



Director, First Nations Program

Job title: Director, First Nations Program

Reporting to: Chief Executive Officer

Mandatory Requirements: This is an **Identified Position** – It is an occupational requirement that this position be filled by an Aboriginal and/or Torres Strait Islander person.

Location: Can work from anywhere, with expectation of some travel and time-to-time attendance at your *designated office*.

Salary range: \$124,485 - \$145,653 + 10% superannuation (Pro rata if offered part time)

We are:

An environmental law practice protecting the Australia Pacific region by delivering legal solutions for peoples, nature and our climate.

We empower communities by making the tool of law both accessible and understandable. From community workshops and public submissions, to representing groups and individuals in forums from local tribunals to the highest courts in the region and international bodies.

Through legal investigation, litigation, legal advocacy and engagement with communities and the media, we are the legal watchdog that sees laws enforced, government held to account, democracy defended, and environmentally damaging actions propelled into the spotlight. We work alongside our clients and other important actors who share our vision of a world where nature thrives.

We recognise the urgency of this decade of consequence. In response we work with clients and communities to design and deliver transformative legal interventions which push the boundaries of existing legal frameworks. Our work has the power to influence rapid systemic changes which have the potential to address the underlying structures which lead to environmental degradation and prevent environmental enhancement.

The burdens of environmentally destructive practices are unequally shared between communities and across generations. We fight for environmental justice and invest in long-term community partnerships, enabling us to focus on the needs and desires of those communities. Through our work we address the distributive injustice and inequity associated with environmental degradation.

We acknowledge, value and respect the different legal systems that exist and apply in the region, First Law, International Law and western law. We also acknowledge the ongoing harm and racism which is perpetuated by the colonial legal framework. We are working to understand and define our role within that framework of legal pluralism. This Program will play a big part in helping us answer those big questions.

Our vision cannot be achieved alone. Consequently, we play a leadership and partnership role alongside the many organisations seeking a world where nature thrives, collaborating with partners, both traditional and unexpected – because many strategies, tactics and tools are necessary to achieve our vision.



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You are:

First and foremost, a leader with a big vision. Someone looking to do make a big difference in a crucial space, at a crucial time. You're looking for an organisation with the courage to seek improvements to "the system" and a desire to better serve First Nations. You may or may not be a western trained lawyer, but you will be:

- Deeply connected to, and passionate about, the protection of Country.
- A leader and a person with exceptional emotional intelligence.
- A person who understands and seeks environmental justice.
- A strategic thinker.
- A coalition builder.
- Someone who enjoys advocacy and pushing boundaries.
- A person capable of building deep connections and leading cultural changes within organisations and external to them.
- Someone who understands the complexities associated with development where a community has mixed views about the proposal. And someone how understands (or will quickly appreciate) the challenge associated with providing legal services in that context.

Background

In 2019, the Environmental Defenders Offices merged to form a single, regionally focused organisation. Our first 3 years Strategic Plan 2020 – 2023, identified four Strategic Goals. Goal 3 of our Strategic Plan is:

To empower First Nations and Indigenous Peoples and centre understanding of and respect for their perspectives in our work.

Underpinning this goal are three strategic objectives:

To understand the Region's true history, First Nations' sovereignty and the central role First Nations and Indigenous peoples play in the protection and restoration of nature.

To ensure staff have the necessary skills to assist and empower First Nations and Indigenous peoples to protect their Country/Land.

To establish trusting relationships and long-term partnerships with First Nations and Indigenous Peoples and organisations.

In determining how to operationalise this goal, EDO determined to establish a First Nations Program to lead and develop the approach we take to working with and for Aboriginal and Torres Strait Islander peoples.

The decision to establish this Program represents a paradigm shift for the EDO. It reflects our view that Indigenous peoples' knowledge and culture will play a central and defining role in the protection and restoration of nature. It also represents our view that Indigenous Justice and Environmental Justice are inextricably linked.



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EDO is committed to the long-term success of this Program. We have spent the last 12 months undertaking extensive internal and external engagement to help establish foundations from which the Director can begin to build the Program. Central to this engagement has been the appointment of Jumbunna Institute for Indigenous Education and Research, led by Distinguished Professor Larissa Berendt, and Madjulla Consulting, led by Dr Anne Poelina, as consultants to assist EDO in assessing the potential of the Program.

