

# Position Description



**Position:** Chief Counsel  
**Classification Code:** SAES1  
**Division:** Directorate

## POSITION DESCRIPTION

### Summary of Role:

The Chief Counsel is the principal advocate and representative of Legal Services within South Australian courts and tribunals and is recognised as a senior figure within the legal profession. Collaborating with Legal Services personnel, the Chief Counsel will provide counsel services on behalf of legally assisted clients in court proceedings and actively contribute to the growth and enhancement of our in-house lawyers' professional skills through training and development initiatives.

The Chief Counsel will represent legally aided persons in matters at first instance before any court or tribunal and before appellate courts, where complex or substantial issues of fact or law are involved, predominantly in the criminal jurisdiction. The Chief Counsel will also be capable of providing guidance and support to inhouse lawyers appearing as counsel in family or civil jurisdictions.

The Chief Counsel will work closely with the Director, Criminal Law in the allocation of briefs to inhouse lawyers and external panel practitioners that promotes high quality counsel work. The Chief Counsel will also support a program of professional development and wellbeing and a culture of trust, support and commitment to continuous improvement.

The Chief Counsel will possess a strong commitment to the strategic values and objectives of Legal Services.

A key aspect of the Chief Counsel's role is to develop and maintain effective working relationships with key stakeholders including the judiciary and private practitioners, including appearing as counsel in matters briefed by private practitioners for legally assisted clients.

The Chief Counsel will advise, assist and report to the CEO on strategic legal and policy matters and will advise and/or represent Legal Services on any matter of law relevant to the performance of its functions as required.

**Reports to:** Chief Executive Officer (CEO)

**Key Relationships:** The Chief Counsel will have a close working relationship with the Director, Criminal Law. Other key stakeholders include the Directors of the Civil and Family Law Divisions, the private bar and private solicitors within South Australia, the judiciary and the South Australian courts and tribunals.

### Special Conditions:

The employee:

- may be required to undertake some out of hours work.
- may be required to undertake some intra/interstate travel.
- may be required to work at any Legal Services office as required.
- will undergo periodic National Police Clearances and DHS Working with Children Checks.
- is required to comply with the standards outlined in the Code of Ethics for the South Australian Public Sector, relevant legislation, and Legal Services policies and procedures.
- is required to maintain strict confidentiality in accordance with Section 31A of the *Legal Services Commission Act 1977*.
- is required to comply with requirements of Legal Services in house costing of case and non-case related work and any other costing systems.
- is required to participate in performance reviews and development programs.
- is required to attend mandatory in-house training and Mandatory Continuing Professional Development.

### Key Responsibilities and Duties:

Area	Duties	Key Performance Indicator
<b>Leadership</b>	Oversee and guide the growth and enhancement of our in-house lawyers' professional skills in representation and advocacy through training and development initiatives.  Provide direction and guidance to Legal Services practitioners on questions of law, practice and procedure, ethical questions and service standards.	Expansion and quality of in-house counsel services.
<b>Highly Complex Legal Advice and Advocacy</b>	Provide strategic legal guidance and represent Legal Services in the preparation of opinions and provision of advice in various areas of the law, especially in complex criminal matters.  Undertake extended periods of time devoted exclusively to major trial counsel work.  Appear as trial or appeal counsel in the more complex and/or sensitive cases and provide guidance and direction to less experienced solicitors.	Quality and timeliness of advice to a high standard.  Frank, and honest advice is provided in response to strong contrary views.
<b>Strategic Objectives</b>	Anticipate emerging issues and changing context.  Develop a clear strategic vision for the role of counsel work undertaken within Legal Services including support for high quality legal practice, innovative use of technology and integrated service provision, operational excellence and a foundation for future legal services.	Strategic initiatives are implemented to a high standard, meeting all objectives.

