



PAPUA NEW GUINEA PUBLIC SERVICE

JOB DESCRIPTION

1. IDENTIFICATION

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| AGENCY: Justice & Attorney General | SYS. POSN. NO: | REF. NO: DJAGLP.04 |
| OFFICE: | DESIGNATION/CLASSIFICATION: PLO 6 (Governance Reforms) Gr. 18 | |
| DIVISION: Legal Policy & State Legal Services | LOCAL DESIGNATION: | |
| BRANCH: Legal Policy & Governance | REPORTING TO: Executive Director (Legal Policy & Governance) Gr. 19 | SYS. POS. NO: DJAGLP.01 |
| SECTION: | LOCATION: Waigani | |

HISTORY OF POSITION

| FILE NO. | DATE OF VARIATION | DETAILS |
|-------------------------|-----------------------------|----------------|
| OASTB:1/00 | 16 Nov 2000 | No change |
| I&ER/PP:010/02 | 10 Jun 2002 | Revised |
| HRM8.10LP:08 | 9 Oct 2008 | Revised |
| HRM 8.10 LP: 05/10 | 31 May 2010 | No Change |
| HRM 8.1.20/LP: 31/13 | 31 ST MARCH 2013 | NO CHANGE |
| HRM 8.1.20/LP: 31/14 | 30 th APRIL 2014 | REVISED |

2. PURPOSE

Legal Policy & Governance Branch provides legal policy advice and services to the Minister, the Secretary, the Department and other agencies on a range of areas of law, including anti-money laundering, counter-terrorism, extradition, mutual assistance in criminal matters, transnational crime, anti-corruption, community justice, human rights, administrative law, the judicial system and justice administration. It is also responsible for various high Government priority justice-related law reforms as well as developing policy pertaining to new legislation or justice initiatives.

The Branch also provides Secretariat Services to the Minister for Justice and the State in relation to a number of statutory or Constitutional bodies or functions, including the Judicial and Legal Services Commission, the Power of Mercy Committee, appointment of Commissioners for Oaths, admission to legal practice, coronial hearings and enforcement of foreign maintenance. Additionally, it represents the Secretary or the Department on various statutory boards and committees, such as the National Health Board, National Land Transport Board, the Legal Training Institute Council and other various other inter-departmental committees or technical working groups and in relevant international forum.

The PLO 6 Governance is responsible for leading and managing the Governance Section, which is responsible for supporting the Minister and the Secretary through either attendance at meetings or providing Secretariat or other support services and providing legal policy advice and legal advice in relation to various bodies including the Judicial and Legal Services Commission, Legal Training Institute Council, the Power of Mercy Committee, Commissioners for Oaths, coronial hearings, and for providing legal policy advice, legal services and law reform concerning the judiciary, the administration of justice, the legal profession, Parliament, elections, the Pacific Islands Law Officers Network, Bougainville and other intergovernmental relations.

3. DIMENSIONS

The PLO 6 Governance is responsible for leading and managing the Governance Section, which consists of 1 PLO5 and 1 LO2. The PLO 6 provides guidance to, and supervises, the work of those staff.

The PLO 6 is responsible for making recommendations to the Director regarding any financial expenditure of the Section, and ensuring that any financial expenditure of the Section is consistent with the Branch's annual work plan and is properly acquitted. The PLO 6 is responsible for ensuring that Branch assets under the Section's staff's control are properly used and maintained.

4. PRINCIPAL ACCOUNTABILITIES

- Effective management of the activities and outputs of the Governance Section.
- Ensure provision of executive and secretariat support to the Minister and the Secretary in the execution of various statutory and constitutional responsibilities and to support the Attorney General's role as the first law officer.
- Ensure effective legal policy advice and support to the Minister and the Department in particular in relation to one or more of a wide range of justice policies and services including anti-money laundering, counter-terrorism, extradition, mutual assistance in criminal matters, transnational crime, anti-corruption, human rights, administrative law, the judicial system and justice administration.
- Timely provision of reports and effective contribution to the management of the Branch.
- Ensure the highest ethical and professional standards in the delivery of legal services to the State of Papua New Guinea.

5. MAJOR DUTIES

- Provide leadership to the Section, and assist in providing leadership to the Branch, in order to achieve the Branch's objectives under corporate plans, by assisting in controlling and directing the work of the Branch.
- Provide intellectual leadership to the Section and assist in providing intellectual leadership to the Branch and more broadly regarding the development of legal

policy advice which is legally accurate, well researched, evidence based, practical and effective, and promotes the rule of law.

