

**ABORIGINAL LEGAL SERVICE OF WESTERN AUSTRALIA (INC.)
DUTY STATEMENT AND SELECTION CRITERIA**

SECTION 1 - POSITION IDENTIFICATION			EFFECTIVE DATE OF DOCUMENT 21/03/2019
DIVISION: LEGAL		CLASSIFICATION Grade 4-6 (1.0 FTE)	POSITION NO.: CNS-1001
DEPARTMENT: CRIMINAL LAW UNIT		TITLE: LAWYER – Section 50D	
LOCATION: PERTH		SALARIES AGREEMENT ALSWA EBA 2018	

SECTION 2 - POSITION RELATIONSHIPS

RESPONSIBLE TO	TITLE: DIRECTOR LEGAL SERVICES
	CLASSIFICATION: Class 1 (1.0 FTE)
RESPONSIBLE TO	TITLE: MANAGER, POLICY AND PROGRAMS
	CLASSIFICATION: Grade 8-9

RESPONSIBLE TO	TITLE: MANAGING LAWYER - CNS	Other positions reporting directly to this position <i>Title Classification</i> Various
	CLASSIFICATION: Grade 6-8 (1.0 FTE)	
THIS POSITION	TITLE: LAWYER – Section 50D CLASSIFICATION: Grade 4-6 (1.0 FTE)	

Positions under direct supervision:	Other positions under control
Title: Classification Nil	Category Number FTE

SECTION 3 - KEY RESPONSIBILITIES

Aboriginal Legal Service of WA Limited (ALSWA) will provide a 24 hour seven day per week custody notification service (CNS) for all Aboriginal people detained in a Police facility up in Western Australia.

The CNS will provide a culturally competent and thorough welfare service complemented by access to necessary legal advice. Western Australian legislation will make it mandatory for police to contact the ALSWA CNS every time an Aboriginal person is detained in a Police facility. The CNS will adopt a dual welfare/legal approach.

SECTION 4 - STATEMENT OF DUTIES		EFFECTIVE DATE OF DOCUMENT
TITLE: LAWYER – Section 50D		21/03/2019
CLASSIFICATION Grade 4-6 (1.0 FTE)		POSITION NO.: CNS-1001
BRIEF SUMMARY OF DUTIES TO BE PERFORMED IN DESCENDING ORDER OF IMPORTANCE		
Duty No.	Details	Freq. %
1.0	PROFESSIONAL	70
1.1	<ul style="list-style-type: none"> Ensure all telephone calls on the CNS phone line are answered on a first call basis, and if not possible, the call is returned as per procedural requirements 	
2.0	Welfare	
2.1	<ul style="list-style-type: none"> Ensure that the immediate health, safety, and wellbeing needs of the detained person are identified and work with police, family and other services to ensure those welfare concerns are addressed 	
2.2	<ul style="list-style-type: none"> Where ongoing welfare needs are identified, with consent of the detained person, work with the CNS support workers and refer the person to available community-based services 	
2.4	<ul style="list-style-type: none"> Make referrals to emergency/crisis services at all times and if the phone communication is after hours, next-day referral to relevant services operating during working hours 	
2.5	<ul style="list-style-type: none"> Monitor police conduct and report to the managing lawyer as required 	
3.0	Legal advice	
3.1	<ul style="list-style-type: none"> After the initial welfare inquiry, where relevant and with consent of the detained person, provide appropriate legal advice 	
4.0	Liaison with key stakeholders	
4.1	<ul style="list-style-type: none"> Liaise with police, family and other agencies as required to explore bail options (and/or access to diversionary options) for the detained person with a view to minimising unnecessary remands in custody 	
4.2	<ul style="list-style-type: none"> Enable appropriate referrals to legal services following the cessation of the CNS service (whether this is to ALSWA or another legal service) 	
4.3	<ul style="list-style-type: none"> Ensure that non-CNS legal services including ALSWA are advised of possible charges, court dates, bail status and other relevant legal issues. 	
5.0	ADMINISTRATIVE	20
5.1	<ul style="list-style-type: none"> Ensure all aspects of file management and data entry are undertaken in accordance with professional standards 	
6.0	OTHER	10
6.1	<ul style="list-style-type: none"> Perform duties in accordance with Commonwealth Department of Prime Minister and Cabinet's funding agreement and the State Department of Justice funding arrangements. 	
6.2	<ul style="list-style-type: none"> Perform duties in accordance with relevant Occupational Safety and Health, Equal Opportunity and Disability Legislation. 	
6.3	<ul style="list-style-type: none"> Perform duties in accordance with ALSWA Policies and Procedures. 	
6.4	<ul style="list-style-type: none"> Perform other duties as directed. 	
FREQUENCY: D – Daily: W - Weekly: F - Fortnightly: R - Regularly: O - Occasionally: A - Annually		

SECTION 5 - SELECTION CRITERIA		EFFECTIVE DATE OF DOCUMENT 21/03/2019
TITLE: LAWYER – Section 50D	CLASSIFICATION Grade 4-6 (1.0 FTE)	POSITION NO.: CNS-1001

ESSENTIAL

1. High level organisational and time management skills with the ability to work under pressure
2. Ability to work with Aboriginal clients and employees with an appropriate level of cultural understanding, empathy and sensitivity.
3. Ability to work flexible hours to cover a 24 hour seven day per week roster
4. Ability to work from home (or other approved location) when covering shifts outside of standard working hours (8am to 5pm)
5. Demonstrated ability to work both independently and as part of a team comprising legal and non-legal staff with a willingness to learn and share knowledge with others
6. Highly developed communication skills (interpersonal, written and verbal) with experience in conflict resolution and the ability to communicate well over the phone
7. Highly developed conceptual and analytical skills
8. Ability to confidently use workplace technology
9. Ability to work in a sensitive manner with clients
10. Ability to participate in individual performance reviews

DESIRABLE

1. Sound understanding of the Aboriginal community and the issues affecting them.
2. Knowledge of and commitment to Occupational Safety and Health, Equal Opportunity and Disability legislation and how these impact on employment, people management and service delivery

SECTION 6 - APPOINTMENT FACTORS**LOCATION:**
PERTH**ACCOMMODATION**
N/A**PREREQUISITES SPECIFIC TO THIS POSITION**

- Eligibility to hold a current WA Practicing Certificate
- Ability to obtain a satisfactory police clearance and hold a Working with Children Check card
- Must not be the subject of any unresolved complaint or related proceeding before the Legal Profession Complaints Committee of WA or any other professional disciplinary authority.
- Applicants for this position are required to disclose any criminal history, excluding spent convictions, at the time of interview.
- Committed to the principles of social justice.
- An ability to communicate effectively and sensitively with Aboriginal and Torres Strait Islander peoples.

SPECIAL CONDITIONS/ALLOWANCES:

N/A

SECTION 7 - CERTIFICATION

- (i) The details contained in this document are an accurate statement of the duties, responsibilities and other requirements of the position.

SIGNATURE: _____
DLS/DELEGATED AUTHORITY**SIGNATURE:** _____
CEO / DELEGATED AUTHORITY**DATE:** _____**DATE:** _____

- (ii) As occupant of the position I have noted the statement of duties, responsibilities that are requirements as detailed in this document.

Signed & Acknowledged_____
Dated

CREATED/AMENDED	AUTHORISED HR MANAGER	APPROVED	DATE REGISTERED
21/03/2019	KYLEE CLUNE		