



APPROVED

**OMBUDSMAN COMMISSION
OF PAPUA NEW GUINEA**

JOB DESCRIPTION

1. IDENTIFICATION

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| OMBUDSMAN COMMISSION | SEQ. NO: 50 | POSITION NO: COU01 |
| DESIGNATION/CLASSIFICATION | Counsel to the Commission - Cat "A1", Executive | |
| DIVISION: Office of Counsel | LOCAL DESIGNATION: Head Office, Port Moresby | |
| BRANCH: N/A | REPORTING TO: Members of the Commission | |
| HIGHEST SUBORDINATE Director Legal Services | POSITION NO: COU02 | |

HISTORY OF POSITION

| POSITION REF. | DATE OF VARIATION | DETAILS |
|----------------------|--|----------------------------|
| COU01 | OC Decision No: 19-178-08 of 27.06.19 | As a result of restructure |

2. PURPOSE

The position is created under Section 25(1) (a)(i) of *OLOC*. The Counsel is the Commission's principal legal adviser and provides legal and policy advice to the Commission on all aspects of its constitutional and operational functions;

- Is the ultimate quality controller on the output of all substantive investigations and related work, under the *Constitution*, the *Organic Law on the Duties and Responsibilities of Leadership*; the *Organic Law on the Ombudsman Commission*, all other relevant laws, policies and guidelines.

3. ACCOUNTABILITIES (guided by Sections 218 and 219 of the *Constitution*) and Responsible for:-

- ultimate quality controller on all the output of Ombudsman Commission work under the *Constitution*, the *Organic Law on the Duties and Responsibilities of Leadership*(OLDRL); the *Organic Law on the Ombudsman Commission* (OLOC), all other relevant laws, policies and guidelines; and
- Prosecution of all litigation on behalf the Ombudsman Commission; and
- Exercise delegated functions and powers assigned under the *Constitution* the *Organic Law on the Duties and Responsibilities of Leadership*; the *Organic Law on the Ombudsman Commission*, all other relevant laws, policies and guidelines; and
- Provision of legal and policy advice to the Commission on all aspects of its constitutional functions and operational activities; and
- Manage the operations of the Office of Counsel to ensure Ombudsplan targets are met.
- Develop and maintain an effective system of liaison and co-ordination with other constitutional institutions.
- Co-ordinate preparation of policy submissions.

- Liaise with regional and international Ombudsmen and law enforcement institutions.
- Providing monthly briefs to MoC on Division's task updates.
- Appraising all Directors' annual performance.
- Coordinating the preparation of the Division's Ombudsplan (Annual Activity Plan) and Annual Budget Preparation.
- Ensure the Annual Report write up for the Division is furnished to the Media Unit on a timely basis.

4. MAJOR DUTIES

- Exercise delegated functions and powers assigned under the *Constitution* and the relevant Organic Laws.
- Provide services in respect of litigation where the Commission is a party.
- Provide legal and policy advice to the Commission on all aspects of its constitutional functions and operational activities.
- Exercise final quality control and approval of all reports and other documentary products presented to the Commission.
- Develop and maintain an effective system of liaison and co-ordination with other constitutional institutions and Government bodies.
- Co-ordinate preparation of policy submissions.
- Liaise with regional and international Ombudsmen and law enforcement institutions;
- Oversight the management of office of Counsel.
- Provide advice to the Commission on determinations, notices and documentation in respect of contracts, disciplinary procedures and other administrative functions;
- Provide advice to the Commission on specific constitutional matters and policies, including issues arising before the Judicial and Legal Services Commission; Public Services Appointments Committee; Election Advisory Committee (of which the Chief Ombudsman is a member).
- Oversight the management of office of Counsel.

5. NATURE AND SCOPE

Provide the Commission with legal advice, as required under the *Constitution*, the Organic Laws and other legislation. Maintain the highest quality control component in the output of all substantive investigations under the *Constitution*, the Organic Laws and other legislation.

5.1 WORKING RELATIONSHIP

(a) Internal

- Members of the Commission
- Secretary to the Commission
- Senior Management Team;
- Staff

(b) External

- Supreme Court and National Court through the National Judicial Services
- Judicial and Legal Services Commission

- Public Prosecutor/Public Solicitor
- Other Government Bodies
- Private Sector where Ombudsman Commission powers extend

5.2 WORK ENVIRONMENT

Performance is guided by the *Constitution* the OLDRL, OLOC, other Organic Laws, legislation and guidelines so as to provide to the Commission the highest quality output to meet its purposes and functions under Sections 218 and 219 of the *Constitution*.

6. QUALIFICATIONS, EXPERIENCES AND SKILLS

(a) Qualifications

- A Degree in law; and
- Is admitted to practice as a lawyer in Papua New Guinea; and
- Be a holder of a current practicing certificate; and
- Has practised law in Papua New Guinea, or in a country with a legal system that, in the opinion of the Commission, is substantially similar to the legal system of Papua New Guinea for 10 years or more;
- A Master's Degree in Law and additional Post Graduate Degree in other fields is desirable.

(b) Knowledge

- Detailed knowledge of the Constitution, Administrative Law, all relevant Organic Laws, legislation, and Policies and Guidelines
- Knowledge of contemporary team building, leadership and management development.
- Apply fair and equitable management practices to all aspects of work.
- Possess high level interpersonal, negotiation, interview and communication skills.
- Produce quality work, meet deadlines and establish work priorities that reflect the urgency and importance of specific tasks.
- Apply the highest professional standards in law to the Commission.
- Additional knowledge in Public Administration and Management, with postgraduate qualifications Management, is desirable.
- A good working knowledge of computers generally, is desirable

(c) Skills

- Demonstrates a good understanding of machinery of government and constitutional authorities.
- Provides clear direction to others on Commission matters.
- Ensures that work planning and review processes reflect Strategic Plan and Ombudsplan priorities, and communicates these to staff.
- Encourages the participation of others.
- Actively encourages a diverse workforce to ensure an appropriate balance of personal style, ethnicity, gender and cultural backgrounds.
- Provides guidance to others (coaching, mentoring).
- Identifies development needs of others and ensures they are met.

- Recognises contributions by staff.
- Resolves workplace conflict.
- Sets high standards of work behaviour and acts as an example to others.

(d) Work Experience

- 10 years of experience in legal practice with board room experience.
- Substantial practical experience in the field of management with at least the last five years in a senior management position and appropriate private sector experience.
- Sound knowledge of civil law practice and procedures.
- Sound knowledge of criminal law practice and procedures.
- Sound knowledge of constitutional law practice and procedures is a must


RICHARD PAGEN
CHIEF OMBUDSMAN

Date: 12/08/20

Ombudsman Commission
Papua New Guinea
PO Box 1831
Port Moresby
National Capital District


KEVIN KEPORE
OMBUDSMAN

Date: 12/08/20