



Australian Government

DEFDPL027 Provide high-level support on service discipline matters

Release: 1

DEFDPL027 Provide high-level support on service discipline 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 high-level support on service discipline matters 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 legal matters.

This unit applies to Defence personnel who are required to provide more complex 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

Elements describe the essential outcomes.

1 Plan and prepare to provide support

2 Clarify legal issues

3 Perform legal research

4 Prepare legal documents

5 Finalise matter

PERFORMANCE CRITERIA

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

1.1 Receive high-level service discipline matter and determine if it involves a Summary Authority Hearing or Superior Tribunal matter

1.2 Analyse and identify high-level legal issues for the matter

2.1 Review and clarify high-level legal issues of matter with instructing legal officer

2.2 Obtain additional information relevant to matter from stakeholders, as required

2.3 Outline limitations within scope of the paralegal's responsibility to stakeholders and establish mutual expectations in accordance with organisational and legal procedures

3.1 Conduct legal research for matter, as necessary

3.2 Analyse and document outcomes of legal research in accordance with organisational procedures

4.1 Prepare documents for matter under instruction from instructing legal officer

4.2 Review documents for matter with instructing legal officer and amend as required

5.1 Finalise documents in accordance with legal and matter requirements

5.2 Communicate matter outcomes to stakeholders, as required

5.3 Update file notes and place outcomes on file in accordance with organisational procedures

5.4 Store and secure file to meet legal requirements

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 DEFDPL001 Provide high level support on service discipline 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 DEFDPL027 Provide high-level support on service discipline matters

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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:

- communicating effectively on complex service discipline legal matters
- coordinating with instructing legal officer to prepare for and support high-level service discipline proceedings
- ensuring pre, during and post Summary Authority Hearing or Superior Tribunal administration is completed in accordance with legal and operational procedures
- filing and maintaining records for service discipline law matters in accordance with Defence policy
- preparing legal documents to support complex service discipline legal matters
- preparing outcomes of cases in high-level legal matters for stakeholders, as required
- undertaking analysis of information to determine status and value of the matter
- undertaking and documenting 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 the requirements of the elements and performance criteria and include knowledge of:

- complex discipline law legal practices and procedures, and legal and military justice entities and their interrelatedness in criminal law matters and service discipline proceedings
- legal terminology relevant to high-level service discipline legal matters and trials and tribunals
- records management in accordance with Defence policy
- relationship between trials and tribunals, and potential impact on legal proceedings
- relevant legal process, documents, exhibits and witnesses, and stages involved in pre-, during and post Summary Authority Hearing or Superior Tribunal
- relevant manuals and legislation
- service discipline proceedings, and their relevance to paralegal operational procedures within the scope of the supported legal office.

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.

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