

Non-Management Job Description Point Rating Evaluation Plan

Working Title Provincial Prosecutor		Name	
Position Number	Reports to Position No., Class & Level Senior Provincial Prosecutor	Division, Branch/Unit ACPS- Advanced Projects and Traffic Office (APTO)	Ministry Justice & Solicitor General
Present Class PS4		Requested Class	
Dept ID	Program Code	Project Code (if applicable)	

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.

The Alberta Crown Prosecutions Services (ACPS) prosecutes persons charged with Criminal Code, Youth Criminal Justice Act, and Provincial Statute offences. The ACPS promotes safe communities by vigorously prosecuting cases involving serious and violent crimes and working with individuals and organizations in the community to identify and implement improved and alternative approaches to the administration of criminal justice. In addition, the ACPS develops criminal law policy for the Province and supports criminal law consultation with other levels of government.

The Advanced Projects and Traffic Office (APTO) is a newly created branch within the ACPS that consolidates Provincial Prosecutors with the Advanced Project teams (former JTI project team). The purpose of this branch is to increase justice system capacity, improve regulatory enforcement, and improve overall access to justice. The APTO is also dedicated to enhancing current traffic court operations by providing consistent and dedicated management that can be applied to provincial prosecutors across the Province. By consolidating with the new advanced project team, new and innovative technology can be applied seamlessly across the Province.

The APTO also provides prosecution and advanced project policy advice and direction to prosecutors, law enforcement agencies and other justice partners and enhances the prosecutors' ability to prosecute various provincial statutes by seeking meaningful amendments to the Criminal Code and related statutes. The APTO also participates in the development of provincial statutes, policies, or programs dealing with the administration of criminal justice within the Province that do not relate exclusively to the Crown.

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 streamlined opportunities to management.

In addition, this position provides early case resolutions in appropriate cases through the Traffic Ticket Digital System (TTDS). The Provincial Prosecutor also liaises regularly with the public, victims, law enforcement and other stakeholders to provide consultation, and exchange information aimed at upholding and preserving confidence in the administration of justice within the Province.

Reporting to the Senior Provincial Prosecutor, the Provincial Prosecutor operates within the parameters of relevant legislation, regulations, policies, directives, and processes.

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.

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.
 - 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; identifying 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 early case resolution agreements; 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.
 - Operates TTDS by discussing cases and negotiating pleas pre-trial, providing general trial or application procedures and consultation to stakeholders, administering applicable policies and procedures.
2. Recently hired 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.
 - Models the following responsibilities for recently hired 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 to recently hired Provincial Prosecutors and Alberta Justice law students during prosecutions.

SCOPE: List specific information that illustrates what internal or external areas the job impacts, and the diversity, complexity, and creativity of the job.

- This position collaborates with staff throughout the Ministry and outside stakeholders, clarifying impacts of various policy and legislative options, providing planning and decision-making process advice, and developing input and recommendations.
- The Provincial Prosecutor must have in-depth understanding of the *Provincial Offences Procedures Act* (POPA) and regulations, the *Traffic Safety Act* (TSA) and regulations, *Gaming, Liquor and Cannabis Act* (GLCA) and regulations.
- The Provincial Prosecutor must be able to work under tight deadlines, must be able to prioritize work to meet changing priorities and to facilitate and collaborate among various groups and stakeholders. This position requires independence and minimal supervision to carry out responsibilities with a high degree of accuracy.
- This position provides highly specialized prosecution services for provincial statute summary conviction cases and is required 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 required to demonstrate principled and effective negotiation skills, draft briefings and court documents in a professional and appropriate manner.
- Challenges faced by this position require superior agility in their daily activities, 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 approach 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 mentoring to recently hired Provincial Prosecutors and Alberta Justice law students, in relation to preparing for and prosecuting provincial summary conviction cases.
- providing explanations and direction to law enforcement, 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, the Deputy Minister and the Chief of the APTO.
- The Chief 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.

This position is an integral member of the Criminal Justice prosecutorial system and has a direct effect 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 utilized 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 multitasking 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.

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. 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.

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.

Education and Experience:

- 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. Equivalences may be considered.

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 Liquor Cannabis 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, Alberta Crown Prosecution Service Guidelines, Policies and Protocols)
- APTO policies, guidelines and directives.
- information systems such as Justice Online Information Network (JOIN), Motor Vehicle System (MOVES); Traffic Ticket Digital System (TTDS); operating systems such as Windows; and software applications such as Word, Excel, Outlook.

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 the decision-making processes of the government

The Provincial Prosecutor requires well-developed and demonstrated:

- interpersonal and relationship building skills, along with professional judgment and integrity
- persuasive advocacy and negotiating skills
- ability to research and draft 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
- 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 the capacity to prioritize heavy workloads 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
- self-awareness, including willingness to learn from others, ability to give and receive constructive feedback, 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.

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

The Senior Provincial Prosecutors, Deputy Chief, Chief, and other employees of the branch. Also law enforcement, and external stakeholders.

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

No direct supervision.

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.

Please see 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, 6th Floor, Peace Hills Trust Tower, 10011 109 Street, Edmonton, Alberta, T5J 3S8, Telephone: 780-408-8400 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.

Incumbent

_____	_____	_____
Name	Date (yyyy-mm-dd)	Signature

Manager

_____	_____	_____
Name	Date (yyyy-mm-dd)	Signature

Director

_____	_____	_____
Name	Date (yyyy-mm-dd)	Signature

Executive Director

_____	_____	_____
Name	Date (yyyy-mm-dd)	Signature

Assistant

_____	_____	_____
Name	Date (yyyy-mm-dd)	Signature

Deputy Minister

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