



POSITION DESCRIPTION

Tūranga | Position title: Rōia Matua o te Karauna | Senior Crown Counsel

Reports to: Legal Team Manager

Document Date: 3 June 2021

Te Tari Ture o te Karauna | Crown Law Overview

Crown Law's purpose is to serve New Zealand by supporting the Government to operate lawfully.

Crown Law's functions are:

- Supporting the Law Officers of the Crown
- Leading the government legal profession
- Overseeing public prosecutions
- Providing legal services to Government

Crown Law provides legal advice and representation services to the Government in matters affecting the executive government. The services Crown Law provides include matters covering judicial review of government actions, constitutional questions including Te Tiriti o Waitangi/Treaty of Waitangi issues, the enforcement of criminal law, and the protection of revenue. Crown Law also administers the prosecution process in the criminal justice system, in particular, Crown prosecutions.

A Tātou Tikanga Mahi | Our Crown Law Values

Crown Law team members strive to demonstrate the following Crown Law Values in our interactions with each other, our clients and in all we do.

- We look after the **mana** of other people
- We value our **differences**
- We **care** about each other
- We recognise our **impact** on others
- We take **pride** in all we do

We strive to incorporate and reflect te reo Māori and tikanga in the workplace. Crown Law is also committed to flexibility and provides a range of flexible working arrangements that allow our team members to work in ways that allow them and the organisation to perform at their best.



Kōrero Whakataki mō ngā Ratonga Tūmatanui | Public Service Introduction

Mahi tōpū ai ngā Kaimahi Tūmatanui e whai tikanga ai te noho a ngā tāngata o Aotearoa. Hei tā te Public Service Act ko te pūtake o ngā Kaimahi Kāwanatanga, ko te tautoko i te kāwanatanga whai ture me te kāwanatanga manapori; ko te āwhina i te Kāwanatanga o te wā nei me ō anamata ki te whakawhanake, ki te whakatinana hoki i ā rātou kaupapa here; ko te tuku i ngā ratonga tūmatanui e nui ana te kōunga, e nahanaha ana anō hoki; ko te tautoko i te Kāwanatanga e tūroa ai te whai oranga o te marea; ko te huawaere i te whai wāhitanga o te kirirarau ki te ao tūmatanui me te whakatutuki i ngā mahi i runga i tā te ture i whakahau ai. E hiranga ana te wāhi ki a mātou ki te tautoko i te Karauna i ana hononga ki ngā iwi Māori i raro i te Tiriti o Waitangi. Ahakoa he nui ngā momo tūranga mahi, e tapatahi ana ngā kaimahi tūmatanui i roto i te whakaaro nui ki te hāpai i ngā hāpori, ka mutu, e arahina ana ā mātou mahi e ngā mātāpono matua me ngā uara o ngā Kaimahi Tūmatanui.

The public service works collectively to make a meaningful difference for New Zealanders. The Public Service Act states that the purpose of the public service is to support constitutional and democratic government, enable both the current Government and successive governments to develop and implement their policies, deliver high-quality and efficient public services, support the Government to pursue the long-term public interest, facilitate active citizenship and act in accordance with the law. We have an important role in supporting the Crown in its relationships with Māori under the Treaty of Waitangi and te Tiriti o Waitangi. Whilst there are many diverse roles, all public servants are unified by a spirit of service to the community, and guided by the core principles and values of the public service in our work.

Mō te Tūranga | About the Role

The role of Senior Crown Counsel is to lead and provide oversight and strategic management of significant litigation and advice matters. They are also involved in assisting with whole of government policy initiatives or policy initiatives within their area of expertise. They are role models within Crown Law and are involved in developing and leading Crown Law's strategic direction. Senior Crown Counsel devote significant time to the coaching, mentoring and development of more junior staff.

Ngā Haepapa Matua | Key Responsibilities

The following are key responsibilities for a Senior Crown Counsel, however, some responsibilities may vary between teams.

Legal Services

- Strategically leads and project manages complex litigation and represent the Crown in the courts and alternative dispute resolution fora. This includes assisting other counsel with the strategic management of such cases and ensuring their professional development.
- Provides and oversees the provision of high quality and client-focused advice to Ministers and government departments, particularly where that advice is complex, significant, politically sensitive and/or is required urgently.
- Provides and oversees the provision of high-quality input into whole of government policy initiatives or policy initiatives in areas of expertise.



