



Australian Government

DEFDPL031 Provide support in service discipline law matters

Release: 1

DEFDPL031 Provide support in service discipline 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 service discipline law matters.

It includes planning and processing documents for the provision of support in service discipline law. It also includes researching case histories and assisting the instructing legal officer to prepare for trials and service discipline proceedings.

This unit applies to Defence personnel who, under supervision, provide services to support legal practitioners in service discipline law matters.

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 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 service discipline law	1.1	Receive and act on instructions that require the provision of support in service discipline law matters
	1.2	Analyse circumstances, and interpret and clearly define discipline issues
	1.3	Review requests for information with instructing legal officer
2 Prepare and process documents involved in service discipline 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 organisational procedures
	2.3	Despatch documents in accordance with legal practices and organisational procedures
3 Perform research to support instructing legal officer	3.1	Review matter and determine search requirements in conjunction with instructing legal officer
	3.2	Retrieve and process relevant documents and exhibits in accordance with legal practices and organisational procedures
	3.3	Retrieve, research and review precedent and case law, legislation procedural manuals and make summaries, as required
	3.4	Forward summaries from research and review to instructing legal officer and present explanations, as required
4 Conduct post-matter administration	4.1	Conduct post-matter administration, as required, in accordance with organisational procedure
	4.2	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 and is equivalent to DEFDPL010 Provide support in service discipline 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 DEFDPL031 Provide support in service discipline 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 timelines
- assisting instructing legal officer to plan and prepare for support to service discipline proceedings
- communicating effectively on legal matters with instructing legal officer and stakeholders providing the required information
- filing and maintaining records for service discipline law matters in accordance with Defence policy
- preparing and processing documents and briefs involved in discipline law matters under instruction of legal officer
- undertaking post-matter administration
- 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, precedents and Legal Technical Guidance resources
- Defence Force Discipline Act (DFDA) and related legislation
- documents and forms supporting criminal law matters and service discipline proceedings
- records management in accordance with Defence policy
- relationship between and hierarchy of levels within the service discipline system
- relevant discipline manuals
- relevant legal processes and practices, documents, exhibits and witnesses, correct delegations and stages involved in the entire discipline process requiring legal support
- relevant legal terminology and its use in accordance with organisational procedures.

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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