



**Australian Government**

# **Assessment Requirements for DEFDPL012 Work in a public service legal environment**

**Release: 1**

# Assessment Requirements for DEFDPL012 Work in a public service legal environment

## Modification History

Release 1. This is the first release of this unit of competency in the DEF Defence Training Package.

## Performance Evidence

Evidence required to demonstrate competence in this unit must be relevant to and satisfy all of the requirements of the elements and performance criteria on at least one occasion and include:

- analysing information to determine status and reliability
- assisting instructing legal officer to prepare for trial and service discipline proceedings
- communicating effectively and logically on legal matters
- effectively following written and oral instructions in the preparation of briefs
- planning and preparing for the provision of support in criminal law matters
- preparing and processing documents involved in criminal law matters
- preparing legal documents in accordance with identified processes
- preparing summaries of cases in accordance with identified processes undertaking trial/tribunal and post trial/tribunal administration
- undertaking research to support instructing legal officer.

## Knowledge Evidence

Evidence required to demonstrate competence in this unit must be relevant to and satisfy all of the requirements of the elements and performance criteria and include knowledge of:

- criminal law matters and service discipline proceedings
- Defence Force Discipline Act (DFDA) and related legislation
- relationship between trials and tribunals and their impacts
- relevant legal practices and procedures
- relevant legal process, documents and exhibits, legislation and sections, and stages involved in the legal process
- relevant legal terminology and its use in accordance with organisation procedures
- relevant legislation and policies, which must include one or more of the following:
  - Defence Security Manual (DSM)
  - Privacy Act
  - Archives Act
  - Defence Records Management Policy Manual (POLMAN)
  - work health safety (WHS) legislation

- Public Governance and Accountability (PGPA) legislation
- the Australian Public Service values and code of conduct
- the summary hearing/court/tribunal process
- trials and service discipline proceedings.

## Assessment Conditions

As a minimum, assessors must satisfy applicable regulatory requirements, which include requirements in the Standards for Registered Training Organisations, current at the time of assessment.

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Assessment must occur in workplace operational situations where it is appropriate to do so; where this is not appropriate, assessment must occur in simulated workplace operational situations that replicate workplace conditions.

Assessment processes and techniques must be appropriate to the language, literacy and numeracy requirements of the work being performed and the needs of the candidate.

Resources for assessment must include access to:

- a range of relevant exercises, case studies and/or other simulations
- relevant and appropriate materials, tools, equipment and personal protective equipment (PPE) currently used in industry
- applicable documentation, including workplace procedures, regulations, codes of practice and operation manuals
- acceptable means of simulated assessment.

## Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6bdbab1e-11ed-4bc9-9cba-9e1a55d4e4a9>