

ADF LEGAL SERVICES

LEGAL TASK JOURNAL ASSESSMENT POLICY

Introduction

1. In Feb 2000 the Defence Force Remuneration Tribunal (DFRT), approved the implementation of the Legal Officers Specialist Officer Career Structure (LOSOCS) from 16 Mar 2000. Important features of the LOSOCS are the introduction of legal competency levels (CL, formerly abbreviated as LL) and the requirement to comply with advancement criteria to advance in CL. Further information on the LOSOCS and advancement in CL is set out in Annex A.

Legal Task Journals and Areas of Law

2. In Jun 04 the DFRT approved the introduction of Legal Task Journals from 01 Jul 04. Tasks normally undertaken by ADF Legal Officers make up the Legal Task Journals and cover the military law subject areas of Administrative Law, Discipline Law and Operations Law at Competent, Advanced and Specialist levels. The three levels provide an appropriate basis for matching Legal Officers with ADF capability requirements.

3. All ADF Legal Officers must satisfy the Task Journal qualification requirements to advance in CL, excepting those seeking advancement to CL2 and those seeking advancement under transitional arrangements. It is expected that it will take Legal Officers a comparative time to advance using Task Journals as it would take prior to 01 Jul 04, namely four years to advance to CL3 and a further six years to advance to CL4.

Assessment - General

4. Task Journal assessment involves a one-off accreditation that a particular task has been completed satisfactorily. The assessment is to be conducted in accordance with the policy detailed in this document.

5. Task Journal assessment is separate from annual Performance Appraisal Reports (PARs). Task Journal assessment is not to be used as a performance management tool.

6. Task Journal competencies prove the application of knowledge and skill in the workplace and are distinguished from academic qualifications, which indicate that a person has knowledge.

7. Defence Legal **training programs or exercises**, provided they are endorsed by the CPDC, may be used by Legal Officers to complete Task Journal tasks.

8. Assessments for Competent level tasks are by self-assessment and assessment by an assessor for each completed task. Assessment for Advanced and Specialist level tasks are self-assessment, assessment by an assessor of each completed task and assessment of a limited number of such assessed tasks by a senior assessor.

9. The Legal Task Journal qualification criteria for advancement in CL are detailed in Annexes B to D. The date of the Legal Officer Task Journal qualification is the date that the final piece of evidence for the last remaining task is submitted for assessment to the assessor (or senior assessor if further evidence is required by the senior assessor). When an assessor signs off on a task the assessor is to endorse the date that the final piece of evidence was SUBMITTED. It will not be necessary for a senior assessor to date the sign off unless the senior assessor requires further evidence, in which case the senior assessor is to endorse the date that the further evidence was SUBMITTED.

10. The Task Journal qualification requirements have been modified for Legal Officers who were advanced to CL3 or CL4 prior to 01 Jul 04 or who advance to CL3 or CL4 after 01 Jul 04 under the transitional arrangements, and who are now required or choose to complete Task Journal qualification requirements for further advancement. Under these special arrangements the requirements set out in the Annexes B to D are modified so that:

- a. to advance to CL4, Legal Officers will complete two Task Journals at the Advanced level (or one Task Journal at the Advanced and Specialist levels) and are not required to complete the qualification requirements at the Competent level; and
- b. to advance to CL5, Legal Officers will complete two Task Journals at the Specialist level and are not required to complete the qualification requirements at the Competent and Advanced levels.

11. An assessor and a senior assessor will be a Legal Officer **within the professional supervisory chain**, except where:

- a. the task being assessed involves provision of training not observed by the usual assessor;
- b. the task being assessed involves a conflict (or possible conflict) with the usual assessor; or
- c. alternative arrangements are appropriate in accordance with paragraph 15 – reasonable adjustment.

12. Where the task involves the provision of training which is not observed by the usual assessor, another Legal Officer may observe the training and provide a report to the member's usual assessor.

13. In those cases where a conflict (or possible conflict) with the usual assessor arises the assessment should be made by another assessor outside the professional supervisory chain and could be a local reserve Legal Officer from any service.

14. Where an ADF Legal Officer in the permanent force, tasks a reserve Legal Officer to undertake work, the assessor will be the tasking ADF Legal Officer in the permanent force or a superior Legal Officer within the professional supervisory chain unless the circumstances outlined in sub-paragraphs 11a-c apply.

