

POSITION DESCRIPTION

Position Title:	Prosecution Officer		
Classification:	Band 6	Status	Full Time
Group:	Governance, Facilities and Economy	Business Unit:	Regulatory Services
Reports to:	Coordinator Prosecution		
Direct Reports:	Nil	Date:	May 2024

ORGANISATIONAL CONTEXT

Cardinia Shire Council is committed to building a sustainable shire for present and future generations to enjoy. Council plays an important role in contributing to life in our community. We provide services which supports the wellbeing of our residents now and into the future.

To deliver on our commitment, we are developing a skilled and professional workforce that embraces our organisational culture, values, and demonstrates key leadership capabilities. Our culture is defined by working together, working differently, and working for the future. We value teamwork, respect, accountability, communication, and customer focus. These values underpin our work and our behaviours ensuring we deliver on the Council's vision while maintaining a healthy, engaging, and inclusive workplace.

POSITION OBJECTIVES

- Provide prosecutions advice and support to Council, management, Council lawyers and unit customers and
- Support, lead and mentor Council enforcement officers to effectively conduct enforcement activities on behalf of council, and
- Contribute to the effective and efficient protection of land in the Cardinia Shire.

KEY RESPONSIBILITIES AND DUTIES

Key responsibilities include, but are not limited to:

- Provide assistance to the Coordinator – Prosecutions, including:
- Formally represent Council as a prosecutorial advocate in the Magistrates Court and VCAT where Council is authorised to take criminal or quasi-criminal prosecution or enforcement action, under relevant legislation.
- Negotiate with accused persons and recipients of infringement notices (or their representatives) to achieve a successful outcome
- To prepare and serve legal documents as required by the Criminal Procedure Act, the Infringements Act, and other legislation.
- Review and prepare briefs of evidence in relation to prosecutions at the Magistrates Court and

Victorian Civil and Administrative Tribunal (VCAT).

- To brief Counsel and the Coordinator – Prosecutions in preparation for court hearings.
- Mentor Council enforcement Officers who require support or advice in the resolution of their matters
- To provide advice to investigating officers in all Council departments to ensure that the investigations are capable of supporting successful prosecutions.
- Assist informants and where necessary with investigations and the preparation of briefs
- Assist with reviewing process, policy and strategic documents relating to the enforcement functions of Council
- undertaking infringement reviews and considering applications for payment plan, and otherwise administer the requirements of Infringements Act,
- Data entry to recording the outcomes of infringement and prosecutions matters.
- Remain aware of all relevant changes / amendments in legislation and educate and update relevant staff on these changes.
- Any other duties within limits of the employee's skill, competence and training.

POLICY AND PROCEDURE COMPLIANCE

- Adhere to (and promote) HR, IT, OH&S/Risk Management policies, procedures and practices.
- Demonstrate understanding and accountability for record keeping policy including the accuracy and capture of data, the sensitivities involved and the release and destruction of documents.

OCCUPATIONAL HEALTH & SAFETY RESPONSIBILITIES

- Take reasonable care for the health and safety of yourself and others in the workplace, ensuring we provide and maintain a working environment that is safe and without risk to the health of employees, contractors, visitors and the general public, as far as is reasonably practicable.
- Ensure all legislative and regulatory responsibilities are addressed and met in relation to occupational health and safety.
- Responsible for ongoing consultation with employees, employee health and safety representatives and supervisors to identify and eliminate hazards and risks in the workplace.
- Ensure hazards, incidents, near misses and injuries are reported immediately and recorded within the appropriate system.
- Actively participate in the planning and execution of Return-to-Work plans as required.

ACCOUNTABILITY AND EXTENT OF AUTHORITY

- Act in accordance with position objectives, with regular reporting to ensure adherence to position goals and objectives.
- Making operational decisions within the scope of work allocated.
- Accountability for the quality, accuracy and effectiveness of work produced.
- Freedom to act in accordance with legislative requirements and organisational policies and processes.
- Manage business unit operational budget within set parameters and delegation of authority.
- Formal input into policy development within their area of expertise and/or management.
- In positions where the prime responsibility is for resource management, the freedom to act is governed by policies, objectives and/or budgets, with a regular reporting mechanism to ensure achievement of goals and objectives.
- In positions where the prime responsibility is to provide specialist advice to clients or to regulate clients, the freedom to act is subject to regulations and policies and regular supervision. The effect

on individual clients of decisions and actions may be significant but is usually subject to appeal or review by more senior employees.

