

CRIMINAL LAW CAREERS GUIDE 2019



ABOUT THIS GUIDE

This Guide was created by members of the NSW Young Lawyers Criminal Law Committee. The Guide is intended to assist final year university students, practical legal training students and junior practitioners to explore their employment options for a career in criminal law.

ABOUT NSW YOUNG LAWYERS

NSW Young Lawyers is a department of the Law Society of New South Wales for lawyers under 36 years of age or in their first five years of practice. The NSW Young Lawyers' Criminal Law Committee is a group of lawyers, barristers, judges' associates, researchers and law students who share an interest in criminal law issues. Our members include solicitors from private practice and the public sector, and solicitors working in prosecution and defence.

ABOUT THE NSW YOUNG LAWYERS CRIMINAL LAW COMMITTEE

The Committee is responsible for the development and support of members of NSW Young Lawyers who practice in, or are interested in, criminal law. The Committee takes a keen interest in providing comment and feedback on criminal law and the structures that support it, and considers the provision of submissions to be an important contribution to the community. The Committee is drawn from prosecution, defence (both private and public), police, the courts and other areas of practice that intersect with criminal law.

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Organisations not featured in this Guide:

The Guide includes only a small sample of the government organisations and private firms which practice in criminal law. There are many other organisations in the criminal law field not featured in the Guide.

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FOREWORD

If you are reading this because you want to be persuaded as to why you might consider pursuing a career in the criminal law, that career is probably not for you. If you are already persuaded that you want nothing else, this pamphlet offers indispensable guidance.

Probably the most common conundrum expressed by graduate lawyers interested in practising in the criminal law is whether to prosecute or defend. I would urge you to keep an open mind about that. You might think you have a natural tendency towards one side or the other, but there are benefits in obtaining experience on both sides and you might be surprised where you end up. Certainly, many of the best criminal barristers have that diversity of experience.

But the personal insights provided by the contributors to this pamphlet will go a great way to helping you work out where you want to start and how to go about it. Apart from the practical information the pamphlet provides as to how and where to apply, the range of interviews included here provides the next best thing to being able to speak in person to someone in every kind of employment you might be considering in the criminal law. It contains a wealth of insight and personal experience.

One thing even the most splendid pamphlet cannot do is to convey the immense challenge and satisfaction you will derive from practising in the criminal law. Our enduring fascination with crime is a reflection of its perspective into the infinite complexity and tragedy of humanity. Criminal lawyers help people deal with the terrible, lasting consequences of moments of bad judgment, from the split-second loss of temper to the slow spiral into chaos. A drunken night ends with a single fatal punch. A sleepy truck-driver swerves and kills a cyclist. A mother sells drugs. An accountant steals from clients. A farmer fails to register firearms. There is nothing quite so fascinating as the deconstruction of a crime; no moment quite so dramatic as the taking of a jury verdict.

I congratulate the Young Lawyers on this excellent guide. It will be of great assistance to any person excited by the prospect of a career in the criminal law.

JUSTICE LUCY MCCALLUM

INTRODUCTION

A career can take you many places, but sometimes it's difficult to know where to start. The Careers Guide is designed to help young practitioners overcome this issue by providing them with information about potential options for working in criminal law.

There is no single or accepted criminal law career path. I myself was a solicitor in a commercial law firm and an Associate at the District Court before working in criminal law. To this end, you should not be afraid to explore employment opportunities even if they appear tangential to your ultimate career goal, or are perhaps even a little outside of your comfort zone. Often, they turn out to be amongst the highlights of your career.

I congratulate the Editor of the Guide, Kartini Saddington, on this wonderful resource. Co-ordinating a publication of this order is no small feat. I also sincerely thank all those who contributed profiles and career advice. Needless to say, this Guide could not have been created without your assistance.

I wish you the best in what I hope will be a very successful career in criminal law.

IMMEDIATE PAST COMMITTEE CHAIR, LIAM CAVELL

INTRODUCTION

Criminal law may well be one of the most well-known areas of legal practice. It is widely discussed in the media, commonly depicted in television shows and movies, and is often the focus of political debate. It is an area of law which undoubtedly attracts the greatest share of public interest - perhaps because it is interesting, and perhaps because anybody can become involved in the criminal justice system. It is this human element of criminal law which drew me to the legal profession. While I am accustomed to dealing with criminal law matters on a daily basis, I acknowledge that the victim, accused person, offender, witness or family member I am dealing with, is probably going through one of the most difficult periods of their life. To a criminal lawyer, a day in court is just another day in the office. To someone else however, it can be a day that alters the rest of their life. It is for this reason that a career in criminal law is a privilege. The work is undoubtedly challenging and complex, but it is also diverse, intellectually stimulating and highly rewarding.

If you are considering a career in criminal law, I urge you to take every available opportunity to gain practical experience in the field; volunteer at a community legal centre, take a part time job at a criminal law firm or with a barrister working in criminal law, apply for internships through your university for course credit, join established mentor programs, attend courses and events hosted by educational institutions and organisations such as the Law Society and the Bar Association, and become a member of the NSW Young Lawyers Criminal Law Committee.

Working as a Tipstaff or Associate to a judge who specialises in criminal law can also be an excellent way to experience this area of law. You will learn something from every experience, that will shape your path to criminal law, and the course that your career takes.

This guide has been in the works for quite some time, and it is due to the efforts of criminal law practitioners who are passionate about sharing their experiences with emerging lawyers that this guide exists. I thank; Justice Lucy McCallum, each individual and organisation who contributed to the guide, the previous executive (Liam Cavell, Hannah Bruce and Kartini Saddington), and the current Vice-Chair of the Committee (Sarah Ienna). These practitioners possess a wealth of knowledge and experience and I am grateful to them for taking the time to share their insights.

LAUREN MENDES, COMMITTEE CHAIR



TIPS AND HINTS FOR GETTING AHEAD

Before you begin approaching the organisations whose profiles are featured within this Guide, it's best to think about what sets you apart from the crowd.

To help you on your way, we have collated some of the best career advice from a number of our contributors. As you'll see they come from all areas of the criminal law, but they all advise the same kinds of things - that organisations are looking for demonstrated passion, a strong work ethic and a willingness to learn on the job.



