



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

Mr Peter Cain MLA (Chair), Dr Marisa Paterson MLA (Deputy Chair), Mr Andrew Braddock MLA

**Inquiry into Annual and Financial Reports 2020-2021**  
**ANSWER TO QUESTION TAKEN ON NOTICE**  
**23 February 2022**

Asked by Mr Peter Cain MLA on 23 February 2022: Mr Shane Drumgold took on notice the following question(s):

[Ref: Hansard Uncorrected Proof Transcript 23 February 2022 [PAGE 17-18]]

In relation to:

**THE CHAIR:** So what is the retention rate for your lawyers and do you have any issues in that space?

**Mr Drumgold:** I do not have the specific figures of retention, because it is really difficult to do the numbers, because people leave for all sorts of reasons. So New South Wales might have a recruitment round for crown prosecutors and that might see a surge in departures, as people move to New South Wales to take on higher paid jobs and more serious work.

Anecdotally, I sit down with everybody that leaves, and if we do not know why they are leaving, we have a chat about what their experience was like, and my conclusion is very few people leave because they are unhappy with the role and they are unhappy with the work. Most people leave because they want a different challenge, or they have decided that prosecution work is not for them, or they have decided before they came here that they would come here for a year or two years or three years to build up some advocacy experience before moving on to the second phase of their career.

I have been here 20 years, and one thing that I am finding is there is much more mobility as amongst lawyers. So lawyers 20 years ago would tend to start their career in the place that they would be for 20 years and beyond. Now lawyers are very mobile. Most of our lawyers move around a number of areas for maybe a decade before they settle in one particular location. But I am certainly not seeing other indicia of an unhappy workplace.

**THE CHAIR:** So given that mobility, do you have any issues attracting staff to the DPP?

**Mr Drumgold:** No. In fact, the quality of staff that we seem to be able to attract is very impressive, and the reason for that is because we are a very unique jurisdiction. Our prosecutor associates and up all sit at a bar table and appear in court. So they all get active advocacy and the bulk of their work is active advocacy, and that is very attractive for a young lawyer. In New South Wales, for example, you might be in the DPP there for 10 years before you stand up and start to become an advocate in court. Here you virtually do it from day one. So for people who are wanting to develop their advocacy skills and become advocates, we are a very attractive organisation, and as a result the calibre of the people we attract is very high.

**THE CHAIR:** In particular, attracting lawyers into the ACT to work, you know, if there is a reluctance to come here, are there factors you have identified, like rental affordability or price of land and houses?

**Mr Drumgold:** Certainly that has changed. Certainly one of the more attractive elements of the ACT, as opposed to Sydney, for example, was it was cheaper to live here, housing was cheaper and you could get advocacy. So that would cause people to leave their families and leave their social connections and come to Canberra for work. So our housing affordability is probably not as attractive now as it once upon a time was. However, we do still have that second limb, where we can offer practical advocacy and loads of it.

**THE CHAIR:** Just on the earlier one, while I close, are you able to take as a question on notice the retention rate of staff?

**Mr Drumgold:** I can. Certainly, yes. We would have those figures and I will produce those figures.

Mr Shane Drumgold, Director of Public Prosecutions:

The answer to the Member's question is as follows:-

As per Annual Report page 102 our current staffing headcount is 97 staff. In the 2021 calendar year, 15 staff permanently left the organisation (see attachment), constituting a 15% turnover. Note - a further 4 staff left the organisation temporarily, most on secondment to other organisations such as Legal Aid, JACS or the ACT Government Solicitor, to return after their secondment.

Our forecast staffing turnover as per our 2021-25 Business Plan is 15-20% for legal staff and 5-10% for non-legal staff, averaging an anticipated average turnover of 17.5% - 25%. This means that the staff turnover of 15% is below our forecasted staff turnover.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature:



Date: 4/3/22

By the Director of Public Prosecutions, Mr Shane Drumgold