



## **LE3 Prosecuting Solicitor Prosecution Services Branch**

### **ORGANISATIONAL OVERVIEW**

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South Australia Police (SAPOL) provides a diverse range of services to the community. These services are aimed at producing a safe and peaceful environment by the minimisation of crime and disorder. It is a large complex organisation which, because of the nature of its operations, is constantly subject to public scrutiny and accountability. It provides services to a range of different locations (over 100) spread across the State on a 24 hour a day basis.

SAPOL's vision is to provide 'Safer Communities'. All SAPOL employees are guided by Our Values of Service, Integrity, Courage, Leadership, Collaboration and Respect. SAPOL is an organisation with a proud history and an exciting vision for the future.

### **POSITION OVERVIEW**

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#### **Summary**

Prosecution Services Branch ('PSB') consists of a Strategy and Support Section encompassing the Major Indictable Brief Unit, Prosecution Support, Policy and Advice, Training and Administration; and an Operations Section consisting of 15 general prosecution units.

The Prosecuting Solicitor is accountable to the Prosecution Unit Manager for the provision of prosecution services including adjudication, negotiation and advocacy. The Prosecuting Solicitor is expected to manage prosecution files across the full range of complexity.

The Prosecuting Solicitor is expected to act in accordance with the ethics of the legal profession.

Service

Integrity

Leadership

Collaboration

Courage

Respect



### Special Conditions

<b>Work Status</b>	The incumbent must hold a current Australian work eligibility status and will be subject to a criminal history check. The incumbent may be assigned to other duties at this remuneration level or equivalent.
<b>Location</b>	The incumbent may be required to work in locations in metropolitan and regional areas within the State.
<b>Qualifications</b>	A degree in law and admitted (or eligible to be admitted) as a practitioner of the Supreme Court of South Australia <b>(essential)</b> . Possession of an unrestricted practicing certificate <b>(essential)</b> .
<b>Out of Hours Work</b>	Some out of hours work may be required.
<b>Travel</b>	Some intrastate and interstate travel may be required.
<b>Performance Management</b>	The incumbent is required to participate in SAPOL's iEngage program.

### Reporting / Working Relationships

#### Internal

- Accountable to the Prosecution Unit Manager.
- May provide supervision, advice and support to LE1s and LE2s.
- Assists in managing the provision of legal and governance services within SAPOL.
- Close working relationship with PSB management, including the provision of high quality advice.

#### External

- Liaises with the Office of the Director of Public Prosecutions and other stakeholders as necessary, to assist in ensuring the effective and efficient use of legal resources.

## KEY OUTCOMES

### Contribute to the quality and timeliness of prosecutions within South Australia Police by:

- Providing advocacy services in the criminal jurisdiction on behalf of SAPOL in respect of proceedings commenced or prosecuted by SAPOL. Providing advice to police staff and assistance in court in respect of prosecution matters.
- Maintaining an up-to-date knowledge of legal issues affecting criminal prosecutions.
- Assessing briefs of evidence and determining in accord with the guidelines of the Director of Public Prosecutions any appropriate charges including the discontinuance of charges or the efficacy of alternative charges.
- Liaising with investigating police and identifying evidentiary material required to support a prosecution brief.
- Negotiating with opposing counsel and defendants in order to resolve matters in the most timely and cost effective manner.

- Proofing of witnesses and conducting other necessary preparatory actions prior to the conduct of trials.
- Preparing correspondence of a high standard.
- Ensuring the confidential and secure records management of original legal documents.

**Contribute to the team performance within SAPOL and the achievement of agreed objectives and optimal outcomes by:**

- Encouraging and supporting colleagues in working together to meet deadlines.
- Promoting a team approach to work and problem solving.
- Initiating, planning and prioritising personal work programs and achieving required outcomes.
- Influence, guide and support other SAPOL members in their day-to-day work to ensure the delivery of a high quality service.
- Contributing to the development of an integrated team approach and culture which is highly responsive to the needs of our consumers.
- May be asked to provide supervision of Prosecuting Solicitors in accordance with the Supervision Guidelines of the Law Society of South Australia.

## **QUALIFICATIONS / SKILLS / KNOWLEDGE / EXPERIENCE**

### **Essential Minimum Requirements**

- A degree in law and admitted (or eligible to be admitted) as a practitioner of the Supreme Court of South Australia.
- Possession of an unrestricted practicing certificate.
- A sound ability to conduct legal research (statute and common law) and analyse and prepare legal opinions.
- Experience in legal practice (criminal).
- Experience in the conduct of matters before Courts of Summary Jurisdiction (or higher) in Australia.
- A sound knowledge of criminal law.

### **Desirable Characteristics**

- Experience working within a criminal prosecution environment.
- Sound knowledge of the workings of SAPOL and the South Australian Government.

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## CORPORATE RESPONSIBILITIES

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- Maintain accurate and complete records in accordance with the *State Records Act 1997* and departmental policies, procedures and practice guidance.
- Act at all times in accordance with the Code of Ethics for the South Australian Public Sector and legislative requirements including (but not limited to) the *Public Sector Act 2009* and *Work Health and Safety Act 2012*.
- Actively contribute to SAPOL's commitment to being an inclusive workplace where everyone is safe, respected and supported to reach their potential by demonstrating inclusive behaviour and showing respect for diverse backgrounds, experiences and perspective.
- Demonstrate an understanding and commitment to **WH&S legislation**, principles and practices and risk assessment in accordance with the **WH&S Act (2012)**, regulations, approved codes of practice and AS/NZS ISO 31000:2018 Risk Management – Guidelines.