	889	619
Total assets	27,502	27,036	23,250	21,516	22,165
Total liabilities	16,997	16,723	16,493	15,281	15,987

Office of Public Prosecutions

Financial Report for the year ended 30 June 2017

Responsible Minister
The Honourable Martin Pakula MP

Solicitor for Public Prosecutions
John Cain

How this report is structured

The Office of Public Prosecutions (OPP) has presented its audited general purpose financial statements for the financial year ended 30 June 2017 in the following structure to provide users with the information about the OPP's stewardship of resources entrusted to it.

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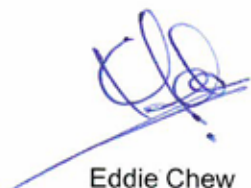
DECLARATION IN THE FINANCIAL STATEMENTS

The attached financial statements for the Office of Public Prosecutions have been prepared in accordance with Direction 5.2 of the Standing Directions of the Minister for Finance under the *Financial Management Act 1994*, applicable Financial Reporting Directions, Australian Accounting Standards including Interpretations, and other mandatory professional reporting requirements.

We further state that, in our opinion, the information set out in the comprehensive operating statement, balance sheet, statement of changes in equity, cash flow statement and accompanying notes, presents fairly the financial transactions during the year ended 30 June 2017 and financial position of the Office at 30 June 2017.

At the time of signing, we are not aware of any circumstance which would render any particulars included in the financial statements to be misleading or inaccurate.

We authorise the attached financial statements for issue on 9 October 2017.



Eddie Chew
Chief Finance Officer
Office of Public Prosecutions



John Cain
Solicitor for Public Prosecutions
Office of Public Prosecutions

Melbourne
9 October 2017

Melbourne
9 October 2017

Independent Auditor's Report

To the Solicitor for Public Prosecutions of the Office of Public Prosecutions

Opinion	<p>I have audited the financial report of the Office of Public Prosecutions (the authority) which comprises the:</p> <ul style="list-style-type: none">• balance sheet as at 30 June 2017• comprehensive operating statement for the year then ended• cash flow statement for the year then ended• statement of changes in equity for the year then ended• notes to the financial statements, including a summary of significant accounting policies• declaration in the financial statements. <p>In my opinion the financial report presents fairly, in all material respects, the financial position of the authority as at 30 June 2017 and their financial performance and cash flows for the year then ended in accordance with the financial reporting requirements of Part 7 of the <i>Financial Management Act 1994</i> and applicable Australian Accounting Standards.</p>
Basis for Opinion	<p>I have conducted my audit in accordance with the <i>Audit Act 1994</i> which incorporates the Australian Auditing Standards. My responsibilities under the Act are further described in the <i>Auditor's Responsibilities for the Audit of the Financial Report</i> section of my report.</p> <p>My independence is established by the <i>Constitution Act 1975</i>. My staff and I are independent of the authority in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 <i>Code of Ethics for Professional Accountants</i> (the Code) that are relevant to my audit of the financial report in Australia. My staff and I have also fulfilled our other ethical responsibilities in accordance with the Code.</p> <p>I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.</p>
Solicitor for Public Prosecutions' responsibilities for the financial report	<p>The Solicitor for Public Prosecutions of the authority is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and the <i>Financial Management Act 1994</i>, and for such internal control as the Solicitor for Public Prosecutions determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.</p> <p>In preparing the financial report, the Solicitor for Public Prosecutions is responsible for assessing the authority's ability to continue as a going concern, and using the going concern basis of accounting unless it is inappropriate to do so.</p>


Auditor's responsibilities for the audit of the financial report As required by the *Audit Act 1994*, my responsibility is to express an opinion on the financial report based on the audit. My objectives for the audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian 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 this financial report.

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

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

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

MELBOURNE
10 October 2017


Travis Derricott
as delegate for the Auditor-General of Victoria

Comprehensive operating statement for the financial year ended 30 June 2017

(\$ thousand)			
	Notes	2017	2016
Continuing operations			
Income from transactions			
Government grants	2.2	65,984	60,521
Total income from transactions		65,984	60,521
Expenses from transactions			
Employee expenses	3.1.1	(41,505)	(38,816)
Depreciation and amortisation	5.1.1	(1,265)	(1,150)
Interest expense	7.1.2	(28)	(33)
Other operating expenses	3.2	(22,880)	(20,523)
Total expenses from transactions		(65,678)	(60,522)
Net result from transactions (net operating balance)		306	(1)
Other economic flows included in net result			
Other gains/(losses) from other economic flows (a)	9.1	(258)	(1,099)
Total other economic flows included in net result		(258)	(1,099)
Net result from continuing operations		48	(1,100)
Net result		48	(1,100)
Other economic flows – other comprehensive income:			
Items that will not be reclassified to net result			
Changes in physical asset revaluation surplus	9.3	147	330
Total other economic flows – other comprehensive income		147	330
Comprehensive result		195	(770)

The accompanying notes form part of these financial statements.

Note:

(a) Includes unrealised and realised gains/(losses) from revaluations, impairments, and disposals of all physical assets and intangible assets except when these are taken through the asset revaluation surplus.

Balance sheet as at 30 June 2017

			(\$ thousand)
	Notes	2017	2016
Assets			
Financial assets			
Cash and deposits	7.3	218	217
Receivables	6.1	15,647	16,685
Total financial assets		15,865	16,902
Non-financial assets			
Non-financial asset held for sale	9.2	10	12
Other non-financial assets	6.3	2,136	452
Property, plant and equipment	5.1	9,203	9,361
Intangible assets	5.2	288	309
Total non-financial assets		11,637	10,134
Total assets		27,502	27,036
Liabilities			
Payables	6.2	5,116	4,935
Borrowings	7.1	631	689
Employee related provisions	3.1.2	11,250	11,099
Total liabilities		16,997	16,723
Net assets		10,505	10,313
Equity			
Accumulated deficit		(6,863)	(6,911)
Physical asset revaluation surplus	9.3	1,542	1,395
Contributed capital		15,826	15,829
Net worth		10,505	10,313

The accompanying notes form part of these financial statements.

Cash flow statement for the financial year ended 30 June 2017

			(\$ thousand)
	Notes	2017	2016
Cash flows from operating activities			
Receipts			
Receipts from government		67,023	60,016
Total receipts		67,023	60,016
Payments			
Payments to suppliers and employees		(66,073)	(58,307)
Interest and other costs of finance paid		(28)	(33)
Total payments		(66,101)	(58,340)
Net cash flows from/(used in) operating activities	7.3.1	922	1,676
Cash flows from investing activities			
Purchases of non-financial assets		(731)	(5,827)
Net cash flows from/(used in) investing activities		(731)	(5,827)
Cash flows from financing activities			
Owner contributions by State Government		–	4,353
Repayment of finance leases		(190)	(202)
Net cash flows from/(used in) financing activities		(190)	4,151
Net increase/(decrease) in cash and cash equivalents		1	–
Cash and cash equivalents at beginning of financial year		217	217
Cash and cash equivalents at end of financial year	7.3	218	217

The accompanying notes form part of these financial statements.

Statement of changes in equity for the financial year ended 30 June 2017

					(\$ thousand)
	Notes	Physical asset revaluation surplus	Accumulated Deficit	Contributed Capital	Total
Balance at 1 July 2015		1,065	(5,811)	11,503	6,757
Net result for the year		–	(1,100)	–	(1,100)
Revaluation increment		330	–	–	330
Capital appropriations		–	–	4,326	4,326
Balance at 30 June 2016		1,395	(6,911)	15,829	10,313
Net result for the year		–	48	–	48
Revaluation increment		147	–	–	147
Capital appropriations		–	–	(3)	(3)
Balance at 30 June 2017		1,542	(6,863)	15,826	10,505

The accompanying notes form part of these financial statements.

Notes to the financial statements for the financial year ended 30 June 2017

1. About this report

The Office of Public Prosecutions (OPP) is an independent statutory authority of the State of Victoria, established under the *Public Prosecutions Act 1994*.

A description of the nature of the OPP's operations and its principal activities is included in the report of operations, which does not form part of these financial statements.

Its principal address is:

Office of Public Prosecutions
565 Lonsdale Street
Melbourne VIC 3000

Basis of preparation

These financial statements are in Australian dollars and the historical cost convention is used unless a different measurement basis is specifically disclosed in the note associated with the item measured on a different basis.

The accrual basis of accounting has been applied in preparing these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Consistent with the requirements of AASB 1004 Contributions, contributions by owners (that is, contributed capital and its repayment) are treated as equity transactions and, therefore, do not form part of the income and expenses of the OPP.

Additions to net assets which have been designated as contributions by owners are recognised as contributed capital. Other transfers that are in the nature of contributions to or distributions by owners have also been designated as contributions by owners.

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements 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. Actual results may differ from these estimates.

All amounts in the financial statements have been rounded to the nearest \$1,000 unless otherwise stated.

Compliance information

These general purpose financial statements have been prepared in accordance with the *Financial Management Act 1994* (FMA) and applicable Australian Accounting Standards (AASs) which include Interpretations, issued by the Australian Accounting Standards Board (AASB). In particular, they are presented in a manner consistent with the requirements of the AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Where appropriate, those AASs paragraphs applicable to not-for-profit entities have been applied. Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

2. Funding delivery of our services

Introduction

The OPP provides an independent, effective and efficient prosecutions service on behalf of the Director of Public Prosecutions. In addition to the prosecution of serious crimes, the OPP also provides professional support to witnesses and victims of crime involved in its cases.

<i>Structure</i>	<i>Page</i>
2.1 Income from transactions	34

2.1 Income from transactions

The OPP is predominately funded by a grant from the Department of Justice and Regulation.

2.1.1 Grants

	(\$ thousand)	
	2017	2016
Government grant		
Grants from the Department of Justice and Regulation	65,984	60,521
Total government grants	65,984	60,521

Grant income arises from transactions in which a party provides goods or assets (or extinguishes a liability) to the Department of Justice and Regulation without receiving approximately equal value in return. While grants may result in the provision of some goods or services to the transferring party, they do not provide a claim to receive benefits directly of approximately equal value.

3. The cost of delivering services

Introduction

This section provides an account of the expenses incurred by the OPP in delivering services and outputs. In Section 2, the funds that enable the provision of services were disclosed and in this note the cost associated with provision of services is recorded. Section 4 discloses aggregated information in relation to the income and expenses by output.

<i>Structure</i>	<i>Page</i>
3.1 Expenses incurred in delivery of services	35
3.2 Other operating expenses	38

3.1 Expenses incurred in delivery of services

		(\$ thousand)	
	<i>Notes</i>	<i>2017</i>	<i>2016</i>
Employee benefit expenses	3.1.1	41,505	38,816
Other operating expenses	3.2	22,880	20,523
Total expenses incurred in delivery of services		64,385	59,339

3.1.1 Employee benefits in the comprehensive operating statement

	(\$ thousand)	
	<i>2017</i>	<i>2016</i>
Defined contribution superannuation expense	2,575	2,339
Defined benefit superannuation expense	508	556
Termination benefits	167	11
Salaries and wages, annual leave and long service leave	38,255	35,910
Total employee expenses	41,505	38,816

Employee expenses include all costs related to employment including wages and salaries, fringe benefits tax, leave entitlements, termination payments and WorkCover premiums.

The amount recognised in the comprehensive operating statement in relation to superannuation is employer contributions for members of both defined benefit and defined contribution superannuation plans that are paid or payable during the reporting period. The OPP does not recognise any defined benefit liabilities because it has no legal or constructive obligation to pay future benefits relating to its employees. Instead, the Department of Treasury and Finance (DTF) discloses in its annual financial statements the net defined benefit cost related to the members of these plans as an administered liability (on behalf of the State as the sponsoring employer).

Termination benefits are payable when employment is terminated before normal retirement date, or when an employee accepts an offer of benefits in exchange for the termination of employment. Termination benefits are recognised when the OPP is demonstrably committed to terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value.

3.1.2 Employee benefits in the balance sheet

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

	(\$ thousand)	
	2017	2016
Current provisions:		
Annual leave		
Unconditional and expected to settle within 12 months	2,098	2,011
Unconditional and expected to settle after 12 months	318	364
Long service leave		
Unconditional and expected to settle within 12 months	585	3,774
Unconditional and expected to settle after 12 months	5,524	2,063
Provisions for on-costs		
Unconditional and expected to settle within 12 months	614	1,194
Unconditional and expected to settle after 12 months	942	385
Total current provisions for employee benefits	10,081	9,791
Non-current provisions:		
Employee benefits	1,027	1,140
On-costs	142	168
Total non-current provisions for employee benefits	1,169	1,308
Total provisions for employee benefits	11,250	11,099

	(\$ thousand)	
	2017	2016
Reconciliation of movement in on-cost provision		
Opening balance	1,747	1,720
Additional provisions recognised	909	872
Reductions arising from payments/other sacrifices of future economic benefits	(958)	(845)
Closing balance	1,698	1,747
Current	1,556	1,579
Non-current	142	168

Liabilities for annual leave are recognised in the provision for employee benefits as current liabilities. Those liabilities that are expected to be settled within 12 months of the reporting period are measured at nominal values. Those liabilities that are not expected to be settled within 12 months are also recognised in the provision for employee benefits as current liabilities, but are measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

Liabilities for long service leave are recognised in the provision for employee benefits.

The OPP adopted a new model to calculate the provision for long service leave in 2016–17. The previous model assumed that long service leave is taken as a lump sum, the new model assumes it is taken a few days at a time. Therefore, the new model apportions more of the unconditional long service leave liability over future years than the old model, based on an assumed pattern of payments.

No provision has been made for sick leave as all sick leave is non-vesting and it is not considered probable that the average sick leave taken in the future will be greater than the benefits accrued in the future. As sick leave is non-vesting, an expense is recognised in the Statement of Comprehensive Income as it is taken.

Employment on-costs such as payroll tax, workers compensation and superannuation are not employee benefits. They are disclosed separately as a component of the provision for employee benefits when the employment to which they relate has occurred.

Unconditional LSL is disclosed as a current liability; even where the OPP does not expect to settle the liability within 12 months because it will not have the unconditional right to defer the settlement of the entitlement should an employee take leave within 12 months.

The components of this current LSL liability are measured at:

- undiscounted value – if the OPP expects to wholly settle within 12 months; or
- present value – if the OPP does not expect to wholly settle within 12 months.

Conditional LSL is disclosed as a non-current liability. There is an unconditional right to defer the settlement of the entitlement until the employee has completed the requisite years of service. This non-current LSL is measured at present value.

Any gain or loss following revaluation of the present value of non-current LSL liability is recognised as a transaction, except to the extent that a gain or loss arises due to changes in bond interest rates for which it is then recognised as an 'other economic flow' in the net result.

3.1.3 Superannuation contributions

Employees of the OPP are entitled to receive superannuation benefits and the OPP contributes to both defined benefit and defined contribution plans. The defined benefit plan(s) provides benefits based on years of service and final average salary.

As noted before, the defined benefit liability is recognised in DTF as an administered liability. However, superannuation contributions paid or payable for the reporting period are included as part of employee benefits in the comprehensive operating statement of the OPP.

