

### **Position Profile**

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|--------------------------------------|-----------------------------|
| <b>Position Title:</b>               | Legal Counsel               |
| <b>Classification:</b>               | Legal Band 1 Upper          |
| <b>Division / Section:</b>           | Legal                       |
| <b>Location:</b>                     | Adelaide, Brisbane or Perth |
| <b>Position Title of Supervisor:</b> | Legal Practice Manager      |
| <b>Position(s) Supervised:</b>       | Nil                         |

### **Organisational Environment**

The Indigenous Land and Sea Corporation (ILSC) is a corporate Commonwealth entity established under the ATSI Act and subject to the PGPA Act. The ILSC assists Aboriginal and Torres Strait Islander people to realise economic, social, cultural and environmental benefits that the ownership and management of land, water and water related rights can bring. The ILSC provides this assistance through the acquisition and management of rights and interests in land, salt water and fresh water country.

### **Section/Unit Environment**

The ILSC Legal Team provides legal services to all areas of the ILSC in the performance of its functions and the exercise of its powers under the *Aboriginal and Torres Strait Islander Act 2005 (Cth)*.

### **Purpose of the Position**

Under the direction of the Legal Practice Manager, provide a wide range of legal services to the ILSC at solicitor level and assist with the coordination and delivery of complementary support services undertaken by the administrative staff.

### **Qualification**

1. Formal degree qualifications in Law.
2. Admission as a legal practitioner with a minimum of 4 years post admission experience.
3. Worked in one or more fields of law relevant to the work of the ILSC Legal Team (such as property, Native Title, contract, commercial, administrative).

## **Key Responsibilities/ Accountabilities and Outcomes**

- Operate under general direction but with a degree of autonomy in addressing complex legal and / or legal policy issues.
- Manage the legal aspects of the various acquisition and management programs within the ILSC, including contract drafting, legal and commercial negotiation and advice into project management in order that ILSC projects meet and maintain legal compliance.
- Have primary carriage of all aspects of conveyancing, security and property law matters.
- Undertake other functions of a legal nature as required by the ILSC and as directed by Legal Practice Manager.
- Apply initiative, substantial professional knowledge and judgement of the law when addressing legal and/or legal policy issues relating to ILSC operations, procedures and practices.
- Conduct research on legal and policy matters affecting the ILSC's programs and functions in order that ILSC maintains legal compliance.
- Provide advice and assistance to other work areas regarding complex legal questions/issues that may arise.
- Provide considerable degree of lateral thinking in problem solving, and a thorough understanding of relevant legal principles to quickly identify issues.
- Provide legal advice and input into policy areas and a sound understanding of the policy context in which the ILSC operates.
- Contribute to the Legal Team's ongoing in-house training of ILSC employees.
- Work as an effective team member through fostering a cooperative, professional and positive work atmosphere.
- Be well organised and disciplined to ensure that required outcomes are achieved in a timely manner.
- Assist in the Legal Teams's workflow to ensure its outputs meet agreed timeframes.
- Undertake other duties as directed by Legal Practice Manager.

## **Work, Health, Safety and Environmental Matters**

- Demonstrate commitment and active participation in achieving quality management goals in relation to continuous improvement and complying with the ILSC's policies and procedures.
- Demonstrate commitment and active participation in activities that contribute towards a healthy and safe work environment focuses on continuous improvement and building a positive reporting culture.
- In accordance with environmental policies and procedures, participate in sound environmental management practices and demonstrate individual commitment to the ongoing improvement of the company's environmental performance.

## **Risk Management**

- Assist in the identification of hazards and the application of suitable risk control measures to minimise arising risks. Actively participate and follow all risk management requirements including those documented in ILSC's procedures and any directions provided by line management to minimise risk to employees, the business or its stakeholders.

## Technology

- Demonstrate competency in contemporary corporate information management, information technologies and systems.

## Selection Criteria

**The occupant of this position will be able to demonstrate the possession of the following criteria.**

1. Ability to communicate effectively with Aboriginal and Torres Strait Islander peoples, with an understanding of their cultures, perspectives, and the issues affecting First Nations communities.
2. Admission as a legal practitioner with a minimum of 4 years post admission experience.
3. Sound knowledge of and experience in one or more of property law, commercial law, administrative law, corporate law and Native Title law.
4. Highly developed drafting, research, analysis and report writing skills to inform, advise and effectively deal with complex legal matters, complex research, adapting legal reasoning to novel questions of law within required timeframe.
5. Make recommendations in regard to critical issues.
6. Experience in briefing Counsel.
7. Highly developed communication skills to effectively facilitate and negotiate significant outcomes with a wide range of people.
8. Ability to work cooperatively with a wide range of people, to facilitate the ILSC achieving its commercial objectives and ensuring legal compliance.
9. Experience in engaging and managing external legal service providers.
10. Ability to work both independently and collaboratively in a team environment.
11. Ability to effectively facilitate and negotiate significant outcomes.

## Special Conditions

The preferred applicant will be engaged under the provision of the ILSC Enterprise Agreement and will be required to undertake a criminal history check however the results may not necessarily preclude an appointment.

Appointment to this position of a person not currently an officer of the Indigenous Land and Sea Corporation will be subject to a probationary period of not less than six months.

Officers may be required to undertake extended hours of work under the provisions of the TOIL scheme.

Possession of a valid driver's licence is essential. Any disqualification of your driver's license may result in termination of employment.

There may be a requirement for intrastate and interstate travel and stay for periods in remote locations, requiring overnight absences. Travel to remote locations may require the need to drive a 4WD vehicle (training provided) and/or fly in light planes.

## Expectations and Behaviours

All employees are expected to conduct themselves in a professional manner at all times. Below are some brief guidelines on the values of the ILSC. Accepting a position with the ILSC indicates that you accept these guidelines and will uphold and promote them.

A full description of the ILSC Values and Code of Conduct is available in the current ILC Enterprise Agreement available on the ILSC website at [www.ilsc.gov.au](http://www.ilsc.gov.au).

**EEO/Diversity** – All ILSC employees must recognise and adhere to the principles of Equal Opportunity. This means being non-discriminatory in all they say and do and recognising and accepting the value of diversity within the ILSC and broader community.

**Probity** – All ILSC employees must undertake all their duties in an open and honest manner. Employees must never use their position for personal gain either directly or indirectly. ILSC employees are obligated to recognise and report any instances where a conflict of interest may arise either for themselves or other ILSC employees.

**Work Health and Safety (WHS)** – All ILSC employees have an obligation to work safely at all times and not endanger their own well-being or the well-being of others. This includes employees at ILSC as well as members of the public. Furthermore, all employees are obligated to report any hazardous circumstances or potentially hazardous circumstances as soon as they become aware of them.

**Customer Service** – All ILSC employees are required to make a commitment to providing the highest level of Customer Service to all those people and organisations that they deal with while undertaking their duties.

**Continuous Improvement** – All employees at ILSC are required to undertake their duties in an environment whereby the commitment to continuous improvement is a core value and accompanies all activities.