



POSITION DESCRIPTION

Tūranga | Position title: Rōia Kaiāwhina o te Karauna | Assistant Crown Counsel

Reports to: Legal Team Manager

Group: Crown Legal Risk Group, Attorney-General Group & Criminal Group

Document Date: 3 June 2021

Te Tari Ture o te Karauna | Crown Law Overview

Crown Law provides legal advice and representation services to the government in matters affecting the executive government. The services provided 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.

Crown Law's vision is to provide collaborative, indispensable, legal service. Crown Law's purpose is summarised in the following statements:

- **Legal experts:** We are experts in public, criminal, constitutional and Treaty of Waitangi law; enabling Government to pursue its policy objectives according to law.
- **Kaitiaki of the rule of law:** We support the Law Officers (the Solicitor-General and Attorney-General) to determine the Crown's view of the law.
- **System leaders:** We provide leadership for the networks of Crown Solicitors, public prosecuting agencies and in-house Government lawyers.

A Tataou Tikanga Mahi | Our Ways of Working

Crown Law is committed to ensuring te ao Māori and te Tiriti informs how we work and is at the heart of everything we do. We value experience, knowledge and understanding of te reo and tikanga within Crown Law.

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

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

The organisation is 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 kounga, 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 hapori, 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 Tiriti o Waitangi/the Treaty of 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

An Assistant Crown Counsel is responsible for providing legal assistance and support to more senior legal counsel in the provision of legal services to clients.

There is an expectation that Counsel will be responsive to the business needs of Crown Law and/or their own professional development and be willing to work in other areas of Crown Law's legal practice either on a temporary or permanent basis.

Ngā Haepapa Matua | Key Responsibilities

The following are key responsibilities for an Assistant Crown Counsel. However, some responsibilities may vary between teams.

Legal Services

- Provides legal administrative support to counsel in the provision of legal services to clients, working toward being responsible for day to day conduct of simple files.
- Drafts or prepares legal opinion, court documents and submissions, including (in the criminal group) providing first opinions on law officer matters and running Mutual Assistance in Criminal Matters Act 1992 files with minimal supervision.
- Prepares for, and assists with, court work and court appearances by senior counsel, including appearances as junior counsel and, where required, lead counsel on selected matters under the supervision of more senior counsel.
- Liaises with and interviews witnesses for development of briefs of evidence and affidavit evidence.



- Undertakes work in relation to the discovery process, including identifying and making judgements on the release of documents.
- Assists with response to Official Information Act 1982 and Privacy Act 2020 requests (and complaints) including identifying and making judgements on the release of documents.
- Participates in meetings with clients, including Ministers and senior officials and provide (or draft) advice along with senior legal counsel.
- Researches the law and legal precedents using a range of information tools.
- Assists with file management and complies with office administrative requirements, including completing timesheets and billing in a timely manner.
- Continues with professional self-development and demonstrates a current knowledge of legal issues and principles.
- Contributes and takes initiative to be involved in Crown Law committees and undertakes project work or other duties as agreed with the Legal Team Manager.

Relationship Management

- Has contact with clients, external counsel, counsel for other parties, often as principal contact as required.
- Is dedicated to meeting the expectations and requirements of clients and develops an understanding of their business, the operational context and imperatives in which they work, to provide client-focused advice.
- Develops and gains an understanding of how the public sector works, including the expectations of Ministers and Chief Executives.
- Works collaboratively with others and builds constructive and effective relationships with peers, clients and others both within and external to Crown Law and gains their trust and respect.
- Is an active participant of the Government Legal Network and builds and establishes relationships across the Government Legal Network and other relevant stakeholders.

Health and Safety

- Comply with all reasonable instructions regarding wellbeing, health and safety policies and processes and the Health and Safety at Work Act 2015.
- Take reasonable care to ensure that in the performance of their employment they do not undermine their 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's Office
- Members of the judiciary and their staff
- Justice sector agencies and other government sector agencies relevant to the Team's work
- The Crown Solicitor Network
- The Government Legal Network
- External counsel

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

- Bachelor of Laws (or equivalent)
- Admission in New Zealand as a barrister and solicitor and eligibility to hold a current practising certificate issued by the New Zealand Law Society
- A qualified lawyer with, generally, at appointment, up to 6 years' relevant post admission experience
- Some knowledge of the relevant area of law would be advantageous, but is not required
- Legal Analysis and Advice: Strong legal analysis skills and experience in legal research and opinion writing and an aptitude for administrative and public law issues and statutory interpretation.
- Advocacy: Well developed and effective oral and written communication skills.
- An understanding of the principles of te Tiriti o Waitangi/the Treaty of Waitangi.
- A good general knowledge of, and respect for, te ao Māori and tikanga, or a willingness to learn and apply
- Competence in, or willingness to develop competence in, te reo Māori
- Sound academic background

Ōu Āhuatanga Ake | Personal Attributes

Personal attributes of Assistant Crown Counsel:

- Values and respects te ao Māori, te reo and tikanga and has a personal commitment to continuing to develop knowledge of, and in, these three areas.
- Energy and Drive: Displays initiative and sound judgement and is able to work independently.
- Collaboration: Can quickly find common ground, taking into account and balancing the interests of others to solve problems. Encourages collaboration.



Te Tari Ture o te Karauna

Crown Law

- Personal and Interpersonal Skills: Must be able to work constructively with a wide range of people and be adaptable and open-minded.
- Honour and Integrity: Be a role model of the Crown Law policies and values, including its 'Ways of Working'. Adhere to the New Zealand Public Service Standards of Integrity and Conduct at all times and model the Standards within the Office.

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