



Australian Government

Department of Education, Employment and Workplace Relations

PUADEF124A Conduct a unit level investigation and prefer charges

Revision Number: 1

PUADEFM124A Conduct a unit level investigation and prefer charges

Modification History

Not applicable.

Unit Descriptor

Unit Descriptor

This unit covers the competency required to perform the duty of an investigating officer and to prefer charges in accordance with the Defence Force Discipline Act (DFDA).

Application of the Unit

Application of the Unit

This unit only applies to members of the Australian Defence Force.

The unit is relevant for investigating officers who operate within and prefer charges in accordance with the DFDA.

This unit does not result in a Defence Investigative Authority (DIA) - Investigator qualification.

If doubt exists concerning the authority or complexity to investigate a service offence then the DIA is to be contacted for advice. The DIA may deem it appropriate to conduct the investigation or may refer back to the commanding officer to deal with the matter.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

Employability Skills	This unit contains employability skills.
Pre-requisite Unit/s	Nil

Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency.

Performance Criteria describe the required performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the Required Skills and Knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

1. Prepare for the investigation

- 1.1 Tasking as investigating officer is received and acknowledged in accordance with organisational policies
- 1.2 ***Independence*** is confirmed and acknowledged in accordance with organisational policies
- 1.3 ***Investigation plan*** is developed

2. Collect and analyse information relevant to the investigation

- 2.1 Information sought is relevant to the Defence issue and is collected in accordance with ***organisational policies and procedures***
- 2.2 Evidence collected and recorded is complete and accurate in accordance with organisational policies and procedures
- 2.3 Decision to ***search*** is made and conducted within lawful authority and in accordance with organisational policies and procedures

ELEMENT**PERFORMANCE CRITERIA****3. Conduct the interview**

- 3.1 *Statements and interviews* relevant to the matter being investigated are sought
- 3.2 *Comprehensive statements* are taken and contain all details relevant to the investigation in accordance with organisational policies and procedures
- 3.3 Interviewees are afforded their *legal rights* and treated fairly and equitably
- 3.4 *Interviews* are conducted in accordance with organisational policies and procedures
- 3.5 Documentation is prepared and submitted as required by organisational policies and procedures

4. Prefer charges

- 4.1 Evidence is assessed against the proofs of the charge and a prima facie case is established
- 4.2 Charge is preferred in accordance with organisational policies and procedures
- 4.3 Charge sheet is produced

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This describes the essential skills and knowledge and their level, required for this unit.

Required Skills

- communicate effectively in writing
- communicate effectively orally (question, conduct briefings, respond to questioning, listen, reflect)
- display empathy and build rapport with colleagues and stakeholders
- interpret policies and instructions
- make decisions
- show sound judgement
- undertake research

Required Knowledge

- charging under the DFDA
- discipline law and administrative law policy documents
- discipline officer scheme
- interview techniques
- relevant policies and procedures
- relevant legislation

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, the Range Statement and the Assessment Guidelines for this Training Package.

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

Assessment must confirm the ability to:

- provide advice that is relevant and appropriate to the circumstances.

Consistency in performance

Competency should be demonstrated in a range of situations that could be expected in the workplace.

EVIDENCE GUIDE

Context of and specific resources for assessment

Context of assessment

Competency should be assessed in the workplace or in a simulated workplace environment.

Specific resources for assessment

There are no specific resource requirements for this unit.

Method of assessment

In a public safety environment assessment is usually conducted via direct observation in a training environment or in the workplace via subject matter supervision and/or mentoring, which is typically recorded in a competency workbook.

Assessment is completed using appropriately qualified assessors who select the most appropriate method of assessment.

Assessment may occur in an operational environment or in an industry-approved simulated work environment.

Forms of assessment that are typically used include:

- direct observation
- interviewing the candidate
- journals and workplace documentation
- third party reports from supervisors
- written or oral questions.

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 in the Performance Criteria is detailed below.

Independence may include	<ul style="list-style-type: none"> Confirming lack of bias or declaring bias Confirming lack of conflict of interest or declaring conflict of interest
Investigation plan includes	<ul style="list-style-type: none"> Identifying avenues of inquiry Identifying conduct or allegation Identifying the framework (applicable law and policies) Investigation powers and limitations
Organisational policies and procedures may include	<ul style="list-style-type: none"> Defence Law Manual Provisions of the Defence Act and the DFDA Regulations, orders and instructions made under the Defence Act and DFDA Standing Operating Procedures Standing Orders
Search may include	<ul style="list-style-type: none"> Buildings Personal effects Persons Vehicles Vessels
Statements and interviews may include	<ul style="list-style-type: none"> Audio tape recorders Hand-written and electronically based proforma and reporting styles
Comprehensive statements include	<ul style="list-style-type: none"> All relevant information All details which may assist the investigation Written format that complies with legal requirements for statements
Legal rights may include	<ul style="list-style-type: none"> Caution Legal representation

RANGE STATEMENT

Interviews may be conducted at

Notification of family/friends
Silence
Hospitals
Police stations
Other agreed locations in accordance with organisational policy

Unit Sector(s)

Not applicable.