



Environmental Defenders Office

Deputy Director, Country and Cultural Heritage (Principal Lawyer) – 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: Deputy Director, Country and Cultural Heritage (Principal Lawyer)

Reporting to: Director, First Nations and Indigenous Peoples

Direct Reports: Lawyers within the Country and Cultural Heritage Practice

Travel requirement: Some travel is required to fulfil this role.

1. Position overview and 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.

The Deputy Director, Country and Cultural Heritage is the Principal Lawyer for the First Nations Program at EDO. The Deputy Director, Country and Cultural Heritage is responsible for driving and overseeing the Western legal elements of the broader First Nations Program. This will include providing holistic and creative legal services to First Nations clients, including legal representation, advice and education. These legal services will be in respect of protecting cultural heritage, addressing First Nations water concerns, access to Country and other matters involving First Nations communities as required. This may include representing First Nations clients through international mechanisms, including the United Nations.

A critical part of this role is to also proactively work with the Director, First Nations and Indigenous Peoples, to identify areas of Western law which can be improved through decolonisation and indigenisation, via law reform, litigation and community legal education practices.

The Deputy Director, Country and Cultural Heritage, will work alongside three other Deputy Directors, and the Director, Legal Programs (Principal Lawyer), to hold collective responsibility to ensure work within EDO's legal practice operates efficiently, complies with legal and practice management obligations, delivers on strategic direction of the EDO, and that legal staff have clearly understood roles and accountability.

All Deputy Directors having pre-eminent responsibility for ensuring the effective collaboration across EDO's legal and non-legal functions and for overseeing the day-to-day translation of resourcing into strategically aligned service delivery.

The Deputy Directors are a key escalation point for *complex, high-risk, or resource intensive* matters within their field of speciality.

The role is a national role and can be based anywhere in Australia.

2. Key responsibilities & duties

Practice management and direction

- The Deputy Director is the *Responsible Person* for the Country and Cultural Heritage Practice, and accountable for practice management within that practice.
- The Deputy Director – Country and Cultural Heritage is accountable for effective implementation of EDO's broader practice management frameworks within the Country and Cultural Heritage Practice.
- With the Director - First Nations and Indigenous Peoples, lead the development of, and approve, specific practice management frameworks, policies and procedures relevant only to the Country and Cultural Heritage Practice.
- The Deputy Director, Country and Cultural Heritage, will work closely with the Director, Legal Programs and Director, First Nations and Indigenous Peoples Program, to implement concepts relevant to our work with First Nations across the EDO Legal Practice
- Supervise the legal practice and administration of the Country and Cultural Heritage Practice and ensure the EDO's implementation of and compliance with its policies and procedures and legal obligations.
- Be the key escalation point for Managing Lawyers (irrespective of team) in respect of cultural heritage work, access to Country and First Nations water concerns, and other work that relates to First Nations communities that is complex and will work with MLs to develop annual work-plans and presentations of work that is deemed complex or high risk for presentation to EDO's risk committee.
- Supervise solicitors within the Country and Cultural Heritage Practice, and work conducted by other solicitors within EDO, who are working on First Nations matters, where relevant.
- Manage the provision of legal services by the Country and Cultural Heritage Practice, including ensuring quality and accuracy and compliance with professional obligations.
- Be responsible for the governance and strategic coordination of the Country and Cultural Heritage Practice, including in relation to operational planning, implementation and review of policies and quality assurance, and budget administration.
- The Deputy Director, Country and Cultural Heritage, will work alongside the other Deputy Directors to ensure the coordination, consistency and accountability of legal service provision across EDO's multi-disciplinary approach in regard to legal services to First Nations communities, and have shared accountability and oversight for the delivery of EDO's strategy.
- Deputy Directors will facilitate the integration of multi-disciplinary approaches in both annual workplans and daily practice management, identifying key opportunities and ensuring seamless collaboration across different teams, preventing undesirable siloed operations.
- The Deputy Director, Country and Cultural Heritage, will work alongside the other Deputy Directors to be pre-eminently responsible for ensuring effective collaboration across EDO's legal and non-legal functions and for ensuring the efficient operation of EDO's legal practice, identifying and removing bottlenecks and barriers to effective operation of the practice.