Reasonable Adjustment

15. Where necessary, reasonable adjustments may be made to the normal Task Journal Assessment Policy. For example, if an assessor considers that he/she does not have sufficient subject matter expertise to assess a task submitted the assessor should liaise with his/her superior Legal Officer to arrange an alternate assessor and then arrange for the Legal Officer to submit the assessment material to that alternate assessor.

Self Assessment

16. Self-assessment is the action where a Legal Officer certifies that a task has been completed to a satisfactory standard and there is sufficient evidence to support that assessment.

Assessor Assessment

17. An assessor is to verify, in accordance with this policy and the process outlined in Table 4 that a task has been satisfactorily completed.

18. An assessor is a Legal Officer who:

- a. is a member of the LOSOCS;
- b. has completed Defence Legal Assessor Training or is a currently qualified workplace assessor; and
- c. holds the same or higher rank and a higher legal competency level¹ than the officer being assessed.

19. Table 3 outlines the minimum CL of Assessors for the CL and the Task Journal level being assessed.

Table 3 – Assessor CL²

CL & Task Journal Level	Minimum CL of Assessor
CL2 & Competent	CL3
CL3 & Advanced	CL4
CL4 & Specialist	CL5

¹ This includes a Legal Officer of 0-5 rank who the CPDC has accepted as qualified at CL5 even though not yet posted to a CL5 position.

² Names and initials of assessors and senior assessors are listed on the **Legal Task Journal link** at the top of the page of the Defence Legal web site at <http://www.defence.gov.au/legal/cm.html>.

Senior Assessor Assessment

20. A senior assessor is to verify, in accordance with this policy and the process outlined in Table 4 that a task has been satisfactorily completed.

21. A senior assessor is a Legal Officer who:

- a. is a member of the LOSOCS;
- b. has completed Defence Legal Assessor Training or is a currently qualified workplace assessor;
- c. holds the same or higher rank and competency level as the assessor; and
- d. is qualified at CL5³.

21A. The holder of the appointments of DMP and RMJ is a senior assessor for Discipline and Advocacy only unless the holder of the appointment otherwise qualifies as a senior assessor under paragraph 21.

³ This includes a Legal Officer of 0-5 rank who the CPDC has accepted as qualified at CL5 even though not yet posted to a CL5 position.

Assessment Processes and Legal Officer Responsibilities

22. Table 4 details the Assessment Processes and Legal Officer responsibilities.

Table 4 –Assessment Processes and Legal Officer Responsibilities

Step	Action
1	Ensure you have opportunities to complete tasks within the Legal Task Journals (see paragraph 23).
2	When undertaking legal duties, identify which tasks within the Legal Task Journals relate to those duties.
3	Identify an appropriate assessor (see paragraphs 11-15).
4	Prepare material for assessment (see paragraphs 24).
5	Complete self-assessment by signing Task Journal and Summary Sheet (see paragraph 16).
6	Contact your assessor (see paragraph 25)
7	Submit completed tasks for assessment (Task Journal, Task Journal Summary Sheet and evidence).
8	Assessor considers task completion (see paragraphs 27-37): <ul style="list-style-type: none"> • Where necessary Assessor questions Legal Officer • If task satisfactorily completed – Assessor signs Task Journal, Task Journal Summary Sheet and returns Journal, Summary Sheet and evidence to Legal Officer • If task not yet satisfactorily completed – Assessor completes the Feedback Form but does not sign Task Journal nor Summary Sheet and returns Journal, Summary Sheet and evidence to Legal Officer with written Feedback Form
9	Feedback process followed (if applicable)
10	Assessment by assessor complete
11	Contact your senior assessor
12	Submit the limited number of assessed tasks for further assessment by the senior assessor (see paragraph 26).
13	Senior assessor considers task completion (see paragraphs 27-37): <ul style="list-style-type: none"> • Where necessary Assessor questions Legal Officer • If task satisfactorily completed – Assessor signs Task Journal, Task Journal Summary Sheet and returns Journal, Summary Sheet and evidence to Legal Officer • If task not yet satisfactorily completed – Assessor completes the Feedback Form but does not sign Task Journal nor Summary Sheet and returns Journal, Summary Sheet and evidence to Legal Officer with written Feedback Form and informs assessor of action taken.
14	Feedback process followed (if applicable)
15	Assessment by senior assessor complete
16	When the Task Journal qualification requirements have been satisfied, submit Task Journal Summary Sheets to CPDC with application to advance in CL.

