

[FUTURE LEADERSHIP]

INFORMATION for CANDIDATES



ACT
Government

Justice and Community Safety

Director of Public Prosecutions

ACT Government

Justice and Community Safety Directorate

December 2023

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1. Role Summary

Director of Public Prosecutions

Australian Capital Territory

The Attorney General of the Australian Capital Territory (ACT) invites expressions of interest from eligible and suitably qualified individuals for appointment as Director of Public Prosecutions (DPP). The DPP is an independent statutory officer appointed by the Executive under the *Director of Public Prosecutions Act 1990* (ACT). The DPP is responsible for prosecuting criminal offences in the name of the Crown and exercising a range of statutory functions across the criminal and civil justice system. The statutory functions of the Director are contained in the DPP Act.

Eligible individuals will demonstrate:

- High level advocacy and legal skills including a proven record of excellence as an advocate in trial and appellate litigation.
- Capability to provide the highest quality legal advice, underpinned by extensive knowledge of criminal law and the laws of evidence.
- The ability to lead and develop more junior prosecutors, other staff and manage the administrative functions of the Office.

The appointee will demonstrate high-level oral, written and interpersonal communication skills and the ability to develop strategic objectives and manage change. Of critical importance will be the highest levels of integrity, character, independence, impartiality and objectivity.

Eligible individuals will be: a legal practitioner for not less than five years, or admitted as a legal practitioner in a state or other territory for not less than five years, and have the ability to obtain, and retain a Negative Vetting 2 security clearance.

2. Role Context - About the ACT Government

The Australian Capital Territory Government

When the Australian Capital Territory (ACT) became self-governing in 1989, its Legislative Assembly was given responsibility for both state (e.g., health and education) and municipal (e.g., waste management) functions, making it unique in Australia. As a result, the ACT is sometimes referred to as a City State. The ACT Chief Minister fulfils the roles of both State Premier and Mayor.

ACT Government Structure

Under a 'one service' structure, services are delivered to the ACT community through nine administrative units:

- ACT Health
- Canberra Health Services
- Chief Minister, Treasury and Economic Development
- Community Services
- Education
- Environment, Planning and Sustainable Development
- Justice and Community Safety
- Major Projects Canberra
- Transport Canberra and City Services

Across these administrative units, the ACT Public Service has over 23,000 staff, including full-time, part-time, temporary and casual positions.

Justice and Community Safety (JACS) Directorate

The Justice and Community Safety Directorate (the Directorate) seeks to maintain a fair, safe and peaceful community in the ACT where people's rights and interests are respected and protected.

This is achieved through the objectives of:

- maintaining the rule of law and the Westminster style of democratic government;
- promoting the protection of human rights in the Territory;
- providing effective offender management and opportunities for rehabilitation;
- protecting and preserving life, property and the environment; and
- providing for effective and cohesive emergency response and management.

To achieve our vision for a safe, just and resilient community, the Directorate aims to be community-minded; human-rights focussed; inclusive and diverse; passionate about its work; and committed to making a positive difference.

More information

More information about the Directorate and its services can be found at:

<https://www.justice.act.gov.au/>.

A copy of the JACS 2022-23 Annual Report can be found at: <https://www.justice.act.gov.au/about-us/annual-reports>.

3. The Position

3.1 Role Overview

Directorate:	Justice and Community Safety (ACT Government)
Role Title:	Director of Public Prosecutions
ACTPS Position Number	<i>P42920 / NGS J16093/ FL NGS0051023</i>
Classification:	Executive Level 4.2
Remuneration:	Remuneration, allowances and entitlements are set independently by the ACT Remuneration Tribunal. As a full-time statutory office holder, Determination 17 of 2023 presently sets remuneration for the Director of Public Prosecutions at \$498,729 per annum.
Location:	ACT
Employment Term:	Executive performance-based contract up to 5 years
Reports to:	Independent Statutory Appointment
Agency Website:	https://www.justice.act.gov.au/

3.2 Primary Purpose of the Role/ Context

The Director of Public Prosecutions is an independent statutory officer appointed by the Executive under the DPP Act. The Director is responsible for prosecuting criminal offences in the name of the Crown and exercising a range of statutory functions across the criminal and civil justice system.

The Director must exercise significant independent discretion in the pursuit of prosecutions, which includes consideration of: the prospect of conviction; justice; fairness; consistency; and the interests of the victim, the accused and the general public. The Director exercises this discretion consistently with the guidance in the Prosecution Policy of the Australian Capital Territory available at [Prosecution-Policy-2021.pdf \(act.gov.au\)](#)

Although the Director benefits from statutory independence in the exercise of the powers and discretions of the office, the Attorney-General, as first law officer of the Crown, remains ultimately responsible for the administration of justice in the Territory.

