



ALS

Aboriginal Legal Service (NSW/ACT) Limited

APPLICATION PACKAGE

**SENIOR SOLICITOR (CRIMINAL LAW)
PARRAMATTA**

We strongly encourage Aboriginal and Torres Strait Islander Solicitors to apply

The ALS Difference

- ALS still provides the most remote legal assistance service, more than any other legal provider. In some remote areas we are the only lawyers available.
- Our lawyers visit every Court in NSW and ACT on court circuits. This is far more than any other legal service provider is achieving.
- Unlike other legal service providers, we work on Saturdays in various remote locations in the Bail Court to ensure Aboriginal offenders are not locked up unnecessarily for three nights over the weekend. Some of our field officers are allowed by the courts to represent clients in Bail Court.
- Each ALS office is a community hub for the local township. When an Aboriginal person walks through the door their issue might be about housing, welfare payments, licensing, or family problems, or it might be a legal issue. Each office has local staff who are knowledgeable about their town and the services in it, and they provide every Aboriginal person that walks in with information, and they link people to the appropriate service provider, doctor, financial counsellor or otherwise.
- ALS staff members in urban and remote communities are essentially Ambassadors for the Service and in consulting and advocating for the legal needs of Aboriginal people.
- Staff regularly attends national, state, and local meetings, committees and forums.
- ALS is one of the largest Aboriginal community organisations

The ALS commenced operations on 1 July 2006. The ALS provides legal services to Aboriginal clients across NSW/ACT. It was established as a Public Benevolent Institution and operates to assist economically and socially disadvantaged Aboriginal people to understand and protect their rights in the legal system.

The ALS Board, which consists of the Chairperson and 13 voting Directors includes the Chair and CEO plus 2 Honorary Directors, establishes the broad policies and strategic plan of the ALS. The ALS is the largest agency delivering legal services to Aboriginal clients in Australia, comprising a head office in Sydney (Redfern) and 23 offices in metropolitan, regional and remote centres across NSW/ACT.

The key programs and services provided by the ALS include:

- Legal advice and referral for clients;
- Duty lawyer service in specified court locations;
- Criminal law advice and litigation;
- Care and protection law advice and litigation;
- Family law advice and litigation;
- Custody Notification Scheme;
- Work and development orders information and referrals;
- Civil Law information and referrals;
- Policy reform initiatives;
- Community Legal Education and Outreach;
- Community Justice Program (Australian Capital Territory);
 - Prisoner Through Care
 - Interview Friends

- Galambany Circle Sentencing Support.
- Royal Commission Into Institutional Responses to Child Sexual Abuse information & referrals;
- Cooperative Service Delivery;
- Auspicing of Justice Reinvest NSW
- Aboriginal Tenancy Service.

If you would like more information about the ALS, visit our website at www.alsnswact.org.au.

INSTRUCTIONS TO APPLICANTS

The application process for this position is as follows:

1. Provide a cover letter.
2. Provide a CV.
3. Completed application form (see below pages 6 & 7)
4. Provide a statement addressing each of the relevant selection criteria (see below pages 6 & 7)
5. Provide a copy of your Law Society of NSW Practising Certificate.
6. Provide details (including email) from three referees.
7. E-mail the application by the closing date. Applicants should ensure mailed applications will be received by the close of business 5 pm on Monday 3rd April 2017 to the contact officer (Sheri Misaghi CSE Regional Administration Co-ordinator – sheri.misaghi@alsnswact.org.au or phone 8303 6600)
8. Interviews will be held in Redfern.

PURPOSE OF POSITION

Provide high quality legal advice and representation to clients, primarily in criminal matters, in accordance with the Aboriginal Legal Service (NSW/ACT) Limited's policies, procedures and guidelines.

To contribute to the implementation of the Aboriginal Legal Service's strategic plan to deliver high quality legal services to Aboriginal clients and assist them to resolve their legal problems.

