



Australian Government

DEFPL017 Provide support in administrative law matters

Release: 1

DEFPL017 Provide support in administrative law matters

Modification History

Release	TP Version	Comments
2	DEF12V2	Supersedes and is equivalent to DEFPL003B Provide support in administrative law matters.
1	DEF12V1	Primary release.

Unit Descriptor

This unit covers the competency required to research and prepare documents in administrative law matters.

This unit includes researching case history and assisting the instructing legal officer to prepare for administrative inquiry processes.

No licensing, legislative, regulatory or certification requirements apply to this unit at the time of publication. In a Defence context, this means that there is no civilian need to hold this unit in order to meet licensing, legislative, regulatory or certification requirements.

Application of the Unit

This unit applies to individuals who provide services to support legal practitioners in administrative inquiries and processes, under supervision. These services include processing documents and assisting in preparation for administrative inquiries.

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. Plan and prepare for the provision of support in administrative law	1.1 Instructions that require the provision of support in administrative law are received and acted upon. 1.2 Circumstances are analysed and issues are interpreted and clearly defined.
2. Prepare and process documents involved in administrative law matters	2.1 Documents are identified, prepared and processed in accordance with legal practices and procedures. 2.2 Letters and other documents are prepared and forwarded to instructing legal officer. 2.3 Documents for administrative inquiries and/or other processes are identified, prepared and processed. 2.4 Information is reviewed with instructing legal officer and identified documents are retrieved, copied and despatched in accordance with legal practices and procedures. 2.5 Post administrative inquiry documents are collected and archived as appropriate.
3. Assist instructing legal officer to prepare for administrative inquiries	3.1 Different administrative inquiries are identified and appropriate files are prepared. 3.2 File is discussed with instructing legal officer and work is planned in accordance with critical dates. 3.3 Availability of legal officers is canvassed and details are forwarded to instructing legal officer to facilitate engagement.

Required Skills and Knowledge

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

Required Skills

- follow legal procedures
- identify and research status of information
- prepare legal documents
- use appropriate legal terminology

Required Knowledge

- administrative inquiry process
- applicable legal practices and procedures required in the full range of tasks covered
- different types of inquiry/investigation

- relevant legal process, legislation and sections, and stages involved in the legal process
- relevant legal terminology
- 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:

- research and prepare documents in administrative law matters
- research case history
- assist instructing legal officer to prepare for administrative inquiry processes

The candidate must at all times comply with legislative requirements, policy and standards, and demonstrate an awareness of access, equity and diversity principles and practices.

Consistency in performance

Competency should be demonstrated in a range of actual or simulated workplace contexts.

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

Access is required to appropriate documentation and resources normally found in the work environment.

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>Instructions</i> may include:	- documentary material, exhibits and evidence - oral or written correspondence, including from the command structure, commanding officer or an individual - summary of matter - witness statements
<i>Administrative law</i> may include:	any relevant administrative legislation that impacts on the Defence organisation
<i>Documents</i> may include:	- adjournment letters - administrative inquiry investigation forms - summons/orders
<i>Legal practices and procedures</i> may include:	- engaging experts - equity - instructing legal officer supervisory procedures - practice notes - protocol for accommodating specific client needs e.g. case manager, social worker, parole officer - protocol for contacting clients e.g. translator, interpreter - recording information - security/confidentiality/privacy procedures - verifying and authorising information
<i>Administrative inquiries</i> may include:	- Boards of Inquiry - Chief of Defence Force Commissions of Inquiry - command-generated inquiry - freedom of information (FOI) - inquiry officer - investigating officer - notice to show cause: - censure - termination - warnings - ombudsman - privacy - quick assessment - redress of grievance

	• return of service obligation • routine inquiry
<i>Critical dates</i> may include:	• administrative inquiry dates • appointments

Unit Sector(s)

Not applicable.