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CRIMINAL LAW CAREERS GUIDE 2010

Employment options for a career in Criminal Law

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 and Practical Legal Training students 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 young 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.

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Emma Bayley

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Organisations not featured in this Guide:

This Guide focuses on employment opportunities in the Sydney metropolitan area. Some organisations which were unable to be featured in the Guide, but may be featured in future editions, include the NSW Office of the Director of Public Prosecutions, the Australian Law Reform Commission, the NSW Sentencing Council, the NSW Criminal Law Review Division, the Police Integrity Commission and various private and regional firms.

Disclaimer: The Criminal Law Careers Guide is intended to provide general information of an introductory nature. While every effort has been made to ensure accuracy of the contents (including contact details and links) at the time of writing (February 2010) it is not intended and should not be relied upon as a substitute for professional legal or other advice. Any queries should be directed to the individual organisations concerned.

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CRIMINAL LAW

CAREERS GUIDE 2010

Employment options for a career in Criminal Law

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FOREWORD

I commend this careers' guide to those who have the energy, stamina, ideals and intellect to embark on a career in criminal law.

There was nothing like this careers' guide when I was first looking for a job in the law. In those days, it was very much an 'Old Boys' Network'. And I mean 'Old Boys'. For many jobs, women did not need to apply. And, anyway, there were few of them. In my first year class at the Sydney University Law School in 1958, only about seven of the 100 students were women. But, then again, one of them was Bronwyn Bishop!

Back in 1958, criminal law was generally regarded as being at the very bottom of the food chain. For some lawyers, it still is. Part of the explanation offered was: 'crime doesn't pay'. That has changed somewhat with the expansion of public legal aid and with the legal requirements established by the High Court's decision in *Dietrich v The Queen* (1992) 177 CLR 292.

Criminal law and practice is one of the central pillars of our legal system. It is where we define some of the most important relationships between the State and the individual. It is where one can see many practical issues of human rights played out. It is also highly technical, demanding the very best of legal talent. Of course, it can be stressful. But also gloriously satisfying. Playing a part in the criminal justice system and upholding its accusatorial character, is a most worthy vocation for an Australian lawyer. It is where the rule of law really matters. So I commend this careers' guide to those who have the energy, stamina, ideals and intellect to embark on a career in criminal law.



The Hon. Michael Kirby AC CMG

Justice of the High Court of Australia 1996-2009.

private

PRIVATE SECTOR EMPLOYMENT OPPORTUNITIES

NYMAN GIBSON STEWART

notguilty.com.au

“ One of the major highlights of private criminal work is the variety. One day you can be doing a plea or a hearing in a Local Court, the next day instructing Senior Counsel in the NSW Court of Criminal Appeal.

As a young solicitor, the firm places great emphasis on knowledge sharing and mentoring. The collective experience of the senior solicitors is incredibly broad and their desire to share and tutor the junior practitioners is, in my opinion, what makes Nyman Gibson Stewart one of the leaders in the field.

Robert Hoyles

Solicitor, Darlinghurst office



Nyman Gibson Stewart is one of Sydney's largest criminal firms practising exclusively in criminal law. The firm operates from a central office in Darlinghurst, Sydney, and a recently opened office in Parramatta.

Nyman Gibson Stewart is known for excellence and expertise in criminal law, attracting some of the most serious and high profile criminal law cases, including murder and serious assaults. The firm is also well recognised for leadership in the field of traffic law.

Nyman Gibson Stewart has accredited criminal law specialists appearing daily in Local Courts, the District Court and Supreme Court on matters such as defended hearings, jury trials, appeals, bail applications and sentencing matters.

Staff:

11 solicitors and 8 support staff.

Employment:

Solicitor and support staff are advertised online and via the Sydney Morning Herald.

The firm welcomes resumes from PLT students who are passionate about criminal law, subject to positions being available.