Jonathan Vasiliou

PRINCIPAL SOLICITOR, CROWN SOLICITOR'S OFFICE

An impressive academic transcript is, of course, a great advantage in your first few years of practice, but there is really no substitute for the experience gained in the course of challenging yourself every day at work.

Paralegal, clerk and tipstaff roles provide opportunities for you to distinguish yourself from other graduates, refine relevant professional skills, and gain exposure to different practice areas, all of which will make easier the task of deciding upon your future career direction. If you have already succeeded in obtaining a graduate role, try to find yourself mentors where you can, as the wisdom of those who have come before us is really invaluable.

Sophia Beckett

FORMER PUBLIC DEFENDER, DISTRICT COURT JUDGE

My advice to students is to try and think outside the square: your development as a lawyer can take you in directions that you may not have envisaged when you were at law school. Criminal law has become very popular and competitive so it may not be easy to get your foot in the door initially. I encourage students to look for a first job that is well supported and offers good training in the basics. Government organisations can be better at providing those features than small criminal practices that might throw you in at the deep end.

Be prepared to move to get the right opportunity. Country practice can accelerate your learning because you are given work that you might not get in a city practice.

Be prepared to prosecute even if you see yourself as a defence advocate, and vice versa. At the end of the day, being a good criminal lawyer is about developing as a professional and learning about your role in the criminal justice system.

It is also about hard work: knowing the law and applying the facts. Sounds simple, but it isn't: there are really no short cuts. Experience does make things easier, but the necessity to work hard never abates. However it is important to know that in this profession there is always someone to talk to, someone who has been where you are before, so building support networks is essential to survival and happiness!

Steven Wright

SOLICITOR, LEGAL AID BROKEN HILL

There are two pieces of advice that I would give to young lawyers seeking to enter into criminal law: take any opportunities that come your way and be resilient. These both seem like simple pieces of advice but too often people seem to overlook the simplest things.

Unlike other professions, criminal lawyers are lucky because they have the opportunity to see the best of the best in action whenever they want. Simply going along to any Local Court list day and watching the variety of matters that come through the door really helps you get a feel for what practice could be like before you even have a degree or a practicing certificate. I think that is something that is quite unique to criminal law because the way in which trials are run means that they have to be explained in some detail through evidence which means you can really get a grasp on what the issues are.

As soon as you tell people that you want to do criminal law they tell you how hard it is to get in, what a difficult area it is to practice in, and normally try and talk you out of it. Think hard about your motivation for choosing criminal law and then just go for it. It can be hard at first finding your feet and finding a job but be prepared to take any experience you can get, never think that any role or any task is beneath you, take the opportunities to ask questions and keep the end game in sight. I honestly believe that any experience is good experience so if the only thing that you can say at your first interview is that you have watched two District Court trials from start to finish from the back row that's better than just saying you learnt about one in the classroom.



Sam Emery

SOLICITOR, ABORIGINAL LEGAL SERVICE

My advice would be that there is a profound difference between the theory at university and the reality of practice. Knowledge is important but there are places in the legal profession for all sorts of advocacy styles and legal brains. Try to get a range of volunteering experiences if you can whilst you are still studying but do not concern yourself if you are struggling to find the time or opportunities in the city. It might just take leaving the city and going to a regional area. Keep knocking on the door and do not be disheartened if you do not get your dream job straight away, there are many paths to getting into criminal law and many different opportunities will arise simply out of persistence.

Get involved in the Young Lawyers Criminal Law Committee if you can and speak to people in the profession to try and figure out where you are most suited to work. Do not limit yourself to one side of the equation as far as prosecution vs defence work is concerned, a balanced perspective will make you better at whichever you end up choosing to pursue.

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*Leave your ego at the door: I have heard advocates, generally, described as “egos on legs”. On the other hand, as a junior solicitor, you are new and at the bottom of the ladder. **Get over it. Listen. Own your mistakes. Learn. Don't be too precious to ask for help.***

Tyson Brown

SOLICITOR, ARMSTRONG LEGAL

For those about to embark on a challenging and rewarding career in Criminal Law, here are a few tips:

1. Put in the hours: A simple tip that will not go unnoticed by your firm's Partners is to be punctual, consistent and available. There is nothing more frustrating to a Partner or a supervisor than you not being around when they need you. This profession is built upon reputation and if you earn a reputation for being unreliable, you are not going to get very far.
2. Leave your ego at the door: I have heard advocates, generally, described as “egos on legs”. On the other hand, as a junior solicitor, you are new, and at the bottom of the ladder. Get over it. Listen. Own your mistakes. Learn. Don't be too precious to ask for help.
3. Spend time learning the law: It may seem like an obvious piece of advice, but law school doesn't teach you enough about the law to get you by in the real world, so spend time researching and understanding relevant decisions and legislation. There is nothing more embarrassing than being asked a question by a client or a Magistrate that you cannot answer.
4. Understand the process from the ground up: Every matter has a process that needs to be followed. If the correct steps are taken, in the correct order, then you are less likely to forget something critical or make mistakes. By doing things the long way initially, over time and with experience, you will quickly learn how all the parts of the system work.



THE PUBLIC SERVICE AND NOT-FOR-PROFIT

If you're looking for a career in the criminal law, chances are your first port of call will be one of the governmental or not-for-profit organisations profiled below.

As the largest employers of criminal lawyers in NSW, these organisations represent the bulk of employment opportunities within the criminal law.

However, the organisations below are but a sample of the places you can work if you are looking beyond private firms. Community Legal Centres are not featured prominently in this Guide, but each performs a crucial role in their chosen area. A handy guide to all NSW Community Legal Centres can be found [here](#), most Community Legal Centres advertise directly as and when vacancies arise.

ABORIGINAL LEGAL SERVICE (NSW/ACT) LIMITED

Locations: 22 offices throughout NSW and the ACT.

Principal areas of practice: Criminal Law, Family Law and Care and Protection

About:

The Aboriginal Legal Service ('ALS') is a not-for-profit community-run organisation which provides free legal services to Aboriginal and Torres Strait Islander peoples and their communities. It was founded in 1970 and was the first of its kind in Australia, being operated by the Aboriginal and Torres Strait Islander peoples it represents.

