

Working Title Provincial Prosecutor	Name
-----------------------------------------------	------

Position Number	Reports to Position No., Class & Level	Division, Branch/Unit Criminal Justice Division	Ministry Justice and Attorney General
-----------------	-------------------------------------------	-----------------------------------------------------------	-----------------------------------------------------

Present Class	Requested Class	Levels to Deputy Minister (Not including incumbent level)
---------------	-----------------	--------------------------------------------------------------

Dept ID	Program Code	Project Code (if applicable)
---------	--------------	------------------------------

POSITION SUMMARY: Briefly describe the main purpose of the position, and why it exists for the most part (See Management Job Description Writing Guide Page 7).
<p>Purpose</p> <p>This position applies extensive knowledge of the Provincial Statutes that are required to carry out responsibilities within the operation. This position is required to consistently apply sound judgement and initiative to the job to support department business goals and objectives.</p> <p>This position must always represent the Administration of the Provincial Prosecutors and First Appearance Crown of the General Prosecutions Branch, in a responsible, professional manner, support a fair and equitable delivery of justice in Alberta, and to demonstrate the Visions and Values of the APS; and maintain transparency.</p> <p>The Provincial Prosecutor is responsible for the administration and prosecution of provincial summary conviction offences in the Provincial Court and Provincial Youth Court of Alberta, managing highly diverse cases from initiation to disposition in court. This position is relied on to represent the Attorney General in court when prosecuting cases, conducting trials and pre-trial conferences, speaking to applications, and recommending appeals. The Provincial Prosecutor also identifies and recommends alternative processes and streamlining opportunities to the Chief Crown Prosecutor / assistant Chief Crown.</p> <p>The position has key accountabilities for the provision of ongoing guidance to newly hired Criminal Crown Prosecutors, Provincial Prosecutors, and Alberta law students in relation to the administration and prosecution of provincial summary conviction offences. In addition to providing training and mentoring to these individuals in what is typically their introduction to the Criminal Justice division, the Provincial Prosecutor provides feedback and evaluates performance.</p> <p>This position supports the Ministry's commitment to safe communities and advancement of traffic safety through provision of education and consultation to enforcement agencies and other stakeholders in relation to provincial offences and charges, court procedures, rules of evidence, and various requirements essential to ensuring effective prosecutions. The Provincial Prosecutor also liaises regularly with the public, victims and other stakeholders to provide consultation and exchange information aimed at upholding and preserving confidence in the administration of justice within the province.</p>

SPECIFIC ACCOUNTABILITIES: List the most important end results or outcomes of the position and how they are achieved. Each end result shows what the position is accountable for, within what framework and what the added value is. Normally a position has 4-8 core end results. For each end result approximately 3-6 activities should be described (See Writing Guide Page 8).
<ol style="list-style-type: none"> 1. Provincial statute summary conviction cases are administered and prosecuted in the Provincial Court and Provincial Youth Court of Alberta within the framework of applicable provincial and federal acts and regulations and in accordance with policies and procedures outlined in the Attorney General Agents Manual.

SPECIFIC ACCOUNTABILITIES: List the most important end results or outcomes of the position and how they are achieved. Each end result shows what the position is accountable for, within what framework and what the added value is. Normally a position has 4-8 core end results. For each end result approximately 3-6 activities should be described (See Writing Guide [Page 8](#)).

Activities:

- Manages the prosecution of provincial statute summary conviction offence cases from initiation to disposition in Provincial Court and Provincial Youth Court, preparing cases, delivering and presenting prosecutions, and facilitating resolution of associated issues.
- Screens adult and youth cases to ensure there is public interest to proceed and determine the sufficiency of evidence and appropriateness of charges.
- Prepares adult and youth provincial summary statute cases for trial by evaluating evidence; selecting required witnesses and documents; identifying issues requiring additional investigation; reviewing, interpreting and applying relevant legislation and case law precedents; preparing written and oral arguments; interviewing witnesses; advising and providing opinions to enforcement agencies; negotiating plea arrangements; and responding to internal and external enquiries regarding the cases, including drafting correspondence, reports, and memoranda.
- Determines prosecution strategy for cases, including anticipating and countering possible defence positions while balancing competing interests, legitimate or perceived.
- Reviews, responds, and processes initial and additional disclosure requests, taking relevant case law into consideration.
- Represents the Attorney General in court when conducting trials and pre-trial conferences and speaking to numerous other applications by presenting and challenging evidence, submitting written and oral arguments, speaking to the sentencing of accused persons, and recommending appeals.
- Liaises with enforcement agencies, defence counsel, defence agents, and accused persons regarding points of law, the Crown's position, and plea negotiation.

2. Recently hired Criminal Crown Prosecutors, Provincial Prosecutors, and Alberta Justice law students are provided with training, guidance, mentoring, feedback, and evaluation within court and office settings on an ongoing basis.

Activities:

- Provides instruction on and models the following responsibilities for recently hired Criminal Crown Prosecutors and Provincial Prosecutors and Alberta Justice law students:
 - office procedures and file / case distribution.
 - the complete preparation of adult and youth provincial statute summary cases for trial.
 - how to represent the Attorney General in court when conducting trials and pre-trial conferences and speaking to numerous other applications.
 - how to present and challenge evidence, create and deliver written and oral arguments, and speak to the appropriate sentencing of accused persons.
- Attends provincial offences court with and provides assistance and supervision to recently hired Criminal Crown Prosecutors and Provincial Prosecutors and Alberta Justice law students during prosecutions; provides feedback to as to preparation and delivery when prosecuting.
- Upon request, provides informal and verbal evaluations pertaining to the performance of recently hired Criminal Crown Prosecutors and Provincial Prosecutors to the Chief Crown Prosecutor or Assistant Chief Crown Prosecutor, or in the case of Alberta Justice law students, to the appropriate principal lawyer.

Assistance to Criminal Crown Prosecutors

- Provides advice and direction to Criminal Crown Prosecutors in relation to provincial offences cases.
- Prepares formal written opinions in relation to provincial offences cases for consideration of Assistant Chief Crown Prosecutors and/or Chief Crown Prosecutors.
- Assists Criminal Crown Prosecutors with researching and considering current case law, legislation, penalties etc. relating to the prosecution of provincial offences.

3. Safe communities are supported and traffic safety is advanced through provision of services to educate enforcement agencies and other stakeholders, address the needs of complainants and victims, and deal with offenders charged with serious or repeat provincial summary conviction offences.

Activities:

- Provides training, lectures and presentations to enforcement agencies and other stakeholders relating to provincial offences, court procedures, rules of evidence, and associated legislation.
- Advises and provides instruction to enforcement agencies in relation to appropriate charges associated with provincial offences; evidentiary, legislative and specific requirements to ensure effective prosecutions; and changes to legislation.

SPECIFIC ACCOUNTABILITIES: List the most important end results or outcomes of the position and how they are achieved. Each end result shows what the position is accountable for, within what framework and what the added value is. Normally a position has 4-8 core end results. For each end result approximately 3-6 activities should be described (See Writing Guide [Page 8](#)).

- Upholds and preserves the confidence of the public, victims and other stakeholders in the administration of justice by remaining aware of their perceptions of court proceedings relating to negotiated pleas, keeping them informed, displaying respect, and responding to questions and issues appropriately.
- Addresses serious provincial summary conviction violations and repeat offenders with appropriate sentencing submissions to support removal of careless, dangerous and irresponsible drivers from community streets through court-ordered driving prohibitions, jail sentences, and provincial suspensions.

KNOWLEDGE/EXPERIENCE: Include information on required diplomas and degrees along with identifying the most important knowledge factors, including knowledge about practical procedures, administrative, specialized techniques, etc. Detail specific training if there is an occupational certification/registration requirement for the position. Specify the type of experience required for the position (see Writing Guide [Pages 9-10](#)).

