

Commissioner for Uniform Legal Services Regulation

The Commissioner for Uniform Legal Services Regulation is a unique leadership opportunity that is pivotal to supporting the regulation of the legal profession in New South Wales and Victoria and promoting the expansion of the regulatory framework to encourage participation by other Australian jurisdictions.

The Opportunity

Together with the Legal Services Council, the Commissioner oversees the implementation of the Legal Profession Uniform Law scheme, the regulatory framework for Australian legal practitioners. The scheme has applied to legal practitioners in NSW and Victoria since 1 July 2015.

The Commissioner is also the Chief Executive Officer of the Legal Services Council. As CEO, the incumbent will support the Council perform its key functions. This includes playing a key role to:

- raise awareness of, and encourage non-participating jurisdictions to join, the Uniform Law Framework, and to manage their subsequent integration into the uniform legal services market.
- ensure the Uniform Law is a responsive and effective regulatory regime for the legal profession that appropriately accounts for the interests and protection of the clients of legal practices.

To fulfil these functions, the Commissioner and Chief Executive Office of the Council develop close working relationships with Uniform Law jurisdictions, including with their respective Departments of Justice, local regulatory authorities, professional associations, consumer groups and members of the profession.

About you

- High order policy expertise within the legal sector and/or industry or professional regulatory sectors
- Solid understanding of the mandate of local regulatory authorities and the divergent needs of lawyers, law practices and consumers of legal services, as well as the varying market dynamics in participating jurisdictions
- Recognised standing within the legal profession and/or industry or professional regulatory sectors, for well-developed and considered judgement and impeccable professional ethics and integrity.

Closing date: Thursday 21 April 2022 at 11.59pm (AEST)

For any enquires in relation to the role please contact:

Paul McKnight, Deputy Secretary, Law Reform and Legal Services, NSW Department of Communities and Justice at Paul.McKnight@justice.nsw.gov.au

To Apply and read more about the role please click [here](#).

Thank you for your interest in the Commissioner for Uniform Legal Services Regulation role

Commissioner for Uniform Legal Services Regulation

- **Statutory Appointment**
- **Total TRP within the range of \$281,551 to \$354,200 (equivalent to NSW Public Service Senior Executive Band 2)**
- **Location Sydney CBD**
- **Full-Time** - supported by the secretariat for the Council, Commissioner is eligible for appointment for a term of 5 years, with the possibility of reappointment

About the Commissioner for Uniform Legal Services Regulation role

- A unique leadership opportunity – the Commissioner is a key leadership position that is pivotal to supporting the regulation of the legal profession in New South Wales and Victoria, and promoting the expansion of the regulatory framework to encourage participation by other Australian jurisdictions.
- Together with the Legal Services Council, the Commissioner oversees the implementation of the Legal Profession Uniform Law scheme, the regulatory framework for Australian legal practitioners. The scheme has applied to legal practitioners in NSW and Victoria since 1 July 2015.
- The Commissioner is responsible for promoting compliance with the Uniform Law and Uniform Rules, and for ensuring the dispute resolution and professional discipline arrangements set out in Chapter 5 of the Uniform Law are implemented consistently and effectively.
- The Commissioner is also the Chief Executive Officer of the Legal Services Council. As CEO, the incumbent will support the Council perform its key functions. This includes playing a key role to:
 - raise awareness of, and encourage non-participating jurisdictions to join, the Uniform Law Framework, and to manage their subsequent integration into the uniform legal services market.
 - ensure the Uniform Law is a responsive and effective regulatory regime for the legal profession that appropriately accounts for the interests and protection of the clients of legal practices.
- To fulfil these functions, the Commissioner and Chief Executive Office of the Council develop close working relationships with Uniform Law jurisdictions, including with their respective Departments of Justice, local regulatory authorities, professional associations, consumer groups and members of the profession.

Please click [here](#) to view the role description for the Commissioner for Uniform Legal Services Regulation

About you

To be successful in this role you will have:

- High order policy expertise within the legal sector and/or industry or professional regulatory sectors
- Solid understanding of the mandate of local regulatory authorities and the divergent needs of lawyers, law practices and consumers of legal services, as well as the varying market dynamics in participating jurisdictions
- Recognised standing within the legal profession and/or industry or professional regulatory sectors, for well-developed and considered judgement and impeccable professional ethics and integrity.

