

Role Description

Senior Legal Officer



Cluster	Primary Industries and Regional Development
Agency	Department of Primary Industries and Regional Development
Division/Branch/Unit	Enabling Services Legal and Governance
Location	NSW
Classification/Grade/Band	Legal Officer Grade 4
Job Family	Adapted/Legal and Parliamentary/Deliver
ANZSCO Code	271299
PCAT Code	1118192
Date of Approval	August 2024
Agency Website	www.dpird.nsw.gov.au

Agency overview

The Department of Primary Industries and Regional Development (DPIRD) is the department dedicated to growing primary industries and supporting regional economic development to deliver long term benefits to the state. Our focus is to protect, support and develop our primary industries, mining sector, and regions.

DPIRD brings together Agriculture and Biosecurity; Forestry and Fishing; Local Land Services; NSW Resources; Regional Development and Delivery; the Regional Growth NSW Development Corporation; NSW Public Works and Soil Conservation Service.

We have nearly 5,000 employees, with almost 80 per cent of us living and working in regional NSW.

Primary purpose of the role

The Senior Legal Officer works as a member of the Legal Team providing litigation and advisory services. The role involves both civil litigation and criminal prosecutions, with a particular focus on fisheries management, biosecurity, agriculture and food safety litigation and prosecutions.

Key accountabilities

- Quality advice: Provide quality, risk based, timely and client focused legal advice and services to Departmental senior executives and staff to support critical decision making, legal risk management and assist the Department achieve its strategic goals and priorities.
- Litigation services: Conduct and oversee often complex and high profile civil/regulatory litigation and criminal prosecutions for the Department.
- Draft documents: Prepare, and provide input into legal and related documents, including Cabinet submissions, Bills, Regulations, briefing notes, delegations, legislative instruments and orders and litigation-related orders and notices.
- Build relationships: Establish and maintain working relationships with clients to support them to know when to seek legal assistance and legal support is informed by the Department's strategic objectives and priorities.

- Work as part of a team: Under the guidance of the Director and Principal Legal Officers, work with the lawyers and staff across the Branch to ensure that work is high quality and timely; you work on the priorities with your team; and risks and issues are escalated in an appropriate manner.
- Risk management: Proactively identify legal risks and non-compliance and work collaboratively to develop practical solutions and options and support solution implementation and maintenance
- Raising capability: Use quality legal insights and knowledge of clients to help the Department minimise legal risk by proactively sharing knowledge, supporting the development of training, and collaboratively developing client facing resources such as leader briefs, template documents, procedures, policies and FAQs

Key challenges

- Communicate complex matters clearly, accurately and concisely and provide quality legal services in complex and sensitive matters where there may be a number of competing interests
- Manage competing priorities, in an environment with challenging workloads, tight timeframes and competing demands
- Maintain up to date knowledge of multiple types of legal matters impacting on the work of the Department to quickly understand matters and provide timely responses, services and advice consistent with applicable legislation, policies and procedures

Key relationships

Who	Why
Internal	
General Counsel	<ul style="list-style-type: none"> • Responsible for providing advice and guidance to ensure delivery of high quality legal services that meets client priorities and needs.
Director, Deputy General Counsel	<ul style="list-style-type: none"> • Provides expert legal advice and guidance to the team to ensure consistent, high quality legal advice • Manages the team and discusses and resolves issues to ensure high levels of performance and development in the team • Responsible for knowledge and information sharing to the team and from the team back out to other parts of the Department • Is the lead contact for clients in terms of priorities and service delivery
Legal Branch	<ul style="list-style-type: none"> • Supervise and mentor more junior team members • Share knowledge, expertise and information • Collaborate on matters and implement ideas and innovative approaches to improve service delivery • Provide mutual support and participate as part of Legal & Governance Branch projects and initiatives.

Who	Why
Stakeholders and clients	<ul style="list-style-type: none"> • Provide legal services and liaise to ensure the client is aware of the status of matters • Liaise with a wide range of stakeholders including the Court, statutory bodies such as ICAC and the Ombudsman, external legal providers (including barristers and the NSW Crown Solicitor), NSW Police, and local councils. • Develop and maintain effective working relationships to ensure clients' objectives, issues and priorities are understood. • Assist with legislative process consultation or negotiation. • Work collaboratively to proactively identify legal risks and develop and implement legal solutions • Assist with training and briefing sessions and supporting material.

