Federal Prosecutor Development Plan
of the
Public Prosecution Service of Canada

François Lacasse, federal prosecutor

Dubai
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Public Prosecution Service of Canada: staffing overview

508 federal prosecutors disseminated in 10 provinces and 3 territories
Approximately 500 support staff
475 lawyers from 200 private law firms to conduct prosecutions under the supervision of the Service

Federal prosecutors are Law Practitioners (LP) divided in 5 categories:

<table>
<thead>
<tr>
<th>National distribution of prosecutors – November 2014</th>
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<tbody>
<tr>
<td>LP 1</td>
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<tr>
<td>57</td>
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<td>11%</td>
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24 prosecutors in management positions belong to the separate Legal Cadre (LC) category
Policy on Learning, Training and Development

• Adopted in April 2012

• Objectives:
  – Learning culture for all employees
  – Efficient delivery of the Service’s mandate
  – Service as career and learning organization

• One paid week a year of learning (37.5 hours)

• Various formats: conferences, Bar courses, educational leave, internal training, self-education, etc.
Individual Learning Plan

- Yearly projection of anticipated training and development
- Mandatory for all prosecutors
- Part of performance appraisal
- Allows for various formats of training, in house and external, legal and non-legal
School for Prosecutors

- Held annually in Ottawa (during summer)
- Basic and specialized legal training for prosecutors
- Written and oral advocacy
- Small groups of prosecutors (30/40 each year)
- Format: classroom lectures and workshop sessions
Knowledge Management Site

• In house legal resource available on Intranet
• Contains relevant information for prosecutors:
  – Jurisprudence
  – Legal opinions and memoranda
  – Doctrine
  – Factum
• Allows for self-training
Federal Prosecutor Development Plan (FPDP)

- Introduced in 2013
- Designed for LP 1 prosecutors (development level)
- Objective:
  - Train LP 1 prosecutors
  - Develop them into LP 2 prosecutor (working level)
- Incentive:
  - Promotion from LP 1 to LP 2 without competition
Federal Prosecutors Development Program: basic structure

- Generic Work Descriptions for prosecutors level 2
- Competency Standard (7) for prosecutors level 2
- Performance Indicators for prosecutors Level 2
- Competency Assessment Guide
- FPDP Framework
- Federal Prosecutors Development Program
- Work Plan
Generic work description

- Elaborated between 2010 and 2013
- By working group of internal senior prosecutors and human resources personnel
- Detailed generic description of competencies and behaviours required for working level prosecutors
Competency standard: cognitive

Cognitive competencies

1. Specialized skills and knowledge
   1.1 Understanding one’s role
   1.2 Legal skills
   1.3 Legal knowledge

2. Professionalism
   2.1 Professional conduct
   2.2 Professional fortitude
   2.3 Service oriented
   2.4 Self assessment
Competency standards: practice

Practice competencies

3. Judgment
   3.1 Decision making
   3.2 Critical thinking
   3.3 Adaptability

4. Practice Management
   4.1 File management
   4.2 Law practice standards

5. Communications
   5.1 Communicating effectively
       (oral, writing and attentively listening)
Competency standard: relationships

Relationship competencies

6. Interpersonal relationships
   6.1 Building relationships
   6.2 Emotion management

7. Leadership
   7.1 Coaching and mentoring
   7.2 Influencing others
   7.3 Teamwork
Performance indicators: *Competency Assessment Guide*

- Identifies 13 essential prosecutorial activities; e.g.:
  - Advice to investigators, Charge review, Disclosure to defence, Plea negotiation, Sentencing, Procedure, Trial dockets, Written advocacy, Leadership in practice
- All 13 prosecutorial activities comprise 3 elements:
  - Applicable competencies: any of the 7 competencies
  - Expectations: specific for each of the 13 activities
  - Indicators of proficiency: detailed list of observable behaviours to assess proficiency for the specific activity
- Assessment made by team leaders or managers
Performance indicators: example of plea negotiations

- **Competencies:** all relevant, except leadership
- **Expectations:**
  - Timely communication with defence and investigators
  - Knowledge of the file
  - Knowledge of sentencing range and internal guidelines
- **Indicators:**
  - 30 indicators; e.g.: sufficiency of record, knowledge of offender’s background, makes submissions in confident and tactful matter, etc.
Work Plan

• Individualized for each prosecutor in the Program
• Expected to last 3 to 4 years
• Identifies:
  – Suggested year of completion
  – Type of training required (readings, courses, etc.)
  – Competencies to be acquired
  – Training providers (internal or external)
Federal Prosecutor Development Plan:

- Based on the experiential learning theory, or “learning by doing”
- Basic learning domains:
  - **legal knowledge**: achieved through self-development and core training (courses, conference, etc.)
  - **prosecutorial skills**: acquired on the job
  - **leadership skills**: developed through mentoring
Federal Prosecutor Development Plan: 4 phases

- **Program entry:**
  - Mandatory for all level 1 prosecutors

- **Development phase:**
  - 3 to 4 years

- **Assessment, feedback and evaluation:**
  - Ongoing throughout the development phase
  - Evaluation conducted with employee’s performance review

- **Termination:**
  - Promotion to level 2
  - Release or withdrawal
Federal Prosecutor Development Plan: Conclusion

- Upon coming into force, all level 1 prosecutor enrolled in the Program, except one
- Currently: 57 prosecutors in the Program
- Reaction to program is overall positive:
  - Assessment facilitated by focus on real life activities and behaviours of prosecutors with concrete indicators (Competency Assessment Guide and Work Plan)
  - Participants have a better understanding of what is expected of them and how to develop to meet expectations (Work Plan)