

## Parliamentary Counsel's Office

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### Expression of Interest

## Deputy Parliamentary Counsel

#### Agency overview

The Parliamentary Counsel's Office (PCO) is headed by the Parliamentary Counsel and is a Public Service executive agency related to the Department of Premier and Cabinet under the Government Sector Employment Act 2013. The PCO provides a comprehensive and integrated range of high-quality services for the drafting of, and access to, NSW legislation and the giving of advice and information about legislation.

#### Primary purpose of the role

This role leads one of PCO's teams and works closely with the Parliamentary Counsel in leading the management of PCO, its drafting and other programs, the development of PCO's workforce and PCO's relationships with key stakeholders. The role personally drafts and develops the most complex and sensitive draft legislation and provides legislative policy and legal advice to give effect to the policy objectives of, and facilitate the achievement of the legislative program of, the NSW Government and other clients.

#### Key accountabilities

- Lead, manage and develop one of PCO's teams, ensuring the effective and efficient delivery of PCO's services including the development of draft legislation and related advice that meets the quality, and timeframes required by PCO's clients.
- Contribute to the wider management of the Office as a member of the Leadership Team and by assisting the Parliamentary Counsel on other management matters. This may require the role to assume the responsibilities of the Parliamentary Counsel in her absence.
- Assist the Parliamentary Counsel with the Government's legislative program, including peer review of draft legislation to ensure that all Bills and other instruments produced by the Office are coherent, legally effective, achieve the stated policy objectives and are expressed in language that meets the required standards of the Office. In the Parliamentary Counsel's absence, the role may be required to liaise with the Premier's Office, the Department of Premier and Cabinet and key Ministers in relation to the Government's legislative program.
- Collaborate with the Parliamentary Counsel on the development of PCO's workforce, including supervising and developing senior executives within PCO, by providing advice, guidance and coaching to ensure both organisational and personal development objectives are achieved.
- Collaborate with the Parliamentary Counsel and other PCO senior executives on the allocation and monitoring of work for PCO's drafting and other programs, including signing opinions on legality of legislative instruments on behalf of the Parliamentary Counsel.
- Provide high-level advice to the Government and other stakeholders that is timely, relevant and accurate and ensures the integrity and effectiveness of new legislation and the professional reputation of PCO

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### Personally draft:

- complex and sensitive Bills for Acts, amendments in committee and statutory instruments to support PCO in the delivery of quality legislation to meet the Government's legislative program
- model, uniform or complementary Australia-wide legislation for the Parliamentary Counsel's Committee
- Bills and amendments in committee for non-Government Members of Parliament to give effect to their policy within available time and resource constraints.

### Key challenges

- Balancing the priorities of leadership and management responsibilities with the deadlines for personal drafting projects
- Ensuring program outcomes and standards are met, despite often short deadlines and changing priorities, including negotiating with clients and other stakeholders to resolve issues and manage potential delays.
- Providing professional and impartial advice to clients and other stakeholders who have conflicting agendas, without betraying the confidences of any and managing the expectations of different Departments and other agencies at the same time as dealing with the identified priority of Bills for the parliamentary session

### Role dimensions

#### Decision making

The role is part of PCO's Leadership Team and directly influences the planning, delivery and outcomes of PCO's programs and has input into the broader, strategic operations of PCO as a whole. The role collaborates with other leaders at PCO to achieve legislative drafting and access, system development and stakeholder engagement outcomes.

The role exercises a high degree of independence and freedom in professional judgment on drafting matters, in accordance with PCO's established legislative practices. The role interprets a wide range of law and evaluates the legality of proposed legislation and the integrity of draft legislation. The role also provides advice directly to the Government and other clients without the obligation to refer to others.

In personally drafting and supervising the drafting of legislation, the role must use creativity, judgment and skill to resolve legislative issues across the full range of the law of NSW, often in a time-pressured environment. In drafting the most complex and sensitive legislation, the role must deal with matters that have a significant strategic and financial impact for government. The role is authorised to sign opinions on legality of statutory instruments on behalf of the Parliamentary Counsel and makes independent judgments in relation to those instruments.

#### Reporting line

The role reports to the Parliamentary Counsel

#### Expression of Interest to:

**Annette O'Callaghan**

Parliamentary Counsel

**NSW Parliamentary Counsel's Office**

E [annette.ocallaghan@pco.nsw.gov.au](mailto:annette.ocallaghan@pco.nsw.gov.au)