23. It is the responsibility of the Legal Officer to ensure they have opportunities to complete the Task Journals necessary for advancement in CL. The responsibility for developing such opportunities resides with the individual Legal Officer; however assistance may be sought from the officer's personnel/career manager or Legal Officers in the professional supervisory chain. Some strategies could include:

- a. A reserve Legal Officer liaising with the local permanent Legal Officer and/or the Panel Leader to ensure the allocation of work to enable completion of tasks within a Task Journal.
- b. A permanent Legal Officer seeking an attachment or Local Area Move (LAM) to another office to undertake work for a specified short period to enable completion of tasks within a Task Journal. Defence Legal is **not** responsible for costs associated with attachments or LAMs.
- c. A Legal Officer expressing posting preferences to his/her personnel/career manager that would give maximum exposure to outstanding tasks within a Task Journal.
- d. A permanent Legal Officer seeking approval to contact another Defence Legal office or directorate to seek the allocation of work to enable the completion of tasks within a Task Journal.
- e. Where it is unlikely that a Legal Officer will have an opportunity to undertake a work based task to enable a Task Journal assessment, that Legal Officer may initiate or seek inclusion within a training program or activity endorsed by the CPDC to support an assessment.

24. Before a Legal Officer submits a completed task for assessment by an assessor or senior assessor, the Legal Officer is to:

- a. Clearly identify which part of the evidence supports the particular task upon which the Legal Officer is seeking assessment; and
- b. Submit the signed Journal, Summary Sheet and evidence in support to the assessor.

25. Legal Officers should initiate a meeting with their assessor to discuss and clarify assessment procedures and timings. Tasks completed after the Legal Task Journals were issued to the Legal Officer are to be submitted for assessment within **one (1) month** unless the assessor agrees to other timings.

26. When a Legal Officer, seeking to qualify at Advanced or Specialist level, submits a completed task for further assessment by a senior assessor, he or she is to submit the Task Journal, Summary Sheet (signed by both the Legal Officer and the assessor) and the evidence in support to the senior assessor and clearly identify those tasks upon which the Legal Officer is seeking a further assessment.

27. An assessor considers task completion, evidence, and if necessary, interviews the Legal Officer being assessed.

- a. If the material is not clearly identified as per sub-paragraph 244.a - the assessor should return all the materials to the Legal Officer for correct identification.
- b. If the assessor considers the task was completed satisfactorily the assessor will sign the Task Journal and the Task Journal Summary Sheet and return the evidence and signed Journal and Summary Sheet to the Legal Officer.
- c. If the assessor considers the task has not been satisfactorily completed the assessor completes the Feedback Form at Annex E (but does not sign the Task Journal nor the Summary Sheet) and returns the Journal, Summary Sheet and evidence to Legal Officer with the written Feedback Form.

Assessment Evidence

28. Evidence submitted in support of assessment **MUST** be work based.

29. Evidence produced from Defence Legal **training programs or exercises** previously endorsed by the CPDC may be used for Task Journal assessment.

30. Evidence in the form of a paper submitted as part of academic studies will not be accepted for the purposes of assessment as Task Journal assessment is used to prove knowledge and skill in the workplace.

31. Assessors must be confident that their assessment decisions are based on quality evidence. Quality evidence is evidence that is:

- a. **Valid** – for example, the evidence is relevant to the task being assessed. The onus is on the Legal Officer to satisfy the assessor that the evidence is relevant to the task being assessed. Irrelevant or unrelated material is not to be included.
- b. **Authentic** – the evidence must relate to the performance of the Legal Officer being assessed and not of another person. In cases of doubt an assessor should question the Legal Officer. Clearance of another person's work, by the Legal Officer seeking assessment, will not amount to completion of the particular task.
- c. **Sufficient** –the amount of evidence provided is sufficient to satisfy the assessor that the task has been completed satisfactorily. One example of evidence may be sufficient to satisfy the completion of a task, however, there may be instances where more than one example of evidence will be required.
- d. **Current** – evidence must be up to date. The following is to apply:
 - (1) **Evidence created before Task Journal folder was issued to member.** Evidence created before the Task Journal folder was issued to the member may be accepted provided that the evidence is relevant. Where, for example, there may have been changes to the law since that evidence was produced, the assessor must be satisfied

that the Legal Officer seeking assessment has knowledge of those changes and could apply those changes to the evidence submitted.

