



Job Opportunity

Position:	Provincial Offences Act Municipal Prosecutor
Department:	Administration and Finance
Commencing:	May 2021
Rate of Pay:	\$35.29 to 42.64 per hour
Deadline:	Tuesday March 16, 2021 at 4:30 PM
Job Description:	Enclosed

Please apply by emailing a completed application form with resume and cover letter to jobs@fortfrances.ca.

Please note that due to COVID-19, we are only accepting external job applications by email or by fax at (807) 274-8479. E-MAIL IS PREFERRED.

Only those candidates who are selected for an interview will be contacted.

Hours of work are based on operational needs.

For more information, please contact Dawn Galusha, Treasurer, at 274-5323.



POSITION DESCRIPTION

POSITION TITLE:	Provincial Offences Act Municipal Prosecutor
GENERAL SUPERVISOR:	Town Solicitor / Treasurer
EMPLOYEE GROUP:	Management/Non-Union

Position Summary

- To conduct prosecutions under provincial statutes, the Contraventions Act (Canada) and municipal by-laws in the Ontario Court of Justice for the Fort Frances Court Service area.
- To conduct prosecution of appeals in the higher courts on matters relating to appeals under the Provincial Offences Act.

Direction Received

- The prosecutor works independently when undertaking prosecutions of offences under relevant Provincial Statutes. This includes accountability to review case law and argue law on appeals and the conducting of disclosure.
- The Prosecutor, if not a lawyer, will report to a lawyer designated by the Corporation of the Town of Fort Frances. Such reporting will be structured so that the prosecutor's exercise of discretion is not influenced.
- The Treasurer will provide oversight of hours worked.
- The prosecutor is frequently responsible to make judgements in complex matters. Errors in judgment could result in the miscarriage of justice which may have serious effects on the individuals involved, create inconvenience to the public, generate increased costs, create public dissatisfaction with the administration of justice and cause significant embarrassment for the Town.

Direction of Others

- Provides expert level functional leadership in resolving matters related to the Provincial Offences Act.

Revenue, Asset and Expenditure Scope

- Responsible to negotiate settlements for various matters.

General Responsibilities

- Conducts prosecutions under provincial statutes, the Contraventions Act (Canada) and municipal by-laws in the Ontario Court of Justice for the Fort Frances Court Service area.
- Reviews statements of witnesses; evidence and its admissibility; reviews that all charges have been sufficiently investigated.
- Ensures that all evidence has been collected before presenting arguments to the Court.
- Maintains current knowledge of applicable legislation and the common law, stays current regarding any changes and developments.
- Provides advice and direction to enforcement agencies in the Fort Frances Court Service area.
- Performs administrative duties related to prosecutions including the disclosure of documents and notice requirements.
- Liaises with Justices of the Peace, Provincial Offences Administration staff, enforcement and other agencies, legal profession and the public.
- Provides disclosure to defendants and accepts service of documents; ensuring witnesses are summonsed or cancelled as necessary.
- At trial, presents evidence and makes legal argument to prove the charge.
- In the case of appeals, files the required documents and presents legal argument on appeal before a Justice of the Ontario Court of Justice.
- Addresses complaints promptly and effectively.
- Notifies the local Crown Attorney and the Attorney General of any matter that appears likely to raise a substantive legal issue at trial or appeal, including an application for Judicial review or prerogative writ sought in relation to a prosecution.

Routine and non-routine Contacts

- Regular contact with Justices of the Ontario Court of Justice, Justices of the Peace and Court Administrative staff for scheduling of courts.
- Contact with the Solicitor for legal issues and advice.
- Contact with the Provincial Offences Coordinator with regard to administrative matters.
- Liaise with local enforcement agencies to provide advice and direction.
- Meets with witnesses for the Prosecution to determine evidence.
- Regular contact with the Treasurer, who oversees hours worked, and provides oversight of departmental budget.

Qualifications

- Completion of Three- Year Post-Secondary degree or diploma program in a related discipline.
- 5 years of experience in law, law enforcement, or Provincial Offences Act court procedure.
- Excellent oral and written communication skills.
- Demonstrated expertise with word processing, spreadsheet, and email software applications.

- Thorough understanding of Provincial Offences Act and its application.
- Valid Class 'G' Ontario approved driver's license.
- Demonstrated courtroom experience.

Effort

- The position requires physical effort of above normal intensity and moderate duration, most work tasks are spent sitting or standing. Keyboarding with a requirement for speed and accuracy is required for some part of the day.
- Work is subject to frequent interruptions.
- A high level of concentration is required for extended periods while performing courtroom prosecutions, and day to day responsibilities, as the nature of the work requires attention to detail to ensure accuracy, and quality of work.

Working Conditions

- Hours of work are based on operational needs and court schedules. The extent of preparation required for prosecutions varies dependent on the matter.
- There is an occasional requirement for out-of-town travel to satellite courts.
- The incumbent works mainly indoors on a year-round basis, in a private workspace.
- The incumbent may be subject to dealing with human hazards such as difficult people, verbal abuse, and potential threat of violence.

Conditions of Employment

- Valid Class 'G' Ontario approved driver's license.
- Must provide a satisfactory criminal background check and vulnerable sector screening.