

**PUBLIC LAW AND  
GOVERNMENT  
COMMITTEE**



## **Careers Guide to Public Law and Government 2016**

The NSW Young Lawyers Public Law and Government Committee would like to thank those who gave up their time to make a contribution to the second edition of the Careers Guide, especially those who have provided profiles. We are most grateful to these people for being so generous with their time and advice.

We would like to thank the Hon Chief Justice French, Chief Justice of the High Court of Australia for his support and words of wisdom in contributing the foreword to the second edition.

Our grateful thanks go to those Committee members who volunteered their time and expertise to bring together the Second Edition: Patrick Gardner, Leah Grolman, Martin Hill, Sophie Lloyd, Grace Ming Ma, David Rofe, Alex Sprouster (Editor) and Jennifer Windsor.

We also recognise the hard work of those who pioneered the first edition of this Careers Guide in 2009 and the Hon. Michael Kirby, AC CMG, Justice of the High Court of Australia (1996-2009) for his support for the first edition. The first edition is still available to view and download on [www.younglawyers.com.au](http://www.younglawyers.com.au).

If you would like to find out more about the Public Law and Government Committee, or NSW Young Lawyers generally, visit [www.younglawyers.com.au](http://www.younglawyers.com.au).

Any views expressed in the profiles contained in the Guide are the writer's own and not necessarily those of the organisation for which they work, or of NSW Young Lawyers.

The information contained in the Guide relating to various government agencies and other organisations was gathered from public websites and could be subject to change. It should not be relied upon exclusively. If readers are interested in working for a particular agency or organisation, they should conduct their own independent research either by consulting the relevant website or contacting the agency or organisation directly.

**Careers Guide to  
Public Law and Government  
2016**

# **Careers Guide to Public Law and Government 2016**

THE LAW SOCIETY OF NEW SOUTH WALES  
**youngLAWYERS**

© The Law Society of New South Wales  
(New South Wales Young Lawyers Public Law and Government Committee)

2016

## **Careers Guide to Public Law and Government 2016**

### **2016 Edition**

Published by:

NSW Young Lawyers

170 Phillip Street,

Sydney NSW 2000

DX 362 Sydney

T: 9926 0270

F: 9926 0282

E: [ylgeneral@younglawyers.com.au](mailto:ylgeneral@younglawyers.com.au)

**[younglawyers.com.au](http://younglawyers.com.au)**

Disclaimer: This publication provides general information of an introductory nature and is not intended and should not be relied upon as a substitute for legal or other professional advice. While every care has been taken in the production of this publication, no legal responsibility or liability is accepted, warranted or implied by the authors or The Law Society of New South Wales (NSW Young Lawyers) and any liability is hereby expressly disclaimed.

© 2016 The Law Society of New South Wales

(NSW Young Lawyers), ACN 000 000 699,

ABN 98 696 304 966.

Except as permitted under the *Copyright Act 1968* (Cth), no part of this publication may be reproduced without the specific written permission of The Law Society of New South Wales.

ISBN: 9780409343618

# CONTENTS

<i>Foreword — Chief Justice Robert French AC</i>	vii
<b>General Tips and Tricks</b>	1
Searching	1
The STAR approach	1
Career progression	1
<b>Commonwealth Government</b>	3
Searching for jobs	3
Interim recruiting arrangements	3
Types of roles	3
Applying for jobs	4
Temporary employment registers	5
Graduate programs	5
<b>Commonwealth Departments and Agencies</b>	6
Profile: Professor John McMillan AO — Australian Information Commissioner	16
<b>NSW Government</b>	19
Searching for jobs — Jobs NSW	19
Understanding government employment	19
Capability framework	19
Types of roles	19
Making an application	20
Getting feedback	20
<b>NSW Departments and Agencies</b>	21
Profile: Sally Johnston — Crown Solicitor's Office	22
<b>Local Councils</b>	29
<b>Non-Government Organisations</b>	30
<b>Alternative Options</b>	33
<b>Barrister</b>	33
Dr David Bennett AC QC, 5 Wentworth Chambers	33

Ben Fogarty, Barrister, Denman Chambers	34
Rachel Mansted, Barrister, Eleven Wentworth Chambers	35
Brenda Tronson, Barrister, Level 22 Chambers	36
<b>Sole Practitioner</b>	37
Sarah Heesom, Heesom Legal	37
<b>Academic</b>	38
Greg Weeks, Lecturer, UNSW Law	38
Anne Twomey, Professor, University of Sydney	40
<b>Solicitor</b>	41
Greg Ross, Partner, Eakin McCaffery Cox Lawyers	41

## FOREWORD — CHIEF JUSTICE ROBERT FRENCH AC

The great question that confronts many new law graduates is — what next? For most the answer is — a job. That directs attention to further questions — where do I look? There are many new law graduates entering the jobs market today. Not many will end up like the Harvey Spectre of ‘Suits’ fame in a top tier law firm, ministering with ruthless dedication to high-end private clients. Fortunately, the opportunities for law graduates are many and diverse and not least in the public sector.

The New South Wales Young Lawyers Committee has done a great service to new graduates in the production of this Guide. It brings together a list of Commonwealth and New South Wales Government Departments, Agencies and Authorities which present employment opportunities for new graduates. This systematic and comprehensive resource will be of substantial and practical assistance to law graduates wanting to be informed about opportunities in the public sector.

This Second Edition of the Guide has shifted the focus of the First Edition from the career paths of practitioners to providing information about making applications and career progression. In so doing, the Committee has responded to feedback from its members that one of the biggest hurdles for law graduates and young practitioners is not knowing where to look and how to apply. It is an object of this Second Edition to provide them with an opportunity to broaden their searches beyond private recruitment websites and firm career days.

The New South Wales Young Lawyers Committee is to be congratulated on the publication of this Second Edition of its Guide.

A handwritten signature in black ink, appearing to be 'R French', written in a cursive style.

Chief Justice Robert French AC



## GENERAL TIPS AND TRICKS

The following advice applies regardless of whether you are looking to work in the State or Commonwealth Public Services.

### Searching

Whether you are searching the Australian Public Service (APS) or NSW jobs websites, make sure you broaden your search criteria as much as possible. You can always refine your results but if you start with too much detail, you may be missing a number of opportunities. For example, consider using more than just the 'legal' category, or don't use a category at all and use a basic key word search for 'legal'.

### The STAR approach

It is not sufficient to merely state that you have the relevant skill or expertise referred to in a question or selection criteria. You absolutely must provide at least one example of a time when you have been required to address the situation in your study, work or extra-curricular activities.

When providing examples it can be useful to adhere to the 'STAR' model. This applies in both written and verbal answers:

**Situation** - outline the circumstances where you developed, implemented or used your particular skills and experience - set the context.

**Task** - outline the specific task that you were required to do and your role in the process.

**Action** - explain what action you took and how, any particular issues that you were required to deal with and the skills you implemented during the process.

**Result** - discuss your achievements, what you learnt and your skill development.

Vague affirmations that you are the right candidate for the job will not be sufficient to allow the agency to conduct an efficient merits selection process. If you make it difficult for the person reading your application or listening to you to work out what capability or selection criteria you are addressing, you are less likely to get the job! Make it easy for them, even if it seems a little trite to be spelling it out.

### Career progression

If you have performed well during the year, you may be eligible for an incremental increase in your position (meaning you are moved up a band within your classification). Make sure you are familiar with any performance

and application requirements for these increases, as in some agencies they will not occur automatically.

If you want to succeed in the public service, put your hand up for opportunities. Generally this will mean either working on a particular project, acting up into higher graded positions, or (if you are permanent) going on secondment or temporary assignment to another agency.

While it is true that you can progress gradually up through the grades and classifications for your particular role by receiving incremental increases, it is possible to progress much more quickly through the public service by moving “sideways and up” or by taking on temporary roles. While you may be required to return to your original position at the conclusion of the project, this history of taking initiative will generally put you in a great position for being favourably considered when new positions at higher levels become available.

# COMMONWEALTH GOVERNMENT

Working for the Commonwealth Government doesn't necessarily mean that you have to move to Canberra - there are many Commonwealth departments and agencies with offices located in Sydney. However, a number of our committee members have made the sea-change to the ACT at some point in their careers and have thoroughly enjoyed the opportunities that working for government in the Nation's Capital can provide. The Commonwealth generally offers good working conditions, flexible arrangements and a variety of leave entitlements to help you manage your 'work life balance', a sometimes idealistic concept that can be a reality in many public sector agencies.

## Searching for jobs

Commonwealth jobs are advertised on <[www.apsjobs.gov.au](http://www.apsjobs.gov.au)>. Jobs are categorised into 'ongoing' and 'non-ongoing' jobs, which are the equivalent of permanent and temporary positions. If this is your first foray into government employment, you should not overlook the non-ongoing roles. These are usually the first stepping stone into the Public Service. Once you are working within an agency, it is likely that other opportunities will become available, and your temporary position may even be extended well beyond its original term (depending on agency need). Ongoing positions are generally more challenging to obtain as you will most likely be competing with existing public servants who have been employed on a non-ongoing basis. This does not make it impossible, only more of a challenge!

