



Australian Government

DEFDPL016 Conduct legal research

Release: 1

DEFDPL016 Conduct legal research

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 and knowledge required to provide paralegal support services within a Defence legal environment. This includes understanding workplace requirements of a Defence legal context and how to undertake research activities to support legal capability.

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.

1 Prepare for or clarify research task	1.1	Receive research task and verify content and completion timeframe
	1.2	Define search parameters to confirm the scope of enquiry
	1.3	Determine resources required for research task
2 Identify legal principles	2.1	Analyse information to determine factual situation
	2.2	Interpret sources of law and apply legal commentary to facilitate critical analysis
	2.3	Analyse and evaluate sources of law to critically determine the legal precedent and determine application to the legal issue
	2.4	Formulate research-based responses to the legal issue
3 Undertake research	3.1	Identify sources of law, precedents and departmental legal guidance/practice notes to address the identified legal issues
	3.2	Develop research strategies based on subject, case, legislation, instrument and other relevant search terms in available research tools and database
	3.3	Implement research strategies to locate sources of law and legal commentary regarding the topic
	3.4	Communicate responses to inform stakeholders and confirm legal matter has been suitably addressed
	3.5	Record and store information sourced in accordance with organisational policies and procedures

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 DEF Defence Training Package Companion

Volume Implementation Guide.

Unit Mapping Information

This unit supersedes and is equivalent to DEFDPL013 Conduct legal research.

Links

Companion Volume Implementation Guides are found on VETNet -

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

Assessment Requirements for DEFDPL016 Conduct legal research

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 the requirements of the elements and performance criteria on at least one occasion and include:

- analysing information to determine facts, issues and scope of a task in keeping with the instructing legal officer's brief
- communicating research findings effectively and logically
- filing and maintaining records in accordance with Defence policy
- identifying and developing research strategies utilising available resources, including staff
- preparing legal documents in accordance with identified processes
- undertaking research, reporting findings and seeking feedback to confirm the task is completed.

Knowledge Evidence

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

- document presentation to convey research findings
- records management in accordance with Defence policy
- relevant administrative and legal practices and procedures mandated by Defence
- relevant legal terminology and its use in accordance with organisational procedures
- relevant legislation, policies and commentary reflecting the particular matter
- research strategies and scoping techniques
- working knowledge of recognised legal research tools, databases and Defence information management systems.

Assessment Conditions

Assessors must hold credentials specified within the Standards for Registered Training Organisations current at the time of assessment.

Assessment must satisfy the Principles of Assessment and Rules of Evidence and all regulatory requirements included within 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 simulations
- applicable documentation, including legislation, regulations, codes of practice, workplace procedures and operation manuals
- relevant and appropriate materials, tools, equipment and personal protective equipment (PPE) currently used in industry.

Links

Companion Volume Implementation Guides are found on VETNet -

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