



Australian Government

DEFDPL002 Provide high-level support on criminal law matters

Release: 1

DEFDPL002 Provide high-level support on criminal law matters

Modification History

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

Application

This unit specifies the skills and knowledge required to provide paralegal support services within a Defence legal environment.

It includes planning and preparing to provide high-level support, clarifying complex legal issues and performing legal research. It also includes preparing complex documents and finalising criminal law matters.

This unit applies to Defence personnel who are required to provide paralegal support services.

The skills and knowledge described in this unit must be applied within the legislative, regulatory and policy environment in which they are carried out. Organisational policies and procedures must be consulted and adhered to.

Persons undertaking this unit work mostly independently while of a team, and perform routine and complex tasks. They would work with limited supervision, with identified approval authorities. They apply solutions to a variety of predictable and complex problems in familiar and unfamiliar contexts.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Pre-requisite Unit

Not applicable

Competency Field

Defence Paralegal Operations

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

PERFORMANCE CRITERIA

Elements describe the essential outcomes.

Performance criteria describe the performance needed to demonstrate achievement of the element.

- | | |
|--|--|
| 1 Plan and prepare to provide support | 1.1 Receive criminal law matter task |
| | 1.2 Analyse and identify legal issues for the task |
| 2 Clarify legal issues | 2.1 Identify and clarify complex legal issues of task with instructing legal officer |
| | 2.2 Obtain additional information as required to meet task requirements |
| | 2.3 Outline legal limits of own responsibility clearly to stakeholders and establish mutual expectations in accordance with legal and organisational requirements |
| 3 Perform legal research | 3.1 Identify requirements for researching the task |
| | 3.2 Conduct legal research via multiple resources to complete task |
| | 3.3 Analyse and document research outcomes |
| 4 Prepare documents | 4.1 Prepare required documents for task under instruction from instructing legal officer |
| | 4.2 Review documents for task with instructing legal officer and amend as required |
| 5 Finalise criminal law matter | 5.1 Finalise legal documents in accordance with legal and organisational procedures |
| | 5.2 Communicate outcomes to stakeholders as appropriate |
| | 5.3 Update file notes and place outcomes on file in accordance with operating guidelines |
| | 5.4 Store and secure file appropriately |

Foundation Skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Range of Conditions

Range is restricted to essential operating conditions and any other variables essential to the work environment.

Non-essential conditions may be found in the Companion Volume Implementation Guide.

Unit Mapping Information

This unit replaces but is not equivalent to DEFPL015 Provide high-level support on criminal law matters.

Links

Companion Volume implementation guides are found in VETNet -

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

Assessment Requirements for DEFDPL002 Provide high-level support on criminal law matters

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 or service discipline proceedings
- communicating effectively and logically on legal matters
- following written and oral instructions to prepare effective briefs
- planning and preparing to provide 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 research to support instructing legal officer
- undertaking trial/tribunal and posttrial/tribunal administration.

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, administrative law matters and service discipline proceedings
- Defence Force Discipline Act (DFDA) and related legislation
- relationship between trials and tribunals and their impact
- 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 organisational procedures
- summary hearing/court/tribunal processes
- 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.

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

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 currently used in industry
- applicable documentation including operational procedures, regulations, codes of practice and operation manuals.

Links

Companion Volume implementation guides are found in VETNet -

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