



Te Kāhui Tika Tangata Human Rights Commission

Chief Legal Advisor Tumuaki Kaitohu Ture

Position Description

Reports to	Tatau Uruora Kāwanatanga Leader/CE
Team/Unit	Legal, Research and Monitoring
Location	Wellington/ Auckland
Salary Band	Executive Band Grade 24
Direct Reports	Legal, Research and Monitoring Team

About Te Kahui Tika Tangata | Human Rights Commission

The Human Rights Commission was created to provide better protection of human rights in Aotearoa. The Commission was formed in 1977 and works under the [Human Rights Act 1993](#).

Te Kāhui Tika Tangata seeks and is committed to become a taura (example) of a Tiriti-based organisation and Indigenous and human rights exemplar as a national human rights institution (NHRI).

Our vision is to be a credible, effective, connected and highly valued organisation that makes te Tiriti and human rights real and relevant within and outside the organisation, confident in its Tiriti-based aspiration and making a positive impact for all individuals, whānau, hapū, communities and iwi in Aotearoa.

We are funded through the Ministry of Justice but operate independently of the New Zealand Government as an independent Crown Entity.

Ō mātou uara | Our values

Our values guide how we behave as an organisation and as individuals to achieve our mission:

- Mana tangata – human dignity
- Māia, tika pono – courage and integrity
- Whanaungatanga – relationships

Tēnei tūranga | About the role

The Chief Legal Adviser advises on all legal matters in relation to the operational, compliance and administrative activities of the Commission. The Chief Legal Adviser is also responsible for management of external relationships in relation to legal matters with Ministers, counsel, departments, oversight bodies, international agencies and the private sector. The Chief Legal Adviser manages the Commission's external relationships in relation to legal matters, for example with the Courts, with counsel and with oversight bodies, and leads the legal team's work, including on human rights court cases, international monitoring, in-house legal advice, and domestic submissions. The role is also a key member of Urungi, the Commission's senior leadership team.

Mahi ngātahi | Working relationships

Reports to	Tatau Uruora Kāwanatanga Leader/CE
Internal relationships	Commissioners Ahi Kaa

	<p>Urungi, the Commission’s senior leadership team</p> <p>Tira Kōtui, the Commission’s advisory, research and engagement team</p> <p>Information & Dispute Resolution rōpu</p> <p>Hiranga Tōpū Organisational Services</p> <p>Communications team</p> <p>OHRP Office of the Human Rights Proceedings</p> <p>Other Commission staff</p>
External relationships	<p>Officials (key decision makers and influencers) within public and wider state sector agencies, including Crown Entities</p> <p>International human rights bodies and organisations</p> <p>The legal profession, including legal academia</p> <p>Non-governmental organisations and businesses</p> <p>Members of the OPCAT National Preventive Mechanism</p>
Direct reports	<p>Legal Advisers (2)</p> <p>Senior Legal Advisers (4)</p>

Ngā haepapa I accountabilities

Contribute to Urungi/the Leadership Team	<ul style="list-style-type: none"> • As a member of the management team, provide leadership to the Commission, including promotion of the Commission’s strategic priorities • Contribute effectively to the development of the Commission’s strategy and annual business plan • Provide strategic advice to the Commission, including on the management of risk, and in particular legal risk, to ensure early identification of issues that may become high profile; brief Commissioners and Chief Executive; and suggest actions to deal with risks, as they emerge • Work collectively with Urungi to support and maintain organisational culture and wellbeing • Actively promote and support the vision of becoming a te tiriti based NHRI • Ensure execution of the Commission’s business plan, within budget, including achievement of the outputs in the Statement of Performance Expectations and Statement of Intent • Model the behaviours expected of a leadership team member • Support leadership team colleagues to be successful
Lead the Legal, Research and Monitoring Team	<ul style="list-style-type: none"> • Strategic and operational leadership and management of the team to deliver high quality outputs that have strong impacts on targeted human rights outcomes, including: • Developing and implementing a legal strategy to support social change through human rights advocacy • Undertaking legal interventions in court proceedings; participating in inquiries; leading responsive, strategic submissions made by the Commission on proposed policy and legislation; and developing

