

## GENERAL COUNSEL CHARTER

This Charter establishes a set of common expectations for Commonwealth officers in both corporate Commonwealth entities and non-corporate Commonwealth entities who are responsible for the delivery of legal services and management of legal risk in their entity (General Counsel). It applies to the head of the legal practice of each entity, irrespective of the particular job title attaching to that position.

In some entities this responsibility will be shared by more than one person and entities will likely have existing performance expectations for their General Counsel. This Charter is intended to be complementary to existing entity arrangements.

This Charter is sponsored by the Secretary of the Attorney-General's Department (AGD), as the head of the Australian Government Legal Service (AGLS). The Office of Legal Services Coordination in AGD will provide guidance, support, and assistance to General Counsel in facilitating compliance with this Charter to the fullest extent possible.

### **EXPECTATIONS**

General Counsel are expected to:

- 1. Be professional leaders for lawyers within the Commonwealth, including by:**
  - Participating in and supporting the work of the AGLS.
  - Promoting adherence to professional standards and supporting professional development.
- 2. Foster collaboration between Commonwealth lawyers, including by:**
  - Sharing information and legal knowledge across teams and between entities.
  - Facilitating the mobility of government lawyers across the Commonwealth, including secondments.
  - Driving changes that improve efficiency and prevent the duplication of effort and resources in Commonwealth legal practices.
- 3. Manage legal risk and deliver legal services with due regard to the Commonwealth's interests as a whole, including by:**
  - Supporting their entity head to ensure compliance with the *Legal Services Directions 2017*.
  - Identifying legal risks and issues that might require or benefit from a whole-of-government approach, and taking steps to engage relevant stakeholders.
- 4. Drive innovation in the delivery of legal services, including by:**
  - Managing their legal practice, and supporting the development of their government lawyers, in a way that fosters innovation.
  - Identifying new approaches to how government lawyers support the priorities of the Commonwealth.
  - Proactively engaging with clients to incorporate the identification and management of legal risk into all stages of policy and program decision making.
  - Looking for opportunities to utilise technology and AI to support the provision of legal services.

### **ACCOUNTABILITY**

General Counsel are accountable, including through the *Legal Services Directions 2017*, to the AGD Secretary, who is the head of the profession for the AGLS. The Secretary supports the Attorney-General and the Solicitor-General, as the First and Second Law Officers of the Commonwealth respectively.

## **COMPATIBILITY WITH OTHER OBLIGATIONS**

It is recognised that General Counsel may have additional, and competing, obligations, such as when working for corporate Commonwealth entities. This Charter does not override such obligations. However, as much as possible, General Counsel will work collaboratively and with a whole-of-government focus.

## **REVIEW**

The AGLS Board, in consultation with General Counsel, is responsible for reviewing this Charter, initially within six months of commencement, then every two years thereafter. The Charter may be amended by resolution of the AGLS Board, subject to endorsement by the AGD Secretary.

## **EFFECTIVE DATE**

The Charter is effective from the date the Charter is formally conveyed to General Counsel. This occurred in January 2022.