- Actively engages and collaborates with others across Crown Law, the Government Legal Network and other relevant stakeholders to improve the quality of government legal services and to manage Crown legal risk.
- Has full responsibility for the financial management of files and complies with Crown Law administration requirements including completing timesheets and billing in a timely manner.

Professional Leadership

- Acts as a professional leader and a role model within the team and across Crown Law.
- Contributes to and supports the development and implementation of the strategic direction, focus, initiatives and policies for Crown Law. Lead compliance with all Crown Law policies and processes by example.
- Actively coaches, mentors and develops more junior counsel, including assisting the Legal Team Manager with the peer review of counsel work.

Relationship Management

- Acts and is regarded as a 'Trusted Advisor' by colleagues from other agencies who seek their advice and assistance.
- Is dedicated to meeting the expectations and requirements of, and develops and maintains strong relationships with, colleagues from other agencies and political representatives. Assists with ensuring effective working relationships between Crown Law's clients and the allocated legal team in particular.
- Assists the Legal Team Managers in ensuring all work is client focused and provided to the expected standards.
- Assists with the resolution of any conflicts or disputes with clients that may arise from time-to-time.

Health and Safety

- Comply with all reasonable instructions regarding wellbeing, health and safety policies and processes and also the Health and Safety at Work Act 2015.
- Take reasonable care to ensure that, in the performance of your employment, you do not undermine your own wellbeing, health and safety or that of any other person.
- Work in a safe and responsible manner, ensuring incidents, accidents, hazards or near misses are promptly reported.

General

- Any other reasonable requests by your manager.



Ngā Hononga Matua | Key Working Relationships

Internal

- The Solicitor-General
- The Deputy Solicitors-General, the Deputy Chief Executive Strategy and Corporate, and Deputy Chief Executive System Leadership
- The Public Prosecutions Unit (Criminal Group)
- Staff across Crown Law

External

- The Attorney-General and other Ministers
- The Ministry of Justice and other Government Sector agencies relevant to the Team's work
- Members of the Judiciary and their staff
- The Crown Solicitor Network
- The Government Legal Network
- External counsel

•Tohu, Pūkenga me Ngā Wheako | Qualifications, Skills and Experience

Qualifications and experience:

- Bachelor of Laws (or equivalent) or above.
- Admission in New Zealand as a barrister and solicitor.
- Eligibility to hold a current practicing certificate issued by the New Zealand Law Society.
- Significant experience providing legal advice and representation to clients.
- Significant litigation experience, particularly in Senior Courts.
- May be required to obtain and hold a New Zealand Government Top Secret security clearance. Appointment to the role may be subject to obtaining and maintaining appropriate security clearance.

•Ōu Āhuatanga Ake | Personal Attributes

Personal attributes of a Senior Crown Counsel:

- Legal Analysis and Advice: must have excellent legal analysis skills and be able to provide tailored, practical and technically correct advice, working collaboratively with relevant stakeholders. Able to draw on deep and broad experience to provide immediate advice on complex and/or novel issues.
- Advocacy: Must be able to present conclusions of fact and legal argument clearly and persuasively in court and alternative dispute resolution fora.



- **Strategic Skills:** Must be future orientated and open-minded, ensuring an ability and willingness to contribute to the ongoing development of Crown Law's strategic direction.
- **Understanding of Government:** Must have or be able to quickly develop a strong understanding of how the public sector works, including the expectations of Ministers and Chief Executives. Demonstrates political nous and navigates diverse, sensitive and complex political situations effectively.
- **Collaboration:** Can quickly find common ground, taking into account and balancing the interests of others to solve problems. Encourages collaboration.
- **Courage:** Must be able to be counted on to step up in difficult times and to deliver unwelcome and difficult messages to stakeholders and stand their ground where necessary. Able to anticipate conflicts and seek to resolve them equitably and calmly.
- **Energy and Drive:** Must be determined to maintain momentum and improvement, despite setbacks or resistance. Must be adaptable and open-minded.
- **Personal and Interpersonal Skills:** Must have highly developed personal and interpersonal skills. Must be able to work constructively with a wide range of people, and effectively gain staff, Ministers' and other stakeholders' trust and respect. Must be able to motivate others to do their best.
- **Honour and Integrity:** Be a role model of the Crown Law policies and values, including the 'Crown Law Values'. Adhere to the New Zealand Public Standards of Integrity and Conduct at all times and lead the promotion of the Standards within Crown Law. Must be trusted by staff, Ministers and other stakeholders, including being able to admit mistakes.

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