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| Position:  Legal Policy Adviser  Duration:  1 year with the possibility of extension  ARF Classification:  C3-4  Agency Supervisor:  Permanent Secretary, Ministry of Justice and Legal Affairs  Counterparts:  Legal Policy Unit staff  Location:  Honiara, Solomon Islands  Performance Management and Reporting Framework:  DFAT Adviser Performance Assessment and relevant program reporting framework | LEGAL POLICY ADVISER, SOLOMON ISLANDS JUSTICE PROGRAM **Australian Aid to Solomon Islands**  Australia has an enduring interest in a stable Solomon Islands, underpinned by economic growth and viable institutions. Under the Solomon Islands Aid Investment Plan, Australia's aid program in Solomon Islands focuses on three strategic objectives:   1. Supporting stability 2. Enabling economic growth 3. Enhancing human development.   **Solomon Islands Justice Program (SIJP)**  The current phase of SIJP will conclude on 30 June 2017, with a new program to run for four years from 1 July 2017. The new program will work towards the Solomon Islands Government’s overall vision for the justice sector as expressed in the Justice Sector Strategic Framework; “Communities in Solomon Islands have greater access to a credible justice system that supports the rule of law”.  The program’s proposed end of program outcomes reflect Solomon Islands’ Justice Sector Strategic Framework. They are:   * Justice sector agencies are increasingly capable of delivering core services; * Legislation is supported by sound policy development, is clearly written and well understood; * Access to justice for Solomon Islanders is improved; and * Good practice in leadership, decision making, public sector management and community engagement is increasingly demonstrated in the justice sector.   SIJP works with a number of agencies including the:   * Ministry of Justice and Legal Affairs; * Attorney-General’s Chambers; * National Judiciary (including the High Court and Magistrates Court); * Office of the Director of Public Prosecutions; * Public Solicitor’s Office; * Police Prosecutions Directorate; * Correctional Service of Solomon Islands (CSSI); and * Non-government stakeholders.   SIJP’s next phase was designed concurrently with designs for a new DFAT governance program and Australian Federal Police policing program. These three new programs will work in a coordinated manner towards a common goal.  This position will be remunerated in line with the Australian Government’s Adviser Remuneration Framework (<http://dfat.gov.au/about-us/publications/Documents/adviser-remuneration-framework-2016.pdf>) and will be offered at a level commensurate of the successful candidate’s experience relevant to the role within the following broadband **Discipline Group C, Job Level 3-4**  Advisers engaged as part of SIJP are required to perform the following throughout the course of their engagement:   * Adopt both planned and opportunistic approaches to developing counterpart capacities and demonstrably reduce reliance on advisory support over time; * Collaborate with SIJP advisers and promote productive relationships between counterparts and relevant stakeholders, particularly between agencies; * Analyse and address problems in partnership with counterparts and pursue opportunities for positive change where agreed with Agency Supervisors; * Contribute to the design and implementation of workforce development and financial planning activities with counterparts and in close coordination with the Sectoral Human Resources Adviser, the Sectoral Training and Professional Development Adviser and the Sectoral Finance and Budget Adviser; * Promote and integrate gender equity and social inclusion into all activities, in close coordination with the SIJP Gender Equity and Social Inclusion Adviser; * Assist counterparts to identify, collect, analyse, disseminate and use information to promote a culture of evidence-based decision-making for SIG agencies, SIJP and DFAT; * Closely consult with the SIJP Sectoral Training and Professional Development Adviser to proactively provide post-twinning/training support, coaching, mentoring, observation and feedback to participants, including exploring how to put newly acquired skills or ideas into practice; * Actively mentor motivated counterparts and other relevant staff who demonstrate an interest and potential as future leaders or managers; * Identify and highlight risks, opportunities, concerns, best practices, innovative ideas and lessons learned to the program; * Investigate previous modes of support in areas relevant to the role and incorporate the lessons learned from the past into current approaches; and * Act as an ethical and professional role model in every respect and exhibit cultural, contextual, political and personal sensitivities in all facets of the role.   All persons engaged under the SIJP will cooperate with the Solomon Islands Resources Facility (SIRF) to manage risk and ensure effective service delivery for the Australian Government Department of Foreign Affairs and Trade (DFAT).  **Purpose and Expected Outcomes**   |  |  | | --- | --- | | Program Component 2: | Legal Policy and Legislation | | End of Program Outcome: | Legislation is supported by sound policy development, is clearly written and well understood | | Objective 2.1 | Legal policy is more effectively developed | | Program Component 3: | Access to Justice | | End of Program Outcome: | Solomon Islanders have improved access to justice | | Objective 3.5 | Research and innovation provides new pathways for improving justice services | | Program Component 4: | Whole of Sector Strengthening | | End of Program Outcome: | Good Practice in Leadership, Community Engagement and Public Sector Management is increasingly demonstrated in the Justice Sector | | Objective 4.1 | Gender and social inclusion are more explicitly addressed in the justice sector | | Objective 4.2 | Improved Continuing Legal Education programs involving SIBA |   The Legal Policy Adviser will be based in the Legal Policy Unit, Ministry of Justice and Legal Affairs (MJLA) to mentor and build the capacity of counterparts to develop clear and informed legal policy, provide accurate and timely policy advice and legislative review to relevant stakeholders and prepare unambiguous legislative drafting instructions. The adviser will also deliver targeted support in areas to strengthen the organisational and institutional capacity of the Legal Policy Unit.  