REPORTING RELATIONSHIPS

Supervisor: Central South Eastern (CSE) Region Principal Legal Officer (PLO)

Others Reporting to Supervisor: All CSE Regional Solicitors

Overall Manager: CSE Regional Manager

NATURE AND SCOPE OF SOLICITOR POSITIONS

KEY CHALLENGES OR CONSTRAINTS

- Being able to communicate with, take instructions from and effectively represent Aboriginal clients who may present as distressed, have a physical or intellectual disability, or have problem

behaviours such as drug or alcohol addictions, when the legal concepts involved are complex and difficult for the client to understand.

- Maintaining and enhancing professional competence, keeping abreast of legal developments, changes in ALS policies, systems, guidelines, practices and community needs.
- Adapting to new systems and technology which have a significant impact on the legal practice.
- Effectively balancing the requirements of managing a busy caseload.

DECISION MAKING

The position is guided in its decision-making by legislation such as Legal Profession Act 2004; by the ALS policies and guidelines and ALS practice standard benchmarks. The position holder makes independent decisions relating to the day-to-day conduct of his or her legal practice within this context.

The position seeks the advice and support of the PLO on a regular basis and consults with the PLO before determining applications for merit in complex matters.

COMMUNICATION

Internal

The key relationship is with the PLO. The position holder also interacts closely with Region Legal Colleagues, Field Officers and Administrators.

External

Externally, the position holder has regular contact with clients and potential clients requiring legal assistance, taking instructions, where appropriate and providing oral and written advice.

The position holder is in contact with private legal practitioners, judges, magistrates, court staff, medical professionals, and offices of Community Services and Government Departments in relation to the provision of representation and advice to clients.

KEY ACCOUNTABILITIES

Court responsibilities (where applicable):

- Local Court
- Circuit travel
- Children's Courts
- Coroner's Court
- District Court
- Crime Commission (if required)

Including high quality appearances, undertaking:

- List work
 - Short matters
 - Defended Hearings
 - Committal Proceedings
 - District Court Appeals and Sentences
 - District Court Trials (instructing counsel and appearing as an advocate in consultation with supervisors)
 - Coronial Inquests
 - CCA – preparation of briefs and instructing Counsel
- Other work consistent with experience as reasonably directed by your supervisor;

- Prepare and research representation of Aboriginal clients in criminal matters;
- Demonstrate continuing respect and support for Aboriginal cultural practices in dealing with clients, their families, communities, directors and staff; as an employee of the ALS, continue to learn about the customs and history of local Aboriginal people;
- Maintain all files in a tidy and professional manner, including the recording of all data on the file cover required for statistical purposes;
- Display good time management skills and attend to updating any diary as required in the relevant offices within your Region; co-ordinate diary and court schedules in order to maintain an efficient and effective legal practice;
- As directed by the PLO act as a mentor to more junior solicitors regarding law and procedure and the operations of the ALS;
- As directed by your supervisor, assist in arranging and monitoring continuing legal education for the more junior solicitors in your Region;
- Develop and maintain computer literacy skills so as to generate and answer emails and short letters;
- Work as a team member with all other legal, field and administrative staff to achieve effective co-ordination in your office and Region . This will involve good negotiation and communication skills and, at times, will require you to assist, guide and support field and administrative staff;
- Maintain an up-to-date knowledge of relevant criminal law legislation, case law and court procedures;
- Assist with the development of submissions on law reform and represent the ALS at meetings, conference and seminars as directed by your supervisor;
- Implement all policies as directed by your immediate supervisor, senior management and the Board of Directors including any dealing with the use and condition of computer technology and programs and participate in your Region in their implementation;
- Keeping up-to-date on legal developments and procedures and identifying training needs and attending training to maintain professional standards and retain a practicing certificate;
- Perform the required duties in accordance with the requirements of the following legislation and/or ALS policies

Equal Employment Opportunity (EEO)
Work Health & Safety (OH&S)

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**APPLICATION FOR EMPLOYMENT AS A SOLICITOR
AND SELECTION CRITERIA**

Name:

Contact number:

Email address:

Date of admission:

Number of years experience in Criminal Law:

Have you appeared as the solicitor / advocate in the following?

