



Australian Government

DEFDPL024 Provide high-level support on criminal law matters

Release: 1

DEFDPL024 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 describes 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.

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| 1 Plan and prepare to provide support | 1.1 Register a criminal law matter and identify possible legal issues for the matter |
| | 1.2 Analyse the matter requirements according to organisational procedures |
| | 1.3 Determine staffing required to action the request and identify any military entities and/or stakeholders |
| 2 Clarify legal issues | 2.1 Identify and clarify complex legal issues of matter with instructing legal officer |
| | 2.2 Obtain additional information, as required, to meet matter requirements and manage client and stakeholder expectations |
| | 2.3 Outline the scope of the paralegal's responsibilities clearly to stakeholders and establish clear responsibilities with client in accordance with legal and organisational requirements |
| 3 Perform legal research | 3.1 Identify scope and requirements for researching the matter, as required |
| | 3.2 Conduct legal research of all relevant resources and engage with stakeholders to complete matter |
| | 3.3 Analyse and document research outcomes and propose a course of action in accordance with matter requirements |
| 4 Prepare documents | 4.1 Prepare required documents for matter according to instructions of legal officer for review and sign off, as required, in accordance with organisational policies and procedures |
| | 4.2 Review prepared documents with instructing legal officer, confirm document accuracy with client and stakeholders, 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 required |
| | 5.3 Update file notes and place outcomes on file in accordance with operating guidelines |

5.4 Store and secure files in accordance with operating guidelines

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 DEFDPL002 Provide high-level support on criminal law matters.

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 DEFDPL024 Provide high-level support on criminal law matters

Modification History

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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 context and category of request so relevant organisation procedures are followed
- communicating effectively and logically on criminal legal matters with instructing legal officer, client and stakeholders
- coordinating with instructing legal officer to prepare for high-level support in criminal law matters trial
- ensuring administration requirements are completed in accordance with legal and operational procedures
- filing and maintaining records for criminal law matters in accordance with Defence policy
- identifying appropriate templates and precedents for use
- implementing written and oral instructions to prepare effective complex advice briefs
- planning, preparing and processing documents involved in criminal law matters in accordance with instructions from legal office
- progressing and managing the matter in conjunction with the instructing legal officer
- undertaking complex research to support instructing legal officer
- updating all records, storing and securing files in accordance with legal and record keeping requirements, upon finalisation.

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:

- legal practices, procedures and stages relevant to criminal law matters and awareness of relationship with Australian Defence Force (ADF) administrative law and service discipline law
- legislation, regulations and policies relevant to high-level support to criminal law matters compliant with paralegal operational procedures
- records management in accordance with Defence policy
- 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
- stakeholders/agencies involved in criminal law matters
- summary hearing/court/tribunal processes within and external to Defence.

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

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