



**OFFICE OF
THE DIRECTOR OF
PUBLIC PROSECUTIONS
CAYMAN ISLANDS**

2nd Floor – Bermuda House
Dr. Roy’s Drive
George Town

P.O. Box 2328
Grand Cayman KY1-1106
Cayman Islands

Phone: 949-7712 | Fax: 949-7183

Job Description

Job Title: Crown Counsel (Financial Crime)
Grade: H
Salary Range: \$79,656.00 to \$107,148.00 per annum
Reports To: Senior Crown Counsel
Cost Centre: Office of the Director of Public Prosecutions

Purpose

To conduct criminal proceedings, civil recovery proceedings, and to assist with the processing of requests for international legal assistance, with specialist focus on proceedings in respect of money laundering, terrorist / proliferation financing, serious fraud, corruption, regulatory offences, and asset restraint / forfeiture proceedings (“financial crime”).

Dimensions

The post holder will be assigned legal and advisory duties, dependent upon the needs of the Office, relating primarily to the investigation / prosecution of financial crime. The post is likely to require regular court appearances for preliminary applications (5-8 court days each month), and frequent court appearances in cases involving financial crime in the Grand Court or the Summary Court (2-3 months in total per year). In addition, the post holder will have conduct of asset restraint, forfeiture, and confiscation proceedings (as well as mainstream criminal case-work as and when required).

The post holder will assist with charging decisions generally, but will have specialist responsibility for dealing with files involving financial crime. The post holder will also assist Senior Crown Counsel (International Co-operation) in dealing with international requests for mutual legal assistance in relation to financial crime.

Principal Accountabilities

- Provide investigative advice, legal advice, and charging decisions to all law enforcement agencies as and when required, with a special emphasis on matters relating to financial crime investigated by the Royal Cayman Islands Police Financial Crimes Unit, the Customs and Border Control Service and other law enforcement agencies. This will include advising at the preliminary and continuing stages of investigations, and reviewing investigation files to consider whether criminal charges / civil forfeiture proceedings may be instituted.

Average %
Time Spent

20

- Prepare cases for prosecution and/or civil forfeiture proceedings as and when required, with specialist responsibility for proceedings involving financial crime. Such preparation shall include close liaison with law enforcement agencies, advising on additional evidence, advising on disclosure, conducting case conferences, and preparing bundles and submissions. 20

- Conduct proceedings in the Summary Court, Grand Court or Court of Appeal as and when required, with specialist responsibility for proceedings involving financial crime. Assist with appeal matters at the level of the Privy Council. 20

- Appear in the courts, as and when required, to conduct assigned lists of cases. Process the list, rendering such guidance to the Courts as is necessary, ensuring that duties of disclosure are fulfilled, and that cases are disposed of in a timely and efficient manner. 5

- Ensure that, on completion of each court hearing, necessary follow up work is carried out, including preparation of court bundles, drafting of indictments, file reviews, and the provision of instruction and direction to support staff as to work required to progress cases. 5

- Process requests for mutual legal assistance to/from foreign jurisdictions as and when required, with specialist responsibility for proceedings involving financial crime, to include reviewing conformity with relevant legislation, preparing, filing and presenting applications to the courts, and liaising with Requesting States, the R.C.I.P.S. Financial Crimes Unit and the Financial Reporting Authority. 10

- Assist in the identification of training needs, the development of colleagues, and the delivery of presentations/training to law enforcement agencies as and when required, and provide direction, coach and assist in the training and guidance of Articled Clerks as and when required. 5

- Carry out such other duties as may be allocated from time to time by Senior Crown Counsel and the Director / Deputy Director of Public Prosecutions. 15

Background Information

- The Cayman Islands is a United Kingdom Overseas Territory with a legal system based on that of England & Wales. The common law applies, modified by locally enacted laws. There is a unified legal profession.
- The Office of the Director of Public Prosecutions was created in 2011, following the coming into force of the Constitution of the Cayman Islands. The Office is responsible for the day-to-day handling of criminal cases and provides of legal advice to all local law enforcement agencies and other statutory authorities.
- There are three tiers of courts. The Summary Courts, presided over by full-time and part-time magistrates, have both criminal and civil jurisdiction. Appeals are to the Grand Court, which has jurisdiction similar to that of the Crown Court / High Court of England & Wales in all its divisions. There is a Chief Justice, assisted by several full and part-time Judges. Appeal from the Grand Court are to the Cayman Islands Court of Appeal, comprised of distinguished jurists from the UK and the wider Caribbean, and thereafter to the Privy Council in London.

Knowledge, Experience, and Skills

KNOWLEDGE, EXPERIENCE AND SKILLS

Qualifications:

A Solicitor, Barrister or Attorney-at-Law qualified to practice in an English-speaking Commonwealth jurisdiction.

Experience:

At least five years relevant post-qualification experience to include, as an essential component, significant experience in the field of financial crime (preferably with an international element).

Skills:

- proven aptitude as an advocate at all levels;
- ability to assimilate large volumes of information;
- capacity to conduct thorough independent research;
- ability to develop clear practices and procedure in relation to financial crime;
- ability to give clear advice at short notice;
- ability to handle sensitive matters and to maintain prosecutorial independence;
- strong inter-personal skills and team ethic; and
- an ability to work under pressure.

Assignment and Planning of Work

Work is generated by Government Departments and Statutory Authorities, as well as local and international law enforcement agencies. Work is allocated by the Director of Public Prosecutions / Senior Crown Counsel, under whose general supervision the post-holder

will work. Working deadlines are set by the Director and/or the Senior Team, proscribed by Rules of Court and adapted according to the needs of the jurisdiction.

Supervision of Others

Not applicable

Other Working Relationships

Liaison with Government Departments and Statutory Authorities, the Courts, local and international law enforcement agencies.

Decision Making Authority and Controls

Departmental instructions and relevant laws. Regulations and Rules of Court.

Problems/Key Features

A heavy workload, involving complex legal issues and tight deadlines.

Working Conditions

Good

Post Holder:

Date:

Signature:

Supervisor / Manager:

Date:

Signature:

Portfolio / Department Head:

Date:

Signature: