

# Role Description

## Solicitor Advocate V (Civil Law – NDIS Appeals)

Cluster	Stronger Communities
Agency	Legal Aid NSW
Division/Branch/Unit	Civil Law (Government Law-NDIS Appeals)
Classification/Grade/Band	Legal Officer Grade V
ANZCO Code	271311
PCAT Code	1118192
Date of Approval	February 2024
Agency Website	<a href="http://www.legalaid.nsw.gov.au">www.legalaid.nsw.gov.au</a>

### Agency overview

Legal Aid NSW is the largest legal aid agency in Australia, comprising a Central Sydney office and 28 regional offices in metropolitan and regional centres across NSW including the two satellite offices located at Walgett and Bourke and a number of specialist services and advice clinics. It was established under the *Legal Aid Commission Act 1979* as an independent authority to assist economically and socially disadvantaged people to understand and protect their rights in the legal system. People with disabilities, people from culturally and linguistically diverse backgrounds, women and children, Indigenous people and people with mental illness are some of the groups who may experience difficulties when enforcing and defending their rights.

Working in partnership with private lawyers, Legal Aid NSW provides legal advice, information and minor assistance and legal representation to eligible people in many areas of law. Legal Aid NSW also provides alternative dispute resolution services, community legal education programs, and publications on legal issues.

This position was established as a developmental opportunity for lawyers to develop advocacy skills by undertaking hearing work for in-house lawyers across the civil law division. The advocate will be expected to undertake a range of advocacy activities including: appearing in directions hearings and conducting appeals in the Administrative Appeals Tribunal and appearing and instructing counsel in the federal courts.

### Primary purpose of the role

Provide legal advocacy in NDIS, social security, migration and citizenship and veteran's matters on behalf of Legal Aid NSW in a range of forums including the Administrative Appeals Tribunal, Federal Circuit and Family Court and Federal Court.

### Key accountabilities

- Provide and promote high quality advocacy and other required legal services in accordance with the overall policies and objective of Legal Aid NSW and other relevant Government guidelines
- Liaise with litigants, court and tribunal staff and members of the private legal profession
- Provide professional legal advice on matters requiring legal expertise, including legal tactics for specific cases to ensure that the highest professional standards are maintained

- Contribute to law and policy reform initiatives, including a pro-active contribution to and advising on legislative change
- Provide effective advice to and training of solicitors
- Develop relationships of trust with instructing lawyers and at the same time delivering high quality services whilst managing organisational risks

## Key challenges

- Identify matters or issues that may need referral to other senior staff in the civil law division
- Balancing a range of competing demands and commitments while meeting strict time standards.
- Keep abreast of the law, changes in Legal Aid NSW policies, systems, guidelines and practices, and government initiatives that may impact on the activities of the position.

## Key relationships

Who	Why
<b>Internal</b>	
Other Advocates	<ul style="list-style-type: none"> <li>• Facilitate communications and effectively manage workloads when necessary</li> </ul>
Solicitor in Charge, Government Law	<ul style="list-style-type: none"> <li>• Guidance, work allocation, supervision, direction</li> </ul>
In-house solicitors	<ul style="list-style-type: none"> <li>• Flow of work, resourcing, support</li> </ul>
Legal Support Staff	<ul style="list-style-type: none"> <li>• Administrative support</li> </ul>
<b>External</b>	
Courts	<ul style="list-style-type: none"> <li>• Administration</li> </ul>
Clients	<ul style="list-style-type: none"> <li>• Representation</li> </ul>
Judicial Officers	<ul style="list-style-type: none"> <li>• Judicial determinations</li> </ul>

## Role dimensions

### Decision making

The role operates with autonomy in respect of their day-to-day work priorities and the coordination of work and resources of the team to meet service levels. It provides advice and decision making to solicitors reporting to the position.

### Reporting line

Solicitor in Charge, Government Law

### Direct reports

n/a

### Budget/Expenditure

n/a

## Essential requirements

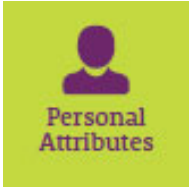
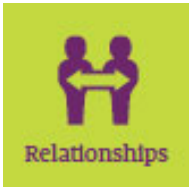


- Legal Qualifications
- Practicing Certificate
- Certain roles must hold a valid NSW driver's Licence (and may require the ability for remote travel)

## Capabilities for the role


The NSW Public Sector Capability Framework applies to all NSW public sector employees. The Capability Framework is available at [www.psc.nsw.gov.au/capabilityframework](http://www.psc.nsw.gov.au/capabilityframework)

This role also utilises an [occupation specific capability set](#).

Below is the full list of capabilities and the level required for this role. The capabilities in bold are the focus capabilities for this role. Refer to the next section for further information about the focus capabilities.

