

SOP 8 - RECRUITMENT

AIM

1. The aim of this SOP is to:
 - a. set out some of the sources of recruiting information that may be of assistance to persons interested in joining the ADF as an RLO;
 - b. establish and record uniform procedures to be followed in calling for, and administering, applications from persons to join the ADF as an RLO;
 - c. ensure that recruitment of RLOs is conducted in a transparent, objective and equitable manner to ensure the best applicant is chosen to meet the Regional and national needs of TDLS; and
 - d. ensure that merit is the over-riding criteria for selecting a suitable applicant for appointment.

INTERNET AND OTHER INFORMATION SOURCES

2. Lawyers interested in joining TDLS should be referred to the following internet sites for Service and recruiting information:

www.defence.gov.au/reserves

www.defence.gov.au/careers

www.defence.gov.au/legal

3. The generic roles an RLO may expect to perform over his or her career appear in SOP 2.

ROLE OF RSLG IN RECRUITMENT AND CAREER PLANNING

4. The RSLG in each Region is required to undertake an annual planning review to:
 - a. identify the future demand for legal officers within their Region; and
 - b. monitor and plan for the career progression of the members of their Panel.
5. The RSLG is to liaise with the relevant Service personnel agency as part of the annual planning review.
6. This planning will enable RSSRs, in conjunction with their HOC to plan the recruitment of RLOs:
 - a. in sufficient time to meet assessed future needs; and
 - b. within the national RLO Strength Determination made under SOP 3.

PRE RECRUITMENT PROCEDURES

7. As the recruitment of RLOs is a lengthy process, it is incumbent that the process of recruitment commences at the earliest time it becomes apparent that a vacancy will arise. The following pre-recruitment procedures apply to RSSRs and the senior PLO of the relevant Service in the Region.
8. The RSSR, in consultation with the senior PLO of the relevant Service is required to prepare the following (a "Recruitment Brief"):
 - a. a position profile based on the roles and information in annex A for the vacancy;
 - b. a requirements of service document, based on the Table annexed as annex A to SOP 6;
 - c. if applicable, any relevant background to the vacancy; and
 - d. selection criteria for the position.
9. The Recruitment Brief is to be in sufficient detail to provide applicants with information about both what the position and service in TDLS requires of them.
10. The senior PLO is to send a minute to the HOC enclosing the Recruitment Brief.
11. The HOC considers the Recruitment Brief and determines whether or not to recommend recruitment on the basis of it.
12. Recruitment only takes place if recommended by the HOC and approved by the single Service personnel agency.
13. The HOC does not recommend recruitment if the recruitment would result in the national RLO Strength Determination being exceeded.

ADMINISTRATION OF RECRUITING

14. The recruitment of RLOs is to be conducted through Defence Recruiting, and the relevant Service personnel agency. PLOs and RLOs may inform suitable lawyers of the vacancy and encourage applications, however, they should not interfere in the administration of the process of advertising and filling the position with the intent of preferring one applicant to the detriment of another.
15. To initiate the recruitment process the RSSR is to:
 - a. advise the relevant personnel agency and Defence Recruiting of the approval to advertise the vacancy;
 - b. consult with Defence Recruiting and determine an appropriate means of advertising the vacancy;
 - c. set deadlines with Defence Recruiting for the advertising and administration of applications, including medical, psychological and other testing, to enable

the earliest submission of a list of suitable applicants for interview to the relevant Service personnel agency;

- d. provide Defence Recruiting with the Recruitment Brief (or an extract of it) for dissemination to person interested in applying for the position;
- e. advise the relevant Service personnel agency of the advertising of the position, that a list of suitable applicants will be submitted to it by a certain date and that a selection board is to be convened on a nominated date.

16. The form of advertising should include the use of law society and bar association notices and, if appropriate, public advertising.

17. Documentation available to applicants should include the position description, the requirements of service document and the selection criteria.

