

THE DEFENCE LEGAL SERVICE
CAREER AND PROFESSIONAL DEVELOPMENT COMMITTEE
OUT-OF-SESSION DECISION OF 30 MAY 03
REVISED COMMITTEE DECISION 31/03

Subject: Policy – Funding Priorities for Legal Training

The Committee noted:

1. The submission by the Secretary identifying the need for policy concerning legal officer participation in legal training.
2. The professional development program for ADF legal officers was approved by the DFRT in its decision of Feb 00 concerning the Legal Officers' Specialist Career Structure. Under the professional development program attainment of academic qualifications is part of the criteria for advancement in legal competency levels (LL).
3. The academic element of the professional development program consists of various legal training courses such as Legal Training Module [LTM] 1 (the distance learning package), LTM 2 (resulting in a Graduate Diploma in Military Law) and LTM 3 (resulting in a Master of Military Law or Master of Law).
4. Funding for the professional development program is part of the TDLS funding arrangements. The recent budget process identified that funding for LTM 2 and LTM 3 was limited and approval of \$285K for each course each FY was agreed. Even though the same funding is given to LTM 3 courses, less legal officers will be able to complete the course because each LTM 3 course is twice the cost of each LTM 2 course as there are double the number of subjects.
5. The submission that because of limited funding some limitations on access to LTM 3 funding must be introduced. These new limitations are in addition to the already approved limits on when a legal officer may access further training.
6. Under current CPDC guidelines a member can not access the next level of training until the legal officer has advanced to the appropriate LL applicable to the last level of training without special approval from the CPDC. For example, a legal officer with LL 2 status is not permitted to undertake the LTM 3 training until the legal officer has attained LL 3 status.
7. That if the Committee introduced limitations to legal officer access to LTM 3 there may be a need to be to accept equivalents to the current requirements for advancement to LL 4.

The Committee decided to:

1. **Agree** to the introduction of limitations of access to funding for legal training courses.
2. **Confirm** the current limitations, namely, that except with special approval of the CPDC:
 - a. a legal officer at LL 1 will not be funded to undertake LTM 2 courses until that legal officer has completed LTM 1; and
 - b. a legal officer at LL 2 will not be funded to undertake LTM 3 courses until that legal officer has attained LL 3 status.
3. **Agree** that legal officers in the Permanent Forces:
 - a. are required to satisfactorily complete LTM 3 to satisfy the academic requirements for advancement to LL 4 status, unless an individual legal officer already holds a Masters degree, in which case the officer is required to satisfactorily complete only the core subjects of LTM 3;
 - b. will be given priority over legal officers in the Reserves for the funding of LTM 3 subjects; and
 - c. should be given priority for funding for LTM 3 in accordance with the timing of their expected advancement to LL 4.
4. **Agree** that, from 24 Feb 03, legal officers in the Reserves:
 - a. are required to hold a Master of Military Law or have equivalent status to satisfy the academic requirements for advancement to LL 4 status; and
 - b. subject to sub paragraph 3b, should be given priority for funding for the core subjects of LTM 3 in accordance with the timing of their expected advancement to LL 4.
5. **Agree** that the CPDC will consider applications for recognition of status equivalent to a Master of Military Law, particularly if legal officers have not been provided with funding or opportunities to complete LTM 3 subjects.

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