JUDGMENT AND DECISION MAKING

- Operate in a specialised environment with methods, procedures and processes developed from theory or precedent.
- Exercise judgement, considering operational requirements, utilising existing policies and procedures, relevant legislation and the Enterprise Agreement to make decisions, with review form more senior employees.
- Work involves the application of improvement suggestions, recommendations and problem solving.
- Guidance and advice is usually available however, the incumbent must display significant independent ability and knowledge when making decisions.

SPECIALIST KNOWLEDGE AND SKILLS

- The ability to understand and interpret Acts and relevant legislation.
- Ability to draft legal documentation including submissions, correspondence or reports
- A sound knowledge of court procedures and practices including prosecution of cases before the courts.
- Experience in conducting investigations as law enforcement officer
- Where applicable, experience in managing and delivering employee lifecycle support and initiatives.
- Demonstrate initiative in managing work outcomes, opportunities, and challenges.
- Demonstrate specialised analytical and problem-solving skills to continuously improve the customer experience whilst utilising council resources efficiently.
- An understanding of the long-term goals of the wider organisation and of its values and aspirations and of the legal and political context in which it operates.
- Possess a working knowledge of systems and protective factors around keeping children and young people safe including child first and child protection reporting/services including Child Safe Standards.
- Capable of producing sound and confident decisions and solutions within critical timelines.

INTERPERSONAL SKILLS

- Demonstrate self-awareness and a commitment to personal growth.
- Display resilience and agility in a changing work environment.
- Possess excellent communication and interpersonal skills with the ability to clearly articulate and present information as required.
- Ability to manage a variety of tasks and issues concurrently.
- Proven ability to build and maintain productive and respectful relationships and partnerships.
- Ability to work effectively as part of team a to deliver positive organisational outcomes.
- Proven ability to maintain high levels of confidentiality.
- Effective customer service skills, with a strong desire to provide helpful and accurate advice and assistance to staff.

MANAGEMENT SKILLS

- Ability to make independent decisions, good judgement and work with autonomy, initiative, and minimum supervision.
- Ability to manage own time, set priorities and achieve targets within allocated budgets and resourcing, and where appropriate, that of other employees.
- Contribute to a collaborative and innovative values-based culture.
- Foster innovation and make suggestions to improve work practises and processes.

QUALIFICATIONS AND EXPERIENCE

- Tertiary qualifications (please specify certificate, diploma or degree), industry qualification and/or equivalent experience in a comparable environment.
- Excellent communication skills (written and verbal) including the ability to adapt communications, build relationships and gain cooperation of internal and external stakeholders.
- Data analysis and report writing, with a strong attention to detail.
- A current Victorian Drivers Licence

KEY SELECTION CRITERIA

- Communication, negotiation and interpersonal skills with the ability to clearly articulate and present information as required.
- Understanding of emerging trends to ensure recommendations made by this position influence the outcomes for our community and organisation now and into the future.
- Able to work with minimum supervision and make sound decisions based on experience and good judgement.
- Knowledge and experience of or familiarity with Local Government enforcement functions, policies, procedures or experience in prosecutions and relevant acts and regulations.
- Ability to deal effectively, diplomatically and confidentially with enquiries and concerns.

CONDITIONS OF EMPLOYMENT

Terms and conditions of employment are in accordance with the Cardinia Shire Council Enterprise Agreement 2021 and Cardinia's policies and procedures.

Tenure This is a full time

Pre-employment checks All appointments are subject to a National Police Record Check, pre-employment medical check, and a six-month probationary period (new employees only). Certain positions may also require a Financial Background Check, Traffic Check or Working with Children Check.