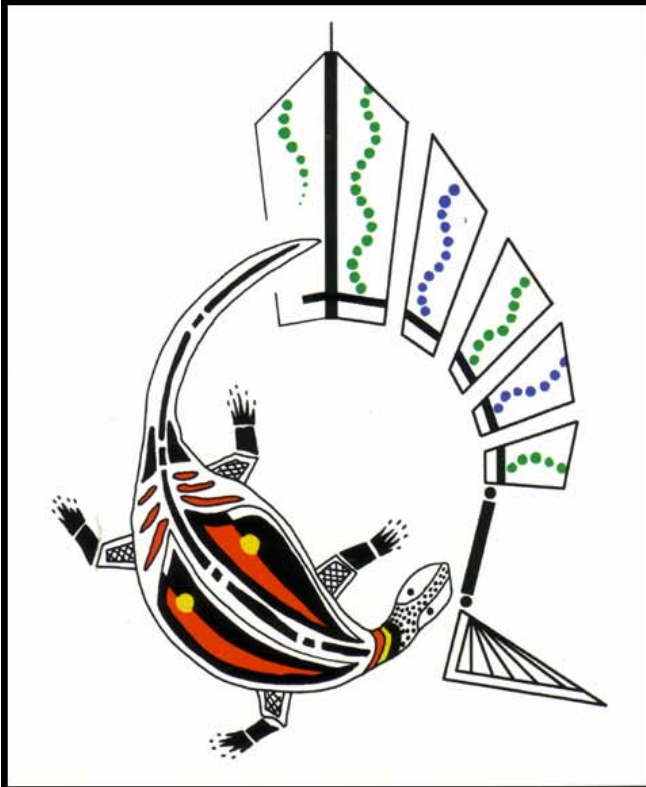


National Indigenous Legal Advocacy Courses



Overview

The National Indigenous Legal Advocacy Courses (NILAC) are a series of nationally accredited training courses which aim to provide Aboriginal and Torres Strait Islander peoples with the competency and skills to work in a legal environment and to understand their human rights.

The NILAC program, which replaces the National Indigenous Legal Studies Curriculum, has been developed to meet revised national accreditation standards.

An important outcome of the NILAC program is to improve the legal skills, capacity and training opportunities for Indigenous people, in response to Recommendation 212 of the Royal Commission into Aboriginal Deaths in Custody.

Qualifications

Three qualifications can be offered to students who enrol in institutions licensed to deliver the courses:

- Certificate III in National Indigenous Legal Advocacy*: This provides students with competency in general office and administrative duties in a legal environment;
- Certificate IV in National Indigenous Legal Advocacy*: This provides students with the skills to work as Indigenous Legal Advocates or as Field Officers in Aboriginal and Torres Strait Islander legal services; and
- Diploma of National Indigenous Legal Advocacy*: This provides students with skills in office administration and management, and detailed knowledge of legal matters necessary to work as a Senior Field Officer or Senior Indigenous Legal Advocate in a law related workplace.

Outcomes

The courses are specifically designed to meet the needs of Aboriginal Field Officers (or Legal Advocates) in Aboriginal and Torres Strait Islander Legal Services.

They are also designed to meet the needs of Indigenous peoples with an interest in criminal justice issues who are:

- employed in Indigenous community organisations;
- employed in Government departments and agencies such as juvenile justice, corrective services or care and protection;
- participating in Indigenous community justice mechanisms (for example, community justice panels, night patrols, circle sentencing or Aboriginal courts);
- participating in advisory panels or agencies such as Aboriginal Justice Advisory Committees or police or court liaison roles; or
- participate in other similar roles.

The courses **do not** provide students with legal qualifications or enable them to dispense legal advice. Instead, they seek to improve the level of skills and knowledge training available for Indigenous peoples working in legal environments or participating in community justice mechanisms and advisory positions. They provide the opportunity to study the operation of the law from the perspective of Indigenous peoples, their cultures, aspirations and social context.