The Provincial Prosecutor requires thorough knowledge and understanding of:

- approximately 30 provincial and federal acts and regulations encompassing procedure, sentencing, and law contravention (i.e. Traffic Safety Act and its related regulations, Gaming Cannabis & Liquor Act, Wildlife Act, Canada Evidence Act, Alberta Evidence Act, sections of the Criminal Code, Youth Criminal Justice Act)
- the criminal justice system at all court levels, including rules of practice and evidence, legal concepts, procedures, and terminology
- the theory and practice of advocacy
- police documentation and purposes
- techniques and tools for conducting investigations
- legal research databases such as Quick Law, Carswell, QP Source, and CAN Law II, and available resources such as Court House and Crown Law Libraries
- Freedom of Information and Protection of Privacy (FOIP) legislation and department information release policies
- the Attorney General Alternative Measures program guidelines, including understanding of statutory requirements, offence and offender criteria, police notification to the Crown, police discretion, role of the Crown, exceptional circumstances, Crown record keeping, and specific offence elements as they relate to youth and adult programs
- Ministry directives, guidelines, initiatives, and policies relating to general prosecutions (i.e. Attorney General Agents Manual and Crown Prosecutors Manual)
- information systems such as Justice Online Information Network (JOIN), Motor Vehicle System (MOVES); operating systems such as Windows; and software applications such as Word, Excel, Outlook, Rapid React, and Bert

This position is also expected to demonstrate knowledge of:

- Government strategic business plan goals and policy directions, particularly as they relate to the Ministry mandate
- Ministry and division business plan goals, strategic priorities, issues, and programs
- the political environment within which the Ministry operates and decision-making processes of the government

Post-secondary education (i.e. university degree in law or diploma in law enforcement) or other related degree or diploma supplemented by extensive experience within the criminal justice system is required.

LEADERSHIP AND BUSINESS KNOW-HOW: Specify the level of coordination, organization and leadership required to produce the results expected of the position. Provide recent examples (See PP [Slides 38-40](#)).

- The Provincial Prosecutor requires well developed and demonstrated:
 - leadership, interpersonal and relationship building skills, along with professional judgment and integrity
 - persuasive advocacy and negotiating skills
 - ability to research and draft legal opinions and court documents professionally, referencing highly technical law and interpreting and applying statutes and precedents to factual situations
 - ability to solicit ideas and opinions to help form specific decisions, strategies, and plans, along with ability to continually anticipate, assess and effectively respond to emerging issues

KNOWLEDGE/EXPERIENCE: Include information on required diplomas and degrees along with identifying the most important knowledge factors, including knowledge about practical procedures, administrative, specialized techniques, etc. Detail specific training if there is an occupational certification/registration requirement for the position. Specify the type of experience required for the position (see Writing Guide [Pages 9-10](#)).

- analytical and critical thinking skills along with sound resourcefulness; must be versed in the exercise of analytical skills and reasoning in an adversarial, formal environment and be able to analyze technical and physical evidence to determine reliability and completeness
- organizational and time management skills, including capacity to prioritize heavy work loads appropriately and independently manage multiple priorities within demanding time frames while paying close attention to detail
- intermediary skills to deal successfully with diverse participants in the justice system
- public speaking and adaptive language, oral and written communication, and interview skills
- ability to think, act, and make decisions independently and maintain professionalism during times of stress and when under extreme pressure
- coaching, mentoring and performance evaluation skills
- self awareness, including willingness to learn from others, ability to give and receive constructive criticism, and the aptitude to analyze situations on an ongoing basis to improve performance
- ability to work independently and with a high degree of initiative, with the capability of taking on new responsibilities based on operational requirements
- commitment to continual improvement and team orientation, including ability to identify procedural issues relating to court or office processes and develop and recommend appropriate alternatives and solutions

PROBLEM SOLVING: Describe difficult or challenging situations the position is typically expected to solve; the degree of originality of the solutions; and the assistance available (See Writing Guide [Pages 11-12](#)).