## Interim recruiting arrangements

From 2013 a recruitment freeze was in place for the Commonwealth Public Service, largely limiting the availability of roles to existing APS staff. On 1 July 2015 this freeze was partially lifted. Under the modified recruitment arrangements, Commonwealth departments and agencies are now able to advertise jobs to the general community via the APS website. The cap that was previously in place for graduate and entry-level recruitment has now also been lifted. If you are not an existing APS employee, you should still check any advertisement carefully to make sure that you are eligible to apply for the position.

## Types of roles

Roles will be classified as 'ongoing' or 'non-ongoing', meaning permanent or temporary. They will be classified according to the level of work to be

undertaken. APS classifications are: APS 1-6, Executive Level 1-2 and Senior Executive Service 1-3. These classifications will also determine your salary.

Some Commonwealth roles include:

- Litigation Officers - manage litigation proceedings on behalf of the agency.
- Legal Officers - provide legal, strategic and operational advice to the agency.
- Legal Associates - provide research and administrative support to a Judge.
- Policy Officers - provide development, review and strategic advice of policy and procedure for an agency.
- Prosecutors - prosecute on behalf of the agency.
- Case Officers - administer and manage cases that are lodged with the agency.

If there is an agency that you are particularly interested in but the position isn't quite what you were looking for - consider applying for it anyway. As a general rule, once you are employed in an agency it is much easier to take up opportunities in other roles within the agency.

### Applying for jobs

Australian Government agencies are required to conduct a merit-based competitive selection process. Merit selection basically means that you will be assessed to ensure that you have the skills and capacity to meet the requirements of the duties.

Generally the application process will require a cover letter, a resume, a statement addressing the selection criteria for the position and referee contacts. In completing your written application you must ensure that you indicate your awareness of the APS Values and Code of Conduct and foreground your ethical and professional integrity. During subsequent stages in the recruitment process you will most likely be asked to demonstrate how you would uphold the APS Values. When you see the word 'demonstrate' it means you must provide at least one example of a time when you have performed the task in the past.

If your written application is shortlisted, you may be required to undergo a variety of other recruitment processes. This will usually include an interview and any combination of a work sample test, psychometric testing and group exercises.

The timeframes for recruitment can vary greatly in the public service, and may take longer than private sector recruitment processes. If you have any questions about the proposed timeline for the recruitment, you should contact the officer nominated for the role to discuss the expectations.

You are generally required to be an Australian citizen to apply for a position in the APS. However, individual agencies may offer exceptions to this rule.

The Australian Public Service Commission has a useful guide called 'cracking the code' with tips to help you increase the chances of getting the job (<[www.apsc.gov.au](http://www.apsc.gov.au)>). Another great resource is 'JobAccess' (<[www.jobaccess.gov.au](http://www.jobaccess.gov.au)>), which provides practical advice for resume writing, communicating with potential employers, self-promotion, addressing selection criteria and interviewing.

### **Temporary employment registers**

Those looking to work within the APS should regularly check the websites of the agencies they are interested in for new vacancies. Many APS agencies have 'Temporary Employment Registers', which allow you to express interest for employment within the agency on a non-ongoing basis. The registers are used by the agencies to fill temporary opportunities on a full-time, part-time or casual basis for up to 12 months. Applications are held in the register and you will be contacted if a vacancy arises that matches your skills and experience. Registers are usually refreshed once or twice per year (depending on the agency), so make sure you keep your registration up to date.

### **Graduate programs**

<[www.apgjobs.gov.au](http://www.apgjobs.gov.au)> provides a list of all APS agencies that run graduate programs. Nearly all Commonwealth Government Departments run graduate programs. Most graduate programs recruit from February to April for commencement in January of the following year.

## COMMONWEALTH DEPARTMENTS AND AGENCIES

### *Administrative Appeals Tribunal*

The Administrative Appeals Tribunal (AAT) provides independent review of a wide range of administrative decisions made by the Commonwealth Government and some non-government bodies. On 1 July 2015 the Social Security Appeals Tribunal, the Migration Review Tribunal and the Refugee Review Tribunal were amalgamated into the AAT. The range of positions which require legal qualifications include legal and policy officers and associates.

**Locations:** Sydney and all capital cities

**Graduate Program:** No

**Website:** <[www.aat.gov.au](http://www.aat.gov.au)>

### *Australian Crime Commission*

The Australian Crime Commission (ACC) works to reduce the impact of serious and organised crime on Australia and the Australian economy. The ACC is the national criminal intelligence agency with power to conduct special investigations and operations where conventional law enforcement methods are unable or unlikely to be effective.

**Locations:** Canberra (Head Office), Sydney and all capital cities

**Graduate Program:** No

**Website:** <[www.crimecommission.gov.au](http://www.crimecommission.gov.au)>

### *Australian Commission for Law Enforcement Integrity*

The Australian Commission for Law Enforcement Integrity (ACLEI) is responsible for preventing, detecting and investigating serious and systemic corruption issues in the Australian Crime Commission, the Australian Customs and Border Protection Service and the Australian Federal Police. Information and evidence collected by ACLEI may be used in disciplinary proceedings and can be used in criminal prosecutions or for the recovery of the proceeds of crime.

**Locations:** Canberra or Sydney

**Graduate Program:** No

**Website:** <[www.aclei.gov.au](http://www.aclei.gov.au)>

### ***Australian Communications and Media Authority***

ACMA is the independent statutory authority tasked with ensuring most elements of Australia's media and communications legislation, related regulations, and numerous derived standards and codes of practice operate effectively and efficiently, and in the public interest. The ACMA administers more than 523 legislative instruments including radio-communications, spam and telecommunications regulations.

**Locations:** Canberra, Sydney and Melbourne

**Graduate Program:** No

**Website:** <[www.acma.gov.au](http://www.acma.gov.au)>

### ***Australian Competition & Consumer Commission***

The ACCC promotes competition and fair trade in markets to benefit consumers, businesses, and the community. It also regulates national infrastructure services. Its primary responsibility is to ensure that individuals and businesses comply with Australian competition, fair trading, and consumer protection laws - in particular the Competition and Consumer Act 2010. The ACCC will take action where this improves consumer welfare, protects competition or stops conduct that is anti-competitive or harmful to consumers, and promotes the proper functioning of Australian markets. Positions include Enforcement Officers, Analysts and Legal Officers.

**Locations:** Canberra, Sydney and all major capital cities

**Graduate Program:** Yes. ACCC graduates also work with the Australian Energy Regulator. Graduate rotations are a key element of the program, with graduates taking part in three, 14-week rotations. Graduates may undertake an interstate rotation as part of their training.

**Website:** <[www.accc.gov.au](http://www.accc.gov.au)>

### ***Australian Government Solicitor***

Australian Government Solicitor (AGS) is Australia's leading provider of legal services to government and one of Australia's largest national legal services providers. AGS has approximately 320 lawyers structured into three groups: the Office of General Counsel (OGC); AGS Dispute Resolution and; AGS Commercial. AGS assists the Attorney-General in the role of First Law Officer and advises the Executive Government and all Commonwealth agencies. As a legal practice owned by the Commonwealth, AGS is dedicated to the interests of clients individually and the interests of government as a whole. AGS works in

collaboration with in-house legal teams, providing value-for-money legal services supporting a ‘whole-of-government’ perspective.

**Locations:** Canberra, Sydney and all capital cities

**Graduate Program:** Yes

**Detailed information:** AGS runs a national graduate program every year, designed to give graduates exposure to a number of areas of law. The program is a 12-month training program culminating in placement as a practising lawyer. The majority of placements are in Canberra, with a few in State Offices. Once AGS is consolidated into the Attorney-General’s Department, the graduate program will also be run from there.

**Website:** <[www.ags.gov.au/](http://www.ags.gov.au/)>

### ***Australian Human Rights Commission***

The Australian Human Rights Commission resolves complaints of discrimination or breaches of human rights under federal laws and holds public inquiries into human rights issues of national importance. It provides independent legal advice to assist courts in cases that involve human rights principles and makes submissions to parliaments and governments in relation to developing laws, policies and programs. In addition, the Commission develops human rights education programs and resources for schools, workplaces and the community. Roles include policy, research and investigation.

**Location:** Sydney

**Website:** <[www.humanrights.gov.au/](http://www.humanrights.gov.au/)>

### ***Australian Law Reform Commission***

The Australian Law Reform Commission (ALRC) conducts inquiries—also known as references—into areas of law at the request of the Attorney-General of Australia. Based on its research and consultations throughout an inquiry, the ALRC makes recommendations to government so that government can make informed decisions about law reform. The ALRC is part of the Attorney-General’s portfolio; however it is independent of government.

**Location:** Canberra

**Graduate Program:** No

**Website:** <[www.alrc.gov.au](http://www.alrc.gov.au)>



### ***Australian Prudential Regulation Authority***

The Australian Prudential Regulation Authority (APRA) is the regulator of the Australian financial services industry. It oversees banks, credit unions, building societies, insurance companies and most members of the superannuation industry. There are two legal teams at APRA. The Advice and Drafting team provides legal advice on corporate governance, secrecy provisions and legal issues relating to prudential supervision and administrative law. The team drafts statutory instruments, co-ordinates the retention of external law firms and barristers, advises on non-litigation matters and handles subpoenas served on APRA. The Litigation and Enforcement team appears on behalf of APRA in all litigation matters and briefs Counsel. The team also advises and provides legal support to Enforcement.

