

DEFENCE LEGAL OFFICE
CAREER AND PROFESSIONAL DEVELOPMENT COMMITTEE
MEETING OF 26 FEB 01
COMMITTEE DECISION 1/01

**Subject: Applications for Legal Competency Level 5
from Legal Officers**

The Committee noted:

1. The DFRT Decision on the Legal Officers' Specialist Structure (17 Feb 00).
2. Its Decision 11/00 in relation to Applications for Legal Competency Level 3 (LL3) by Legal Officers.
3. Its Decision 58/00 in relation to Applications for Legal Competency Level 4 (LL4) by Legal Officers.
4. That Legal Competency Level 5 (LL5) requires that an applicant be able to demonstrate competence in all of three core legal fields (Operations, Discipline and Military Administrative law).

The Committee decided that:

1. When the Committee considers individual applications for approval of LL5 or for assessment of eligibility for LL5, it will take into account the following factors:
 - a. the particulars of the applicant, including the following dates: worn rank, seniority, appointment as LO in the ADF, and admission to practice;
 - b. the three core legal competency fields; and
 - c. in relation to each of the core fields:
 - (i) the applicant's post graduate academic qualifications in legal studies;
 - (ii) the applicant's demonstrated legal skills;
 - (iii) the applicant's experience as a Legal Officer.
2. Academic qualifications in the core fields may be demonstrated by providing the Committee with copies of post-graduate degree documents, for example LLM or, during the Structure's transitional phase, documents relating to the Legal Officers' Advanced Course.
3. Legal skills in the core fields may be demonstrated by providing the Committee with copies of selected (by the applicant) briefs, minutes, advices and/or papers containing legal opinions and other results of legal research which had been

supplied earlier to Commanders or others¹.

4. Experience as a Legal Officer in the core fields may be demonstrated by providing the Committee with details of such experience, including postings, with approximate dates, and a description of the legal duties actually performed.

5. When the Committee decides to grant approval for LL5, its decision will indicate:

- a. whether approval is provisional (interim) or unconditional;
- b. if provisional (interim), what requirements the applicant must meet and by what date in order to achieve unconditional approval;
- c. if provisional (interim), the reasons for the decision.

6. When the Committee decides not to grant approval for LL5, its decision will indicate the reasons for the decision.

M.F.J. SMITH
CDRE RAN
Director General Defence Legal Office

Chairman, Career and Professional Development Committee

¹ Where privacy considerations are significant, the applicant should ensure that the names of individuals or other information that would point to one individual are obscured or removed