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| --- | --- |
| **Cluster** | Stronger Communities  |
| **Department** | Department of Communities and Justice |
| **Division/Branch/Unit** | Courts, Tribunals & Service Delivery / Children’s Court |
| **Location** | Various |
| **Classification/Grade/Band** | Departmental Professional Officer Grade IV- V |
| **Role Number** | 50008209,50008210, 50008211, 50008212, 50008213, 50008214, 50008215, 50008216, 50008217, 50008222, 50008223 |
| **ANZSCO Code** | 599211 |
| **PCAT Code** | 1119192 |
| **Date of Approval** | 24 September 2014 | **Ref: CATS0003** |
| **Agency Website** | www.dcj.nsw.gov.au |

***This role description applies to multiple roles across DCJ. Please see job notes and/or advertisement for more information on specific role qualification requirements and relevant experience.***

# Agency overview

The Department of Communities and Justice (DCJ) is the lead agency under the Stronger Communities Cluster. DCJ works to enable everyone's right to access justice and help for families through early intervention and inclusion, with benefits for the whole community. Stronger Communities is focussed on achieving safe, just, inclusive and resilient communities by providing services that are effective and responsive to community needs.

# Primary purpose of the role

The primary purpose of the role is to undertake conciliation conferences in the care and protection and compulsory schooling jurisdictions of the Children’s Court as well conducting call-overs and determining other procedural applications in both the Court’s criminal and care and protection jurisdictions.

# Key accountabilities

* Undertake conciliation conferences so as to ensure that disadvantaged families are better able to participate in court proceedings and decisions relating to their children
* Exercise the quasi-legal functions of a Children’s Registrar in accordance with relevant legislation, court rules and directions of the President of the Children’s Court including the conduct of call-overs
* Work collaboratively with judicial officers, the Senior Children’s Registrar and other Children’s Registrars to assist the Children’s Court to manage its caseload effectively

# Key challenges

* Facilitate conciliation conferences involving parties from disadvantaged and culturally diverse backgrounds including participants with mental health or drug and alcohol problems
* Manage inherent power imbalances between the parties
* Work collaboratively with judicial officers and legal stakeholders to improve practices and procedures in the Children’s Court

# Key relationships

| Who | Why |
| --- | --- |
| **Internal** |  |
| Senior Children’s Registrar | Provides and seeks advice and takes direction |
| President of the Children’s Court | Provides high-level strategic advice and takes direction. |
| Executive Officer, Children’s Court | Provides high-level strategic advice and takes direction. |
| Children’s Registrars | Works collaboratively |
| Registrar, Children’s Court | Works collaboratively |
| **External** |  |
| Parties, Legal Aid, Department of Family and Community Services, the Police Force, legal representatives, and Children’s Court Clinicians  | Provides assistance and advice in relation to cases before the Children’s Court.  |

# Role dimensions

## Decision making

The Children’s Registrar makes independent decisions in relation to the conduct of conferences and on legal issues as delegated by legislation and sub-ordinate rules or practice notes.

The position holder takes direction from the Senior Children’s Registrar in relation to operational issues.

## Reporting line

This position reports to the Senior Children’s Registrar, Children’s Court

## Direct reports

Nil

## Budget/Expenditure

Nil

# Key knowledge and experience

* Knowledge and understanding of the Children’s Court jurisdiction including a thorough understanding of the Children and Young Persons (Care and Protection) Act 1998, legislation relating to the Children’s Court’s criminal, compulsory schooling and apprehended violence jurisdictions.
* Knowledge and skills in alternative dispute resolution including the ability to manage and effectively involve people (including children) from diverse and/or socio-economically disadvantaged backgrounds in the decision making process

# Essential requirements

* Australian lawyer (a person who has legal qualifications and is admitted or immediately eligible for admission to the legal profession under the Legal Profession Act 2004 (NSW) or a corresponding law)
* Ability to preside in Court and make decisions on procedural issues in accordance with the law and the practice of the Children’s Court
* Country travel required

Appointments are subject to reference checks. Some roles may also require the following checks/ clearances:

* National Criminal History Record Check in accordance with the Disability Inclusion Act 2014
* Working with Children Check clearance in accordance with the Child Protection (Working with Children) Act 2012

# Capabilities for the role

The [NSW public sector capability framework](https://www.psc.nsw.gov.au/workforce-management/capability-framework/the-capability-framework) describes the capabilities (knowledge, skills and abilities) needed to perform a role. There are four main groups of capabilities: personal attributes, relationships, results and business enablers, with a fifth people management group of capabilities for roles with managerial responsibilities. These groups, combined with capabilities drawn from occupation-specific capability sets where relevant, work together to provide an understanding of the capabilities needed for the role.