**Locations:** Sydney (headquarters), and other major capital cities

**Graduate Program:** Yes

**Detailed information:** This can be found at <<http://aviewfromthetop.com.au/>>

**Website:** <[www.apra.gov.au](http://www.apra.gov.au)>

### ***Australian Securities and Investments Commission***

The Australian Securities and Investments Commission (ASIC) is Australia's corporate, markets and financial services regulator. It contributes to Australia's economic reputation and wellbeing by ensuring that Australia's financial markets are fair and transparent, supported by confident and informed investors and consumers. It is an independent Commonwealth Government body. It is set up under, and administers, the Australian Securities and Investments Commission Act 2001, and it carries out most of its work under the Corporations Act 2001. If you are interested in working for ASIC, you should create a 'career profile' on <https://careers.asic.gov.au/>. Legal jobs at ASIC include working as lawyers, investigators or prosecutors.

**Locations:** Sydney and all capital cities

**Graduate Program:** Yes

**Detailed information:** This can be found at <[www.graduates.asic.gov.au](http://www.graduates.asic.gov.au)>

**Website:** <[www.asic.gov.au](http://www.asic.gov.au)>

### ***Australian Security and Intelligence Organisation***

Australian Security and Intelligence Organisation's (ASIO) role is to identify and investigate threats to security, wherever they arise, and to provide advice to

protect Australia, its people and its interests. This includes the carrying out of Australia's responsibilities to any foreign country in relation to threats to security with a particular focus on politically motivated violence. Lawyers in the Office of the General Counsel provide legal and legal policy-related advice on a wide range of sensitive security issues.

**Location:** Canberra

**Graduate Program:** Yes

**Detailed information:** However, check for university degree requirements as ASIO may only recruit for technical officers in some years (engineering, computer science degrees).

**Website:** <[www.asio.gov.au](http://www.asio.gov.au)>

### ***Australian Secret Intelligence Service***

Australian Secret Intelligence Service's (ASIS) primary goal is to obtain and distribute secret intelligence about the capabilities, intentions and activities of individuals or organisations outside Australia, which may impact on Australia's interests and the well-being of its citizens. Positions include intelligence officers and specialist officers.

**Location:** Canberra

**Graduate Program:** Yes

**Detailed information:** A 12-month graduate program.

**Website:** <[www.asis.gov.au](http://www.asis.gov.au)>

### ***Australian Taxation Office***

As the principal revenue collection agency of the Australian Government, the Australian Taxation Office (ATO) delivers various social and economic benefit and incentive programs. It also administers major aspects of Australia's superannuation system, acts as custodian of the Australian Business Register and manager of business operations of the Australian Valuation Office. Work may include: shaping tax law, policy and design; managing litigation cases and clarifying the law; managing interpretative advice and guidance; enhancing relationships with professional bodies, consultative forums and the community; and, working with other business areas across the ATO to provide advice and clarity on law.

**Locations:** Capital cities

**Graduate Program:** Yes

**Detailed information:** Visit <[www.destination.ato.gov.au](http://www.destination.ato.gov.au)>

**Website:** <[www.ato.gov.au](http://www.ato.gov.au)>

### ***Commonwealth Director of Public Prosecutions***

The Commonwealth Director of Public Prosecutions (CDPP) is an independent prosecuting service established by the Parliament of Australia to prosecute Commonwealth criminal offences. The CDPP plays a vital role in achieving a fair, safe and just society where the laws of the Commonwealth are respected and maintained and there is public confidence in the justice system. The CDPP prosecutes a wide range of matters including counter terrorism, fraud, people smuggling, cybercrime and environmental offences. Roles for lawyers include solicitors and prosecutors.

**Locations:** All capital cities

**Graduate Program:** No

**Website:** <[www.cdpp.gov.au](http://www.cdpp.gov.au)>

### ***Commonwealth Attorney-General's Department***

The Attorney-General's Department delivers programs and policies to maintain and improve Australia's law and justice framework, strengthen national security and emergency management, and provide support for arts and culture. The Department is structured into three groups to effectively and efficiently deliver programs against strategic aims and broader portfolio objectives: Strategic Policy and Coordination; Civil Justice and Legal Services; and National Security and Criminal Justice.

**Location:** Canberra

**Graduate Program:** Yes

**Detailed information:** A 12-month program with three work rotations.

**Website:** <[www.ag.gov.au](http://www.ag.gov.au)>

### ***Commonwealth Ombudsman***

The Commonwealth Ombudsman safeguards the community in its dealings with Australian Government agencies. The Ombudsman handles complaints, conducts investigations, performs audits and inspections, encourages good administration,

and carries out specialist oversight tasks. The Commonwealth Ombudsman is also the Defence Force, Immigration, Law Enforcement, Taxation, Postal Industry, ACT and Overseas Students Ombudsman. Positions include inspection officers and investigation officers.

**Locations:** Canberra and major capital cities

**Graduate Program:** No

**Website:** <[www.ombudsman.gov.au](http://www.ombudsman.gov.au)>

### ***Department of Agriculture***

The Department of Agriculture's role is to develop and implement policies and programs that ensure Australia's agricultural, fisheries, food and forestry industries remain competitive, profitable and sustainable.

**Locations:** All major capital cities and regional areas

**Graduate Program:** Yes

**Detailed information:** A generalist program for 10-months including three workplace rotations.

**Website:** <[www.daff.gov.au](http://www.daff.gov.au)>

### ***Department of Communications***

The Department of Communications promotes an innovative and competitive communications sector so Australians can realise the full potential of digital technologies and communications services. The Department supports the Minister for Communications through the provision of policies, expert advice, and planning and managing the implementation of initiatives across Australia.

**Location:** Canberra

**Graduate Program:** Yes

**Detailed information:** An 11-month program.

**Website:** <[www.communications.gov.au](http://www.communications.gov.au)>

### ***Department of Defence***

The Department of Defence has a legal division which is responsible for the provision of legal advice and other legal services to the Australian Defence Force (ADF),

the Minister of Defence and the Department of Defence. It provides legal advice, services and support to the command and management of Defence on all aspects of law and the management of legal affairs and legal advice to members of the ADF. A primary focus of Defence Legal work, in both Canberra and the regions, is on operations law including humanitarian law. Other important fields of focus, particularly in peacetime, are administrative law and discipline laws, together with international agreements and arrangements and legal advice on a range of matters. Positions include paralegals and legal officers.

**Locations:** Australia-wide

**Graduate Program:** Yes

**Detailed information:** A 10-month Graduate Development Program includes three work rotations consisting of three months each at various locations in Australia. The first must be taken in Canberra, with the opportunity for regional rotations offered later in the program.

**Website:** <[www.defence.gov.au](http://www.defence.gov.au)>

### *Department of Social Services*

The Department of Social Services is responsible for about a quarter of the Australian Government Budget, responding to need across people's lives, encouraging independence and participation, and supporting a cohesive society. The Department works to provide policies and services that: support people and families to participate economically and socially in Australian society; enhance the independence and wellbeing of people with high needs; foster a cohesive community and promote civil society; and, provide a safety net for people who cannot fully support themselves.

**Location:** Canberra

**Graduate Program:** Yes

**Detailed information:** The Graduate Program provides diverse career opportunities across the Department and gives the chance to make a difference to the lives of some of the most vulnerable people in our society. The 10-month program offers graduates training and networking opportunities and a permanent position within the Department with a competitive salary, excellent working conditions and broad opportunities for career development.

**Website:** <[www.dss.gov.au](http://www.dss.gov.au)>

### ***Department of Finance***

The Department of Finance plays an important role in assisting government across a wide range of policy areas to ensure its outcomes are met, particularly with regard to expenditure, financial management, and the operations of government. Essential services delivered by the Department include supporting the delivery of the Australian Government Budget, the ongoing management of the Australian Government's domestic property portfolio and key asset sales. The Department is also responsible for the financial framework for Australian Government Agencies.

**Location:** Canberra

**Graduate Program:** Yes

**Website:** <[www.finance.gov.au](http://www.finance.gov.au)>

### ***Department of Health***

The Department of Health (DOH) has a diverse set of responsibilities, but throughout there is a common purpose: better health and wellbeing for all Australians. It aims to achieve its vision through strengthening evidence-based policy advice, and improving program management, research, regulation and partnerships with other government agencies, consumers and stakeholders.

**Location:** Canberra

**Graduate Program:** Yes

**Detailed information:** The Department offers a 12-month full-time program with three rotations.

**Website:** <[www.health.gov.au](http://www.health.gov.au)>

### ***Department of Immigration and Border Protection***

The Department of Immigration and Border Protection's diverse portfolio includes managing migration, humanitarian and citizenship policy and programs. The Department's employees work in over 100 locations in Australia and outside Australia, across a range of interesting subject areas influenced by international and domestic developments.

**Locations:** Canberra (limited opportunities in other capital cities)

**Graduate Program:** Yes

**Website:** <[www.immi.gov.au](http://www.immi.gov.au)>

### ***Department of Industry and Science***

The Department of Industry and Science consolidates the Australian Government's efforts to drive economic growth, productivity and competitiveness by bringing together industry, energy, resources, science and skills. Legal Officers may support senior legal counsel to: analyse legal opinions; conduct legal research; provide reports and papers on legal issues; develop instruments of delegation; prepare statutory appointments and instruments; and, draft advice on contracts, leases and agreements.