External	
Other NSW Government agencies, Commonwealth and local government agencies, members of the community and stakeholder groups	<ul style="list-style-type: none"> • Develop effective working relationships • Provide advice regarding practice and legal procedure. • Keep up to date with developments in key areas and provide input to developments where appropriate.

Role dimensions

Decision making

The Senior Legal Officer operates as part of a team, but has a moderate level of autonomy. Exercises professional judgement on diverse legal issues, and is accountable for the accuracy, integrity and quality of the content of advice provided. The Senior Legal Officer will:

- plan and set priorities for their work to be completed, working with the Principal Legal Officer and Director to consider organisational priorities and external deadlines
- form legal views and develop advice for clients at the discretion of the Director, and prepares legal advice for the finalisation by the Principal Legal Officer, Director, Deputy General Counsel or General Counsel
- complete all legal projects and provide advice within the required timeframes, legislative framework, and in accordance with applicable Departmental policies and legal professional standards.

Reporting line

The Senior Legal Officer reports to the relevant Principal Legal Officer.

Direct reports

Nil

Budget/Expenditure

Nil

Key knowledge and experience

- Demonstrated strong experience in the following areas:
 - administrative law, statutory interpretation, legislative reform;
 - criminal and civil litigation and judicial review and merits review.
- Excellent oral and written communication skills, analytical and problem-solving skills.
- Proven ability to work at a high level and manage challenging workloads and competing deadlines.

Essential requirements

- Eligible to hold a current practising certificate in NSW.

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.

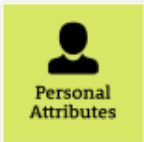
The capabilities are separated into focus capabilities and complementary capabilities



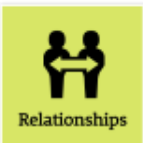
Focus capabilities



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"> • Represent the organisation in an honest, ethical and professional way and encourage others to do so • Act professionally and support a culture of integrity • Identify and explain ethical issues and set an example for others to follow • Ensure that others are aware of and understand the legislation and policy framework within which they operate • Act to prevent and report misconduct and illegal and inappropriate behaviour 	Adept

Capability group/sets	Capability name	Behavioural indicators	Level
	<p>Communicate Effectively</p> <p>Communicate clearly, actively listen to others, and respond with understanding and respect</p>	<ul style="list-style-type: none"> • Tailor communication to diverse audiences • Clearly explain complex concepts and arguments to individuals and groups • Create opportunities for others to be heard, listen attentively and encourage them to express their views • Share information across teams and units to enable informed decision making • Write fluently in plain English and in a range of styles and formats • Use contemporary communication channels to share information, engage and interact with diverse audiences 	Adept
	<p>Commit to Customer Service</p> <p>Provide customer-focused services in line with public sector and organisational objectives</p>	<ul style="list-style-type: none"> • Take responsibility for delivering high-quality customer-focused services • Design processes and policies based on the customer's point of view and needs • Understand and measure what is important to customers • Use data and information to monitor and improve customer service delivery • Find opportunities to cooperate with internal and external stakeholders to improve outcomes for customers • Maintain relationships with key customers in area of expertise • Connect and collaborate with relevant customers within the community 	Adept
	<p>Work Collaboratively</p> <p>Collaborate with others and value their contribution</p>	<ul style="list-style-type: none"> • Encourage a culture that recognises the value of collaboration • Build cooperation and overcome barriers to information sharing and communication across teams and units • Share lessons learned across teams and units • Identify opportunities to leverage the strengths of others to solve issues and develop better processes and approaches to work • Actively use collaboration tools, including digital technologies, to engage diverse audiences in solving problems and improving services 	Adept

