



Australian Government

Department of Education, Employment and Workplace Relations

BSBRES502A Research legal information using secondary sources

Revision Number: 1

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Modification History

Not applicable.

Unit Descriptor

Unit descriptor	<p>This unit describes the performance outcomes, skills and knowledge required to undertake legal research using secondary sources and under supervision. This includes identifying research requirements and sources of information, applying information to a set of facts, evaluating the quality of the information, and preparing and producing reports.</p> <p>A range of legislation, rules, regulations and codes of practice may apply to this unit at the time of endorsement, depending on job roles and jurisdictions.</p>
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Application of the Unit

Application of the unit	<p>This unit applies to individuals who apply a well established, sound theoretical knowledge base in performing a range of research tasks and preparing a range of reports in a legal context. Its application in the workplace will be determined by the job role of the individual and the legislation, rules, regulations and codes of practice relevant to different jurisdictions.</p>
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Identify specific legal data and information requirements	1.1. Liaise with <i>designated person</i> to clarify specific legal data and information needs 1.2. Prepare research plan and prioritise activities 1.3. Identify <i>resources and technical requirements</i> 1.4. Assign timelines to tasks and delegate tasks where appropriate
2. Undertake research	2.1. Identify <i>sources of legal data and information</i> 2.2. Research and identify key information to be extracted
3. Review research	3.1. Check information to ensure that extracted details are acknowledged and recorded for copyright and other legal requirements 3.2. Analyse legal data and information for relevance to facts 3.3. Edit and collate legal data and information to fit research and relevant legal and ethical requirements
4. Prepare drafts	4.1. Draft document in appropriate format taking into account precedent documents and using <i>appropriate language</i> 4.2. Present legal data and information according to <i>organisation's policies and procedures</i> and legal requirements 4.3. Evaluate draft against previously identified criteria and take action to address identified gaps or deficits 4.4. Liaise with supervisor to review document 4.5. Make amendments where necessary
5. Prepare final draft	5.1. Identify key points and prepare executive summary, where appropriate 5.2. Prepare <i>appendices</i> , bibliography and table of contents as required 5.3. Check final draft and present it to supervisor for review and sign-off 5.4. Make arrangements to disseminate <i>report</i> as required

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- communication skills to:
 - provide clear instructions to others
 - clarify, explore and build on ideas in discussions
 - question others
- literacy skills to:
 - read and critically evaluate intricate legal documents
 - use legal vocabulary and grammatical structures to achieve precise meaning
 - draft, edit and proofread reports
- numeracy skills to:
 - collate documents
 - accurately record documents
 - analyse and present statistical data
- analytical skills to evaluate legal data and information

Required knowledge

- scope of own role and responsibilities and obligations to refer to supervisor matters in relation to legal advice, completion or sign-off on legal work as described by relevant jurisdictions
- organisation's policies and procedures relating to accessing and using legal information
- accepted codes of conduct, including those relating to:
 - privacy and confidentiality
 - use of company property
 - duty of care
 - ethical behaviour
 - non-discriminatory practice
 - conflict of interest
 - compliance with reasonable direction
- format for presenting written and oral reports and appendices
- legal terminology
- sources of legal data and information
- relevant court processes, current legislation, legal processes and required documentation

Evidence Guide

EVIDENCE GUIDE

The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.

Overview of assessment

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Evidence of the ability to:

- conduct effective research using secondary sources according to identified information requirements and organisation's policy, procedures and legislative requirements
- draft documents in appropriate formats and language, according to the requirements of the request and within agreed timelines
- regularly and effectively communicate with designated person and relevant others regarding all activities, actions and outcomes
- apply knowledge of relevant court processes, current legislation, legal processes and required documentation.

Context of and specific resources for assessment

Assessment must ensure access to:

- an actual workplace or simulated environment
- appropriate legislation and regulations relevant to common legal matters
- workplace manuals and reference materials, such as company policies, procedural manuals, checklists, documentation and sample forms
- background information on courts, their jurisdiction and behavioural requirements
- appropriate technology, such as computers with relevant software
- appropriate texts and people with expert knowledge, such as legal practitioners
- secondary research sources for legal matters.

Method of assessment

A range of assessment methods should be used to assess practical skills and knowledge. The following examples are appropriate for this unit:

- analysis of responses to case studies and scenarios
- assessment of examples of research reports that have used secondary sources
- direct questioning combined with review of portfolios of evidence and third-party workplace reports of on-the-job performance by the candidate
- observation of role plays

EVIDENCE GUIDE	
	<ul style="list-style-type: none">• review of research proposal or brief and plan• evaluation of timelines assigned to tasks• review of draft document• review of executive summary• oral or written questioning to assess knowledge of sources of legal data and information.
Guidance information for assessment	Holistic assessment with other units relevant to the industry sector, workplace and job role is recommended.

Range Statement

RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

<i>Designated person</i> may include:	<ul style="list-style-type: none"> • barrister • external client • government official • qualified legal practitioner • supervisor.
<i>Resources and technical requirements</i> may include access to:	<ul style="list-style-type: none"> • computers • experts • legal precedent bank • legislation • office equipment and supplies • online legal information services • rooms • staff.
<i>Sources of legal data and information</i> may include:	<ul style="list-style-type: none"> • court library • government publisher • internet • online information services, including case law • organisation's library • precedent bank • specialist texts.
<i>Appropriate language</i> may include:	<ul style="list-style-type: none"> • academic language • legal language • plain language • technical language.
<i>Organisation's policies and procedures</i> may include:	<ul style="list-style-type: none"> • information sources • recording information • report format • security, confidentiality and privacy procedures • time-recording procedures • verifying and authorising information.
<i>Appendices</i> may include:	<ul style="list-style-type: none"> • certificates stamped as true and correct • photos stamped as true and correct.

RANGE STATEMENT	
Report may include:	<ul style="list-style-type: none"> • financial report • marketing report • report discussing change in legislation and/or new legislation • report for journal or presentation at a conference or seminar • report of work undertaken • report on relevant case law and/or legislation applicable to legal problem.

Unit Sector(s)

Unit sector	
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Competency field

Competency field	Knowledge management - research
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Co-requisite units

Co-requisite units		