

**General Counsel**

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## About Whaikaha - Ministry of Disabled People

### Our Purpose

At Whaikaha, we want an Aotearoa New Zealand where disabled people and tāngata whaikaha Māori are thriving.

We work with Deaf, disabled people, tāngata whaikaha Māori and Turi Māori, their families, whānau and communities, to drive real and meaningful change.

We can achieve more impact by working with others, so collaboration and relationship building across central and local government, businesses, iwi and hapū, is key.

### Our working environment

Our team reflects the communities that we serve, and this is a strength we draw on in our everyday work. We care about the wellbeing and success of our people and seek to provide a supportive and inclusive working environment. We are committed to meeting the accessibility needs of our people through reasonable accommodations.

### Working in the Public Service

In the public service we work collectively to make a meaningful difference for New Zealanders now and in the future. We have an important role in supporting both the current Government and successive governments to develop and implement their policies, as well as supporting the government’s relationships with Māori under the Treaty of Waitangi.

### Te Tiriti o Waitangi

Te Tiriti o Waitangi (the Treaty of Waitangi) underpins our work and we are committed to giving effect to Te Tiriti through kāwanatanga, rangatiratanga, and ōritetanga. Whaikaha values and supports the voices of tāngata whaikaha Māori, Turi Māori and recognises them in the context of their whānau, hapū and iwi.  Our team works alongside tāngata whaikaha Māori, Turi Māori, whānau, hapū, iwi and communities to affirm their aspirations and work together to give effect to Te Tiriti.

## Your place in Whaikaha

The General Counsel reports to the Deputy Chief Executive (DCE) Policy and Insights within the Policy and Insights Business Group.

The Policy and Insights Group provides strategic policy advice to Ministers and other policy agencies on disability issues and develops and publishes data and insights on the economic and social wellbeing of disabled people and the supports that will best enable them to live good lives.

## About the role

As sole inhouse General Counsel, this role leads the provision of legal advice across Whaikaha. It involves both the direct provision of robust and strategic legal advice, and the management of specialist external legal advice where needed.

The General Counsel draws on their legal experience, skills and knowledge to deliver high quality and pragmatic advice on the range of operational, public law and corporate issues facing the Ministry. They proactively identify legal risk and strategies to manage that risk.

The General Counsel will particularly focus on supporting Whaikaha work relating to legislative compliance, procurement and contracting, corporate policy setting and regulatory policy.

## How you will contribute

**Quality Legal Services**

* Provide high-quality legal advice across Whaikaha.
* Demonstrate a sophisticated understanding of the legal issues faced by a small government Ministry, being proactive with advice where possible, and sensitive to the wider sector and political environment.
* Demonstrate a high level of professional expertise across a range of areas, including public law, procurement, and privacy, and an understanding of where external expertise is important to manage risk.
* Ongoing environmental scanning for anything impacting Whaikaha raising as appropriate, for example, legislation or Public Service standards requiring changes to our policies and practices.
* Develop good legal practice and promote the service within Whaikaha. This includes adopting ways of working appropriate for a small organisation, which provide assurance and enable contingency planning.
* Coordinate and liaise with Crown Lawyers, other practitioners, Courts and other agencies as required.
* Maintain a high standard of personal integrity and professionalism.

**Strategic Legal Risk Management**

* Identify current & future risk, trends, issues in relevant work areas and escalating to the DCE Policy and Insights.
* Contribute to risk analysis on proposed changes to legislation, new legislation and operational developments and the Ministry’s response.

#### Relationship Management

* Build and maintain collaborative and positive relationships across Whaikaha and become a trusted advisor across the organisation.
* Establish and maintain sound working relationships with the Government Legal Network, key contacts at relevant government departments.
* Lead relationships as applicable to your role.
* Work proactively with stakeholders in ways that are most likely to deliver tangible benefits for disabled people, tāngata whaikaha Māori and their whānau.
* Recognise and value the voice of the disability community.
* Partner with key stakeholders to ensure the work programme reflects the Crown’s relationship with Māori and improves outcomes and equity and reflects our Te Tiriti obligations.
* Interpret and translate legal advice for key stakeholders in language that takes account of the client’s strategic and business interests.
* Build strong and effective relationships with key stakeholders, including at a senior level.

#### Embedding Te Ao Māori

* Embed Te Ao Māori (te reo Māori, tikanga, kawa, Te Tiriti) into the way we do things at Whaikaha.
* Continuously build more experience, knowledge, skills and capabilities to confidently engage with whānau, hapū and iwi.

#### Contribute to our team - Whaikaha team player

* Champion and contribute to a safe, respectful and accessible workplace culture. Embrace your role as a good Whaikaha team player by showing genuine care for each other, our mahi and the disabled community we serve.

## What you will bring

We are committed to building and maintaining a diverse, inclusive and accessible workplace. While this section contains guidance as to the potential requirements for the role, it is not determinative or a complete list. We value the unique skills, strengths, perspectives and experiences that a diverse range of people may bring and will work with our people to make any reasonable accommodations needed to ensure they have a work arrangement suited to their specific needs.

To undertake this role successfully the person will:

* Have sufficient experience to operate independently as the sole inhouse General Counsel for a government agency, with enough experience to provide robust and sound legal advice across a range of public law topics, as well as the ability to commission and manage the work of external expert counsel. We anticipate that this will require a minimum of 10 years of post-qualification experience on public law issues.
* Be a disabled person, tāngata whaikaha Māori, or have lived experience as whānau, or be able to establish credibility and trust with the disability community, as well as having empathy and a deep understanding of the unique and diverse experiences of disabled people.

#### Qualifications, experience and knowledge

* Been admitted as a Barrister and Solicitor in New Zealand and have (or be eligible for) a practicing certificate with at least 10 years of post-qualification experience.
* Deep understanding of legal, policy and practice issues relevant to Whaikaha.
* Substantial experience in providing quality public law advice, including anticipating client needs.
* Expertise in the practical application of areas of law relevant to Whaikaha.
* Practical experience in providing high quality advice to clients, including advice to support appearances before Inquiries or Tribunals.
* Proven knowledge of the justice systems, the parliamentary system and Public Service administration.
* Successful experience influencing and engaging stakeholders.
* Successful experience providing technical leadership to others.
* Good computing skills and typing ability and be competent working with MS Office and relevant Whaikaha IT programmes and applications.

## Who you will be working with

#### Internal

* DCE Policy and Insights
* People leaders
* Whaikaha kaimahi

#### External

* Relevant external agencies, in particular Crown Solicitors, Crown Law and public law Practitioners.

## Delegations

The following delegations apply to this position:

* People and Culture – N/A
* Financial – N/A

**Position Description** **Updated:** April 2025