

Federal Budget 2010-2011

I am writing to you and the heads of other agencies that refer matters to the CDDP for prosecution. It is important that I provide initial information concerning the impact of the recently announced Federal Budget on the CDDP.

Until now, the CDDP has prosecuted all matters referred to it where the test in the *Prosecution Policy of the Commonwealth* is satisfied, that is, where there is a prima facie case with reasonable prospects of conviction and the prosecution is in the public interest. However, as a result of budget related Government decisions there will be a significantly reduced allocation of resources to the CDDP in the coming financial year.

This necessarily means that the CDDP will not be resourced next year to carry out the range of work and the number of prosecutions that it currently conducts. Accordingly, it will be necessary for the CDDP to review the totality of the matters that we will be able to prosecute to determine which prosecutions the CDDP is able to commence or continue.

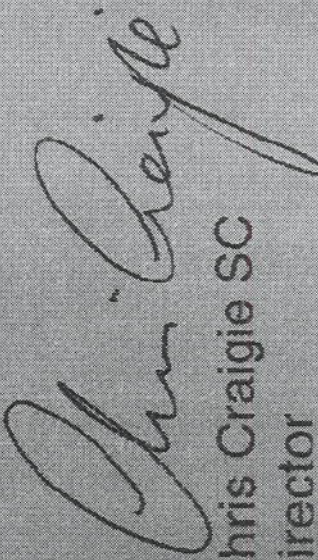
The Government has also decided that the CDDP will cease its role in relation to fines and costs from 1 July 2011. I will be writing to you separately in relation to implementing this decision.

I am very mindful that the steps that I am now obliged to take will have a substantial impact on our capacity to prosecute matters investigated and referred by agencies in accordance with their enforcement strategies.

Regrettably, as the CDDP expects that it will not be in a position to prosecute all matters currently referred, there will be an adverse impact on agencies' law enforcement strategies and the deterrent effect provided by prosecution.

I recognise the importance of this decision to your agency and that it may give rise to serious implications for your law enforcement or regulatory effort. In giving this initial notice in general terms, I want to assure you that the CDDP will work with your agency to discuss and explain the details of changes required of us to implement the Government's decision.

Yours sincerely,


Chris Craigie SC
Director