



LAW OFFICERS OF THE CROWN

CIVIL FORFEITURE LAWYER

SO4 – SO8

JOB DESCRIPTION

BACKGROUND

The Law Officers of the Crown (HM Procureur and HM Comptroller) play a key role in the Bailiwick's efforts to address economic crime (i.e. money laundering, terrorist financing, predicate criminality, financing of the proliferation of weapons of mass destruction, and other breaches of international financial sanctions). Their functions in this area include:

- bringing prosecutions,
- making applications for the restraint and confiscation of the proceeds of crime in criminal proceedings,
- making applications for the freezing and forfeiture of the proceeds of crime in civil proceedings,
- requesting and providing mutual legal assistance (MLA),
- identifying any changes that may be required to the Bailiwick's legislative framework and recommending them to the appropriate government committee,
- providing legal advice to other Bailiwick authorities that have economic crime functions,
- contributing to assessments of the Bailiwick's economic crime risks, and
- participating in the Bailiwick's preparations for, and response to, evaluations of its compliance with international standards on economic crime.

In recognition of the importance of these functions and the growth of work in this area, a new Economic Crime Unit (ECU) is being created within the Law Officers' Chambers, to work in the areas above, to be led by a new lawyer post, the Head of Economic Crime (HEC). The unit will include lawyers, paralegals and other support staff. A lawyer is now being sought to deal with the civil forfeiture aspects of the ECU.

JOB SUMMARY

The post holder will have primary responsibility in chambers for civil forfeiture matters (subject to the oversight of the HEC, and in consultation with the Head of the Civil Litigation and Employment Unit). He or she will be required to review, advise upon and make applications in relation to the tracing, freezing and forfeiture of the proceeds of crime, including the preparation of court applications and related documentation.

Some travel may be required where necessary. The post holder may also be expected to perform a representational role at recognised international groups.

RELATIONSHIPS

The post holder will report to the HEC. He or she will collaborate with other legal and support staff in Chambers on a regular basis and, in particular, with the other members of ECU and the Civil Litigation and Employment Unit. The post holder will be required to develop and maintain effective working relationships with a wide variety of bodies and individuals having responsibility for or an interest in asset recovery, including law enforcement personnel, judicial officers, court staff, government agencies and regulatory bodies.

MAIN DUTIES AND RESPONSIBILITIES

- To take forward domestic civil forfeiture proceedings, in collaboration with other members of Chambers, the Economic and Financial Crime Bureau and the Financial Intelligence Unit.
- To assist with the compilation and revision of practical guidance and other material relating to civil forfeiture proceedings.
- To assist with research into law and policy relating to civil forfeiture and related matters; and to work with other members of Chambers in the preparation of relevant legislation.
- To assist with the collation, analysis and interpretation of statistics relating to civil forfeiture.
- To work with the Law Officers and other members of Chambers on the submissions and recommendations associated with the regular assessment and evaluation of Bailiwick economic crime policy and procedures by international regulatory organisations, such as the UN, OECD and Moneyval.
- To represent the Law Officers and/or the HEC at relevant meetings and events as agreed and where required, both locally and overseas.
- To undertake, as directed, any other legal functions that may need to be carried out for and on behalf of the HEC.

KEY CRITERIA

ESSENTIAL

1. Qualification as a Guernsey Advocate or UK Barrister or Solicitor (or a comparable qualification in another jurisdiction) with not less than 5 years post qualification experience (but candidates with significant experience or exceptional ability and motivation with less than 5 years PQE will also be considered).
2. A proven ability to rapidly assimilate unfamiliar areas of law and objectively assess complex factual or politically sensitive matters, providing practical advice in sometimes urgent situations.
3. Excellent communication skills, both orally and in writing, with the ability to engage with people at all levels.

4. Practical knowledge of or familiarity with civil and/or criminal judicial proceedings and court practice, or comparable experience.
5. Proven ability to effectively organise and prioritise own work, to work unsupervised and with a flexible approach to work.
6. The ability to work as part of a team and a commitment to collaborative working.
7. Enthusiasm and dedication, with an interest in developing expertise in a specialist area of legal practice.
8. Experience in working with sensitive and confidential information with the utmost respect and integrity.
9. A commitment to the highest professional, ethical and behavioural standards and to the maintenance and enhancement of the Bailiwick's and Chambers' reputation.
10. Strong IT skills, including experience of time recording, document management systems and agile working.

DESIRABLE

11. An understanding of and experience in legal procedures relating to civil forfeiture.
12. Experience of advising law enforcement personnel involved in the investigation, freezing and forfeiture of the proceeds of crime.
13. An awareness of international standards and regulatory issues affecting the provision of financial services, and cross border investigation of crime and its proceeds.
14. An ability to understand and identify the purpose and significance of complex financial structures, in the context of allegations of criminal conduct and the recovery of assets by way of civil forfeiture.
15. Ability to devise and deliver effective training on relevant procedure and practice to other legal professionals and law enforcement officers.
16. Experience of providing legal advice to a wide range of professional groups/bodies.

KEY COMPETENCIES

- Identify and shape how own area fits within and supports the work of Chambers.
- Ensure involvement and consultation where necessary and take decisive action when required.
- Maintain a strong focus on priorities, holding others to account for priorities and swiftly responding to changing requirements.
- Communicate with confidence and clarity in the face of tough negotiations or challenges.
- Take ownership of delivery against outcomes, and give credit for others delivery.
- Proactively create, maintain and promote a strong network of connections with colleagues across Chambers, wider public service and externally.
- Actively promote knowledge and resource sharing with peers and across functions.
- Actively promote Law Officer's Chambers' and Guernsey's reputation externally and internally.

- Role model continuous learning and self-development, evaluating own effectiveness
- and growth and planning next learning steps accordingly.

The successful candidate will be required to disclose relevant criminal convictions and to submit to an enhanced police disclosure. All disclosures of criminal background are received in the strictest confidence and checks are only made in connection with the application and for no other purpose.

Disclosure of criminal records will not necessarily debar an applicant from employment in this post – this will depend on the nature of the offence/s and the circumstances surrounding them.

Convictions likely to be considered relevant to this post include all criminal offences with the exception of minor traffic violations.