Contact:

Philip Stewart, Partner

Phoner: 9264 8884

Email: ps@notguilty.com.au

www.notguilty.com.au

ARMSTRONG LEGAL

armstronglegal.com.au

Armstrong Legal (“Armstrong”) is a boutique law firm with a criminal law team which practices almost exclusively in criminal law and offers experience in all facets of criminal law second to none. Lawyers are in Court on a daily basis and each lawyer undertakes matters involving all aspects of criminal law. There is no pigeon-holing into one area of law (such as Local Court, committals or sentence matters).

Armstrong has a strong commitment to fostering a cohesive and supportive culture. The firm has a team of highly skilled senior lawyers with substantial credentials (this includes an accredited specialist in criminal law, a former barrister, a former university lecturer and active academic, two solicitors who present MCLE seminars to the legal profession, a solicitor with a masters degree from Cambridge University and a former war crimes tribunal solicitor). There is an open door policy ensuring that all staff regularly consult each other. This is particularly advantageous to more junior solicitors who have instant access to a wealth of knowledge and experience.

Armstrong is committed to the maintenance of the highest standards of professional and ethical conduct in the finest tradition of the legal profession.

Staff:

8 solicitors and 2 paralegals in the criminal law team.

Employment:

Junior/graduate lawyer vacancies arise from time to time as Armstrong continues to grow. The firm is always interested to hear from high quality candidates. Even if a position is not available at the time, the firm will retain the details of suitable candidates.

Armstrong is also open to providing students and recent graduates with voluntary work placements in order to provide them with a taste of a life in criminal law and a sometimes much needed foot in the door of the profession.

Contact:

Sydney CBD office

Phone: 02 9261 4555

Email: info@armstronglegal.com.au

www.armstronglegal.com.au

“ Working for Armstrong has been (and continues to be) a career highlight. It has provided me an opportunity to exponentially increase my skills, knowledge and experience in criminal law. Additionally, the firm has a relaxed, friendly and collegiate atmosphere which makes it a pleasure to come to work each morning. Last, but not least, the firm’s commitment to its core values of ethics and the uncompromising pursuit of the best interests of our clients means that I can feel not only fortunate, but also proud to be an member of the Armstrong team.

Michal Mantaj

Solicitor, Armstrong Legal,
Sydney CBD office



THE MARSDENS LAW GROUP

marsdens.net.au

“ Marsdens has given me the opportunity to do something I love on a full time basis.

The variety of work means that there is always something new to learn and do. From minor traffic law matters to murder, there are opportunities to gain a lot of experience in different aspects of the criminal law, and in jurisdictions ranging from the Local Court through to the Supreme Court (and sometimes seeking advice on High Court matters too!).

And it's not all about the court room. Working with Marsdens allows you to do a lot for your local community: be it judging school students in mock trial or running a session on drink driving with the local PCYC.

Angela Warton

Solicitor, Campbelltown office



The Marsdens Law Group (“Marsdens”) has four offices located throughout the Sydney metropolitan area. The firm provides services in a wide range of areas including criminal law.

The firm believes in delivering both service and value for money.

Marsdens’ team of criminal lawyers draws on a wide range of experience over many years including former police officers, police prosecutors and investigators.

The firm provides summer clerkships during the November to February university break for students who are studying law. The firm also employs students studying law part time as paralegals.

Marsdens believes in giving every staff member the opportunity to develop their skills and strongly recommends promotion from within.

Staff:

34 solicitors, 5 clerks, 2 paralegals and 12 partners.

Employment:

Solicitor and paralegal positions are advertised on the firm’s website, in the local papers and online. Applications for the summer clerkship program should be made to the Human Resources Manager.

Contact:

Kate Bryan, Human Resources Manager

Phone: 4626 5077

Email: kbryan@marsdens.net.au

www.marsdens.net.au

THE LAW SOCIETY OF NEW SOUTH WALES
youngLAWYERS

public

PUBLIC SECTOR EMPLOYMENT OPPORTUNITIES

This Guide was created by members of the
NSW Young Lawyers Criminal Law Committee

THE SUPREME COURT

lawlink.nsw.gov.au/sc

“ Working as a Tipstaff to a Judge of the Supreme Court is a unique opportunity to gain insight into the world of the judiciary and the courts at an early stage in your career. It is a chance to work closely with erudite legal minds, engage in dialogue with other judges in chambers and enjoy the collegiality of working alongside the other Tipstaves at the Court. In trial chambers, on an almost daily basis you observe advocates conducting criminal matters at the highest level and by osmosis you absorb the beginnings of courtroom craft and etiquette.

