

## POSITION DESCRIPTION

**Position Title:** Director Legal

**Position Number:** 004

**Position Requirements:** Security clearance required or the ability to obtain a clearance

**Classification:** SOG A (\$147,006 + superannuation)

**Reporting to:** Chief Executive Officer

**Location:** Canberra

**Last Reviewed:** 3 December 2019

### AGENCY OVERVIEW

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The ACT Integrity Commission (ACTIC) is a newly formed independent body that has powers under the *Integrity Commission Act 2018* to investigate and prevent corrupt conduct and foster public confidence in the ACT Legislative Assembly and the ACT public sector. To complement its investigative, referral and preventative functions, the ACTIC will also deliver anti-corruption advisory, education and training services.

The ACTIC commenced the operational component of its work on 1 December 2019.

### BUSINESS UNIT OVERVIEW

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The business unit comprises the Legal functions of the Commission.

The Legal team works with the Investigations team assisting in the identification of criminal offences that may arise over the course of an investigation and assists where necessary in the assessment of evidentiary material that may be utilised within Commission examinations or referred to a prosecution authority. During investigations the Legal team ensures relevant statutory powers are exercised lawfully in accordance with legislative requirements and Commission policies and procedures.

The Legal team prepares for and works within compulsory and public examinations working with investigators in the preparation of hearing briefs for those examinations. Legal team member(s) act as Counsel in compulsory examinations and instruct Counsel (or appearing as Counsel) in public examinations.

The Legal team provides policy and legal advice to the Commission and assists in the provision of more complex legal and policy advice.

The legal team drafts corruption exposure chapters of investigation reports at the conclusion of investigations.

## POSITION OVERVIEW

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The Director will be responsible for the provision of high quality legal advice and legal services to the Commission and, in doing so, manage the staff and resources of the Legal team and exercise the Commission's powers as delegated.

For more complex or sensitive matters the Director Legal will act as Counsel and instruct Counsel (or appearing as Counsel) within compulsory and/or public examinations.

The Director is responsible for managing litigation as it affects the Commission.

The Director will be expected to participate in decision making and strategic planning as a member of the senior management team to contribute to organisational direction, planning and objectives.

This position is a role model for professionalism and legal expertise, it is expected this position will provide clear guidance and mentoring to Legal team members and work collaboratively with the Director Investigations and Director Corruption Prevention & Education in ensuring the objectives of the Commission are successfully and professionally implemented.

## WHAT YOU WILL DO

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- You will be accountable for the management and quality of legal work provided within the Commission and externally as it applies to Commission work.
- Provide legal, policy and strategic advice to the Executive and the Commission that demonstrates sound judgement, is relevant and timely.
- Exercise initiative to identify legal and policy issues affecting the Commission and propose effective responses.
- You will be expected to initiate and maintain effective relationships with the offices of the ACT Director of Public Prosecutions, the ACT Government Solicitor and the Commonwealth Attorney Generals Department in line with the objectives and legislative requirements of the Commission.
- Promote a culture of continuous personal and organisational improvement through positive personal behaviours and recognition of the role the Commission plays in ensuring human rights are upheld and supported.
- As a member of the senior management team provide leadership regarding ethical practice, Work Health and Safety (WHS), Equal Employment Opportunity (EEO), diversity and employee well-being.
- This position will involve the direct supervision of staff.

## WHAT YOU REQUIRE

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The following capabilities form the criteria that are required to perform the duties and responsibilities of the position.

- Significant experience, expertise and comprehensive legal knowledge (preferably gained in a law enforcement, oversight, compliance or regulatory



environment) of practice as it affects the Commission in particular the *Integrity Commission Act 2018*.

- Extensive knowledge of the rules of evidence, procedural fairness, the machinery of government and a solid understanding of the ACT public sector organisational systems.
- Well-developed and capable leadership skills and attributes including high level analytical, organisational, prioritisation, planning and problem solving skills
- Advanced oral and written communication skills.

### **Professional / Technical Skills and Knowledge**

- A law degree and admission or eligibility for admission as a barrister or solicitor of the Supreme Court of the ACT and be the holder or eligible to be the holder of an unrestricted practising certificate and entitled to practise as a solicitor on the record.

### **Behavioural Capabilities**

- Organisational abilities; include the ability and flexibility to effectively manage and prioritise multiple tasks to meet deadlines.
- Analytical and problem solving skills; include the ability to examine and determine legal arguments and direction based on circumstances that may arise during the course of an investigation, taking into consideration recent judgements and the legislation that applies to the Commission's functions.
- Tenacity and attention to detail.
- Leadership; which translates to building culture, capacity building through providing vision, encouraging and promoting teamwork, inclusivity, self-awareness and emotional intelligence.

### **Compliance Requirements/ Qualifications**

This position will require, at a minimum, a baseline security clearance. Approval to commence employment may be granted by the Commissioner or CEO on the basis of successful acquisition of an appropriate clearance.