

**POSITION PROFILE**

**CHIEF COMMISSIONER**

Title:	<b>Chief Commissioner</b>
Appointed by:	<b>Governor-General on the advice of the Minister of Justice</b>
Time commitment:	<b>Full-Time</b>
Term:	<b>Up to 5 years</b>
Salary:	<b>As determined by the Remuneration Authority</b>
Location:	<b>The preferred location of the Chief Commissioner position is Auckland or Wellington</b>

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This position description is based on legislative provisions contained in the Human Rights Act 1993 (the Act).

**Human Rights Commission**

The Human Rights Commission is an independent Crown entity given a wide range of functions and powers under the Human Rights Act 1993

**Membership of Commission**

Section 8 of the Act provides:

- (1) The Commission consists of the following Human Rights Commissioners:
  - (a) the Chief Commissioner; and
  - (b) not less than 3 and not more than 4 other Commissioners.
- (1A) There must be a Commissioner, other than the Chief Commissioner, appointed to lead the work of the Commission in each of the following priority areas:
  - (a) disability rights (the Disability Rights Commissioner);
  - (b) equal employment opportunities (including pay equity) (the Equal Employment Opportunities Commissioner);
  - (c) race relations (the Race Relations Commissioner).
- (1B) A Commissioner must lead the work of the Commission in any other priority area that is designated by the Chief Commissioner, and the Chief Commissioner may designate an area of work as a priority area only in accordance with the strategic direction and the general nature of activities determined by the Commission under section 7(1) and after consultation with the Minister and the other Commissioners.
- (2) The Commissioners are the board for the purposes of the Crown Entities Act 2004.
- (3) The Chief Commissioner holds office as chairperson of the board for the purposes of the Crown Entities Act 2004.

## **Functions of the Human Rights Commission**

The Commission's main functions are to:

- Advocate and promote respect for, and an understanding and appreciation of, human rights in New Zealand society
- Encourage the maintenance and development of harmonious relations between individuals and among the diverse groups in New Zealand society
- Lead, evaluate, monitor and advise on equal employment opportunities
- Provide information to members of the public who have questions about unlawful discrimination and facilitate resolution of disputes relating to unlawful discrimination on the grounds of sex, marital status, religious belief, ethical belief (lack of a religious belief), colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, sexual orientation or sexual harassment or racial harassment in the areas of employment, education, access to public places, the provision of goods and services, housing and accommodation, partnerships, qualifying bodies, organisations of employees and employers, vocational training and trade and professional associations, government or public sector activities.

Applicants should refer to section 5 of the Act for the full range of the Commission's functions.

## **Role of Commissioners**

Section 7(1) of the Act provides that the members of the Commission acting together determine the strategic direction and the general nature of activities undertaken in the performance of the Commission's functions.

## **Criteria for appointment**

Section 11(1) of the Act provides that in recommending persons for appointment as Commissioners or alternate Commissioners, the Minister must have regard to the need for Commissioners and alternate Commissioners appointed to have among them.

- (a) knowledge of, or experience in:
  - (i) different aspects of matters likely to come before the Commission
  - (ii) New Zealand law, or the law of another country, or international law, on human rights
  - (iii) the Treaty of Waitangi and rights of indigenous peoples
  - (iv) current economic, employment, or social issues
  - (v) cultural issues and the needs and aspirations (including life experiences) of different communities of interest and population groups in New Zealand society.
- (b) skills in, or experience in:
  - (i) advocacy or public education
  - (ii) business, commerce, economics, industry, or financial or personnel management
  - (iii) community affairs
  - (iv) public administration, or the law relating to public administration.