Over 15 months I sat in a range of criminal proceedings including bails, arraignment, fitness inquiries, a special hearing, sentences and appeals but of course the highlight was the fascinating and unpredictable creature that is the jury trial.

Felicity Graham

Former Tipstaff to Justice Barr



The Supreme Court currently comprises the Chief Justice, President, two Chief Judges, 43 Judges and four Associate Judges. Judges sitting in the Common Law Division preside over criminal trials for the most serious offences including murder, manslaughter, major conspiracy, drug charges and corporate crime. The Supreme Court can also hear bail applications. Judges sitting in the Court of Criminal Appeal hear appeals and applications for leave to appeal. Each Judge employs a tipstaff and the Court also employs several researchers. Tipstaves and researchers conduct often complex legal research on behalf of judges. Tipstaves may accompany their judges to circuit locations in regional NSW.

Staff:

48 Tipstaves and 8 researchers.

Employment:

Most positions are not advertised. Tipstaves and researchers are expected to possess a strong academic record in law, highly developed legal research skills, highly developed communication and interpersonal skills and the ability to professionally display tact, confidentiality and confidence in their interactions with court users, practitioners, the judiciary and other court staff. To find out whether there are any researcher positions available, telephone the Judicial Staff Coordinator then submit a cover letter, your Curriculum Vitae and academic results. To find out whether a Judge has a Tipstaff position available for the following year, telephone the Associate, then submit your written application (preferably no later than 30 March) directly to the Judge.

Contact:

Judicial Staff Coordinator

Phone: 02 9230 8111

Email: supreme_court@courts.nsw.gov.au

Contact details for Associates are available on the Court's website. www.lawlink.nsw.gov.au/sc

THE ABORIGINAL LEGAL SERVICE (NSW/ACT)

alsnswact.org.au

The Aboriginal Legal Service (NSW/ACT) ("ALS") provides largely criminal law representation to indigenous Australians in NSW and the ACT. The ALS is located in Redfern, Parramatta and Canberra and also has 18 offices in regional NSW. Solicitors from the ALS staff a 24 hour telephone service providing support and advice to Aboriginal people detained in police custody.

The ALS is committed to providing a quality legal service that is appropriate to Aboriginal communities. The ALS is proudly Aboriginal, community focused, fearless in advocacy, accountable and ethical and makes a difference to create better futures.

The ALS Volunteer Program allows law students to gain an understanding of how the NSW criminal justice system applies to indigenous persons. The role of volunteer includes the preparation of briefs, court attendance, letter writing, the creation and serving of documents and research of case law, sentencing patterns, legislation and legislative amendments. Volunteers are encouraged to apply for employment as solicitors when positions become available.

Staff:

75 solicitors in NSW.

Employment:

Solicitor and clerk positions are advertised on the ALS website. Application forms for the ALS Volunteer Program are available on the ALS website.

Contact:

Vikki Lennon, Executive Assistant

Phone: 8842 8000

Email: vikki.lennon@alsnswact.org.au

www.alsnswact.org.au

“ Working at the ALS is the experience of a lifetime.

The learning curve is steep but rewarding. The clients come from all walks of life and your work colleagues are generous with their time and experience.

Working for an organisation committed to its cause inspires passionate advocates and it's evident throughout the workplace. If you are a lawyer with heart, this is the place to call home.

Ruth Chalmers

Solicitor, ALS, Redfern office



THE DISTRICT COURT

lawlink.nsw.gov.au/dc

“As everyone who has ever held the impressive title of ‘Associate to His or Her Honour ...’ will confess, it is difficult to explain what is actually involved. Each Judge works differently and the tasks of their Associate will naturally differ. However, as a guide, a District Court Associate’s tasks can be divided into three areas: ceremonial, research and administrative.