The Director co-operates and consults with partners in the justice system, including the Attorney-General, the judiciary, ACT Policing, ACT Government agencies, the courts, the legal profession and victims' organisations.

The Director is responsible for the office staff of approximately 100 people ,(budget - \$15m) who are employed under the *Public Sector Management Act 1994* by the Director. As a public authority under the *Human Rights Act 2004* the Director is required to act, and make decisions, consistently with human rights.

Primary Responsibilities of The Director

The position's responsibilities include:

1. Exercising the discretion of the office, free from political influence, according to legal considerations and the interests of the complainant, the accused, and the general public.
2. Working with partners in the justice system to fulfil the functions of the office and assist in the administration of justice.
3. Communicating with the public about the decisions taken by the office and the reasons for those decisions and providing information on the role of the Director of Public Prosecutions.
4. Exercising leadership in managing human and financial resources and enhancing staff professional development.

3.3 Job Specific Skills and Attributes

Eligibility/Mandatory Requirements

1. The person is:
 - a. a legal practitioner and has been for not less than 5 years; or
 - b. admitted as a legal practitioner in a State or another Territory and has been for not less than 5 years.
2. The ability to obtain a Negative Vetting 2 security clearance and retain it.
3. The person has not attained the age of 70 years of age, or shall not attain the age of 70 years during the period of appointment (as specified in Division 3.1 of the *Director of Public Prosecutions Act 1990*).

Statutory Functions

The statutory functions of the Director are listed in Division 2.2 of the *Director of Public Prosecutions Act 1990* and include:

1. Prosecuting indictable and summary offences against laws of the territory, and any resulting appeals.
2. Exercising the powers connected with prosecutions, such as signing indictments, directing proceedings against a person be ended and pursuing rights of appeal.
3. Conducting civil remedy proceedings or recovering pecuniary penalties which are connected with a criminal prosecution.
4. Exercising the functions of the Director under the *Crimes (Sentence Administration) Act 2005*.
5. Restraining and confiscating assets used in, or derived from, the commission of criminal offences.
6. Assisting the coroner in inquests and inquiries.

3.4 Selection Criteria

The following criteria are required to perform the duties and responsibilities of the position.

Advocacy and Legal Skills

1. Ability to fulfil the functions of the Director as required by the *Director of Public Prosecutions Act 1990*.
2. A proven record of excellence as an advocate in trial and appellate litigation.
3. Demonstrated capacity to provide the highest quality legal advice in a timely manner.
4. An extensive knowledge of the criminal law and the laws of evidence.
5. Proven record in the development, analysis and implementation of criminal justice policy and procedure, including alternative dispute resolution.

Communication skills

1. Effective oral, written, and interpersonal communication skills with colleagues, peers, and members of the public.
2. Confidence and ability to inspire respect and effectively resolve interpersonal conflict.

Efficiency

1. Ability to organise time effectively and work at speed and under pressure.
2. Capable management of staff and workload within available resources.

Leadership and Management Skills

1. Ability to form strategic objectives and demonstrate leadership in implementing them effectively.
2. Ability to manage a medium sized agency.
3. Demonstrated ability in responsibly managing a public sector budget including anticipation of the financial needs of an organisation.
4. Ability to manage change effectively.
5. Ability to engage constructively and collaboratively with others, including internal and external parties.
6. Ability to build, manage and motivate a professional team.

Personal qualities

1. Integrity and good character.
2. Independence, impartiality, and objectivity.
3. Sound judgement.
4. Respect for the diverse communities that the Office of the Director of Public Prosecutions serves.
5. Understanding of, and sensitivity to, differing needs of diverse communities.
6. Commitment to respect for all court users and stakeholders, including victims of crime.
7. Commitment to advancing innovative justice solutions by working with different parts of the broader justice system.

4. Other Relevant Information

Remuneration

The ACT Remuneration Tribunal makes an annual determination of the remuneration and other entitlements to be granted to Directors-General and Executives. The current determination is available at <https://www.remunerationtribunal.act.gov.au/determinations> .

Remuneration, allowances and entitlements are set independently by the ACT Remuneration Tribunal. As a full-time statutory office holder, Determination 17 of 2023 presently sets remuneration for the Director of Public Prosecutions at \$498,729 per annum.