The capabilities are separated into **focus capabilities** and **complementary capabilities**.

## Focus capabilities

*Focus capabilities* are the capabilities considered the most important for effective performance of the role. These capabilities will be assessed at recruitment.

The focus capabilities for this role are shown below with a brief explanation of what each capability covers and the indicators describing the types of behaviours expected at each level.

| FOCUS CAPABILITIES |
| --- |
| **Capability group/sets** | **Capability name** |  | **Behavioural indicators** | **Level** |
| Personal Attributes logo | **Display Resilience and Courage**Be open and honest, prepared to express your views, and willing to accept and commit to change | * Be flexible, show initiative and respond quickly when situations change
* Give frank and honest feedback and advice
* Listen when ideas are challenged, seek to understand the nature of the comment and respond appropriately
* Raise and work through challenging issues and seek alternatives
* Remain composed and calm under pressure and in challenging situations
 | Adept |
| Personal Attributes logo | **Manage Self**Show drive and motivation, an ability to self-reflect and a commitment to learning | * Keep up to date with relevant contemporary knowledge and practices
* Look for and take advantage of opportunities to learn new skills and develop strengths
* Show commitment to achieving challenging goals
* Examine and reflect on own performance
* Seek and respond positively to constructive feedback and guidance
* Demonstrate and maintain a high level of personal motivation
 | Adept |
| Relationships logo  | **Communicate Effectively**Communicate clearly, actively listen to others, and respond with understanding and respect | * Tailor communication to diverse audiences
* Clearly explain complex concepts and arguments to individuals and groups
* Create opportunities for others to be heard, listen attentively and encourage them to express their views
* Share information across teams and units to enable informed decision making
* Write fluently in plain English and in a range of styles and formats
* Use contemporary communication channels to share information, engage and interact with diverse audiences
 | Adept |
| Relationships logo  | **Commit to Customer Service**Provide customer-focused services in line with public sector and organisational objectives | * Take responsibility for delivering high-quality customer-focused services
* Design processes and policies based on the customer’s point of view and needs
* Understand and measure what is important to customers
* Use data and information to monitor and improve customer service delivery
* Find opportunities to cooperate with internal and external stakeholders to improve outcomes for customers
* Maintain relationships with key customers in area of expertise
* Connect and collaborate with relevant customers within the community
 | Adept |
| Relationships logo  | **Work Collaboratively**Collaborate with others and value their contribution | * Encourage a culture that recognises the value of collaboration
* Build cooperation and overcome barriers to information sharing and communication across teams and units
* Share lessons learned across teams and units
* Identify opportunities to leverage the strengths of others to solve issues and develop better processes and approaches to work
* Actively use collaboration tools, including digital technologies, to engage diverse audiences in solving problems and improving services
 | Adept |
| Results logo | **Plan and Prioritise**Plan to achieve priority outcomes and respond flexibly to changing circumstances | * Consider the future aims and goals of the team, unit and organisation when prioritising own and others’ work
* Initiate, prioritise, consult on and develop team and unit goals, strategies and plans
* Anticipate and assess the impact of changes, including government policy and economic conditions, on team and unit objectives and initiate appropriate responses
* Ensure current work plans and activities support and are consistent with organisational change initiatives
* Evaluate outcomes and adjust future plans accordingly
 | Adept |
| Results logo | **Think and Solve Problems**Think, analyse and consider the broader context to develop practical solutions | * Research and apply critical- thinking techniques in analysing information, identify interrelationships and make recommendations based on relevant evidence
* Anticipate, identify and address issues and potential problems that may have an impact on organisational objectives and the user experience
* Apply creative-thinking techniques to generate new ideas and options to address issues and improve the user experience
* Seek contributions and ideas from people with diverse backgrounds and experience
* Participate in and contribute to team or unit initiatives to resolve common issues or barriers to effectiveness
* Identify and share business process improvements to enhance effectiveness
 | Adept |
| Business Enablers logo | **Technology**Understand and use available technologies to maximise efficiencies and effectiveness | * Identify opportunities to use a broad range of technologies to collaborate
* Monitor compliance with cyber security and the use of technology policies
* Identify ways to maximise the value of available technology to achieve business strategies and outcomes
* Monitor compliance with the organisation’s records, information and knowledge management requirements
 | Adept |

