



Australian Government

DEFDPL011 Provide support in criminal law matters

Release: 1

DEFDPL011 Provide support in 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 support in criminal law matters.

It includes planning and preparing for the provision of support in criminal law, documenting and researching case histories, and assisting instructing legal officer to prepare for criminal law matters and service discipline proceedings. It also includes assisting instructing legal officer to prepare for trial or service discipline proceedings, and conducting pre and post-trial/tribunal administration.

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 part of a team, and perform routine and complex tasks. They 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 for the provision of support in criminal law | 1.1 Receive and act on instructions that require the provision of support in criminal law

1.2 Analyse circumstances, and interpret and clearly define discipline issues |
| 2 Prepare and process documents involved in criminal law matters | 2.1 Identify, prepare and process documents in accordance with legal practices and procedures

2.2 Despatch documents in accordance with legal practices and procedures

2.3 Check incoming documents for completeness and timely delivery, and contact sender where insufficient information is supplied or deadlines are not honoured

2.4 Review requests for information with instructing legal officer and retrieve, copy and despatch identified documents in accordance with legal practices and procedures |
| 3 Perform research to support instructing legal officer | 3.1 Review files and determine research requirements in conjunction with instructing legal officer

3.2 Retrieve and process relevant documents and exhibits

3.3 Retrieve, research and review precedent and case law, and make summaries as required

3.4 Forward summaries from research and review to instructing legal officer and present explanations as required |
| 4 Assist instructing legal officer to prepare for trial or service discipline proceedings | 4.1 Identify relevant trial/tribunal and prepare appropriate files

4.2 Communicate to instructing legal officer, communications from client, police and other authorities, and details of client charge and bail status

4.3 Discuss file with instructing legal officer, and plan and |

- diarise work
- 4.4 Canvass availability of legal officers and forward details to instructing legal officer to facilitate engagement
 - 4.5 Contact opposing party's legal representative on behalf of instructing legal officer and exchange relevant information
 - 4.6 Prepare briefs for legal officers in conjunction with instructing legal officer and deliver brief as required
 - 4.7 Facilitate liaison and communication between instructing legal officer and relevant other parties
 - 4.8 Forward reminders of pending critical dates to relevant persons
- 5 **Conduct trial/tribunal and post-trial/tribunal administration**
- 5.1 Prepare/process relevant trial/tribunal administrative instruction
 - 5.2 Notify trial/tribunal participants of relevant details
 - 5.3 Notify court/tribunal relevant personnel
 - 5.4 Collect and archive, as required, post-trial/tribunal relevant documents, process outcomes, prepare accounts and notify relevant reviewing authority

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 and is equivalent to DEFPL024 Provide support in 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 DEFDPL011 Provide support in 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
- implementing written and oral instructions to prepare effective 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 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 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 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.

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

Assessment must occur in workplace operational situations. Where this is not appropriate, assessment must occur in simulated workplace operational situations that reflect workplace conditions.

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 workplace 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>