



Australian Government

DEFDPL030 Provide support in Defence administrative law matters

Release: 1

DEFDPL030 Provide support in Defence administrative 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 support in administrative law matters within a Defence legal environment.

It includes planning and preparing support documents involved in administrative law matters. It also includes researching case history and assisting the instructing legal officer to prepare for administrative inquiries, advice on Redress of Grievance processes and administrative sanction processes.

This unit applies to Defence personnel who provide services to support legal practitioners in administrative inquiries, Redress of Grievance processes and administrative sanction processes under supervision. These services include processing documents and assisting in preparation and planning tasks.

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.

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| 1 Plan and prepare for the provision of support in administrative law | 1.1 Receive and act on instructions that require the provision of support in administrative law matters |
| | 1.2 Analyse circumstances covered by the instructions and interpret issues and confirm with legal officer |
| 2 Prepare and process documents involved in administrative law matters | 2.1 Check and register 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 for administrative law matters in accordance with legal practices and organisational procedures |
| | 2.3 Review information with instructing legal officer and retrieve, copy and despatch identified documents in accordance with legal practices and organisational procedures |
| 3 Assist instructing legal officer to prepare for and manage administrative inquiries | 3.1 Distinguish between the levels of administrative inquiries, the staff involved and prepare appropriate templates and files |
| | 3.2 Discuss the inquiry with instructing legal officer and plan work in accordance with staff availability, appointing officer directions and any critical dates |
| | 3.3 Engage with the appointed administrative inquiry officer to provide templates, staff details, matter management and resourcing assistance |
| | 3.4 Collect and archive post-administrative inquiry documents in accordance with organisational procedures |
| 4 Perform research to support instructing legal officer | 4.1 Review matter and determine search requirements in conjunction with instructing legal officer |
| | 4.2 Retrieve and process relevant documents and enclosures in accordance with legal practices and organisational procedures |

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| | 4.3 | Retrieve, research and review precedent and case law, Defence Legal Technical Guidance material and Defence Force Administrative procedural manuals and make summaries, as required |
| | 4.4 | Forward summaries from research and review to instructing legal officer and present explanations, as required |
| 5 | Conduct post-matter administration | |
| | 5.1 | Conduct post-matter administration, as required, in accordance with organisational procedures |
| | 5.2 | Update and maintain legal records in relation to operational and 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 replaces but is not equivalent to DEFDPL004 Provide support in Defence administrative 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 DEFDPL030 Provide support in Defence administrative 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 requests and documents for completeness, timelines and to determine scope of tasking
- assisting instructing legal officer to plan and prepare for administrative law matters, trial or service discipline
- communicating effectively and logically on legal matters with instructing legal officer and stakeholders providing the required information
- completing initial preparation and processing documents and advices involved in administrative law matters under instruction of the legal officer
- filing and maintaining records for administrative law matters in accordance with Defence policy
- undertaking administration across the breadth of Defence administrative law matters
- 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 includes knowledge of:

- Defence administrative law matters, including Administrative Inquiries, Redress of Grievance and Administrative Sanction processes
- Fact Finds and Administrative Inquiries processes and application to matters
- records management in accordance with Defence policy
- relevant legal practices, procedures, documents and forms supporting the breadth of Defence administrative law practices
- relevant legal terminology and its use in accordance with organisational procedures
- relevant policies, guidance documents and their application to matters.

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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