	(\$ thousand)			
	Paid contribution for the year		Contribution outstanding at the end of the year	
	2017	2016	2017	2016
Defined benefit plans (a)				
State Superannuation Fund	500	552	8	5
Defined contribution plans				
VicSuper	1,813	1,723	33	3
Other	709	606	20	6
Total	3,022	2,881	61	14

Note:

(a) The basis for determining the level of contributions is determined by the various actuaries of the defined benefit superannuation plans.

3.2 Other operating expenses

	(\$ thousand)	
	2017	2016
Supplies and services		
Professional services and witness payments	14,373	12,479
Property maintenance	588	685
Information technology	1,693	1,075
Printing, stationery & library	724	776
Postage, communication & OPP expenses	889	918
Interpreters	442	401
Other – travel, personal exp claims, motor vehicles	967	544
Audit services	50	69
Total supplies and services	19,726	16,947
Operating lease rental expenses		
Lease payments	3,154	3,576
Total operating lease rental expenses	3,154	3,576
Total other operating expenses	22,880	20,523

Other operating expenses generally represent the day-to-day running costs incurred in normal operations. It also includes bad debts expense from transactions that are mutually agreed.

Supplies and services are recognised as an expense in the reporting period in which they are incurred.

Operating lease payments (including contingent rentals) are recognised on a straight line basis over the lease term, except where another systematic basis is more representative of the time pattern of the benefits derived from the use of the leased asset.

Fair value of assets and services received free of charge or for nominal consideration

Contributions of resources received free of charge or for nominal consideration are recognised at their fair value when control is obtained over them, irrespective of whether these contributions are subject to restrictions or conditions over their use. Contributions in the form of services are only recognised when a fair value can be reliably determined and the services would have been purchased if not received as a donation.

The Department of Justice and Regulation provides certain governance, executive and support services and resources to the OPP. The value of these services, which includes the use of the Department's financial and payroll systems, is not recognised in the financial statements of the OPP, as the Department is centrally funded to provide these services and the fair value of such services cannot be reliably determined.

4. Disaggregated financial information by output

Introduction

The OPP is predominately funded by a grant from the Department of Justice and Regulation. This section provides a description of the OPP output delivered during the year ended 30 June 2017 along with the objective of the output.

<i>Structure</i>	<i>Page</i>
4.1 Output of the OPP	39
4.2 Description and objectives	39

4.1 Output of the OPP

As there is only one output group within the OPP, controlled income and expenses and controlled assets and liabilities are included in the financial statements (comprehensive operating statement and balance sheet).

4.2 Description and objectives

The OPP's overall objective is to conduct an effective, economical and efficient prosecution service as an integral part of the criminal justice system. The services provided by the OPP must meet community expectations of fairness, impartiality and independence in the application of criminal law.

5. Key assets available to support output delivery

Introduction

The OPP controls infrastructure and other investments that are utilised in fulfilling its objectives and conducting its activities. They represent the resources that have been entrusted to the OPP to be utilised for delivery of those outputs.

<i>Structure</i>	<i>Page</i>
5.1 Total property, plant and equipment	40
5.2 Intangible assets	44

5.1 Total property, plant and equipment

	(\$ thousand)					
	Gross carrying amount		Accumulated depreciation		Net carrying amount	
	2017	2016	2017	2016	2017	2016
Land at fair value	1,617	1,470	–	–	1,617	1,470
Buildings at fair value	121	84	(17)	–	104	84
Leasehold improvements at fair value	4,525	4,562	(1,106)	(694)	3,419	3,867
Plant and equipment at fair value	4,395	4,726	(1,688)	(1,458)	2,707	3,268
Motor vehicles at fair value	958	986	(341)	(314)	617	672
Assets under construction at cost	739	–	–	–	739	–
Net carrying amount	12,355	11,828	(3,152)	(2,466)	9,203	9,361

Initial recognition: Items of property, plant and equipment, are measured initially at cost and subsequently revalued at fair value less accumulated depreciation and impairment. Where an asset is acquired for no or nominal cost, the cost is its fair value at the date of acquisition. Assets transferred as part of a machinery of government change are transferred at their carrying amount.

The cost of constructed non-financial physical assets includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

The cost of leasehold improvements is capitalised and depreciated over the shorter of the remaining term of the lease or their estimated useful lives.

The initial cost for non-financial physical assets under a finance lease is measured at amounts equal to the fair value of the leased asset or, if lower, the present value of the minimum lease payments, each determined at the inception of the lease. Also noted that certain assets are acquired under finance leases, which may form part of a service concession arrangements (public private partnership).

Subsequent measurement: Property, plant and equipment (PPE) are subsequently measured at fair value less accumulated depreciation and impairment. Fair value is determined with regard to the asset's highest and best use (considering legal or physical restrictions imposed on the asset, public announcements or commitments made in relation to the intended use of the asset) and is summarised below by asset category.

Non-specialised land, non-specialised buildings and artworks are valued using the market approach, whereby assets are compared to recent comparable sales or sales of comparable assets that are considered to have nominal value.

Specialised land and specialised buildings: The market approach is also used for specialised land, although is adjusted for the community service obligation (CSO) to reflect the specialised nature of the land being valued.

The CSO adjustment is a reflection of the valuer's assessment of the impact of restrictions associated with an asset to the extent that is also equally applicable to market participants.

For the majority of the OPP's specialised buildings, the depreciated replacement cost method is used, adjusting for the associated depreciation.

Heritage assets, infrastructure and road infrastructure and earthworks are valued using the depreciated replacement cost method. This cost generally represents the replacement cost of the building/component after applying depreciation rates on a useful life basis. However, for some heritage and iconic assets, the cost may be the reproduction cost rather than the replacement cost if those assets' service potential could only be replaced by reproducing them with the same materials.

Vehicles are valued using the depreciated replacement cost method. The OPP acquires new vehicles and at times disposes of them before the end of their economic life. The process of acquisition, use and disposal in the market is managed by experienced fleet managers in the OPP who set relevant depreciation rates during use to reflect the utilisation of the vehicles.

Fair value for **plant and equipment** that are specialised in use (such that it is rarely sold other than as part of a going concern) is determined using the depreciated replacement cost method.

Refer to Note 8.3 for additional information on fair value determination of property, plant and equipment.

5.1.1 Depreciation and amortisation

	(\$ thousand)	
Charge for the period	2017	2016
Buildings	14	63
Plant and equipment	594	505
Motor vehicles	189	200
Leasehold improvements	415	329
Intangible produced assets	53	53
	1,265	1,150

All infrastructure assets, buildings, plant and equipment and other non-financial physical assets that have finite useful lives, are depreciated. The exceptions to this rule include items under operating leases, assets held for sale, land and investment properties.

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. Typical estimated useful lives for the different asset classes for current and prior years are included in the table below:

	(years)
Asset	Useful life
Leasehold improvements	3 to 10
Plant and equipment	4 to 10
Motor vehicles	5
Buildings	5 to 40
Intangible assets	7 to 15

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

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

In the event of the loss or destruction of an asset, the future economic benefits arising from the use of the asset will be replaced (unless a specific decision to the contrary has been made).

Indefinite life assets: Land, earthworks, land under declared roads, and core cultural assets, which are considered to have an indefinite life, are not depreciated. Depreciation is not recognised in respect of these assets because their service potential has not, in any material sense, been consumed during the reporting period.

Impairment: Non-financial assets, including items of property, plant and equipment, are tested for impairment whenever there is an indication that the asset may be impaired.

The assets concerned are tested as to whether their carrying value exceeds their recoverable amount. Where an asset's carrying value exceeds its recoverable amount, the difference is written off as an 'other economic flow', except to the extent that it can be debited to an asset revaluation surplus amount applicable to that class of asset.

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.

The recoverable amount for most assets is measured at the higher of depreciated replacement cost and fair value less costs to sell. Recoverable amount for assets held primarily to generate net cash inflows is measured at the higher of the present value of future cash flows expected to be obtained from the asset and fair value less costs to sell.

5.1.2 Reconciliation of movements in carrying amount of property, plant and equipment

Classification by 'Public safety and environment' purpose group – Movements in carrying amounts (i)

(\$ thousand)														
	Land at fair value		Buildings at fair value		Leasehold improvements at fair value		Assets under construction at cost		Plant, equipment at fair value		Motor vehicles at fair value		Total	
	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016		
Opening balance	1,470	1,250	84	63	3,867	83	-	1,032	3,268	994	672	733	9,361	4,155
Additions	-	-	-	-	-	4,124	740	-	36	2,807	237	241	1,013	7,172
Disposals	-	-	(3)	-	3	(11)	-	(1,032)	(3)	(28)	(103)	(102)	(106)	(1,173)
Revaluation	147	220	-	84	-	-	-	-	-	-	-	-	147	304
Depreciation	-	-	(14)	(63)	(415)	(329)	-	-	(594)	(505)	(189)	(200)	(1,212)	(1,097)
Reclassification	-	-	37	-	(37)	-	-	-	-	-	-	-	-	-
Closing balance	1,617	1,470	104	84	3,418	3,867	740	-	2,707	3,268	617	672	9,203	9,361

Note:

(i) Fair value assessments have been performed for all classes of assets within this purpose group and the decision was made that movements were not material (less than or equal to 10 per cent) for a full revaluation. The next scheduled full revaluation for this purpose group will be conducted in 2021.

5.2 Intangible assets

	(\$ thousand)			
	Computer software		Total	
	2017	2016	2017	2016
Gross carrying amount				
Opening balance	491	2,080	491	2,080
Additions	32	–	32	–
Disposals	–	(1,589)	–	(1,589)
Closing balance	523	491	523	491
Accumulated depreciation, amortisation and impairment				
Opening balance	(182)	(129)	(182)	(129)
Depreciation (i)	(53)	(53)	(53)	(53)
Closing balance	(235)	(182)	(235)	(182)
Net book value at end of financial year	288	309	288	309

Note:

(i) The consumption of intangible produced assets is included in 'depreciation' line item.

Initial recognition

Purchased intangible assets are initially recognised at cost. When the recognition criteria in AASB 138 Intangible Assets is met, internally generated intangible assets are recognised at cost. Subsequently, intangible assets with finite useful lives are carried at cost less accumulated amortisation and accumulated impairment losses. Depreciation and amortisation begins when the asset is available for use, that is, when it is in the location and condition necessary for it to be capable of operating in the manner intended by management.

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:

- (a) the technical feasibility of completing the intangible asset so that it will be available for use or sale;
- (b) an intention to complete the intangible asset and use or sell it;
- (c) the ability to use or sell the intangible asset;
- (d) the intangible asset will generate probable future economic benefits;
- (e) the availability of adequate technical, financial and other resources to complete the development and to use or sell the intangible asset; and
- (f) the ability to measure reliably the expenditure attributable to the intangible asset during its development.

Subsequent measurement

Intangible produced assets with finite useful lives, are depreciated as an 'expense from transactions' on a straight line basis over their useful lives. Produced intangible assets have useful lives of between seven and 15 years.

Impairment of intangible assets

Goodwill and intangible assets with indefinite useful lives (and intangible assets not yet available for use) are tested annually for impairment and whenever there is an indication that the asset may be impaired. Intangible assets with finite useful lives are tested for impairment whenever an indication of impairment is identified.

The policy in connection with testing for impairment is outlined in section 5.1.1.

Significant intangible assets

The OPP's most significant intangible asset is software relating to its records management system, TRIM (\$0.177M). Other software include Microsoft Windows system upgrade, Ezescan and Performance Management Systems. These costs are subject to annual depreciation.

6. Other assets and liabilities

Introduction

This section sets out those assets and liabilities that arose from the OPP's controlled operations.

Structure	Page
6.1 Receivables	45
6.2 Payables	46
6.3 Other non-financial assets	47

6.1 Receivables

	(\$ thousand)	
	2017	2016
Contractual		
Other receivables (i)	395	552
Statutory		
Amounts owing from the Department of Justice and Regulation (ii)	15,252	16,133
Total receivables	15,647	16,685
<i>Represented by</i>		
Current receivables	14,356	15,155
Non-current receivables	1,291	1,530

Note:

- (i) A deed of settlement was agreed to in relation to a new practice management system, which had its development discontinued with the intangible (software development) written off as impaired. Refer to Note 5.2. As part of the arrangement, a concession was made by the developer concerning the amounts OPP would pay for professional library publication subscriptions in the years 2016–17 to 2019–20. The benefit which accrued to OPP as a result of the concession is probable, and could be reliably measured. The revenue will be recognised over the financial years the concession is received.
- (ii) The amounts recognised from the Department of Justice and Regulation represent funding for all commitments incurred through the appropriations and are drawn from the Consolidated Fund as the commitments fall due. [Appropriations are amounts owed by the Department as legislated in the Appropriations Act. Due to the existence of a legislative instrument, the appropriation receivable to an entity is statutory in nature, and hence not in the scope of the financial instrument standards.]

Contractual receivables are classified as financial instruments and categorised as 'loans and receivables'. They are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial measurement they are measured at amortised cost using the effective interest method, less any impairment.

Statutory receivables do not arise from contracts and are recognised and measured similarly to contractual receivables (except for impairment), but are not classified as financial instruments. Amounts recognised from the Victorian Government represent funding for all commitments incurred and are drawn from the Consolidated Fund as the commitments fall due.

Ageing analysis of contractual receivables

(\$ thousand)						
	Carrying amount	Not past due and not impaired	Past due but not impaired			
			Less than 1 month	1–3 months	3 months – 1 year	1–5 years
2017						
Receivables: (i)						
Other receivables	395	2	2	128	–	263
Total	395	2	2	128	–	263
2016						
Receivables: (i)						
Other receivables	552	29	55	76	–	392
Total	552	29	55	76	–	392

Note:

(i) The carrying amounts disclosed here exclude statutory amounts (e.g. amounts owing from the Department of Justice and Regulation, and GST input tax credit recoverable).

No interest is charged and the average credit period for sales of goods/services and for other receivables is 30 days. There are no material financial assets that are individually determined to be impaired. Currently the OPP does not hold any collateral as security nor credit enhancements relating to any of its financial assets.

There are no financial assets that have had their terms renegotiated so as to prevent them from being past due or impaired, and they are stated at the carrying amounts as indicated.

6.2 Payables

(\$ thousand)		
	2017	2016
Contractual		
Supplies and services	5,085	4,907
	5,085	4,907
Statutory		
FBT payable	31	28
Total payables	5,116	4,935
<i>Represented by</i>		
Current payables	4,744	4,380
Non-current payables	372	555

Payables consist of:

- **contractual payables**, classified as financial instruments and measured at amortised cost. Accounts payable represent liabilities for goods and services provided to the Department prior to the end of the financial year that are unpaid; and
- **statutory payables**, that are recognised and measured similarly to contractual payables, but are not classified as financial instruments and not included in the category of financial liabilities at amortised cost, because they do not arise from contracts.

Payables for supplies and services have an average credit period of 30 days. No interest is charged on the 'other payables' for the first 30 days from the date of the invoice. Generally, no interest is charged on the outstanding balance.

The terms and conditions of amounts payable to the government and agencies vary according to the particular agreements and as they are not legislative payables, they are not classified as financial instruments.

Maturity analysis of contractual payables (i)

(\$ thousand)						
	Carrying amount	Nominal amount	Maturity dates			
			Less than 1 month	1–3 months	3 months – 1 year	1–5 years
2017						
Supplies and services	5,085	5,085	4,530	183	–	372
Total	5,085	5,085	4,530	183	–	372
2016						
Supplies and services	4,907	4,907	4,220	131	–	556
Total	4,907	4,907	4,220	131	–	556

Note:

(i) Maturity analysis is presented using the contractual undiscounted cash flows.

