



Australian
Industry and
Skills Committee

DEFENCE PARALEGAL SERVICES

Case for Change

Name of allocated IRC: Public Safety

Name of the SSO: Australian Industry Standards

1. Administrative information

For a list of the products proposed to be reviewed as part of this project, please see **Attachment A**.

Name of IRC(s): Public Safety

Name of SSO: Australian Industry Standards

1.1 Name and code of Training Package(s) examined to determine change is required

DEF Defence Training Package.

2. The Case for Change

For information on the job roles to be supported through the proposed qualifications updates, enrolments data, completion rates, and the number of RTOs delivering these qualifications please see **Attachment B**.

2.1 Rationale for change

Defence paralegals perform administrative legal tasks and communicate with clients to provide legal advice, under the supervision of fully qualified senior lawyers. Paralegals are often delegated tasks to assist with the progress of a legal matter such as analysing and summarising documents, filing at court, legal research and drafting correspondence.

With the ever-changing legal environment, the role of a paralegal is also constantly evolving. Moreover, Defence paralegal staff are dealing with the increased use of technology such as electronic documents and records management systems, cloud computing, online generation of legal documents, virtual courtrooms, and online dispute resolution.

Defence has proposed this project to revise the Certificate IV in Defence Paralegal including 10 Units of Competency and the Diploma of Paralegal Services, also containing 10 units. These qualifications provide the skills and knowledge in the provision of paralegal services by Defence paralegal practitioners. Defence Legal Services require that the qualifications and Units of Competency be updated to meet the demands of current legal requirements and technological advancements.

Other implications of not implementing changes in relation to Defence paralegal services and workers not having updated skills include:

- barriers to the mobility of workers transitioning from Defence to civilian life
- difficulties in meeting Defence legal standards
- delays in developing new procedures for legal matters
- increased operating costs based on inefficiencies associated with cases
- difficulties meeting required Defence protocols in legal matters

2.2 Evidence for change

Defence draws on its commitment to the Australian Defence Force Strategic Plan contained in the Defence White Paper to 2030. This strategy seeks to increase the capacity and capability of its staff – this includes growing the integrated Defence workforce. Attracting and retaining the future Defence workforce will be a major challenge in the future.

Defence intelligence and research has identified changes in the legal environment in which it operates. It has also recognised the implementation of new technology in legal services as areas requiring workforce development. The evidence from the profession shows that staff need to have the skills and knowledge to utilise advancements including cloud computing, electronic document management systems, artificial intelligence, virtual law firms, online dispute resolution, electronic courts, electronic filing of court documents and use of social media.

Defence post Training Package transition and recent training implementation analysis conducted by Defence has determined that the qualifications and associated Units of Competency need to be reviewed as a routine project.

2.3 Consideration of existing products

This project proposes to review existing Defence units of competency only and not the creation of new products.

2.4 Approach to streamlining and rationalisation of the training products being reviewed

There are no Defence products identified at this stage for deletion however Defence systematically reviews the viability and relevance of Training Package products and removes them based on their capability needs.

3. Stakeholder consultation

3.1 Stakeholder consultation undertaken in the development of Case for Change

*For a full list of industry-specific stakeholders that actively participated in the stakeholder consultation process undertaken to develop the Case for Change, please see **Attachment C**.*

Defence followed its own rigorous and highly structured communications strategy when undertaking the engagement process for this Case for Change. When undertaking stakeholder consultation Defence consulted stakeholders from sections across its three services (Army, Navy and Airforce) and across multiple jurisdictions. Branch owners of the relevant qualification were consulted as part of this process who in turn used the delegation of authority to approve the proposed Training Package development on behalf of each of their sections. Feedback was then coordinated centrally through the Defence Education, Learning and Training Authority (DELTA) and communicated to AIS.

3.2 Evidence of Industry Support

*For a list of the issues raised by stakeholders during consultation and the IRC's response to these, please see **Attachment D**.*

Defence Education, Learning and Training Authority (DELTA) coordinate Defence Training Package product changes through their own structured consultation process. Heads of sections and Learning Leads in the three Defence service areas of Army, Airforce and Navy are responsible for their own Training Package qualifications and maintain them so that they are consistent with industry practice and meet Defence capability requirements.