**Location:** Canberra

**Graduate Program:** Yes

**Website:** <[www.industry.gov.au](http://www.industry.gov.au)>

### ***Department of Infrastructure and Regional Development***

The Department of Infrastructure and Regional Development is responsible for the design and implementation of the Australian Government's infrastructure and regional development policies and programs. This includes roads to airport security, large scale shipping to city planning and the development of regional Australia.

**Location:** Canberra

**Graduate Program:** Yes

**Detailed information:** It includes rotations through three different areas which may include policy development, project management, planning, research and analysis, communications, regulatory reform and contract management.

**Website:** <[www.infrastructure.gov.au](http://www.infrastructure.gov.au)>

### ***NBN Co***

The National Broadband Network (NBN) is an Australia wide project to upgrade the existing fixed line phone and internet network infrastructure.

**Locations:** Sydney and Melbourne

**Graduate Program:** Yes

**Detailed information:** A two-year rotation program.

**Website:** <[www.nbnco.com.au](http://www.nbnco.com.au)>

### ***Office of the Australian Information Commissioner***

The Office of the Australian Information Commissioner (OAIC) is an independent agency that is responsible for conducting investigations, reviewing decisions, handling complaints and monitoring agencies in respect of privacy, freedom of information laws and government policies.

**Location:** Sydney

**Graduate Program:** No

**Website:** <[www.oaic.gov.au/](http://www.oaic.gov.au/)>

### **Profile: Professor John McMillan AO — Australian Information Commissioner**

My career is almost exclusively in public law – as an ANU graduate, High Court Judge's Associate, lecturer and researcher in public law at UNSW and ANU, member of the Government Law Group in Clayton Utz, Commonwealth Ombudsman for seven years, Federal Integrity Commissioner (Acting), and Australian Information Commissioner for five years.

Have I treasured the experience? Unreservedly yes. Working across diverse public policy issues with clever and committed people in a pleasant working environment has been highly rewarding.

The work has been varied in content and personnel, but also in style. From one week to the next it can involve writing a report, conducting an investigation, making a submission, working in a committee, delivering a speech, responding to a complaint, appearing before a committee or liaising with other agencies. To use an adage, variety is the spice of life.

What have I learnt? Apart from skill development and knowledge build-up, I've learnt how talented many senior bureaucrats are. Some we hear about only when there is a blunder, but keeping the ship of state balanced and on course requires exceptional skill. It's a skill that is often unknown or undervalued outside government.

I've also learnt that output is the key. It's easy to pick holes in a new idea or program or criticise the procedure being followed (and lawyers are specially gifted at critical analysis); but at the end of the day results are needed. *'By all means tell me how I've got it wrong, but show me how to do it better.'* Government must be outcome-oriented. It's a valuable perspective to learn from the inside.

On the other hand, government will fail if it is not respected by the community and is responsive and accountable. That is why it is equally valuable to work for a while in a watchdog agency, or indeed in any small agency that is externally



facing. People's queries and complaints provide an altogether different perspective on government and law.

Did I plan my career in this way? No, except by being open to change. Over the span of a forty-year career most of us will (at various stages) be in a position or doing work that we would never have expected. For example, I was lucky to be appointed Ombudsman only because the position was advertised and at a time in my career when I could strike the right chords.

The lesson? By all means follow a traditional path: start with the end in mind and harness your work and contacts to achieve that career goal. But another option is to rustle up your act from time to time. Say yes to different things. Look for new contacts. Find a mentor. Join a different group. Network, partly for the immediate satisfaction, but it may also open another door.

I also treasure my academic experience. Teaching and writing require you to dwell on the history and fundamentals of the legal system and doctrines. I have later found it useful, in dealing with public law problems, to stand back and try and look at problems from a different angle and ask deeper questions about how to address the problems. It can be worthwhile to do part-time tutoring or teaching, or even to be a full-time researcher for a while.

Anything I'd do differently? Maybe take all allocated holidays and long service leave. You become less effective if you don't take regular breaks (and there is more to life than work).

### ***Office of National Assessments***

The Office of National Assessments (ONA) assesses and analyses international political, strategic and economic developments for the Prime Minister and senior ministers in the National Security Committee of Cabinet. The ONA is also responsible for coordinating Australia's foreign intelligence activities and evaluating the effectiveness of Australia's foreign intelligence effort and the adequacy of its resourcing.

**Location:** Canberra

**Graduate Program:** No

**Website:** <[www.ona.gov.au](http://www.ona.gov.au)>

### ***The Productivity Commission***

The Productivity Commission is Australian Government's principal review and advisory body on microeconomic policy and regulation. The core function of the Commission is to conduct public inquiries at the request of the Australian Government on key policy or regulatory issues bearing on Australia's economic

performance and community wellbeing. The Commission also acts as secretariat to the inter-governmental Review of Government Service Provision, under the auspices of the Council of Australian Governments.

**Locations:** Canberra and Melbourne

**Graduate Program:** Yes

**Detailed information:** The Commission looks for motivated graduates with a strong background in economics, especially microeconomics, who are interested in investigative analysis. Skills in law are also highly valued by the Commission.

**Website:** <[www.pc.gov.au](http://www.pc.gov.au)> and <[www.pc.gov.au/careers/graduate](http://www.pc.gov.au/careers/graduate)>

## **NSW GOVERNMENT**

### **Searching for jobs — Jobs NSW**

All job opportunities within NSW Government Departments and Agencies advertise through 'Jobs NSW', available at <[www.jobs.nsw.gov.au](http://www.jobs.nsw.gov.au)>. Lawyers interested in working within governments should create a profile on the website and set up notifications for new jobs matching your profile.

### **Understanding government employment**

The Public Service Commission Employment Portal (<[www.psc.nsw.gov.au/employmentportal](http://www.psc.nsw.gov.au/employmentportal)>) provides information about the Capability Framework, the Government Sector Employment Act 2013 (GSE), employment conditions, ethics and diversity and training and development. NSW Public Service recruitment is based on merit by comparing all candidates' skills, experience and abilities against the capabilities, knowledge and experience standards set for the role. The organisation may use different methods for this, such as written applications, capability-based assessments, interviews and referee checks.

### **Capability framework**

The Capability Framework defines the skills, knowledge and abilities utilised within the NSW Public Sector. It provides a common language to help Public Sector Employees understand what is required of them. Each role description will identify the capabilities and the level required for the role. By cross referencing this with the Capability Framework, applicants should be able to understand what they will be required to demonstrate in their application. Applicants should seek to incorporate the language of the Capability Framework in their applications.

### **Types of roles**

There are three types of employment: ongoing, temporary or casual. Employees are assigned to 'roles' which each have a 'role description'. The GSE promotes mobility across the Public Sector by attempting to ensure that all government organisations have reasonably comparable role descriptions, and employees can be moved across roles where there is a need.

All jobs advertised on Jobs NSW will include a role description and an information package. If you have any further questions about the role after reading the advertisement and these attachments, you can contact the person named in the advertisement. You should also check the organisation's website,

annual reports and other publications to understand how the advertised role fits into the structure of the organisation, its business model and values that may be applicable to the role.

## **Making an application**

Generally, all applications must include:

- a two page cover letter
- a resume of no more than five pages
- answers to two mandatory questions in no more than two pages
- contact details for at least two referees.

If you are successful for an interview, you will also be required to perform at least three capability assessments. They can include:

- behavioural interview
- online assessments of cognitive ability, abstract reasoning and critical thinking
- group exercises
- work samples
- 'fit for purpose' background checks.

You should advise any of your referees that they may be required to give a telephone reference check of up to 30 minutes or respond in detail to written questions, and be prepared to give examples of work relevant to the capabilities of the role.

## **Getting feedback**

If you are unsuccessful for a role (even in circumstances where you are not offered an interview), you should consider contacting the organisation for feedback about your application. This will help you to identify any errors in your approach, areas or skill sets that you may need to highlight in subsequent applications or training/experience requirements.

## NSW DEPARTMENTS AND AGENCIES

The Departments and Agencies listed here are just a small snapshot of the total entities within State Government that employ lawyers.

### *Aboriginal Land Council*

The Aboriginal Land Council (ALC) is the State's peak representative body in Aboriginal affairs, aiming to protect the interests and further the aspirations of its members and the broader Aboriginal community. The ALC provides for the development of land rights for Aboriginal people in NSW, in conjunction with a network of Local Aboriginal Land Councils.

**Location:** Parramatta and various regional locations

**Graduate Program:** No

**Website:** <[www.alc.org.au](http://www.alc.org.au)>

### *Crown Solicitor's Office*

With Ms Lea Armstrong appointed as Crown Solicitor, the Crown Solicitor's Office (CSO) provides legal services to the NSW Government. NSW Government agencies must seek advice from the CSO regarding core legal matters, which are matters that involve constitutional questions, fall within the responsibility of the Attorney-General, concern the portfolios of more than one Minister or raise issues which are fundamental to the responsibilities of government. The CSO competes with private law firms for non-core government work.