This role also utilises the Legal Professionals Capability Set. The capability set is available at [www.psc.nsw.gov.au/workforce-management/capability-framework/occupation-specific-capability-sets/legal-capability-set](http://www.psc.nsw.gov.au/workforce-management/capability-framework/occupation-specific-capability-sets/legal-capability-set)

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| **Focus Occupation Specific Capabilities**  |
| Legal logo | **Capability name**Capability description | **Capability Set** | **Level** |
| **Statutory Interpretation** Interpret legislation, subordinate legislation and instruments in accordance with legislation and accepted legal principles | * Apply understanding of the legislative process and common law to identify and solve statutory interpretation issues.
* Make use of extrinsic materials to resolve statutory interpretation issues, consistent with legislative and common law requirements.
* Solve issues of statutory interpretation by applying current legislation relating to interpretation of statutes.
* Read and interpret Acts and subordinate legislation, drawing on knowledge of the structure and operation of legislation.
 | Level 2 |
| **Litigation and Dispute Resolution**Litigate and resolve disputes effectively in relevant forums and jurisdictions | * Model behaviour expected of government lawyers, provide guidance on model litigant and ethical issues.
* Apply extensive knowledge of court and/or tribunal rules, practice notes and procedures to conduct litigation efficiently and effectively in accordance with best practice.
* Review and supervise conduct and planning of litigation, settle pleadings, formulate and recommend appropriate strategy.
* Conduct high level forensic and strategic analysis and preparation of evidence with regard to the case plan, and confer with expert and other key witnesses.
* Apply high level strategy and negotiation skills to resolve disputes; represent clients in dispute resolution processes including mediation and arbitration, and protect the client from associated risks and unnecessary costs.
* Provide guidance to others on selection of external legal services providers and approve briefing of external legal services providers.
* Conduct quality assurance of external legal services provided and provide feedback.
 | Level 3 |

# Complementary capabilities

*Complementary capabilities* are also identified from the Capability Framework and relevant occupation-specific capability sets. They are important to identifying performance required for the role and development opportunities.

Note: capabilities listed as ‘not essential’ for this role is not relevant for recruitment purposes however may be relevant for future career development.

| COMPLEMENTARY CAPABILITIES |
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| **Capability Group/Sets** | **Capability Name** | **Description** | **Level**  |
| Personal Attributes logo |  |  |  |
| Act with Integrity | Be ethical and professional, and uphold and promote the public sector values | Adept |
| Value Diversity and Inclusion | Demonstrate inclusive behaviour and show respect for diverse backgrounds, experiences and perspectives | Adept |
| Relationships logo  |  |  |  |
| Influence and Negotiate | Gain consensus and commitment from others, and resolve issues and conflicts | Intermediate |
| Results logo |  |  |  |
| Deliver Results | Achieve results through the efficient use of resources and a commitment to quality outcomes | Adept |
| Demonstrate Accountability | Be proactive and responsible for own actions, and adhere to legislation, policy and guidelines | Intermediate |
| Business Enablers logo |  |  |  |
| Finance | Understand and apply financial processes to achieve value for money and minimise financial risk | Foundational |
| Procurement and Contract Management | Understand and apply procurement processes to ensure effective purchasing and contract performance | Intermediate |
| Project Management | Understand and apply effective project planning, coordination and control methods | Intermediate |