



Job Description

Job Title: Director of Public Prosecutions (DPP) and Chief Officer
Grade: C
Salary Range: CI\$152,340.00 - CI\$176,652.00
Reports To: His Excellency the Governor (the Appointing Officer)
Reports Through: The Attorney General (for matters requiring consideration by Cabinet or Parliament)
Cost Centre: 277501

1. JOB PURPOSE

As the Director of Public Prosecution, the post-holder is responsible for the conduct of criminal proceedings pursuant to s.57 of the Cayman Islands Constitution and contributes strategic advice to senior members of the Government and represents the ODPP and the CIG more broadly on multi-disciplinary committees supporting law and order. As Chief Officer, the post-holder is the Accountable Officer, responsible for providing strategic direction and leadership and overseeing the effective and efficient operations of the Office of the Director of Public Prosecutions (ODPP).

2. DIMENSIONS

- a. Take overall responsibility for instituting and undertaking criminal proceedings;
- b. Provide team leadership and strategic policy direction within the ODPP; and
- c. Oversee the management of the day-to-day operational activities of the ODPP, supervision of a staff complement of 25 to 30 persons and management of approximately CI\$4 million in annual operating expenses.

3. PRINCIPAL ACCOUNTABILITIES

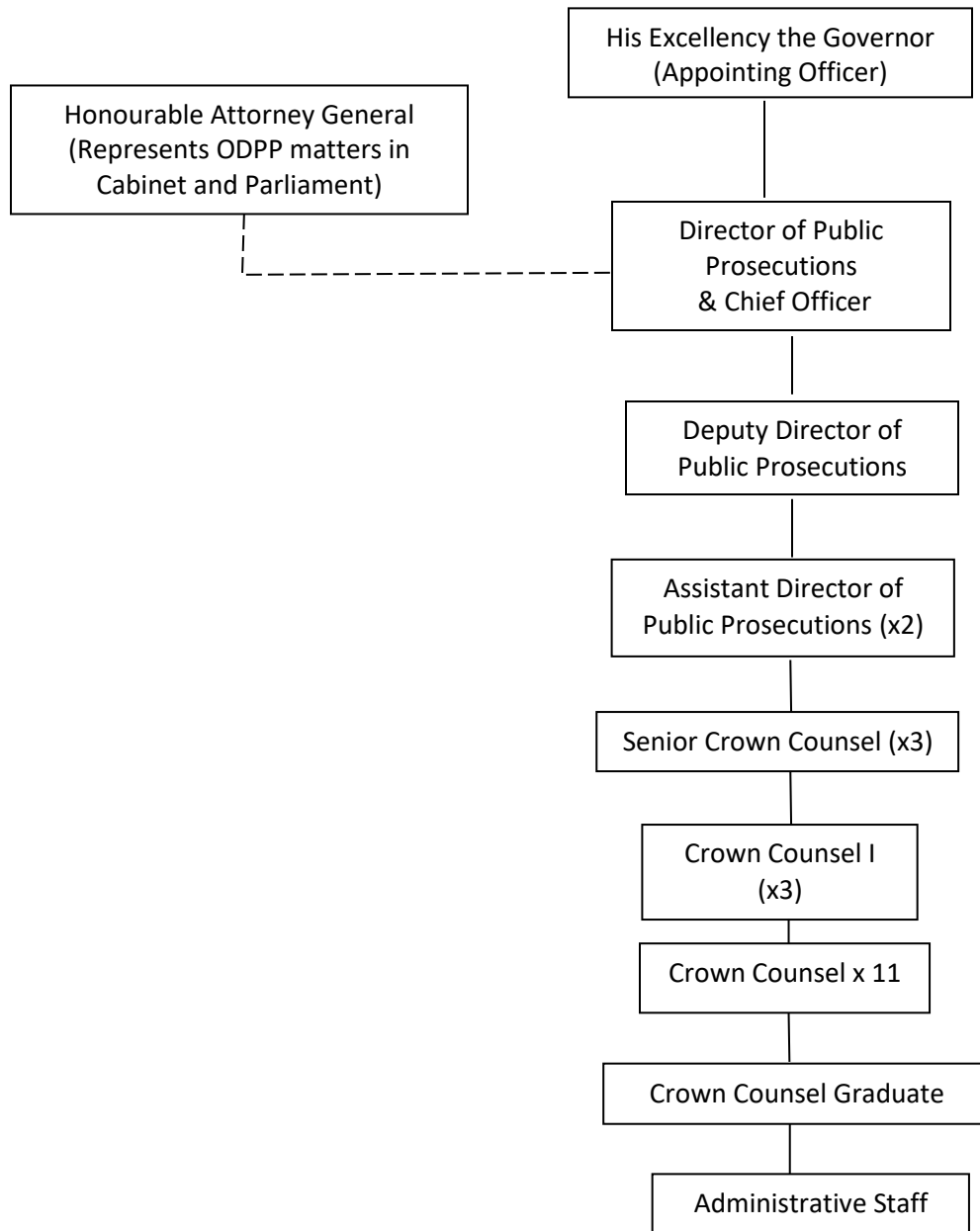
1.	Undertake the role of Chief Prosecutor of the Cayman Islands performing duties including: <ul style="list-style-type: none"> • in accordance with the Constitution, in any case which the post-holder “considers it desirable: <ul style="list-style-type: none"> ○ institute and undertake criminal proceedings against any person before any court in respect of any offence against any law in force in the Cayman Islands; ○ take over and continue any such criminal proceedings that have been instituted by any other person or authority;
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	<ul style="list-style-type: none"> ○ discontinue at any stage before judgment is delivered any such criminal proceedings instituted or undertaken by himself or herself or any other person or authority; ● prosecute more serious, complex, or public interest matters in the Courts and ensure a professional prosecution service and programme made up of skilled prosecutors to prosecute other matters; ● demonstrate accountability for all prosecutorial decisions that are made within the Cayman Islands by all prosecutorial