The ALS has 22 offices in NSW and the ACT and is made up of over 95 solicitors practising in criminal law and 12 solicitors practising in care and protection/family law.

ALS lawyers also provide the Custody Notification Service ('CNS'), which is a 24-hour hotline that provides welfare checks and legal advice to Aboriginal or Torres Strait Islander people who have been taken into custody. Upon taking one of our clients into custody, it is mandatory for the police to contact this vital service.

Employment opportunities:

The ALS does not have a graduate program. However, there are opportunities for junior solicitors, particularly in regional areas, to commence their practice of the criminal law and gain an unparalleled level of early experience.

Job opportunities come up on an ad hoc basis so check the website regularly. The best way to gain relevant experience and show your passion is by volunteering with the ALS. The ALS depends on volunteers to meet our enormous workload and it is a wonderful place to learn at the frontline of law and social justice.

The most important attributes for the job are a passion for criminal law, interest in social justice, people skills and a willingness to be an advocate in court every day. Make sure you have a driver's licence too because we cover a lot of territory.

Sam Emery SOLICITOR (NEWCASTLE)

The highlight of working for the ALS has been the people I have met and have been able to assist with navigating through an extremely difficult time in their lives. The work is its own reward.

Every day at the ALS is both challenging and rewarding. I have had exposure to an enormous range of different criminal law work in a short space of time already. The experience from both a professional and personal development perspective is second to none. From appearing in the Local Court regularly in defended hearings, sentencing and bail applications to instructing barristers in District Court trials, there is simply so much diversity in the work and so many opportunities for you to contribute to the organisation and learn.

The overrepresentation of Aboriginal and Torres Strait Islander peoples in the criminal justice system in NSW and throughout Australia is a national disgrace. If it does not cause a fire in your belly and a desire to help out then consider learning more about the situation and perhaps applying somewhere else if that does not change your views.



THE COMMONWEALTH DIRECTOR OF PUBLIC PROSECUTIONS (CDPP)

Locations: Offices located in Adelaide, Brisbane, Cairns, Canberra, Darwin, Hobart, Melbourne, Perth, Sydney and Townsville

About:

The CDPP is an independent prosecution service established to prosecute alleged offences against Commonwealth law.

These offences range from fraud, drug importations, corporations, terrorism, money laundering, human trafficking and slavery, people smuggling, child exploitation, the environment, safety, and cybercrime.

Employing approximately 400 staff around Australia, it aims to provide an effective, ethical, high quality and independent criminal prosecution service in accordance with the Prosecution Policy of the Commonwealth.

Employment opportunities

The CDPP advertises positions throughout the year on its website. The number and location of positions vary depending on staffing needs.

To be eligible for employment as a lawyer, you need to be an Australian citizen and have been admitted to practise in an Australian State or Territory. Before being offered employment, applicants must also pass a security and character test.

CROWN SOLICITOR'S OFFICE (NSW)

Locations: Sydney CBD

Principal areas of practice:

Principal areas of practice: Child Protection, Commercial Law, Community Law, Constitutional & Administrative Law, Criminal Law, Employment Law & Industrial Relations, Government Law, Inquiries, Property & Native Title, Torts (Justice/Enforcement Agencies), Torts (Service/Regulatory Agencies)

About:

The Crown Solicitor's Office (CSO) is the largest provider of legal services to the NSW Government and its agencies. We are the sole provider of legal services regarded as being core to NSW government functions and we compete with the private sector for general government legal work. From conducting litigation and representing the State in courts and tribunals, to drafting legal documents and agreements, the CSO manages thousands of matters each year across 11 areas of practice. More than 400 legal and support staff work at the CSO. The breadth and depth of our government law expertise exposes us to matters at the forefront of legal developments and we advise on some of the State's most interesting and high-profile matters. We offer employees flexible working hours, targeted training programs, competitive salaries and a healthy work-life balance. For more information on the CSO visit our page on the gradaustralia site: gradaustralia.com.au/graduate-employers/nsw-crown-solicitors-office.

Employment opportunities

We offer a two-year program for graduates consisting of four, six-monthly rotations within the CSO's legal practice groups. The program provides ongoing training in litigation, advice writing and transactional work as well as an opportunity to complete the work experience component of Practical Legal Training. Senior solicitors, who have worked on some of the state's most prominent cases, provide graduates with on-the-job coaching and mentoring. Graduates contribute to client and file management and are exposed to unique and complex legal issues from day one. The program is open to highly motivated law graduates with less than two years' legal experience. The CSO also employs law students as paralegals while they are completing their degrees. We employ approximately 60 paralegals, many of whom successfully apply for our graduate solicitor program and continue their legal career with us. Paralegal and graduate roles are advertised periodically on iworkfor.nsw.gov.au and seek.com.au.

Jonathan Vasiliou

PRINCIPAL SOLICITOR, CROWN SOLICITOR'S OFFICE

An impressive academic transcript is, of course, a great advantage in your first few years of practice, but there is really no substitute for the experience gained in the course of challenging yourself every day at work.

Paralegal, clerk and tipstaff roles provide opportunities for you to distinguish yourself from other graduates, refine relevant professional skills, and gain exposure to different practice areas, all of which will make easier the task of deciding upon your future career direction. If you have already succeeded in obtaining a graduate role, try to find yourself mentors where you can, as the wisdom of those who have come before us is really invaluable.

I began my legal career as a paralegal at the Crown Solicitor's Office about 11 years ago. Since then, I have had the opportunity to be responsible for a wide range of fascinating matters, many of which have involved novel or finely-balanced questions of law, or have attracted significant public interest.

These have included prosecuting defendants for diverse offences such as cheating in the casino, fraudulently obtaining the first home owner's benefit, and exceeding abalone fisheries quotas.

I have represented the Commissioner for Corrective Services in inquests into deaths of inmates in custody, appeared before the Mental Health Review Tribunal in relation to high-risk forensic patients, and applied on behalf of the Commissioner of Police for destruction of seized counterfeit luxury goods.

A career highlight was being responsible for conduct of the Electoral Commission's high-profile action to recover debts arising out of the acceptance of prohibited donations by members of the Liberal Party in connection with a State election.

