



Inquiry into Annual and Financial Reports 2023–2024

Answer to question on notice

Asked by: Mr Peter Cain MLA

Addressed to: Ms Victoria Engel SC, Director of Public Prosecutions

Reference: Office of Director of Public Prosecutions

Hearing: 13 February 2025

In relation to: Director of Public Prosecutions and workplace culture

Question received: 17 February 2025

Answer Due: 24 February 2025

(1) What measures have been taken since Ms Engel assumed the role of Director to improve the culture within the DPP following the various reports of improper staffing, sexual assault and bullying occurring within the DPP in 2024?

(2) Have there been any allegations of sexual assault, bullying or misconduct at the DPP in the time since Ms Engel assumed the role of Director?

(a) If so, how many?

(3) Does the DPP have an office policy on appropriate staff behaviour?

(a) Were any amendments made to the policy in response to the various allegations made in 2024?

(4) Does the DPP have a policy regarding intra-office personal relationships between employees?

(a) If so, what is the policy?

(5) Did the DPP hold a Christmas party for staff in 2024, and if so, what venue was it held at?

(a) If so, were any allegations of inappropriate behaviour made following

Ms Victoria Engel SC: The answer to the Member's question is as follows:

1. When I was appointed in May 2024, numerous issues relating to allegations of behaviour occurring in later 2023 and early 2024 were brought to my attention. These were the subject of answers to questions in Estimates hearings on 1 August 2024. Since my commencement in May 2024, I have implemented the following measures to improve the culture within the DPP:
 - a. Overhaul of recruitment practices including mandatory conflict of interest declarations (with expanded understanding of what constitutes a possible conflict),

compulsory reference checking, professional and independent scribes used, compliance with ACT government policies enforced, minimum advertising of three weeks set and mandatory requirement for an external panel member to form part of the panel. This change in process was communicated to the staff in June 2024, to facilitate the rebuilding of trust by the staff in recruitment practices in the office. The office also sent staff from all sections of the office to the ACT government merit training in August 2024, to ensure staff across the office were alive to the requirements set out in the public service recruitment policies.

- b. Establishment of voluntary team debriefing sessions following difficult, complex or traumatic trials or hearings. These sessions are conducted by psychologists from an external provider. The purpose of these sessions is to deal with the vicarious trauma risk, given the content of the work at the DPP, and to ensure the office is meeting its responsibility to the staff. Multiple sessions have been held with teams, from across the office, with very positive feedback received in relation to this initiative.
 - c. Institution of monthly all staff meetings and monthly legal staff meetings with further regular meetings per work unit including fortnightly Crown meetings, monthly Witness Assistance Service (WAS) meetings, three monthly supervisor meeting with the Director.
 - d. Increased accessibility to the Executive – I met with each existing staff member individually on my commencement, to understand their experience and any concerns they had with office culture. I have also implemented 1:1 with each staff member within three months of their commencement, to discuss any issues they wish to raise.
 - e. Continued use of external specialised psychology service for staff, in addition to generalist ACTPS EAP contract.
 - f. Vicarious trauma training delivered on two occasions by expert psychologist, who specialises in assisting those working in the criminal law field and the impact of vicarious trauma.
 - g. Increased training offered, to address the various ‘culture’ issues brought to the Director’s attention on her commencement:
 - i. Training on diversity, inclusion and unconscious bias, delivered by way of an online learning Core Inclusion Program implemented for all staff.
 - ii. Two sessions delivered to staff on managing perfectionism in the legal sector and the related risks of burnout.
 - iii. LGBTIQ+ awareness training offered to all staff.
 - iv. Cultural training offered to staff.
 - v. Training delivered by a psychologist on communicating with vulnerable witnesses and victims.
 - vi. Training booked with the ACT Law Society for all on ‘*Sexual Harassment: Changing Workplace Culture.*’
 - h. Greater access to flexible work options and reasonable adjustments, to assist to manage stress and burnout.
 - i. Employment Working Group implemented to facilitate innovation and discussion around Time Off in Lieu (TOIL)/flex time/overtime with representation from all sections of the office.
 - j. Reminders of expectations have been sent to staff by the Director in relation to appropriate office behaviour, including setting clear expectations of conduct that is not acceptable.
2. During the period since my appointment, there has been one allegation that fits within one of these categories. That alleged conduct occurred outside of the workplace, and outside of

work hours. It did not occur at any work-related function. It, however, came to my attention given that the allegation related to a staff member. The alleged wrongdoer had been employed on a short-term contract by the then Acting Director, shortly prior to my commencement. The alleged conduct, and surrounding circumstances, were managed by me promptly, and following legal advice from the Government Solicitor's Office, the staff member in question had their contract terminated. That occurred within days of the alleged conduct coming to my attention.

I will not identify which category of complaint the allegation falls under, because I am concerned that the staff members in questions may be easily identifiable, which may cause distress to both parties.

Following the incident coming to my attention, I reviewed the way that staff member had come to be employed within the office and found it fell short of what I would have expected, including that no reference checks occurred. As indicated in the response to question 1, such recruitment practices have been replaced with robust processes in line with the *Public Service Management Act 1994*.

3. Yes, the following policies are in place:
 - i. ODPP Staff Policy Number 1: The Prevention of Discrimination, Harassment and Bullying in the Workplace.
 - ii. ODPP Staff Policy Number 21: Sexual Harassment.
 - iii. ACT Public Service Code of Conduct
4. No amendments to the formal policies, however significant training implemented, and my expectations for staff conduct has been made clear in numerous ways. Conduct falling short of expected standards is being called out early.
4. The framework for managing relationships within the office are the conflict of interest polices. These include the *ACT Public Service Code of Conduct* and *Staff Policy Number 6: Conflict of Interest*. Relationships specific to recruitment activities are actively avoided and are managed via a robust Conflict of Interest procedure.
5. A Christmas Party for the ODPP took place on 19 December 2024, at Verity Lane, Canberra City.
 - a. No.

Approved for circulation to the Standing Committee on Legal Affairs

Signature:

A handwritten signature in black ink, appearing to be 'V. Engel', written over a light gray background.

Date: 27.02.2025

By the Director of Public Prosecutions, Ms Victoria Engel SC