- (2) **Evidence created after Task Journal folder was issued to member.** Evidence created after the Task Journal folder was issued to the member should be submitted for assessment within **one (1) month** unless other prior arrangements are made with the assessor.

32. The provision of the same advice to different clients or the duplicating of the same advice to a different client only counts as evidence once.

33. Unlike the requirement for university papers, evidence in the form of an advice may include extracts of other advices without attribution when applied to different facts.

34. Evidence used for one task may also be used as evidence for another task, provided that it has been satisfactorily completed.

Assessment Methods

35. Evidence for assessment must be work based or part of an approved assessment training program. Evidence may be gathered from more than one source, in more than one situation and can have many forms. Evidence produced may be direct evidence, indirect evidence or supplementary evidence or a combination of each. Examples of these forms of evidence are in Table 5.

Table 5 – Forms of Evidence

Type of Evidence	Description	Examples
Direct Evidence	<ul style="list-style-type: none"> ▪ Evidence which involves observing the Legal Officer applying their knowledge ▪ Performance may be observed in situations that simulate real conditions as closely as possible such as exercises and training scenarios 	<ul style="list-style-type: none"> ▪ Observation of workplace performance ▪ Demonstration of specified workplace tasks ▪ Simulations ▪ Role play
Indirect Evidence	<ul style="list-style-type: none"> ▪ Evidence of the outcomes of successful application of knowledge 	<ul style="list-style-type: none"> ▪ Work samples ▪ Workplace documentation such as a written advice ▪ Individual projects such as written or oral reports, training packages, presentations ▪ Group projects ▪ Third party reports including feedback from clients, reports by project team members
Supplementary Evidence	<ul style="list-style-type: none"> ▪ Evidence that provides support to direct and indirect evidence 	<ul style="list-style-type: none"> ▪ Verbal questioning – the Legal Officer may be questioned to confirm knowledge ▪ Verbal presentation

Assessment Feedback

36. When an assessment decision has been made, verbal or written feedback is to be provided to the Legal Officer being assessed. Feedback is to be handled sensitively. Table 6 outlines the steps in providing feedback after assessment.

Table 6 – Feedback Process

Step	Action
1.	Ensure the assessment result is fully recorded as detailed below.
2.	Inform the Legal Officer of the assessment outcome and, if applicable, reasons for the assessment
3.	Where it is determined that the task is satisfactorily completed : <ul style="list-style-type: none"> • sign and date the Task Journal and Task Journal Summary Sheet, and • provide verbal feedback to the Legal Officer.
4.	Where it is determined that the task is not yet satisfactorily completed : <ul style="list-style-type: none"> • do not sign the Task Journal or Task Journal Summary Sheet, and • provide written feedback to the Legal Officer. <p>Where requested arrange a meeting⁴ with the Legal Officer to discuss the assessment outcome as soon as possible after the assessment. This affords an opportunity to explain the reasons for the decision and what needs to be done to achieve satisfactory completion of the task.</p>
5.	If applicable, advise the Legal Officer on the processes and procedures available for a review of the assessment decision.
6.	Provide the Legal Officer with the opportunity to provide written feedback on both the assessment process and its outcomes (on the Feedback Form).

37. Assessors should provide feedback to the member as soon as possible after the assessment process. Where an assessor decides that a task has been completed satisfactorily, the assessor is to sign and date the Task Journal and the Task Journal Summary Sheet and provide verbal feedback. Where an assessor decides that the task was not yet satisfactorily completed, the assessor does not sign nor date the Task Journal and Task Journal Summary Sheet but is to provide written feedback using the Feedback Form provided at Annex E. Feedback will provide the results of the assessment with discussion of strengths/weaknesses in the areas assessed, any further evidence that may be required to assist assessment and development/improvement recommendations.

Review of Assessment Decisions

38. A Legal Officer who has not received a satisfactorily assessment may seek a review of that decision by forwarding the Task Journal, Summary Sheet, evidence and the written Feedback Form to a superior Legal Officer in the professional supervisory chain for review. where the assessment was done by a reserve Legal Officer, (because of a conflict or possible conflict) the Legal Officer may seek a review of that decision by forwarding the Task Journal, Summary Sheet, evidence and the written Feedback Form to a superior reserve Legal Officer. Review is to be sought within one (1) month of assessment by the Legal Officer.