The supervisory model at the Crown Solicitor's Office allows young lawyer to quickly learn the skills necessary for independently managing a busy legal practice. I enjoy meeting new challenges in my practice autonomously, with the support of some of the finest legal minds in the State.

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I have represented the Commissioner for Corrective Services in inquests into deaths of inmates in custody, appeared before the Mental Health Review Tribunal in relation to high-risk forensic patients, and applied on behalf of the Commissioner of Police for destruction of seized counterfeit luxury goods.

LEGAL AID (NSW)

PROFILE

Martin Bernhaut

SOLICITOR (CRIMINAL INDICTABLE)

It is a pleasure and a privilege to work at Legal Aid NSW. Our clients teach me so much about the diversity of human experience. Although clients often present with complex, multi-faceted and interrelated issues, I feel genuinely grateful that they allow me into their lives in order to help in some small way. Often the work is extremely challenging, but simply by persisting in difficult times, I've learned the value of compassion, patience and tolerance.

As well as the clients, I love being able to work in an environment where I'm given such autonomy in the conduct of my cases. Solicitors are trusted to follow their intuition, which engenders a relationship of trust within the organisation. My managers are always willing to assist me with their considerable knowledge and experience, yet I never feel micromanaged. Similarly, my colleagues are amazing. The passion and enthusiasm within the organisation is infectious and inspiring.

Recent changes to the government sector employment legislation mean there is often a fair degree of movement within the organisation, so interesting roles often come up. In that sense, the flexibility to work in different offices and practice areas within Legal Aid NSW is another benefit, allowing staff to remain satisfied and stimulated within the organisation for long periods.

What advice would you give a young lawyer seeking to start a career in criminal law?

Be curious. Be willing to learn. Trust your intuition, but don't be afraid to ask questions of others with more experience than you. We all make mistakes – that's the best way to learn – but it's important that you build up the courage and the confidence to be able to raise potential issues with your manager, counsel or whoever else might be appropriate. Advocate fiercely yet fairly for your clients. In the chaos of a busy day, try to find the time to give each one of them your undivided attention, just for as long as you can afford. Working in criminal law is an incredibly rewarding and fun career path. Enjoy the roller coaster!

PROFILE

Tim Khoo

SOLICITOR (CHILDREN'S LEGAL SERVICE)

One of the highlights of working in the Children's Legal Service (CLS) is that every day is different. Each day you will deal with different clients, different types of matters and different legal issues. For example, in a typical week in CLS you might run a defended robbery hearing, organise psychological material for a s32 application, provide legal advice to a young person in custody via the Legal Aid Youth Hotline, visit a client in juvenile detention, argue a release application, defend a forensic procedure application or appear in a District Court severity appeal.

Even when you have difficult days, as everyone does from time to time, another highlight of working in Children's Legal Service is the support you receive from your colleagues. Legal Aid NSW and the Children's Legal Service typically attract solicitors who do this work to make a difference in the lives of some of the most vulnerable and disadvantaged in our community. Everyone works towards a

common goal, so you can always rely on your colleagues to share in your victories and debrief with you when things don't go as you had hoped.

What advice would you give a young lawyer seeking to start a career in criminal law?

Volunteering and practical experience is always desirable and there are many great organisations you can volunteer for like your local Community Legal Centre or the Aboriginal Legal Service. That being said, experience isn't always necessary and there is an understanding that everyone has to start somewhere. I have known a number of solicitors who have started their legal career in CLS without any prior practical experience but have become excellent advocates in a very short space of time. The collegial nature of the organisation as well as the support and training that new lawyers receive at CLS enables them to navigate the steep learning curve and high volume of work.

If you would like to work at Legal Aid or the Children's Legal Service keep an eye out for opportunities, as there are regular rounds of recruitment



Everyone works towards a common goal, so you can always rely on your colleagues to share in your victories and debrief with you when things don't go as you had hoped

THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS (NSW)

Locations: 10 offices across the state, including six offices throughout regional New South Wales.

About:

Created in 1987, the ODPP provides an independent, efficient, fair and just prosecution service on behalf of the people of NSW.

The ODPP prosecutes offences against the *Crimes Act 1900* (NSW) and handles approximately 18,000 matters a year, including trials for indictable offences in the District Court and the Supreme Court; committal proceedings and summary hearings in the Local and Children's Courts; and Appeals in the District Court, Supreme Court and High Court.

Employment opportunities

The ODPP runs a graduate program called the Legal Development Program. A position in the LDP is offered for 12 months and takes a different format in each office in which graduates are hired. In order to be eligible for the program you must have

completed the coursework component of a Practical Legal Training program but must not have completed the work experience component more than 12 months prior to the date of application.

All employment opportunities are advertised on iworkfor.nsw.gov.au.

Within the ODPP, solicitors manage files from charge certification to sentence. This vertical practice structure means that solicitors are expected to analyse briefs, negotiate with the defence and appear in the Local, District and Supreme Courts as required by their practice. This structure ensures continuity of carriage and a higher level of service to stakeholders and victims.

We asked solicitors to explain what they do and why they enjoy working for the ODPP.

PROFILE

Michelle Hwang

FORMER GRADUATE (PARRAMATTA)

On a day to day basis Graduates prepare District Court appeals and provide preparatory assistance to Level 2 lawyers. We occasionally assist by sitting in conferences with the police, victims and witnesses; instructing Crown Prosecutors and Trial Advocates in trials and sentences; and appearing in appeals to improve our advocacy skills. The collegial nature of the office means that Graduates are constantly given opportunities to step outside our comfort zones and expand our skill sets. With some experience we are also given the opportunity to prepare and instruct in our own trials.

At the ODPP you are given opportunities to learn and grow as a criminal lawyer in a safe environment. There is always something that you can learn and the people around you are able and willing to lend a hand or share their knowledge. The wealth of knowledge within the office facilitates growth in your understanding of criminal law in practice and allows you to grow in your critical thinking.

What advice would you give a young lawyer seeking to start a career in criminal law?

Whether you are at the ODPP or a defence firm, you will not reap the full benefits of your working environment if you do not take proactively seek opportunities and exercise your own critical thinking. Don't underestimate yourself, ask questions, propose your ideas and take initiative.

