



Australian Government

DEFLAW008 Conduct a Defence administrative inquiry

Release: 2

DEFLAW008 Conduct a Defence administrative inquiry

Modification History

Release 2. Modifications made to Assessment Conditions.

Release 1. This unit was released in DEF Defence Training Package release 1.0 and meets the Standards for Training Packages.

This unit supersedes and is equivalent to DEFCM127A Conduct a Defence administrative inquiry.

- Unit code updated
- Content and formatting updated to comply with new standards
- All PC transitioned from passive to active voice

Application

This unit describes the skills required to conduct administrative inquiries under the inherent authority of commanders and under the Defence (Inquiry) Regulations. Staff may be appointed to conduct administrative inquiries to determine the facts and circumstances surrounding an incident or situation so that an informed decision may be taken about the action required including, where appropriate, action to avoid a recurrence.

This unit applies to those working as warrant officers and officers of the Australian Defence Force (ADF), and some civilian staff of the Australian Defence Organisation.

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.

Those undertaking this unit would work under indirect supervision, while performing sophisticated tasks in a broad range of contexts. The type of inquiry conducted will be dependent on the level of authority, rank or position.

No licensing, legislative or certification requirements apply to unit at the time of publication.

Pre-requisite Unit

Not applicable.

Competency Field

Military Justice

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes.

PERFORMANCE CRITERIA

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

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|--|---|
| 1 Prepare to conduct an inquiry | 1.1 Receive and acknowledge appointment as inquiry officer from appointing authority

1.2 Analyse and discuss inquiry circumstances if necessary, with the appointing authority

1.3 Confirm and acknowledge independence

1.4 Determine course of action by referring to the appropriate Defence publications |
| 2 Plan an inquiry | 2.1 Identify, analyse and clarify inquiry Terms of Reference

2.2 Develop an inquiry plan

2.3 Seek advice where appropriate |
| 3 Gather and analyse evidence | 3.1 Conduct interviews

3.2 Identify, acquire, confirm and analyse evidence

3.3 Provide progress reports in accordance with the Terms of Reference and appointing authority requirements

3.4 Suspend inquiry and notify appointing authority when Defence Force Discipline Act (DFDA) offence or other notifiable incident is suspected |
| 4 Present inquiry findings | 4.1 Draw conclusions and recommendations, based on the evidence gathered and within the boundaries of the Terms of Reference

4.2 Present inquiry findings in accordance with the Terms of Reference and appointing authority 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 Companion Volume Implementation Guide.

Unit Mapping Information

This unit supersedes and is equivalent to DEFCM127A Conduct a Defence administrative inquiry.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6bdbab1e-11ed-4bc9-9cba-9e1a55d4e4a9>

Assessment Requirements for DEFLAW008 Conduct a Defence administrative inquiry

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Performance 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 on at least one occasion and includes:

- analysing evidence to form conclusions and recommendations
- communicating ideas, arguments and conclusions logically
- conducting interviews
- interpreting policies
- preparing complex documents
- identifying the issues surrounding the inquiry

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:

- Defence (Inquiry) Regulations
- inquiry processes
- interview techniques
- relevant Defence publications
- relevant legislation, policies and procedures
- scope of authority of an investigating officer undertaking an administrative inquiry

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 processes and techniques must be appropriate to the language, literacy and numeracy requirements of the work being performed and the needs of the candidate.

Assessment must occur in workplace operational situations. Where this is not appropriate, assessment must occur in simulated workplace operational situations that reflect workplace conditions.

Resources for assessment must include access to:

- a range of relevant exercises, case studies and/or simulations
- relevant materials, tools, equipment and personal protective equipment currently used in industry
- applicable documentation, including workplace procedures, regulations, codes of practice and operation manuals
- acceptable means of simulation assessment.

Links

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