⁴ If the assessor is remote from the Legal Officer a telephone call may be substituted for a meeting.

39. Where the reviewing assessor considers that the task has been satisfactorily completed the reviewing assessor may certify that fact by signing the Task Journal and the Task Journal Summary Sheet and should inform the assessor. If the reviewing assessor decides that the task was not yet satisfactorily completed, the reviewing assessor is not to sign the Journal nor the Summary Sheet and is to provide written feedback to the member on the Feedback Form and should inform the assessor.

40. **Senior Assessor Assessments.** If a task is not accepted as satisfactory by a senior assessor the Legal Officer may seek a review of that decision by submitting/forwarding the Task Journal, Summary Sheet and Feedback Form and the evidence in support to a superior senior assessor in the supervisory chain or, if none exists, to another senior assessor where alternative arrangements are appropriate in accordance with paragraph 15.

41. Where the reviewing senior assessor finds that the task has been satisfactorily completed he or she is to sign the Task Journal and the Task Journal Summary Sheet and must inform the senior assessor of the decision. Where the reviewing senior assessor finds that the task is not satisfactorily completed, he or she is not to sign the Journal or the Summary Sheet and will provide written feedback to the member on the Feedback Form and will inform the senior assessor of the decision.

Legal Professional Privilege

42. Where evidence in support of an assessment is subject to legal professional privilege, the Legal Officer seeking assessment is to inform the assessor (and senior assessor) and request the assessor maintain confidentiality. The assessor (and senior assessor) is to maintain such confidentiality. (Refer *HDL and DGDAFLS Joint Directive 1/2005 "Legal Professional Privilege – Procedures to be followed"*).

ADF LEGAL SERVICES

OVERVIEW OF LOSOCS

Introduction

1. An outline of the LOSOCS and decisions of the DFRT can be accessed via the **Outline of the LOSOCS** and **DFRT Decisions and Determinations** links on the page of the Defence Legal web site at <http://www.defence.gov.au/legal/cm.html>
2. In addition to their normal responsibilities as a military officer, each individual Legal Officer is responsible for:
 - a. nominating for and satisfactorily completing suitable courses, duties and tasks to satisfy the various LOSOCS advancement criteria; and
 - b. making timely LOSOCS advancement applications to the LO CPDC.

Criteria for Advancement of CL

3. After 1 Jul 04 Legal Officers seeking to advance in CL, excepting those seeking advancement under transitional arrangements, are required to satisfy the following criteria;:
 - a. advancement to CL2 – satisfactory completion of single Service Initial Officer Training (IOT) and 12 months effective service as a Legal Officer in the ADF (including service while completing IOT and credit granted for prior experience);
 - b. advancement to CL2, CL3 and CL4 – completion of academic requirements⁵;
 - c. hold the appropriate minimum or higher rank⁶; and
 - d. a posting to a position that has the requisite or higher CL;
 - e. advancement to CL3, CL4 and CL5 – completion of the qualification requirements for one or more Legal Task Journals (see Annexes B-D); and
 - f. advancement to CL4 and CL5 – management of subordinates, including leadership, ethos and appraisal of performance with written evidence of management of subordinates required and may be provided by Performance Appraisal Reports (PARs).

⁵ The academic requirements are Legal Training Module (LTM) 1, 2 and 3. Additional information concerning academic qualifications may be obtained from the **Legal Training Modules** link at the top of the page of the Defence Legal web site at <http://www.defence.gov.au/legal/mlc.html>.

⁶ For members of the Navy, Army and PAF it is substantive rank. For members of the RAAF SR it is substantive or temporary rank, whichever is the higher.

4. Table 1 summarises the criteria for advancement after 1 Jul 04⁷.

Table 1 - Criteria for Advancement in CL

To Advance to Legal Competency Level (CL)	Complete Task Journal Level	Subject Areas of Law	Academic Requirements	Management of subordinates	Minimum Rank ⁸
CL2	N/A	N/A	†LTM 1	N/A	0-3
CL3	Competent	3	LTM 2	N/A	0-3
CL4	Advanced	2	LTM 3	Yes	0-4
Alternatively ⁹ CL4	Advanced & Specialist	1	LTM 3	Yes	0-4
CL5	Specialist	2	N/A ¹⁰	Yes	0-5