staff; ● supervise the case management of all prosecutions at all levels of the court system to ensure that cases are efficiently and effectively prosecuted and disposed of; ● delivery via the ODPP Senior Management Team (SMT), the schedules and assignments of cases amongst all Counsel to ensure that all Courts are appropriately covered; ● maintain adequate co-operation with other international prosecution agencies and relevant criminal justice institutions; ● preserve professional relationships as required for the Cayman Islands’ participation in international treaties and conventions and to maintain existing practices ; ● mentor and advise all Counsel in the ODPP in the conduct and disposition of their assigned cases whilst promoting an environment where team members are transparent and accountable in reporting on the progress of cases and where colleagues work collaboratively to provide input and assistance; ● as appropriate, advise law enforcement agencies in the course of criminal investigations up to, and including charging decisions; ● ensure adherence to Court/legal practice directions and policy directives; ● engage professional consultants, including Queen’s Counsel, expert witnesses, etc. in the prosecution of cases before all Courts as required; ● determine whether decisions of the Courts should be appealed following discussions with Counsel and the ODPP SMT; and ● keep abreast of current developments in prosecution and new initiatives in order to maintain best practice and ensure the ODPP’s capacity to prosecute new and developing types of crime. 	
<p>2.</p>	<p>Provide leadership and strategic direction including:</p> <ul style="list-style-type: none"> ● providing effective leadership which enables the ODPP to fulfil its mission to effect transformative change, which empowers the SMT, and which positively develops the culture of the organisation; ● establishing a strategic vision for the ODPP in line with the CIG’s 5 Year Strategic Plan for a World Class Civil Service; ● promoting the Cayman Islands Government’s Public Service Values and the Public Servants Code of Conduct in accordance with the Public Service Management Act; ● upholding the Prosecutors Code of Conduct, Professional Standards and Workplace Rules specific to the ODPP consistent with good governance, the rule of law, and a duty (in line with best practices) to make decisions related to criminal prosecutions and administration in the best interests of the people of the Cayman Islands; 	