Reports from both consultants provide, provide a thought provoking body of material and research and will form a key guide for EDO's Board, CEO and the Program Director (the Reports). The Reports provide a synthesis of EDO's work with First Nations. They articulate the strengths, weaknesses and tensions of the historic and current approaches EDO takes to working with and for First Nations. The Reports outline options, and make recommendations, observations and suggestions for the strategic questions EDO will need to grapple with as it establishes its First Nations Program and the changes that will be required.

Purpose of this role and key initial responsibilities

The Director of the First Nations Program is a member of the Executive Team and is therefore collectively responsible for achievement of the KPIs of the 2020-2023 Strategic Plan.

Pre-eminently among the Executive Team, the Director of the First Nations Program is responsible for the achievement of Strategic Goal 3 of the Strategic Plan and specifically will oversee strategic First Nations projects, programs and engagement.

Key initial responsibilities of the Director will be:

- to spend time understanding the EDO, it's historical work with First Nations and our pre-existing relationships with First Nations Communities.
- To work with the CEO, Board and other stakeholders to establish an ambitious strategic vision for the EDO's First Nations Program.
- To begin the important task of networking and coalition building, to provide the foundation for the Program's success.



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Likely ongoing responsibilities & duties

General operational governance

- Working with the Executive Team to ensure the overall effective operations of the EDO.
- Collectively responsible with the Executive for the delivery of the EDO's strategic plan.
- Working with the executive on matters of general operational effectiveness, performance management and planning, reporting to the Board and observing various compliance requirements that apply to the EDO.

Strategic direction:

- The coordination, development and direction of the EDO's First Nations projects, programs, cases and engagement.
- The development and approval of policies and procedures relevant to EDO's work with First Nations.
- Assisting the organisation to grapple with the complexity of legal pluralism, of decolonial thinking, and of the provision of legal services (and the development of partnerships) in circumstances where views about development are contentious.
- Oversight of the work EDO offices across Australia as they relate to the interest of First Nations.

Leadership and staff management

- Ultimately accountable for the performance of the First Nations Program.
- With the CEO, leads recruitment of Leadership Roles within the First Nations Program.
- Mentoring and guiding staff within the First Nations Program.

Legal work – Litigation, Law Reform and Education

- Oversight and management of the budget for the First Nations Program.
- Working closely with the Director of Healthy Environment and Justice, and where relevant the lawyers within that program, in respect of cultural heritage matters the EDO may take on.
- Working closely with the Director of Healthy Environment and Justice and Director of Legal



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Strategy in respect of work with and for First Nations.

- To facilitate the incorporation of First Nations perspectives into EDO policy work.

External relations

- Maintaining strong relationships with external stakeholders.
- Represent EDO in the media as required and in agreement with the CEO, Director FMC.
- Assisting in organisational fundraising and communication efforts.

Key selection criteria

Personal qualities and leadership and management skills

- A champion of the agreed values of the EDO.
- The ability to collaborate and work across teams to achieve great outcomes – and a desire to work in a collaborative and team-based environment.
- Demonstrated ability to drive program development, strong initiative and self-motivation.
- Demonstrated ability to work effectively and constructively with multiple internal and external stakeholders:
 - The ability to lead, to bring others along.
 - An ability to bring out the best in others and mentor other lawyers.
 - Excellent emotional intelligence.
 - A demonstrated history of effectively uplifting performance through individual accountability and goal setting.
- A strong sense of ethics and understanding of professional obligations.
- The ability to manage a team with diverse skill sets and experience to effectively achieve results.
- Demonstrated awareness of and sensitivity to the needs and concerns of individuals from diverse cultures, backgrounds and orientations in both the delivery of our work and our internal culture.
- An ability to engage non-legal audiences – including funders – to help them interpret and understand our work, particularly as it relates to the First Nations Program.



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Strategic thinking and technical skills

- A strong vision for the development of the First Nations Program.
- The ability to think creatively and ambitiously about how we deliver access to justice.
- An understanding of community empowerment and engagement.
- Demonstrated experience in the effective delivery of services to Aboriginal and Torres Strait Islander peoples