

ASIC FOI 023-2023

Table 1 provides a response to the questions that have been posed in the FOI request. Please note the data has been set out this way due to the structure of the questions posed. Table 2 provides the actual number of criminal prosecutions commenced each year, as reported in the ASIC Annual Reports.

Table 1: Number of matters referred to the CDPP and current status as at 31 December 2022

			Status as at 31 December 2022		
Financial Year	Number of matters referred to the CDPP (a)	Number of subjects (individuals/companies) relating to the matters referred to the CDPP	<u>Of the matters referred by year</u> , number of subjects charged by the CDPP (b)	<u>Of the matters referred by year</u> , number of subjects that were not charged by the CDPP (c)	<u>Of the matters referred by year</u> , number of subjects that are still under consideration by the CDPP
2019-20	40	53	38 (72%)	11 (21%)	4 (7%)
2020-21	49	84	53 (63%)	12 (14%)	19 (23%)
2021-22	39	50	22 (44%)	3 (6%)	25 (50%)
2022-23 (to 31 December 2022)	17	25	3 (12%)	0 (0%)	22 (88%)

Notes:

- (a) Reflects the number of matters that have been referred to the CDPP for assessment, noting that a matter may relate to more than one subject. The CDPP assesses each subject in accordance with the Prosecution Policy of the Commonwealth and decides if charges are laid and has carriage of the prosecution (with the assistance of ASIC).
- (b) Criminal prosecutions commence when the CDPP lay criminal charges.
- (c) Reflects where the CDPP has made a formal recommendation to close the matter and not lay criminal charges.

Table 2: Actual number of criminal prosecutions commenced (charges laid), by year

Financial Year	Criminal prosecutions commenced (number of subjects charged by CDPP)
2019-20	41
2020-21	53
2021-22	52
2022-23 (to 31 December 2022)	15

Note:

The numbers reported in Table 1 reflect that **status** of matters/subjects referred to the CDPP from 2019-20 onwards. Whereas Table 2 shows the **actual number of criminal prosecutions commenced by year** (i.e. number of individuals charged); noting that these numbers are based in the date charges were laid and not the date the matter was referred to the CDPP.