

Job and Person Specification

Position	Legal Officer		
Section	Legal Services		
Position Reports to	Director Legal Services	Position Number	TBC
Employment Status	Full-time fixed term	Remuneration	LEC3

PRIMARY PURPOSE

The Organisation

The Independent Commission Against Corruption is established by the *Independent Commission Against Corruption Act 2012*.

The primary functions of the Commission are to:

- identify and investigate corruption in public administration; and
- prevent or minimise corruption in public administration, including through education and evaluation of practices, policies and procedures.

The Commission is headed by the Commissioner.

Our Values

Independence

We conduct ourselves without fear or favour and make decisions according to law.

Accountability

We are responsible for our actions and decisions.
 We use our resources responsibly.
 We scrutinise ourselves as vigorously as we scrutinise others.

Integrity

We are fair and unbiased in all our dealings.
 We are honest, trustworthy, reliable and fearless in fulfilling our duties.

Respect

We treat everyone with respect, fairness and courtesy.
 We take our responsibilities seriously and use our powers carefully.

Excellence

We lead by example and demonstrate best practice.
 We continually strive to improve our capabilities, skills and knowledge.
 We are committed to professionalism and service.

Collaboration

We encourage the sharing of knowledge and ideas.
 We actively seek the contribution and perspectives of others.
 We work together to achieve best outcomes.

The Role

The Legal Officer is responsible for providing high quality legal advice to support the statutory functions of the Commission. The Legal Officer assists the Commission to identify and respond to strategic issues associated with the discharge of its statutory functions. The incumbent is expected to exercise their own judgement in carrying out their legal duties, subject to supervision from time to time.

KEY RESPONSIBILITIES

- Provide independent, timely and accurate legal advice in respect of matters of moderate complexity regarding the discharge of statutory functions by the Commission.
- Advise on matters of moderate complexity connected with corruption investigations with minimal supervision, including matters relating to the exercise of powers, applications for warrants, briefs of evidence, management of exhibits, disclosure of evidence and legislative compliance obligations.
- Prepare applications and represent the Commission in the Supreme Court of South Australia or other courts and tribunals in relation to proceedings under the *Independent Commission Against Corruption Act 2012* (SA), the *Surveillance Devices Act 2016* (SA), the *Criminal Law (Covert Operations) Act 2009* (SA), the *Telecommunications (Interception and Access) Act 1979* (Cth) or other legislation.
- Liaise with and brief the Crown Solicitor and private counsel.

- Assist with the preparation of reports and the development of policies and procedures designed to ensure the Commission meets statutory reporting and records keeping responsibilities under the *Telecommunications (Interception and Access) Act 1979* (Cth), *Surveillance Devices Act 2016* (SA), *Independent Commissioner Against Corruption Act 2012* (SA), *Criminal Law (Covert Operations) Act 2009* (SA) and in relation to other legislation and regulations as directed, and to represent the Commission during compliance inspections.
- Support the Commission to provide training, assistance, guidance, advice and support to employees and other public officers.
- Assist the Commissioner and Director, Legal Services in the preparation of responses to proposals for legislative and regulatory amendment.

Contribute to the achievement of the Commission's statutory functions and operational effectiveness:

- Establish and maintain open and effective working relationships with internal and external stakeholders.
- Participate in planning, policy and decision making processes, regularly reviewing and reporting information, and making recommendations to improve efficiency and effectiveness.
- Actively contribute to strategic projects and participate in working groups and committees.

The Commission is a small agency which utilises multidisciplinary teams. While each staff member has their own primary responsibilities and duties, all employees need to maintain a flexible approach and be team focused in order to meet the challenges faced by the agency.

You may be lawfully directed to perform any duties that a person with your qualifications, skills and abilities would reasonably be expected to perform.

ESSENTIAL SELECTION CRITERIA

Technical Expertise

- Bachelor of Laws or equivalent qualification from a recognised tertiary institution.
- Admitted, or eligible for admission, as a practitioner of the Supreme Court of South Australia and the High Court of South Australia.
- Demonstrated post admission experience.
- Demonstrated ability to provide legal advice regarding the discharge of statutory powers.
- Ability to provide legal advice in relation to the enforcement of the criminal law.

Knowledge and Skill

- Capacity to identify trends and issues of relevance to the Commission in the discharge of its statutory functions, and to make recommendations accordingly.
- Demonstrated ability to produce high quality written legal advice on matters of moderate complexity in a clear, timely and accurate manner.
- Demonstrated ability to distil legal concepts into appropriately worded policies and processes.
- Willingness to undertake professional advancement through participation in continuing legal education.

Personal Qualities

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| Integrity | High level of honesty, integrity, professionalism and ethical conduct. |
| Resilience | Ability to remain calm under pressure, maintain high levels of energy and accept constructive feedback. |
| Team work | Shares information and works well with the different working styles of others. |
| Initiative | Drive, motivation and proactivity with a commitment to continuous learning. |
| Flexibility | Adaptable, receptive and able to adjust easily to changing work demands and circumstances. |

DESIRABLE SELECTION CRITERIA

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| Technical Expertise | <ul style="list-style-type: none"> • Experience in providing legal advice in relation to administrative decision making processes. |
| Knowledge and Skill | <ul style="list-style-type: none"> • Knowledge of the operations of the South Australian government and administrative law principles in South Australia. • Knowledge of the <i>Independent Commission Against Corruption Act 2012</i>. |
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SPECIAL CONDITIONS

- Candidates must meet citizenship or permanent residency requirements.
 - Candidates must be able to obtain and maintain a security clearance at Negative Vetting Level 1.
 - Appointment will be subject to reference checks.
 - Appointment may be subject to psychometric, medical and/or competency testing.
 - An offer of employment will not be made without a satisfactory security and integrity assessment.
 - A probationary period may apply.
 - An employee may be required to work non-standard hours.
 - An employee may be required to travel intrastate / interstate as directed by the Commissioner.
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COMPLIANCE

The employee is responsible and accountable for compliance with the following legislative requirements and/or associated policies and procedures:

- *Independent Commission Against Corruption Act 2012*
- *Public Sector (Honesty and Accountability) Act 1995*
- *State Records Act 1997*
- *Work Health and Safety Act 2012*
- Code of Ethics for the South Australian Public Sector
- Independent Commission Against Corruption approved policies and procedures including Information Security Management System policies.

APPROVAL

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COMMISSIONER/DELEGATE

ACKNOWLEDGEMENT

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INCUMBENT'S SIGNATURE

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INCUMBENT'S FULL NAME