6.3 Other non-financial assets

(\$ thousand)		
	2017	2016
Current other assets		
Prepayments	2,136	452
Total current other assets	2,136	452
Non-current other assets		
Other	–	–
Total non-current other assets	2,136	452
Total other assets		

Other non-financial assets include prepayments, which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

7. How we financed our operations

Introduction

This section provides information on the sources of finance utilised by the OPP during its operations, along with interest expenses (the cost of borrowings) and other information related to financing activities of the OPP.

This section includes disclosures of balances that are financial instruments (such as borrowings and cash balances). Note 8.1 provide additional, specific financial instrument disclosures.

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7.1 Borrowings

	(\$ thousand)	
	2017	2016
Current borrowings		
Finance lease liabilities (i)	335	302
Total current borrowings	335	302
Non-current borrowings		
Finance lease liabilities	296	387
Total non-current borrowings	296	387
Total borrowings	631	689

Note:

(i) Secured by the assets leased. Finance leases are effectively secured as the rights to the leased assets revert to the lessor in the event of default.

'Borrowings' refer to interest bearing liabilities mainly raised from public borrowings raised through the Treasury Corporation of Victoria, finance leases and other interest bearing arrangements.

7.1.1 Maturity analysis of borrowings

(\$ thousand)						
	Carrying amount	Nominal amount	Maturity dates			
			Less than 1 month	1–3 months	3 months – 1 year	1–5 years
2017						
Finance lease liabilities	631	656	93	27	231	305
Total	631	656	93	27	231	305
2016						
Finance lease liabilities	689	724	40	60	224	400
Total	689	724	40	60	224	400

7.1.2 Interest expense

(\$ thousand)		
	2017	2016
Interest on finance leases	28	33
Total interest expense	28	33

'Interest expense' includes costs incurred in connection with the borrowing of funds and includes interest on bank overdrafts and short term and long term borrowings, amortisation of discounts or premiums relating to borrowings, interest component of finance leases repayments, and the increase in financial liabilities and non-employee provisions due to the unwinding of discounts to reflect the passage of time.

Interest expense is recognised in the period in which it is incurred.

The OPP recognises borrowing costs immediately as an expense, even where they are directly attributable to the acquisition, construction or production of a qualifying asset.

7.2 Leases

7.2.1 Finance lease liabilities (OPP as lessee)

(\$ thousand)				
	Minimum future lease payments (i)		Present value of minimum future lease payments	
	2017	2016	2017	2016
Finance lease liabilities payable (ii)				
Not longer than one year	351	324	335	302
Longer than one year and not longer than five years	305	400	296	387
Minimum future lease payments	656	724	631	689
Less future finance charges	(25)	(35)	–	–
Present value of minimum lease payments	631	689	631	689
Included in the financial statements as:	–	–		
Current borrowings lease liabilities (Note 7.1)	–	–	335	302
Non-current borrowings lease liabilities (Note 7.1)	–	–	296	387
Total			631	689

Note:

(i) Minimum future leases payments include the aggregate of all base payments and any guaranteed residual.

(ii) Other finance lease liabilities include obligations that are recognised on the balance sheet; the future payments related to operating and lease commitments are disclosed in Note 7.5.

Finance leases relate to motor vehicles with lease terms of three years. The OPP has the option to purchase the motor vehicles for a nominal amount at the conclusion of the lease agreements.

The AASB issued the new leasing standard AASB 16 Leases to supersede the existing standard AASB 117 Leases. The new standard will be operative from reporting periods commencing 1 January 2019. The key change introduced by AASB 16 includes the recognition of most operating leases on the balance sheet.

At the commencement of the lease term, finance leases are initially recognised as assets and liabilities at amounts equal to the fair value of the leased property or, if lower, the present value of the minimum lease payment, each determined at the inception of the lease. The leased asset is accounted for as a non-financial physical asset and depreciated over the shorter of the estimated useful life of the asset or the term of the lease. Minimum finance lease payments are apportioned between the reduction of the outstanding lease liability and the periodic finance expense which is calculated using the interest rate implicit in the lease and charged directly to the consolidated comprehensive operating statement.

Contingent rentals associated with finance leases are recognised as an expense in the period in which they are incurred.

7.3 Cash flow information and balances

Cash and deposits, including cash equivalents, comprise cash on hand and cash at bank, which are held for the purpose of meeting short-term cash commitments rather than for investment purposes, and which are subject to an insignificant risk of changes in value.

For cash flow statement presentation purposes, cash and cash equivalents, are included as a financial asset on the balance sheet, as indicated in the reconciliation below.

	(\$ thousand)	
	2017	2016
Cash and deposits disclosed in the balance sheet	75	74
Funds held in trust (i)	143	143
Balance as per cash flow statement	218	217

Note:

(i) These funds represent the balance in OPP's trust funds at the end of each reporting period (see Note 7.4).

Due to the State's investment policy and funding arrangements, the Office does not hold a large cash reserve in its bank accounts. The OPP expenditure, including in the form of cheques drawn for the payments to its suppliers and creditors are made via Department of Justice and Regulation (DOJR) public account. The public account remits to DOJR the cash required upon presentation of cheques by the OPP's suppliers or creditors.

7.3.1 Reconciliation of net result for the period to cash flow from operating activities

	(\$ thousand)	
	2017	2016
Net results for the period	48	(1,100)
Non-cash movements:		
Depreciation and amortisation of non-current assets	1,265	1,150
Loss on asset write off	–	1,029
Movements in assets and liabilities:		
(Increase)/decrease in receivables	1,039	(505)
(Increase)/decrease in prepayments	(1,685)	272
(Decrease)/increase in payables	104	523
(Decrease)/increase in provisions	151	307
Net cash inflow from/(used in) operating activities	922	1,676

7.4 Trust account balances

(\$ thousand)								
	2017				2016			
Cash and cash equivalents	Opening balance as at 1 July 2016	Total receipts	Total payments	Closing balance as at 30 June 2017	Opening balance as at 1 July 2015	Total receipts	Total payments	Closing balance as at 30 June 2016
Controlled trust								
Treasury trust fund (i)	143	–	–	143	143	–	–	143
Total controlled trust	143	–	–	143	143	–	–	143

Note:

- (i) *Treasury Trust Fund*
Financial Management Act 1994 (No. 18/1994), Part 4
Working account for the OPP

7.5 Commitments for expenditure

Commitments for future expenditure include operating and capital commitments arising from contracts. These commitments are recorded below at their nominal value and inclusive of GST. Where it is considered appropriate and provides additional relevant information to users, the net present values of significant individual projects are stated. These future expenditures cease to be disclosed as commitments once the related liabilities are recognised in the balance sheet.

7.5.1 Total commitments payable

(\$ thousand)				
Nominal amounts				
2017	Less than 1 year	1–5 years	5+ years	Total
Capital expenditure commitments payable	1,653	–	–	1,653
Operating and lease commitments payable (i)	3,672	92	–	3,764
Other commitments payable	85	175	–	260
Total commitments (inclusive of GST)	5,410	267	–	5,677
Less GST recoverable from the Australian Taxation Office	(492)	(24)	–	(516)
Total commitments (exclusive of GST)	4,918	243	–	5,161
2016				
Capital expenditure commitments payable	–	–	–	–
Operating and lease commitments payable (i)	3,668	258	–	3,926
Other commitments payable	–	–	–	–
Total commitments (inclusive of GST)	3,668	258	–	3,926
Less GST recoverable from the Australian Taxation Office	(333)	(23)	–	(357)
Total commitments (exclusive of GST)	3,335	235	–	3,569

Note:

- (i) *Operating lease relating to 60 Brougham Street, Geelong is for terms of between one and three years, and with fixed yearly rent review clauses. The OPP does not have an option to purchase the leased asset at the expiry of the lease period. The OPP primary tenancy at 565 Lonsdale Street, Melbourne (owned by DTF) is occupied under an ongoing arrangement with DTF.*

7.5.2 Commitments

	(\$ thousand)	
	2017	2016
	Nominal value (incl. GST)	Nominal value (incl. GST)
Capital expenditure commitments		
Leasehold improvements	1,653	–
Total capital expenditure commitments	1,653	–
Intangible assets commitments		
Computer software	–	–
Total intangible assets commitments	–	–
Operating and lease commitments		
MFD printing services	150	
Rental leases	3,764	3,962
Total operating and lease commitments	3,914	3,962
Other commitments		
Computer software maintenance	260	–
Total other commitments	260	–
Total commitments	5,827	3,962

8. Risks, contingencies and valuation judgements

Introduction

The OPP is exposed to risk from its activities and outside factors. In addition, it is often necessary to make judgements and estimates associated with recognition and measurement of items in the financial statements. This section sets out financial instrument specific information, (including exposures to financial risks) as well as those items that are contingent in nature or require a higher level of judgement to be applied, which for the OPP relates mainly to fair value determination.

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8.1. Financial instruments specific disclosures

Introduction

Financial instruments arise out of contractual agreements that give rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Due to the nature of the OPP's activities, certain financial assets and financial liabilities arise under statute rather than a contract (for example taxes, fines and penalties). Such assets and liabilities do not meet the definition of financial instruments in AASB 132 *Financial Instruments: Presentation*.

Categories of financial instruments

Loans and Receivables and cash are financial instrument assets with fixed and determinable payments that are not quoted on an active market. These assets are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial measurement, receivables are measured at amortised cost using the effective interest method (and for assets, less any impairment). The OPP recognises the following assets in this category:

- cash and deposits; and
- receivables (excluding statutory receivables).

Financial liabilities at amortised cost are initially recognised on the date they are originated. They are initially measured at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial instruments are measured at amortised cost with any difference between the initial recognised amount and the redemption value being recognised in profit and loss over the period of the interest bearing liability, using the effective interest rate method. The OPP recognises the following liabilities in this category:

- payables (excluding statutory payables); and
- borrowings (including finance lease liabilities).

Derecognition of financial assets: A financial asset (or, where applicable, a part of a financial asset or part of a group of similar financial assets) is derecognised when:

- the rights to receive cash flows from the asset have expired; or
- the OPP retains the right to receive cash flows from the asset, but has assumed an obligation to pay them in full without material delay to a third party under a 'pass through' arrangement; or
- the OPP has transferred its rights to receive cash flows from the asset and either:
 - has transferred substantially all the risks and rewards of the asset; or
 - has neither transferred nor retained substantially all the risks and rewards of the asset, but has transferred control of the asset.

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

Impairment of financial assets: At the end of each reporting period, the OPP assesses whether there is objective evidence that a financial asset or group of financial assets is impaired. All financial instrument assets, except those measured at fair value through profit or loss, are subject to annual review for impairment.

The allowance is the difference between the financial asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate. [AASB 139.58 70 AASB 7.B5(f)] In assessing impairment of statutory (non-contractual) financial assets, which are not financial instruments, professional judgement is applied in assessing materiality using estimates, averages and other computational methods in accordance with AASB 136 *Impairment of Assets*.

Derecognition of financial liabilities: A financial liability is derecognised when the obligation under the liability is discharged, cancelled or expires.

When an existing financial liability is replaced by another from the same lender on substantially different terms, or the terms of an existing liability are substantially modified, such an exchange or modification is treated as a derecognition of the original liability and the recognition of a new liability. The difference in the respective carrying amounts is recognised as an 'other economic flow' in the comprehensive operating statement.

Financial instruments: Categorisation

	(\$ thousand)		
2017	Contractual financial assets – loans and receivables and cash	Contractual financial liabilities at amortised cost	Total
Contractual financial assets			
Cash and deposits	218	–	218
Receivables (a)			
Other receivables	395	–	395
Total contractual financial assets	613	–	613
Contractual financial liabilities			
Payables (a)			
Supplies and services	–	5,085	5,085
Finance lease liabilities	–	631	631
Total contractual financial liabilities	–	5,716	5,716
2016			
Contractual financial assets			
Cash and deposits	217	–	217
Receivables (a)			
Other receivables	552	–	552
Total contractual financial assets	769	–	769
Contractual financial liabilities			
Payables (a)			
Supplies and services	–	4,907	4,907
Finance lease liabilities	–	689	689
Total contractual financial liabilities	–	5,596	5,596

Note:

(a) The total amounts disclosed here exclude statutory amounts (e.g. amounts owing from the Department of Justice and Regulation and taxes payable).

Financial instruments: Credit risk

Credit risk refers to the possibility that a borrower will default on its financial obligations as and when they fall due. The OPP's exposure to credit risk arises from the potential default of a counter party on their contractual obligations resulting in financial loss to the OPP. Credit risk is measured at fair value and is monitored on a regular basis.

Credit risk associated with the OPP's contractual financial assets is minimal because the main debtor is the Victorian Government.

Provision of impairment for contractual financial assets is recognised when there is objective evidence that the OPP will not be able to collect a receivable. Objective evidence includes financial difficulties of the debtor, default payments, debts that are more than 60 days overdue, and changes in debtor credit ratings.

Except as otherwise detailed in the following table, the carrying amount of contractual financial assets recorded in the financial statements, net of any allowances for losses, represents the OPP's maximum exposure to credit risk without taking account of the value of any collateral obtained.

There has been no material change to the OPP's credit risk profile in 2016–17.

Credit quality of contractual financial assets that are neither past due nor impaired

	(\$ thousand)
2017	Financial institutions A–1+ credit rating
Cash and deposits	213
Total contractual financial assets	213
2016	
Cash and deposits	213
Total contractual financial assets	213

Note:

(a) The total amount disclosed here exclude cash floats which are not subjected to credit risk.

Financial instruments: Liquidity risk

Liquidity risk arises from being unable to meet financial obligations as they fall due. The OPP operates under the Government fair payments policy of settling financial obligations within 30 days and in the event of a dispute, making payments within 30 days from the date of resolution.

The OPP is exposed to liquidity risk mainly through the financial liabilities as disclosed in the face of the balance sheet.

The OPP's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

The carrying amount detailed in the following table discloses the contractual maturity analysis for the OPP's contractual financial liabilities.

Financial instruments: Market risk

The OPP's exposures to market risk are primarily through interest rate risk.

Interest rate risk

Fair value interest rate risk is the risk that the fair value of a financial instrument will fluctuate because of changes in market interest rates. The OPP does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk.

Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The OPP has minimal exposure to cash flow interest rate risks through cash and deposits that are at floating rate.

The OPP manages this risk by mainly undertaking interest bearing financial instruments with relatively even maturity profiles, with only insignificant amounts of financial instruments at floating rate. Management has concluded for cash at bank, as financial assets that can be left at floating rate without necessarily exposing the OPP to significant bad risk.

The carrying amounts of financial assets and financial liabilities that are exposed to interest rates are set out in the table that follows.

