



ALS

Aboriginal Legal Service (NSW/ACT) Limited

## **EMPLOYMENT APPLICATION PACKAGE**

**Solicitor (Criminal Law)  
Intermediate**

**Based at  
GRIFFITH**

**website at [www.alsnswact.org.au](http://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 or resume.
3. Provide a statement addressing each of the relevant selection criteria.
4. Provide details (including email) from three referees.
5. Copy of NSW Drivers license and NSW Law Society Practising Certificate

E-mail the application (or mail hard copy) by the closing date. Applicants should ensure mailed applications will be received by midnight on 26 April 2017 to Ms. Christy Cromelin Western Regional Administration Coordinator at

[christy.cromelin@alsnswact.org.au](mailto:christy.cromelin@alsnswact.org.au)

Phone 6841 6966 or Post PO box 446 Dubbo NSW 2830

### **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:** Western Regional Principal Legal Officer (PLO)

**Others Reporting to Supervisor:** All Western Region Solicitors

**Reporting to Junior Position:** Nil

**Overall Manager:** Western Regional Manager

## **ORGANISATIONAL CONTEXT**

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;
- Work and development orders;
- Policy
- Community Legal Education(CLE) and outreach;

## **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 Western Region Legal Colleagues, Field Officers and Assistants/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**

- Perform appearance work in the following courts as directed:
  - a. Local Court
  - b. Children's Courts
  - c. District Court (as discussed with your supervisor)
  - d. Circuit travel
- Appearance work includes:
  - a. List work
  - b. Sentence matters
  - c. Bail Applications
  - d. Defended Hearings
- 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;
- Prepare briefs for counsel and attend to instructing counsel as directed;
- 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 service. 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;
- As directed by your supervisor, oversee the allocation of work and management of workloads including briefing and assignment of work to external legal representatives and the implementation of policies and procedures for those functions within your Region.
- 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

Work Health & Safety (WHS)  
Equal Employment Opportunity (EEO)

## **SELECTION CRITERIA**

### **Essential**

- 1) Possession of a current Practising Certificate issued by the Law Society of NSW;
- 2) Minimum 18 Months Experience in Criminal Law
- 3) A sound, up-to-date knowledge of the Criminal Law, practice and procedure;
- 4) Demonstrated experience in conducting:
  - a. District Court appeals (all-grounds and severity),
  - b. Committal proceedings; and
  - c. Defended hearings in the Local Court and Children's Court;
- 5) Excellent written and verbal communication skills;
- 6) Demonstrated capacity to prepare comprehensive briefs for counsel and to instruct and liaise with counsel as required;
- 7) Understanding of the role of Aboriginal Field Officers and willingness to work with them to better comprehend the needs of Aboriginal clients;
- 8) Demonstrated ability to maintain files in a tidy and professional manner, recording all necessary client data;
- 9) Excellent time management skills;
- 10) Ability to co-ordinate diary and court schedules in order to maintain an effective and efficient legal office;
- 11) Ability to mentor more junior lawyers and to advise them in relation to various points of law and procedure;
- 12) Willingness to implement policies as promulgated by the Board and/or management (including Equal Opportunity and Sexual Harassment Policies) and to supervise junior lawyers in such implementation;
- 13) Computer literacy, such that e-mails and short letters may be self-generated and answered;

### **Desirable**

- 1) A minimum of two (2) years experience in Criminal Law;
- 2) Demonstrated experience in District Court sentences.

**Job Notes:**

The successful applicant will need to have a willingness to drive in rural Western Region locations as well as a willingness to travel by plane and stay overnight or longer to undertake work or training, as required by management

The position offered is subject to the Employee agreeing to undergo:

- Criminal History Check
- Working with Children Check.
- Approved access to Correctional Centres, Court and Police cells.

## **BENEFITS**

Employments status	Permanent fulltime
Hours per week	35
10% Superannuation	0.5% above the current ATO requirement
Superannuation	Paid on <u>grossed- up salary</u> (if earning less than \$ 66,000)
6 days Special leave	Leave for culturally specific occasions, moving/relocating, volunteering natural disasters ,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	Several days + 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 a 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
Remote area allowance	Remote office attracts a \$5,000 remote area allowance for solicitors \$2,000 Field & Administration Officers
Remote loyalty bonus	Grades 1 & 2 only
Mobile phone (smart phone)	With limited personal use
Relocation allowance	Depending on circumstances
Accommodation	Subsidised in some remote locations only
Law Society NSW Practicing Certificate & Law Society NSW Membership	Fee reimbursed
Working With Children Check	Cost reimbursed

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

**Application**

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? Number of years?

- 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-----
- Committal Hearings YES/NO-----

**Selection Criteria**

Essential

- Minimum 1 years' experience, but highly preferable 2 years plus experience;
- Up-to-date knowledge of the Criminal Law, including practice and procedure;
- 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;
- Excellent written and verbal communication skills;
- Demonstrated ability to maintain files in a tidy and professional manner;
- Excellent time management skills;
- Computer literacy and capacity to generate legal correspondence; and
- Willingness to drive or fly lengthy distances within the Region and stay overnight or longer to undertake court work or training.

**Desirable for Intermediate Position**

Considerable experience conducting Local and Children’s Court defended hearings

**MEDICAL CONDITIONS OR DISABILITIES**

Do you have any medical conditions or disabilities of which the ALS should be aware? This question is asked to enable consideration to be given to the provision of CONFIDENTIAL assistance to you, if you require such assistance. This may be of benefits to you in an emergency.

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**REFEREES**

Please give details of two referees from any suitable person you have worked with before, like an employer. You may also provide details of somebody respected in the community who has known you for a long time. (Referees must be 18 years old or older and cannot be directly related to you).

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**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 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 the application .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.**

**Name** \_\_\_\_\_

**Date** \_\_\_\_\_