This position provides highly specialized prosecution services for provincial statute summary conviction cases and is relied on to develop prosecution strategies, demonstrate effective research skills, and present appropriate and complex legal arguments in the Provincial Court and Provincial Youth Court of Alberta. Furthermore, the Provincial Prosecutor is expected to demonstrate principled and effective negotiation skills and draft legal opinions, briefings and court documents in a professional and appropriate manner.

Challenges faced by this position require superior analysis, reasoning, evaluation, professional judgment, and problem-solving skills. Significant interpretative and critical thinking is required, along with the ability to make complex decisions in a timely and appropriate manner. The Provincial Prosecutor must be able to quickly and effectively adapt direction and approaches to achieve desired outcomes. This position also has the challenge of representing the division, Ministry and government in a highly professional manner when interacting with diverse justice system participants including victims, court services staff, witnesses, police and investigators, prosecutors and defence counsel, accused persons, the public and other stakeholders.

Other examples of difficult and challenging situations faced by the Provincial Prosecutor include:

- prosecuting cases that range in complexity from the very simple to highly complex and technical; for example, motor vehicle accident cases can involve complainant or victim injuries that vary in severity from negligible bumps and bruises to paraplegic, quadriplegic, and brain dysfunction injury conditions.
- providing ongoing guidance, training and mentoring to recently hired Criminal Crown Prosecutors and Provincial Prosecutors and Alberta Justice law students, as well as evaluating performance in relation to preparing for and prosecuting provincial summary conviction cases.
- providing extensive pre-charge opinions, advice, and direction to law enforcement representatives as well as post-charge counsel and suggestions and providing explanations and direction to witnesses, victims, other stakeholders and accused persons in relation to diverse and complex cases.
- providing training and educational services and programs for law enforcement representatives in relation to provincial offence charges, including developing curriculum and training manuals and delivering presentations.

This position functions within the context of policies, statutes, directives, and guidelines developed by Alberta Finance and Enterprise, Treasury Board, and Cabinet. Key pieces of legislation and policy that set parameters and expectations for the work of the position include the Financial Administration Act, Government Organization Act, Public Service Act, Government Accountability Act, various Ministry acts and regulations, as well as policies, guidelines, and procedures established by Cabinet, the Minister, and Deputy Minister.

PROBLEM SOLVING: Describe difficult or challenging situations the position is typically expected to solve; the degree of originality of the solutions; and the assistance available (See Writing Guide [Pages 11-12](#)).

The Chief Crown Prosecutor / or designate is available to clarify goals, objectives, and priorities and provide consultation and guidance as required. Within these parameters, this position is delegated extensive authority to determine approaches to responsibilities.

RELATIONSHIPS/CONTACTS: Identify internal and/or external clients, partners and stakeholders with whom your position communicates and indicate the frequency, purpose and nature of the contact (i.e. how they are affected by recommendations, decision-making and action(s) taken) (See Writing Guide [Pages 12-13](#)).

Clients	Frequency	Nature and Purpose of Contact
<u>Internal</u> Chief Crown Prosecutor / or Assistant Chief Crown Prosecutor	Regular and ongoing	Receive direction and advice; exchange information; plan and problem-solve; demonstrate teamwork; streamline and improve processes
Criminal Crown Prosecutors	Regular and ongoing	Exchange information; provide advice and consultation; problem-solve; demonstrate teamwork
Crown Office administration staff	Regular and ongoing	Exchange information; provide advice and support; plan and problem-solve; demonstrate teamwork, including streamlining and improving processes
Court Services staff members	Regular and ongoing	Interact when appearing in provincial court, attending and operating First Appearance Centres, and streamlining judicial processes and best practises
Assistant Deputy Minister and other senior Ministry representatives	Occasionally	Receive direction; exchange information
<u>External</u> Law enforcement representatives and investigators (i.e. municipal, provincial and private police officers; RCMP; special constables; peace officers)	Regular and ongoing	Review evidence; provide guidance, legal opinions and training; discuss charges; locate witnesses; obtain and cooperate on files; request investigations; demonstrate teamwork; build positive relationships
Provincial Court Judiciary	Occasionally	Interact when in court, during pre-trial conferences, and in relation to streamlining judicial processes
Defence bar, agents, Native Counselling and Youth Criminal Defence Office representatives and accused persons	Regular and ongoing	Interact when appearing in provincial court or Crown's office regarding accused persons, evidence, sentencing, etc.
Elizabeth Fry, John Howard Society, Native counselling representatives		Exchange information during criminal docket court
Complainants, victims and witnesses		Provide and exchange information regarding appearances in provincial court, including court procedures, evidence, testimony, etc.
Social workers, personal counsellors and the clergy		