Some of the key accountabilities of the Commissioner role

- Monitoring, and promoting consistency in, the application of the Uniform Law by complaints handling bodies across participating jurisdictions. The Commissioner may issue binding guidelines to local regulatory authorities in relation to the performance of their functions under the Uniform Law as necessary.

- Administer the affairs of the Council and its committees, in accordance with the policies and directions of the Council and within key timeframes set by the Council and/or the Standing Committee, and
- Ensure that the Council's secretariat provides timely, comprehensive and high quality advice, particularly in relation to the development and maintenance of the Uniform Rules.
- Put in place high level strategic planning, budgetary and business systems, internal policies and accountability mechanisms to ensure that the Council delivers its mandate in a timely and effective way.
- Operate within budget, review and improve business systems and processes, and develop and implement savings plans as necessary.
- Ensure the Council has a performance management framework in place and align the workforce capability to its current and future objectives and priorities.

Appointments are subject to reference checks. Some roles may also require the following checks/ clearances:

- National Criminal History Record Check in accordance with the Disability Inclusion Act 2014
- Working with Children Check clearance in accordance with the Child Protection (Working with Children) Act 2012

Evidence of COVID-19 vaccination status can include;

- a vaccination certificate or other evidence from a vaccine provider;
- an immunisation history statement which can be accessed from Medicare online or the Express Plus Medicare mobile app.
- a statement of their vaccination history which they can request from the Australian Immunisation Register;
- a record from a health practitioner, which includes a medical certificate

Should you be successful in gaining employment and you require to seek an exemption for a medical contraindication, you will be required to complete a COVID-19 Vaccination Policy Exceptional Circumstances Form prior to being onboarded with the Department of Communities and Justice.

Applying for the role

- Submit a cover letter (maximum 1 page) outlining how you meet the requirements and capabilities of this role.
- Attach an up-to-date resume (maximum of 5 pages).

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For any enquires in relation to the role please contact **Paul McKnight, Deputy Secretary, Law Reform and Legal Services, NSW Department of Communities and Justice** at Paul.McKnight@justice.nsw.gov.au

Our commitment to excellence

The Stronger Communities Cluster wants a high performing workforce. As a result, we value diversity and promote inclusion. We actively seek to employ women, people with a disability, Aboriginal and Torres Strait Islanders, LGBTI and people from culturally and linguistically diverse backgrounds.

Thank you for your interest in the Commissioner for Uniform Legal Services Regulation role

ROLE DESCRIPTION

Commissioner for Uniform Legal Services Regulation

Cluster	Stronger Communities (on behalf of the Standing Committee on the Legal Profession Uniform Framework)	
Division/Branch/Unit	Legal Services Council	
Location	Sydney	
Classification/Grade/Band	Statutory Appointment	
Senior Executive Work Level Standards:	Regulatory / Compliance	
Role Number	50009312	
ANZSCO Code	111399	
PCAT Code	2119192	
Date of Approval	24 March 2022	Ref: B1/0143
Agency Website	www.dcj.nsw.gov.au	

Primary purpose of the role

To perform the functions of the Commissioner for Uniform Legal Services Regulation and Chief Executive Officer of the Legal Services Council (the Council) under the *Legal Profession Uniform Law* (Uniform Law).

The Commissioner promotes compliance with the Uniform Law and plays a key role assisting the Council to raise awareness of, and encourage non-participating jurisdictions to join, the Uniform Law Framework and managing their subsequent integration into the uniform legal services market.

The Commissioner is a statutory position. The appointment is to be made by the Victorian Attorney-General on the recommendation of the Standing Committee on the Legal Profession Uniform Framework (Attorneys-General from participating jurisdictions) with the concurrence of the Legal Services Council.

The position is full-time and is supported by the secretariat for the Council, based in Sydney CBD. The Commissioner is eligible for appointment for a term of 5 years, with the possibility of reappointment.

