



Australian Government

Australian Financial Security Authority

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Position Description



Position title / number	Government Lawyer
Classification	APS Level 6
Location	Adelaide, Brisbane, Canberra, Melbourne, Sydney
Division / section	Legal
Reports to	Senior Government Lawyer
Position status	Ongoing / Non-ongoing
Direct reports	Up to 2
FTE / hours	37:30 Full time
Security clearance	Baseline vetting

The Australian Financial Security Authority (AFSA) acknowledge Aboriginal and Torres Strait Islander peoples as custodians of Australia and we pay our respects to Elders, past and present. We also acknowledge the ongoing connection to land, sea and communities throughout Australia, and the contributions to the lives of all Australians.

We are committed to advancing reconciliation and recognise the importance of empowering Aboriginal and Torres Strait Islander people to achieve greater equity and equality as a society.

Organisational context

AFSA is responsible for managing the application of bankruptcy and personal property securities laws through the delivery of high-quality personal insolvency and trustee, regulation and enforcement, and personal property securities registry (PPSR) services.

The Legal Division provides legal advice, legal and litigation support to all areas of our operations. In addition to providing specialist advice on bankruptcy, personal property securities and proceeds of crime legislation, the division advises on administrative law, contracts, and other matters relevant to our corporate governance.

Purpose of the position

As an APS6 Government Lawyer, you will work as a member of a team providing legal services and advice on matters impacting AFSA. While having some degree of autonomy, relevant work is second-counselled by either a Senior Government Lawyer or Principal Government Lawyer.

As an APS6 Government Lawyer, you will be responsible for the effective management of legal cases and assist in providing legal advice and dispute resolution services. In collaboration, you will analyse, interpret, and apply legislation to policies, practices, and precedents to resolve complex legal issues. You may also be required to conduct research, prepare court documents and correspondence and assist in complex litigation – escalating to the Senior Government Lawyer or Principal Government Lawyer as appropriate.

Government Lawyers may also lead small operations teams and improve legally sound decision making by developing staff capability and mentoring less experienced staff.

This role will provide individuals with the opportunity to work on a variety of tasks in a supportive and friendly team and will work closely with other teams across the agency to provide practical solutions to legal issues.

Accountabilities

As an APS6 Government Lawyer, acting under the supervision of a Senior Government Lawyer, you will be responsible for:

- reviewing, preparing, and managing litigation matters and assisting with (or managing) more complex litigation
- managing Tribunal proceedings with the assistance of a Senior Government Lawyer, direct briefing counsel and the opportunity to appear in Tribunal proceedings if appropriate
- partner and collaborate with business areas within AFSA to foresee legal challenges and take proactive measures to resolve them
- supporting the General Counsel division with matters relating to the exercise of AFSA and its supported entities functions and powers
- developing knowledge of legislative, financial, and administrative frameworks, government decision-making processes and agency guidelines and regulations
- undertaking research and analysis to draft advice to assist decision-making processes within AFSA and its supported entities
- assisting in the development, review and implementation of policies and work practices compliant with relevant legislation and consistent with best practice
- assist FOI delegates in processing and managing freedom of information requests
- assist Senior Government Lawyers and Principal Government Lawyers consider and respond to privacy complaints and breaches of privacy.

While having some degree of autonomy, relevant work is second-counselled by either Senior Government or Principal Government Lawyers.

Additional examples of key accountabilities:

- monitor case law for any developments that may be relevant to the operation of financial regulation laws or to the agency's operations more generally
- monitor legislation and policy developments to identify and keep up to date on public sector governance issues
- providing accurate and specialised legal advice including anticipating problems and contributing to issues management in consultation with supervisors

- contributing to the development of team objectives for short term tasks and strategic planning for longer-term initiatives and monitoring changes in the broader work environment that may impact on work objectives.

All duties will be performed in accordance with:

- the APS Values, Code of Conduct and Employment Principles.
- WHS obligations, taking responsibility for own health and safety and that of others.
- AFSA's risk management framework and relevant legislation, including guiding others to identify and mitigate foreseeable risks.

Core skills and capabilities

Shapes Strategic Direction

- Has a macro view and looks beyond the boundaries of own responsibilities to the team, AFSA, the APS and industry and the broader community.
- Represents and advocates the agency's position in a professional and specialist context.
- Keeps the end user in mind to shape program outcomes to meet needs.

Communicates simply and clearly

- Communicates clearly in plain English, without using jargon.
- Demonstrates an ability to convey a message succinctly and with empathy, regardless of medium (written, verbal, digital).
- Understand the target audience, and tailors' message in a way that appeals to them.

Uses information to make evidence-based decisions

- Researches, identifies, and integrates relevant evidence towards finding solutions to the problem.
- Provides unbiased, comprehensive, and accurate advice to others.
- Uses experience and organisation/environmental awareness to analyse what information is important and how it should be used in the decision-making process.

Engages proactively with risk

- Ensures compliance with all legislative and policy requirements to mitigate risk.
- Challenges assumptions and explores possibilities to take calculated risks.
- Consistently demonstrates a proactive and responsible attitude towards the identification and management of risk.

Supports performance excellence

- Holds self and others responsible for achieving results and agreed outcomes.
- Positively contributes to a culture of high performance, through effective performance management practices.
- Strives for continuous improvement by identifying better ways of working or opportunities to contribute to the work of others.
- Is open, persistent and has genuine debate around critical issues.

Drives innovation and continuous improvement

- Constructively challenges and questions status quo with a view to continually improve the way we work.
- Explores and works with new ideas that will benefit our stakeholders.

Qualifications, accreditations, and experience

Essential

- Bachelor of law degree or equivalent
- Admission as a legal practitioner, however described, of the Supreme Court of an Australian State or Territory
- Holder of (or eligible to hold) a current practicing certificate

Desirable

- Ideally more than 2 years' experience in litigation and law practice, preferably in a government environment and with knowledge of, or experience in, regulatory, insolvency and administrative law, including Privacy and Freedom of Information
- Experience in supporting senior lawyers.

Budget managed: Nil

Delegations exercised:

- AFSA delegations
- *Public Service Act 1999*
- *Public Governance Performance and Accountability (PGPA) Act 2013*

HR use only:

Date last varied	By Whom
28/02/2024	People Partner