18. Upon the close of applications for the vacancy the RSSR (in consultation with the relevant PLO) is to:

- a. review and, if appropriate, shortlist the applications against the selection criteria;
- b. forward the shortlist to the relevant personnel agency with a request to arrange the selection board; and
- c. advise those applicants not short-listed that due to the number of applicants it was necessary to short list applicants against the selection criteria, and that they were unsuccessful in making the short list;

19. Prior to the selection board the PLO and RSSR are to invite the applicants to be interviewed in an informal meeting to receive a briefing on the selection board processes (including the selection criteria), and to have any questions and concerns addressed. Where practicable this meeting should be held in an informal environment.

20. Selection boards should be held at the earliest opportunity in accordance with usual single Service requirements.

21. In the case of Army, a certificate from the Head of Corps is to be obtained pursuant to the Australian Military Regulations before any appointment.

22. Once an applicant's appointment takes effect the RSSR is to:

- a. officially welcome and introduce the RLO to the PLO and other members of the RSLG and the panel in the Region;
- b. direct an RLO to accompany and assist the new RLO in receiving his or her dress and field entitlements issue, and to assist the new RLO in the proper maintenance, order and dressing of uniforms;
- c. appoint an RLO to assist and mentor the new RLO during his or her initial 12 months of service;

- d. ensure that an initial familiarisation, induction and training plan is prepared and implemented for the new RLO, pending their attendance at the Specialist Officer Entry Course and completion of LMT 1 course;
- e. ensure that a nomination is submitted on behalf of the new RLO for the initial entry course and the LTM 1 course; and
- f. ensure that the new RLO attends the initial entry course and commences the LTM 1 course at the earlier opportunity.

RLO POSITION PROFILES

The primary responsibility of Reserve Legal Officers (RLOs) is to assist and compliment Permanent Legal Officers (PLOs). Thus, RLOs may be called upon to perform a wide range of duties and to give advice, within their fields of expertise.

RANK AND APPOINTMENTS

The ADF is a military organisation and operates in a hierarchical structure based on rank. Substantive rank is granted on appointment according to specialist professional qualifications in the same manner as rank on appointment is granted to PLOs. In all but exceptional circumstances, all RLOs will be appointed with the substantive rank equivalent to Army Lieutenant. Former PLOs are transferred to the reserve at their substantive PLO rank. The career of Reserve Legal Officers normally follows the following equivalent rank progression:

ARMY	NAVY	AIR FORCE
Lieutenant	Sub Lieutenant	Flying Officer
Captain	Lieutenant	Flight Lieutenant
Major	Lieutenant Commander	Squadron Leader
Lieutenant Colonel	Commander	Wing Commander
Colonel	Captain	Group Captain

ROLES

Annex A below sets out the progressively more skilled roles for RLOs as they advance in rank and experience. PLOs and senior RLOs should assist junior RLOs to perform their roles and gain skills and experience by allowing them to understudy.

On appointment RLOs will typically be allocated duties commensurate with their military experience to enable them to gain confidence in the performance of their roles under the guidance and with the assistance of more senior RLOs.

These duties will normally encompass the provision of legal aid advice in a military context, prosecuting or defending defence members before a CO, and providing advice to defence members in relation to summary offences. Newly appointed RLOs may also be tasked to review minor investigation reports.

When opportunities arise newly appointed RLOs are to be offered and encouraged to perform understudy roles in relation to more complex matters, to enable them to gain confidence and experience. Remuneration arrangements allow RLOs performing understudy roles to receive payment at the training day rate.

During the first 10 years after appointment, RLOs (up to and including MAJ(E)) are required to act in a relief manning/shadow posting for a period of not less than 10 weeks, constituted by continuous periods of not less than 5 days. This requirement is to apply pro-rata for RLOs appointed before 1 Jul 03.

In each Region, a group of officers performs the role of the Regional Senior Leadership Group ("RSLG") for that Region.

RSLGs ensure that the members of their panels undertake the necessary courses of study to qualify them for promotion to the next rank. They also ensure there is a commonality in skills and experience across the three Services so that RLOs may perform their roles with the confidence expected of their rank.

PROFESSIONAL QUALIFICATIONS

In addition to normal ADF entry requirements, to be eligible for selection as an RLO in the Army, Navy or Air Force the individual must be admitted to practice as a barrister and/or solicitor of a territory, state or federal court of Australia.

The ADF has identified a need to reward selected professional groups for their special skills and work through the introduction of specialist salary structures. The structure provides a process for the professional development of Legal Officers at each level within TDLS.

