

JOB AND TASK DESCRIPTION

Job Title: Adviser and Head, Office of Civil and Criminal Justice Reform

Directorate: Governance and Peace Directorate

Grade: E

Reports To: Senior Director, Governance and Peace

General Information

The Commonwealth Secretariat based in London, United Kingdom, is the principal intergovernmental body of the association's 54 member states, and is fundamental to the promotion of democracy, rule of law, human rights, good governance and social and economic development. Reflective of its membership, it is a voice for Small States advocating for their special needs, providing policy advice on political, economic and social development issues. The Secretariat convenes summits and high-level meetings; executes plans agreed by the Commonwealth Heads of Government; and promotes the Charter of the Commonwealth affirming the commitment to the values and principles of the Commonwealth, in addition to assisting Developing Member states achieve Agenda 2030 and COP 21.

The Secretariat is headed by the Secretary-General who, as the Chief Executive of the organisation, is responsible and accountable for overall leadership, management and delivery on the Secretariat's Agenda.

The Office of Civil and Criminal Justice Reform ("OCCJR") sits within the Governance and Peace Directorate. The OCCJR Section works with member countries to enhance justice transformation. The courts across the Commonwealth are not devoid of the challenges. Issues such as backlog of cases, mountains of case bundles excessive use of paper and non-user-friendly case management methods make navigating through cases a cumbersome and highly inefficient experience. The modernisation and digitisation of the justice system is rightly seen as an imperative to the Commonwealth's future economic growth and social success. Only a working judiciary will operationalise the rule of law, prevent mass migrations and ultimately allow sustainable financial investment and growth.

The OCCJR Adviser and Head should be an innovative, experienced and solution oriented lawyer with vast civil and criminal litigation and court experience. The Division assists member countries by developing and drafting effective legal frameworks to transform te delivery of justice. It also develops toolkits and guidance to promote good legislative practice across the Commonwealth through model laws, standards, legal insight, networks, and technical assistance.

Job Summary

Reporting to the Senior Director, Governance and Peace Directorate, the post-holder will, in close coordination and collaboration with other Sections and Directorates of the Secretariat, direct the Office in its conceptualization and development of legal tools, law drafting, policy development and advisory assistance to countries on justice transformation, procedural law reform, consistent with the goals and objectives of the Commonwealth Secretariat Strategic Plan.

The post-holder will be responsible for:

- Identify salient human and technical aspects that jeopardise the process of justice across the Commonwealth justice systems and elaborate a toolkit/package or template draft legislation for possible enactment to support and guide court transformation processes that focus squarely on enhancing access to justice and harmonising law practice, with the collaboration of relevant stakeholders;
- Where necessary, drafting of new core procedural legislation constitutionally aligned to be put in place;
- Design and implementation of education toolkit for court users as well as changes to the legal training curricula in law schools, shifting legal education towards apprenticeship, moving away from a structure and process-based curriculum toward empirical research on the actual needs of clients and lawyers in the legal system, and a competency-based curriculum with respect to developing the core competencies.
- Working with and assisting the legislature to enact new procedural laws or codes, arbitration mechanisms or to amend existing ones to align processes that embrace digital and user friendly technologies beyond simply digitising court records and procedures.
- Redesign the court system to become service user-centred, deploying modern technologies such as cloud-based case management systems, artificial intelligence bots, blockchain technology, electronic document archiving and retrieval technology due diligence, that are already demonstrating significant value to user experiences and ultimately to their outcomes accessing the relevant judicial systems.
- The post holder will ensure that in the context of digitisation, judicial transformation should always be contextualised and made compatible to the specific judicial needs of the particular jurisdiction.
- Research and develop an innovative approach to civil and criminal justice law reform, leveraging technology, networks and partnerships, share the results with relevant section in order to collaboratively deliver legal tools and technical assistance for member countries;
- Under the overall direction of the Senior Director, Governance and Peace Directorate, and in cooperation with Rule of Law Section, leading policy development and arrangements for biennial meetings of Commonwealth Law Ministers, Law Ministers and Attorneys-General of Small Commonwealth Jurisdictions, and Senior Officials of Commonwealth Law Ministries; and
- Directing, supervising and mentoring OCCJR professional staff, consultants and interns.