- Ensure that the Section produces high quality legal advice, legal policy advice and law reform proposals for the Minister, the Secretary, the NEC, the Department and other departments and agencies on legal issues and legal policy issues falling within the responsibility of the Minister for Justice or on other legal issues as requested, including:
 - submissions, advice and correspondence
 - research, discussion and background papers, policy proposals and consultation papers
 - legislative drafting instructions and draft legislation
 - speeches and briefings
- Ensure that the Section is responsive to requests from the Minister and the Secretary for accurate, high quality and timely work.
- Assist in ensuring that the Branch produces, adheres to and reports on high quality work plans and budgets, and ensure that the Section's financial resources are responsibly applied to meet Branch priorities.
- Manage sensitive stakeholder relationships and engagement and represent the Department and/or the Minister in high level meetings and/or international fora as directed.
- Manage, monitor and provide feedback on the performance of staff within the Section, provide clear direction to staff on key Branch priorities and mentor more junior legal staff.
- Assist in developing a comprehensive CLE program for staff of the Branch and ensure that the program is implemented and that staff attendance is maintained.
- Other duties as directed.

6. NATURE AND SCOPE

6.1 WORKING RELATIONSHIP

a) Internal

- Responsible to the Director Legal Policy & Governance, the Attorney General and Minister for Justice and senior management of the Department.
- Liaise and collaborate with, and provide advice and support to, other areas of the Department with primary policy carriage of an issue in relation to which legal policy services are provided.

b) External

- Collaborate with, coordinate with, provide advice and support to, and consult other government departments and agencies, international organisations, donor contractors, stakeholder organizations, civil society, the business community and the public as required

6.2 WORK ENVIRONMENT

The Branch's primary functions involve giving legal advice and legal policy advice to the Minister for Justice, Secretary for Justice and other agencies and hence the PLO 6's role involves high level specialist technical legal skills not readily available elsewhere, including in the private sector, particularly in relation to:

- researching PNG and other countries' legal frameworks and international best practice in relation to legal reforms and dealing with legal issues.

- engaging with a wide range of stakeholders external to the Department to consult with and collaborate on legal policy issues and legislative reforms, including academics, civil society, members of the community, other government agencies and the business community.
- developing policy reform proposals for the Minister for Justice, other Branches of the Department and other agencies.
- advising the Minister for Justice, the Secretary for Justice and the Government (through NEC) on key strategic complex legal issues.
- giving legal advice to other agencies and other Branches of the Department in relation to a wide variety of complex legal issues.
- developing the frameworks for, and drafting, legislation.
- driving well developed planning for and the implementation of policy and legislative reforms, in collaboration with other relevant stakeholders and agencies, both internal and external to Government.

7. CONSTRAINTS FRAMEWORK AND BOUNDARIES

The Section undertakes a wide range of diverse work, which the PLO 6 is responsible for organising, planning, executing, controlling, monitoring and evaluating, under the supervision of the Director.

In relation to the legal advice and legal policy advice given to other Branches in the Department and other agencies, the PLO 6 has autonomy to make decisions, subject to any advice given in writing being approved by the Director and any sensitive matters being approved by the Secretary.

In relation to legal advice or legal policy advice given to the Minister for Justice or the Government, this advice is provided by the Branch through the Director and approved by the Secretary for Justice.

While the Branch Handbook provides some broad guidance regarding how to go about giving legal advice, legal policy advice, developing policy proposals and undertaking legislative reforms, there is no 'standard process' or 'formula' for such matters, each situation being different and requiring the exercise of significant discretion, intellectual application, original and creative thinking, sound judgment and high level analytical ability and legal reasoning skills in order to clearly identify, define and resolve novel and complex problems/issues.

8. CHALLENGES

The main challenges of the PLO 6 position are juggling competing demands from the Minister for Justice, the Secretary for Justice and other Branches/agencies with requests for the Section's assistance; managing constructive relations with a wide variety of stakeholders; the complexity and novelty of the legal issues often being dealt with by the Section; and ensuring that the work produced by the Section is of a consistently high quality, and is produced in a timely way.

9. QUALIFICATIONS, EXPERIENCES AND SKILLS

a) Qualifications

- Masters degree in law (or strong Bachelor Degree) from a recognized University.
- Admitted to practice law in PNG.

b) Knowledge

- Extensive knowledge of PNG's National Constitution and three (3) arms of the government (Executive, Legislature and Judiciary), the legal system of PNG, and law making and law reform and policy processes.
- Very good knowledge of international law, particularly in the areas of human rights and criminal law.

c) Skills and Abilities

- Proven ability to build staff capability and commitment to deliver results, including the capacity to mentor staff, motivate staff to work as a team, and to build collaborative relationships.
- Ability to plan, monitor, direct and control financial and other resources for goal achievement.
- Very strong oral communication skills, including the ability to develop and maintain strong professional relationships and cooperation with supervisors and team members, and the ability to communicate with influence and political awareness.
- Excellent strategic thinking, analytical capacity, written communication and legal research skills, with proven capacity to draft high standard policy documents and express complex concepts simply and precisely.
- Demonstrated ability to role model ethical behaviour and lead with personal drive, commitment and resilience, including the enforcement of high standards of professional behaviour with staff.
- Demonstrated commitment to the PNG Public Sector Leadership Values of honesty, integrity, accountability, respect, wisdom and responsibility.
- Effective computer literacy including ability to undertake own word-processing, email and Internet research.

d) Work Experience

- At least 5 years in dealing with legal or law related matters, with significant high-level experience within a law reform, legal policy, international law or human rights environment.