

Working Title Disclosure Clerk	Name
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Position Number	Reports to Position No., Class & Level Functionally reporting to Lawyer assigned to file	Division, Branch/Unit ACPS	Ministry Justice
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Present Classification Administrative Support 3	Requested Classification LA1
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Cost center Various CC	Project Code (if applicable)
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**PURPOSE:** Give a brief summary of the job, covering the main responsibilities, the framework within which the job has to operate and the main contribution to the organization (see [Section 2.3](#)).

The incumbent conducts detailed reviews of criminal files to ensure that personal information of witnesses, young offenders and third parties is removed prior to the release of information to defence counsel or the accused. In addition, the incumbent reviews supplementary information provided on each file to ensure that the information included meets the Crown's disclosure obligations.

To provide legal and administrative support for the prosecution of criminal and provincial offences in all levels of court by working within a framework of applicable legislation, policies, procedures, regulations and precedents. Reports to the Crown prosecutor assigned to the file and the Chief Prosecutor/ Deputy Chief Prosecutor who has overall responsibility for the Crown Office.

The incumbent works within the guidelines established by the ACPS to provide a range of central services supporting the Crown prosecutors and staff. This involves providing a complete file to an accused or defence counsel in accordance with legal requirements; scanning documents, ingesting electronic documents, review for quality control, logging documents into excel, answering telephone and counter enquiries about disclosure and performing other services that are required to ensure that Office goals are met. The incumbent makes decisions regarding the sensitivity of information in police reports and statements to determine whether that information must be redacted. They work independently within the team to ensure adherence to Crown disclosure obligations under the law.

Disclosure is a legal obligation of the Crown on all criminal files. Failure to provide complete disclosure well in advance of the trial date can result in the accused seeking remedies through applications by defence counsel for costs due to delay and/or to seek additional Charter remedies. In addition, the incumbent is the first line in ensuring confidential, privileged and sensitive information is not disclosed.

**RESPONSIBILITIES AND ACTIVITIES:** The purpose of the job can be broken down in different responsibilities and end results. Each end result shows what the job is accountable for, within what framework and what the added value is. Normally a job has 4-8 core end results. For each end result, approximately 3 major activities should be described (see [Sections 2.1](#) and [2.2](#)).

**Management and organization of legal files and documents in preparation of the disclosure process by providing a complete file to an accused or defence counsel in accordance with legal requirements and knowledge of the Criminal Justice system.**

**Activities:**

- Manages the disclosure process by reviewing and preparing documents to be scanned or electronically ingested into LAW PreDiscovery program and Criminal e-File (CReF)
- Scans or electronically ingests new files and ensures files are available for disclosure to defence counsel in a timely manner

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- Uses electronic system to track scanned or electronically ingested documents and inventories all documents contained on file
- Reviews and scans or electronically ingests supplementary material received from police agencies
- Reviews inventoried files to ensure that all documents and/or information listed can be disclosed as required by law. Makes the decision as to what information the Crown prosecutor assigned to the file needs to make the final decision as to redactions.
- Reports to the Crown prosecutor assigned to the file regarding disclosure.
- Reviews all criminal files for information to be redacted that may include the following:
  - Addresses, phone numbers, dates of birth of witnesses and unrelated accused
  - Work and school locations of witnesses
  - Locations of protective locations including WIN House, family or safe houses
  - **Confidential informants**
  - CPIC information not related to accused
  - Banking and credit card information
  - Search warrants where a sealing order exists
  - Young Offender information where the Young Offender is not the accused
  - Crown correspondence and memorandums
  - Third party documents that do not relate to the file
  - Medical information unrelated to the file
- Redacts appropriate information to protect privacy interests and SAFETY of witnesses and prepares inventory, then prepares package for disclosure to defence counsel. May consult with Legal Assistant, Paralegal, Supervisor, Crown prosecutor in relation to redactions and vetting particularly sensitive or complex information (Child Pornography, graphic scene photos, computer records, Banking records (multi-million dollar frauds), Undercover operations (Mr. Big scenarios), Confidential Informants, Witness Protection, Wiretaps, Search Warrant ITOs, Medical and psychological information).