NSW Public Sector Capability Framework		
Capability Group	Capability Name	Level
 Personal Attributes	<b>Display Resilience and Courage</b>	<b>Adept</b>
	<b>Act with Integrity</b>	<b>Adept</b>
	Manage Self	Adept
	Value Diversity and Inclusion	Adept
 Relationships	<b>Communicate Effectively</b>	<b>Advanced</b>
	Commit to Customer Service	Adept
	Work Collaboratively	Adept
	<b>Influence and Negotiate</b>	<b>Advanced</b>
 Results	<b>Deliver Results</b>	<b>Adept</b>
	Plan and Prioritise	Adept
	<b>Think and Solve Problems</b>	<b>Adept</b>
	Demonstrate Accountability	Adept
 Business Enablers	Finance	Intermediate
	Technology	Intermediate
	Procurement and Contract Management	Intermediate
	<b>Project Management</b>	<b>Intermediate</b>

## Legal Professionals Capability Set

Capability Group	Capability Name	Level
	Statutory Interpretation	Level 2
	Legal Research	not applicable
	Legal Advice	Level 3
	Legal Drafting	Level 3
	Litigation and Dispute Resolution	Level 2
	Prosecution	not applicable
	Advocacy	Level 3
	Legislative Development and Drafting	not applicable

### Focus capabilities

The focus capabilities for the role are the capabilities in which occupants must demonstrate immediate competence. The behavioural indicators provide examples of the types of behaviours that would be expected at that level and should be reviewed in conjunction with the role's key accountabilities.

## NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
<b>Personal Attributes</b> Display Resilience and Courage	Adept	<ul style="list-style-type: none"> <li>• Be flexible, show initiative and respond quickly when situations change</li> <li>• Give frank and honest feedback/advice</li> <li>• Listen when ideas are challenged, seek to understand the nature of the criticism and respond constructively</li> <li>• Raise and work through challenging issues and seek alternatives</li> <li>• Keep control of own emotions and stay calm under pressure and in challenging situations</li> </ul>
<b>Personal Attributes</b> Act with Integrity	Adept	<ul style="list-style-type: none"> <li>• Represent the organisation in an honest, ethical and professional way and encourage others to do so</li> <li>• Demonstrate professionalism to support a culture of integrity within the team/unit</li> <li>• Set an example for others to follow and identify and explain ethical issues</li> <li>• Ensure that others understand the legislation and policy framework within which they operate</li> <li>• Act to prevent and report misconduct, illegal and inappropriate behaviour</li> </ul>
<b>Relationships</b> Communicate Effectively	Advanced	<ul style="list-style-type: none"> <li>• Present with credibility, engage varied audiences and test levels of understanding</li> <li>• Translate technical and complex information concisely for diverse audiences</li> <li>• Create opportunities for others to contribute to discussion and debate</li> </ul>

## NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
		<ul style="list-style-type: none"> <li>Actively listen and encourage others to contribute inputs</li> <li>Adjust style and approach to optimise outcomes</li> <li>Write fluently and persuasively in a range of styles and formats</li> </ul>
<b>Relationships</b> Influence and Negotiate	Advanced	<ul style="list-style-type: none"> <li>Influence others with a fair and considered approach and present persuasive counter-arguments</li> <li>Work towards mutually beneficial win/win outcomes</li> <li>Show sensitivity and understanding in resolving acute and complex conflicts</li> <li>Identify key stakeholders and gain their support in advance</li> <li>Establish a clear negotiation position based on research, a firm grasp of key issues, likely arguments, points of difference and areas for compromise</li> <li>Pre-empt and minimise conflict within the organisation and with external stakeholders</li> </ul>
<b>Results</b> Deliver Results	Adept	<ul style="list-style-type: none"> <li>Take responsibility for delivering on intended outcomes</li> <li>Make sure team/unit staff understand expected goals and acknowledge success</li> <li>Identify resource needs and ensure goals are achieved within budget and deadlines</li> <li>Identify changed priorities and ensure allocation of resources meets new business needs</li> <li>Ensure financial implications of changed priorities are explicit and budgeted for</li> <li>Use own expertise and seek others' expertise to achieve work outcomes</li> </ul>
<b>Results</b> Think and Solve Problems	Adept	<ul style="list-style-type: none"> <li>Research and analyse information, identify interrelationships and make recommendations based on relevant evidence</li> <li>Anticipate, identify and address issues and potential problems and select the most effective solutions from a range of option</li> <li>Participate in and contribute to team/unit initiatives to resolve common issues or barriers to effectiveness</li> <li>Identify and share business process improvements to enhance effectiveness</li> </ul>
<b>Business Enablers</b> Project Management	Intermediate	<ul style="list-style-type: none"> <li>Perform basic research and analysis which others will use to inform project directions</li> <li>Understand project goals, steps to be undertaken and expected outcomes</li> <li>Prepare accurate documentation to support cost or resource estimates</li> <li>Participate and contribute to reviews of progress, outcomes and future improvements</li> <li>Identify and escalate any possible variance from project plans</li> </ul>