Team Culture, Leadership and Communication

- The Deputy Director, Country and Cultural Heritage will demonstrate the ability to lead with humility, prioritising the needs of the team and the EDO above personal ambitions and will value and respect all contributions.
- The Deputy Director, Country and Cultural Heritage will cultivate and foster a positive, inclusive and collaborative work environment which encourages mutual respect, testing of ideas, open communication and team cohesion. The Deputy Director will champion ‘the EDO way’ and ensure it is reflected in every aspect of team interaction and engagement.
- The Deputy Director, Country and Cultural Heritage will play a key role in ensuring cross-team communication and collaboration at EDO, providing timely updates across the organisation, benefited by the helicopter perspective they have across the organisation.
- The Deputy Director, Country and Cultural Heritage will supervise, mentor and support legal staff, actively providing opportunities for improvement and growth.
- Supervise the work of volunteers who undertake tasks such as legal research, document preparation, etc.

Risk Management

- The Deputy Director, Country and Cultural Heritage will work alongside the other Deputy Directors to drive a culture of robust testing of ideas and work theories both promoting cooperation, collaboration and team buy-in as well as improving outcomes for clients, achieving better alignment with strategy and effectively mitigating risks.

Resource allocation and project management

- The Deputy Director, Country and Cultural Heritage will be required to develop strong financial literacy and the ability to work with and communicate budgets and budget decisions, including allocating national resources to local litigation, law reform and education work and collaborate with other Deputy Legal Directors to determine how caseloads will be supervised.
- The Deputy Director, Country and Cultural Heritage will have a strong understanding of EDO’s various resourcing streams and how they fund work within teams.
- Deputy Directors will have a broad perspective of EDO’s work and workflow and will use that helicopter view to complement Regional and Practice Area knowledge of Managing Lawyers, enabling smart use of resources and fostering project-based collaborations.
- Work closely with other Deputy Directors to ensure the coordination, consistency and accountability of legal service provision across EDO’s multi-disciplinary approach to legal services and have shared accountability and oversight for the delivery of EDO’s strategy.

Compliance and reporting

- The Deputy Director, Country and Cultural Heritage will have specific accountability for grant reporting and oversight, for specific grants for aspects of grants aligned to work within the

Country and Cultural Heritage Practice. Specific authority for sign off on grant reports will be determined based on the nature of each grant and as agreed.

- The Deputy Director, Country and Cultural Heritage will be expected to produce reports for the Board – reviewed and approved by the Director, First Nations and Indigenous Peoples – which enable the Board to have effective governance oversight of workflow occurring consistently with EDO funding, as well as demonstrating how work EDO takes on is aligned to the EDO’s strategy.

Strategic delivery

- The Deputy Director, Country and Cultural Heritage will provide strong inspirational leadership to the Country and Cultural Heritage Practice and across the EDO and maintain technical credibility.
- The Deputy Director, Country and Cultural Heritage will be trusted and valued as a key facilitator of EDO’s professional and excellent legal service delivery.
- The Deputy Director, Country and Cultural Heritage will work collaboratively with the other Deputy Directors to ensure that EDO’s work has a strong connection to Strategy and Role.

Stakeholder and external relations

- Build and maintain relationships with key stakeholders for the Country and Cultural Heritage Practice, including First Nations communities and organisations, government, the legal profession, and other communities and community-based organisations.
- Represent EDO in the media as required and in agreement with the Director, First Nations and Indigenous Peoples and the Director of Fundraising, Marketing and Communications (FMC).
- Participate in and support EDO fundraising, communication activities, including responsibility for acquittal of grants tied to the delivery of services within the Country and Cultural Heritage Practice, and deliver any First Nations focused fundraising activities in collaboration with the Director, FMC and the Director, First Nations and Indigenous Peoples.

3. Technical Expertise

- The Deputy Director, Country and Cultural Heritage will remain an “on-the-tools” lawyer, overseeing the work of the Country and Cultural Heritage Practice.
- The Deputy Director, Country and Cultural Heritage will be the pre-eminent authority within EDO for legal work relating to cultural heritage and will support other lawyers, the Director First Nations and Indigenous Peoples and the Reform and Policy team in respect of advocacy and law reform initiatives that concern cultural heritage, access to Country and First Nations water concerns.
- Deliver legal services, advice and representation to First Nations clients and communities on relevant matters important to First Nations communities, including but not limited to Aboriginal cultural heritage, access to Country and First Nations water concerns, in a culturally safe manner and, at times, with clients who speak English as a second or more language.
- Provide legal advice, representation and engage in reciprocal education with First Nations clients on public interest environmental law issues and disputes, which may include but is not limited to Aboriginal cultural heritage, access to Country, First Nations water concerns and

United Nations Declaration of Indigenous Peoples (**UNDRIP**) principles.