#### **Reviews supplementary disclosure**

##### **Activities:**

- Reviews additional documentation to ensure each disclosed file contains all missing information.
- Ensures that no original documents are disposed of or destroyed
- Ensures the new material relates to the file
- Ensures the transfer of reviewed documentation to the proper location to allow the information to be added to the computerized file

#### **Problem solves and researches information when required**

##### **Activities:**

- Reviews each file to ensure that only information related to the accused file is released and the file does not contain unrelated information
- Access and assess Criminal Code, JOIN Charge Text and Internet sites regarding charges, wording of charges and/or procedures
- Utilizes the Justice Online Information Network (JOIN) to verify file numbers and charges
- May consult with prosecutor to determine if questionable material should be vetted or included with the disclosure

#### **Liaises and communicates effectively with various internal parties**

##### **Activities:**

- Responds to disclosure questions
- Follows up with supervisor on disclosure issues

#### **Disclosure and vetting of criminal files in the applicable Crown office.**

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**Activities:**

- Uses the Justice Online Information Network and the Prosecutor Information System Manager (PRISM) to verify court dates and assign prosecutors
- Answers all inquiries relating to disclosure
- Provides back up to Reception and, when required, receives, scans and processes all mail, including courier and court run deliveries in a timely fashion
- Reviews incoming faxes for date and time sensitivity (i.e. Notices of Motion) and ensures timely delivery and response
- Troubleshoots equipment problems associated with scanners, photocopiers and facsimile machines. Ensures equipment is serviced regularly and that paper and toner supplies are regularly stocked.
- Scans or electronically ingests sensitive case files and notifies appropriate sections when files are ready for vetting and inventorying.
- Redacts personal information of witnesses as well as confidential and privileged information relating to confidential informants, witness security measures, etc.

**Organization and delivery of disclosure to accused/defence counsel**

**Activities:**

- Prepare and maintain a detailed itemization of investigative reports, witness statements, Will Say statements, exhibits and other materials disclosed.
- Compare disclosure to original documentation to ensure that true and full disclosure is made.

**SCOPE:** List specific information that illustrates what internal or external areas the job impacts, and the diversity, complexity, and creativity of the job (see [Section 2.4](#)).

This position works on the vetting of criminal disclosure with minimal supervision from others including management or legal counsel. The services provided impact the accused, the prosecutor, defence counsel, law enforcement agencies and the courts. Release of confidential information could bring the administration of justice into disrepute and result in physical harm to witnesses.

Because disclosure is a legal requirement to provide a complete file to an accused person, this service impacts prosecutors, defence counsel, law enforcement agencies and the courts. Incomplete, non-disclosed or missed information could bring the administration of justice into disrepute. The consequence of error has serious legal implications such as charges being dismissed or costs being applied against the Crown.

**KNOWLEDGE, SKILLS & ABILITIES:** Provide a list of the most important knowledge factors, skills and abilities including knowledge about practical procedures, specialized techniques, etc.; analytical and conceptual skills and abilities; and skills needed for direct interaction with others not only diplomas and degrees. Specific training if it is an occupational certification/registration required for the job.

**KNOWLEDGE:**

- Graduation from a legal program and related experience or equivalencies
- Legal Assistant Diploma or Certificate considered an asset
- 1-2 year experience in a legal environment
- Knowledge of Criminal Justice system
- Knowledge of Criminal Code and Freedom of Information and Protection of Privacy Act
- Proficient with Word, Outlook, JOIN, Excel, LAW PreDiscovery (considered an asset), PRISM, CReF
- Strong organizational ability and attention to detail

**KNOWLEDGE, SKILLS & ABILITIES:** Provide a list of the most important knowledge factors, skills and abilities including knowledge about practical procedures, specialized techniques, etc.; analytical and conceptual skills and abilities; and skills needed for direct interaction with others not only diplomas and degrees. Specific training if it is an occupational certification/registration required for the job.

- Ability to prioritize work on short deadlines

**SKILLS:**

- Excellent oral and written communication skills
- Problem solving skills
- Good interpersonal skills

**ABILITIES:**

- Ability to work independently
- Demonstrate a high degree of initiative
- Exceptional organizational ability and attention to detail

**CONTACTS:** The main contacts of this position and the purpose of those contacts.

Extensive contact with legal assistants and prosecutors. The position is often the first line of contact with these individuals with respect to disclosure management.

**SUPERVISION EXERCISED:** List position numbers, class titles, and working titles of positions directly supervised.

The position has no supervisory responsibilities.

**CHANGES SINCE LAST CLASSIFICATION REVIEW:** This section is not required to be completed if the job description is being written for the conversion to PREP. It should be completed for any subsequent classification requests under PREP.

**ORGANIZATION CHART:** An organization chart that includes supervisor, peers and staff **MUST** be attached.

*This information is being collected under the authority of Section 10 of the Public Service Act and will be used to allocate positions within a classification plan and to manage the Alberta government human resources program. If you have any questions about the collection of this information, contact the Compensation Manager, 6<sup>th</sup> Floor, Peace Hills Trust Tower, 10011 - 109 Street, Edmonton, Alberta, T5J 3S8, phone 408-8400 or contact your Ministry Human Resource Office.*

**Signatures**

The signatures below indicate that the incumbent, manager and division director/ADM have read, discussed and agreed that the information accurately reflects the work assigned.

<b>Incumbent</b>					
<b>Manager</b>					
<b>Division Director/ADM</b>					
	Name			Signature	