

Expert Legal Support

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Legal advisors (LEGADs) have several important roles regardless of the command to which they are assigned. They are subject matter experts (SMEs), advocates, and counsellors. As an SME, NATO doctrine requires the LEGAD to evaluate the legality of a proposed course of action or the means and methods of how an objective may be accomplished. As an advocate, with regard to legal issues, the LEGAD acts as a spokesperson for the command, presenting information that supports the command position in a zealous but honest and fair manner. In the role of a counsellor, the LEGAD acts as a trusted advisor to commanders and soldiers. In addition to providing legal advice, the LEGAD provides an independent perspective on issues of concern to the commander and importance to the mission of the command.

The Joint Warfare Centre (JWC) Office of Legal Advisor is responsible for providing routine on-site legal advice to the JWC Command Group and its personnel. As the legal SME, LEGADs also perform the role of legal observer/trainer within the JWC's Advisory Team, participating in exercise control (EXCON) and advisor training for all exercises in which JWC is assigned the role of Officer Directing the Exercise (ODE). In this capacity, JWC LEGADs mainly incorporate the principles of operational law (law of armed conflict, NATO/national rules of engagement, targeting, information operations) and national security law (terrorism, maritime interdiction, asylum, and intelligence collection).

During exercises, to stimulate training, JWC LEGADs may replicate LEGADs in higher (HICON), lower (LOCON) or parallel (SIDECON) echelons of command in response to the training audience, but they may also support the representation of non-military actors (IOs, NGOs, governments) replicated by the Grey Cell. Therefore, there is a high level of interaction between the training audiences' LEGADs and the JWC LEGADs during training and exercises.

The JWC Legal Office adheres to the same principles emphasized during interactions with its training audiences' counterparts:

1. Develop strong relationships with all staff elements: LEGADs need to be accessible to all of them and must be proactive team players;
2. Trust in the relationship between commanders and their LEGADs is crucial;
3. Speak truth to power: LEGADs must clearly articulate an objective application of the law, and have the strength to articulate concerns regarding the legality or prudence of proposed actions;
4. LEGADs need to provide clear and concise recommendations and must be "problem solvers", bearing in mind that lawyers make recommendations and commanders make decisions. ✦

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BELOW

The authors,
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