

POSITION DESCRIPTION

Position	Principal Managing Lawyer (VACCA Litigation)	Position Number	
Reports to	Executive Manager, Litigation & Law Reform	Direct Reports	5-6
Status	Permanent	Time Fraction	Full time/Part time
Award	Award Free	Location	Preston & hybrid

OUR VISION

Our footprint will be informed by Aboriginal self-determination and grounded in culture, with our voices and actions guiding the fires of change.

OUR PURPOSE

Grounded in Cultural Therapeutic Ways, we commit to Heal, Connect and Protect Aboriginal children, families and community; informed by culture, trauma and self-determination to bring about generational change.

POSITION SUMMARY

The primary responsibility of VACCA's Principal Managing Lawyer is to manage VACCA's expanding Litigation team comprising of two Senior Lawyers and three- four additional lawyers of varying levels of experience. The primary function of VACCA's Litigation team is to provide legal advice and representation to delegates of VACCA's Chief Executive Officer as the 'Principal Officer' authorised under section 18 of the *Children, Youth and Families Act 2005* to perform and exercise functions and powers of the Secretary of the Department of Families, Fairness and Housing (DFFH) in relation to Aboriginal children located in the metropolitan Melbourne, Inner Gippsland and Ovens Murray regions. It is the role of the Principal Managing lawyer to oversee the current and anticipated future expansion of VACCA's litigation practice both in terms of geographic client region, lawyers employed, and court venues serviced. VACCA's Litigation team currently services the Melbourne, Wyndham, Broadmeadows, Moorabbin and Dandenong Children's Courts and the Magistrates' Court sitting as the Children's Court at La Trobe Valley, Wangaratta and Wodonga.

The Principal Managing Lawyer will also support the roles of the Executive Manager, Litigation and Law Reform and the Director, Legal Practice in undertaking a diverse range of projects that advance the interests of the organization in the broader political arena including advocating for Aboriginal rights, law reform and self-determination in the context of Victorian truth-telling and Treaty.

KEY RELATIONSHIPS

Internal:	Executive Manager, Litigation & Law Reform, Director Legal Practice, Nugel Program Senior Management and other VACCA Programs on case- by-case basis.
External:	Children's Court of Victoria, Victoria Legal Aid, Victorian Aboriginal Legal Service, Djirra, private legal practitioners, Department of Families, Fairness and Housing, Commission for Children and Young People.

KEY SELECTION CRITERIA

ESSENTIAL

- Demonstrated commitment and understanding of the values that underpin VACCA's vision and purpose
- Demonstrated awareness and appreciation of Aboriginal societies and cultures, and commitment to continually build knowledge of such, along with a high level of awareness of the key issues that impact Aboriginal communities.
- Demonstrated experience and skills in managing a legal practice in the social justice sector, including all aspects of operational and administrative management as well as leadership and supervision of legal practitioners of varying levels of experience.
- High level oral and written communication skills, including demonstrated skills in court advocacy and experience appearing or instructing in complex litigation.
- Demonstrated ability to engage effectively with a broad range of stakeholders including courts, legal professionals, government and Aboriginal people and organisations.
- Capacity to employ critical analytical skills to solve problems and work with a high level of autonomy and also recognise and identify appropriate levels of involvement of executive leadership.
- High level organisational skills, attention to detail and the ability to work under pressure and prioritise competing demands.
- Knowledge of the Children Youth and Families Act or related child protection law and policy

DESIRABLE

- Experience or knowledge of relevant international human rights instruments and bodies and /or relevant human rights protections for Aboriginal people within Australian and/or Victorian law.
- Experience or knowledge of relevant inquiries, case law or law reform in relation to issues impacting Aboriginal people in Australia and/or Victoria.
- Experience in statutory interpretation and/or legislative drafting.