- | | |
|----------------------------|--------|
| • Bail applications | YES/NO |
| • Sentence proceedings | YES/NO |
| • Defended Hearings | YES/NO |
| • District Court Appeals | YES/NO |
| • District Court Sentences | YES/NO |
| • Jury Trials | YES/NO |

Health (*not compulsory to respond*)

Do you have any medical conditions or disabilities which the ALS should be aware of? This question is asked to enable consideration to be given to the provision of confidential assistance to you, if you request such assistance. This would be to your benefit in the event of an emergency

SELECTION CRITERIA

Essential

- Legal qualifications and a current NSW Practising Certificate
- A minimum of four years' experience in Criminal Law
- Extensive and detailed knowledge of the Criminal Law in NSW, including up-to-date knowledge of recent superior court decisions affecting legal and procedural issues
- Demonstrated experience in conducting:
 - District Court appeals (conviction and severity)
 - District Court sentencing matters
 - Serious indictable committal proceedings before the Local Court
 - Defended hearings in the Local Court and Children's Court
- Proven capacity to identify and understand legal issues facing socially and economically disadvantaged Aboriginal/Torres Strait Islanders peoples
- Capacity and motivation to provide quality legal representation to Aboriginal people in rural and remote communities
- Ability to mentor more junior lawyers and to advise them in relation to points of law, procedure and ethics

- Demonstrated excellence in consultation, interpersonal, motivational, negotiation and conflict resolution skills
- Superior skills in both written and verbal communication
- Demonstrated ability to maintain files in a tidy and professional manner, recording all necessary data and willingness to encourage and assist more junior lawyers to do the same
- Computer literacy and capacity to generate legal correspondence
- Willingness to regularly drive or fly lengthy distances within the Region and stay overnight or longer to undertake court work or training

Desirable for Position

- A minimum of six years' experience in Criminal Law

DECLARATIONS

I hereby certify that the information I have provided on this form and in the attached documents is true and correct in every respect.

I hereby certify that if I am successful in obtaining a placement at ALS, I will comply with all lawful and reasonable directions from my manager.

I hereby certify that by signing this application form that I authorise the ALS to contact either by letter, telephone or any other means, any person/organisation that the ALS considers necessary to confirm any of the information I have provided in this application form. I also acknowledge that, if necessary, the ALS may need to obtain other information about me, for example conducting a Criminal Reference Check / Working with Children Check.

I understand that any misrepresentation by me will lead to the withdrawal of any offer of employment or my employment being terminated.

Signed _____

Date _____

BENEFITS

Employments status	Permanent full time
Salary guide	\$84,051 to \$90,019 depending on experience
Grossed up guide	Approx \$93,418 to \$99,788
Salary grossed up due to Public Benevolent Institute status	Tax concession of \$15,049 per FBT year Those with HECS/Help debts are encouraged to seek tax advice before entering into these arrangements.
10% Superannuation	.5% above the current ATO requirement
6 days Special leave	Leave for culturally specific occasions, moving/relocating, family reasons and bereavement is allowed up to 6 days per year (total) for all Employees, plus an additional day for all Aboriginal staff on NAIDOC Day to acknowledge the Aboriginal community based nature of our organisation.
Christmas Closure	A number of days during court closure plus public holidays. Paid without leave loading.
4 weeks annual leave	Paid with 17.5 % leave loading
Personal /careers leave	10 days per year Previously known as sick leave
Rostered Days Off	1 per month (if time accrued & requirements are met)
Study Leave	2 hours per week (if requirements are met)
Parental leave	Between 2 & 6 weeks depending on length of service
Mobile phone (smart phone)	With limited personal use
Travel allowance	\$2,000 pa