PROFILE

Rachel Swift

LEGAL ADVISER (SYDNEY CBD)

My current role is as a Legal Adviser in the Director's Chambers. This is a role that involves the provision of high quality independent legal advice to the Director and the Deputy Directors on a variety of issues including the sufficiency of evidence to lay criminal charges, charge negotiations, applications for no further proceedings and appeal proceedings. It is a busy and demanding role that assists with the statewide operation of the ODPP.

I have worked at the ODPP for approximately 10 years and in that time, I have performed a number of different roles in the organisation. The most interesting role so far was the 18 months I spent based in the Targeted Assistance Group (TAG) or the relief team.

When I was based in TAG I regularly travelled throughout NSW to places such as Newcastle, Broken Hill, Dubbo and Albury, appearing in regional courts and assisted with the operations of regional offices.

It was a great way to gain experience and improve my skills in court appearance work whilst enjoying travelling to regional areas outside of Sydney.

PROFILE

Kristin Bryan MANAGING LAWYER (PENRITH)

I am one of the Managers of a regional Office in the ODPP. I supervise the practice of a number of committal and trial lawyers as well as those appearing on appeals and sentences in the District Court. I am responsible for the allocation of matters in the Office as well as meeting the commitments of my Office to various Local and District Courts.

I have been fortunate to have worked in a variety of roles within the ODPP. I have had carriage of a number of serious matters including homicides and sexual assaults and for a large part of my career I was a short matters advocate appearing in the District Court on sentences and appeals.

More recently I have managed the ODPP team at the Drug Court of NSW. As an ODPP lawyer your engagement with a matter typically ends at sentence. At the Drug Court I got the opportunity to be involved in the rehabilitation of offenders and observe the positive effects that the criminal justice system could have where alternatives to incarceration are explored.

What advice would you give a young lawyer seeking to start a career in criminal law?

The practice of criminal law is highly specialized but also provides you with skills in legal/factual analysis and allows you to develop good judgment. These skills have a broader application. Try to obtain work experience that allows you to develop these broader skills and gives you some scope for independent thinking. Your work experience doesn't need to be criminal law specific although it helps.

PROFILE

Sam Velcic LEVEL 2 LAWYER (PARRAMATTA)

My role within the ODPP involves providing advice as to the sufficiency of evidence and recommending appropriate charges; negotiating appropriate pleas of guilty; conducting summary hearings; and undertaking advocacy work in the Children's, Local, District and Supreme Courts.

Highlights of working at the ODPP have been the opportunities to work with highly experienced, talented and supportive lawyers on a range of complex and interesting criminal matters. The ODPP is an organisation that is committed to the wellbeing of its staff and offers flexibility to maintain a work/life balance.

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What I enjoy most about my job is that it actually matters to people's lives. When I'm speaking to victims, they are often telling me about the worst thing that has ever happened to them and, when I prosecute a person, their conviction could have ongoing effects on their life, so I need to make sure that I'm making the right decisions and I'm making ethical decisions. It's a big responsibility.

YVETTE PROWSE

PROFILE

Yvette Prowse SOLICITOR ADVOCATE

My job involves conducting jury trials at the District Court at Penrith in western Sydney. I only do criminal law and I prosecute all types of matters such as robberies, assaults, and sexual assaults. It's like 'Law and Order' except without all the yelling and walking around the court room.

What I enjoy most about my job is that it actually matters to people's lives. When I'm speaking to victims, they are often telling me about the worst thing that has ever happened to them, and when I prosecute a person their conviction could have continuing effects throughout their life, so I need to make sure that I'm making the right decisions and I'm making ethical decisions. It's a big responsibility.

What advice would you give a young lawyer seeking to start a career in criminal law?

I think that sometimes people get into criminal law for the wrong reasons. They've seen criminal lawyers in movies and television and they want to get into a court room to be the centre of attention and to cross-examine like Tom Cruise in A Few Good Men. But criminal law is never about you – it's about the law itself and the people who have been effected by what has happened.

It can be emotionally draining dealing with victims and witnesses and managing their expectations so it's not a job for someone who just wants to show how clever they are – it's a job for people who want to work really hard in the public service, to do complex and interesting legal work, and to make hard decisions but who also have the necessary skills to deal with traumatised people.

PROFILE

Dean Robinson

CROWN PROSECUTOR

I am a Crown Prosecutor, so briefed by the Director of Public Prosecutions to conduct trials, sentences and other matters in predominately the District Court but also in complex matters in other jurisdictions. I also perform chamber work consisting of the finding of bills of indictment, providing submissions to the Director regarding decisions to be made regarding discontinuance of the prosecutions and other such matters.

I began my legal career with the DPP as a clerk while I was studying law, quite late in life, and continued on once I graduated into roles as a solicitor at the various levels within the Office. Ultimately I decided to have a go at trial work as a Trial Advocate and found that I liked it a lot. It stretched my legal skills and revealed some skills I wasn't aware of. Trial advocacy is a great challenge and offers the opportunity of career long learning.

What advice would you give a young lawyer seeking to start a career in criminal law?

Read widely, and think deeply about the conflicts and problems that colour the lives of ordinary people. The criminal law is certainly about law but it is intensely about people and generally about people in crisis or at least at a very low ebb in their lives. Within this context the job is to facilitate justice in the community and a path forward for those caught up in the process.

THE POLICE PROSECUTORS

Locations: 150 locations throughout NSW

About:

NSW Police Prosecutors are responsible for prosecuting matters on behalf of the NSW Police Force as well as other government agencies in Local Courts, Children's Courts and the Coroner's Court.

Police Prosecutors are responsible for prosecuting 95% of all criminal cases in NSW.

Employment opportunities

Law graduates interested in becoming police prosecutors will need to apply to both Charles Sturt University and the NSW Police Force and pass a number of physical fitness tests.

With the Accelerated Prosecutor Recruitment Program ("APRP"), the NSW Police Force is recruiting law graduates and fast tracking them into prosecuting. This program involves completing an Associate Degree in Policing Practice to become a NSW Police Officer. After a

period of around 12-18 months in General Duties, the APRP officer transfers to Police Prosecutions to commence their prosecutor training.