### **Further criteria for appointment of Chief Commissioner**

In recommending a person for appointment as Chief Commissioner, the Minister must have regard not only to the criteria stated in section 11 but also to the person's—

- (a) ability to provide leadership in relation to the performance of the functions of the Commission (for example, being an advocate for, and promoting, by education and publicity, respect for and observance of human rights):
- (b) ability to represent the Commission, and to create and maintain effective relationships between it and other persons or bodies:
- (c) knowledge of New Zealand law, the law of other countries, and international law, on human rights, and of New Zealand's obligations under international instruments on human rights:
- (d) appreciation of issues or trends in human rights arising in other countries or internationally, and of the relevance of those issues or trends for New Zealand:

### **Role of the Chief Commissioner**

The principal functions of the Chief Commissioner include:

- (a) To chair the Human Rights Commission
- (b) To ensure that the Commission's activities are consistent with the strategic direction set by the Commission
- (c) To be responsible for matters of administration in relation to the Commission
- (d) To allocate spheres of responsibility among the Commissioners

In practice this means:

- Chairing monthly meetings of the Commission (monitoring and setting policy for the operation of the Commission)
- Chairing bi-monthly meetings of the full Commission (managing and making decisions on the jurisdictional functions of the Commission)
- Chairing telephone conference meetings of the Commission as necessary
- Consultation with Ministers, stakeholders, complainants and respondents
- Appearing at Select Committees as required
- Developing strategic plans and operational plans in conjunction with other Commissioners, the General Manager and staff
- Providing leadership as the media spokesperson for the Commission
- Undertaking public speaking engagements
- Representing the New Zealand Human Rights Commission on the Asia/Pacific Forum of National Human Rights Institutions
- Representing the New Zealand Human Rights Commission on the International Co-ordinating Committee of National Human Rights Institutions for the Protection and Promotion of Human Rights
- Liaising with the Ministry of Foreign Affairs Human Rights Unit and the Office of the United Nations High Commissioner for Human Rights
- Developing and maintaining good collegial relationships between Commissioners
- Responsibility for promoting the Commission's relationship with the Maori community
- Responsibility for the direction of Human Rights policy development in conjunction with other Commissioners.

**CHIEF HUMAN RIGHTS COMMISSIONER**  
**KEY COMPETENCIES**

- **Relevant professional qualifications or experience**
- **Appreciation of human rights issues**
- **Governance Skills**
- **Relationship management ability**

The successful applicants will have/be able to demonstrate:

**Relevant professional qualifications or experience**

- A tertiary qualification in a relevant discipline or comparable career experience.
- Career experience at a senior level reflecting good judgement, integrity and impartiality.
- Analytical skill and demonstrable clarity of thought.
- Experience in advocacy or public education.
- Experience in working with diverse groups and familiarity with dispute resolution processes.

**Appreciation of human rights issues**

- Understanding of the Human Rights Act 1993, the New Zealand Bill of Rights Act 1990 and New Zealand's obligations under various United Nations conventions.
- Understanding of, and sensitivity to, Treaty of Waitangi issues.
- Appreciation of issues, trends and developments in human rights arising in other countries or internationally, and of the relevance of those issues or trends in New Zealand.
- Familiarity with issues relating to minority and disadvantaged groups.
- Understanding of the issues arising from the multi-ethnic nature of the New Zealand population, including the need for different strategies and networks to communicate successfully with the various ethnic communities.
- Familiarity with issues facing employers and employees in a diverse workforce.
- Appreciation of the key goals of Government and their relevance to significant social issues.

**Governance skills**

- The ability to provide vision and strategic leadership, to set clear policies and priorities, and to motivate staff.
- An understanding of good management practices and the ability to apply these effectively to achieve organisational goals and objectives.
- An appreciation of public sector management as set out in the Public Finance Act 1989.

### **Relationship management ability**

- The ability to establish and maintain constructive relationships at all levels both externally and internally.
- The ability to work collaboratively as part of a governance team, taking into account the interests of the whole organisation rather than the portfolio interest.
- Respect for the separate role of the Chief executive in managing staff members as their employer.
- A proven commitment to modelling a positive culture and acceptable behaviours.
- Having, and following effective and well-understood accountability processes.
- Demonstrated consistent professionalism and fairness in dealing with others.
- The ability to stimulate interest in, and promote understanding of, human rights issues.
- The ability to interact effectively with the media to promote positive human rights.
- Superior public speaking and presentation skills.
- An understanding of the aspirations of a diverse range of people and organisations, including other Commissions, Māori, central Government agencies, businesses, non-Government organisations, media representatives, Members of Parliament, diplomats, ethnic community organisations, service organisations, local bodies, religious organisations and other sectoral interest groups.