Interest rate risk exposure of financial instruments

(\$ thousand)					
	Weighted average effective interest rate %	Carrying amount	Interest rate exposure		
			Fixed interest rate	Variable interest rate	Non-interest bearing
2017					
Financial assets					
Cash and deposits	–	218	–	–	218
Receivables:					
Other receivables	–	395	–	–	395
Total financial assets	–	613	–	–	613
Financial liabilities					
Payables:					
Supplies and services	–	5,085	–	–	5,085
Borrowings:					
Finance lease liabilities	4.03%	631	631	–	–
Total financial liabilities		5,716	631	–	5,085
2016					
Financial assets					
Cash and deposits	–	217	–	–	217
Receivables:					
Other receivables	–	552	–	–	552
Total financial assets	–	769	–	–	769
Financial liabilities					
Payables:					
Supplies and services	–	4,907	–	–	4,907
Borrowings:					
Finance lease liabilities	4.48%	689	689	–	–
Total financial liabilities		5,596	689	–	4,907

8.2 Contingent assets and contingent liabilities

Contingent assets and contingent liabilities are not recognised in the balance sheet but are disclosed and, if quantifiable, are measured at nominal value.

Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

Contingent assets

Contingent assets are possible assets that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity.

These are classified as either quantifiable, where the potential economic benefit is known, or non-quantifiable.

Quantifiable contingent assets (arising from outside of government)

	2017	2016
Contingent assets	–	–

Contingent liabilities

Contingent liabilities are:

- possible obligations that arise from past events, whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or
- present obligations that arise from past events but are not recognised because:
 - it is not probable that an outflow of resources embodying economic benefits will be required to settle the obligations; or
 - the amount of the obligations cannot be measured with sufficient reliability.

Contingent liabilities are also classified as either quantifiable or non-quantifiable.

Quantifiable contingent liabilities

	2017	2016
Contingent liabilities	–	–

8.3 Fair value determination

Significant judgement: Fair value measurements of assets and liabilities

Fair value determination requires judgement and the use of assumptions. This section discloses the most significant assumptions used in determining fair values. Changes to assumptions could have a material impact on the results and financial position of the OPP.

This section sets out information on how the OPP determined fair value for financial reporting purposes. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

The following assets and liabilities are carried at fair value:

- financial assets and liabilities at fair value through operating result;
- land, buildings, infrastructure, plant and equipment.

In addition, the fair values of other assets and liabilities that are carried at amortised cost, also need to be determined for disclosure purposes.

The OPP determines the policies and procedures for determining fair values for both financial and non-financial assets and liabilities as required.

Fair value hierarchy

In determining fair values a number of inputs are used. To increase consistency and comparability in the financial statements, these inputs are categorised into three levels, also known as the fair value hierarchy. The levels are as follows:

- Level 1 – quoted (unadjusted) market prices in active markets for identical assets or liabilities;
- Level 2 – valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and
- Level 3 – valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

The OPP determines whether transfers have occurred between levels in the hierarchy by reassessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

The Valuer General Victoria (VGV) is the OPP's independent valuation agency. The OPP monitors changes in the fair value of each asset and liability through relevant data sources to determine whether revaluation is required.

How this section is structured

For those assets and liabilities for which fair values are determined, the following disclosures are provided:

- carrying amount and the fair value (which would be the same for those assets measured at fair value);
- which level of the fair value hierarchy was used to determine the fair value; and
- in respect of those assets and liabilities subject to fair value determination using Level 3 inputs:
 - a reconciliation of the movements in fair values from the beginning of the year to the end; and
 - details of significant unobservable inputs used in the fair value determination.

This section is divided between disclosures in connection with fair value determination for financial instruments (refer to Note 8.3.1) and non-financial physical assets (refer to Note 8.3.2).

8.3.1 Fair value determination of financial assets and liabilities

The fair values and net fair values of financial assets and liabilities are determined as follows:

- Level 1 – the fair value of financial instrument with standard terms and conditions and traded in active liquid markets are determined with reference to quoted market prices;
- Level 2 – the fair value is determined using inputs other than quoted prices that are observable for the financial asset or liability, either directly or indirectly; and
- Level 3 – the fair value is determined in accordance with generally accepted pricing models based on discounted cash flow analysis using unobservable market inputs.

The OPP currently holds a range of financial instruments that are recorded in the financial statements where the carrying amounts are a reasonable approximation of fair value, either due to their short-term nature or with the expectation that they will be paid in full by the end of the 2016–17 reporting period.

These financial instruments include:

Financial assets

- Cash and deposits
- Other receivables

Financial liabilities

Payables:

- For supplies and services
- Amounts payable to government and agencies

8.3.2 Fair value determination: Non-financial physical assets

Fair value measurement hierarchy for assets as at 30 June 2017

(\$ thousand)				
2017	Carrying amount as at 30 June 2017	Fair value measurement at end of reporting period using:		
		Level 1(i)	Level 2(i)	Level 3(i)
Land at fair value				
Specialised land	1,617	–	–	1,617
Total of land at fair value	1,617	–	–	1,617
Buildings at fair value				
Specialised building	104	–	–	104
Total of buildings at fair value	104	–	–	104
Leasehold improvements at fair value				
Non-specialised leasehold improvements	3,419	–	–	3,419
Total of leasehold improvements at fair value	3,419	–	–	3,419
Plant, equipment and vehicles at fair value				
Plant and equipment	2,707	–	–	2,707
Vehicles	617	–	–	617
Total of plant, equipment and vehicles at fair value	3,324	–	–	3,324
2016	Carrying amount as at 30 June 2016			
Land at fair value				
Specialised land	1,470	–	–	1,470
Total of land at fair value	1,470	–	–	1,470
Buildings at fair value				
Specialised building	84	–	–	84
Total of buildings at fair value	84	–	–	84
Leasehold improvements at fair value				
Non-specialised leasehold improvements	3,867	–	–	3,867
Total of leasehold improvements at fair value	3,867	–	–	3,867
Plant and equipment at fair value				
Plant and equipment	3,268	–	–	3,268
Vehicles	672	–	–	672
Total of plant, equipment and vehicles at fair value	3,940	–	–	3,940

Note:

(i) Classified in accordance with the fair value hierarchy.

There have been no transfers between levels during the period.

Specialised land and specialised building

The market approach is also used for specialised land, although it is adjusted for the community service obligation (CSO) to reflect the specialised nature of the land being valued.

The CSO adjustment is a reflection of the valuer's assessment of the impact of restrictions associated with an asset to the extent that is also equally applicable to market participants. This approach is in light of the highest and best use consideration required for fair value measurement, and takes into account the use of the asset that is physically possible, legally permissible, and financially feasible. As the adjustments are considered as significant unobservable inputs, specialised land is classified as Level 3 assets.

For OPP's specialised building, the depreciated replacement cost method is used, adjusting for the associated depreciation. As depreciation adjustments are considered as significant, unobservable inputs in nature, specialised buildings are classified as Level 3 fair value measurements.

An independent valuation of the OPP's specialised land and specialised building was performed by the Valuer-General Victoria. The valuation was performed using the market approach adjusted for restrictions and limitations of use. The effective date of the valuation was 30 June 2016.

Leasehold improvements

Leasehold improvements are valued using the depreciated replacement cost method. This cost represents the replacement cost of leasehold improvement after applying depreciation rates based on the shorter of the lease term and useful life of the leasehold improvements.

Plant and equipment

Plant and equipment is held at fair value. When plant and equipment is specialised in use, such that it is rarely sold other than as part of a going concern, fair value is determined using the depreciated replacement cost method.

There were no changes in valuation techniques throughout the period to 30 June 2017.

For all assets measured at fair value, the current use is considered the highest and best use.

Vehicles

Vehicles are valued using the depreciated replacement cost method. The OPP acquires new vehicles and at times disposes of them before the end of their economic life. The process of acquisition, use and disposal in the market is managed by experienced fleet managers at the OPP who set relevant depreciation rates during use to reflect the utilisation of the vehicles.

Reconciliation of Level 3 fair value

	(\$ thousand)				
2017	Specialised land	Specialised buildings	Leasehold improvements	Plant and equipment	Vehicles
Opening balance	1,470	84	3,867	3,268	672
Purchases (sales)	–	–	–	36	237
Transfers in (out) of Level 3	–	34	(34)	(3)	(103)
Gains or losses recognised in net result					
Depreciation	–	(14)	(415)	(594)	(189)
Subtotal	–	20	(449)	(561)	(55)
Gains or losses recognised in other economic flows – other comprehensive income					
Revaluation	147	–	–	–	–
Subtotal	147	–	–	–	–
Closing balance	1,617	104	3,418	2,707	617
2016					
Opening balance	1,250	63	83	994	733
Purchases (sales)	–	–	4,124	2,807	241
Transfers in (out) of Level 3	–	–	(11)	(28)	(102)
Gains or losses recognised in net result					
Depreciation	–	(63)	(329)	(505)	(200)
Subtotal	–	(63)	3,784	2,274	(61)
Gains or losses recognised in other economic flows – other comprehensive income					
Revaluation	220	84	–	–	–
Subtotal	220	84	–	–	–
Closing balance	1,470	84	3,867	3,268	672

Description of significant unobservable inputs to Level 3 valuations for 2017 and 2016

2017 and 2016	Valuation technique	Significant unobservable inputs
Specialised land	Market approach	Community Service Obligation (CSO) adjustment
Specialised building	Depreciated replacement cost	Direct cost per square metre Useful life of specialised building
Leasehold improvements	Depreciated replacement cost	Direct cost per square metre Useful life of leasehold improvements
Plant and equipment	Depreciated replacement cost	Cost per unit Useful life of plant and equipment
Vehicles	Depreciated replacement cost	Cost per unit Useful life of vehicles

Significant unobservable inputs have remained unchanged since June 2016.

9. Other disclosures

Introduction

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

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9.1 Other economic flows included in net result

Other economic flows are changes in the volume or value of an asset or liability that do not result from transactions. Other gains/(losses) from other economic flows include the gains or losses from:

- the revaluation of the present value of the long service leave liability due to changes in the bond interest rates; and
- Impairment of intangible assets

	(\$ thousand)	
	2017	2016
Net gain/(loss) on non-financial assets		
Impairment of intangible asset (ii)	–	(1,029)
Total net gain/(loss) on non-financial assets	–	(1,029)
Other gains/(losses) from other economic flows		
Net gain/(loss) arising from revaluation of annual leave and long service liability (i)	258	(70)
Total other gains/(losses) from other economic flows	258	(70)

Notes:

(i) Revaluation gain/(loss) due to changes in bond rates.

(ii) Development costs relating to a practice management system was written off following an execution of a Deed of Settlement and Release Agreement

9.2 Non-financial assets held for sale

Non-financial physical assets (including disposal group assets) are treated as current and classified as held for sale if their carrying amount will be recovered through a sale transaction rather than through continuing use.

This condition is regarded as met only when:

- the asset is available for immediate use in the current condition; and
- the sale is highly probable and the asset's sale is expected to be completed within 12 months from the date of classification.

These non-financial physical assets are measured at the lower of carrying amount and fair value less costs to sell, and are not subject to depreciation or amortisation.

	(\$ thousand)	
	2017	2016
Non-current assets:		
Motor vehicles held for sale	10	12
Total non-financial assets held for sale	10	12

9.3 Reserves

	(\$ thousand)	
	2017	2016
Physical asset revaluation surplus: (i)		
Balance at beginning of financial year	1,395	1,065
Revaluation increments/(decrements)	147	330
Balance at end of financial year	1,542	1,395

Note:

(i) The physical asset revaluation surplus arises on the revaluation of land and building.

9.4 Responsible persons

In accordance with the Ministerial Directions issued by the Minister for Finance under the *Financial Management Act 1994*, the following disclosures are made regarding responsible persons for the reporting period.

Names

The persons who held the positions of Ministers and the Accountable Officers in the OPP are as follows:

Attorney-General	The Hon. Martin Pakula, MP	1 July 2016 to 30 June 2017
Acting Attorney-General	The Hon. Natalie Hutchins, MP	1 July 2016 to 5 July 2016
	The Hon. Jill Hennessy, MP	6 July 2016 to 10 July 2016
	The Hon. Lisa Neville, MP	2 September 2016 to 13 September 2016
	The Hon. Steve Herbert, MP	16 September 2016 to 25 September 2016
	The Hon. Gayle Tierney, MP	17 December 2016 to 20 December 2016
	The Hon. Lisa Neville, MP	21 December 2016 to 24 December 2016
	The Hon. Jill Hennessy, MP	25 December 2016 to 29 December 2016
	The Hon. Gayle Tierney, MP	30 December 2016 to 8 January 2017
	The Hon. Lisa Neville, MP	23 January 2017 to 29 January 2017
	The Hon. Lisa Neville, MP	24 February 2017 to 1 March 2017
Solicitor for Public Prosecutions	John Cain	1 June 2016 to 30 June 2017

Remuneration

Remuneration received or receivable by the Accountable Officer in connection with the management of the OPP during the reporting period was in the range:

\$380,000 – \$390,000 (\$280,000 – \$289,000 in 2015–16)

9.5 Remuneration of executives

The number of executive officers, other than ministers and accountable officers, and their total remuneration during the reporting period are shown in the table below. Total annualised employee equivalents provides a measure of full time equivalent executive officers over the reporting period.

Remuneration comprises employee benefits in all forms of consideration paid, payable or provided by the entity, or on behalf of the entity, in exchange for services rendered, and is disclosed in the following categories.

Short-term employee benefits include amounts such as wages, salaries, annual leave or sick leave that are usually paid or payable on a regular basis, as well as non-monetary benefits such as allowances and free or subsidised goods or services.

Post-employment benefits include pensions and other retirement benefits paid or payable on a discrete basis when employment has ceased.

Other long-term benefits include long service leave, other long service benefits or deferred compensation.

Termination benefits include termination of employment payments, such as severance packages.

	(\$ thousand)
Remuneration of executive officers (including Key Management Personnel disclosed in Note 9.6)	Total remuneration 2017 (a)
Short-term employee benefits	629
Post-employment benefits	51
Other long-term benefits	16
Termination benefits	–
Total remuneration (a)(b)	696
Total number of executives	3
Total annualised employee equivalents (c)	3

Notes:

(a) No comparatives have been reported because remuneration in the prior year was determined in line with the basis and definition under FRD 21B. Remuneration previously excluded non-monetary benefits and comprised any money, consideration or benefit received or receivable, excluding reimbursement of out-of-pocket expenses, including any amount received or receivable from a related party transaction. Refer to the prior year's financial statements for executive remuneration for the 2015–16 reporting period.

(b) The total number of executive officers includes persons who meet the definition of Key Management Personnel (KMP) of the entity under AASB 124 Related Party Disclosures and are also reported within the related parties note disclosure (Note 9.6).

(c) Annualised employee equivalent is based on the time fraction worked over the reporting period.

9.6 Related parties

The OPP is a wholly owned and controlled entity of the State of Victoria.

Related parties of the OPP include:

- all key management personnel and their close family members and personal business interests (controlled entities, joint ventures and entities they have significant influence over);
- all cabinet ministers and their close family members; and
- all departments and public sector entities that are controlled and consolidated into the whole of state consolidated financial statements.

All related party transactions have been entered into on an arm's length basis.

Significant transactions with government-related entities

The OPP received funding of \$65.98 million (2016: \$60.52 million) by a grant from the Department of Justice and Regulation.

Key management personnel of the OPP includes the Attorney General, the Hon Martin Pakula and members of the OPP Executive, which includes:

- Solicitor for Public Prosecutions, John Cain
- Legal Practice Manager, Vicky Prapas
- Legal Practice Manager, Michael Hoyle
- General Manager Corporate Services, Annette Cruz.

