



Australian Government

DEFDPL012 Work in a public service legal environment

Release: 1

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.

Application

This unit describes the skills required to provide paralegal support services within a Defence legal environment. This includes understanding workplace requirements of the public sector and the tasks and processes required within this.

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.

Those undertaking this unit would work both independently and as part of a team while performing routine tasks. They would work with direct supervision and apply known solutions to a variety of predictable problems.

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

Elements describe the essential outcomes.

PERFORMANCE CRITERIA

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

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|---|---|
| 1 Provide legal support | 1.1 Keep paperwork up to date and report on the progress of matter to stakeholders under guidance of the instructing legal officer |
| | 1.2 Conflicts of interest or potential conflict of interest for the matter are checked and referred to the instructing legal officer |
| | 1.3 Treat clients and colleagues with respect and behave with honesty and integrity at all times |
| | 1.4 Ensure all files are appropriately stored and secured |
| 2 Maintain confidentiality | 2.1 Ensure information is protected |
| | 2.2 Use discretion and judgement in all communication |
| | 2.3 Ensure that legal matters are only discussed within the confines of the practice and with appropriate personnel |
| 3 Use appropriate legal terminology in all communication | 3.1 Use appropriate legal terminology in all communication |
| | 3.2 Spell and pronounce legal terminology correctly and in the appropriate context when completing work tasks |

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

No equivalent unit.

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 DEFDPL012 Work in a public service legal environment

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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.

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 (PPE) currently used in industry
- applicable documentation, including workplace procedures, regulations, codes of practice and operation manuals
- acceptable means of simulated assessment.

Links

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