- Represent clients through international mechanisms including within the United Nations where appropriate.
- While the role does not contemplate native title work, the role requires experience with and understanding of Native Title/Land Rights frameworks.
- Supervise and have a proven track record of carriage of litigation undertaken in Australia, including at a federal level, in relation to matters on behalf of First Nations communities.
- Extensive experience working in a culturally safe manner with First Nations clients during litigation, particularly in respect of defending Country or cultural heritage, access to Country or First Nations water matters.
- Will know when litigation is a good option, and when it is not a good option for clients and will be creative in their legal thinking about other avenues for furthering clients' interests prior to getting to litigation.
- The ability to design and implement litigation strategies that align with client demands and the ability to link them effectively with EDO's multi-disciplinary approach to public interest lawyering.
- With the Director – First Nations and Indigenous Peoples and the Deputy Director, Reform and Policy, engage in law reform related to matters that impact First Nations ability to care for Country and culture, including participating in government policy processes and by developing and maintaining relationships with key stakeholders.
- Lead the development of public education and outreach, including the development of online resources and fact sheets, and the conduct of workshops or seminars with a focus on outreach within First Nations communities.
- Work alongside EDO colleagues and First Nations communities to create culturally appropriate educational materials for First Nations communities.

4. Qualifications

- Experience working with First Nations communities.
- Law degree and at least 10 years PAE, although 15 years of PAE highly desirable.
- Hold, or are eligible to hold, a Principal Practising Certificate or equivalent in an Australian jurisdiction.
- Acknowledged experience in litigation, and/or law reform and policy or community legal education/early intervention.
- Proven experience in a leadership role within a legal setting, preferably within a law firm or legal department or not-for-profit.
- Proven experience in a leadership role within a geographically dispersed team.
- Demonstrated ability to develop and implement strategic objectives within a legal practice.
- Experience in working in, and an understanding of, the Native Title / Land Rights frameworks.
- Expertise in cultural heritage, and First Nations water concerns, and/or access to Country concerns, or demonstrated capacity to develop this expertise.

5. Professional competencies and behaviours

Proven ability to work in a respectful and culturally safe manner, specifically with First Nations communities.

Culturally safe: Ensures that the behaviour of themselves and their teams is always culturally safe and applies cultural protocols when appropriate. Understands the historical underpinnings of Australia's relationship with First Nations peoples, as well as the issues that exist within contemporary Australia in relation to First Nations peoples, including the systemic and structural biases that exist.

Humility: Understands that whilst they have much to offer First Nations communities, they also have much to learn from different First Nations communities. Understands the importance of the First Nations community leading the way and knows when to step in and when to step out.

Respectful: Exhibits respectful behaviour both internally and externally to everyone. Values everyone's unique expertise.

Strong leadership qualities with the ability to inspire and develop high-performing teams.

Motivation: Regularly recognise and reward team achievements, fostering a culture of appreciation and motivation.

Empowerment: Effectively delegate tasks, empowering team members to take ownership and responsibility for their work. Encourages team members to take initiative and lead projects or segments of work.

Excellent organisational, communication and interpersonal skills.

Clarity and precision: Communicate complex legal and strategic information clearly and concisely, ensuring all stakeholders understand the key messages.

Active listening: Practice active listening to understand the perspectives and needs of team members and stakeholders.

Self-awareness: Regularly seeks feedback on their own performance from across the organisation and demonstrates awareness of personal limitations and knowledge gaps. Actively seeks to improve and is open to learning from others, regardless of their role or level within EDO.

High level of integrity and professional ethics.

Ethical decision making: Make decisions that align with the organisation's values and ethical standards, even when facing pressure or adversity.

Transparency: Maintain transparency fostering trust and credibility.

Accountability: Take responsibility for actions and encourage the same level of accountability from members of their team.

Ability to drive innovation and adapt to changing legal environments.

Curiosity and open-mindedness: Stay informed about emerging trends and developments in areas relevant to the Country and Cultural Heritage Practice.

Flexibility: Able to adapt quickly to changes in the environment and is comfortable with ambiguity.

Inclusivity and ability to work closely with a diverse range of internal and external stakeholders.

Inclusive: Requires a deep commitment to fostering an inclusive and diverse workplace, through active promotion of equity, thorough understanding of diversity and leadership of initiatives that ensure all employees feel valued and respected.

Ensuring varied perspectives: Involves team members in decision-making, ensuring diverse perspectives are considered.

Open and honest: facilitates open and honest discussions among team members.

Cultural competence: Shows respect for and understanding for diverse cultures, backgrounds and viewpoints.

Proficient in managing budgets and resourcing.

Financial acumen: Demonstrate a thorough understanding of budgeting principles and financial management.

Cost control: Demonstrate an ability to effectively manage workloads/costs within a budget.

6. 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.

7. 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.