

AUSTRALIAN DEFENCE FORCE LEGAL SERVICES
CAREER AND PROFESSIONAL DEVELOPMENT COMMITTEE
MEETING OF 27 SEP 05 AND OUT-OF-SESSION DECISION OF 1 DEC 05

COMMITTEE DECISION 143/05

Subject: Policy –Recognition and Credit Guidelines for Prior Military Experience

The Committee noted:

1. The DFRT Decisions on the Legal Officers' Specialist Career Structure (LOSCS) WEF 16 Mar 00 and 1 Jul 04 and the Committee's Policy Decision 54/04 in which the Committee decided to:
 - a. *Agree that relevant prior military service, as distinct from prior initial officer training and prior legal and paralegal experience, should be recognised because it does enable a legal officer with that relevant prior military service to adapt more quickly to the role of a legal officer and probably enabled those legal officers to achieve the demonstrated skill standard at a faster rate than legal officers who had no prior military service.*
 - b. *Agree that where the Committee is satisfied that prior military service gave a member a practical grasp of the command and personnel management context and a greater awareness of military matters, such as weapons systems, employment of weapons, service tribunals, redresses of grievance, inquiries and contractual matters, that service may be credited at a rate of up to 25%, up to a maximum of one year **provided** the total credit granted to a legal officer for prior initial officer training, prior legal and paralegal experience and prior military experience does not exceed three years.*
2. That DGNPT and DGPERs-A had expressed concern regarding the granting of credit for prior military service and had sought advice from DMSA-P.
3. That in DMSA-P 124/05 dated 18 Aug 05 DMSA-P advised, in part:

That structure, as outlined in the ADF Submission, does not limit the CPDC's authority to take prior military experience into account in recommending any legal level, including LL3.

and

In practical terms, the CPDC's recommendation is no more than that – a recommendation to the Service delegate. However, as the professional body for ADF Legal Officers, the CPDC's recommendation is a relevant consideration for the Service Delegate. While not bound to accept it, there may be grounds to appeal the decision if the CPDC's recommendation is refused without good reason.

4. That the Committee accepted that the current policy needed clarification and guidelines as to rate of credit that should be granted in each case and that it should take account of the need to allow greater credit for pay purposes only.

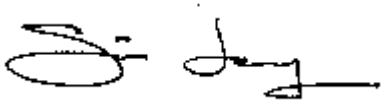
5. That the Secretary has circulated the policy clarification and guidelines for consideration by the Committee out-of-session and the Chairman has considered the views expressed by members of the Committee.

The Committee decided to:

1. **Agree** to the amendment to the wording of the policy set out in subparagraph 1 above so that it now reads:
 - a. Relevant prior military service, as distinct from prior initial officer training and prior legal and paralegal experience, should be recognised because it does enable a legal officer with that relevant prior military service to adapt more quickly to the role of a legal officer and to achieve the demonstrated skill standard at a faster rate than a legal officers who has had no prior military service.
 - b. Where the Committee is satisfied that prior military service gave a member a practical grasp of the command and personnel management context and military matters, such as weapons systems, employment of weapons, service tribunals, redresses of grievance, inquiries and contractual matters, that service may be credited at rates of up to 25%, up to a maximum of one (1) year for LL advancement and, in the case of new applicants, for seniority in rank and pay purposes **provided** the total credit granted to a legal officer for prior initial officer training, prior legal and paralegal experience and prior military experience does not exceed three (3) years for LL advancement and seniority in rank purposes and seven (7) years for seniority in pay purposes.

2. **Agree that the following guidelines** will be considered by the Committee when considering applications for recognition of and credit for prior military service not otherwise considered for recognition and credit by the Committee, namely:
 - a. 25% where the applicant has practical experience as an officer of the command and personnel management context and military matters, such as weapons systems, employment of weapons, service tribunals, redresses of grievance, administrative inquiries and contractual matters;
 - b. 20% where the applicant has knowledge as an officer of the command and personnel management context and military matters, such as weapons systems, employment of weapons, service tribunals, redresses of grievance, administrative inquiries and contractual matters;

- c. 15% where the applicant has practical experience as a warrant officer / non-commissioned officer of the command and personnel management context and military matters, such as weapons systems, employment of weapons, service tribunals, redresses of grievance, administrative inquiries and contractual matters;
- d. 10% where the applicant has knowledge as a warrant officer / non-commissioned officer of the command and personnel management context and military matters, such as weapons systems, employment of weapons, service tribunals, redresses of grievance, administrative inquiries and contractual matters.



S.J. HARVEY

AIRCDRE

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Chairman, Career and Professional Development Committee