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 **TERMS OF REFERENCE**

SOLICITOR GENERAL

Date: Sept 2025

# Background

## The island of St Helena is an internally self-governing Overseas Territory of the United Kingdom located in the South Atlantic approximately 4,000 miles from the UK. The Government comprises a Governor (who is appointed by the Crown) and Executive Council. The Executive Council comprises the Chief Minister, four Ministers and the Attorney General. St Helena also has a Legislative Council made up of 12 Elected Members (including the Chief Minister and four Ministers), the Speaker, Deputy Speaker and the Attorney General. The Governor retains special responsibility for defence, external affairs, internal security, appointments to the public service, the administration of justice and finance.

## The island’s population is around 4,500 and it has a typical small island economy with a high import dependency, a narrow economic base, a large public sector (around 920 staff), and significant outward labour migration. St Helena receives UK Government financial assistance to support recurrent and capital expenditure as part of their obligation to ensure that the reasonable needs of the population are met.

## The St Helena Government Strategy for St Helena captures the following National Goals:

**Altogether Safer**

**Altogether Healthier**

**Altogether Better for Children and Young People**

**Altogether Greener**

**Altogether Wealthier**

**Effective Infrastructure**

**Effective, efficient and accountable Public Sector**

**Our Vision**:

St Helena – a great place to live, learn, work, visit and invest.

**Our Mission**:

Improve the lives of all within our community and help the island thrive.

**Our Values**:

**F**AIRNESS - We act as role models and have fair and consistent standards. We champion equality, inclusion and respect.

**I**NTEGRITY - We communicate openly and we are honest, accountable and ethical.

**T**EAMWORK - We work together and we support each other.

## Commercial flights to St Helena commenced on 14 October 2017. It is hoped that the tourism activity resulting from this will significantly enhance St Helena’s economic prospects and have a dramatic impact on the island community, bringing a period of accelerated social and economic change. Achievement of the Goals and Strategic Objectives will require sound management and transformation of the public sector to make it a professional, modern, and flexible organisation able to initiate and respond to change.

## There are five Portfolios, each led by a Portfolio Director, reporting to the Chief Secretary who is the Head of the Public Service: Treasury, Infrastructure and Sustainable Development; Education, Skills and Employment; Health and Social Care; Environment Natural Resources and Planning; and Safety, Security and Home Affairs. The Central Support Service led by the Deputy Chief Secretary undertakes the full range of ‘organisational administration’ in support of the five Portfolios.

## The Central Support Service comprises of support services such as Corporate Governance and Administration, Media and Communications, Performance and Risk, Statistics, Transport, ICT and HR and Organisational Development.

## A new Ministerial form of Government was implemented in St Helena following a general election in October 2021. We have recently had another general election in September 2025. There are five Ministers, including the Chief Minister, who have aligned their portfolios to those of the Public Service. The Ministerial vision is ‘a sustainable environment that creates opportunity and inspires social and economic progress ensuring a better quality of life for all’.

## St Helena Government are seeking a suitably qualified and experienced lawyer to undertake the role of Locum Acting Attorney General and lead the Attorney General’s Chambers.

# Attorney General’s Chambers

##  The Attorney General is the principal legal adviser to the Governments of St Helena, Ascension and Tristan da Cunha. The role is based in St Helena. In accordance with the Law Officers Ordinance 2013 the Solicitor General can exercise all the powers and duties of the Attorney General save only performing the Attorney General’s roles and functions at St Helena’s Executive Council and Legislative Council. The Solicitor General is expected to act as Acting Attorney General when the substantive Attorney General is, for whatever reason, unable to do so.

## Other roles within AG Chambers include:

* Solicitor General (newly restored post to the establishment)
* Senior Crown Counsel
* Legislative Commissioner
* Crown Counsel (one is based in Ascension)
* Legislative Drafters
* Administrative staff.

## The Attorney General has the primary role of advising the government on any and all legal matters and issues. The Solicitor General will be expected to share these responsibilities.

## The Attorney General is responsible for all criminal prosecutions and is the nominal party – plaintiff or defendant – in all civil litigation by or against the Crown. The Solicitor General will be expected to share these responsibilities.

## The Attorney General is responsible for drafting the laws of St Helena and producing revised editions of the legislation. The Attorney General is also responsible for reforming the laws to keep them in line with modern standards. The Solicitor General will be expected to share these responsibilities with the Legislative Commissioner.

## There is a Public Solicitors Office and a commercial law practice on St Helena. The Public Solicitors Office also utilises a small group of Lay Advocates.

## Beyond the realms of domestic law, it falls to the Attorney General to ensure that as far as practically reasonably that Treaty requirements, including reporting obligations, are met. The Solicitor General will be expected to share these responsibilities.

## In St Helena, the Attorney General is an officer of the St Helena Public Service and a (non-voting) member of both the Executive Council and the Legislative Council. The role requires the post holder to maintain careful balance between acting as an independent guardian of the rule of law who provides impartial legal advice to the St Helena Government including the Governor, Chief Minister, Ministers, Chief Secretary, Financial Secretary and Portfolio Directors.