This role is a statutory appointment in accordance with the Uniform Law and the *Legal Profession Uniform Law Application Act 2014* (No 16). Where there is a conflict between a role description and the statutory requirements, the statutory requirements should be adhered to at all times.

The successful candidate will possess:

- Strong capacity to lead change within a complex regulatory environment, with a view to achieving the consistent application of the Uniform Law scheme across participating jurisdictions and promoting adoption of the Uniform Law in non-participating jurisdictions.
- High order policy expertise within the legal sector and/or industry or professional regulatory sectors
- Solid understanding of the mandate of local regulatory authorities and the divergent needs of lawyers, law practices and consumers of legal services, as well as the varying market dynamics in participating jurisdictions.

- A strong business acumen with a track record of achievement in leading an organisation, with expertise in managing staff and corporate functions, including financial and business planning processes.
- Highly developed communication and negotiation skills and the ability to influence positive outcomes from a diverse range of participants and the ability to develop and establish successful partnerships with key bodies and authorities.
- Recognised standing within the legal profession and/or industry or professional regulatory sectors, for well-developed and considered judgement and impeccable professional ethics and integrity.

Key accountabilities

- As CEO of the Council:
 - Administer the affairs of the Council and its committees, in accordance with the policies and directions of the Council and within key timeframes set by the Council and/or the Standing Committee, and
 - Ensure that the Council's secretariat provides timely, comprehensive and high quality advice, particularly in relation to the development and maintenance of the Uniform Rules.
 - Put in place high level strategic planning, budgetary and business systems, internal policies and accountability mechanisms to ensure that the Council delivers its mandate in a timely and effective way.
- Discharge the functions conferred on the Commissioner under the Uniform Law, particularly:
 - Monitoring, and promoting consistency in, the application of the Uniform Law by complaints handling bodies across participating jurisdictions. The Commissioner may issue binding guidelines to local regulatory authorities in relation to the performance of their functions under the Uniform Law as necessary,
 - Recommending to the Standing Committee, via the Council, any improvements to the complaints handling provisions of the Uniform Law that the Commissioner thinks desirable, and
 - Annual and other reporting to the Council as required by the Uniform Law
- Operate within budget, review and improve business systems and processes, and develop and implement savings plans as necessary.
- Ensure the Council has a performance management framework in place and align the workforce capability to its current and future objectives and priorities.

Key challenges

- The Commissioner operates in a complex co-regulatory environment that requires a high level of commercial nous, diplomacy and appreciation of the divergent needs of lawyers, law practices and consumers of legal services. The Commissioner also needs to take into account the differences between the market dynamics in each participating jurisdiction.
- Maintain strong working relationship with the Council and State and Territory regulatory authorities from participating jurisdictions, to promote the consistent application of the Uniform Law.
- Foster a culture of compliance with professional and ethical standards within the legal profession.
- Demonstrate a commitment to understanding legal services market dynamics, business needs and developments in consumer protection and broader professional regulation.
- Successful integration of new participating jurisdictions into the Uniform Legal Profession framework, including advice and support to establish necessary systems and processes.

Key relationships

Who	Why
Internal	
Standing Committee	The Commissioner is required to provide technical and policy advice to Ministers about the complaints system (through the Council as required).
Legal Services Council	The Commissioner is CEO of the Council. Ensure that Council is apprised of emerging industry practices and related industry regulation which may impact on Uniform Law scheme.
External	
Legal consumers and lawyers	Provide educational and advisory services. Ensure that the Uniform Law is being applied in a way that meets the needs of consumers and lawyers.
Other legal profession regulatory authorities and stakeholders	Ensure consistent application of the Uniform Law, particularly the complaints handling regime. The Commissioner may issue binding guidelines to local regulatory authorities in relation to the performance of their functions under the Uniform Law as necessary. Liaise regarding effective regulation of the legal profession and emerging industry practices to ensure regulatory responses are appropriately adapted and proportionate. The Commissioner will be a key influencer in the decision of regulatory authorities in non-participating jurisdictions about whether to support their State or Territory becoming a participating jurisdiction.

