

CITY OF HAMILTON

CORPORATE SERVICES DEPARTMENT

(LEGAL SERVICES DIVISION – MUNICIPAL PROSECUTIONS - LOCATION – JOHN SOPINKA COURT HOUSE,
45 MAIN ST. E., SUITE 408)

SUPERVISOR, MUNICIPAL PROSECUTIONS

SUMMARY OF DUTIES

Reporting to the Manager, Legal Services supervises and coordinates the work of provincial offences and municipal prosecutions staff by acting as a liaison between the Court, defence lawyers, police forces and members of the public as well as providing a wide range of legal services including the prosecution of cases before the Ontario Court of Justice for offences under provincial statutes and municipal by-laws, Contraventions Act (Canada) and appeals under the Provincial Offences Act.

GENERAL DUTIES

Provides day-to-day supervision of provincial offences and municipal prosecutions staff to ensure efficient and effective service to internal and external stakeholders.

Provides direction, leadership and coordination of teamwork; motivate and encourage staff to achieve high levels of performance and productivity; foster a work environment which supports customer service, innovation, and quality of service.

Responsible for the performance management of staff including motivation, supervision, interviewing, hiring, orientation, training, scheduling, progressive discipline, coaching, performance evaluations, attendance management and appropriate handling of confidential matters.

Conduct prosecutions under provincial statutes, the Contraventions Act (Canada) and municipal by-laws in the Ontario Court of Justice including reviewing statements of witnesses and admissibility of evidence and determining that all charges have been sufficiently investigated and all evidence collected before the trial.

Responds to inquiries, feedback, and complaints from both internal and external stakeholders by researching situation and preparing timely response appropriate to values of the corporation.

Acts as a liaison between various defence lawyers, police forces and members of the public by responding to queries and resolving difficulties should prosecutorial functions not be properly discharged.

Appears as a respondent or appellant in the higher courts on matters relating to appeals under the Provincial Offences Act.

Liaises with area municipalities, and Court Administrator regarding scheduling and administrative matters and the City Solicitor and the Assistant City Solicitor for legal advice as necessary on legal issues.

Notifies the local Crown Attorney and the Attorney General of any matter that appears likely to raise substantive legal issues at trial or appeal, including an application for judicial review or prerogative writ in relation to a prosecution, anything that may affect the administration, constitutional validity or enforceability of a statute or regulation and any matter where there could be a substantial public interest in its outcome.

Notifies the Regional Federal Crown Prosecutor with respect to the issues set out above for offences designated as contraventions under the Contraventions Act (Canada).

Ensures operational expenditures are within approved budget; makes recommendations in terms of capital and operating budget requirements.

Participates as a Divisional/Sectional representative on various corporate committees / teams as required.

Member of the Legal Services Management Team participating in strategic planning and direction of the Division.

Interprets and ensures compliance with all Corporate, departmental and operational policies and procedures.

Maintains up-to-date knowledge of current techniques, trends and developments affecting all areas of supervisory responsibility and operational requirements.

Assesses and interprets legislative changes and recommend and implement new and/or updated work methods. Prepares and implements new policies/procedures and update existing policies/procedures as required.

Ensures that employees are provided with and use the appropriate equipment, material and/or procedures required to perform the assigned duties. Ensure that all employees perform work in accordance with applicable Health and Safety legislation and all City of Hamilton corporate and departmental policies and procedures.

Works in accordance with the provisions of applicable Health and Safety legislation and all City of Hamilton corporate and departmental policies and procedures related to Occupational Health and Safety.

Performs other duties as assigned which are directly related to the responsibilities of the position.

QUALIFICATIONS

1. Considerable experience in the field of provincial or municipal prosecutions at a supervisory level.
2. Thorough knowledge of the theory and practice of advocacy.
3. Thorough knowledge of relevant provincial statutes and relevant case law, including municipal by-laws relative to prosecutions and appeals including the relevant sections of the Canadian Constitution 1981 and Charter of Rights and Freedoms in order to provide advice and present legal arguments.
4. Excellent communication skills combined with tact, persuasiveness and integrity in order to effectively deal with counsel, public, judiciary, police and prosecutors including presenting oral and written legal arguments in court, making presentations and preparation of court documents. Ability to deal effectively with elected officials, representatives of other levels of government, senior management, peers, staff and the general public.
5. Organizational skills required to manage daily workload, set priorities, meet deadlines and ensure efficient, timely service.
6. Extensive knowledge of current law and its application to provincial and municipal offences.
7. Demonstrated supervisory experience in an administrative or similar operations environment. Must possess and demonstrate key supervisory attributes including effective leadership, coaching, team building, interpersonal, communication, presentation, confidentiality, organizational, project management, conflict resolution and time management skills as well as a commitment to promote and support team accomplishments within the Division.
8. Demonstrated ability to challenge, lead and motivate others to excel in an environment that fosters innovative approaches to problem-resolution.
9. Working knowledge of budget process and budget control.

10. Demonstrated record of decision-making and problem-solving skills dealing with challenging situations including conflict resolution.
11. Excellent interpersonal, organizational, time management, negotiation, report writing and presentation skills, including oral and written communications skills.
12. Experience in a computerized environment. Working knowledge of Microsoft Office (Outlook, Word, Excel) and ICON (Integrated Court Offences Network).

THE INCUMBENT SHALL COMPLY WITH ALL HEALTH AND SAFETY POLICIES AND PRACTICES FOR THIS POSITION AND THE WORKPLACE

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