The key features of the Legal Officer structure for RLOs are:

- a. it recognises that the former rank-based salary structure for Legal Officers no longer has appropriate application to either the individual officers or to the ADF;
- b. it recognises the different work value, qualifications and skill through remuneration according to competency levels;
- c. it provides a direct correlation with the skill levels and competencies outside the ADF;
- d. the salary rates have some reference to community standards, thereby making recruiting and retention easier;
- e. recruitment and training are in accordance with clearly identified legal competency standards

LEGAL LEVELS OF COMPETENCY

The Legal Levels of Competency are as follows:

Legal Officer – Level One

Legal Officers will normally be appointed at this level at the rank of Lieutenant (and equivalent). Members will be appointed for 6 years and must be admitted to practice as a Barrister or Solicitor. During an initial training period of up to 12 months the Legal Officer Level One will undertake Initial Entry Officer Training, on-the-job-training, military familiarisation and distance education in legal specialisations. On successful completion of this training members will progress to Level Two.

Legal Officer – Level Two

Direct appointments may be made to Legal Officer – Level Two positions where appointees have an appropriate level of legal or military experience.

Level Two members will normally be of Captain (and equivalent) rank. They will complete the Legal Officers Initial Course and on-the-job training in one of three legal employment specialisations. These members will gain a qualification of Graduate Diploma of Military Law or equivalent through the University of Melbourne and the Military Law Centre, Canberra or another approved university. After completion of these courses, and normally with four years service as an ADF Legal Officer, members will progress to Legal Officer – Level Three and will be eligible for pay at the top Captain increments as well as consideration for promotion to Major (and equivalent).

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).

Legal Officer – Level Four

At this level members acquire qualifications or develop skill and gain experience in a third legal employment specialisation. With appropriate skills, qualification and experience, and the capacity to manage subordinates as part of a legal team, officers at this level will be considered for promotion to Colonel (and equivalent) where they will become a Director or Judge Advocate Administrator.

Director/Chief Judge Advocate

Directors are responsible for the management of one of the core ADF legal functions and the provision of specialist legal advice. They are also responsible for the career development and training of Legal Officers in their Directorate. The Chief Judge Advocate is a Legal Officer appointed to the panel of Judge Advocates and Defence Force Magistrates.

CAREER PROFESSIONAL DEVELOPMENT COMMITTEE

Legal Levels of competency for individual RLOs are set by the CPDC which holds regular meetings at TDLS Canberra. Information on and decisions of the CPDC are available by access to the TDLS website (www.defence.gov.au/legal) or by contacting the Secretary of the CPDC in TDLS Canberra.

Table 1

ROLES BY RANK	COL (E)	LTCOL (E)	MAJ (E)	CAPT (E)	LEUT (E)
1. 'Shadow' posting	X	X	X	X	X
2. Posting to deployable units as a sole legal officer	X	X	X	X	X
3. JA / DFM	X	X			
4. Prosecuting officer/Defending officer at Court Martial/DFM	X	X	X	X	
5. Prosecuting officer/Defending officer at Summary hearing			X	X	X
6. S.154 Reviewing officer	X	X			
7. Counsel assisting at major BOIs	X	X	X		
8. Counsel assisting - other BOIs		X	X	X	
9. Counsel representing – BOI	X	X	X	X	
10. Reviewing officer - BOI reports	X	X			
11. Providing legal assistance to member	X	X	X	X	
12. Providing legal aid advice to member	X	X	X	X	X
13. Providing urgent and demanding legal advice to a senior Commander	X	X	X	X	
14. Providing training to other LOs and to other ADF members	X	X	X	X	

ROLES BY RANK	COL (E)	LTCOL (E)	MAJ (E)	CAPT (E)	LEUT (E)
15. Assisting assessment of LO legal skills	X	X			
16. ADR	X	X	X	X	X
17. Acting as Investigating Officer for the Military Inspector General	X	X	X		
18. Acting as President of Board of Inquiry	X	X			
19. Acting as Director Military Prosecutions	X				
20. Acting as Director Military Defence	X	X			
21. Investigations under D(I)Rs	X	X	X	X	X