The APRP consists of five stages:

1. Making an application to the co-ordinator of the APRP. The applicant is interviewed to assess their suitability, if selected the applicant will then continue the Police recruiting process;
2. The successful APRP applicant commences the Associate Degree in Policing Practice (ADPP) through Charles Sturt University at the NSW Police Academy;
3. The applicant completes 12-18 months minimum performing General Duties at a Metropolitan Police Station learning the fundamentals of policing; and
4. The applicant will then transfer to Police Prosecutions for prosecutor training and prosecute on a full time basis.



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Prosecuting is a rewarding and challenging career, where I am privileged to represent the community on a daily basis.

PROFILE

Skye Stromquist POLICE PROSECUTOR

After developing an interest in criminal law throughout my studies, I enrolled in the NSW Police APRP. The program allowed me to experience first-hand the challenges of operational policing and gain knowledge in investigation techniques, use of police powers and gave me a brief preparation for criminal and traffic offences.

After completing my time in operational policing, I transferred to the Police Prosecutions Command and completed the Prosecutors Education Program. This course provided me with an in-depth knowledge of criminal offences and court procedures, and allowed me to advance my advocacy skills by running criminal hearings on an almost-daily basis.

My position as a Police Prosecutor involves conducting all prosecutorial duties for the police in the Local Court including: criminal and AVO list work, bail applications and prosecuting a large number of hearings that range from minor traffic matters to serious offences such as robberies, possession of child abuse material and drug supply charges. I spend an average of 3-4 days in court and approximately 1-2 days out of court managing the 70-80 matters which are allocated to me at any given time.

Prosecuting is a rewarding and challenging career, where I am privileged to represent the community on a daily basis.



PRIVATE FIRMS

Private criminal or mixed practice firms are an excellent place to make a start in the criminal law. They are often smaller than public service organisations and so offer the opportunity to take carriage of matters that you might have to wait to get in the public service.

The below firms are only a small selection of the many criminal defence firms out there. We recommend that you keep your eye out on the various recruitment websites for availabilities, as they are normally advertised as and when opportunities arise.

ARMSTRONG LEGAL

Locations: Sydney, Miranda, Parramatta and Wollongong, with interstate offices in Adelaide, Brisbane, Canberra and Melbourne.

Principal areas of practice: Criminal Law, Family Law, Wills and Estates

About:

Armstrong Legal is the country's leading personal services firm. We have over 50 solicitors including leaders in their field and accredited specialists. Those lawyers have the skills and experience to provide the highest level of representation and advice.

Employment opportunities

Our employment opportunities are advertised online as and when they are available.

Experience in the field is always valued, and prospective applicants should do all they can to take what opportunities are available, for example, working at courts or community legal centres.

We are also particularly interested in potential employees who can demonstrate strong interpersonal skills, effective communication and an ability to handle a diverse and challenging workload.

PROFILE

Angela Cooney

MANAGING ASSOCIATE

Armstrong has a very collegiate culture and there is always someone there to bounce ideas off, discuss strategy with, or to ask for advice when a tricky problem arises. This is an invaluable resource and means you get the benefit of learning from the whole team, who all come from very diverse backgrounds.

All solicitors have allocated support staff who are fantastic at their job. We also have dedicated solicitors who deal with all new client enquiries, and distribute those opportunities around the team.

As a criminal lawyer at Armstrong, we are in Court, or on our feet, on average 4/5 days per week. We travel regularly around courts in Sydney, and also all over NSW, and the amount of Court time we get gives you great advocacy experience.

All members of our Crime team are always happy to help and the seniors are genuinely invested in helping junior solicitors progress, learn, and become the best they can be.

YOUNES + ESPINER LAWYERS

Locations: Sydney CBD.

Principal areas of practice: Criminal Law

About:

Founded in 2015 by Carol Younes and Karen Espiner, both Accredited Criminal Law Specialists. Younes + Espiner Lawyers is a boutique firm practicing predominately in the area of criminal law appearing in multiple jurisdictions ranging from the Children's Court through to the High Court of Australia. The firm also represents clients who have been subjected to malicious prosecutions and/or unlawful imprisonment, are required to appear in the Coroner's Court and tribunals such as the NSW Civil and Administrative Tribunal (NCAT), or are required to attend examinations by the NSW or Australian Crime Commissions.

Younes + Espiner Lawyers has grown rapidly and has been nominated as one of Sydney's 'first-tier' firms in the Doyles Guide for Leading Criminal Defence Law Firms – Sydney 2016 – 2019. As at October 2019, the firm is made up of 2 partners, 4 solicitors, 2 clerks a practice manager and

an office assistant. The lawyers at the firm are experienced advocates in proceedings including bail applications, sentence hearings, defended hearings, committals and instructing in trials and appeals.

The firm prides itself on providing first class, fearless and focused representation for those facing criminal charges, as well as providing comprehensive advice and representation for health, legal and other professionals who face allegations of misconduct or seek to review (administrative) decisions which affect their lives and livelihood.

Employment opportunities:

Vacant positions are advertised online on SEEK. However, students who are passionate about criminal law and wish to complete practical legal training are encouraged to email their CVs to Info@YounesEspiner.com.au



PROFILE

Teagan Naidu

SENIOR LAWYER

I started at Younes + Espiner Lawyers in early 2016 as a clerk, before transitioning into a lawyer role when I was admitted in July 2016. I have now been with the firm for over 3 years. Being part of the team is an incredibly rewarding opportunity. The Partners, Carol Younes and Karen Espiner, have created a great culture in which I feel encouraged and supported. Everyone at Younes + Espiner Lawyers is supportive of one another, often working together in teams on matters in order to achieve the best results for our clients.

My practice consists of instructing the state's best criminal barristers in complex matters in the District Court, Supreme Court and Court of Criminal Appeal. I also regularly appear as solicitor advocate in the Local Court in criminal and traffic matters, representing people in bail applications, pleas, appeals and defended hearings. Having the opportunity to develop and maintain a broad practice means that I am constantly learning and taking on new and challenging opportunities.

One of the best aspects of my role is that every day is different and there is so much variety in the work that I do. On a daily basis I could be drafting submissions for an upcoming court appearance, conferencing with clients/barristers, appearing in court as an advocate, instructing in a complex sentence, or providing mentoring to our more junior lawyers/admin staff.