IMPACT AND MAGNITUDE OF JOB (SCOPE): Identify how the position directly affects results, and the extent to which stakeholders are affected by those results. Provide recent examples (See Writing Guide [Pages 13-14](#)).

Long-term direction for the Ministry and Criminal Justice division is determined by senior Ministry and government officials, with relevant legislation, regulations, policies, and frameworks providing broad parameters for operations. The work carried out is complex and affected significantly by legal and political decisions and priorities established in government and Ministry strategic business plans. Criminal Justice division issues and priorities are also subject to general societal influences and those originating in other jurisdictions and countries.

This position is an integral member of the Criminal Justice prosecutorial system and has a direct affect on the efficient, timely and cost-effective prosecution of adult and youth provincial statute summary conviction cases. The effective prosecution of these cases contributes to preserving public confidence in the Ministry and the administration of justice. The Provincial Prosecutor also has a direct impact on criminal summary conviction and indictable cases through services provided to first appearance criminal docket court and Alternative Measure programs, and advice and opinions provided in relation to provincial offence cases. These services ensure that court time and division prosecutorial and legal staff assets are used as effectively as possible to deliver just outcomes within the criminal justice system.

This position is delegated extensive freedom to organize, plan and coordinate work. The requirement for leadership is considerable as the work involves managing the prosecution of provincial statute summary conviction offence cases from initiation to disposition in Provincial Courts and Provincial Youth Courts, as well as providing direction and guidance to recently hired Criminal Crown Prosecutors and Provincial Prosecutors and Alberta Justice law students.

The Provincial Prosecutor is also relied on to provide training and education to law enforcement agency representatives in relation to creating complete and comprehensive files and properly gathering evidence to support provincial offence charges. In addition, this position provides training and education to Sitting Justices of the Peace as needed. Furthermore, this position informs stakeholders in relation to diverse aspects of the criminal justice process. These functions directly contribute to the efficient and effective prosecution of summary conviction provincial offence cases and the administration of justice in provincial courts and uphold public confidence in the Ministry and judicial system.

CHANGES SINCE LAST REVIEW: Identify significant changes, that have impacted the major responsibilities and accountabilities assigned to your position since the last review (See Writing Guide [Page 14](#)).

The Criminal Justice Division's Provincial Prosecutor position has evolved into a more complex, sophisticated and demanding role since its inception in 1991. These positions are professionals engaged in substantive and procedural legal work who work in collaboration with Crowns and contribute substantially to the success of the Criminal Justice Division in achieving just outcomes.

Over the years, substantial changes in position purpose and accountabilities have resulted in increased responsibility and scope for the Provincial Prosecutor. These include:

- Disclosure obligations that did not exist when the position was first created
- Increasing complexity and volume of traffic offences
- Involvement in training and mentoring recently hired Criminal Crown Prosecutors, Provincial Prosecutors, and Alberta Justice law students
- Being actively engaged in promoting safe communities by providing training, lectures and presentations to enforcement agencies and other stakeholders relating to provincial offences, court procedures, rules of evidence, and associated legislation

Provincial Prosecutors complement the work of Crowns and handle substantive legal work that is not restricted to members of the bar by statutory provisions.

Please note that the work done by the Provincial Prosecutors in Edmonton, Calgary, Hinton, and Fort Saskatchewan are conducted by Crown Prosecutors in the other regional offices in the Criminal Justice Division.