Immediate counterparts will be policy officers within the Legal Policy Unit, but may also extend to administrative support staff. The role will aim to strengthen the Legal Policy Unit in an institutional sense, in support of Program objectives and planned outcomes and may also contribute to relevant Continuing Legal Education activities for legal professionals, if required.  Enhancing citizen access to quality justice services in the provinces is a focus of the program. Hence, the role will increasingly support staff and institutional capacity development outside of Honiara, requiring creative and innovative approaches to overcome the challenges of service delivery in rural and remote areas. Similarly, the role will actively promote and find ways to improve access to quality services for women, youth and people with disabilities.  **Roles and Responsibilities**  The role will mentor and develop the capacity of individual counterparts to effectively, and with increasing independence over time:   * Plan and conduct research and stakeholder consultations, as appropriate to each piece of requested legal policy development; * Undertake legislative review and analysis, prepare briefings and provide accurate and informed advice to the Minister, Cabinet and Permanent Secretary and other stakeholders as requested; * Prepare clear legislative drafting instructions for the Attorney Generals Chambers; * Coordinate legislation and policy processes, including with the Attorney Generals Chambers; and * Engage with the Solomon Islands Bar Association on legal policy issues including regulation of the legal profession;   The adviser will also strengthen organisational and institutional capacity to:   * Enhance awareness and understanding amongst target audiences and users of legal policy and legal policy advice on the role and processes for legal policy development and how to best use policy advice, briefing materials and legislative reviews; * In collaboration with the Sectoral Human Resources Adviser and the Sectoral Finance and Budget Adviser, assist to fill the Principal Legal Policy Officer vacancies and any other critical positions; and * Identify a pool of suitable external expertise that may be engaged directly by MJLA in the future to assist in specific areas of legal policy development.   The Legal Policy Adviser may be asked to undertake other duties as directed by the Head of Program, Justice and Corrections in consultation with the Agency Supervisor.  **Deliverables**   1. **Situational Analysis within one month of commencement** outlining the current situation and a broad approach for how the Adviser will deliver the expected outputs and outcomes. 2. **Capacity Development and Sustainability Plan within 3 months of commencement** in format agreed with the Head of Program. The adviser’s specific objectives will be measurable and jointly agreed with the Agency Supervisor and aligned with agency corporate plans and the SIJP objectives. Issues to be addressed will be identified, along with suitable approaches for developing long-term sustainable capacity. 3. **Quarterly Reports** in a format agreed with the Head of Program that describe progress during the reporting period, and that highlight issues, risks and opportunities. 4. **Exception Reports** when required. 5. **Exit Report** including a frank assessment of progress against the Capacity Development and Sustainability Plan, a concise situational analysis, and recommendations to inform decisions around future support.   All reports will be provided to the Head of Program, Justice and Corrections.  **Agency Supervision**  Day to day supervision will be undertaken by the Permanent Secretary, MJLA or nominated delegate.  **Reporting and Performance Management**  The role will provide reporting to the Head of Program, Justice and Corrections who, will work with the Agency Supervisor to monitor and assess performance and delivery of outputs in accordance with this TOR and the approved Capacity Development and Sustainability Plan.  **SELECTION CRITERIA**   1. Minimum of 10 years’ experience in the provision of legal policy advice and/or public policy advice to executive government. 2. Proven experience in the management and implementation of complex legal projects, including undertaking stakeholder consultation processes, with people from varied professional, cultural and language backgrounds. 3. Proven ability to conduct legislative review and provide clear and concise advice, analysis and research for a senior executive audience and drafting instructions. 4. Demonstrated commitment to gender equity, disability and anti-corruption mainstreaming in planning, practices and in support of service delivery; 5. A demonstrated personal commitment and success with building the capacity of a team, including mentoring, coaching and further professional development. 6. A sound (or the capacity to quickly acquire) an understanding of Solomon Islands or Pacific development context;   **Qualifications**   1. Qualifications in law, justice or a relevant area (post-graduate qualifications are desirable).   **Desired Personal Attributes**   * Strong interpersonal, communication, representational and cross cultural skills; * Commitment to team work, coaching and mentoring other people and ability to build constructive and effective relationships; and * Patience, tolerance, resilience, flexibility and a preparedness to work with limited resources within a challenging environment.   **Travel Requirements**  Some provincial travel may be required  **Solomon Islands Resource Facility (SIRF)**  Cardno has been engaged to provide a facility management team to manage the Solomon Islands Resource Facility operations to ensure effective service delivery, including:   * Conducts procurement and contract management of technical assistance and supports performance management; * Provides support services for Australian Government’s deployees and technical advisers; and * Financial management and reporting including monitoring and evaluation of the Facility.   The Facility is a critical source of operational support to DFAT, deployees and Technical Advisers (TA) as they attempt to navigate a shifting operating context, consolidate previous achievements while also prioritising new ways of working to ensure Australia’s assistance better achieves service delivery impact.  SIJP is supported by SIRF and the successful candidate will be recruited  through SIRF.  **Other Information:**  Amendments to the position’s Terms of Reference may be made during the period of the engagement as required.  All personnel must abide by Cardno’s Code of Conduct, DFAT’s policies in relation to Child Protection; Environmental and Resettlement safeguards; Gender Equality; and Disability. |