†LTM – Legal Training Module

Transitional Arrangements

5. Under transitional arrangements, Legal Officers who entered the LOSOCS before 01 Jul 04 may apply to the LO CPDC to advance from the CL held as at 30 Jun 04 to the next CL on satisfying the following criteria:

- a. advancement to CL2 – satisfactory completion of single Service IOT and 12 months effective service as a Legal Officer in the ADF (including service while completing IOT and credit granted for prior experience);
- b. advancement to CL3 and CL4 – experience as a Legal Officer in the ADF (taking account of credit granted for prior experience) of four years effective service for CL3 and ten years effective service for CL4;
- c. advancement to CL2, CL3 and CL4 – completion of academic requirements¹¹;
- d. hold the appropriate minimum or higher rank¹² ;
- e. a posting to a position that has the requisite or higher CL;
- f. advancement to CL3, CL4 and CL5 – demonstration of legal skill in one or more subject areas of law;

⁷ Except for those Legal Officers seeking advancement under transitional arrangements.

⁸ Rank 0-3 is LEUT/CAPT/FLTLT, rank 0-4 is LCDR/MAJ/SQNLDR and rank 0-5 is CMDR/LTCOL/WGCDR.

⁹ CL4 may be achieved by satisfactory completion of Task Journals at the Advanced level in two areas of law or, alternatively, by completing both the Advanced and Specialist level Task Journals in one area of law. If advanced to CL4 by the alternative means, subsequent advancement to CL5 requires satisfactory completion of the qualification requirements of both the Advanced and Specialist level Task Journals in another area of military law.

¹⁰ As Legal Officers must now complete LTM 3 (or at least the core subjects of LTM 3) prior to advancement to CL4, there are no additional academic qualifications required for advancement to CL5.

¹¹ The academic requirements are Legal Training Module (LTM) 1, 2 and 3. Additional information concerning academic qualifications may be obtained from the **Legal Training Modules link** at the top of the page of the Defence Legal web site at <http://www.defence.gov.au/legal/mlc.html> .

¹² For members of the Navy, Army and PAF it is substantive rank. For members of the RAAF SR it is substantive or temporary rank, whichever is the higher.

- g. advancement to CL5 – management of subordinates, particularly in relation to leadership, ethos and appraising the performance of subordinates (evidenced e.g. by PARs).

6. Table 2 summarises the criteria for advancement under Transitional Arrangements.

Table 2 - Criteria for Advancement in CL under Transitional Arrangements

To Advance to Legal Competency Level (CL)	Skill in Areas of Law	Total Experience as a LO	Academic Requirements	Management of subordinates	Minimum Rank
CL2	N/A	1 yr	†LTM 1	N/A	0-3
CL3	1	4 yrs	LTM 2	N/A	0-3
CL4	2	10 yrs	LTM 3	N/A	0-4
CL5	3	N/A	N/A	Yes	0-5

†LTM – Legal Training Module

7. Under the transitional arrangements, the Legal Officer must identify the area of military law in which he or she seeks to demonstrate skill and:

- a. detail in dot point form the legal tasks completed within the identified area of law and the number of times these tasks have been completed;
- b. provide at least two disparate and substantial examples of written legal work which demonstrate legal skill in the identified area of law; and
- c. provide evidence of the Legal Officer’s performance of legal duties in the identified area of law (e.g. PARs or a separate report from a supervising legal officer).

Military Judges

8. Legal Officers who are Judges of the Australian Military Court will not be assessed on the performance of their judicial functions.

Promotion in rank

9. LOSOCS officers are subject to single Service promotion requirements. The attainment of a particular legal competency level, linked with satisfactory military performance, may be a core selection criterion within promotion board deliberations.

10. The minimum CL requirements for Legal Officers who are administered, advanced and paid within LOSOCS must meet the subsequent criteria::

- a. promotion to O4, Legal Officers must be at least CL2;
- b. promotion to O5, Legal Officers must be at least CL3;
- c. promotion to O6, Legal Officers must be at least CL4: and
- d. promotion to O7, Legal Officers must be at least CL5.

