

# ADF Legal Officer – permanent forces

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The Royal Australian Navy, Australian Army and Royal Australian Air Force (collectively the Australian Defence Force or ADF) each employ legal officers both on a permanent employment and a reservist basis.

The ADF presents a unique opportunity for lawyers to broaden their experience in the areas of international and operations law, administrative, discipline and civil law. As graduates or undergraduates, potential legal officers can expect to undertake a wide variety of legal tasks, some of them rarely encountered by their civilian counterparts. The three main areas of practice for ADF legal officers are operations law, military discipline law and military administrative law. Permanent legal officers also provide civil law advice, in some cases, provide legal aid and may have the opportunity to undertake some non-legal postings.

## Operations Law

ADF legal officers provide advice on international law and its effect in shaping the battle in the land, sea and air environments. International law issues may include international treaties and agreements, the law of the sea, international air and space law, international humanitarian law and human rights law and UN Security Council Resolutions. Operations law also includes all aspects of law that may impact on ADF operations, including domestic law issues.

## Military Discipline Law

The Defence Force Discipline Act (DFDA) provides a code of military discipline for the ADF. Specialist legal input is necessary because of the complexity of the work undertaken under the DFDA. Legal officers provide legal reports for reviews of proceedings, and can act as counsel. Legal officers also play an important part in training commanders and other ADF personnel who are involved in the military discipline process.

## Administrative law

Commanders frequently turn to legal officers to ensure they comply with the requirements of administrative law when they make decisions that affect ADF members. Consequently, legal officers may provide advice on equal opportunities and anti-discrimination matters, on responses to applications for redress of grievance and the conduct of administrative inquiries. Again, permanent legal officers play an important part in training commanders and other ADF personnel who are involved in administrative decision-making.

## Civil law

Civil law tasks include provision of advice on workplace health and safety, copyright law, environmental law, management of common law claims and on government contracts.

## Legal assistance and other tasks

On occasion, permanent legal officers also provide limited legal assistance to ADF personnel on their personal legal problems. Legal Officers may, on occasion, be posted to positions that are not legal positions, but may be filled by any permanent Navy/Army/Air Force Officer.

## Entry requirements

Applicants for legal officer positions are required to:

- Be Australian citizens (permanent residents may be exempted with a temporary waiver of the citizenship requirement if the position applied for cannot be filled by an applicant who meets all the citizenship requirements and then only in exceptional circumstances),
- Be medically and physically fit,
- Undergo aptitude testing,
- Be an admitted legal practitioner (or be eligible for training),
- Be aged between 17 and 56 years (graduate) or between 17 and 60 years of age (graduate – reserve) on day of entry,
- Obtain a security clearance appropriate to their avenue of entry and be available for military training.

## The Royal Australian Navy (Reserves) Northern Territory Legal Panel is now recruiting.

Legal practitioners interested in a part-time (Reserves) career as a Navy legal officer should send in a curriculum vitae to the Deputy Panel Leader, Lieutenant Commander Simon Lee [simon.lee3@defence.gov.au](mailto:simon.lee3@defence.gov.au) or [slee@williamforster.com](mailto:slee@williamforster.com).



## ADF legal officer – reserve forces

The Royal Australian Navy, Australian Army and Royal Australian Air Force also employ reservists as legal officers. As a general rule legal officers from the permanent forces are engaged as the Command legal adviser and the reservist legal officers contribute specialist legal advice in the core legal competencies to the individual ADF member. Reservist legal officers can also perform roles as advocates in Defence inquiries (Boards of Inquiry, Commissions of Inquiry, etc) and disciplinary proceedings (Defence Force Magistrate, Restricted Courts Martial and General Courts Martial proceedings, etc).

Following single service military training, legal officers are required to complete a number of Legal Training Modules (LTM) for progression and promotion. The Military Law Centre (MLC), in conjunction with the Australian National University College of Law conducts the LTM courses.

**LTM 1** is a one-week residential course followed by a weekend take-home exam. This course equips the member with the basic knowledge to work as an ADF

legal officer at entry rank level and is usually completed within six months after completion of initial officer training.

**LTM 2** consists of the following subjects:

- Military Administrative Law
- Military Discipline Law
- Military Operations Law
- Advocacy for Military Lawyers

Each subject is delivered as a one week intensive course, followed by assessment tasks. LTM 2 is usually completed over a period of two to three years. Successful completion of all four subjects will result in the award of a Graduate Diploma in Military Law from the Australian National University. These subjects equip the legal officer with the knowledge and reference materials to work at the tactical and operational level at the senior CAPT(E) to MAJ(E) levels.

**LTM 3** is completed by all legal officers and consists of three core subjects as follows:

- Advanced Military Administrative Law
- Advanced Military Discipline Law
- Advanced Military Operations Law

- Advanced Military Operations Law

Each subject is delivered as a one-week intensive course, followed by assessment tasks. Legal officers who do not already have a Masters degree can then complete a further five Masters level elective subjects at the Australian National University to qualify for the award of a Master of Military Law. Those legal officers who already have a Masters degree may complete a fourth Masters level subject to qualify for the award of a Graduate Diploma in Advanced Military Law. Reserve Legal Officers may apply for funding to complete a fourth Masters level subject to qualify for the award of a Graduate Diploma in Advanced Military Law. LTM 3 is usually completed over a period of four years.

These subjects equip the legal officer with the knowledge and reference materials to work at the operational and strategic level at the senior MAJ(E) to LTCOL(E) levels.

Additional information may be obtained from [www.defence.gov.au/legal/mlc.html](http://www.defence.gov.au/legal/mlc.html)