Defence legal Learning Leads have determined that, based on changes in electronic forensics technology including software tools, Defence forensics experts will need to update to keep pace with the recent updates and changes to digital devices and storage systems.

Please see attachment D.

3.3 Proposed stakeholder consultation strategy for project

*Note: For a full list of industry-specific stakeholders who are planned to be contacted to participate in the stakeholder consultation process undertaken for this project, please see **Attachment E**.*

Key Industry stakeholders have been identified in consultation with Defence and the Public Safety IRC.

AIS maintains a comprehensive database of industry contacts and stakeholders who receive targeted communications related to consultation on industry skills and training package development projects.

In addition, Defence-specific stakeholders in any consultation process are documented as per Defence security protocols sighting the Defence section areas only and not identifying names.

Standard online/video consultation, email correspondence and promotional activity are conducted via targeted communications including approved social media methods.

A recently developed [Engagement Hub](#) on the AIS website provides a one stop portal for information about how all stakeholders can participate and inform Training Package development work.

AIS, on behalf of the Public Safety IRC, will promote the opportunity to contribute through the AIS website, EDM's, AIS newsletter and public notifications. Stakeholders will also be notified of key milestones throughout the life of the project, including requests for feedback on draft materials.

Stakeholder engagement and consultation will occur over the life of the project via a combination of the following methods:

- Direct engagement: Face to face consultations, Site visits, Phone, emails, video/teleconferencing meetings
- Industry forums and conferences
- Webinars
- Online feedback mechanisms
- STA direct engagement

Participation in Defence projects is achieved centrally through the Defence Education, Learning and Training Authority (DELTA). Branch owners in each of the three Defence Services, Army, Navy and Airforce, are responsible for their relevant qualifications and are consulted as part of this process through DELTA which includes regional and remote centres.

4. Licencing or regulatory linkages

Defence does not require State based licences, however it does comply with national regulatory and licensing requirements where they apply supporting the mobility of workers transitioning from Defence to civilian life.

5. Project implementation

5.1 Prioritisation category

This Case for Change proposes that this review be progressed as a routine project.

In accordance with the AISC Training Package Prioritisation Report and to coordinate the release of updated products, the Public Safety IRC recommends a routine update and implementation of this project.

5.2 Project milestones

Key project milestones include:

- AISC project approval – June 2021
- Draft 1 consultation – November 2021
- Stakeholder validation – –March 2022
- Quality Assurance – April/May 2022
- Final consultation with states and territories – June 2022
- CfE submitted for approval – 30 June 2022

5.3 Delivery or implementation issues

Training implementation evaluation is conducted routinely by Defence and is considered an essential part of training and assessment cycle to be able to reflect, analyse, and improve its effectiveness and efficiency. Aspects raised by Defence and/ or stakeholders are included as part of the Training Package review.

Where appropriate, advice and suggestions will be provided in the Companion Volume Implementation Guide in addition to links to relevant resources

6. Implementing the Skills Minister's Priority reforms for Training Packages (2015 and October 2020)

Training delivery information will be provided within the supporting Companion Volume Implementation Guide (CVIG). This guide exists to provide clear and useful information. It also includes clear guidance on the context of the range of job role environment applications in appendix form and has useful advice for implementers and educators.

Supporting individuals to move more easily between related occupations is managed centrally by Defence in the defence context. Pathway information is not explicitly provided in the CVIG for security reasons however there is information in the CVIG to support the following:

- Access and equity is described and addressed with advice on reasonable adjustment for learners
- Foundation skills is identified and described against the Australian Core Skills Framework (ACSF) and skill cluster known as the foundation skills for work framework.

Ensuring Training Package products are updated to meet the demands of current legal requirements and technological advancements also supports the mobility of workers transitioning from Defence to civilian life.

The current products may be suitable for use by multiple industry sectors and will provide improved opportunities for individuals operating in relevant sectors to transfer acquired skills and knowledge into multiple sectors and/or operating environments.

Greater recognition of skill sets and work with industry to support their implementation: This Case for Change proposes the review of qualification(s) however Defence actively look to add appropriate Skill Sets to support the skills capability of their staff.