Role dimensions

Decision making

The Commissioner is responsible for issuing guidelines and directions to local regulatory authorities about the implementation of the complaints and discipline provisions of the Uniform Law (guidelines and directions are not to be issued in relation to the outcome of a particular matter).

Reporting line

- This position, in its role as CEO of the Council, reports to the Council. In this role, the Commissioner is required to liaise with regulatory authorities in non-participating jurisdictions to encourage their support for a nationally uniform regulatory framework.
- The position, in its role as Commissioner, also reports to the Standing Committee, with the Commissioner's annual report to the Standing Committee conveyed via the Council. (However, the Commissioner enjoys certain statutory guarantees of independence in the performance of the Commissioner's functions under the Uniform Law)
- The Commissioner will have indirect reporting relationships with the Legal Services Commissioners of NSW and Victoria as well as the Victorian Legal Services Board, and the professional associations of each State that perform regulatory functions under the Uniform Law.

Direct Reports

The role has 5 direct reports.

The Secretariat to the Council and the Commissioner is staffed by five full time legal policy and administrative staff who will report directly to the Commissioner.

Budget/Expenditure

Budget of \$1.8 million per annum

Essential requirements

- Legal qualifications and/or extensive experience in an industry/professional regulatory role (particularly involving consumer protection).
- Appointment will be subject to the completion of a satisfactory criminal record check and declaration relating to private interests.

Appointments are subject to reference checks. Some roles may also require the following checks/ clearances:

- National Criminal History Record Check in accordance with the Disability Inclusion Act 2014
- Working with Children Check clearance in accordance with the Child Protection (Working with Children) Act 2012

Capabilities for the role


The [NSW public sector capability framework](#) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.

The capabilities are separated into **focus capabilities** and **complementary capabilities**.

Focus capabilities

Focus capabilities are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.




The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

FOCUS CAPABILITIES			
Capability group/sets	Capability name	Behavioural indicators	Level
	Act with Integrity Be ethical and professional, and uphold and promote the public sector values	<ul style="list-style-type: none">• Champion and model the highest standards of ethical and professional behaviour• Drive a culture of integrity and professionalism within the organisation,	Highly Advanced

FOCUS CAPABILITIES

Capability group/sets	Capability name	Behavioural indicators	Level
		<p>and in dealings across government and with other jurisdictions and external organisations</p> <ul style="list-style-type: none"> • Set, communicate and evaluate ethical practices, standards and systems and reinforce their use • Create and promote a culture in which staff feel able to report apparent breaches of legislation, policies and guidelines and act promptly and visibly in response to such reports • Act promptly and visibly to prevent and respond to unethical behaviour 	
 <p>Relationships</p>	<p>Commit to Customer Service Provide customer-focused services in line with public sector and organisational objectives</p>	<ul style="list-style-type: none"> • Create a culture that embraces high-quality customer service across the organisation, ensuring that management systems and processes drive service delivery outcomes • Engage and negotiate with stakeholders on strategic issues related to government policy, standards of customer service and accessibility, and provide expert, influential advice • Ensure that responsiveness to customer needs is central to the organisation's strategic planning processes • Set overall performance standards for service delivery across the organisation and monitor compliance 	Highly Advanced
 <p>Relationships</p>	<p>Work Collaboratively Collaborate with others and value their contribution</p>	<ul style="list-style-type: none"> • Establish a culture and supporting systems that facilitate information sharing, communication and learning across the sector • Publicly celebrate the successful outcomes of collaboration • Seek out and facilitate opportunities to engage and collaborate with stakeholders to develop solutions across the organisation, government and other jurisdictions • Identify and overcome barriers to collaboration with internal and external stakeholders 	Highly Advanced

