

INFORMATION SHEET FOR NON-SALARIED CROWN PROSECUTORS PANEL



ODPP
New South Wales

The Office of the Director of Public Prosecutions (NSW) is establishing a new panel of Non-Salaried Crown Prosecutors who are available to be briefed by the ODPP.

ABOUT ODPP

ODPP is NSW's independent prosecutorial body, created in 1987 by the Director of Public Prosecutions Act 1986.

We handle approximately 18,000 matters a year involving offences under the laws of New South Wales, including:

Trials for indictable offences in the District Court and the Supreme Court

Appeals in the Supreme Court and the Court of Criminal Appeal

All prosecutions are conducted in accordance with the **Prosecution Guidelines**.

About the Panel

This new approach will allow the ODPP to increase the number of Non-Salaried Crown Prosecutors available to be briefed, improve gender equity in our allocation of briefings, and create a quick registration style process for qualified individuals to seek work with the ODPP.

By creating the panel which will be continually reviewed, with a minimum life span of four years, the ODPP can ensure the continued availability of Non-Salaried Crown Prosecutors to undertake work for the Office.



HOW TO APPLY

To ensure the application process is quick and easy, a simple registration process has been created. This process can be accessed online and must be completed in order for you to be considered for the panel.

Applicants for this panel must address all questions on the online form and will also need to nominate two professional referees.

Applicants will not be interviewed, but rather assessed on their application and experience.

<https://panel.odpp.nsw.gov.au>

The Office will, however, continue to accept applications throughout the life of the panel, which will be reviewed regularly.

Non-Salaried Crown Prosecutors currently briefed by the ODPP must apply in order to be eligible to be briefed by the Office.

For more
information:

ODPP PRIVATE BRIEFING PANEL

PHONE:
02 9285 8606

EMAIL:
PANEL@ODPP.NSW.GOV.AU

THE SELECTION PROCESS

An ODPP selection committee has been appointed to consider all suitable applicants and to consult referees.

The selection committee may consult other people, internal and/or external to the ODPP, beyond the professional referees listed by the applicant.

Applicants will be notified whether or not they are successful in due course.

Successful inclusion on the panel does not guarantee work from the ODPP, and the ODPP may be required to brief Non-Salaried Crown Prosecutors who are not members of the panel.

Monitoring Performance

Performance of the members of the panel will be monitored by relevant ODPP staff.

Additional training may be required to ensure the ODPP is provided with a minimum level of performance. In addition, future training programs are proposed to be made available for the attendance of all panel members.

Feedback will be available to panel members where required.

<https://panel.odpp.nsw.gov.au>



SELECTION CRITERIA

Applicants for the new panel should address the following criteria in the application:

- Up-to-date short CV (maximum 2 pages)
- Letter of application (maximum 3 pages) which must address the following:
 - Your experience in conducting advocacy in criminal matters, in particular your experience as a Counsel in criminal jury trials
(Applicants should include at least three recent examples of their conduct in criminal trials which have proceeded to a defended hearing, either for the defence or for the Crown, including details of the nature of the matter, the name of your opposing Counsel and the judge presiding.)
 - In addition/or alternatively, any non-criminal advocacy experience or any other experience that may be relevant to your application.
 - Your knowledge of NSW criminal laws, the rules of evidence and the NSW ODPP Prosecution Guidelines.
 - Provide an example of written work which you have prepared, and which has been provided to the Court in criminal proceedings (redacted if necessary because of confidentiality) or other proceedings.
 - In addition/or alternatively, if seeking to be considered for appellate work, address your experience in this field including recent examples.
 - Nominate a minimum of two professional referees who can be contacted in relation to your skills and experience and your suitability to conduct work for the Office.

You will also be required to answer all additional questions and text fields in the registration form including acknowledging that you have read this information sheet.

Bound by Prosecution Guidelines

As a Non-Salaried Crown Prosecutor you would be bound by the **Prosecution Guidelines** of the Office of the Director of Public Prosecutions, NSW. You would need to be very familiar with them.

<https://panel.odpp.nsw.gov.au>



Our offices are
located in

SYDNEY CBD

PARRAMATTA

PENRITH

CAMPBELLTOWN

LISMORE

NEWCASTLE

GOSFORD

WAGGA WAGGA

DUBBO

WOLLONGONG

FOR MORE INFORMATION

EMAIL: panel@odpp.nsw.gov.au

PHONE: 02 9285 8606

FEES & ALLOWANCES

What is covered by your retainer

Barristers retained by the Crown represent the Director in providing an independent, efficient, fair and just prosecution service for the people of New South Wales.

If you are briefed to conduct a trial on behalf of the NSW DPP, it is expected as part of accepting this retainer that you will:

- Appear at the readiness hearing (if required).
- Prepare the matter for trial, including meeting relevant victims and witnesses.
- Conduct the trial and any preliminary applications.
- Where you form the view during the preparation of the matter that there should be no further proceedings, prepare a written submission to the Director setting out the relevant evidence and the reasons why you have reached this opinion.
- Where the defence have made an offer to plead guilty to a lesser charge, prepare a written submission to the Director concerning whether the plea should be accepted, including a draft set of proposed agreed facts.
- Where you are of the view that the charges require amendment or further particulars, prepare and submit a written report to the Director about the proposed amendments to the indictment and the particulars.
- If there is a plea of guilty or a finding of guilt at the trial, you should be available, if required, to appear in the sentence proceedings.

#Fee Schedule can be subject to change and you will be advised accordingly.

Local Court appearances where required will be paid at an hourly rate; calculated at 1/8 of the daily rate.

** Determination of the number of days preparation fee is at the sole discretion of the ODPP. If Counsel believes additional preparation time is required, an application for further funding will be considered.*

*** Determination of complex matters will be made at the sole discretion of the ODPP.*

CURRENT FEE SCHEDULE FOR TRIALS PER DAY[#]

COUNSEL

Preparation*	\$1150 (inc GST)
Brief Fee	\$1150 (inc GST)
Complex Matters** (Preparation and Brief Fee)	\$1265 (inc GST)

SENIOR COUNSEL

District Court

Preparation	\$1440 (plus GST)
Brief Fee	\$1440 (plus GST)

Supreme Court

Preparation	\$1860 (plus GST)
Brief Fee	\$1860 (plus GST)

TRAVEL ALLOWANCE FOR COUNTRY SITTINGS (IF APPLICABLE)

- A daily travel allowance will be paid where there is overnight stay at commercial accommodation at the rate of \$300 per 24 hours (\$12.50 per hour inc GST).
- A travel diary must be kept to record daily travel expenses.
- Airfares to and from sittings as well as taxi fares (and excess baggage if applicable) will be paid on presentation of receipts.
- Mileage at the rate of \$0.66 per kilometre (ex GST)