Transactions and balances with key management personnel and other related parties

Given the breadth and depth of State government activities, related parties transact with the Victorian public sector in a manner consistent with other members of the public e.g. stamp duty and other government fees and charges. Further employment of processes within the Victorian public sector occur on terms and conditions consistent with the *Public Administration Act 2004* and Codes of Conduct and Standards issued by the Victorian Public Sector Commission. Procurement processes occur on terms and conditions consistent with the Victorian Government Procurement Board requirements.

Outside of normal citizen type transactions with the OPP, there were no related party transactions that involved key management personnel, their close family members and their personal business interests. No provision has been required, nor any expense recognised, for impairment of receivables from related parties.

The compensation detailed below excludes the salaries and benefits the Portfolio Minister receives. The Minister's remuneration and allowances is set by the *Parliamentary Salaries and Superannuation Act 1968* and is reported within the Department of Parliamentary Services' Financial Report.

	(\$ thousand)
Compensation of KMPs	2017
Short-term employee benefits	984
Post-employment benefits	71
Other long-term benefits	26
Termination benefits	–
Total (a)	1,081

Notes:

(a) KMPs are also reported in the disclosure of remuneration of executive officers (Note 9.5).

9.7 Remuneration of auditor

	(\$ thousand)	
	2017	2016
Victorian Auditor-General's Office		
Audit of the financial statements	24	23
	24	23

9.8 Subsequent events

The policy in connection with recognising subsequent events, that are, for events that occur between the end of the reporting period and the date when the financial statements are authorised for issue is as follows:

- adjustments are made to amounts recognised in the financial statements where those events provide information about conditions that existed at the reporting date; and/or
- disclosure is made where the events relate to conditions that arose after the end of the reporting period that are considered to be of material interest.

No events have occurred subsequent to the date of the financial report that would require adjustment to or disclosure in the financial report (2016: nil).

9.9 Other accounting policies

Contributions by owners

Consistent with the requirements of AASB 1004 *Contributions*, contributions by owners (that is, contributed capital and its repayment) are treated as equity transactions and, therefore, do not form part of the income and expenses of the OPP.

Additions to net assets which have been designated as contributions by owners are recognised as contributed capital. Other transfers that are in the nature of contributions to or distributions by owners have also been designated as contributions by owners.

Transfers of net assets arising from administrative restructurings are treated as distributions to or contributions by owners. Transfers of net liabilities arising from administrative restructurings are treated as distributions to owners.

9.10 Australian Accounting Standards issued that are not yet effective

The following AASs become effective for reporting periods commencing after the operative dates stated:

Certain new Australian Accounting Standards (AAS) have been published which are not mandatory for the 30 June 2017 reporting period. DTF assesses the impact of all these new standards and advises the OPP of their applicability and early adoption where applicable. As at 30 June 2017, the AAS listed below has been issued by the AASB but not effective. It becomes effective for the first financial statement for reporting periods commencing after the stated operative dates as follows:

<i>Standard/ Interpretation</i>	<i>Summary</i>	<i>Applicable for annual reporting periods beginning on</i>	<i>Impact on the OPP financial statements</i>
AASB 9 Financial Instruments	The key changes include the simplified requirements for the classification and measurement of financial assets, a new hedging accounting model and a revised impairment loss model to recognise impairment losses earlier, as opposed to the current approach that recognises impairment only when incurred.	1-Jan-2018	The assessment has identified that the financial impact of available for sale (AFS) assets will now be reported through other comprehensive income (OCI) and no longer recycled to the profit and loss. While the preliminary assessment has not identified any material impact arising from AASB 9, it will continue to be monitored and assessed.
AASB 2010-7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2010)	<p>The requirements for classifying and measuring financial liabilities were added to AASB 9. The existing requirements for the classification of financial liabilities and the ability to use the fair value option have been retained. However, where the fair value option is used for financial liabilities the change in fair value is accounted for as follows:</p> <ul style="list-style-type: none"> ■ The change in fair value attributable to changes in credit risk is presented in other comprehensive income (OCI); and ■ Other fair value changes are presented in profit and loss. If this approach creates or enlarges an accounting mismatch in the profit or loss, the effect of the changes in credit risk are also presented in profit or loss. 	1-Jan-2018	<p>The assessment has identified that the financial impact of available for sale (AFS) assets will now be reported through other comprehensive income (OCI) and no longer recycled to the profit and loss.</p> <p>Changes in own credit risk in respect of liabilities designated at fair value through profit and loss will now be presented within other comprehensive income (OCI).</p> <p>Hedge accounting will be more closely aligned with common risk management practices making it easier to have an effective hedge.</p> <p>For entities with significant lending activities, an overhaul of related systems and processes may be needed.</p>
AASB 2014-7 Amendments to Australian Accounting Standards arising from AASB 9	Amends various AASs to incorporate the consequential amendments arising from the issuance of AASB 9.	1-Jan-2018	The assessment has indicated that there will be no significant impact for the public sector.
AASB 2015-8 Amendments to Australian Accounting Standards – Effective Date of AASB 15	This Standard defers the mandatory effective date of AASB 15 from 1 January 2017 to 1 January 2018.	1-Jan-2018	This amending standard will defer the application period of AASB 15 for for-profit entities to the 2018-19 reporting period in accordance with the transition requirements.
AASB 2016-7 Amendments to Australian Accounting Standards – Deferral of AASB 15 for Not-for-Profit Entities	This Standard defers the mandatory effective date of AASB 15 for not-for-profit entities from 1 January 2018 to 1 January 2019.	1-Jan-2019	This amending standard will defer the application period of AASB 15 for not-for-profit entities to the 2019-20 reporting period.

<i>Standard/ Interpretation</i>	<i>Summary</i>	<i>Applicable for annual reporting periods beginning on</i>	<i>Impact on the OPP financial statements</i>
AASB 2016–8 Amendments to Australian Accounting Standards – Australian Implementation Guidance for Not-for- Profit Entities	<p>This Standard amends AASB 9 and AASB 15 to include requirements to assist not-for-profit entities in applying the respective standards to particular transactions and events. The amendments:</p> <ul style="list-style-type: none"> ■ require non-contractual receivables arising from statutory requirements (i.e. taxes, rates and fines) to be initially measured and recognised in accordance with AASB 9 as if those receivables are financial instruments; and ■ clarifies circumstances when a contract with a customer is within the scope of AASB 15. 	1–Jan–2019	The assessment has indicated that there will be no significant impact for the public sector, other than the impacts identified for AASB 9 and AASB 15 above.
AASB 16 Leases	The key changes introduced by AASB 16 include the recognition of most operating leases (which are current not recognised) on balance sheet.	1–Jan–2019	<p>The assessment has indicated that as most operating leases will come on balance sheet, recognition of the right-of-use assets and lease liabilities will cause net debt to increase.</p> <p>Rather than expensing the lease payments, depreciation of right-of-use assets and interest on lease liabilities will be recognised in the income statement with marginal impact on the operating surplus.</p> <p>No change for lessors.</p>
AASB 2016–4 Amendments to Australian Accounting Standards – Recoverable Amount of Non- Cash-Generating Specialised Assets of Not-for-Profit Entities	The standard amends AASB 136 Impairment of Assets to remove references to using depreciated replacement cost (DRC) as a measure of value in use for not-for-profit entities.	1–Jan–2017	The assessment has indicated that there is minimal impact. Given the specialised nature and restrictions of public sector assets, the existing use is presumed to be the highest and best use (HBU), hence current replacement cost under AASB 13 Fair Value Measurement is the same as the depreciated replacement cost concept under AASB 136.

The following accounting pronouncements are also issued but not effective for the 2016–17 reporting period. At this stage, the preliminary assessment suggests they may have insignificant impacts on public sector reporting.

- AASB 2017–2 Amendments to Australian Accounting Standards

9.11 Glossary of technical terms

The following is a summary of the major technical terms used in this report.

Amortisation

Amortisation is the expense which results from the consumption, extraction or use over time of a non-produced physical or intangible asset. This expense is classified as an other economic flow.

Borrowings

Borrowings refers to interest-bearing liabilities mainly raised from public borrowings raised through Treasury Corporation of Victoria, finance leases and other interest-bearing arrangements. Borrowings also include non-interest bearing advances from government that are acquired for policy purposes.

Commitments

Commitments include those operating, capital and other outsourcing commitments arising from non-cancellable contractual or statutory sources.

Comprehensive result

The net result of all items of income and expense recognised for the period. It is the aggregate of operating result and other comprehensive income.

Current grants

Amounts payable or receivable for current purposes for which no economic benefits of equal value are receivable or payable in return.

Depreciation

Depreciation is an expense that arises from the consumption through wear or time of a produced physical or intangible asset. This expense is classified as a 'transaction' and so reduces the 'net result from transaction'.

Effective interest method

The effective interest method is used to calculate the amortised cost of a financial asset or liability and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial instrument, or, where appropriate, a shorter period.

Employee benefit expenses

Employee benefits expenses include all costs related to employment including wages and salaries, fringe benefits tax, leave entitlements, redundancy payments, defined benefits superannuation plans, and defined contribution superannuation plans.

Financial asset

A financial asset is any asset that is:

- (a) cash;
- (b) a contractual or statutory right:
 - to receive cash or another financial asset from another entity; or
 - to exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the entity.

Financial instrument

A financial instrument is any contract that gives rise to a financial asset of one entity and a financial liability or equity instrument of another entity. Financial assets or liabilities that are not contractual (such as statutory receivables or payables that arise as a result of statutory requirements imposed by governments) are not financial instruments.

Financial liability

A financial liability is any liability that is:

A contractual obligation:

- (i) to deliver cash or another financial asset to another entity; or
- (ii) to exchange financial assets or financial liabilities with another entity under conditions that are potentially unfavourable to the entity.

Financial statements

Financial statements in the Model Report comprises:

- (a) balance sheet as at the end of the period;
- (b) comprehensive operating statement for the period;
- (c) a statement of changes in equity for the period;
- (d) cash flow statement for the period;
- (e) notes, comprising a summary of significant accounting policies and other explanatory information;
- (f) comparative information in respect of the preceding period as specified in paragraphs 38 of AASB 101 *Presentation of Financial Statements*; and
- (g) a statement of financial position as at the beginning of the preceding period when an entity applies an accounting policy retrospectively or makes a retrospective restatement of items in its financial statements, or when it reclassifies items in its financial statements in accordance with paragraphs 41 of AASB 101.

Grants and other transfers

Transactions in which one unit provides goods, services, assets (or extinguishes a liability) or labour to another unit without receiving approximately equal value in return. Grants can either be operating or capital in nature.

While grants to governments may result in the provision of some goods or services to the transferor, they do not give the transferor a claim to receive directly benefits of approximately equal value. For this reason, grants are referred to by the AASB as involuntary transfers and are termed non-reciprocal transfers. Receipt and sacrifice of approximately equal value may occur, but only by coincidence. For example, governments are not obliged to provide commensurate benefits, in the form of goods or services, to particular taxpayers in return for their taxes.

Grants can be paid as general purpose grants which refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants which are paid for a particular purpose and/or have conditions attached regarding their use.

Intangible produced assets

Refer to produced assets in this glossary.

Interest expense

Costs incurred in connection with the borrowing of funds includes interest on bank overdrafts and short-term and long-term borrowings, amortisation of discounts or premiums relating to borrowings, interest component of finance leases repayments, and the increase in financial liabilities and non-employee provisions due to the unwinding of discounts to reflect the passage of time.

Net result

Net result is a measure of financial performance of the operations for the period. It is the net result of items of income, gains and expenses (including losses) recognised for the period, excluding those that are classified as 'other economic flows – other comprehensive income'.

Net result from transactions/net operating balance

Net result from transactions or net operating balance is a key fiscal aggregate and is income from transactions minus expenses from transactions. It is a summary measure of the ongoing sustainability of operations. It excludes gains and losses resulting from changes in price levels and other changes in the volume of assets. It is the component of the change in net worth that is due to transactions and can be attributed directly to government policies.

Net worth

Assets less liabilities, which is an economic measure of wealth.

Non-financial assets

Non-financial assets are all assets that are not 'financial assets'. It includes inventories, land, buildings, infrastructure, road networks, land under roads, plant and equipment, investment properties, cultural and heritage assets, intangible and biological assets.

Other economic flows included in net result

Other economic flows included in net result are changes in the volume or value of an asset or liability that do not result from transactions. It includes:

- gains and losses from disposals, revaluations and impairments of non-financial physical and intangible assets; and
- fair value changes of financial instruments.

Other economic flows – other comprehensive income

Other economic flows – other comprehensive income comprises items (including reclassification adjustments) that are not recognised in net result as required or permitted by other Australian Accounting Standards.

The components of other economic flows – other comprehensive income include changes in physical asset revaluation surplus.

Payables

Includes short and long-term trade debt and accounts payable, grants, taxes and interest payable.

Produced assets

Produced assets include buildings, plant and equipment, inventories, cultivated assets and certain intangible assets. Intangible produced assets may include computer software, motion picture films, and research and development costs (which does not include the start up costs associated with capital projects).

Receivables

Includes amounts owing from government through appropriation receivable, short and long-term trade credit and accounts receivable, accrued investment income, grants, taxes and interest receivable.

Statutory appointment

The appointment of officers made by the Governor-in-Council. These include the Director of Public Prosecutions, Chief Crown Prosecutor and Crown Prosecutors.

Supplies and services

Supplies and services generally represent cost of goods sold and the day-to-day running costs, including maintenance costs, incurred in the normal operations of the OPP.

Transactions

Transactions are those economic flows that are considered to arise as a result of policy decisions, usually an interaction between two entities by mutual agreement. They also include flows in an entity such as depreciation where the owner is simultaneously acting as the owner of the depreciating asset and as the consumer of the service provided by the asset. Taxation is regarded as mutually agreed interactions between the government and taxpayers. Transactions can be in kind (e.g. assets provided/given free of charge or for nominal consideration) or where the final consideration is cash. In simple terms, transactions arise from the policy decisions of the government.

9.12 Style conventions

Figures in the table and in the text have been rounded. Discrepancies in the tables between totals and sums of components reflect rounding. Percentage variations in all tables are based on the underlying unrounded amounts.

The notation used in the tables is as follows:

–	zero, or rounded to zero
(xxx.x)	negative numbers
200x	year period
200x–0x	year period

The financial statements and notes are presented based on the illustration for a government department in the 2016–17 *Model Report for Victorian Government Departments*. The presentation of other disclosures is generally consistent with the other disclosures made in earlier publications of the OPP's annual reports.

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Appendix 1

Output and performance measures

	2016/17		2015/16		2014/15		2013/14	
Budget Paper 3 Measures	<i>Target</i>	<i>Actual</i>	<i>Target</i>	<i>Actual</i>	<i>Target</i>	<i>Actual</i>	<i>Target</i>	<i>Actual</i>
Judicial Officer sitting days requiring prosecutors	9,500 – 10,500	11,916	9,500 – 10,500	11,464	9,500 – 10,500	9,542	9,500 – 10,500	9,421
Number of briefs prepared and hearings attended	68,500 – 73,500	76,075	68,500 – 73,500	72,610	68,500 – 73,500	70,100	68,500 – 73,500	70,254
Number of victim and witness consultations	9,500 – 10,500	10,717	9,000 – 10,000	10,620	9,750 – 10,750	10,482	8,500 – 9,500	9,525
Guilty outcomes (guilty pleas and trial convictions) as a percentage of case completions	86.0	90.1	86.0	89.6	85.0	89.0	85.0	88.5
Proportion of trials listed which did not proceed to adjournment on application of the Crown %	99.0	98.7	99.0	98.6	99.0	98.9	99.0	99.1

Note on measures:

These measures are reported by the Office of Public Prosecutions to the Department of Justice and Regulation as part of the Budget Paper 3 Output and Performance Measures reporting process.