Capability group/sets	Capability name	Behavioural indicators	Level
	Influence and Negotiate Gain consensus and commitment from others, and resolve issues and conflicts	<ul style="list-style-type: none"> • Negotiate from an informed and credible position • Lead and facilitate productive discussions with staff and stakeholders • Encourage others to talk, share and debate ideas to achieve a consensus • Recognise diverse perspectives and the need for compromise in negotiating mutually agreed outcomes • Influence others with a fair and considered approach and sound arguments • Show sensitivity and understanding in resolving conflicts and differences • Manage challenging relationships with internal and external stakeholders • Anticipate and minimise conflict 	Adept
	Deliver Results Achieve results through the efficient use of resources and a commitment to quality outcomes	<ul style="list-style-type: none"> • Use own and others' expertise to achieve outcomes, and take responsibility for delivering intended outcomes • Make sure staff understand expected goals and acknowledge staff success in achieving these • Identify resource needs and ensure goals are achieved within set budgets and deadlines • Use business data to evaluate outcomes and inform continuous improvement • Identify priorities that need to change and ensure the allocation of resources meets new business needs • Ensure that the financial implications of changed priorities are explicit and budgeted for 	Adept



Capability group/sets	Capability name	Behavioural indicators	Level
	<p>Think and Solve Problems</p> <p>Think, analyse and consider the broader context to develop practical solutions</p>	<ul style="list-style-type: none"> • Research and apply critical thinking techniques in analysing information, identify interrelationships and make recommendations based on relevant evidence • Anticipate, identify and address issues and potential problems that may have an impact on organisational objectives and the user experience • Apply creative-thinking techniques to generate new ideas and options to address issues and improve the user experience • Seek contributions and ideas from people with diverse backgrounds and experience • Participate in and contribute to team or unit initiatives to resolve common issues or barriers to effectiveness • Identify and share business process improvements to enhance effectiveness 	Adept
	<p>Demonstrate Accountability</p> <p>Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines</p>	<ul style="list-style-type: none"> • Be proactive in taking responsibility and being accountable for own actions • Understand delegations and act within authority levels • Identify and follow safe work practices, and be vigilant about own and others' application of these practices • Be aware of risks and act on or escalate risks, as appropriate • Use financial and other resources responsibly 	Intermediate
	<p>Project Management</p> <p>Understand and apply effective planning, coordination and control methods</p>	<ul style="list-style-type: none"> • Perform basic research and analysis to inform and support the achievement of project deliverables • Contribute to developing project documentation and resource estimates • Contribute to reviews of progress, outcomes and future improvements • Identify and escalate possible variances from project plans 	Intermediate






Occupational Specific Focus Capabilities

Capability group/sets	Capability name	Behavioural indicators	Level
	Legal Advice Provide quality independent legal advice and explanation of legal issues	<ul style="list-style-type: none"> Identify the client, purpose, scope and form of legal advice required, and factors such as urgency or sensitivity. Obtain relevant information in complex matters and seek clarification or further information where necessary. Manage legal issues relating to vulnerable clients, including where capacity may be in issue or where ethical or cross-cultural issues arise, with minimal guidance. Analyse and apply relevant law to the facts, and advises on available options, while identifying the relevant policy, probity and operational considerations, with minimal supervision. Identify legal risks attached to particular courses of action and appropriate policies, processes and controls to manage legal risks, with minimal supervision. Review and approve the use of external legal services providers based on task and expertise required; supervises briefs. Manage relationship between external legal services providers and legal staff, with minimal supervision. Ensure legal work is completed to a high standard, and in a timely and cost-effective manner 	Level 2




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 are not relevant for recruitment purposes however may be relevant for future career development.

Capability group/sets	Capability name	Description	Level
	Display Resilience and Courage	Be open and honest, prepared to express your views, and willing to accept and commit to change	Adept
	Manage Self	Show drive and motivation, an ability to self-reflect and a commitment to learning	Adept

Capability group/sets	Capability name	Description	Level
	Value Diversity and Inclusion	Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives	Intermediate
	Plan and Prioritise	Plan to achieve priority outcomes and respond flexibly to changing circumstances	Intermediate
	Finance	Understand and apply financial processes to achieve value for money and minimise financial risk	Intermediate
	Technology	Understand and use available technologies to maximise efficiencies and effectiveness	Intermediate
	Procurement and Contract Management	Understand and apply procurement processes to ensure effective purchasing and contract performance	Intermediate

Occupational Specific Complimentary Capabilities

Capability group/sets	Capability name	Description	Level
	Legal Research	Undertake legal research	Level 2
	Legal drafting	Prepare legal documents to achieve client outcomes	Level 2
	Statutory Interpretation	Interpret legislation, subordinate legislation and instruments in accordance with legislation and accepted legal principles	Level 2