This Case for Change was agreed to by the Public Safety IRC

Name of Chair

Signature of Chair

Date

Attachment A: Training Package components to change

SSO: Australian Industry Standards

Contact details: David Dixon - Chief Operating Officer

Date submitted: TBA

Project number	Project Name	Qualification/ Unit / Skillset	Code	Title	Details of last review <i>(endorsement date, nature of this update transition, review, establishment)</i>	Change Required
2	Defence Paralegal Services	Qualification	DEF40717Y	Certificate IV in Defence Paralegal Services	NA	Update
2	Defence Paralegal Services	Qualification	DEF50417Y	Diploma of Defence Paralegal Services	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL006Y	Provide support in legal assistance matters	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL012Y	Work in a public service legal environment	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL013Y	Conduct legal research	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL004Y	Provide support in Defence administrative law matters	NA	Update

2	Defence Paralegal Services	Unit	DEFDPL008Y	Obtain information from a client	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL010Y	Provide support in service discipline law matters	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL011Y	Provide support in criminal law matters	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL014Y	Address complex legal and ethical issues in a Defence environment	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL001Y	Provide high-level support on service discipline matters	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL009Y	Manage and analyse a legal file	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL002Y	Provide high-level support on criminal law matters	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL003Y	Provide high-level support on administrative law matters	NA	Update
2	Defence Paralegal Services	Unit	DEFDPL005Y	Provide high-level support on operations law matters	NA	Update

Attachment B: Job role, enrolment information, the number of RTOs currently delivering these qualifications

Please set out the job roles to be supported through the updated qualifications, enrolment data over the past three years in which data is available for each qualification, completion rates for each qualification, and the number of RTOs delivering these qualifications.

Note: Defence AVETMIS statistics are not made public and not available in this Case for Change.

Job role	Qualification to be updated to support the job role	Enrolment data (for the past three years)	Completion rates (for the past three years)	Number of RTOs delivering (for the past three years)
599214 - Law Clerk	DEF40717Y Certificate IV in Defence Paralegal Services	Not reported	Not reported	1
599214 - Law Clerk	DEF50417Y Diploma of Defence Paralegal Services	Not reported	Not reported	1
	DEFDPL006Y Provide support in legal assistance matters	Not reported	Not reported	1
	DEFDPL012Y Work in a public service legal environment	Not reported	Not reported	1
	DEFDPL013Y Conduct legal research	Not reported	Not reported	1
	DEFDPL004Y Provide support in Defence administrative law matters	Not reported	Not reported	1
	DEFDPL008Y Obtain information from a client	Not reported	Not reported	1

	DEFDPL010Y Provide support in service discipline law matters	Not reported	Not reported	1
	DEFDPL011Y Provide support in criminal law matters	Not reported	Not reported	1
	DEFDPL014Y Address complex legal and ethical issues in a Defence environment	Not reported	Not reported	1
	DEFDPL001Y Provide high-level support on service discipline matters	Not reported	Not reported	1
	DEFDPL009Y Manage and analyse a legal file	Not reported	Not reported	1
	DEFDPL002Y Provide high-level support on criminal law matters	Not reported	Not reported	1
	DEFDPL003Y Provide high-level support on administrative law matters	Not reported	Not reported	1
	DEFDPL005Y Provide high-level support on operations law matters	Not reported	Not reported	1

Attachment C: List of stakeholders that actively participated in the consultation process of the Case for Change

Name of stakeholder	Title	Organisation	Organisation type (e.g. Employer, peak body, union, RTO, regulator)	Jurisdiction/town/city (e.g. NSW/Sydney)
Branch owners and Leads of Subject	N/A	Defence	Military	National
Defence Education, Learning and Training Authority (DELTA)	NA	Australian Defence College Canberra	Military	National
State Training Authorities	N/A	State and Territory training authorities	State Training Authority	States

Attachment D: Issues Raised by Stakeholders during consultation on the development of the Case for Change

Stakeholder Type	Issues Raised	IRC's Response to Issues Raised
Defence	No issues were raised during consultation on the development of the Case for Change	N/A

Attachment E: List of stakeholders to be contacted as part of the development of the Case for Endorsement

The Case for Endorsement development will involve contacting relevant stakeholders from the following organisations across all states and territories within Australia:

- Industry Reference Committee (IRC) Representatives
- Australian Defence College
- Employers (Non-IRC)
- Unions
- Regulators
- State Training Authorities
- RTOs
- Other/Consultants