5. To Apply for this Role

*To apply for this role, please submit your CV and 1–2-page Cover Letter to applications.australia@nqs-global.com quoting **J16093 ACT Director of Public Prosecutions**.*

If further information is required after reviewing documentation and www.justice.act.gov.au, please contact Grant Nichol, or Dr Marianne Broadbent, Managing Partners, at Future Leadership on +61 3 8626 0600 or 1300 138 863.

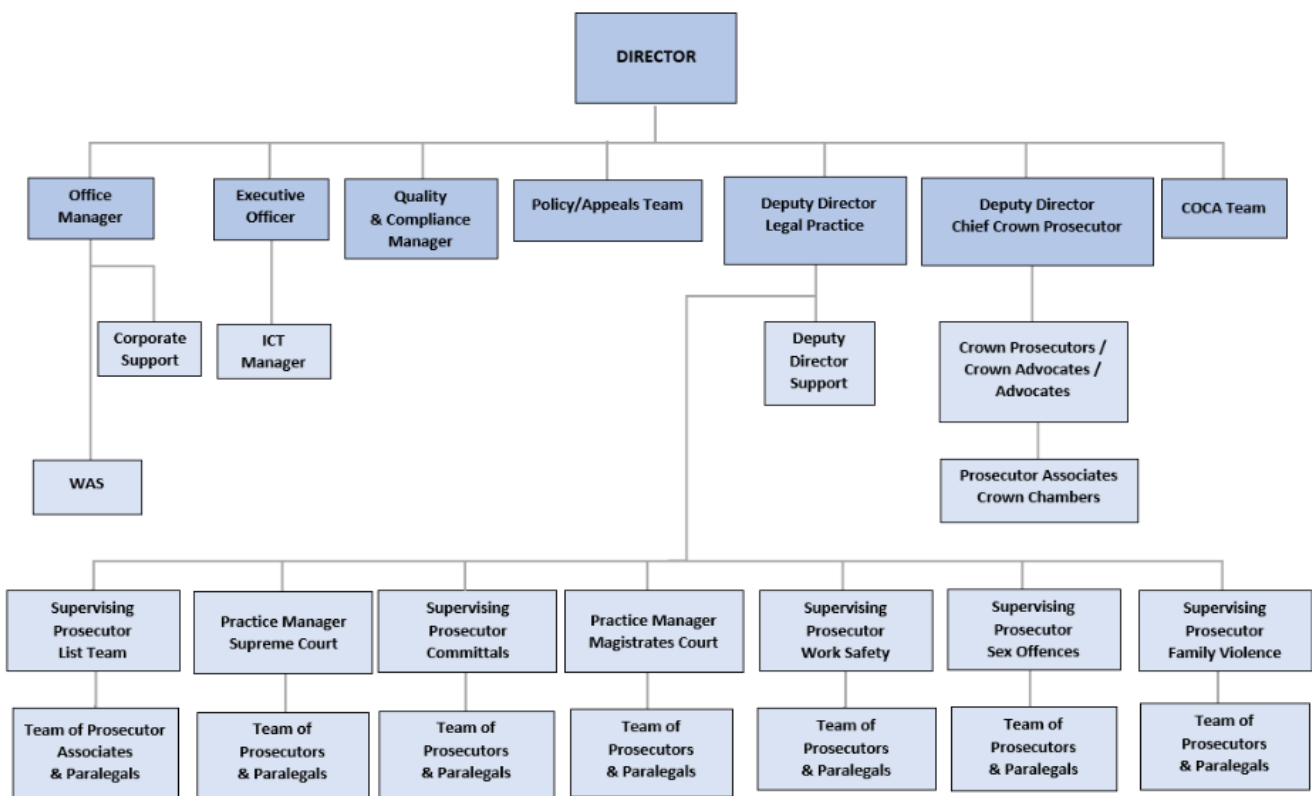
Appendix A: Director of Public Prosecutions Office Organisation Chart

The office prosecutes all crime in the ACT from summary and regulatory matters through to serious indictable matters such as murder, as well as conducting appeals to the Criminal Appeal and High Court.

The general practice consists of seven function specific teams, each headed by a Supervising Prosecutor in charge of a team of prosecutors and paralegals. There is also a Crown Chambers consisting of Crown Prosecutors, Crown Advocates and Advocates responsible for the most serious criminal prosecutions and a Policy/Appeals team to manage the appeal work as well as assisting to guide the office's policies.

The Confiscation of Criminal Assets (COCA) team is a dedicated team that sits outside of the team structure to ensure independence and separation from the office's criminal prosecutions.