Task description

The post-holder will:

- Manage the OCCJR and delivery of services through:
 - Strategic planning, direction, monitoring, ensuring quality and effective delivery of services, and setting clear objectives and goals for the Office;
 - Ensuring the robust development of project design documents based on results-based management methodology and in accordance with the Strategic Plan;
 - Preparing and managing OCCJR programme budgets;
 - Promoting and strengthening collaboration between OCCJR and the Rule of Law Section in order to complement each other's work on promoting the rule of law and access to justice;
 - Collaborating with other Directorates in the Commonwealth Secretariat with overlapping mandates and with partner organisations and other development agencies;
 - Undertaking all line management responsibilities in respect of staff under post-holder's supervision; and
 - Assisting the Senior Director with the management and administration of Directorate operations, including acting as Officer-in-Charge of the Directorate, when required.
- Manage legal tool development and a portfolio of projects within specialised legal areas by:
 - Defining legal tools and project parameters in response to government requests for assistance and obtaining project approvals;
 - Managing and reporting on legal tools and project implementation and monitoring project performance;
 - Leading the work of teams in the office and on mission; and
 - Defining, mobilising and supervising expert, technical and other inputs made by external consultants, as required.
- Develop strategic partnerships and initiatives with Commonwealth professional organisations, regional and international bodies, on areas of focus for the Office;
- Provide legal advice on legal issues which arise from sectional work;
- Prepare policy papers for the meetings of Commonwealth Law Ministers, Law Ministers and Attorneys-General of Small Commonwealth Jurisdictions, and Senior Officials of Commonwealth Law Ministries, and service the meetings;
- Represent the Commonwealth Secretariat at meetings and international conferences as required;
- Adhere to the Gender Equality values of the Commonwealth as enshrined in the Charter and Secretariat's Gender Equality Policy; and
- Undertake any other duties as required from time to time to achieve the objectives of the Commonwealth Secretariat.

Person Specification

Education and professional qualifications:

- A degree in Law from a Commonwealth jurisdiction;
- A master’s degree in Law;
- A postgraduate qualification in relevant policy, civil or criminal studies;
- Member of a professional body with continuing eligibility to practice law.

Experience:

1. A minimum of ten years’ all-round experience in law practice;
2. Extensive and in-depth knowledge of Constitutional law, Procedural law and Administrative law;
3. Teaching experience at university or bar school level;
4. Courtroom and senior management experience with evidence of having attained the level of senior associate or equivalent in a reputable law firm;
5. Experience in policy development, legal tools, new justice technologies, blockchain technologies and relevant artificial intelligence packages.

Competencies:

Respect for Diversity
<p>Works effectively with people from all backgrounds</p> <p>Treats all people with dignity and respect. Treats men and women equally</p> <p>Shows respect and understanding of diverse points of view and demonstrates understanding in daily work and decision making</p> <p>Examine own biases and behaviours to avoid stereotypical responses and does not discriminate against any individual or group</p> <p>Encourages others to evaluate systems, processes & behaviour to ensure respect for diversity is demonstrated</p>
Working with Others
<p>Manages conflict and works towards mutual solutions</p> <p>Identifies organisations with which to partner for specific solutions</p> <p>Encourages others and provides them with the autonomy to pursue relationships</p> <p>Uses personal influence to establish compromise and agreement when faced with conflict</p> <p>Demonstrates balance between directness and diplomacy in negotiations</p> <p>Uses influence to persuade partners and third parties toward Commonwealth Secretariat aims</p> <p>Encourages and supports others in demonstrating cultural awareness when working with others</p>



Planning & Analysis

Effectively assesses and advises on major programmes/activities at a divisional level

Balances focus in order to deliver both Commonwealth Secretariat and member states' goals

Ability to interpret incomplete and/or ambiguous information

Effectively analyses and assesses new or uncertain critical information

Communication

Mentors a number of employees at a senior level

Recognises the talent in the Section, seeking to develop, support, and grow it

Directs the energy of the Section towards a common goal

Provides an example to others demonstrating moral courage in the face of challenging circumstances

Managing Resources

Manages programme and cross team activities against specific objectives/results

Manages available resources in order to meet objectives e.g. by effective and efficient use of budget inter alia

Identifies the best method of delivery and resources when high level course of action has been identified

Analyses available resources and what activity they will enable

Takes responsibility for multi team/programme activities

Adapting and Innovating

Identifies opportunities to improve sectional operations and effectively gains buy-in

Evaluates impact of improvement initiatives

Keeps abreast of developments in area of work and take a proactive approach to adopt or adapt innovative ideas and methods Determines what can be realistically achieved when deciding on strategic solutions

Is proactive and responsive in making decisions on complex, technical issues based on appropriate information

Accountability

Takes ownership of assigned tasks, honours deadlines

Ensures timely delivery of outputs within defined cost and quality standard parameters

Takes responsibility for own shortcomings and compliances

Supports subordinates, provides oversight and takes responsibility for all delegated assignments



Leadership & Development

Reinforces vision throughout section and division by acting accordingly inter alia

Identifies and develops leadership skills in others

Empowers others to take control of their own development and progression

Offers sound guidance and direction on complex and critical issues

Maximises the potential of others e.g. by creating suitable opportunities for development inter alia