	<ul style="list-style-type: none"> • promoting and fostering collaboration, communication, relationships and teamwork within the ODPP; • enhancing relations with partner agencies (both local and overseas) whilst maintaining the constitutional independence of the ODPP; • developing policies and systems related to enhancing transparency and oversight (i.e. recording reasons for prosecutorial and administrative decisions taken, and where appropriate inviting professional scrutiny of the work of the ODPP); • ensuring an organisational structure appropriate for discharge of the ODPP’s responsibilities, the efficient deployment of human and other resources, and ensuring transparent and effective employment decisions resulting in having the right people, in the right roles and at the right time; and • providing strategic advice to the Government on matters with implication of criminal law (including proposed or necessary legislative reform) to enhance the legal framework and improve the efficiency of the ODPP and the criminal justice system as a whole (including liaising with the Attorney General on reforms of criminal justice legislation). 	
<p>3.</p>	<p>Manage the ODPP’s day-to-day operations and activities including:</p> <ul style="list-style-type: none"> • directly supervising the SMT on an operational day-to-day basis, undertaking performance agreements/assessments, providing guidance to the SMT, and performing administrative duties (i.e. approving leave requests), etc.; • delegating duties in a prescribed manner to ensure that all work undertaken is delivered to completion, by setting and enforcing deadlines and professional standards; • overseeing appropriate continuing professional education and development opportunities to enhance the skills of staff and the professionalism of the ODPP (i.e. learning and development plans, motivation and team building, identification of training needs, succession plans, accountability, and continuous improvement); • Maintaining effective systems, policies, procedures, methodology, and strategies to oversee and enhance prosecutions (at all stages including witnesses, disclosure, victims, etc.) in the Cayman Islands in accordance with best practices and the principles of natural justice; • overseeing the development, enhancement and implementation of the use of increased information technology and office systems to enhance the work of the ODPP (i.e. for electronic files, case management, video link systems, data collection, records management, evidence tracking); • overseeing the preparation and management of the annual budget, meeting any relevant financial reporting requirements, supplying agreed outputs, and ensuring compliance with the approved annual budget; • creating and achieving targets and objectives for the ODPP that are transparent, efficient, and aim to improve the operations of the ODPP; 	

	<ul style="list-style-type: none">• representing the ODPP when necessary to uphold or promote the image of the ODPP, and responding to requests from members of the media and the public in a timely, appropriate and professional manner;• overseeing the collection, maintenance, and publication of statistics related to the work of the ODPP;• enhancing and inspiring public confidence and community engagement in the ODPP by increased communications, provision of information, and reporting (such as through the revamping of the ODPP website);• overseeing the efficient delivery of services and stakeholder satisfaction;• representing the ODPP and the CIG more broadly on various task forces, committees, or at events (both locally and internationally) such as the Caribbean Financial Action Task Force and the National Risk Assessment;• providing advice to the Honourable Attorney General on matters under the ODPP's purview through the drafting of Cabinet Papers/Notes, responses to Parliamentary Questions, etc.;• establishing procedures for managing and ensuring compliance with, the FOI Act, Complaints Procedures, Data Protection Act, and the ODPP Record Disposal Schedule; and• attending Chief Officer and other CIG Senior Leadership meetings, professional development, etc.	
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4. ORGANISATIONAL STRUCTURE *(subject to change following review)*



5. BACKGROUND INFORMATION

The position of DPP was created by s.57 of the Cayman Islands Constitution Order 2009. The DPP manages the ODPP as an agency within the Cayman Islands Government. The post-holder is responsible for all criminal proceedings brought within the Cayman Islands. The ODPP operates independently of the Government and where appropriate reports to Parliament through the Honourable Attorney General.

The core work of the ODPP is the prosecution of criminal offences in all levels of the judicial system including the Summary, Grand and Appeal Courts. The ODPP is committed to the prosecution of all criminal and traffic proceeding in a timely and efficient manner consistent with the interests of justice and to providing international legal assistance in all Mutual Legal Assistance, Extradition and Convention matters. It is our mission to uphold our responsibility as Ministers of Justice while seeking to serve the public interest and the criminal justice system with consistency, impartiality and integrity.

The DPP is supported by a professional team including a Deputy Director, two Assistant Deputy Directors, Senior Crown Counsels, Crown Counsels I, Crown Counsels, as well as Administrative staff.