The CSO employs more than 360 legal and support staff. It is divided into 12 practice groups. The CSO employs solicitors of varying levels of experience and paralegals. Its solicitors participate in a rotation program through the practice groups as well as learning and development opportunities.

**Location:** Sydney

**Graduate Program:** Yes

**Detailed information:** A two-year rotation program through four Practice Groups to gain broad experience in any of the 12 areas of law. Graduates are provided with expert supervision, leadership and advice. Graduates also have access to professional training and development opportunities and study leave is available. Employment is on a temporary basis for up to three years.

**Website:** <[www.cso.nsw.gov.au](http://www.cso.nsw.gov.au)>

## **Profile: Sally Johnston — Crown Solicitor's Office**

I am a Solicitor in the CSO's Government & Commercial Law practice group, one of 11 practice areas of the office. Government is a small team, led by the Crown Solicitor, and we do primarily advice work. Much of our advice work is "core", meaning the Crown Solicitor must be instructed because of the particular governmental significance of the advice. Often the work is urgent – I have received instructions in the morning for advice by the afternoon. This means my practice is constantly changing, and I may not know at the start of the week (or even the start of a day) what I'll be working on.

Our main clients are the senior in-house lawyers at Government Agencies, including the Department of Justice and Department of Premier & Cabinet. These clients are obviously very sophisticated and generally only instruct the CSO in relation to particularly difficult legal issues, or where there is a difference of opinion at a senior level of the agency or between agencies. Some of the repeating themes of my advice work include parliamentary privilege, State constitutional law and the authority to act on behalf of the Crown (including delegation by Ministers to public servants). Nearly all matters involve statutory interpretation, analysis and legal research skills. Our team also instructs the Solicitor General (and other Senior Counsel) in significant matters.

I particularly enjoy the fact that our team (and the CSO generally) endeavours to develop a body of consistent, principled legal advice across government over time – we have an impressive body of precedents and previous advices, and often advise on comparable issues for different clients or in different contexts, whilst thinking about synthesis across the NSW Government.

At the moment, I also work in the Administrative Law practice group two days per week (as part of a job sharing arrangement). This is a fantastic opportunity to practise in related but diverse areas of law, and with a broader group of colleagues and clients. It also highlights a major feature of work at the CSO – there are many part-time employees, and flexible working arrangements are normal and generally well accommodated in the office, for women and men, and for different types of needs (not only parental responsibilities).

I have previously practised in the two Torts practice groups of the office, acting for the State in intentional torts and negligence matters (for example, for NSW Police in relation to wrongful arrest, false imprisonment and malicious prosecution claims and for NSW Health in medical negligence claims). I enjoyed doing litigation work and learnt a great deal, including advocacy skills, through having responsibility for large litigation files and real input into their strategic management and resolution, even as a junior solicitor in the office. You must be ever conscious of model litigant duties and the special position of the State, which again in my view adds an extra interesting dimension to the work.

I have a Masters of Law (BCL) from Oxford University and I have previously worked for the Commonwealth Attorney-General's Department (in the Office of International Law), the Refugee Advice + Casework Service and as tipstaff and researcher to the Chief Justice of the Supreme Court. I have learnt so much from and enjoyed each of these experiences, but I'd particularly recommend a judicial associateship to young lawyers, as that tends to be an opportunity that only arises relatively early in your career, is unique and in my experience invaluable.

### ***Department of Family and Community Services***

The Department of Family and Community Services (FACS) provides services to some of the most disadvantaged people and communities in NSW. FACS enables vulnerable people to participate fully in NSW social and economic life and build stronger, more sustainable and inclusive communities.

#### **Ageing, Disability and Home Care**

Ageing, Disability and Home Care (ADHC), provides support and services to older people, people with disability and their carers in NSW. Roles included policy officers and legal officers.

#### **Community Services**

The Legal Services branch of Community Services provides advice, undertakes legislative review and has the carriage of litigation on behalf of the Minister. The work includes: care litigation in the Children's and District Courts across NSW; providing advice on the investigation and assessment of care and protection matters; general litigation in claims that have been made against the State for which Community Services has responsibility; advice on all aspects of child law; court work in the Supreme and Family Courts.

**Locations:** Sydney and regional areas

**Graduate Program:** No

**Website:** <[www.facs.nsw.gov.au](http://www.facs.nsw.gov.au)>

### ***Department of Trade, Investment, Regional Infrastructure and Services***

The Department of Trade, Investment, Regional Infrastructure and Services is the lead economic development agency in NSW, responsible for driving sustainable economic growth across the State. The Department works with local, national and international customers, aiming to encourage business growth, attract investment, support international companies doing business in NSW, State and

regional development. It also works to improve profitability and sustainability in agriculture and manage Crown lands, marine and national parks and ensure sustainable water management. Roles included policy officers and legal officers.

**Location:** Sydney

**Graduate Program:** Yes

**Detailed information:** The Department's Graduate Program runs for two years with four, six monthly job rotations across a variety of business areas.

**Website:** <[www.trade.nsw.gov.au](http://www.trade.nsw.gov.au)>

### ***Department of Planning and Environment***

The Department of Planning & Environment supports sustainable growth in NSW by facilitating employment and investment, aligning infrastructure provision to growth priorities, and increasing and diversifying housing supply. The Department advises the Minister and Government on strategic land use planning, major development assessment and growth infrastructure, and diverse housing and employment opportunities. Roles included policy officers and legal officers.

**Locations:** Sydney and various other locations

**Graduate Program:** No

**Website:** <[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)>

### ***Department of Justice***

The Department of Justice delivers legal, court and supervision services to the people of NSW by managing courts and justice services, implementing programs to reduce crime and re-offending, managing custodial and community-based correctional services, protecting rights and community standards and advising on law reform and legal matters. There are a wide range of roles in each of the divisions of the Department of Justice including working in courts, correctional centres, juvenile detention centres, community programs, victims support services, the Office of the Sheriff, corporate services and much more. Roles include policy officers and legal officers.

**Location:** Sydney

**Graduate Program:** Yes

**Website:** <[www.justice.nsw.gov.au](http://www.justice.nsw.gov.au)>



### ***Department of Premier and Cabinet***

The Department of Premier and Cabinet (DPC) supports the Premier and Cabinet to identify, design and implement coordinated policy, project and reform agenda that boosts the efficiency, productivity and effectiveness of NSW. DPC also manages the passage of Government legislation through parliament and works with Federal Government, State Departments and Agencies to design and implement law reform. Within DPC is the Office of General Counsel which provides legal, governance and procedural advice and support to the Premier and DPC, including managing GIPA requests, advising on legal policy and developing whole of government priority legislation. The Office of General Counsel also manages any litigation and external legal services for DPC.

**Location:** Sydney

**Graduate Program:** No

**Website:** <[www.dpc.nsw.gov.au](http://www.dpc.nsw.gov.au)>

### ***Office of Finance and Services***

The Office of Finance and Services (OFS) supports sustainable government finances, major public works and maintenance programs, government procurement, information and communications technology, consumer protection, administration of State taxation and revenue collection, and NSW land and property administration.

**Location:** Sydney

**Graduate Program:** Yes

**Detailed information:** Graduates in law are placed in NSW Procurement and NSW Fair Trading. Fair Trading also occasionally recruits policy officers with legal backgrounds to advise the Commissioner.

**Website:** <[www.finance.nsw.gov.au](http://www.finance.nsw.gov.au)>

### ***Office of the Director of Public Prosecutions***

The Office of the Director of Public Prosecutions (ODPP) is NSW's independent prosecutorial body, whose 600 staff comprise of solicitors and administrative officers from the Solicitors Office and Crown Prosecutors. The ODPP handle approximately 18,000 matters a year, including: trials for indictable offences in the District Court and the Supreme Court, committal proceedings for indictable offences in the Local Court and appeals.

**Locations:** Sydney metro and regional locations

**Graduate Program:** Yes

**Detailed information:** On an ad hoc basis, the ODPP employs recent graduates as part of the Legal Development Program.

**Website:** <[www.odpp.nsw.gov.au](http://www.odpp.nsw.gov.au)>

### ***Independent Commission Against Corruption***

The Independent Commission Against Corruption (ICAC) was established in 1989 as an independent organisation to protect the public interest, prevent breaches of public trust and guide the conduct of public officials in the NSW public sector. The purpose of the ICAC is to investigate and expose corrupt conduct in the NSW public sector; to actively prevent corruption through advice and assistance; and to educate the NSW community and public sector about corruption and its effects.

**Location:** Sydney

**Graduate Program:** No

**Website:** <[www.icac.nsw.gov.au/](http://www.icac.nsw.gov.au/)>

### ***Legal Aid NSW***

Legal Aid NSW provides legal services to disadvantaged clients across NSW in most areas of criminal, family and civil law. Services include face to face legal advice on most legal issues, legal representation for eligible clients, provided through duty services and case grants for ongoing representation, family dispute resolution services to parties in a family law dispute, workshops and webinars for the public and community organisations and specialist services for particular groups in the community.

**Locations:** Sydney metro and regional locations

**Graduate Program:** Yes

**Detailed information:** The program is structured over two years.

**Website:** <[www.legalaid.nsw.gov.au/](http://www.legalaid.nsw.gov.au/)>

### ***NSW Ombudsman***

The NSW Ombudsman is an independent and impartial watchdog over most public sector and many private sector agencies and their staff. The Ombudsman is

independent of the government of the day and accountable to the public through Parliament itself.

**Locations:** Across NSW

**Graduate Program:** No

**Website:** <[www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)>

### ***NSW Police***

Aside from becoming a Police Officer, opportunities for lawyers also exist within NSW Police Corporate Services. The role of Corporate Services is to ensure that the frontline and those who provide the specialist and corporate support to the frontline have the appropriate skills, capacity, resources and knowledge to enable police staff to focus on reducing crime and enhancing safety.

**Locations:** Across NSW

**Graduate Program:** No

**Website:** <[www.police.nsw.gov.au/](http://www.police.nsw.gov.au/)>

### ***NSW State Coroner***

The State Coroner ensures that all deaths, suspected deaths, fires and explosions are properly investigated. If necessary, an inquest into the death is held. Coroners can also recommend measures to prevent future deaths. The Coroners Court offers employment opportunities in a range of positions, including Registry staff and Court staff.

**Location:** Sydney

**Graduate Program:** No

**Website:** <[www.coroners.justice.nsw.gov.au/](http://www.coroners.justice.nsw.gov.au/)>

### ***Public Defender's Office***

Public Defenders are salaried barristers independent of the Government who appear in serious criminal matters for clients who have been granted legal aid. A Public Defender may be briefed to advise or appear in a matter through the Legal Aid Commission, the Aboriginal Legal Services, a private solicitor or any community based legal group. Public Defenders are available to represent clients

charged with serious criminal offences to be heard in the District and Supreme Courts anywhere in New South Wales.

**Location:** Sydney

**Graduate Program:** No

**Website:** <[www.publicdefenders.nsw.gov.au/](http://www.publicdefenders.nsw.gov.au/)>

### ***Transport for NSW***

Transport for NSW is responsible for improving the customer experience, planning, program administration, policy, regulation, procuring transport services, infrastructure and freight. The Policy and Regulation Division is responsible for driving the development and implementation of customer focused legislative, regulatory and policy solutions.

**Locations:** Chatswood and Parramatta

**Graduate Program:** Yes

**Detailed information:** There are a number of graduate/scholar programs. These are primarily for business and engineering graduates, although law graduates may also be eligible to apply. The graduate program is two years full time. The cadet and scholar programs are part time programs to be worked during the semester or the holidays.

**Website:** <[www.transport.nsw.gov.au/](http://www.transport.nsw.gov.au/)>

### ***NSW Trustee and Guardian***

NSW Trustee & Guardian merged the Public Trustee NSW and the Office of the Protective Commissioner in 2009. NSW Trustee & Guardian's role is to act as an independent and impartial Executor, Administrator, Attorney and Trustee for the people of NSW and provide direct financial management services and authorisation and direction to private financial managers. Areas of work include will making, estate administration, corporate and individual trusts, powers of attorney and substitute decision making for people with decision making disabilities who are subject to a Court or Tribunal order. Specialist services include funds management, taxation, legal counsel and property conveyancing.

**Location:** Sydney

**Graduate Program:** No

**Website:** <[www.tag.nsw.gov.au/](http://www.tag.nsw.gov.au/)>

## LOCAL COUNCILS

Local Councils employ solicitors to work in-house. Although not technically government agencies or not-for-profit organisations, Local Councils engage in a wide variety of government and public law work. Councils also have the authority to make their own regulations and by-laws.

Councils exist to:

- provide a representative, informed and responsible decision-making body;
- develop the local community and its resources in a socially just and environmentally responsible way; and
- ensure local public services and facilities respond effectively to community needs.

Opportunities within Local Councils are advertised on private recruitment websites.

## NON-GOVERNMENT ORGANISATIONS

### *Community Legal Centres NSW*

Community Legal Centres NSW (CLCNSW) is the peak body for CLCs in NSW. CLCNSW has 40 member organisations including generalist and specialist CLCs. The CLCNSW website is a good place to start if you are looking for a career in the non-government sector. Some examples of CLCs are listed below but you should browse the CLC Directory on their website for a full list of the opportunities.

**Website:** <[www.clcnsw.org.au](http://www.clcnsw.org.au)>

### *Arts Law Centre*

Arts Law is Australia's independent national community legal centre for the arts, a not-for-profit company limited by guarantee. It provides free or low cost specialised legal advice, education and resources to Australian artists and arts organisations across all art forms, on a wide range of arts related legal and business matters. Arts Law's Artists in the Black program delivers targeted services to Aboriginal and Torres Strait Islander artists nationally.

**Location:** Sydney

**Website:** <[www.artslaw.com.au](http://www.artslaw.com.au)>

### *Aboriginal Legal Service*

The Aboriginal Legal Service (ALS) opened in 1970 in Redfern as the first Aboriginal Legal Service in Australia. The ALS does legal work in Criminal law, children's care and protection law and family law. The ALS assists Aboriginal and Torres Strait Islander men, women and children through representation in court, advice and information, and referral to further support services. The ALS also has Field Officers who live and work in their communities working hand in hand with lawyers as cultural translators.

**Locations:** Sydney and regional locations across NSW

**Website:** <[www.alsnswact.org.au](http://www.alsnswact.org.au)>

### *Environmental Defenders Office NSW*

Environmental Defenders Office NSW (EDO NSW) is a community legal centre specialising in public interest environmental law. EDO's core functions are: legal

advice and litigation, policy and law reform and public engagement and education. EDO NSW also operates an Indigenous Engagement Program, a Scientific Advisory Service, an Outreach Program and an International Program providing assistance to legal groups in the south Pacific.

**Locations:** Sydney and Lismore

**Website:** <<http://www.edonsw.org.au/>>

### ***Intellectual Disability Rights Service***

The Intellectual Disability Rights Service (IDRS) is a specialist legal information and advocacy service for people with intellectual disability. IDRS provides legal advice, casework and support; advocates for improvements to laws and policies affecting people with intellectual disability; provides assistance to legal and other professionals supporting people with intellectual disability and provides information to service providers and the community about the rights and needs of people with intellectual disability.

**Location:** Sydney

**Website:** <<http://www.idrs.org.au/>>

### ***Public Interest Advocacy Centre***

The Public Interest Advocacy Centre (PIAC) is a specialist CLC that undertakes public interest cases and projects on a diverse range of issues including Indigenous justice (stolen wages, discrimination, police complaints), energy and water consumer advocacy, government and democracy (including electoral reform, government and community sector relations, and freedom of information), human rights (including discrimination and privacy), detention, health, and access to justice. PIAC also provides training on advocacy, the legal system, human rights, and mental health and legal services.

**Location:** Sydney

**Website:** <[www.piac.asn.au](http://www.piac.asn.au)>

### ***Refugee and Casework Service***

Refugee and Casework Service (RACS) is a not-for-profit refugee legal service, which provides expert advice and casework assistance to financially disadvantaged

individuals seeking asylum both in the community and in immigration detention. RACS are actively involved in policy reform, public education, and advocacy.

**Location:** Sydney

**Website:** <[www.racs.org.au](http://www.racs.org.au)>



## ALTERNATIVE OPTIONS

Working within Commonwealth or State Government departments or Agencies is a great way to practice public law, but there are many alternatives. The profiles collected in the following pages provide a vivid and colourful picture of the other opportunities that you may wish to consider.

### Barrister

#### **Dr David Bennett AC QC, 5 Wentworth Chambers**

When I was 8 years old I was told that there was an occupation where one got paid for talking and, more specifically, for arguing. It has never occurred to me since that I would do anything else. Indeed, I would describe any qualified person who for one moment considers any career other than the Bar to be brain-dead.

I did Arts/Law at the University of Sydney from 1958 until 1963. It was then a six year course (with basically two years Arts and then four years Law). One was articulated during the last three years – in my case to Robert Somervaille of Dawson Waldron Edwards & Nicholls (later Blake Dawson and now Ashurst). That firm had two large advantages for me. It did a lot of litigation and commercial work and it had a reputation for briefing its alumni when they went to the Bar (as many did). I then went to Harvard to do a LL.M. degree. They used to invite about 100 law graduates from all over the world to do this course and I was lucky enough to be one of three re-invited to stay another year and do a S.J.D. All this is before the advent of the J.D., so the doctorate was a real one (unlike a J.D. which is either a LL.B. or a LL.M. under a misleading name).

The advantage of the S.J.D. year of residence is that the workload is low so I was able to write most of my thesis while I was there. The topic was a comparative study of the bankruptcy systems of the UK, the USA, Canada and Australia and an analysis of the private international law problems arising between those systems. I chose the topic because it was an obscure area with little prior work done on it. Since the Global Financial Crisis in 2008, however, it may have become more significant. In fact it took a further five years to get the degree because I had continually to rewrite the thesis a number of times in order to get it accepted. The degree was awarded in 1970.

When I returned in 1966 I went back to Dawson Waldron Edwards and Nicholls as an employed solicitor for 11 months, and then I followed my original plan to go to the Bar. As I have said, there is no better career. The variety of clients and work far exceeds that available in any other occupation; the work hours are heavy but one selects them oneself; one is totally independent and the rewards are high. It is like being paid to eat chocolate.

I was the first barrister to be admitted in every State as well as the ACT and the NT (although Queensland had to wait until I had won *Street v Queensland Bar Association*). I took silk in NSW in 1979 and subsequently (by semi-automatic processes) in the other states and territories.

In 1995 I became president of the NSW and Australian Bar Associations. I have appeared in the Privy Council before the abolition of Australian appeals (five times) and I have been admitted ad hoc (i.e. for a particular case only) twice in Singapore and once in Malaysia. I have also been admitted in the Republic of Ireland. Incidentally, my applications in Singapore were both opposed by the Attorney-General of Singapore and the Law Society of Singapore (who each appeared by counsel for that purpose) on protectionist grounds but, on each occasion I was successful in achieving ad hoc admission. I have maintained my interest in international admission for Australian lawyers and am a member of the International Legal Services Advisory Committee (ILSAC) which is dedicated to that purpose. In 2004 I led a government delegation of Australian lawyers and legal academics to India for the purpose of raising the profile of the Australian legal profession there and starting the long process (probably several decades) of persuading the Bar Council of India to adopt a liberal admissions policy.

In 1998 I was appointed Solicitor-General of Australia. Despite the misleading title, one is neither a solicitor nor a general. The job is a barrister's job with no proactive or administrative duties whatsoever. One simply advises the Commonwealth Government and appears for it when instructed to do so (like a normal barrister). The cases are fascinating (mainly constitutional in the High Court) but, unlike some of my predecessors, I was happy to appear in lower courts if the case was important or interesting enough. I also led the Australian delegation to the Hague Conference on Private International Law. Unfortunately, the government was not internationally litigious during my two terms of five years. I only had one case before an international tribunal – a dispute with Russia before the International Tribunal for the Law of the Sea (ITLOS) in Hamburg. My second term as Solicitor-General expired in 2008 and I am now again practising at the Bar.

I have two pieces of advice for students:

1. Come to the Bar rather than remaining a solicitor or entering academia.
2. Marry each other; lawyers have so much in common.

## **Ben Fogarty, Barrister, Denman Chambers**

When last I contributed to this publication in 2009 I was the principal solicitor of the Intellectual Disability Rights Service (IDRS) and I was teaching criminal law part-time at the University of NSW. I was passionate about working in the community legal sector and teaching. After stints running Gilbert+Tobin Lawyers' pro bono practice (for a parental leave position) and overseeing the Homeless Persons' Legal Service, it became clear to me that

I wanted to spend more time in court and engaging more profoundly in the matters coming across my desk. The risk? Go to the bar and be compelled by the financial imperative to take anything just to survive and end up doing commercial work, which, with the utmost of respect, just doesn't 'do it' for me.

Three years on at the Bar and happily I've managed to build a healthy practice doing the work I used to do in the community sector. In other words, I still do work I am passionate about and challenged by. My work spans criminal law, employment law, discrimination and administrative law, guardianship and mental health law and a host of other curious areas of law. I still do quite a bit of pro bono work, which is no real surprise, given my background.

I am lucky to have a room in a very supportive set of chambers. Such support and a convivial workplace is essential to success at the Bar. It is true that you're only as good as your last appearance and the Bar is very much a meritocracy, fuelled by self-discipline and drive for those who succeed there, whatever 'succeed' means.

My nine years in the community legal sector turned out to be perfect training for the bar. It means I'm not afraid to take on anything that comes my way. It means I am entirely self-sufficient (one minute I'm a legal practitioner, the next a courier, a typist, a photocopier, a book-keeper ... You name it). It also means I'm used to earning very little (comparatively to other lawyers) which is very useful when starting at the Bar!

After five years at a big corporate law firm from university, nine years as a community legal sector lawyer, nine years as a part-time lecturer of law and now three years as a barrister, what I still say to anyone studying law or practising law is:

- find a job you actually enjoy doing or at least work towards one – money and high salaries alone are not usually conducive to an enjoyable career;
- volunteer and give back to the community – you possess powerful skills and knowledge that can help those less fortunate, educated and resourced than you; and
- be brave – don't die wondering about a career change.

## **Rachel Mansted, Barrister, Eleven Wentworth Chambers**

I am in my first year of practice as a barrister at Eleven Wentworth Chambers. Admitted as a solicitor in 2008, I began my career at King & Wood Mallesons (when it was still Mallesons Stephen Jaques).

While working as a solicitor, I became involved in a number of public law matters, notwithstanding that most of my work was commercial litigation. Sometimes the most apparently 'commercial' of clients have public law dilemmas, and it is not uncommon for larger commercial matters to have a

public law component. For example, I worked on questions of the validity of Federal and State Government legislation, access to government documents, and liability to regulatory investigation. I also worked as part of the counsel assisting team for a Royal Commission, and on several Australian Human Rights Commission matters for a defendant company.

Like many firms, KWM encouraged solicitors to participate in pro bono work. Much of that work had a public law flavour, and presented junior solicitors with an opportunity to take on significant responsibility for large and complex matters. In my second year of practice, I found myself sitting at the instructors' table in the High Court, in a constitutional challenge to the validity of migration regulations.

I took just over two years' leave of absence during my employment at KWM, during which time I was Associate to Justice Crennan in the High Court in Canberra and Melbourne, completed a BCL at the University of Oxford, worked for an indigenous education organisation, and undertook a postgraduate internship at the Department of Prime Minister and Cabinet. These varied experiences allowed me to experience public life (and public law) from different angles: the judiciary, academia, a community interest group, and finally, from within government itself. I find it helpful as a practitioner to have experience of how the component parts fit together in the broader scheme of the Australian legal system.

Having a relatively varied practice prepared me well for a career at the Bar: I have taken briefs in both commercial and public law matters, and a few with elements of both. At the junior Bar, who briefs you, and what they brief you with, can sometimes be like Forest's mamma's box of chocolates: you never know what you're going to get (but, I would add, it is at least always chocolate!).

I would encourage law students to consider gaining experience in areas of law that seem most interesting to them at university, as well as in at least one area that seems less so. Subject areas of law often turn out to be quite different in practice to what we expect from their study, and in any event, a reasonable knowledge of one practice area will more often than not come in useful in another.

### **Brenda Tronson, Barrister, Level 22 Chambers**

I started at the Bar in October 2008, when I returned to Sydney after three years. I had spent two years studying at Oxford, where I completed the BCL and the MPhil in Law, and a year working as an associate to Justice Crennan in the High Court. Before heading overseas, I had worked as a graduate at Freehills, but I was there for less than a year.

So I had not had the most usual preparation for my arrival at the Bar. However, the experience I had was very useful: for example, I understood better than I would otherwise have done how a judge might approach a problem; and my

time at Oxford had really honed my general ability to put an argument together, as well as my research and writing skills.

My practice at the Bar has been diverse from the beginning. I read with two wonderful tutors, one who practised in public law and the other in commercial law. I started on Sixth Floor Selborne Wentworth Chambers, licensing there for my first five years, a floor with excellent public law and commercial law barristers. Level 22 Chambers also has a mixture of practices. All of this has helped me develop a varied practice which keeps me interested and on my toes.

The work that comes my way includes administrative law of all stripes, commercial law, disciplinary matters, discrimination work and the occasional constitutional case. I have government clients who seek my advice on a regular basis, often on questions of statutory interpretation. And I do quite a bit of work with community legal centres and some other pro bono work.

I do pro bono work as a way of contributing to society by helping individuals, furthering the administration of justice (a particularly strong reason where there is an issue of public interest) and assisting the court. The cases I pick up often involve engaging issues, especially if I am briefed by a CLC, as most CLCs only take on matters for ongoing advocacy if there is some issue of public interest, which will generally result in various points of intrigue for all lawyers involved. This means some matters are inherently rewarding, but of course, it is important to never lose sight of the fact there is a person whose rights are at stake and that is, ultimately, why you are there.

I commend the Bar to those who like the idea of oral advocacy and that of being part of a branch of the profession which facilitates a diverse practice.

## Sole Practitioner

### Sarah Heesom, Heesom Legal

I am a sole practitioner, specialising in administrative law in the higher education sector. I have been in sole practice for eight years, and have particularly enjoyed the autonomy and flexibility that it has provided.

I began my career as a solicitor and senior solicitor in the Civil and Administrative Law Division at the Commonwealth Attorney-General's Department in Canberra. I provided legal and policy advice to Government Ministers, Commonwealth Departments and State-Commonwealth Committees. I also worked on policy and law reform proposals, particularly in the areas of privacy protection and anti-discrimination.

After moving to Sydney, I worked for a short time at Minter Ellison Lawyers, where I provided advice on industrial relations, anti-discrimination and employment law matters. I later joined the University of Sydney's in-house legal team, where I remained for seven years. During that time I drafted delegated legislation

and many University policies, including in relation to anti-discrimination, student grievances, student discipline and academic appeals. I represented the University in staff and student complaints to courts and tribunals, and the NSW Ombudsman. I also acted for the University in internal appeal proceedings and prosecuted allegations of student misconduct.

In my current role, I draft organisational rules, policies and guidelines on a diverse range of topics. I have advised on and made submissions to Government Committees concerning amendments to higher education legislation and regulations, and am often asked to advise on complex administrative decisions involving staff, students and members of the public. I appear for my clients in mediations and tribunal hearings, as well as developing and delivering in-house training programs. I am also an investigator and an accredited mediator. My clients include the University of Sydney, the University of New South Wales and the Australian National University.

My practice is diverse, interesting and intellectually challenging. It is also demanding. Working as a sole practitioner requires a high level of organisation, self-motivation and self-confidence. There are limited opportunities for a genuine break from my work, even when on holidays. However, sole practice has allowed me to successfully balance my work and family commitments, and can be personally and financially very rewarding.

Tips: Have confidence in yourself and your abilities, but do not be over-confident. Be aware of the limitations in your own knowledge and skills, and don't be afraid to ask questions.

Be genuinely pleasant and respectful to everyone, including junior staff and opponents. They will remember and will often become your future clients!

## Academic

### Greg Weeks, Lecturer, UNSW Law

My career has been unusual in many ways but, like many law graduates, I have wound up in a place that I had not expected. I was some years older than most of my fellow students at UNSW Law School, having spent ten years after the end of high school working (first as the manager of video stores and subsequently as the general manager of a corporate liquor retailer). I was also married; one of the reasons I had worked full time was to support my wife during her studies. During my second year as a law student, I became a father. Two years later, we welcomed a second child.

By this time, I was working as a graduate lawyer in a large commercial firm. It was a place at which I learned a lot over the course of three years but there were aspects of life working for a big law firm that disquieted me. First, when my son was born a month premature and was in an intensive care unit, I was initially refused leave by HR (having booked it for the date he was due to be

born). The partner for whom I worked stepped in and remedied this issue, but it was an insight into what lies not too far under the surface of large firm culture. Secondly, being old enough to have children but still junior enough to be obliged to do most of my work from the office, I rarely saw my children except on weekends. Even then, I often had work to do – one Saturday, I took a witness' statement by phone from my kitchen while comforting a crying baby.

These were small issues in some ways. I knew that working for a large firm comes with significant responsibilities. I had never earned a higher salary in my life and we had just purchased the first (and, so far, last) home my wife and I had ever owned. The real issue was that I was finding myself less and less interested with the work I was doing; during the GFC, this was predominantly the unpleasant task of enforcing securities on behalf of financial institutions against impecunious mortgagors. By contrast, I had since leaving Law School taught at least one night of every week. I taught a course of basic contract, tort and trade practices law to students at the Sydney University School of Business. This was not a perfect introduction to teaching – the students were taking a compulsory course outside the central theme of their degree and were far from engaged – but it brought to me an inkling that I might be a good teacher.

That inkling was strengthened by the realisation that I enjoyed research. I had published an article in an academic journal while still at Law School. In the following two years, I published two more. My wife and I talked about my work not long after this third article and we shared a concern that I saw too little of my family and was not doing the job I really wanted to do. We then took what in retrospect was a huge risk. I resigned from my job. We sold our house, whose repayments needed a solicitor's income. I took a contract teaching position at UTS and enrolled in a PhD at UNSW.

I would like to end this story by saying “and the rest is history”, since I am typing this in my office at UNSW, where I have been employed full time for more than four years. Nothing is ever that simple. For one thing, doing a PhD is hard work and I was doing it while working full-time – my family still had to eat. Before most Law Schools will offer you a full time job, it is generally expected that you will have both completed a PhD and have a substantial record of publications behind you. I was amazingly fortunate that UNSW found itself without an administrative law teacher on its full time staff. I was teaching administrative law there as a casual. Importantly, I was also teaching both admin law and torts at UTS – two subjects for which it is perennially hard to find teachers. I was employed less than two years into my PhD (much less, once you consider I was enrolled part time).

My work is immensely rewarding. I still enjoy research and being part of a community of researchers. I still enjoy teaching, even if only to have a captive audience for my dubious sense of humour. Convincing a sceptical class, slowly over many weeks, that admin law is the most fascinating subject they will ever study is a challenge. That I believe it to be true makes it all the more satisfying

when a student occasionally shows that s/he agrees. I see my kids every day now; indeed, probably more than they want. I have great flexibility and can leave early if I have to attend a school concert. I can work from home on days where there are no classes or meetings. The children have on several occasions during holidays found themselves sitting in a class on jurisdictional error. I miss legal practice but I have maintained my practising certificate and work from time to time as a consultant for the small but impressive firm of Whittens and McKeough.

Young lawyers who are interested in academia are to be encouraged and everything I am about to say should be read with that in mind. Academia is fascinating in a way that legal practice cannot be because it allows you to follow what interests you most. The converse of that proposition is the well-known adage that nobody goes into academia for the money. The work is still hard but the rewards, although great, are generally more of satisfaction than financial compensation. Additionally, getting a full time job as an academic is hard. You need not only to be very good and to have a background of publications, you also need to happen upon a vacancy for which you are suited. These are few and far between, even for the best lawyers. The role of pure dumb luck in my story should not be discounted.

Leaving all of that aside, the satisfaction that comes with teaching and research is something that young lawyers should all be encouraged to experience. Make enquiries about casual teaching (in a range of subjects, if you can) and try to find time to publish an article, even if only a comment for a newsletter, on a topic that interests you. These are things worth doing, even if they never become your career. If you'd like them to, this is how you make a start.

### **Anne Twomey, Professor, University of Sydney**

Like many law graduates I started work in a large commercial law firm. I left after 18 months because I found the work was largely procedural and rarely challenging. I felt that I was not contributing anything useful to society.

My big break was finding a job as Senior Research Officer in the High Court Library. I worked there for two years at the height of the Mason Court on cases including *Mabo* and *Australian Capital Television*. The work was intellectually stimulating and I was making a difference, so I felt much happier.

Next I worked in the Law and Government Group of the Parliamentary Research Service. This involved providing research to Members of Parliament and publishing research papers. Again, it was intellectually demanding and endlessly fascinating with all the issues of the day landing on my desk. My expertise expanded from purely legal research and analysis to political and policy analysis.

Later, I was appointed as the Secretary of the Senate Legal and Constitutional Committee. This again expanded my skills to include management of a secretariat, managing a budget, running hearings, drafting reports and negotiating reports



through a committee comprised of politicians from different parties. While working at the Parliament, I also completed my Masters degree at ANU.

My post-graduate degree and research publications were enough to qualify me for a teaching position at the University of Sydney. After a year, I was offered the position of Policy Manager of the Legal Branch at The Cabinet Office of NSW. This drew on the skills and experience I had gained in the areas of management, research, legal analysis, policy development, political sensitivity and parliamentary practice. I continued to publish in academic journals and give papers at conferences.

After I had a child, I moved back to teaching at the University of Sydney. My research and publications record, developed while I was not an academic, again supported this transition. To keep myself sane while at home with a baby, I wrote a book on the Constitution of New South Wales and produced a PhD thesis. I continue to enjoy research and writing as well as teaching students. I am constantly intellectually stimulated and feel that I am giving something back to society by imparting knowledge to others.

My message to young lawyers is to be careful not to get trapped in the one job with a single set of skills with only one career path open to you. It is far better to gain wide experience and a range of skills so that you can choose different jobs that suit you at different times in your life. Most important, however, is to enjoy what you do. Life is too short to waste on work that is unsatisfying, boring or objectionable.

## Solicitor

Whilst not generally considered an 'alternative' career pathway, working as a solicitor in a firm is considered alternative for the purposes of this careers guide, which aims to show you how to work within government. However, in order to provide balance and not to overlook what is most likely the most popular way to practice public, government or administrative law, we have provided a profile below from Greg Ross, an accomplished practitioner who has worked within government and as a private practitioner.

### **Greg Ross, Partner, Eakin McCaffery Cox Lawyers**

I practice through Eakin McCaffery Cox, which is a niche market firm practising in Property, Commercial, State and Local Government, Environment, Corporate and Commercial Law and Planning Law. I specialise in public sector related work, ranging from contracts (as the major interface of the public and private sectors) to Government finance legislation and operations. I also lead our firm's intellectual property practice, perhaps unusually much of which relates to Government.

Most commonly I am contacted by an internal government agency legal team which briefs me, similar to how a barrister might be briefed to advise or appear in a court case. My firm is also on various Government legal panels.

Public sector legal practice for me primarily involves various forms of contracting including a juggling of law, policy, politics and probity but necessarily includes administrative law, empowerment issues and proper purpose.

Things to watch out for: the wide range of political issues which can impact on a “Public Sector” transaction which, at first, looks straight forward, but can be affected by many tangential or other issues. For example a change of Minister (let alone a change of Government) can lead to significant variations of projects on which you have spent a lot of time.

Some work now extends to working with Australian public sector organisations doing things overseas. Examples include working on education projects in the Middle East and India.

### **Tips:**

- Continue to want to learn a lot and serve society.
- Guard your professional independence.
- Learn and keep to the basic building blocks, as everything else involves them, though usually combined in complicated (too often unnecessarily complicated) ways.
- Learn to juggle law, policy, politics and probity with a good dash of commonsense.

A publication from the Public Law and Government Committee of

**THE LAW SOCIETY OF NEW SOUTH WALES  
YOUNG LAWYERS**