	<p>human rights guidelines and responses to broader human rights matters</p> <ul style="list-style-type: none"> • Co-ordination and delivery of the Commission’s international human rights reporting, including to the Universal Periodic Review, UN treaty bodies and other regular human rights reporting processes. • Effective delivery of the Commission’s responsibility as New Zealand’s Central National Preventative Mechanism under the Crimes of Torture Act 1989 and OPCAT. • Promoting and raising awareness of New Zealand’s domestic and international human rights obligations among the public service, the legal profession, academia and other public, private and non-government stakeholders. • Provision of an effective, high quality in-house legal service to the Commission, the Commissioners, the leadership team and the operational teams within the Commission, including the Commission’s HRISS and dispute resolution teams. • Undertake effective planning, resourcing, implementation and budget management for the team’s operations • Build a collaborative culture, aligned to the Commission’s values and ensure effective cross-team collaboration (within the team and across the Commission), and support the development of effective ways to deliver as a team • Manage high-quality recruitment and ensure appropriate support and professional development (and progression) is in place for all staff and workloads are managed effectively • Engage in ongoing process improvement, including in relation to workflow management, information request responses, quality assurance processes, monitoring and evaluation, information management and client relationship management (CRM) systems.
<p>Ensure compliance with organisational policies and procedures</p>	<ul style="list-style-type: none"> • Support the Commission to effectively discharge its functions and responsibilities under the Human Rights Act 1993 • Lead the Commission’s re-accreditation process under the Paris Principles • Support the Commission to meet its responsibilities under the Crown Entities Act 2004 • Take responsibility for workplace health and safety under the Health and Safety at Work Act 2015 alongside the senior leadership team. • Advise on, understand and uphold the Commission’s internal policies. • Support the Commission to meet its obligations under other relevant legislation, including the Privacy Act and Official Information Act.

Qualifications & training	<ul style="list-style-type: none"> • Law degree • A current practicing certificate • Litigation experience, preferably with experience in human rights cases • At least 10 years post-qualification experience including experience managing or supervising a legal team
Experience and knowledge	<ul style="list-style-type: none"> • A strong interest and background in human rights law, and a sophisticated understanding of public policy issues, and government and community attitudes relating to human rights and harmonious relations between people in New Zealand • A sophisticated understanding of domestic and international human rights law, in particular te Tiriti o Waitangi, the Human Rights Act 1993 and the New Zealand Bill of Rights Act 1990 and the international human rights framework, including OPCAT • Proven experience in legal interventions and court proceedings regarding human rights issues • A high level of knowledge of, and experience working with, central government agencies and processes. • An understanding of the role of National Human Rights Institutions under the UN Paris Principles and within the UN human rights system. • Understanding of, and an ability to operate effectively in, the dynamic and challenging environment in which the Commission operates • Knowledge of the Commission’s current strategic priorities

Ngā āheinga I Capabilities

Commitment to building a Te Tiriti based National Human Rights Institution	<ul style="list-style-type: none"> • Demonstrates understanding of Te Tiriti o Waitangi and its relevance to the work of the Commission • Demonstrated commitment to, and ideally experience of, working in a Tiriti-based context • Demonstrates personal commitment to human rights and harmonious relations • Understands the role and nature of a national human rights institution and the conduct required of its members
Personal attributes	<ul style="list-style-type: none"> • Displays the highest standards of personal and professional behaviour • Models behaviours consistent with the Commission’s values and holds others accountable for those behaviours • Displays a high degree of consistency in personal behaviour with a reputation for absolute trustworthiness • Proven record of confidentiality, discretion and judgment • Demonstrates commitment to continual personal development
Achieves through others	<ul style="list-style-type: none"> • Effectively delegates while maintaining oversight of work responsibilities

	<ul style="list-style-type: none"> • Uses the capability of direct reports and staff to deliver outcomes
Builds team performance	<ul style="list-style-type: none"> • Builds cohesive and high-performance teams • Delivers collective results that are more than the sum of individual efforts
Strategic	<ul style="list-style-type: none"> • Thinks, plans, acts and engages others to consider broad context, future consequences, and multiple perspectives, in order to clarify the way forward • Thinks analytically, conceptually and laterally and makes links between diverse pieces of information • Demonstrates a flexible and innovative approach to problem solving and decision making with a capacity to develop and deliver effective solutions
Communicates with impact	<ul style="list-style-type: none"> • Communicates in a clear, persuasive and effective way • Demonstrates 'presence' - others listen to and respect what is said, even if not agreeing • Gains active participation and/or support for initiatives, from senior leaders, staff, and other relevant senior stakeholders • Communicates clearly with a very wide range of audiences, such as community stakeholders, organisation senior leaders, senior external stakeholders, and staff
Customer and stakeholder connection	<ul style="list-style-type: none"> • Demonstrates extensive understanding of different stakeholder perspectives in complex, external sector settings, and an ability to relate to, and consult effectively with such stakeholders • Thinks from stakeholder/customer perspective, understands their interests and consults in order to achieve best outcomes
Resilient	<ul style="list-style-type: none"> • Shows composure and a sense of perspective in demanding or pressured situations; adapts to change
Judgement and decision-making	<ul style="list-style-type: none"> • Astute; makes timely decisions that stand up to scrutiny • Comfortable proceeding when faced with uncertainty and incomplete data if circumstances demand it
Written communication	<ul style="list-style-type: none"> • Written communication is clear and effective, and tailored appropriately to the audience, when conveying complex information or advice • Produces high quality business documents (as required) - style is appropriate and effective; content achieves the document's purpose; and which are formatted to professional standards
Health and Safety	<ul style="list-style-type: none"> • Advocates, supports and ensures compliance with the requirements of the Health and Safety at Work Act 2015

As a Public Servant

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 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.