


# Job and Person Specification

**Title of Role:** Prosecutor (Solicitor) **Remuneration Level:** LEC3  
**Business Unit:** Office of the Director of Public Prosecutions **Type of Appointment:** Ongoing  
**Division:** **Position Number:**

## Job and Person Specification Approval

 5/6/17

DELEGATE

## Primary Purpose

The primary purpose of the Prosecutor (Solicitor Section) is to contribute to the processing of legal matters through the South Australian Judicial system by preparing files for trial, and conduct of those trials in the superior courts.

## Reporting Relationships

- The Prosecutor is accountable to the relevant Managing Prosecutor within the ODPP
- The Prosecutor will be part of a team and may be required to change teams/Section within the Office from time to time

## Key Relationships/Interactions

- Staff of the ODPP (including legal staff, law clerks, witness assistance and administration staff)
- ODPP Executive
- SAPol
- Defence Counsel
- Courts Administration Authority staff
- Judiciary
- Victims and Witnesses
- Other external parties

## Key Challenges

- Working in a specialised environment that may include a requirement to work on highly sensitive matters including child abuse and/or sexual offences.
- Managing short timeframes and conflicting priorities.
- Potential for high volumes of work at short notice.

## Special Employment Conditions

- Some out of hours work will be required.
- Travel to country areas involving overnight absences may be required.
- Will be required to work in different teams within the ODPP
- Will be exposed, either directly or indirectly to confidential, sensitive, confronting and/or distressing material including photographs, written descriptions and other evidentiary material.



**AGD Conditions**

- Participation in quarterly performance review and development;
- Actively participate in all mandatory training requirements;
- Abide by the standards in the Code of Ethics for the South Australian Public Sector (the Code), relevant legislation and AGD policies and procedures; and
- Employment is dependent upon a National Police Certificate clearance that the AGD finds satisfactory.

**Responsibilities**

This Job and Person Specification provides an indication of the type of duties you will be engaged to perform. You may be lawfully directed to perform any duties that a person with your qualifications, skills and abilities would reasonably be expected to perform. The Prosecutor is responsible for:

Key Responsibilities	Specified Duties	Performance Indicator/Measurement
<p><b>Greater to Ordinary File Work</b></p>	<p>For all files</p> <ul style="list-style-type: none"> <li>• Adjudicate matters to determine appropriateness and accuracy of changes and appropriateness of jurisdiction</li> <li>• Provision of relevant and accurate advice on matters of law and fact</li> <li>• Provision of instructions to SAPOL in relation to bail</li> <li>• Ensure matters are properly maintained, regular communication and all aspects of file management are adhered to and recorded</li> <li>• Identify and request all relevant evidence and liaise with SAPOL to complete the Prosecution brief</li> <li>• Analysis and assess prosecution case including identifying key legal issues.</li> <li>• Seek instruction from Senior legal staff and where appropriate make recommendation on legal issues</li> </ul>	<p>In accordance with the ODPP legal criteria for reclassification (ODPP Reclassification Policy 2017):</p> <ul style="list-style-type: none"> <li>• Feedback from manager on quality, volume and timeliness of work in relation to:                             <ul style="list-style-type: none"> <li>○ Communications and relationships</li> <li>○ Presentation of legal work</li> <li>○ Legal Analysis and Knowledge</li> <li>○ Observation of behaviour, court conduct and management of relationships (internal and external)</li> <li>○ Conduct of trials (where relevant)</li> </ul> </li> </ul>



<p><b>Liaise with Victims</b></p>	<ul style="list-style-type: none"> <li>• Conduct proofing with victims and witness to prepare them for trial and form an assessment of sufficiency of evidence.</li> <li>• Meet legal requirements in relation to vulnerable witnesses and victims (<i>Victim of Crime Act 2001</i> and <i>Evidence Act 1929</i>)</li> <li>• Liaise with victim, including child complainants, complainants in sexual offences and other offences</li> <li>• Liaise with various stakeholders, victims, defence counsel and SAPOL on all aspects of the life of the file.</li> </ul>	
<p><b>Conduct of greater to ordinary non-trial matter</b></p>	<ul style="list-style-type: none"> <li>• Appear in Magistrate Court on preliminary hearings, submissions and dispute hearings</li> <li>• Perform within suitable levels of advocacy and court presentation skills, including knowledge and application of court rules and rules of evidence</li> <li>• Act as Junior Counsel</li> </ul>	
<p><b>Corporate Responsibilities</b></p>	<ul style="list-style-type: none"> <li>• Actively participate in Office initiatives and activities</li> <li>• Contribute to team meetings on a regular basis</li> <li>• Conduct training sessions for staff within the Office and external stakeholders</li> <li>• Participate in Office wellbeing activities, programs and projects</li> <li>• Promote WHS practices and procedures within the Office</li> </ul>	<p>In accordance with the ODPP legal criteria for reclassification:</p> <ul style="list-style-type: none"> <li>• Documented number of projects by Manager and Business Services</li> <li>• Observation by manager of behaviour and engagement</li> </ul>
<p><b>Contribute to Culture</b></p>	<ul style="list-style-type: none"> <li>• Actively participate and contribute to responsible and safe work practices;</li> <li>• Embrace diversity and cultural differences in the workplace.</li> </ul>	<ul style="list-style-type: none"> <li>• Work practices are safe and WHS legislation, policies and procedures are adhered;</li> <li>• Respectful behaviour observed when faced with diversity/differences in opinion.</li> </ul>

