



# Environmental Defenders Office

## **Special Counsel, First Nations Justice – Position Description**

EDO relies on our people to use their skills and experience to provide the best possible support to our clients and other staff. While this job description aims to outline the fundamental reason the role exists, the role may evolve as EDO evolves.

If you see a way to play to your strengths in a way that achieves EDO outcomes, please don't be limited to this list. We have important work to do and need everyone to be operating at their best.

### **Job title: First Nations Justice Special Counsel**

### **Reporting to: Director – First Nations Program**

### **Special 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.
- Travel will be required to fulfill this role.

### **Purpose of the position**

Environmental Defenders Office (EDO) is the largest environmental legal centre in the Australia-Pacific, dedicated to protecting our climate, communities and shared environment by providing access to justice, running ground-breaking litigation and leading law reform advocacy.

Since time immemorial, First Nations and Indigenous peoples have been taking care of their Countries in Australia and the Pasifik. These deep understandings, knowledges and experiences are critical to maintaining the health and vitality of Australia and the Pasifik's unique wildlife and ecosystems. EDO respects these great knowledges, and strongly believes that EDO cannot achieve a world where nature thrives without working alongside First Nations and Indigenous peoples.

EDO has established an Indigenous-led First Nations Program to support First Nations peoples to protect their Country in Australia and the Torres Strait Islands, and centre understanding of – and respect for – First Nations perspectives in our work. This program has also built the infrastructure within EDO to sustain, whilst continuously improving, culturally safe work practices for all team members, but specifically First Nations team members.

EDO understands that First Nations solicitors can bring both their professional legal skills, as well as their lived experiences as First Nations peoples to their work, which can provide better grounded legal services to First Nations clients.

This First Nations Justice Special Counsel is responsible for driving and overseeing the legal elements of the broader First Nations Program. This will include providing legal advice, representation and education to First Nations clients, where clients' interests, specifically in cultural heritage, align with EDO's strategic outcomes. This may include representing First

Nations clients through international mechanisms, including the United Nations.

A critical part of this role is to also proactively identify areas of Western law which can be improved through decolonisation and indigenisation, via law reform, litigation and community legal education practices.

### **Key responsibilities & duties**

Special Counsel are expected to work closely with the Director - First Nations Program, to develop and implement planning for the legal elements of the program, and work with a high level of autonomy and self-direction. This may include leading on media work, seminars, publications, as well as having carriage of litigation, law reform and advice work.

Special Counsel are expected to act as the solicitor on record for litigation work, authorise court documents and other work, increased supervision of other lawyers, and represent the EDO in the media.

#### Key responsibilities

- Provide legal advice, litigation and representation and engage in reciprocal education with First Nations clients on public interest environmental law issues and disputes, with a specific focus on Aboriginal cultural heritage, and potentially First Nations water issues and UNDRIP principles.
- Engage in policy and law reform and outreach to achieve EDO's strategic outcomes with respect to First Nations justice.
- Represent clients through international mechanisms including within the United Nations where appropriate.
- Comply with EDO's policies and procedures, and legal obligations.
- Deliver legal services in a culturally safe manner and work with clients from a wide variety of backgrounds.
- Supervise, mentor and support legal staff, and mentor and work collaboratively with other staff within EDO as appropriate
- Supervise the work of volunteers who undertake tasks such as legal research, document preparation, etc.
- Work alongside EDO colleagues and First Nations communities to create culturally appropriate educational materials for First Nations communities.

#### Duties

- Provide legal advice and representation to First Nations clients and communities on matters relevant to Aboriginal cultural heritage, and potentially First Nations water justice and UNDRIP principles.
- Have carriage of litigation undertaken in Australia.
- Undertake public education and outreach, including developing online resources and fact sheets, and the conduct of workshops or seminars with a focus on outreach within First Nations communities.
- Engage in law reform related to environmental law and policy, including participating in government policy processes and by developing and maintaining relationships with key stakeholders.

- Comply with professional obligations.
- Participate in and support EDO fundraising.
- Other reasonable requests made by the Director, First Nations Program from time to time.

### General

All staff have a responsibility to:

- Develop and maintain a good knowledge of EDO's role and policies.
- Represent EDO in a positive and effective manner by actively demonstrating EDO Values.
- Attend, and contribute actively and constructively at staff meetings.
- Maintain appropriate records, assist with office administration, such as files, computer and precedent systems.
- Seek opportunities for personal and professional development, particularly related to the team and position's specific areas of responsibility.
- Respond to requests by clients and fellow staff in a knowledgeable, professional, constructive and respectful manner.
- Provide accurate and timely data and information for reporting, fundraising and communications purposes.

### **Commitment to EDO's Values:**

#### Commitment

- We are committed to; a united organisation, to each other, to collaboration, to justice, to our communities and to creating a world where nature thrives.
- We are committed to providing excellent legal services and resources, informed by the best available science, in order to empower clients and communities.
- We are committed to improving our planet and society.
- We care for EDO's clients and stakeholders.
- We are fearless in the face of adversity, and care for each other as we face this adversity.

#### Diversity

- We are respectful of and welcome diversity of staff, volunteers, offices, environmental regions, communities, stakeholders.
- We respect First Nations Peoples' knowledge and experience, and work with them to protect their country and culture.
- We acknowledge that the law has not always been just.
- We dedicate ourselves to understanding the diversity of our people and culture.
- We welcome and respect our own differences and learn from them and collaborate to achieve our greatest potential.
- We are great lawyers and great people, with open hearts and open minds.
- We respect the different places our stakeholders come from and strive to help them, even if their worldviews don't align completely with ours.

#### Integrity

- We work effectively, efficiently, strategically, professionally and ethically; “justice is in our nature”.
- We are truthful with ourselves and others.
- We are nonpartisan and inspire trust in our clients, stakeholders and government.
- We respect the world's resources and make maximum productive use of the resources entrusted to us.

### Vision

- We lead change and environmental empowerment using innovation, creativity, and courage.
- We expand the boundaries with creativity and skill, pioneering new legal pathways to a healthier, safer world and inspiring others.
- We are inquisitive, curious and persistent: exploring new ideas and embracing change.
- We boldly challenge the status quo while providing solutions to our most pressing challenges.