## In Ascension, the Attorney General is a non-voting member of the Island Council and the principal legal adviser to the Government, including the Governor, the Administrator and Departments of Government. The Solicitor General will be expected to share these responsibilities.

## For Tristan da Cunha, they are the principal legal adviser to the Government, including the Governor, the Administrator and the Island Council. The Solicitor General will be expected to share these responsibilities.

## The Attorney General acts as guardian of the public interest, in particular in certain kinds of legal proceedings – such as decisions on the bringing or termination of criminal prosecutions, and the appointment of “advocates to the court” to act as neutral advisers to the court in litigation. The Attorney General’s independent public interest role includes consultation by the prosecuting authorities on individual criminal cases as part of the superintendence role. The Solicitor General will be expected to share these responsibilities.

## The Law Officers are based in Jamestown, St Helena.

## This role is funded through the ‘Technical Co-operation (TC) Programme’ and as such the role holder is expected to share their knowledge and skills beyond the workplace to ensure their time on St Helena has the broadest benefit. It is important that you have the right values and attitude and that you are motivated by wanting to make a difference and contribute to our small island community. You will need to be adaptable, resilient, and sensitive to the local context and challenges. This is an excellent opportunity to support and contribute to the island whilst also enjoying the unique lifestyle opportunities the island can offer you.

# Key Objectives

## The Solicitor General’s functions are wide-ranging and legally diverse, but the key function is to provide independent and impartial advice to the St Helena Government with the Attorney General. The overall objectives of the post during the contractual period are as follows:

* To lead and manage the Attorney General’s Chambers with the Attorney General so that it provides a strategic, timely, proactive, professional and reliable service to all stakeholders;
* To support the objectives of Government business in a timely way (including legal input into the development of policy and legislation);
* To be responsible for criminal prosecutions in accordance with the Constitution, other relevant law and as agreed with the Attorney General
* To provide an effective and professional service in the conduct of Crown proceedings.

## A key objective for all the roles funded through the TC Programme is Capacity Development. Capacity Development is defined by the Public Service as:

* Developing specific job related technical skills and knowledge in an individual or across teams or groups;
* Enhancing knowledge, skills and abilities of individuals, teams and the Public Service as a whole;
* Supporting the improvement of overall Public Service performance;
* Enhancing knowledge, skills and abilities of individuals within the private sector and wider community;
* Supporting the development of the island (including voluntary work) which may be unrelated to your substantive role.

## You may be directly involved in succession planning and if so you would be required to:

* Participate in the performance management process and identify solution for filling skill/capacity gaps;
* Facilitate continuing professional development for direct reports and the wider team as necessary;
* Develop succession plans, or contribute to succession planning for staff within the section.

## You can contribute to the development of the workforce even if you don’t have a designate or successor for your role.

## It is important that officers funded by the TC Programme collect and report on what they are doing to develop the workforce, in their section, in their Portfolio, across the Public Service and in some cases wider into the Private Sector. It is also important that the Public Service can report on the added value officers bring to the Island through supporting projects where relevant.

## Capturing the added value and capacity development that officers funded by the TC Programme undertake, as well as the collective impact these officers make to St Helena, is imperative as the Public Service relies on UK Government funding for these roles.

## Throughout your employment you will be required to complete a Capacity Development Record to help the Public Service capture all of this information. Thinking about all you can do to support the development of people, services and St Helena should be an integral part of your time here.

# Support to National Goals and Strategic Objectives

## The post holder will indirectly support the achievement of all goals and objectives but will directly support the following:

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| --- | --- | --- |
| **NATIONAL GOAL**  | **STRATEGIC OBJECTIVE** | **DEPARTMENTAL OBJECTIVE** |
| Effective, Efficient and Accountable Public Sector | Ensure effective governance through efficient and effective systems and processes | For the AG’s Chambers to provide a strategic, timely, proactive, professional and reliable service to all stakeholders across all areas of practice.  To ensure the service delivered by AGs Chambers supports the objectives of Government business by helping to drive new legislation and policy and interpret existing legislation and policy. |

# Outputs, Timing and Reporting

## Report to the Attorney General on:

Matters you are advising upon;

Matters you are managing;

All other relevant matters concerning or affecting AG Chambers.

## Assist the Attorney General in providing and reporting to the Governor regular reports on progress.

## A Capacity Development Record should be kept by the post holder for the duration of their contract. This will be reviewed as part of the four-month probation review, annually as part of the appraisal process and at the end of contract review.

## The post will be for a period two years (subject to the provisions of the St Helena, Ascension and Tristan da Cunha Constitution Order 2009). Performance will be measured with respect to overall performance of Chambers. The Capacity Development Record will be a key document for measuring performance. A probationary period of 6 months will apply.

# Indicative Organogram

## The following organogram is indicative only.