ADF LEGAL SERVICES

LEGAL TASK JOURNAL QUALIFICATION CRITERIA

ADMINISTRATIVE LAW

Qualification

1. The Legal Task Journal qualification criteria for advancement CL in Administrative law are:

	Total Tasks	Self-Assessed	Assessor	Senior Assessor
		Minimum number of tasks in each part	Minimum number of tasks in each part	Minimum number of tasks in each part
Competent	35			
Competent – Part A		10	10	N/A
Competent – Part B		10	10	N/A
Competent – Part C		10	10	N/A
Advanced	50			3 total
Advanced – Part A		15	15	1
Advanced – Part B		15	15	1
Advanced – Part C		15	15	1
Specialist				
Advanced criteria PLUS	50			3 total
Specialist – Part A		15	15	1
Specialist – Part B		15	15	1
Specialist – Part C		15	15	1

ADF LEGAL SERVICES

LEGAL TASK JOURNAL QUALIFICATION CRITERIA

DISCIPLINE LAW

Qualification

1. The Legal Task Journal qualification criteria for advancement in CL in Discipline law are:

QUALIFICATION CRITERIA - DISCIPLINE LAW

	Total Tasks	Self-Assessed	Assessor	Senior Assessor
		Minimum number of tasks in each part	Minimum number of tasks in each part	Minimum number of tasks in each part
Competent	59			
Competent – Part A		6	6	N/A
Competent – Part B		14	14	N/A
Competent – Part C		8	8	N/A
Competent – Part D		26	26	N/A
Advanced	60			4 total
Advanced – Part A		21	21	1
Advanced – Part B		19	19	1
Advanced – Part C		13	13	1
Advanced – Part D		2	2	1
Specialist				
Advanced criteria PLUS	35			4 total
Specialist – Part A		13	13	1
Specialist – Part B		12	12	1
Specialist – Part C		8	8	1
Specialist – Part D		2	2	1

Competent Standard

2. A Legal Officer who has attained a ‘competent’ standard in Discipline law has a sound grasp of and can correctly apply the Defence Force Discipline Act and Discipline Law Manuals and directly related policy as drafted.

3. In addition, such a Legal Officer can identify ‘novel’ issues (that are beyond the confines of the Discipline Law Manuals) and obtain the necessary assistance for resolution.

Advanced Standard

4. A Legal Officer who has attained an ‘advanced’ standard in Discipline law has a broad knowledge of criminal law, theory and has a sound grasp of section 154 reports.

5. In addition, such a Legal Officer can identify where the Discipline Law Manuals may be incomplete and be able to ‘fill’ the gap, identify ‘novel’ issues and propose solutions by synthesising specialist advice and propose amendments to discipline procedures and policy (but may not fully identify all relevant issues and consequences.)

Specialist Standard

6. A Legal Officer has who has attained a ‘specialist’ standard in Discipline law has a thorough knowledge of criminal law theory, principles and case law.

7. In addition, such a Legal Officer is able to resolve ‘novel’ and complex issues and propose comprehensive legislative and policy amendments that are consistent with broader laws and general legal principles.

ADF LEGAL SERVICES

LEGAL TASK JOURNAL QUALIFICATION CRITERIA

OPERATIONS LAW

Qualification

1. The Legal Task Journal qualification criteria for advancement in CL in Operations law are:

QUALIFICATION CRITERIA - OPERATIONS LAW

	Total Tasks	Self-Assessed		Assessor		Senior Assessor
		Minimum number of tasks in each part		Minimum number of tasks in each part		Minimum number of tasks in each part
Competent	9	9		9		N/A
Advanced	69					4 total
Advanced – Part A		22		22		0
Advanced – Part B		42		42		4
Specialist						
Advanced criteria PLUS	69					10 total
Specialist – Part A 3 Sections		22	40% of each section	22	40% of each section	1 from each section
Specialist – Part B 7 sections		42	40% of each section	42	40% of each section	1 from each section

STAFF-IN-CONFIDENCE (when first completed)

ANNEX E

ADF LEGAL SERVICES

LEGAL TASK JOURNAL FEEDBACK FORM

Legal Officer (Name)

Subject Area:

Level:

Task No:

Administrative Law	.....	Competent	.....	.....
Discipline Law	.....	Advanced	.....	.....
Operations Law	.....	Specialist	.....	.....

Assessor (Name)

Decision and Feedback:

Signature..... Date

Member Acknowledgment/Comments

Signature..... Date

Reviewing Assessor (Name)

Decision and Feedback:

Signature..... Date

Member Acknowledgment

Signature..... Date

STAFF-IN-CONFIDENCE (when first completed)