

AUSTRALIAN DEFENCE FORCE LEGAL SERVICES
CAREER AND PROFESSIONAL DEVELOPMENT COMMITTEE

MEETING OF 18 FEB 05

COMMITTEE DECISION 20/05

Subject: Policy - Advancement to LL4 Requirements

The Committee noted:

1. The Request on behalf of the Head of Air Force Legal to clarify if a legal officer must satisfy the academic requirements for advancement to LL4 before being eligible to advance to LL4.
2. The DFRT Decisions on the Legal Officers' Specialist Career Structure (LOSCS) WEF 16 Mar 00 and 1 Jul 04 and the Committee's Policy Decisions 43/00, 58/00 and 32/01 in relation to applications for LL 4 by legal officers.
3. That in CPDC Policy Decision 51/00 the Committee decided, in part, that:
 2. *When the Committee considers individual applications for approval of LL4 or for assessment of eligibility for LL4, 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 two core legal competency fields selected by the applicant; and*
 - c. *in relation to each of the selected core fields:*
 - (i) *the applicant's post graduate academic qualifications in legal studies;*
 - (ii) *the applicant's demonstrated legal skills;*
 - (iii) *the applicant's prior experience as a Legal Officer.*
 3. *Academic qualifications in the core fields may be demonstrated by providing the Committee with copies of post-graduate degree documents, for example LLM or the Legal Officers' Advanced Course.*
4. That in its decision in 2000 the DFRT stated:

Legal Officer – Level Three

At this level members complete the Legal Officer Advanced Course and on-the-job training in another one of the legal employment specialisations. The additional training and experience will lead to the qualification of Master of Military Law or equivalent. After completion of this training and experience, and having about 10 years service as a Legal Officer, members will progress to Legal Officer – Level Four. They will receive specialist pay increments at the top of Major (and equivalent) rank and will be considered for promotion to Lieutenant Colonel (and equivalent).

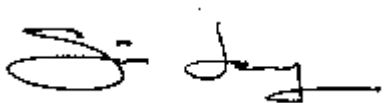
5. That in its decision in 2004 the DFRT approved changes to the LOSCS including:

Proposed Legal Officer – Legal Level 4. *To advance to LL4 a Legal Officer will be required to:*

- *complete the requirements for advancement to Legal Level 3; and*
 - *be a minimum rank of 04;*
 - *complete the requirements for a Master of Military Law/Laws, except in the case of reserve members who are required to complete the 3 core subjects of the course; and*
 - *be posted to a Legal Level 4 position; and*
 - *demonstrate either:*
 - a. *an advanced level of competence in two areas of military law by recognition of detailed competencies under a Competency Log Book-*
- OR*
- b. *an expert level of competence in one area of military law by recognition of detailed competencies under a Competency Log Book-*
- and*
- c. *management of subordinates at an advanced level of competence.*

The Committee decided to:

1. **Agree** that it was a proper interpretation of the DFRT 2000 decision to state that the completion of academic courses that lead to the qualification of Master of Military Law or equivalent is a pre-requisite to advancement to LL4.
2. **Note** that in the ADF submission to the DFRT that was approved in 2004 the ADF identified that Reserve legal officers were required to only complete the 3 core subjects of the Master of Military Law/Laws to satisfy the academic qualification for advancement to LL4.



S. J. HARVEY

AIRCDRE

Director General Australian Defence Force Legal Services

Chairman, Career and Professional Development Committee