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Having the opportunity to develop and maintain a broad practice means that I am constantly learning and taking on new and challenging opportunities.



THE NSW COURTS

Acting as a Tipstaff to a Supreme Court Judge or an Associate to a District Court Judge is an excellent way to decide whether criminal law is where your heart lies.

Legal Tipstaves and Associates act as the judicial support staff to a particular Judge. As a part of your role you will attend court on each day that your Judge is sitting, help with the everyday running of a Judge's Chambers, conduct complex legal research and assist in the preparation of judgments or decisions. As such, it is an excellent opportunity to gain an understanding of a wide range of legal concepts and to observe advocacy at all levels.

Tipstaves and Associates are both hired at the discretion of their Judge for a period of 12 months; any extension to that contract is also at the discretion of the Judge. As positions are not frequently advertised, applicants should contact the Judge's Associate directly for details of the application process and deadlines, however it generally safe to assume that applications will have opened 12 months prior to the starting date.

Associates often serve more than 12 months with their Judges, but again do so at their Judge's discretion. Available positions are often advertised on the District Court website, under the Careers tab, but applications can also be made to individual Chambers.

PROFILE

Virginia Horstman

FORMER ASSOCIATE TO JUDGE CULVER IN THE DISTRICT COURT

Working as an Associate to Judge Culver in the District Court has provided me with great exposure to criminal law, and the ability to see what I have studied put into practice. Every day is busy and varied; you could be involved in a trial, bail applications, appeals, or sentence matters or a combination of all those in the one day! Coming to work each day knowing your day is going to be completely different from the previous is also very stimulating and energising.

Working as an Associate provides a great foundation for a career in criminal law. I find a majority of the principles of law studied at university suddenly make much more sense seeing them in a real life setting. It is invaluable to be able to be a participant in court work, absorb and learn various styles of advocacy, understand the mechanics of

running a trial, and be able to discuss and work out various parts of the law with a judge and pick up many practical pointers at the same time.

The long lasting friendships I have made both within the Court system as a whole, and on the other side of the bar table have been another wonderful benefit of being an Associate.

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Working as an Associate provides a great foundation for a career in criminal law. I find a majority of the principles of law studied at university suddenly make much more sense seeing them in a real life setting.

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Seeing such a wide variety of offences, case law and criminal legislation has given me the opportunity to see experienced counsel grapple with complex and fascinating legal issues

PROFILE

William Nash

FORMER TIPSTAFF TO JUSTICE HOEBEN CHIEF JUDGE AT COMMON LAW IN THE SUPREME COURT OF NSW

Working as a tipstaff is truly an incredible opportunity. One of the highlights for me has been the significant exposure to appellate cases in the Court of Criminal Appeal. Seeing such a wide variety of offences, caselaw and criminal legislation has given me the opportunity to see experienced counsel grapple with complex and fascinating legal issues.



THE BAR

Often, when people think about a career in the criminal law, they imagine a career at the bar.

A career at the bar offers a challenging and exciting career, whether it's cross-examining a witness, putting your argument to a jury in your closing address or negotiating with the other end of the bar table. However, as we all know, going to the bar can be a difficult and confronting proposition for a young lawyer.

We've asked a number of barristers about their paths to the bar, what it is like about being barristers and for some advice for young lawyers who want to make the jump.

THE PUBLIC DEFENDERS OFFICE

Locations: Sydney CBD.

Principal areas of practice: Criminal Law

About:

Public Defenders are statutorily appointed barristers who act for legally aided people charged with serious criminal offences. They appear as defence counsel in the District, Supreme and appellate courts. The office is funded by the Department of Communities and Justice, Legal Aid NSW and the Aboriginal Legal Service NSW/ACT.

Their work involves some of the most serious and high profile cases in the state, including murder, manslaughter, serious assault, sexual assault, drug trafficking and now more frequently, terrorism.

The Public Defenders' Chambers are regarded as one of the leading criminal barrister's chambers in NSW. Appointments are made on the basis of extensive criminal law experience at the Bar, usually of at least 5 years, plus experience in criminal practice as a solicitor.

There are currently 29 Public Defenders with nine placed in regional locations. They

are supported by two legal research officers and five administrative staff.

Employment opportunities:

The Public Defenders offer unpaid practical legal training (PLT) for law graduates who have a strong interest and demonstrated aptitude in criminal law.

There is a paid temporary intern position for Aboriginal law graduates needing assistance to complete their practical legal training.

Applications for PLT may be made at any time to Ruth Heazlewood, Chambers Manager at ruth.heazlewood@justice.nsw.gov.au.

PROFILE

Sophia Beckett

FORMER PUBLIC DEFENDER, DISTRICT COURT JUDGE

Working at the Public Defenders gives you the opportunity to work at the highest levels of the profession, dealing with the most interesting, and often high profile matters in the criminal defence sphere. Public Defenders appear predominantly in the trial and appellate courts of NSW and the Commonwealth, whilst also providing advice to members of the profession on a daily basis, and mentoring those entering the profession, either as junior barristers, or students. The Public Defenders are one of the leaders in criminal law legal education across the State and also play an important role through membership of professional organisations, in law reform and various committees.

Trial work at this level is always going to be challenging, but at the Public Defenders you are supported by the most experienced of colleagues and a high functioning administrative and research support network to ensure you perform at your best.

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The Public Defenders are one of the leaders in criminal law legal education across the State and also play an important role through membership of professional organisations, in law reform and various committees.

PROFILE

Sharyn Hall

SAMUEL GRIFFITH CHAMBERS

My introduction to working in the law was as a 'junior' for a Floor of Barristers. I went on to work as a tipstaff to the Honourable Justice Bell when she was sitting on the NSW Supreme Court. My first job as a solicitor was at the Western Aboriginal Legal Service where I appeared predominately in the Local Courts in places like Bourke, Brewarrina and Dubbo for indigenous people charged with criminal offences. After three years I returned to Sydney where I worked at a number of Sydney metropolitan offices of Legal Aid NSW appearing in the Local and District Courts. Working in the criminal law means dealing with a variety of different people with different life experiences. Every case presents a unique set of factual circumstances that ensures the job is always interesting, challenging and sometimes just plain crazy.

What advice would you give to a young lawyer seeking to go to the Bar?

The Bar is a place to go when you have the confidence and experience to hold yourself out as an expert in the area(s) in which you will practice. It is both demanding - in so far as you are self-employed so entirely responsible for your practice - as well as immensely rewarding.

If you have aspirations to go to the Bar it is really important to get as much advocacy experience as you can. Take each chance to get on your feet and make submissions or run a hearing when the opportunity arises. It is also great to work with and instruct lots of different people so you get insight into how other people do things like cross-examination.

Working in crime carries a heavy burden as the consequences for the client can have a significant impact on their life and liberty but is also full of challenges.

PROFILE

Christopher Watson FORBES CHAMBERS***What was your path to the bar?***

I grew up in North Eastern Victoria, on a farm just out of a small town called Yackandandah (Sir Isaac Isaacs lived there for a while as a kid). My first exposure to the law was during the HSC when I took legal studies. Although I obtained entrance into combined law courses at a number of universities, I studied Arts because I aspired to affect social change. I think the truth of it is that I didn't have a clue what I wanted to do.

After two years of Arts I entered the post graduate Social Work course at Monash University, but I was never cut out to be a social worker. I then obtained a position with the Australian Government as a Research Officer in the Attorney General's Department and was posted to Sydney. After four years of doing some pretty interesting work, I decided that I didn't want to be a public servant anymore and thought that studying law would be my best option. I enrolled in a part time law degree at UTS, resigned from my job with the public service and got a job with Blake Dawson Waldron (now Ashurst) as a paralegal. It was a great place to work and I came to know the ins and out of the various registries and the courts around Sydney. Whilst, of course, I was the dog's body pushing the trolley about, I still had some involvement, albeit minor, in major litigation. I eventually qualified and worked as a solicitor in general practice for a short period of time. I then began working for the NSW ODPP, where I worked for five years. My time at the DPP was richly rewarding, I learnt so much and eventually became familiar with the court environment and desensitised to the often unforgiving judges and magistrates. I was lucky at the DPP because I got to instruct in trials and see the best, and not so best, advocates and judges at work. I saw

the cut and thrust of the trial environment, the skill, the tactics and the application of the law at the coal face. That is what motivated me to go to the bar when I did.

I can remember instructing John Keily SC in a murder trial on behalf of the Crown and thinking "That is what I want to do". As a kid my mother had told me "Never let anybody tell you you're not good enough" and to a great degree that is the challenge you face when you are looking at going to the bar... you think "Am I good enough?". There are some who launch straight into a career at the bar without some time as a solicitor or any time appearing in court, but I knew that I needed grounding for me to successfully go to the bar.

I chose to go to the bar as I saw it as exciting and challenging. I wanted to be my own boss and I wanted to give it a go. I had spoken to a lot of people about the move and the general advice was that if you were seen to be reliable and were half smart you would get work as a reader. From then on it would depend on your ability and application.

Working as a barrister affords you professional freedom, in that, you are in control of what area of the law you appear in and what you need to do to develop professionally. I particularly enjoy the friendships that I have made not only with my floor colleagues but also with my opponents. Criminal advocates are a close lot and there is a lot of information sharing and importantly, there is a lot of support afforded between fellow criminal barristers because we all recognise that running criminal trials is a tough gig. To be a participant in the trial environment is to never, or rarely, have a dull moment. Each brief has its own nuances and that in itself keeps you interested. It's a hard job but the rewards outweigh the downsides.

PROFILE

Hament Dhanji SC FORBES CHAMBERS***What advice would you give to a young lawyer seeking the Bar?***

The starting point sadly is to do with finances. You will need a buffer to start off with because you probably won't have a steady income coming in. Don't panic though because it is usually the case that your floor Clerk will know very well that you need the support of the floor and work will come your way! Important: do not let your Clerk down! If you are given work by your Clerk (as I was) do not make a hash of it! If you are reliable the Clerk will know that you won't make a mess of things and eventually more serious and lucrative work will come your way.

Ensure that you have some background or experience in advocacy. Go to court and watch good experienced counsel. Watch the interaction between bar table and bench. Watch how the witnesses are taken through examination in chief, then cross examination and re-examination. Look at the jury and assess what are they getting from this evidence and how are the questions being asked influencing the jury. We do not spring out of the womb as a great advocate...watch, learn and listen, even the best silks I see are nervous before trials and are always fine tuning their skills.

You will probably know a few barristers, talk to them about what you are thinking about, or talk to people at the Bar Association, they have a wealth of experience and are more than happy to advise you.

Finally, be brave because it is a great and exciting profession. Good luck!

What was your path to the bar?

I regard myself as a role model for the directionless. I certainly did not start out with any ambition to become a barrister. Indeed, I was not sure about becoming a lawyer. Once I finished my degree it seemed sensible to at least start work as a lawyer and in that regard I had a strong preference for working in an organisation like the Legal Aid Commission and was lucky enough to end up there. I spent seven years there, in the criminal division working initially in the Prisoners' Legal Service and then in Local Courts. This meant appearing in court on a daily basis in hearings, sentences and bail applications. While working at Legal Aid I realised that I enjoyed being an advocate. I reached a point where I was at risk of being too comfortable so the next step was the bar. The decision was not an easy one. I had only Local Court experience, and not a lot of connections at the bar as I had briefed counsel only infrequently. But I also realised that if I was to continue to enjoy being an advocate I needed to move on. Now, 21 years on, I still enjoy being an advocate. Thinking about how to persuade judges and juries on behalf of persons usually very unlike them, continues to be, for me, an engaging exercise.

What advice would you give to a young lawyer seeking to go to the Bar?

Choose a good tutor, find friends among your colleagues and then back yourself. I was fortunate in that, while I had few connections at the bar, someone suggested I approach Ian, now Judge, McClintock SC. Apart from being a very good barrister, he was generous with his time and gave me a sense of what it means to be a barrister. Find chambers where you are likely to have the opportunity to work with barristers, particularly more senior barristers, that you can learn from. Again, I have been very fortunate in this regard. Friendships in chambers have, for me, been very important. The bar is often stressful and to have genuine friends that you know understand your situation, and you in turn understand theirs, goes a long way to ameliorating that stress.



Sydney Law School

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