The ceremonial duties include the legendary line, “How say you, guilty or not guilty?”, empanelling the jury and wearing a black robe. The research aspect of the position requires listening to legal submissions, recording exhibits, typing up relevant orders as they are uttered at a mile a second and eventually perfecting the ability to log onto LexisNexis, find a case with the incorrect citation (provided by Counsel), print and run back to the learned Judge in a matter of 30 seconds. The administrative duties include liaising with counsel and other legal representatives to deal with part-heard matters, revising judgments and reminding the judge of important court dates and social events.

Faraz Maghami

Former Associate to
His Honour Judge Marien SC



The District Court sits at Sydney and 32 other locations in NSW. There is one Chief Judge and 66 Judges. In its criminal jurisdiction, the Court may deal with all criminal offences except murder, treason and piracy.

Each Judge employs an Associate. An Associate’s position is considered an ideal stepping-stone for an aspiring barrister, as the role includes a ‘behind-the-scenes’ take of the justice system, mentoring opportunities and networking opportunities.

Staff:

67 Associates.

Employment:

Most positions are not advertised. There are no strict prerequisites, however, the majority of Associates have a law degree and accept a one to two year term. To find out whether the Judge you would like to work for has a position as Associate available in the following year, telephone the current Associate then submit a written application.

Contact:

Contact details for Associates are available on the Court’s website.
www.lawlink.nsw.gov.au/dc

THE JUDICIAL COMMISSION OF NSW

judcom.nsw.gov.au

The Judicial Commission of NSW (“the Commission”) is an independent statutory corporation established by the Judicial Officers Act 1986.

The Commission helps to improve the quality of judicial decision-making and maintain public confidence in the judiciary by: providing education and training programs for judicial officers, assisting courts to achieve consistency in approach to sentencing and examining complaints against judicial officers.

The Commission has become recognised as an international leader in these areas. It has also developed sophisticated online judicial support systems, such as the Judicial Information Research System (JIRS).

Staff:

10 lawyers and 2 legal trainees.

Employment:

The Commission recruits graduate trainees through universities when a vacancy exists. Other legal positions are advertised in the media and generally follow the NSW public service recruitment procedure.

From time to time, work experience opportunities arise and persons interested should express their interest to the Commission.

Contact:

Email: recruitment@judcom.nsw.gov.au
www.judcom.nsw.gov.au

“ Working at the Judicial Commission has helped me to develop a much better understanding of sentencing law, criminal law and the law of evidence. It is a very good job for anyone considering becoming a criminal law practitioner.

During the eight months that I have spent here, my duties have included writing brief items on recently enacted legislation and criminal cases that have come before the NSW Court of Criminal Appeal and the High Court, writing a 7000 word paper on the principles applicable to sentencing offenders convicted of a crime on the basis of their participation in a joint enterprise and drafting material for the Sentencing Bench Book and Criminal Trials Court Bench Books.

The work is intellectually stimulating and would interest anyone who wishes to engage with the criminal law.

Andrew Dyer

Judicial Commission



CROWN SOLICITOR'S OFFICE

CSO.nsw.gov.au

“ The work that the Criminal Law Practice Group does is extremely varied. One day I might appear in a suburban Local Court prosecution for failure to pay a road toll and the next day I might instruct at the Supreme Court for a high profile serious sex offender continuing detention application.

The regulatory prosecutions we do involve anything from possession of oversized fish, unsafe child care centres, possession of explosives, breach of non-publication orders and falsely holding out as a medical practitioner. Sometimes the Crown Solicitor is instructed to defend criminal charges, for example, police officers or teachers facing private assault charges. That variety means that the work is always challenging.

Emma Bayley

Solicitor, Crown Solicitor's Office



The New South Wales Crown Solicitor provides legal services to the State Government of New South Wales. The Crown Solicitor's Office ("CSO") is divided into 12 legal practice groups, including one specialising in criminal law. The Criminal Law Practice Group advises and represents government agencies in a variety of jurisdictions. The matters handled by the Group include both advice and litigation in the following areas:

- summary prosecutions of regulatory offences;
- further detention and supervision of serious sex offenders;
- prosecuting and defending applications for apprehended violence orders;
- criminal procedure, including sentencing administration, sentencing guideline judgments and parole;
- contempt of court including media contempt and non-compliance with court orders;
- Crown representation of police and public sector employees in criminal matters.

The work is challenging, interesting and often high profile, with important social, economic and political implications for the community. Solicitors in the new Inquiries Practice Group also address criminal law issues in coronial inquests involving suspected homicide.

Staff:

14 solicitors, 1 solicitor advocate and 3 paralegals.

Employment:

Career opportunities exist at the CSO for talented solicitors and paralegals. With the opportunity to rotate among the Practice Groups, CSO solicitors gain highly regarded experience across a broad spectrum of legal services. Career opportunities are advertised on the internet at www.mycareer.com.au, www.careerone.com.au and www.seek.com.au.

Contact:

Business Services: Phone: 02 9224 5084

Email: csorecruit@agd.nsw.gov.au

www.cso.nsw.gov.au

NSW LAW REFORM COMMISSION

lawlink.nsw.gov.au/lrc

The NSW Law Reform Commission (“LRC”) is an independent, statutory, professional body focused on research, consultation and production of authoritative publications. The LRC reviews the laws of New South Wales with a view to:

- eliminating defects;
- repealing obsolete or unnecessary laws;
- consolidating or revising the law;
- adopting new or more effective methods for the administration of the law; and
- systematically developing and reforming the law.

The LRC’s full and part-time Commissioners are experts with wide experience in many areas of law and other disciplines, who determine the scope and direction of the LRC’s projects. The LRC issues publications outlining existing laws, discussing issues and options for reform and seeking comments on proposals for change.

The LRC receives most of its work by referral from the NSW Attorney General, although a small proportion originates from proposals for reform from the public.

Currently the LRC is working on 9 projects – see the LRC website for details about the references. The topics referred are wide and varied – from references looking at Penalty Notice Offences and Family Violence to a comprehensive review of Privacy and Freedom of Information.

Staff:

7 legal officers and 2 graduate placements.

Employment:

The LRC welcomes interns. Placements are offered twice a year, during the winter and summer university breaks. Intake dates are notified on the LRC website, usually in November and May each year.

Contact:

Email: nsw_lrc@agd.nsw.gov.au
www.lawlink.nsw.gov.au/lrc

“ Working at the NSW Law Reform Commission gives you the opportunity to not only analyse the law, but to take it a step further and actually be innovative with the law. You are given the chance to make a real difference by consulting directly with those who are affected by current NSW law and identifying relevant areas for reform.

The NSW Law Reform Commission gives a voice to the people of NSW to shape and construct what the law should be – and it’s fulfilling to come to work in the morning knowing that is what you are going to achieve today.

Abi Paramaguru
Legal Officer, NSW Law Reform Commission



NSW POLICE PROSECUTORS

police.nsw.gov.au

“ Police prosecuting offers a satisfying and challenging career. Police prosecutors are thoroughly professional and we're intensely proud of what we do.

It's a career I'd recommend to anyone wanting to apply their intellect to a noble cause - especially those that would enjoy a career in advocacy in the court room.

Senior Sergeant Ashley Holmes
Solicitor, Prosecutions Command



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

Under a new initiative, the Accelerated Prosecutors Recruitment Program (APRP), the NSW Police Force is now recruiting law graduates and fast tracking them into prosecuting. This new program involves completing an Associate Degree in Policing Practice as well as some time performing and gaining an insight into general policing duties.

Staff:

NSW Police Prosecutors are located in over 150 locations in NSW.

Employment:

The new fast tracked career path for prosecutors with law degrees consists of four stages.

First, a 14 week Constable Education Program on the fundamentals of policing, including law and police procedure. Second, a 14 week residential component at the Police College, Goulburn, on the practical aspects of policing and an 80 hour police field placement. Third, a 12 month probation period performing general duties at a police station and spending one week in every month with the Police Prosecutors, receiving theoretical instruction and practical experience in criminal law and procedure, evidence and advocacy. Fourth, transfer to the Police Prosecutions Command to continue prosecutor education and prosecute on a full time basis.

Contact:

NSW Police Force Recruitment Officer
Phone: 1800 222 122
Email: recruiting@police.nsw.gov.au
www.police.nsw.gov.au

THE OFFICE OF THE COMMONWEALTH DIRECTOR OF PUBLIC PROSECUTIONS

cdpp.gov.au

The Office of the Commonwealth Director of Public Prosecutions ("CDPP") is an independent prosecuting service which prosecutes alleged offences against Commonwealth law. The CDPP has an office in Sydney and nine offices interstate. The majority of cases prosecuted by the CDPP involve fraud on the Commonwealth, including tax fraud, medifraud and social security fraud. Other cases prosecuted by the CDPP include drug importation, money laundering, offences against the corporations legislation, people smuggling, people trafficking (including sexual servitude and sexual slavery), terrorism and a range of regulatory offences. The CDPP also conducts litigation to freeze and confiscate assets obtained through criminal activity.

The CDPP considers matters that are referred by 40 agencies or departments that have an investigative or regulatory function, including the Australian Federal Police, the Australian Crime Commission, CentreLink, the Australian Customs Service and the Australian Taxation Office.

Staff:

Approximately 600 staff in Australia.

Employment:

The CDPP is committed to recruiting and retaining staff of the highest calibre. Solicitor and paralegal positions are advertised on the CDPP website, in the Australian newspapers and on www.seek.com.au.

Contact:

Personnel Office
Phone: 9321 1100
Email: syd.recruit@cdpp.gov.au
www.cdpp.gov.au

“ I joined the CDPP after 18 months as a graduate Solicitor in a Commercial law firm and find the work challenging, varied and genuinely interesting. The CDPP is a well-resourced, professional and supportive environment and offers good training, particularly in advocacy. Soon after starting you conduct your own summary hearings, sentences and appearance work. Over time you conduct your own District Court sentences, appeals and instruct Counsel in trial matters. Some of the court work requires you to travel to regional NSW, which is a fantastic experience.

The prosecution work of the CDPP is varied, from white collar crime to drug importations and sexual servitude. In many of these areas, such as online child exploitation, the law is still developing which makes its practice dynamic and exciting. If you are passionate about criminal law and justice and want quality work, I highly recommend the CDPP.

Sarah Talbert
A/g Senior Legal Officer



THE OFFICE OF THE LEGAL AID COMMISSION

legalaid.nsw.gov.au

“ I can recall my first encounter with a client in custody and the humbling effect that had on me. I used to pride myself upon having an understanding of society and the social contexts in which people commit crime. However, it is only upon removing all the blinkers and relating to people at an individual level, that I am beginning to understand the reality of many people's lives.

I have found my role as a Graduate Solicitor at the Legal Aid Commission to be very rewarding, and I look forward to the endless opportunities to grow on both a professional and personal level.

Rouada El-Ayoubi

Solicitor, Legal Aid, Haymarket office



The Office of the Legal Aid Commission (“Legal Aid”) provides a variety of legal services for the people of NSW and is statutorily independent of Government. The Legal Aid head office is located at Haymarket, Sydney, and there are 21 metropolitan and regional offices.

The goal of Legal Aid is to assist socially and economically disadvantaged people to understand and protect their rights. One of the three main practice areas for Legal Aid solicitors is criminal law.

Legal Aid provides advice in person, telephone based advice and representation. Legal Aid solicitors are also involved in legal reform and policy.

Legal Aid employs four newly admitted solicitors each year to join a 2-year rotational Career Development Program for New Solicitors (“CDP”) in the Criminal, Family and Civil divisions.

Staff:

228 solicitors.

Employment:

Solicitor positions are advertised on the Legal Aid website and on www.jobs.nsw.gov.au.

Applications for the CDP program usually open in August each year, with employment to commence in February the following year. CDP application forms are available on the Legal Aid website from July each year.

Contact:

Anita Fredkin, Human Resources

Phone: 9219 5954

Email: anita.fredkin@legalaid.nsw.gov.au

www.legalaid.nsw.gov.au

THE LAW SOCIETY OF NEW SOUTH WALES
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