The Director also has an executive team including a Deputy Director Chief Crown Prosecutor and a Deputy Director Legal Practice managing the seven function-based teams. The executive also has an Executive Officer, an Office Manager and a Quality and Compliance Manager.



Appendix B

Canberra

Canberra is a unique place where city style meets the beauty of the Australian bush. Australia's national capital is just over three hours' drive from Sydney, or less than seven from Melbourne, and is the seat of Australian Government. Celebrating its centenary in 2013, Canberra is a young and modern city with a population of around 450,000. Today people of the world meet in Canberra - through the national Parliament, universities and a vibrant diplomatic community. Canberra is proudly the political and cultural hub of Australia. The city offers so much more than politics - an eclectic mix of restaurants, wineries, shopping, entertainment, galleries, museums and world-class monuments and attractions - all within easy reach.

Highlighting the advantages and achievements of this dynamic city, Canberra was assessed in 2014 by the OECD to be the top-ranked city in the world in terms of 'well-being' factors such as safety; housing; access to services; civic engagement; jobs; environment; income; and health.

History

Located on the ancient lands of the Ngunnawal Aboriginal people, the city's name is thought to mean 'meeting place', derived from the Aboriginal name Kamberra.

Canberra's special contrast of nature and urban living was planned to perfection in 1911 by Canberra's master designers, Walter Burley Griffin and Marion Mahoney Griffin. Most of the city's major tourist attractions are within easy walking distance of one another, with a few no more than a 10-minute drive from the city centre.

Location

Canberra is located 150 kilometres inland, and 571 metres above the Pacific Ocean. Situated in the 2349.4 square kilometre Australian Capital Territory, the city is surrounded by national parks, bush and mountain ranges.

Weather

Canberra has distinct seasons - summers are warm to hot; in autumn millions of trees turn gold to red; winters are crisp and cool with occasional frosty mornings clearing to blue skies; and in spring, Canberra comes alive with glorious floral blooms.

Season	Average Min.	Average Max. (degrees Celsius)
Spring	5	19

Summer	12	27
Autumn	7	20
Winter	0	12

A Knowledge Based Economy

Canberra’s economy is characterised by high levels of labour force participation, low levels of unemployment and strong export opportunities in industries such as information technology, defence, biotechnology, education and tourism. [CBR Switched On](#) provides the ACT Government’s economic development priorities 2022-2025.

Highly Educated Community and Work Force

Canberrans are more computer-literate and have more tertiary qualifications per capita than any other major city in the Southern Hemisphere. Canberra’s strong set of academic institutions offer a high standard of education to all. Businesses benefit from educational institutions fostering new generations of talented, creative and energetic people. Canberra also has a highly regarded and strongly performing school sector, with access to government and non-government schools offering a diverse range of programs and teaching philosophies.

An Open, Tolerant and Diverse Community

More than one-quarter of Canberra residents were born overseas. More than 16% of Canberra’s population speak a language other than English at home.

Health, Housing & Transport

Canberra’s community is well served by a high-quality health system which includes both public and private hospitals. The premier health facility is the Canberra Hospital which is an acute care teaching hospital of approximately 600 beds. It is a referral centre providing specialist services to people of the ACT and south-east region of NSW and is the largest public hospital in the region. The hospital is the principal teaching hospital of the Australian National University Medical School, is also a teaching hospital of the University of Sydney and part of the School of Nursing at the University of Canberra.

Canberra has an enviable road network and its public transport needs are currently met through ACTION bus services. Stage 1 of Capital Metro, Canberra’s light rail system, began in 2016.

Catering for every kind of household, Canberra offers a wide choice of housing located in well-planned suburbs. Public housing is provided through ACT Housing, a business unit of the ACT Community Services Directorate.

World-Class R&D

Canberra's research institutions have a strong record of research performance, with the ACT attracting approximately 12% of national funding for public sector R&D. The ACT also spends more per capita on publicly funded R&D than any other city in Australia. Over 7000 scientists are involved in the creation of new ideas and innovation. Canberra's R&D and commercialisation culture is globally recognised, as is the unique city-state government that encourages and facilitates business growth.

A Connected Business Environment

Canberra was the first city in the Southern Hemisphere to introduce a broadband fibre-optic network offering access to households and businesses in the region. The ACT is ranked alongside Singapore, Finland, Sweden and the USA as having one of the most IT connected communities in the world. Canberra also has high levels of technological infrastructure and community and business adoption of technology.

More Information

More information on living and working in Canberra can be found at:

www.act.gov.au

www.nationalcapital.gov.au

www.allhomes.com.au