Appendix 2

Legal functions of the DPP report

Conviction and Sentence Appeals

Appeals against conviction or sentence by the person convicted or on whom the sentence was imposed have a preliminary stage: an application for leave to appeal pursuant to section 315 of the *Criminal Procedure Act 2009*.

These applications are heard by a single judge of the Court of Appeal; the DPP represents the Crown in such applications. Conviction and sentence leave applications may proceed with or without an oral hearing, by choice of the applicant. Where an application is refused by a single judge, the applicant may nevertheless elect to have the matter further heard by the court, whether or not an oral hearing was held.

Sentence Leave Applications 2016/17:

- 126 Sentence leave applications
- 63 were granted
- 57 were refused
- Two were adjourned
- Three were abandoned
- One is pending judgment.

Conviction Leave Applications 2016/17:

- 37 Conviction leave applications
- 15 were granted
- 20 were refused
- Two were adjourned
- None were abandoned
- None are pending judgment.

Supreme Court Judicial Reviews and Appeals

Certain types of appeals or reviews of criminal proceedings are conducted in the civil jurisdiction of the Supreme Court in the Judicial Reviews and Appeals List. This includes:

- Appeals to the Supreme Court on a Question of Law under section 272 of *Criminal Procedure Act 2009*, where the DPP is required to act on behalf of the police in any appeal to the Supreme Court on a question of law.
- The Judicial Review procedure provided by Order 56 of the *Supreme Court (General Civil Procedure) Rules 2015* provides a means of seeking correction of error in the nature of *certiorari*, *mandamus* or prohibition. The Director of Public Prosecutions uses the Order 56 procedure to review decisions in the Magistrates' Court and the County Court, where the decision infringes jurisdiction and is not amenable to other forms of appeal. This esoteric procedure is used to review the orders or actions of a judicial officer usually on the basis of error as to jurisdiction, failure to exercise jurisdiction or denial of procedural fairness. The Order 56 procedure is also used by unsuccessful appellants to review a County Court Appeal pursuant to section 254 of the *Criminal Procedure Act 2009*, as this is the only avenue available for further appeal in respect of such proceedings.
- Section 104 *Sentencing Act 1991* applications, where in a situation where a sentence passed is invalid due to jurisdictional error, an application is made to the Supreme Court for relief or remedy in the nature of *certiorari* to remove the proceeding into the Supreme Court where the sentence may be substituted with a sentence which the sentencing court had the power to impose.

In 2016/17 in relation to these appeals and reviews the DPP:

- received five requests from the police for an appeal on a question of law pursuant to section 272(2) of the *Criminal Procedure Act 2009* (three requests were accepted and two were refused).
- acted for Respondent Police Informants in nine Appeals on a Question of Law and nine Order 56 Judicial Reviews of Magistrates' Court decisions brought by or on behalf of Accused persons.
- received six County Court Appeal decisions for consideration for review pursuant to Order 56 of the *Supreme Court (General Civil Procedure) Rules 2015*.
- acted for Victoria Police in 10 Order 56 Judicial Reviews of County Court Appeals which were commenced by convicted persons.

The outcomes of these appeal and review processes are subject to appeal. In 2016/17:

- three applications for leave to appeal to the Court of Appeal against the outcomes of Order 56 Judicial Reviews were filed (one application for leave to appeal was refused, in one matter the Court of Appeal reserved its decision and the third matter is listed for hearing in the second half of 2017).
- two High Court Applications were filed in respect of Court of Appeal proceedings arising out of appeals on a question of law or Order 56 Judicial Reviews. One of these applications was refused and the other was pending at 30 June 2017.

Discontinuance of prosecutions

Discontinuance of prosecutions were entered in 142 cases. Some of those cases involved more than one accused and more than one count/charge on the presentment/indictment.

Indemnities from prosecution, undertakings or letters of comfort:

No indemnities were provided by the DPP.

One letter of comfort was provided by the DPP.

Undertakings were provided by the DPP to 15 witnesses in relation to 34 accused persons.

Consents to prosecute

The DPP, or his delegates, granted:

- 10 consents to file an indictment, involving one or more accused, under section 321 of the *Crimes Act 1958* (conspiracy).
- 15 consents to prosecute under section 50 or 69 of the *Crimes Act* (gross indecency).
- 22 consents to prosecute under section 47A of the *Crimes Act* (maintaining a sexual relationship/persistently sexually abusing a child under 16).
- 63 consents to prosecute under subclause 4A(12) of schedule 1 to the *Criminal Procedure Act 2009* (course of conduct charges).
- Five consents to prosecute under section 7(1)(b) of the *Criminal Procedure Act 2009*.
- Three consents to prosecute under section 24(4) of the *Racial and Religious Tolerance Act 2001*.
- Eight consents to prosecute under section 90 of the *Estate Agents Act 1980*.
- No consents to prosecute under section 186 of the *Aboriginal Heritage Act 2006*.
- No consents to prosecute under section 132 of the *Occupational Health and Safety Act 2004*.
- No consents to prosecute under the *Judicial Proceedings Act 1958*.
- No consents to prosecute under the *Legal Profession Act 1958*.
- No consents to prosecute under section 195A(4) of the *Crimes Act 1958*.
- No consents to prosecute under section 129 of the *Adoption Act 1984*.

Continued detention applications

During the 2016/17 financial year, the DPP conducted two detention order reviews. The DPP also received two new detention order referrals and a re-referral from the Secretary to the Department of Justice and Regulation during this period and determined to file detention order applications in respect of both offenders.

On 21 December 2016, the DPP filed a renewal application in respect of JPH's three year detention order which was due to expire on 15 April 2017. The application was listed for hearing on 30 March 2017 and on 10 April 2017 the Honourable Justice T. Forrest delivered his judgment. The Honourable Justice T. Forrest was positively satisfied that JPH continued to pose an unacceptable risk of committing a relevant offence if a detention order was not made. Justice T. Forrest ordered that the detention order be renewed for a period of three years commencing on 15 April 2017, with the latest date for the first review being 14 April 2018.

CGM had been subject to a detention order since 16 October 2014. The initial detention order was made for a period of two years. On 12 July 2016 the DPP applied for a renewal of the detention order and that renewal application was successful. The renewed detention order was for a period of one year with an expiration date of 15 October 2017. The Secretary to the Department of Justice and Regulation has since referred this matter to the DPP for consideration of a detention order renewal application. The Secretary's referral was accompanied by two expert reports. Both reports indicated that CGM had made significant treatment and behavioural gains over the past 12 months and, as a result, the expert's assessment of CGM's risk had decreased. On the basis of these expert reports the DPP determined not to apply for a renewal of the detention order but rather, determined to return the matter back to the Secretary to the Department of Justice and Regulation for his

consideration as to the making of an application for a supervision order. An application for a supervision order is listed for hearing in the County Court on 13 October 2017.

On 12 October 2016 the Secretary to the Department of Justice and Regulation referred the matter of DGB to the DPP for his consideration for the making of a detention order. Since receiving the referral, DGB was arrested and remanded in custody after being charged with relevant sexual offences. DGB was convicted and sentenced on 22 June 2017 in the County Court in respect of these offences. The DPP determined to file an application for a detention order in the Supreme Court. On 5 September 2017 the detention order application was listed for hearing before the Acting Chief Justice Weinberg. DGB consented to a 12 month detention order through his counsel, the Court having been satisfied that DGB poses an unacceptable risk of committing a relevant offence if a detention order is not made and DGB is in the community. The detention order will commence operation on 10 September 2017, upon DGB's sentence expiry, and will remain in operation for a period of one year.

On 28 October 2016 the Secretary to the Department of Justice and Regulation referred the matter of JDD to the DPP for consideration of an application for a detention order. At the time of the referral, JDD was on remand in respect of a relevant sexual offence. JDD was ultimately convicted and sentenced in respect of the relevant sexual offence. The Secretary then re-referred the matter to the DPP for consideration ahead of JDD's sentence expiry date of 19 August 2017. On 27 July 2017 the DPP determined to file an application for an interim detention order and an application for a detention order to the Supreme Court of Victoria. On 17 August 2017 the Honourable Justice Coghlan made an interim detention order for a period not exceeding four months, having been satisfied that the making of an interim detention order was justified and was in the public interest. The substantive detention order application is listed for hearing on 13 November 2017.

CGM (until his detention order expires on 15 October 2017), JPH and DGB are currently being housed in the purpose built Greenhill Detention Unit at Hopkins Correctional Centre (formerly Ararat Prison). As at the time of writing JPH, CGM and DGB are the only unconvicted prisoners subject to a detention order in the state of Victoria. JDD is currently subject to an interim detention order and is being housed at the Marlborough Unit at Port Phillip Prison.

The DPP continues to assume the responsibility for breach of supervision order proceedings initiated by Victoria Police under section 172(3) of the *Serious Sex Offenders (Detention and Supervision) Act 2009*, largely in respect of serious breaches. During the 2016/17 financial year, 44 breach of supervision order proceedings were conducted by the DPP in the County Court.

Direct presentments/indictments

The DPP directly indicted an accused person on 16 occasions on one or more counts.

Conflicts of Interest

There was one matter referred to the Attorney-General pursuant to section 29(1) of the *Public Prosecutions Act 1994* as the result of a possible conflict of interest.

Appendix 3

Crown appeals under section 287 of the *Criminal Procedure Act 2009*

In 2016/17, 18 Director's Appeals against Sentence to the Court of Appeal under section 287 of the *Criminal Procedure Act 2009* were completed. Of those, 18 appeals where judgment was delivered by the court, 11 were allowed and seven were dismissed.

No	Name	Status of Appeal	Date of Judgment
1	PERRY, Gavin	Dismissed	01/07/2016
2	BROWNING, Brian Robert	Allowed	04/07/2016
3	GRANATA, Alfio	Allowed	08/08/2016
4	APOSTOLOPOULOS, Panayiotis	Dismissed	17/08/2016
5	CLUNIE, Ethan*	Allowed	14/09/2016
6	WESTON, Darren	Allowed	10/10/2016
7	HUDGSON, Graham Miles	Allowed	20/10/2016
8	ADAB, Franco	Dismissed	22/11/2016
9	BOWDEN, Shane	Allowed	23/11/2016
10	HOPSON, Ivor*	Allowed	08/12/2016
11	THAI, Uyen Thi Phuong	Dismissed	09/12/2016
12	COOPER, Bryan*	Allowed	08/02/2017
13	WEST, Andrew John*	Allowed	21/02/2017
14	TRUEMAN, Michael Patrick	Dismissed	23/02/2017
15	WEBER, James Paul	Allowed	02/05/2017
16	MAJOK, David	Dismissed	14/06/2017
17	BENSON, Cindy*	Dismissed	21/06/2017
18	RIVETTE, Clint	Allowed	22/06/2017

* Denotes name is anonymised

Appendix 4

OPP activity data

Briefs prepared and hearings attended

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Briefs prepared and hearings attended	67,570	69,183	72,633	68,265	69,465	70,837	70,783	70,238	70,254	70,100	72,610	76,075

Judge sitting days serviced by OPP staff

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Supreme Court	1,225	1,123	1,008	1,073	1,000	1,133	983	817	937	879	1,021	929
County Court	5,038	4,929	5,894	6,179	5,966	6,142	6,085	6,126	5,700	5,927	5,683	5,908
Circuit County and Supreme Courts	–	1,336	1,698	1,616	1,657	1,850	1,669	1,672	1,866	1,580	1,521	1,434
Total*	6,263	7,388	8,600	8,868	8,623	9,125	8,737	8,615	8,503	8,386	8,225	8,271

* Note that the total prior to 2006/07 does not include circuit.

Magistrates' Court sitting days serviced by OPP staff

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Magistrates' Court	–	–	–	–	1,037	1,056	949	1,199	918	1,156	3,239	3,645

Case outcomes as a percentage of total case completions

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Guilty pleas pre-trial	55.9	64.1	58.8	58.3	60	64	61.7	63	66.8	63	65.7	68.7
Guilty pleas listed as trial	9.3	9.4	11	10.8	11.4	11.8	12.1	12	9.8	12	11.2	10.2
Total guilty pleas	65.2	73.5	69.8	69	71.8	75.3	73.8	74.8	76.6	75.2	77.0	78.9
Trial convictions	17.1	14.6	16.5	15.5	13.5	13	14.6	12.8	11.9	13.8	12.6	11.2
Trial acquittals	12.2	11	12.3	12.5	12.3	10.1	8.6	9.3	8.9	9.4	8.9	9.0
Total trials	29.3	25.6	28.8	28.1	25.9	23.1	23.2	22.2	20.8	23.2	21.5	20.2
Other case completions	5.5	0.9	1.4	2.9	2.3	1.6	3	3	2.6	1.6	1.5	0.9
Total guilty (pleas and convictions)	82.3	88.1	86.3	84.5	85.3	88.3	88.4	87.6	88.5	89	89.6	90.1

Trial Conviction Rate

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Convictions as a percentage of all trial verdicts	58.4	57.0	57.3	55.2	52.3	56.3	62.9	57.9	57.2	59.6	58.6	55.6

Trials completed

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Melbourne County Court	341	302	340	310	278	286	299	323	282	278	264	249
Melbourne Supreme Court	43	42	41	43	30	29	32	24	28	26	40	22
Circuit County and Supreme Courts	118	101	118	102	91	96	81	102	123	109	100	78
Total	502	445	499	455	399	411	423	449	433	413	404	349

*The total excludes trials that resolved as guilty pleas. If these are included the total for 2016/17 is 492, the total for 2015/16 is 565 and the total for 2014/15 is 589. The total also excludes discontinuances.

Plea hearings conducted

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Summary Pleas	–	–	–	–	–	–	–	497	584	448	465	475
Melbourne County Court	828	966	866	838	1,202	1,298	1,492	1,444	1,512	1,503	1,511	1,526
Melbourne Supreme Court	63	62	29	69	58	80	59	77	71	65	72	81
Circuit County and Supreme Courts	218	216	255	166	186	373	415	423	406	426	457	447
Total	1,109	1,244	1,150	1,073	1,446	1,751	1,966	2,441	2,573	2,442	2,505	2,529

* Note that the total prior to 2012/13 does not include Summary Pleas.