<p><b>Quality Services</b></p>	<p>Demonstrate that services are aligned with strategic objectives.</p> <p>Actively participate in the supervision, professional development and training of Legal Services practitioners appearing before the courts.</p> <p>Address client complaints and integrate improvements identified through client and stakeholder feedback.</p> <p>Advise the Chief Executive Officer about law reform issues and changes to the law relevant to Legal Services and its clients.</p> <p>Comply with Legal Services' requirements for the recording of client information, statistical data and other reporting and evaluation procedures, and maintain good file management and comply with professional ethics and standards.</p>	<p>Services are aligned with strategic objectives and achieve identified quality standards.</p>
<p><b>Stakeholder Relationships</b></p>	<p>Actively promote the image and standing of Legal Services as a leading and highly respected law practice in the various areas of law.</p> <p>Develop and maintain effective working relationships with private practitioners, the judiciary and courts.</p> <p>Represent Legal Services on relevant Committees and Working Parties, which may include National Legal Aid and Court Committees.</p>	<p>A Stakeholder Engagement Plan is in place and implemented.</p> <p>Effective and positive key stakeholder activity with the profession.</p>
<p><b>Drive Culture</b></p>	<p>Actively participate and contribute to responsible and safe work practices by complying with WHS legislation, policies and procedures.</p> <p>Embrace and contribute towards diversity and cultural differences in the workplace by advocating equal employment opportunities and diversity in the workplace.</p> <p>Promote and maintain a commitment to cultural competence and an inclusive workplace in support of First Nations people and other underrepresented groups.</p> <p>Act in accordance with the Appropriate Workplace Behaviours Procedure at all times.</p> <p>Motivate others by encouraging them regularly to contribute to planning for the future.</p> <p>Consistently influence others to achieve objectives, especially in times of change and difficult situations.</p> <p>Anticipate the drivers and obstacles to change and identify ways to build on or decrease their impact.</p> <p>Work within the legislative requirements of the <i>Legal Services Commission Act 1977, Fair Work Act 1994, Work Health and Safety Act 2012, Equal Opportunity Act 1984, Return to Work Act 2014 (SA), Independent</i></p>	<p>Participate and contribute in responsible, diverse and safe work practices.</p> <p>Support a culture of reporting hazards and incidents to enable continuous improvement.</p> <p>Pro-active measures are undertaken to adhere to and prevent injuries (physical and psychological).</p> <p>Individual differences are encouraged and accommodated in the workplace.</p> <p>Ensure procedural fairness and</p>

	<p><i>Commissioner Against Corruption Act 2012 (SA), Public Interest Disclosure Act 2018 and other relevant Acts and Regulations.</i></p>	<p>confidentially is maintained at all times.</p> <p>Abides by the Acts, Regulations, Policies and Procedures.</p>
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## PERSON SPECIFICATION

### ESSENTIAL REQUIREMENTS

#### Educational/Vocational Qualifications:

- Hold an unrestricted Category C Practising Certificate or currently eligible to apply for an unrestricted Category C Practising Certificate.
- Be admitted or eligible for admission as a practitioner of the Supreme Court of South Australia and High Court of Australia.

#### Personal Abilities/Aptitudes/Skills:

- Proven ability to lead, motivate and engender co-operation at all levels, create cohesive work teams, effectively delegate and apply effective leadership principles.
- Demonstrates and assists others to implement respectful collaboration, based on the highest standards of ethics and sound practice.
- Exemplifies personal drive, resilience and professionalism.
- Is committed to continuous improvement as a leader and legal professional and is open to new ways of working.
- Sound analytical ability to identify and analyse problems and formulate and implement practical courses of action.
- Ability to research and analyse complex legal issues and to formulate law reform and systemic change recommendations for consideration by governments.
- Proven ability to establish and maintain sound working relationships with clients, staff, the leadership group of Legal Services and stakeholders across a range of organisations, agencies and services.
- Exceptional communication and presentation skills, both oral and in writing.
- Ability to make public presentations and speak on the law.
- Proven ability to achieve effective results and influence others with a fair and considered approach and present persuasive counter arguments.
- Ability to remain composed and calm and act constructively in highly pressured and unpredictable environments.
- Sensitivity to, the needs of disadvantaged people and the social context of a legal aid system.

#### Experience:

- Eleven (11) years post admission experience is the normal minimum requirement.
- The appointee must have demonstrated experience in:
  - trial or appellate counsel in complex criminal cases in various superior court jurisdictions.
  - Mentoring, training and guiding lawyers, particularly in advocacy skills
- Private or public practice file management, time recording, and costing of files.

**Knowledge:**

The appointee must have:

- knowledge of the Professional Conduct Rules issued by the Law Society of South Australia;
- an understanding of Workplace Health and Safety and Equal Opportunity principles.

**DESIRABLE REQUIREMENTS**

- Appointment as Senior Counsel.
- Knowledge of technology in legal practice and ability to use standard software programs to a high level.
- Experience in working with digital document management systems.

**Position Description Approval**

Approved by:

Signed by:  
**Annmarie Lumsden**  
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**Delegate**

04 May 2026  
**Date**