


# Job and Person Specification

**Title of Role:** Prosecutor (Solicitor) **Remuneration Level:** LEC5  
**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 through involvement in the conduct of those trials.

## Reporting Relationships

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

## Key Relationships/Interactions

- Staff of the ODPP (including legal staff, law clerks, witness assistance and administration staff)
- ODPP Executive
- Staff of the AGD
- SAPol
- Defence Counsel
- Courts Administration Authority
- Judicial
- Victims and Witness
- 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.
- Must have a current SA Drivers Licence of Class C or equivalent.
- 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
Highly Complex File Work	<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>• 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 highly complex 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> <li>• Conduct of appellate work before single judge</li> </ul>	
<p><b>Leadership and Management</b></p>	<ul style="list-style-type: none"> <li>• Supervision of two or more junior officer</li> <li>• Mentoring</li> <li>• Act in SAES role as required</li> </ul>	



<p><b>Corporate</b></p>	<ul style="list-style-type: none"> <li>• Contribute to the knowledge management function of the ODPP by providing relevant and current material for inclusion in the Online Guide</li> <li>• Lead Office initiatives and activities</li> <li>• Lead team meetings, as required</li> <li>• Lead and manage project/focus groups for the Office</li> <li>• Lead project in the Office</li> <li>• Conduct training sessions for staff within the Office and external stakeholders</li> <li>• Lead and drive Office wellbeing activities, programs and projects</li> <li>• Lead and manage 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>Drive Culture</b></p>	<ul style="list-style-type: none"> <li>• Pro-actively safeguard the health and wellbeing of staff by ensuring safe work practices are undertaken by self and others in the workplace;</li> <li>• Embrace and encourage diversity and cultural differences in the workplace.</li> </ul>	<ul style="list-style-type: none"> <li>• Pro-active measures are undertaken to adhere to and prevent injuries;</li> <li>• Work practices are safe and WHS legislation, policies and procedures are implemented;</li> <li>• Individual differences are encouraged and accommodated in the workplace.</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 3 years full time equivalent) working at the LEC4 (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, outlook and the internet.</li> <li>• Proven ability in participation and leadership of an Office's process and initiatives.</li> <li>• Demonstrated proficiency in area/s of specialised law.</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 (Tactical)	<ul style="list-style-type: none"> <li>Ensures work goals are linked to the bigger picture</li> <li>Adopts and manages a balanced approach to risk aversion and risk taking</li> <li>Considers the broader political environment and context when decision making</li> <li>Drives effective change</li> <li>Promotes creative and innovative thinking</li> </ul>
Results Orientation (Strategic)	<ul style="list-style-type: none"> <li>Holds self and others accountable for quality, timely and cost effective results</li> <li>Makes well informed effective and timely decisions even when information is incomplete and ambiguous</li> <li>Makes complex decisions that require a high degree of judgement</li> <li>Monitors performance and drives continuous improvement</li> </ul>
Service Delivery Excellence (Tactical)	<ul style="list-style-type: none"> <li>Identifies trends, potential problems and opportunities and incorporates into plans</li> <li>Promotes and ensures a strong focus on internal and external customer service</li> <li>Effectively manages and coordinates resources for optimal outcomes.</li> <li>Sets clear performance standards that are linked to business unit outcomes.</li> <li>Provides leadership and support for those they manage in dealing with staff performance issues.</li> </ul>
Relationship Management (Strategic)	<ul style="list-style-type: none"> <li>Constructively manages and resolves conflict within and across areas.</li> <li>Builds extensive effective working relationships, networks and partnerships</li> <li>Models and promotes sharing of information and knowledge</li> <li>Adapts approach and communication style to suit the situation and audience</li> <li>Utilises effective negotiation techniques to achieve mutually beneficial solutions</li> <li>Actively listens and communicates in a clear, concise and diplomatic manner</li> </ul>
Professional Approach and Drive (Strategic)	<ul style="list-style-type: none"> <li>Models and builds a culture of respect and high ethical standards</li> <li>Effectively deals with difficult or controversial issues</li> <li>Willing to embrace risk in decision making</li> <li>Models professionalism and confidentiality when dealing with sensitive issues</li> <li>Models and remains positive under adversity and recovers quickly from setbacks</li> <li>Demonstrates an active commitment to ongoing development</li> <li>Upholds and promotes a high standard of wellbeing for self and others</li> </ul>

Acknowledged by occupant

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----- (Print name) ----- (Signature) -----

Acknowledged by line manager

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