The courses recognise that Field Officers (or Legal Advocates) in Aboriginal and Torres Strait Islander Legal Services possess the skills and knowledge about local Indigenous communities which are vital to the provision of culturally appropriate legal representation. Field Officers are, however, severely restricted in the performance of their duties by the lack of legal training available to them.

The courses are intended to empower Aboriginal and Torres Strait Islander peoples by building their capacity to understand and access government services and mechanisms for the protection of their human and legal rights.

Course delivery

The courses have been developed for the vocational training sector. They can be offered by Institutes of TAFE and Indigenous community-controlled education organisations. It is envisaged that the courses will be delivered by a network of training institutions across the country, most with regional coverage and others offering the course nationally.

Education providers must obtain a licence from the Human Rights and Equal Opportunity Commission (HREOC) to deliver the courses, or individual units of competency within the courses. In order to obtain a licence, intending trainers must show that they meet a range of criteria which maintain the cultural integrity of the courses.

These include ensuring that training institutions have consulted with Aboriginal and Torres Strait Islander Legal Services about delivering the courses and have established an Aboriginal and Torres Strait Islander Community Advisory Board for the course. Information about the licensing process, and an application form to deliver courses, are available from HREOC at the website and address below.

The NILAC training courses were developed by the Indigenous Studies Product Development Unit of TAFE Queensland on behalf of the Aboriginal and Torres Strait Islander Social Justice Commissioner. Development of the courses was primarily funded by HREOC, with substantial assistance provided by the Aboriginal and Torres Strait Islander Commission and the Australian National Training Authority.

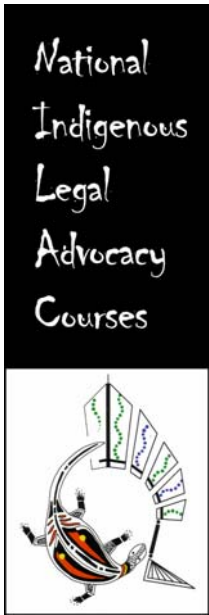
For further information about the courses see the following fact sheets:

- Certificate III in National Indigenous Legal Advocacy – An overview
- Certificate IV in National Indigenous Legal Advocacy – An overview
- Diploma in National Indigenous Legal Advocacy – An overview
- National Indigenous Legal Advocacy Courses – Who can deliver the courses?
- National Indigenous Legal Advocacy Courses – How can I enrol in the courses?

Information about the courses is also available online at: www.humanrights.gov.au/social_justice/nilac or by contacting:

The Director, Social Justice Unit
Human Rights and Equal Opportunity Commission
GPO Box 5218
Sydney NSW 2001

Ph: (02) 9284 9600
Fax: (02) 9284 9849
E-mail: nilac@humanrights.gov.au



Certificate III in National Indigenous Legal Advocacy – Course 39102QLD

Participants

The Certificate III in National Indigenous Legal Advocacy is intended to address the training needs of Indigenous peoples who have recently commenced or are seeking to work in criminal justice related areas. The course provides the ability to complete general office and administrative duties within a legal context.

The course is specifically designed to meet the needs of newly commenced staff in predominately administrative or support roles in Aboriginal and Torres Strait Islander Legal Services.

It is also designed to meet the needs of Indigenous peoples with an interest in criminal justice issues who are working in Indigenous community organisations, Government departments / agencies relating to juvenile justice, corrective services or care and protection, or participating in Indigenous community justice mechanisms and in other similar roles.

Skills and outcomes

By completing the Certificate III course, students will be equipped with the skills to:

- undertake basic administrative tasks in a workplace environment;
- have a basic understanding of the operation of the Australian legal system; and
- apply their understanding of legal processes in order to perform their work responsibilities.