REQUIREMENTS

- Holds an unrestricted practising certificate or ability to obtain same prior to commencement and a minimum of five years post admission experience.
- You must have and continue to hold a full Victorian Driver's Licence, a current employment Working with Children Check card and a clear National Police Check
- Current COVID-19 vaccination – strongly recommended

POSITION ACCOUNTABILITIES

KEY RESPONSIBILITIES

- Day-to-day management and administration of the VACCA's litigation practice
- Supervision of legal practitioners employed in the Litigation team

- Provision of legal advice and representation to VACCA's Nugel program
- Provision of high level legal and policy support to Executive Manager, Litigation and Law Reform and Director, Legal Practice on law reform and legal policy projects

MANAGEMENT OF VACCA'S LITIGATION PRACTICE

- Oversee the day-to-day management, administration and operations of VACCA's Litigation practice
- Take a lead role in management of legal stakeholder relationships including with the various registries and magistracy of the Children's Court of Victoria.
- Oversee the collection and recording of a range of data to measure Court outcomes and VACCA's performance in exercising functions and powers in relation to Aboriginal children in need of protection.
- Oversee the development and delivery of legal training and provide ongoing mentoring and continuous development of the legal knowledge and court skills of the staff in VACCA's Nugel Program.
- Oversee the provision of legal advice to client services staff regarding the production of documents and/ or giving evidence in Children's Court proceedings.
- Oversee the provision of program advice and policy assistance to client services programs as required.

LEGAL ADVICE & REPRESENTATION IN CHILDREN'S COURT PROCEEDINGS

- Oversee the provision of legal advice to the CEO in accepting an authorization under section 18 of the *Children Youth and Families Act* and in the delegation of her authorized functions and powers.
- Oversee the provision of early legal advice to VACCA's Nugel program at key points including client entry into program, case planning and review and new information or reports which may alter case direction and lead to litigation.
- Oversee the provision of legal advice to VACCA's Nugel program in relation to recommended disposition or case closure prior to expiry of all court orders and in all court applications and changes in case plan.
- Assist the organisation with its internal governance in relation to the exercise of delegated powers authorised under section 18.
- Oversee the provision of legal advice and final settlement of court documents including court reports, applications, warrants, subpoenas, witness summons and affidavits.
- Oversee the preparation of correspondence to other parties regarding progression of legal proceedings.
- Oversee the negotiation and settlement of legal issues in dispute before or during litigation of court applications made pursuant to section 18.
- Appear and/or instruct Counsel in complex contested hearings and/or Supreme Court proceedings where necessary.

HEALTH, SAFETY & WELLBEING

- Ensure compliance with the OH&S Act and VACCA policies.
- Contribute positively and proactively to team and organisation wide OH&S activities.

QUALITY & CONTINUOUS IMPROVEMENT

- Ensure compliance with legislation, contract and policy requirements in your day-to-day work to meet the organisation's audit, contract and registration obligations.
- Proactively apply your specialist knowledge in the review and maintenance of policies, systems and processes.
- Continue the development of a culturally strong and positive working environment using a continuous improvement approach.

OTHER

- Participate proactively in team project initiatives
- Support other team members in periods of high demand and during periods of absence.
- Participate in project groups and attend events
- Undertake other duties as directed

ADDITIONAL INFORMATION

We are committed to Aboriginal self-determination and supporting strong, safe, thriving Aboriginal communities and aim to ensure every individual is treated with dignity, honouring all cultural backgrounds, abilities, ethnicities, sexual orientations, gender identities and spiritual beliefs.

VACCA is a child-safe organisation and is committed to ensuring the safety and wellbeing of children and young people with zero tolerance for child abuse. All successful applicants will be required to undertake a National Police Record Check and Working with Children Check prior to commencement of employment and periodically following commencement.

VACCA is an equal opportunity employer and has a smoke-free workplace policy.

VACCA is committed to reducing the impact and experiences of family violence for all community members by aligning to the Victorian Multi-Agency Risk Assessment and Management (MARAM) and Family Violence Information Sharing (FVISS) frameworks. All successful applicants will be required to complete foundational family violence and information sharing training.

This position is designated under the Multiagency Risk Assessment and Management framework (MARAM) Identification (Tier 3) level which requires mandated MARAM Family Violence Identification training and responsibilities.