

Department of Police, Fire and Emergency Management

STATEMENT OF DUTIES



Title	Legal Practitioner
Position Number	002610, 002611, 002609, 002922, 004128, 004129, 004792, 004799
Business Unit	Southern, Northern, Western
Branch / Section	Prosecution Services
Location	Various, Statewide
Immediate Supervisor	Inspector/Principal Legal Officer
Award	Tasmanian State Service Award / Legal Practitioners Agreement 2019
Employment Conditions	Full-time, Part-time, Permanent, Fixed-term
Classification	Legal Level 2

Focus:

The Legal Practitioner will undertake litigation on behalf of, and provide legal services and support to, the Department of Police and Emergency Management with particular emphasis on matters relating to family violence as part of the *Safe at Home* whole-of-government strategy for preventing, reducing, and responding to incidents of family violence in Tasmania.

Primary Duties:

- Conduct of summary prosecutions and other litigation on behalf of the Department relating to family violence and other matters, as directed.
- Provide legal advice, support and assistance in respect of the conduct of summary prosecutions and other proceedings, including maintaining effective liaison with complainants, victims of crime, police officers, witnesses and officers of relevant instrumentalities and/or agencies.
- Undertake research and provide advice on routine legal matters ranging to more complex issues.
- Prepare and/or co-ordinate the preparation of reports, reviews, briefing notes and other documentation on legislative and policy matters relating

to family violence and other matters, as directed.

- Mentor and assist less experienced legal practitioners or prosecutors in relation to legal matters, the conduct of summary prosecutions and other litigation on behalf of the Department.
- Deliver educational lectures and provide material on legal matters to police officers, legal practitioners and other professional employees of the Department.
- Provide legal advice, support and assistance in respect of investigations relating to family violence and other matters, as directed.

Scope of Work:

Responsible for the effective, efficient, accurate and timely delivery of legal services in accordance with the directions, policies and procedures of the Department, and for developing and maintaining detailed knowledge of laws and legal procedures relating to prosecutions with an emphasis on family violence.

Safe at Home is a whole-of-government strategy for preventing, reducing, and responding to incidents of family violence in Tasmania. The strategy aims to break the cycle of family violence by utilising a pro-intervention policy to address family violence and by integrating and extending the range of services available to support the victims of family violence including children.

Direction and Supervision:

The carrying out of day-to-day tasks and decision-making to be performed initially under general or direct supervision, however, with progression would be expected to function with general direction only, to apply own initiative and consult with senior staff only in respect of more complex elements of work.

Selection Criteria:

1. Relevant professional knowledge of the general criminal law, the laws relating to family violence and the legal practices and procedures relating to prosecutions in respect of summary and indictable proceedings, and to other proceedings involving the Department.
2. Ability to conduct summary prosecutions and other litigation on behalf of the Department relating to family violence and to other matters as directed, utilising appropriate advocacy skills and the ability to provide effective legal representation on behalf of Department before courts and tribunals and other persons or bodies acting judicially.
3. Demonstrated legal research and analytical skills. Sound oral and written communication skills with the ability to effectively convey legal advice and

information to non-legally trained personnel and to effectively liaise with complainants, victims of crime, police officers, witnesses and officers of relevant instrumentalities and/or agencies.

4. High level of initiative and resourcefulness, including organisational skills that enable the effective and timely co-ordination and management of a variety of tasks within prescribed timeframes, while meeting specified performance standards.
5. Computer literacy skills appropriate to the independent performance of tasks required of the position.
6. Ability to mentor and assist less experienced legal practitioners or prosecutors and provide support and advice as required.

Qualifications and Experience:

Admitted, or qualified for and entitled to be admitted as a Barrister or a practitioner of the Supreme Court of Tasmania under the provisions of the Legal Profession Act 2007 with more than 2 years relevant post admission experience.

Essential requirement:

A person is to provide evidence that they are vaccinated against COVID-19 or have an approved exemption.

A person is vaccinated against COVID-19 if the person has received all of the doses of a vaccine for COVID-19, necessary for the person to be issued with a vaccination certificate in respect of COVID-19 by the Australian Immunisation Register, or an equivalent document from a jurisdiction outside of Australia.

A person may be granted an exemption from the requirement to be vaccinated against the disease where the person demonstrates –

1. Medical contraindication

A person is unable to be vaccinated against the disease due to a medical contraindication if they:

- a) provide evidence in a form provided and accepted by the Head of Agency from a medical practitioner (as defined by the Australian Immunisation Register as a medical practitioner who can grant a medical exemption) which certifies that the person has a medical contraindication that prevents them from being vaccinated against the disease.

Or

- b) have a medical exemption, that applies to the vaccinations for the disease, that has been recorded on the Australian Immunisation Register, operated by or on behalf of the Commonwealth Government.

2. Exceptional circumstances demonstrated to the satisfaction of the Head of Agency.

Code of Conduct:

The State Service Code of Conduct, which is contained in Section 9 of the *State Service Act 2000* (the Act), reinforces and upholds the State Service Principles (s7) by establishing standards of behaviour and conduct that apply to all employees, including the person undertaking these duties, senior officers and Heads of Agency.

Environment and Conditions:

The Department of Police, Fire and Emergency Management (DPFEM) is an agency created under the *State Service Act 2000*. It consists of four operational services: Tasmania Police, Tasmania Fire Service, State Emergency Service and Forensic Science Service Tasmania. The operational services are supported by a range of support functions.

DPFEM strives to provide services that are responsive, socially inclusive and focused on policing, emergency response, community preparedness and emergency management outcomes that contribute to a safe and secure community. The services are delivered by sworn Police Officers, State Service employees (including firefighters and support staff) and volunteers. DPFEM works to make our community safe through the provision of a range of different emergency services, and improve our understanding and respect for our diverse community values and lifestyles.

DPFEM wants a safe workplace where employees work in a manner that reflects the organisational values. The person undertaking these duties is expected to actively participate in developing and maintaining safe work practices and to behave in a manner consistent with the organisational values.

DPFEM does not tolerate violence, especially violence against women and children.

The working environment is largely office based, however intra-state travel may be required. During emergency incidents, the person undertaking these duties may be required to provide support for the emergency incident.

Employees can expect to be allocated duties, not specifically mentioned in this document, that are within the capacity, qualifications and experience normally expected from persons occupying positions at this classification level.

Terms and conditions of employment are in accordance with the Tasmanian State Service Award.

Approved

C MORRIS
ACTING MANAGER PEOPLE AND CULTURE
BUSINESS AND EXECUTIVE SERVICES

Date: September 2022