

ROLE DESCRIPTION



1. POSITION DETAILS

Position Title: Head: Legal & Investigations

Position Holder: _____

Position Reporting to: David Lewis

Date Approved: _____

2. POSITION PURPOSE

- ❖ To implement Corruption Watch’s (CW) legal functions and manage CW’s legal interventions and litigation so as to use the law to put pressure on perpetrators of corruption and add to the jurisprudence on corruption;
- ❖ To manage CW’s investigations so as to ensure that reports of corruption are responsibly and thoroughly investigated and documented and cases of corruption are exposed and/or handed over to the authorities;
- ❖ To influence the legislative and policy framework governing corruption in South Africa, through amongst other things: commenting on legislation and policies and writing opinion pieces;
- ❖ To advise management and members of other teams on legal issues as and when they arise including but not limited to advice aimed at ensuring CW produces informed and accurate stories and potentially defamatory content is identified prior to publication.

3. KEY ACCOUNTABILITIES

OUTPUT 1: Manage and Implement legal team functions;

- Identify precedent-setting / otherwise relevant cases for legal interventions and litigation;
- Foster relationships with outside attorneys and Counsel;
- Prepare briefs for outside attorneys and Counsel;
- Draft affidavits;
- Attend to legal research;
- Prepare Promotion of Access to Information Act (PAIA) requests;
- Engage in correspondence;
- Design and carry out legal interventions flowing from Corruption Watch’s investigative work;
- Manage Corruption Watch’s company secretarial function

OUTPUT 2: Manage CW’s investigations

- Manage the identification of cases to investigate within CW's mandate and resources;
- Manage the work of the CW investigators and investigative journalists;
- Engage outside forensic and legal experts where necessary to assist in investigations
- Manage service providers that provide online investigative tools;

OUTPUT 3: • Produce content that influences the legislative and policy environment governing corruption in South Africa;

- Familiarise oneself with the relevant issues quickly;
- Convert complex legislation; regulations and policies into an easy to understand format;
- Gain an understanding of the anti-corruption legal frameworks locally (and internationally);
- Produce research papers / guides on relevant topics;
- Produce opinion pieces

OUTPUT 4: Advise management and reporters where required;

- Respond quickly to queries from other Corruption Watch teams;
- Balance the need to respond quickly with giving sound and considered advice;
- Advise management and other teams within Corruption Watch on media law, defamation as well as any other relevant legal issues;
- Produce articles / presentations that require an understanding of the law for management team as requested;
- Conduct training for other teams on key legislation relevant to CW's work;
- Take phone calls / walk in and other queries from members of the public who report corruption / have questions about corruption that the Reports team believe require legal assistance;
- Understand what falls within CW's mandate as well as gain an understanding of other service providers to whom matters can be referred and the services they provide;
- Familiarise oneself with relevant statutes and regulations;
- Keep abreast of developments in the law relevant to the work of CW;
- Advise the Executive Director as requested to do so

OUTPUT 5: Engage in correspondence and draft legal opinions / memos, articles and reports

- Draft correspondence to *inter alia* public bodies in support of our efforts to expose perpetrators of corruption;
- Engage with reporters / manage engagement with reporters of corruption to keep them abreast of developments with their report / on CW's work generally where required;
- Produce memoranda as required on key legal issues relevant to the work of CW;
- Write funding and research reports;
- Assist in writing sections of Corruption Watch's annual reports

4. DECISION MAKING

- Operate within CW's strategy and CW's policies;
- Operate independently on a day-to-day basis;
- Consult with the Executive Director when necessary / required to do so;
- Consult with the Executive Director when necessary / required to do so;

5. COMMUNICATION

| WHO? | WHY? | HOW Often? * |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <p>Other staff and management:</p> <ul style="list-style-type: none"> - Executive Director; - Deputy-Executive Director; - Head of Legal; - Investigative journalist; - Journalist; - Investigators; - Stakeholder Liaison officer; - RMS team | <ul style="list-style-type: none"> - To collaborate on issues relevant to legal team including substantive issues and strategy and to brainstorm and share ideas; - To give advice / draft presentations / papers / memos; - To give legal advice; provide input / vetting on stories; provide input on investigations; as well as provide legal research; - To discuss allocation of reports / give feedback on report allocation | D |
| Outside lawyers | To brief them on a particular matter and to follow-up with them once briefed / make oneself available to assist on matters | I |
| Other NGOs / actors | To collaborate on projects / initiatives / inputs into policy and legislation | I |
| Reporters | To advise whether or not the complaint is within CW's mandate / to refer to other organisations | S |

* **C = Constantly**
D = Daily

W = Weekly
M = Regular Monthly

S = Seldom
I = Intermittent but intense

6. POSITION INPUTS

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Qualifications & Experience:</p> <p><i>Required</i></p> <ul style="list-style-type: none"> - LLB; - Admission as an attorney or advocate of the High Court of South Africa; - Litigation experience; - 5 years' post-qualification work experience in a law firm; civil society organisation or public sector; - Legal research experience; <p><i>Desirable</i></p> <ul style="list-style-type: none"> - Post graduate qualification. | <p>Knowledge:</p> <ul style="list-style-type: none"> - Knowledge of the legal frameworks that govern: <ul style="list-style-type: none"> - Corruption and related crimes; - Procurement; - Access to information; - Administrative justice; - Whistle-blowers; - Public officials; - Public finance management; - Spheres of government. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Skills:

- Ability to work both independently and part of a team;
- Strong verbal communication & interpersonal skills;
- Excellent written communication skills;
- Computer skills, including outlook and MS Word;
- Time management;
- File management;
- Attention to detail;
- Problem solving

Behaviours:

- Initiative
- Integrity
- Ability to work under pressure / give advice on short notice
- Accuracy
- Teamwork and cooperation
- Flexibility