Victim and witness referrals

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Number of referrals	–	489	559	779	958	929	1,016	999	921	985	1,090	1,268

County Court appeals completed

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Number of appeals	2,129	2,264	2,118	2,289	2,014	2,188	2,287	2,197	2,337	2,664	2,666	2,531

Appeals to Court of Appeal, Supreme Court and High Court completed

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Court of Appeal / Supreme Court	302	290	291	286	272	457	424	178	161	177	166	192
High Court	11	9	8	5	7	10	12	6	3	13	13	12
Total	313	299	299	291	279	467	436	184	164	190	179	204

Appendix 5

Crown Prosecutor activity data

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Number of Crown Prosecutors (FTE)*	17.7	18.8	22.5	24.7	25.7	28.1	25.4	21.8	20.4	20.3	19.5	19.3
Days in court total	1,904	2,216	2,280	2,460	2,709	2,873	2,290	1,933	1,912	2,047	1,832	1,589
Days in court per Crown Prosecutor	108	118	101	100	105	102	90	89	94	101	94	83
Court appearance %	50.8%	48.4%	41.9%	46.5%	50.0%	47.6%	45.5%	43.5%	46.0%	46.8%	45.7%	41.0%
Presentments/ indictments total	2,371	2,472	3,095	2,437	2,879	2,916	2,855	2,844	2,687	2,750	2,801	2,788
Presentments / indictments per Crown Prosecutor	134	131	137	99	112	104	112	130	132	136	143	145
Total plea offer advisings	636	718	1,241	1,281	2,077	2,257	2,095	2,215	2,052	2,226	2,239	2,477
Plea offer advisings per Crown Prosecutor	36	38	55	52	81	80	83	101	101	110	115	129
Total discontinuance of charges advisings	170	96	122	113	492	495	640	698	684	640	611	571
Discontinuance of charges advisings per Crown Prosecutor	10	5	5	5	19	18	25	32	34	32	31	30
General advice total	3,648	3,390	4,135	4,758	3,876	4,694	4,213	3,749	3,200	2,880	3,427	3,659
General advice per Crown Prosecutor	206	180	184	193	151	167	166	172	157	142	175	190
All advice total	4,454	4,204	5,498	6,152	6,445	7,446	6,948	6,662	5,936	5,746	6,277	6,707
All advice per Crown Prosecutor	252	223	244	249	251	265	274	305	292	284	321	348

* Note that for this data set, Crown Prosecutor FTE (full-time equivalent) is calculated across the financial year.

Appendix 6

Freedom of information report

Compliance with the *Freedom of Information Act 1982*

The OPP is subject to the *Freedom of Information Act 1982* (the Act).

Particulars of the functions and organisation of the OPP are set out elsewhere in this Annual Report. The OPP's website (www.opp.vic.gov.au) provides additional information including the OPP's statement pursuant to Part II of the Act.

Further information can be obtained about the Act, and the various regulations made under that Act by visiting www.foi.vic.gov.au

Exemption of the Director of Public Prosecutions

The *Freedom of Information Regulations 2009* exempt the DPP from the application of the Act. The Regulations Review Subcommittee approved the exemption on 7 October 2009. These regulations will sunset on 7 April 2019.

Freedom of Information requests during 2016/17

The OPP received 56 requests under the Act from 1 July 2016 to 30 June 2017. Fifty requests were finalised in this period with the remaining six requests to be finalised within the next reporting period. An outline of the results of these requests is as follows (note that some requests may fall into more than one category):

Requests transferred to other agencies/departments	1
Requests transferred from other agencies	2
Requests transferred to another agency	1
Requests relating to documents that do not exist or cannot be located	5
Access granted in full	3
Access granted in part	21
Access denied in full	3
Requests outstanding from 15/16 period	6
Requests withdrawn/not proceeded with/Act does not apply to	5
Requests not processed	12
FOIC reviews (however FOIC did not make a decision)	1
VCAT review	1

Categories of documents held by the OPP

The types of documents the OPP handles include case files, policies and procedures, administrative records and audio-visual material. Documents are organised under the following categories according to the OPP's business classification scheme

- Audio-Visual Management
- Communications Management
- Contract Establishment
- Facilities Management
- Fleet Management
- Government Relations
- Human Resources Management
- Information Management
- Systems Management
- Learning and Development Management

- Legal Matter Management
- Legal Services Management
- Occupational Health and Safety Management
- Stationery and Supplies Management
- Strategic Management

Access to documents

The *Freedom of Information Act* 1982 aims to make the maximum amount of information available to Victorians, promptly and inexpensively. To facilitate this aim, applications should be as specific and as precise as reasonably practicable to enable quick identification when searching for the relevant documents.

Access to information in documents held by the OPP may only be obtained through written request to the OPP's Freedom of Information Officer. Delegated officers handle the processing and determination of the request. Any request for review of a decision is to be conducted by the Freedom of Information Commissioner.

An applicant may request photocopies of documents and/or inspect specific documents at the OPP by arrangement, or by other access arrangements that may be appropriate to the application. Applicants should provide a telephone number and email address as a point of contact for the Freedom of Information Officer to clarify or discuss matters relating to the request.

The OPP can refuse to release all or part of a document if it contains information that is exempt under the Act. The Act outlines general categories of information that are exempt, including information relating to the personal affairs of a person, information provided in confidence, information which if disclosed might endanger the lives or physical safety of individuals, Cabinet documents, privileged documents, commercial-in-confidence information and internal working documents, the release of which would be contrary to the public interest.

Where the OPP decides to deny access to all or part of a document, it will advise the applicant of the decision and the reasons for the decision in an 'Access Decision' letter. If the applicant wishes to challenge a decision of the OPP, they may apply to the Freedom of Information Commissioner for a review of the decision. If the applicant is dissatisfied with the outcome of that review, they may lodge an application for review to the Victorian Civil and Administrative Tribunal (VCAT). An applicant may also make a complaint to the Freedom of Information Commissioner about the way the request has been handled or if they are informed that no documents relating to their request exist.

In 2016/17, one matter was referred to the Freedom of Information Commissioner, however as no decision was made; an application for review was lodged with VCAT.

Charges under the Act

The Act specifies that access to information be provided at the lowest reasonable cost. Current charges are:

- Application fee – a request must be accompanied by payment of \$27.90 (effective 1 July 2016 to 30 June 2017) and thereafter \$28.40
- Search fee – \$20.90 per hour or part thereof (effective 1 July 2016 to 30 June 2017) and thereafter \$21.30
- Supervision fee – \$20.90 per hour to be calculated per quarter hour or part of a quarter hour, where a document is inspected by an applicant at the OPP (effective 1 July 2016 to 30 June 2017) and thereafter \$21.30
- Photocopy fee – \$0.20 per A4 page
- Deposits – a deposit of \$25 may be requested before the OPP will grant access if the calculated charge does not exceed \$100. If the calculated charge exceeds \$100, a deposit of 50 per cent of the calculated charge may be requested.

Some charges may be waived in certain circumstances: for example, where the applicant is impecunious or the information was accessed in the public interest. On 1 July 2017 the application fee was increased to \$28.40 (2 fee units).

Amendment of personal records

After a document containing information relating to the personal affairs of a person has been released to that person, or in the case of a deceased person, that person's next of kin, the applicant can request the correction of any information held on the file where it is considered that this information is inaccurate, incomplete, out of date or gives a misleading impression. In the 2016/17 period no requests to amend a personal record were received.

Requests for amendments must be made in writing and must specify:

- an address for service of notices
- particulars of why the applicant believes the information to be incomplete, incorrect, out-of-date or misleading
- the amendments that the applicant wishes to be made.

If the OPP agrees to the request, the record may be either altered or amended by an appropriate notation. If the OPP refuses to make the amendment, it must notify the applicant in writing of the decision, advising of:

- the findings on any material questions of fact, the material on which those findings were based and the reasons for the decision
- the name and designation of the person making the decision
- the applicant's right to a review of the decision by VCAT.

If VCAT affirms the OPP's decision, the applicant may insist that a notation be made to the record specifying why the applicant claims the information it contains is incomplete or otherwise inaccurate. The notation then becomes part of the document and may be disclosed according to the Act.

Nominated officer/contact officer

Requests for access to documents in the possession of the Office of Public Prosecutions under the *Freedom of Information Act 1982* may be directed to:

Freedom of Information Officer
Office of Public Prosecutions
565 Lonsdale Street
MELBOURNE VIC 3000

Or via email to: foi@opp.vic.gov.au

Or via an online request and payment at: www.foi.vic.gov.au

Appendix 7

Protected Disclosures report

The OPP is committed to the aims and objectives of the *Protected Disclosures Act 2012* (the Act). It does not tolerate improper conduct by its employees and officers or the taking of reprisals against those who come forward to disclose such conduct.

The OPP recognises the value of transparency and accountability in its administrative and management practices and supports the making of disclosures that reveal corrupt conduct, conduct involving a substantial mismanagement of public resources or conduct involving a substantial risk to public health and safety or the environment.

The OPP will take all necessary steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure.

Protected disclosure procedures under the *Protected Disclosure Act 2012*

Protected disclosure procedures in accordance with section 58(5) of the *Protected Disclosure Act 2012* are accessible via the OPP's website on www.opp.vic.gov.au.

Disclosures of improper conduct or detrimental action by the OPP or its employees and officers, the Solicitor for Public Prosecutions or a Crown Prosecutor may be made directly to the Independent Broad-based Anti-corruption Commission (IBAC). Disclosures of improper conduct or detrimental action by the DPP or the Chief Crown Prosecutor must be made directly to the IBAC.

IBAC
Level 1, North Tower
459 Collins Street
MELBOURNE VIC 3000
Tel: (03) 1300 735 135
Website: www.ibac.vic.gov.au

Appendix 8

The OPP workforce

OPP staff are employed by the Solicitor for Public Prosecutions, who has the functions of a public service body Head under the *Public Administration Act 2004* (the Act).

The OPP workforce numbers have remained relatively stable during the 2016/17 financial year, with a small increase in staff from 2015/16. At 30 June 2017 we had a total of 344 employees, 68 per cent are female, 32 per cent male.

<i>Jun-16</i>							
	<i>All Employees</i>		<i>Ongoing Employees</i>			<i>Fixed term/ Casual</i>	
	<i>Number HC</i>	<i>FTE</i>	<i>Full Tim HC</i>	<i>Part Time HC</i>	<i>FTE</i>	<i>Number HC</i>	<i>FTE</i>
Gender							
Male	109	108	92	3	94	14	14
Female	213	196.2	131	45	159.8	37	36.4
Total	322	304.2	223	48	253.8	51	50.4
Age							
15-24	14	14	3	0	3	11	11
25-34	132	128.4	90	9	95.7	33	32.7
35-44	79	69.6	51	25	66.7	3	2.9
45-54	54	50.2	40	11	47.4	3	2.8
55-64	37	36	33	3	35	1	1
65+	6	6	6	0	6	0	0
Total	322	304.2	223	48	253.8	51	50.4
Classification							
VPS 1	0	0	0	0	0	0	0
VPS 2	41	40.2	17	2	18.2	22	22
VPS 3	56	55.1	43	3	45.5	10	9.6
VPS 4	63	60.6	46	6	49.6	11	11
VPS 5	71	63.6	46	19	57.8	6	5.8
VPS 6	88	81.7	70	18	81.7	0	0
STS	1	1	1	0	1	0	0
PS	0	0	0	0	0	0	0
SMA	0	0	0	0	0	0	0
SRA	0	0	0	0	0	0	0
Executives	2	2	0	0	0	2	2
Other	20	20	0	0	0	20	20
Total	342	324.2	223	48	253.8	71	70.4

Employment and conduct principles

The Act describes public sector values (section 7) and employment principles (section 8).

The Office is committed to applying the principle of merit when appointing staff. Selection processes ensure that applicants are assessed and evaluated fairly and equitably on the basis of the key selection criteria and other accountabilities without discrimination. This commitment is reflected in our values, particularly those of respecting others, acting fairly and acting

with integrity. All of our people management systems and procedures have been designed to ensure that these standards are consistently met.

The Code of Conduct for Victorian Public Sector Employees is provided to all new employees and is available on the OPP intranet. Our formal induction program highlights the importance of the Code and the values expected of our staff.

	<i>Jun-17</i>						
	<i>All Employees</i>		<i>Ongoing Employees</i>			<i>Fixed term/ Casual</i>	
	<i>Number HC</i>	<i>FTE</i>	<i>Full Tim HC</i>	<i>Part Time HC</i>	<i>FTE</i>	<i>Number HC</i>	<i>FTE</i>
Gender							
Male	110	109.6	93	2	94.6	15	15
Female	234	215.3	136	50	168.7	47	46.3
Total	344	324.9	229	52	263.3	62	61.3
Age							
15-24	16	16	5	0	5	11	11
25-34	145	140.6	91	9	96.8	45	43.8
35-44	80	70.8	50	28	68.8	2	2
45-54	54	50.5	41	9	46.7	4	3.8
55-64	42	40	35	6	39	1	1
65+	7	7	7	0	7	0	0
Total	344	324.9	229	52	263.3	63	61.6
Classification							
VPS 1	0	0	0	0	0	0	0
VPS 2	56	55.1	23	1	23.8	32	31.3
VPS 3	58	57.5	42	3	44.5	13	13
VPS 4	66	63.7	49	7	53.8	10	9.9
VPS 5	70	61.3	45	21	57.9	4	3.4
VPS 6	90	83.3	69	20	82.3	1	1
STS	1	1	1	0	1	0	0
PS	0	0	0	0	0	0	0
SMA	0	0	0	0	0	0	0
SRA	0	0	0	0	0	0	0
Executives	3	3	0	0	0	3	3
Other	19	19	0	0	0	19	19
Total	363	343.9	229	52	263.3	82	80.6

Appendix 9

Occupational health and safety report

The OH&S Committee is comprised of staff and management representatives, and is responsible for:

- advocating a safe and healthy workplace
- assisting management in identifying hazards, reviewing incidents, assessing risks and developing practical controls
- contributing to the development and promotion of a health, safety and wellbeing strategy.

During 2016/17 the Office continued to:

- provide an Employee Assistance Program (EAP) which offers a range of services including face to face short-term professional and confidential counselling for employees and their families
- conduct quarterly site safety audits
- undertake workstation assessments for staff
- deliver OH&S training to new staff.

The Office also finalised a Health, Safety and Wellbeing Strategy for 2016–2018.

The 2016/17 Wellbeing Program consisted of a range of activities, events and programs aimed at improving physical and mental health and wellbeing. Activities included an OPP lunchtime soccer team, bootcamp, pilates, fun runs, superannuation sessions, seminars on a range of wellbeing topics and free flu vaccinations. Mental health awareness has been a key theme of the program, with the EAP conducting a number of lunchtime seminars on topics including Conflict Resolution, The Pursuit of Happiness, and Making the most of the working day. In May 2017 Human Resources conducted a comprehensive Wellbeing survey to gauge employee preferences for future wellbeing initiatives, and the results from this survey are being used to shape the 2017/18 Wellbeing Calendar.

The OPP's performance against OH&S management measures

The Office is committed to providing a safe environment for all staff and visitors. During the year, the Office continued a number of initiatives to improve the health and safety of staff including ergonomic assessments and manual handling reminders to address any workplace risks.

Incident Management

The number of reported incidents across the Office increased to 4.27 per 100 FTE. Incidents include injuries and other hazard (non-injury) related incidents.

There were two new WorkCover claims in 2016/17.

