



Australian Government

DEFCM124A Conduct a unit level investigation and prefer charges

Release: 2

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Modification History

Release	TP Version	Comments
2	DEF12V2	Layout adjusted. No changes to content.
1	DEF12V1	Primary release.

Unit Descriptor

This unit covers the competency required to perform the duty of an investigating officer and to prefer charges in accordance with the Defence Force Discipline Act (DFDA).

Application of the Unit

This unit only applies to members of the Australian Defence Force.

The unit is relevant for investigating officers who operate within and prefer charges in accordance with the DFDA.

This unit does not result in a Defence Investigative Authority (DIA) - Investigator qualification.

If doubt exists concerning the authority or complexity to investigate a service offence than the DIA is to be contacted for advice. The DIA may deem it appropriate to conduct the investigation or may refer back to the commanding officer to deal with the matter.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency.

Performance Criteria describe the required performance needed to demonstrate achievement of the element. Where ***bold italicised*** text is used, further information is detailed in the Required Skills and Knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Prepare for the investigation	1.1 Tasking as investigating officer is received and acknowledged in accordance with organisational policies. 1.2 Independence is confirmed and acknowledged in accordance with organisational policies. 1.3 Investigation plan is developed.
2. Collect and analyse information relevant to the investigation	2.1 Information sought is relevant to the Defence issue and is collected in accordance with organisational policies and procedures. 2.2 Evidence collected and recorded is complete and accurate in accordance with organisational policies and procedures. 2.3 Decision to search is made and conducted within lawful authority and in accordance with organisational policies and procedures.
3. Conduct the interview	3.1 Statements and interviews relevant to the matter being investigated are sought. 3.2 Comprehensive statements are taken and contain all details relevant to the investigation in accordance with organisational policies and procedures. 3.3 Interviewees are afforded their legal rights and treated fairly and equitably. 3.4 Interviews are conducted in accordance with organisational policies and procedures. 3.5 Documentation is prepared and submitted as required by organisational policies and procedures.
4. Prefer charges	4.1 Evidence is assessed against the proofs of the charge and a prima facie case is established. 4.2 Charge is preferred in accordance with organisational policies and procedures. 4.3 Charge sheet is produced.

Required Skills and Knowledge

This describes the essential skills and knowledge and their level, required for this unit.

Required Skills

- communicate effectively in writing

- communicate effectively orally (question, conduct briefings, respond to questioning, listen, reflect)
- display empathy and build rapport with colleagues and stakeholders
- interpret policies and instructions
- make decisions
- show sound judgement
- undertake research

Required Knowledge

- charging under the DFDA
- discipline law and administrative law policy documents
- discipline officer scheme
- interview techniques
- relevant policies and procedures
- relevant legislation

Evidence Guide

The evidence guide provides advice on assessment and must be read in conjunction with the Performance Criteria, Required Skills and Knowledge, the Range Statement and the Assessment Guidelines for this Training Package.

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Assessment must confirm the ability to:

- provide advice that is relevant and appropriate to the circumstances

Consistency in performance

Competency should be demonstrated in a range of situations that could be expected in the workplace.

Context of and specific resources for assessment

Context of assessment

Competency should be assessed in the workplace or in a simulated workplace environment.

Specific resources for assessment

There are no specific resource requirements for this unit.

Range Statement

The Range Statement relates to the Unit of Competency as a whole. It allows for different work environments and situations that may affect performance. ***Bold italicised*** wording in the Performance Criteria is detailed below.

<i>Independence</i> may include:	• confirming lack of bias or declaring bias • confirming lack of conflict of interest or declaring conflict of interest
<i>Investigation plan</i> includes:	• identifying avenues of inquiry • identifying conduct or allegation • identifying the framework (applicable law and policies) • investigation powers and limitations
<i>Organisational policies and procedures</i> may include:	• Defence Law Manual • Provisions of the Defence Act and the DFDA • Regulations, orders and instructions made under the Defence Act and DFDA • Standing Operating Procedures • Standing Orders
<i>Search</i> may include:	• buildings

	• personal effects • persons • vehicles • vessels
Statements and interviews may include:	• audio tape recorders • hand-written and electronically based proforma and reporting styles
Comprehensive statements include:	• all relevant information • all details which may assist the investigation • written format that complies with legal requirements for statements
Legal rights may include:	• caution • legal representation • notification of family/friends • silence
Interviews may be conducted at:	• hospitals • police stations • other agreed locations in accordance with organisational policy

Unit Sector(s)

Not applicable.