



ALS

Aboriginal Legal Service (NSW/ACT) Limited

SOLICITOR
Criminal Law
NOWRA
GRADE 1
Permanent

We strongly encourage Aboriginal and Torres Strait Islander Solicitors to apply

Visit our website at www.alsnswact.org.au for extensive information about our services

Applicants should be available for interview on Wednesday 6 September in Nowra."

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
4. Provide a statement addressing each of the relevant selection criteria
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 4TH September 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.

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Close off for applications 4 September 2017

ORGANISATIONAL CONTEXT

The Aboriginal Legal Service (NSW/ACT) Limited (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;
- 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;
- Custody Notification Scheme;

- Cooperative Service Delivery;
- Criminal Law information and referral support;
- Auspicing of Justice Reinvest NSW.
- Auspicing of Aboriginal Tenancy Services

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, regional 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 organisation employers in NSW, with over sixty Aboriginal employees, including lawyers, field officers, administration officers, managers, and the CEO.
- We are committed to up-skilling our Aboriginal staff and regularly provide further education and training opportunities.
- Each year our organisation is awarded a low-risk rating by the Australian Government Attorney-General.
- Huge numbers of ex ALS employees have gone on to become respected members of the legal fraternity as Judges, Magistrates, Barristers, or in policy areas in government.
- Through our Custody Notification Service, our attendance at national, state/territory and local meetings, and through our local community legal education inputs, we have had a positive cultural influence on organisations and people, including the NSW police force, Corrective Services, and Family and Community Services.

Visit our website at www.alsnswact.org.au for extensive information

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 Cluster Managing Solicitor (with additional support and oversight from the Deputy Principal Solicitor and Practising Solicitor). The position holder also interacts closely with 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

- Legal qualifications and a NSW Practising Certificate (or be able to obtain one immediately);
- 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 CSE Region and stay overnight or longer to undertake court work or training.

Desirable for position

- A minimum of 6 months experience in Criminal Law;
- Experience conducting Local and Children's Court defended hearings

Application form

Name:

Contact number:

Email address:

Date of admission:

Number of months/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
- Committal Hearings YES/NO

Job notes

The successful applicant:

1. need to have a willingness to drive in metropolitan and country locations as well as a willingness to travel by plane and stay overnight or longer
2. may be required to maintain ALS Motor Vehicle & ALS Smart phone
3. may be required to undergo a Working With Children Check
4. may be required to obtain an Access to Correctional Centres Certificate
5. may be required to obtain a Criminal History clearance
6. will be required to actively participate in Cultural Awareness Training

BENEFITS

Employments status	Permanent All full time
Salary	53,000
Salary grossed up	62,000 approx
Leave loading	17.5%
Superannuation	10%
Remote allowance	5,000 Walgett & Broken Hill only
Accommodation value	5,200 Walgett only
Salary grossed up due to Public Benevolent Institute status	Those with HEC/Help debts are encouraged to seek financial advice before entering into these arrangements.
10% Superannuation	0.5% above the current ATO requirement
Page 86 days Special leave	Leave for culturally specific occasions, moving/relocating, family reasons , natural disaster volunteer work 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	Approximately 7 days 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
Relocation allowance	Depending on circumstances
Travel Allowance	Redfern & Parramatta only otherwise Pool motor vehicles are available