6. KNOWLEDGE, EXPERIENCE AND SKILLS

Education, Experience and Knowledge:

The post-holder must:

- be a qualified Attorney at Law, Solicitor, Barrister, or equivalent, and be capable of being called to the Bar in the Cayman Islands;
- have a minimum of 15 years comprehensive knowledge and practical criminal litigation experience in at least in the Grand/High Court (i.e. the higher criminal courts in the applicant's jurisdiction) and Court of Appeal in a wide range of areas;
- have practiced as a prosecutor within the last 10 years in a Commonwealth jurisdiction up to Court of Appeal level **OR** have substantial knowledge, experience, and involvement in criminal law and prosecution work;
- have at least 5 years' experience at senior executive management level which must include experience leading seasoned attorneys as well as developing junior attorneys, providing visible leadership, developing strategic direction, formulating policy, and oversight of operational, human resources, and financial matters;
- have broad knowledge and practical experience of the criminal justice system and the interrelationship of criminal justice institutions;
- have experience of interpreting legislation and case law, as well as in understanding, explaining and presenting complex legal ideas to both legal and non-legal audiences at all levels;
- have experience in taking decisions personally in serious, difficult and complex criminal cases;
- have ability to prepare and conduct criminal cases in court at all levels including necessary interrelated matters; and
- have demonstrable experience in:

- preparing detailed analysis of complex, factual and legal issues that concern criminal prosecution;
- implementing and overseeing case management systems;
- overseeing and leading transformational organisational change;
- empowering members of the SMT;
- motivating and encouraging teams;
- implementing and meeting high performance standards; and
- media handling and communication.

Ideally the post holder should also have:

- extensive experience in financial crime litigation, including money laundering offences, and also in prosecuting criminal confiscation cases; and
- extensive knowledge in extradition and mutual legal assistance matters.

Skills:

The post-holder must:

- be a dynamic and accessible leader capable of overseeing and leading transformational change and organisational design/restructuring with an empowered SMT;
- be highly confidential, politically neutral, display mature judgement and possess a high degree of professional and personal integrity;
- have the ability to think conceptually and creatively to develop new policies, processes and approaches to establish new concepts, work systems, and approaches;
- be able to demonstrate procedural fairness in all Court cases and deal tactfully and courteously with all participants in such cases as well as with the public;
- possess excellent planning, coordination, organisational and problem solving skills and display a high concern for quality/accuracy;
- be able to work on his/her own initiative, independently, and as a part of a team;
- have the ability to deal with enquiries from members of the public and requests from the media in a professional and sensitive manner;
- have excellent interpersonal, motivational, and communication skills (both verbal and written) and possess the ability to work effectively and reliably under pressure and within tight deadlines;
- have strong time management skills and the ability to prioritize and multi-task;
- have a high degree of commitment to public service;
- be flexible and highly dependable; and
- have demonstrable IT proficiency.

7. ASSIGNMENT AND PLANNING OF WORK

The post holder will be expected to plan their own work and that of the ODPP without taking direction from any person or body.

8. SUPERVISION OF OTHERS

The post holder will directly supervise and manage a staff complement of a minimum of two post-holders, including allocating and monitoring of work, advising and guiding on responsibilities, training and mentoring and undertaking performance management, etc. The post-holder will maintain ultimate responsibility for the supervision and management of the entire staff of the ODPP.

9. OTHER WORKING RELATIONSHIPS

The post-holder will work closely with a number of senior Government officials such as the Governor, Deputy Governor, Attorney General, Judiciary, Judicial Administration, Portfolio of Legal Affairs, and other Chief Officers. In addition the post-holder will work with other non-government legal bodies, law firms and general civil society.

10. DECISION MAKING AUTHORITY AND CONTROLS

In accordance with the Constitution, the DPP is not subject to the direction or control of any other person or authority in the exercise of the powers conferred on him or her by the Constitution.

11. PROBLEM/KEY FEATURES

The post is considered one of high profile and high pressure and the post-holder must be able to maintain political neutrality in the middle of a highly political environment while balancing constantly changing workloads and maintaining the constitutional independence of the ODPP.

12. WORKING CONDITIONS

Normal working office environment, conditions and hours apply however the post-holder must be prepared to work beyond normal working hours as necessary to meet deadlines and carry out the duties of the post. The post-holder must, at all times, ensure office staff is on hand to cover office hours.

AGREED BY:

Post-holder: _____ Date: _____

His Excellency the Governor: _____ Date: _____