FOCUS CAPABILITIES

Capability group/sets	Capability name	Behavioural indicators	Level
	Deliver Results Achieve results through the efficient use of resources and a commitment to quality outcomes	<ul style="list-style-type: none"> • Use own professional knowledge and the expertise of others to drive forward organisational and government objectives • Create a culture of achievement, fostering on-time and on- budget quality outcomes in the organisation • Identify, recognise and celebrate success • Establish systems to ensure all staff are able to identify direct connections between their efforts and organisational outcomes • Identify and remove potential barriers or hurdles to achieving outcomes • Initiate and communicate high- level priorities for the organisation to achieve government outcomes 	Highly Advanced
	Demonstrate Accountability Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines	<ul style="list-style-type: none"> • Direct the development of effective systems for establishing and measuring accountabilities and evaluate ongoing effectiveness • Promote a culture of accountability with clear links to government goals • Set standards and exercise due diligence to ensure work health and safety risks are addressed • Inspire a culture that respects the obligation to manage public monies and other resources responsibly and with the highest standards of probity • Ensure that legislative and regulatory frameworks are applied consistently and effectively across the organisation • Direct the development of short- and long-term risk management frameworks to ensure government aims and objectives are achieved 	Highly Advanced
	Finance Understand and apply financial processes to achieve value for money and minimise financial risk	<ul style="list-style-type: none"> • Advocate for committed outcomes to be considered in decision making for project prioritisation and resourcing decisions • Define organisational directions and set priorities and business plans, referring 	Highly Advanced

FOCUS CAPABILITIES

Capability group/sets	Capability name	Behavioural indicators	Level
		<p>to key financial indicators and non-financial committed outcomes</p> <ul style="list-style-type: none"> • Anticipate operational and capital needs, and identify the most appropriate financing and funding strategies to meet them • Ensure that the organisation informs strategic decisions with appropriate advice from finance and risk professionals • Establish effective governance to ensure that financial resources are used ethically and prudently across the organisation 	
 <p>People Management</p>	<p>Manage and Develop People Engage and motivate staff, and develop capability and potential in others</p>	<ul style="list-style-type: none"> • Ensure performance development frameworks are in place to manage staff performance, drive the development of organisational capability and undertake succession planning • Drive executive capability development and ensure effective succession management practices • Implement effective approaches to identify and develop talent across the organisation • Model and encourage a culture of continuous learning and leadership that values high levels of constructive feedback and exposure to new experiences • Drive a culture of high performance and ensure performance issues are addressed as a priority 	Highly Advanced
 <p>People Management</p>	<p>Manage Reform and Change Support, promote and champion change, and assist others to engage with change</p>	<ul style="list-style-type: none"> • Drive a continuous improvement agenda, define high-level objectives and translate these into practical implementation strategies • Build staff support for and commitment to announced change, and plan and prepare for long-term organisational change, with a focus on the wider political, social and environmental context 	Highly Advanced

FOCUS CAPABILITIES



Capability group/sets	Capability name	Behavioural indicators	Level
		<ul style="list-style-type: none"> • Create an organisational culture that actively seeks opportunities to improve • Anticipate, plan for and address cultural barriers to change at the organisational level 	

Complementary capabilities




Complementary capabilities are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

Note: capabilities listed as 'not essential' for this role is not relevant for recruitment purposes however may be relevant for future career development.

COMPLEMENTARY CAPABILITIES

Capability Group/Sets	Capability Name	Description	Level
 Personal Attributes	Display Resilience and Courage	Be open and honest, prepared to express your views, and willing to accept and commit to change	Advanced
	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning	Advanced
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Advanced
 Relationships	Communicate Effectively	Communicate clearly, actively listen to others, and respond with understanding and respect	Advanced
	Influence and Negotiate	Gain consensus and commitment from others, and resolve issues and conflicts	Advanced

COMPLEMENTARY CAPABILITIES

Capability Group/Sets	Capability Name	Description	Level
 Results	Plan and Prioritise	Plan to achieve priority outcomes and respond flexibly to changing circumstances	Advanced
	Think and Solve Problems	Think, analyse and consider the broader context to develop practical solutions	Advanced
 Business Enablers	Technology	Understand and use available technologies to maximise efficiencies and effectiveness	Advanced
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Advanced
	Project Management	Understand and apply effective project planning, coordination and control methods	Advanced
 People Management	Inspire Direction and Purpose	Communicate goals, priorities and vision, and recognise achievements	Advanced
	Optimise Business Outcomes	Manage people and resources effectively to achieve public value	Advanced