



Australian Government

DEFDPL029 Provide support in criminal law matters

Release: 1

DEFDPL029 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 describes the skills and knowledge required to provide paralegal 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. 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 matters	1.1	Receive and act on instructions that require the provision of support in criminal law matters
	1.2	Analyse circumstances, and interpret and clearly define discipline issues
	1.3	Review requests for information with instructing legal officer and retrieve, copy and despatch identified documents in accordance with legal practices and procedures
2 Prepare and process documents involved in criminal law matters	2.1	Check incoming documents for completeness and timely delivery, and contact sender where insufficient information is supplied or deadlines are not honoured
	2.2	Identify, complete initial preparation and process documents in accordance with legal practices and procedures
	2.3	Despatch documents in accordance with legal practices and organisational 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 in accordance with legal practices and organisation procedures
	3.3	Retrieve, research and review precedent and case law, Defence Legal Technical Guidance material, procedural manuals and legislation 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 advice for Command	4.1	Discuss file with instructing legal officer to determine appropriate level of engagement with the matter, and plan and diarise work
	4.2	Assist legal officer to identify relevant trial/tribunal and prepare appropriate files and notifications
	4.3	Prepare brief under instruction of legal officers for

		delivery to Command
5 Conduct trial administration	5.1	Provide administrative support for the conduct of pre, during and post-trial
	5.2	Prepare and process relevant trial administrative instruction
	5.3	Identify and notify superior tribunal personnel of roles and other relevant trial details
	5.4	Collect and archive, as required, post-trial relevant documents, process outcomes, and liaise with stakeholders

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 replaces but is not equivalent to DEFDPL011 Provide support in 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 DEFDPL029 Provide support in criminal law 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:

- analysing requests and documents for completeness and timeliness of information to determine status and reliability
- assisting instructing legal officer to plan and prepare for support in criminal law matters
- communicating effectively and logically on legal matters with instructing legal officer and stakeholders regarding the matter
- filing and maintaining records for criminal law matters in accordance with Defence policy
- preparing and processing documents and briefs involved in criminal law matters under instruction of legal officer
- undertaking matter administration, including records management, in accordance with Defence policy
- undertaking research to support instructing legal officer and preparing summaries of research in accordance with identified processes.

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:

- access to case law, precedence, Legal Technical Guidance resources
- Defence and other relevant legislation
- documents and forms supporting criminal law matters and service discipline proceedings
- practices of military justice entities
- records management in accordance with Defence policy
- relationship between and hierarchy of levels of service trials, and civilian law courts
- relevant administrative practices and procedures mandated by Defence
- relevant legal terminology and its use in accordance with organisational procedures
- trials and service discipline proceedings and relevant manuals.

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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