OH&S management measures

<i>Measure</i>		<i>2011/12</i>	<i>2012/13</i>	<i>2013/14</i>	<i>2014/15</i>	<i>2015/16</i>	<i>2016/17</i>
<i>Incidents</i>	No. of incidents	11	8	9	3	13	13
	Rate per 100 FTE	3.38	2.53	2.84	0.95	4.27	4
<i>Claims</i>	No. of standard claims	5	2	4	0	2	2
	Rate per 100 FTE	1.54	0.63	1.26	0	0.66	0.62
	No of lost time claims	3	2	4	0	2	2
	Rate per 100 FTE	0.93	0.63	1.26	0	0.66	0.62
	No of claims exceeding 13 weeks	2	1	1	0	0	2
	Rate per 100 FTE	0.61	0.32	0.32	0	0	0.62

Appendix 10

Environmental report

Commitment to sustainable practices

The OPP is committed to reducing energy consumption, using environmentally sustainable products and implementing environmentally sustainable strategies. The OPP reduces the environmental impact of its operations by implementing initiatives that have an environmental payback. Actions which have been undertaken by the OPP during the last financial year include:

- Working with the Department of Treasury and Finance (DTF) as part of a joint project management team, the main building plant and equipment in 565 Lonsdale Street has been commissioned which will reduce energy consumption
- The new certification procedure associated with the mandatory testing of the fire sprinkler system has reduced the water usage in 565 Lonsdale Street
- Undertaking waste audits and implementing a waste management strategy to allow the separation of waste into several streams for more recycling
- Donating redundant furniture not accepted by auction houses to charities and sporting organisations to avoid landfill
- Employing building contractors who had waste management processes in place to reduce building waste

Environmental report for 2016/17

Environmental reporting pertaining to energy and waste is based on data from the Melbourne CBD OPP office locations where 96 per cent of office-based staff members are located. Reporting elements relating to paper, waste and transport cover all OPP office locations and staff. This information has been prepared in accordance with the Financial Reporting Directions issued by the Minister for Finance (FRD24).

ENERGY

	2016/17				2015/16			
Indicator	Electricity	Natural Gas	Green Power	Total	Electricity	Natural Gas	Green Power	Total
Total energy usage segmented by primary source (MJ) ¹	4,902,102	2,480,129	0	7,382,231	4,412,648	1,932,997	0	6,345,645
Greenhouse gas emissions associated with energy use (t CO ₂ -e) ^{2,3}	2,023	135	0	2,158	1,823	107	0	1,930
Percentage of electricity purchased as Green Power	0			0	0			0
Units of energy used per FTE (MJ/FTE) ⁴	15,129			15,129	20,274			20,274
Units of energy used per unit of office area (MJ/m ²)	620			620	824			824

Notes on energy data:

1. Data provided by Cushman and Wakefield, on behalf of Department of Treasury and Finance.
2. DTF does not purchase green power for 565 Lonsdale Street.
3. Greenhouse gas emissions have been calculated using formulae provided by the Department of Land, Environment, Water and Planning.
4. The OPP's average FTE during 2016/17 is used for environmental reporting.

WASTE

The waste generated by processes within the OPP is divided into three general classes – landfill, compost and recycling.

	2016/17				2015/16			
<i>Indicator</i>	<i>Landfill</i>	<i>Recycled</i>	<i>Compost</i>	<i>Total</i>	<i>Landfill</i>	<i>Recycled</i>	<i>Compost</i>	<i>Total</i>
Total units of waste disposed of by destination (kg/year) ¹	14,221	56,240	2,830	73,291	20,885	60,713	1,817	83,415
Units of waste disposed of per FTE by destinations (kg/FTE)	44	173	9	226	67	194	6	267
Recycling rate (per cent of total waste)	77			77	75			75
Greenhouse gas emissions associated with waste disposal (t CO2-e)	16			16	23			23

Notes on waste data:

1. OPP waste disposal data was provided by Cushman and Wakefield, on behalf of Department of Treasury and Finance.

Actions taken to reduce waste consumption:

- To minimise waste going to landfill, redundant office equipment and furniture was offered to various charity organisations and auction houses.
- As part of the major accommodation project undertaken during 2016/17, the OPP and DTF employed contractors who actively engaged in a waste separation program resulting in around 80 per cent of building waste being recycled.

PAPER

<i>Indicator</i>	<i>2016/17</i>	<i>2015/16</i>
Total units of copy paper used (reams)	17,773	16,613
Units of copy paper used per FTE (reams/FTE) ¹	55	53
Percentage of 75–100% recycled content copy paper purchased (%)	99.9	99.9
Percentage of 50–75% recycled content copy paper purchased (%)	0	0.0
Percentage of 0–50% recycled content copy paper purchased (%)	0.1	0.1

Notes on paper consumption:

1. The paper consumption data was provided by Corporate Office Solutions.

Actions taken to reduce paper consumption:

- While the range of paper used by the OPP is mandated by the Victorian Government Purchasing Board under the Whole of Victorian Government stationery panel arrangement, for general office usage the OPP has selected a standard white A4 paper with a high recycled content and continues to ensure that where possible all paper purchased is made in Australia to minimise the environmental impact of importation.
- Default printing is double sided.
- The implementation of a paperless project to reduce paper usage across the organisation.

WATER

<i>Indicator</i>	<i>2016/17</i>	<i>2015/16</i>
Total units of metered water consumed (kilolitres) ^{1,2}	2,487	3,657
Units of metered water consumed in offices per FTE (kilolitres/FTE)	76	92
Units of metered water consumed in offices per unit of office area (kilolitres/m ²)	0.30	0.47

Notes on water consumption data:

1. Data was provided by Cushman Wakefield (on behalf of the Department of Treasury and Finance, owner of 565 Lonsdale Street and apportioned from total building water consumption based on the ratio of the OPP tenancy area to the building's total net lettable area. Consumption figures include a pro rata allocation of water used as part of the running of the base building, (for example in cooling towers, cleaning and toilet use) which is not managed by the OPP.
2. The reduction in water consumption is due to OPP consolidating in 565 Lonsdale Street and leaving the tenancy at 575 Bourke Street. 575 Bourke Street was reported on in the 2015/16 Annual Report.

Actions taken to reduce water consumption:

- As part of the refurbishment program for 565 Lonsdale Street, the usage associated with the mandatory testing of the fire sprinkler system has reduced significantly.

TRANSPORT

The department's fleet comprises 31 vehicles, 65 per cent of which are operational vehicles, and the remainder executive fleet. Of the operational vehicles 55 per cent are four cylinder petrol fuelled, and 45 per cent are six cylinder petrol fuelled.

The executive fleet comprised 35 per cent six cylinder diesel fuelled, 35 per cent six cylinder petrol fuelled, 10 per cent hybrid fuelled, 10 per cent LPG fuelled and 10 per cent four cylinder petrol fuelled vehicles.

	<i>2016/17</i>			<i>2015/16</i>		
<i>Operational Vehicles</i>	<i>4 cyl</i>	<i>6 cyl</i>	<i>Total</i>	<i>4 cyl</i>	<i>6 cyl</i>	<i>Total</i>
Total energy consumption by vehicles (MJ)	388,917	610,794	999,711	338,783	612,655	951,438
Total vehicle travel associated with entity operations (km)	113,963	232,330	346,293	108,228	223,881	332,109
Total greenhouse gas emissions from vehicle fleet (t CO ₂ -e)	18.23	46	64.23	17.32	44.33	61.65
Greenhouse gas emissions from vehicle fleet per 1,000km travelled (t CO ₂ -e) ¹	0.16	0.2	0.36	0.16	0.2	0.36

	<i>2016/17</i>	<i>2015/16</i>
<i>Indicator</i>	<i>Total greenhouse gas emissions (t CO₂-e)</i>	<i>Total greenhouse gas emissions (t CO₂-e)</i>
Total travelled by aeroplane ²	112	58

<i>Indicator</i>	<i>2016/17</i>	<i>2015/16</i>
Percentage of CBD employees regularly (>75 per cent of work attendance days) using public transport, cycling, walking, or car pooling to and from work or working from home ³	87	87

Notes on transportation data:

1. Vehicle fuel data supplied by the Department of Treasury and Finance's VicFleet unit.
2. Over 90 per cent of all air travel relates to the movement of witnesses for trial preparation or giving evidence at court – as such, distance of travel can vary significantly.
3. 2016/17 estimate.

Actions taken to reduce vehicle emissions:

- Ongoing program of replacing vehicles with more fuel efficient models – refer to attached charts relating to fuel consumption and CO₂ emissions.
- As part of the refurbishment program for 565 Lonsdale Street, the OPP and the Department of Treasury and Finance will be upgrading 'end of trip' facilities to encourage more staff to walk, run or cycle to work.
- Public transport tickets are purchased for staff travel to and from external meetings and also between the Melbourne and Geelong offices.

Appendix 11

Supplementary information

Audit Committee: function, role and duties

The members of the Audit Committee are listed below.

Independent Members

H. Burjorjee – Chairperson

L. Woolmer – Non-Executive Member

Executive Members

S. Jones – Manager, Projects & Performance

The role and responsibilities of the Audit Committee and its members are set out in the Audit Committee Charter.

The Audit Committee provides advice to the Solicitor for Public Prosecutions to assist in the effective discharge of responsibilities prescribed in the *Financial Management Act* 1994 and *Audit Act* 1994 and other relevant legislation.

The main responsibilities of the Audit Committee are to:

- review and report independently to the Solicitor and Minister on the annual report and all other financial information published by the OPP;
- assist the Solicitor and the Minister in reviewing the effectiveness of the OPP's internal control environment covering:
 - effectiveness and efficiency of operations
 - reliability of financial reporting
 - compliance with applicable laws and regulations
- determine the scope of the internal audit function and ensure that its resources are adequate and used effectively, including coordination with the external auditors; and
- oversee the effective operation of the risk management framework.

Consultancies

Details of consultancies over \$10,000

In 2016/17, there were no consultancies where the total fees payable to the consultants were \$10,000 or greater.

Details of consultancies under \$10,000

In 2016/17, there were no consultancies engaged during the year, where the total fees payable to the individual consultancies was less than \$10,000.

Information and Communication Technology (ICT) expenditure

For the 2016/17 reporting period, the Office had a total ICT expenditure of \$4,385,690 with the details shown below.

(\$ thousand)			
All operational ICT expenditure	ICT expenditure related to projects to create or enhance ICT capabilities		
Business As Usual (BAU) ICT expenditure	Non-Business As Usual (Non-BAU) ICT expenditure	Operational expenditure	Capital expenditure
Total	Total = Operational expenditure and Capital expenditure		
3,492	894	736	158

Appendix 12

Statement of availability of other information

In compliance with the requirements of the Ministerial Directions of the Minister for Finance, details on the information items listed below have been retained by the OPP and are available to the relevant Ministers, Members of Parliament and the public (subject to Freedom of Information requirements, if applicable). However, in adopting best practice disclosure policies and to ensure that the OPP discharges its accountability obligations, where relevant, details about some of the following items have been disclosed within this Report of Operations:

- A statement that declarations of pecuniary interests have been duly completed by all relevant officers of the OPP.
- Details of shares held by a senior officer as nominee or held beneficially in a statutory authority or subsidiary.
- Details of publications produced by the OPP about itself, and how these can be obtained.
- Details of changes in prices, fees, charges, rates and levies charged by the OPP.
- Details of any major external reviews carried out on the OPP.
- Details of major research and development activities undertaken by the OPP.
- Details of overseas visits undertaken including a summary of the objectives and outcomes of each visit.
- Details of major promotional, public relations and marketing activities undertaken by the OPP to develop community awareness of the office and its services.
- Details of assessments and measures undertaken to improve the occupational health and safety of employees.
- A general statement on industrial relations within the OPP and details of time lost through industrial accidents and disputes.
- A list of major committees sponsored by the OPP, the purposes of each committee and the extent to which the purposes have been achieved.
- Details of all consultancies and contractors including:
 - consultants/contractors engaged;
 - services provided; and
 - expenditure committed to for each engagement.

This information is available from:

Projects and Performance Unit
Office of Public Prosecutions
565 Lonsdale Street
Melbourne VIC 3000
Telephone: (03) 9603 7615
pp.info@opp.vic.gov.au

Appendix 13

Attestations

Attestation for compliance with the Ministerial Standing Direction 3.7.1

I, John Cain certify that the Office of Public Prosecutions has complied with Ministerial Direction 3.7.1 - Risk management framework and processes. The Office of Public Prosecutions Audit Committee has verified this.



John Cain
Solicitor for Public Prosecutions
Office of Public Prosecutions

Appendix 14

Disclosure index

The annual report of the Office of Public Prosecutions is prepared in accordance with all relevant Victorian legislations and pronouncements.

This index has been prepared to facilitate identification of the Office's compliance with statutory disclosure requirements.

<i>Legislation</i>	<i>Requirement</i>	<i>Page Reference</i>
Ministerial Directions		
Report of operations – FRD Guidance		
<i>Charter and Purpose</i>		
FRD 22H	Manner of establishment and the relevant Ministers	65
FRD 22H	Purpose, functions, powers and duties	3
FRD 8D	Office objectives, indicators and outputs	3, 39
FRD 22H	Initiatives and projects	1, 18–19
FRD 22H	Nature and range of services provided	11–19
<i>Management and structure</i>		
FRD 22H	Organisational structure	10
<i>Financial and other information</i>		
FRD 8D	Performance against output performance measures	75
FRD 8D	Budget portfolio outcomes	22
FRD 10A	Disclosure index	98–99
FRD 15D	Executive officer disclosures	66–67
FRD 22H	Employment and conduct principles	88
FRD 22H	Occupational health and safety policy	90
FRD 22H	Summary of the financial results for the year	22
FRD 22H	Significant changes in financial position during the year	29
FRD 22H	Major changes or factors affecting performance	11–19
FRD 22H	Subsequent events	11–19
FRD 22H	<i>Application and operation of Freedom of Information Act 1982</i>	84–86
FRD 22H	<i>Application and operation of the Protected Disclosure 2012</i>	87
FRD 22H	Details of consultancies over \$10,000	95
FRD 22H	Details of consultancies under \$10,000	95
FRD 22H	Statement of availability of other information	96
FRD 24C	Reporting of office-based environmental impacts	9–94
FRD 29B	Workforce Data disclosures	88–89
SD 5.2	Attestation for compliance with Ministerial Standing Direction 5.2	Inside front cover

Legislation	Requirement	Page Reference
<i>Compliance attestation and declaration</i>		
SD 3.7.1	Attestation for compliance with Ministerial Standing Direction	97
SD 5.2.3	Declaration in report of operations	Inside front cover
Financial Statements		
Declarations		
SD 5.2.2	Declaration in financial statements	26
<i>Ministerial Directions & Financial Reporting Directions</i>		
Other requirements under Standing Directions 5.2		
SD 5.2.1 (a)	Compliance with Australian accounting standards and other authoritative pronouncements	29–42
SD 5.2.1 (a)	Compliance with Ministerial Directions	26
SD 5.2.1 (b)	Compliance with Model Financial Report	26
Other disclosures as required by FRDs in notes to the financial statements (a)		
FRD 21C	Disclosures of Responsible Persons, Executive Officers and other Personnel (Contractors with Significant Management Responsibilities) in the Financial Report	65–67
FRD 103F	Non-Financial Physical Assets	64
FRD 110A	Cash Flow Statements	31
FRD 112D	Defined Benefit Superannuation Obligations	37
<i>(a) References to FRDs have been removed from the Disclosure Index if the specific FRDs do not contain requirements that are of the nature of disclosure</i>		
Legislation		
<i>Freedom of Information Act 1982</i>		84–86
<i>Protected Disclosure Act 2012</i>		87
<i>Financial Management Act 1994</i>		23–73

FRD is a Financial Reporting Direction issued by the Minister for Finance according to section 8 of the Financial Management Act 1994 and Regulation 16 of the Financial Management Act 2004. Compliance with FRDs is mandatory.

SD is a Standing Direction under the Financial Management Act 2004. Compliance with SDs is mandatory.

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