**Technical Expertise**



**Qualifications, Skills, Knowledge and Experience relevant to the role**

<p><b>Technical Expertise (Essential)</b></p>	<ul style="list-style-type: none"> <li>• A degree in Law</li> <li>• Admitted, or eligible for admission, as a practitioner of the Supreme Court of South Australia.</li> <li>• Experience (of a period of at least 2 years full time equivalent) working at the LEC2 (or equivalent standard) as a legal practitioner.</li> <li>• Demonstrated ability to analyse legal factual situations and research legal issues.</li> <li>• Proven ability in the preparation of legal documents in the criminal jurisdiction.</li> <li>• Knowledge of Court procedures as related to the Supreme Court and other tribunals.</li> <li>• A theoretical and practical understanding of litigious and non-litigious matters.</li> <li>• Demonstrated experience appearing in court in trial and/or pre-trial matters.</li> <li>• Ability to present arguments clearly and cogently.</li> <li>• Proven ability in handling matters of ordinary complexity, without the need for close supervision and direction.</li> <li>• Demonstrated experience in the use of a range of computer programs which support activities such as: word processing, case management systems, email and the internet.</li> </ul>
<p><b>Technical Expertise (Desirable)</b></p>	<ul style="list-style-type: none"> <li>• Proven ability to operate as a member of a team to achieve the goals of the organisation.</li> <li>• Knowledge of the role and function of the DPP in relation to the other agencies within the criminal justice system.</li> </ul>

**Behavioural Capabilities**

The AGD Performance Matrix describes the behaviours expected of AGD employees across various levels in the Department.

Descriptors below detail the behavioural capabilities required for performance in the Prosecutor. **KEY** behaviours for this role are listed with the critical behaviours highlighted in **bold**. This broader group of behaviours are applicable to your ongoing success in the role.

	<b>Strategic Focus</b>	<b>Results Orientation</b>	<b>Service Delivery Excellence</b>	<b>Relationship Management</b>	<b>Professional Approach and Drive</b>
<b>Strategic</b>	Shapes Strategic Thinking and Change	Achieves Organisational Results	Drives Business Excellence	Forges Relationships and Engages Others	Exemplifies Personal Drive and Professionalism
<b>Tactical</b>	Promotes Strategic Thinking and Change	Achieves Team Results	Delivers Business Excellence	Establish Relationships and Engages Others	Models Personal Drive and Professionalism
<b>Operational</b>	Supports Strategic Direction	Achieves and Monitors Own Results	Supports Service Delivery Excellence	Fosters Working Relationships	Supports Personal Drive and Professionalism
<b>Foundational</b>	Understands the Strategic Direction	Achieves Individual Results	Contributes to Service Delivery Excellence	Maintains Working Relationships	Demonstrates Personal Drive and Professionalism



Element	Behaviours
Strategic Focus (Operational)	<ul style="list-style-type: none"> <li>Supports strategic direction and plans</li> <li>Communicates plans in practical terms to others</li> <li><b>Identifies and manages risk as appropriate and escalates as necessary</b></li> <li><b>Adapts quickly to changing and emerging priorities</b></li> </ul>
Results Orientation (Tactical)	<ul style="list-style-type: none"> <li>Is accountable for the delivery of quality, timely and cost effective results</li> <li><b>Critically evaluates the problem in its entirety before identifying and implementing best possible solution</b></li> <li>Confidently makes decisions showing good judgement</li> <li><b>Effectively prioritises and re-negotiates tasks as needed</b></li> <li>Reviews performance and seeks opportunities to implement continuous improvement</li> </ul>
Service Delivery Excellence (Operational)	<ul style="list-style-type: none"> <li>Identifies and raises awareness of trends, potential problems and opportunities</li> <li><b>Utilises available internal and external resources for optimal outcomes.</b></li> <li><b>Translates performance requirements into achievable outcomes.</b></li> <li>Effectively manages their own performance, managing(or influencing) the wider team performance</li> </ul>
Relationship Management (Tactical)	<ul style="list-style-type: none"> <li>Effectively identifies, manages and resolves conflict</li> <li>Shares information and knowledge</li> <li>Tailors approach and communication style to suit the situation and audience</li> <li><b>Identifies opportunities to negotiate for improved outcomes</b></li> <li><b>Actively listens and communicates in a clear and concise manner</b></li> </ul>
Professional Approach and Drive (Tactical)	<ul style="list-style-type: none"> <li>Builds a culture of respect and high ethical standards</li> <li><b>Demonstrates and promotes professionalism and confidentiality when dealing with sensitive issues</b></li> <li><b>Identifies and considers risk in decision making</b></li> <li>Remains positive and recovers quickly from setbacks</li> <li>Promotes a high standard of wellbeing for self and others</li> </ul>

Acknowledged by occupant \_\_\_\_\_ / /  
 (Print name) (Signature)

Acknowledged by line manager \_\_\_\_\_ / /  
 (Print name) (Signature & title)