In particular, students will be able to demonstrate that they are able to work with general guidance to:

- apply information about Australian criminal and civil justice systems and court procedures to routine business;
- provide advice and support to clients;
- perform basic business documentation tasks;
- maintain workplace safety;
- use information technology;
- analyse and present information;
- utilise cultural practice at work;
- advocate crime prevention and knowledge of human rights and appropriate legislation; and
- interview clients and take statements.

Course outline

In undertaking the course, students will learn about:

- the Australian legal system and systems of government;
- the history and role of Aboriginal and Torres Strait Islander legal services;
- human rights principles and social justice;
- communication skills; and
- computer skills.

To be awarded the Certificate III, students must complete 13 units. There is provision in the course for trainers to recognise student's prior learning for any unit. There is also provision in the course for students to undertake a vocational training placement (of 50 hours).

Compulsory units

Competency Code	Competency Name	Nominal Hours (Supervised)
AILA301A	Gather information in legal systems to assist in routine responsibilities	30
AILA302A	Provide advice to clients	30
AILA303A	Provide assistance to people seeking support when detained or in an arrest situation	30
BSALO301A	Assist in prioritising and planning activities in a legal practice	20
BSALPP301A	Apply knowledge of the legal system to complete tasks	90
BSBADM302A	Produce texts from notes	20
BSBCMN108A	Develop keyboard skills	20
BSBCMN203A	Communicate in the workplace	30
BSBCMN207A	Prepare and process financial business documents	30
BSBCMN213A	Produce simple word processed documents	30
BSBCMN311A	Maintain workplace safety	30
ICPMM63BA	Access the internet	20
THHGH03B	Provide first aid	24



Certificate IV in National Indigenous Legal Advocacy – Course 39103QLD

Participants

The Certificate IV in National Indigenous Legal Advocacy is intended to address the training needs of Indigenous peoples who have some (but limited) experience working in a legal environment. The course is specifically designed to meet the needs of Aboriginal Field Officers (or Legal Advocates) who are engaged in field work in Aboriginal and Torres Strait Islander Legal Services.

It is also designed to meet the needs of Indigenous peoples with some experience working in Indigenous community organisations, Government departments / agencies relating to juvenile justice, corrective services or care and protection, or participating in Indigenous community justice mechanisms and in other similar roles.

Skills and outcomes

On successful completion of the course, students will have demonstrated that they are able to work with limited supervision to:

- support clients in maintaining the importance of land and culture;
- advise on provisions of a range of law enforcement legislation;
- manage ethical responsibilities in the legal system;
- report on legal issues;
- provide advice and advocacy for clients;
- support clients in arrest, bail, court and detention situations;
- manage conflict;
- conduct research in response to requests; and
- develop community networks.

Course outline

In undertaking the course, students will learn about:

- basic legal principles relating to negligence and tortious liability;
- anti-discrimination and human rights legislation;
- making bail applications and assisting an arrested client;
- legal research skills;
- the findings and recommendations of the Royal Commission into Aboriginal Deaths in Custody and *Bringing them home* report;
- native title, land rights and protection of Indigenous culture;
- history and ongoing impact of colonisation; and
- computer skills such as creating and maintaining databases and spreadsheets.

Students can also choose from electives on mental health and disability, finance administration, interpreting, care and protection and family violence issues.

To be awarded the Certificate IV, students must complete 19 compulsory units (6 of which are also included in the Certificate III course) and an additional 2 electives. There is provision in the course for trainers to recognise student's prior learning for any unit. There is also provision in the course for students to undertake a vocational training placement (of 70 hours). The course structure is contained in the tables below.

1) Compulsory units of competency – each of these units are compulsory

Competency Code	Competency Name	Nominal Hours (Supervised)
AILA301A	Gather information in legal systems to assist in routine responsibilities	30
AILA302A	Provide advice to clients	30
AILA303A	Provide assistance to people seeking support when detained or in an arrest situation	30
AILA401A	Assist persons seeking bail	30
AILA402A	Provide assistance to Indigenous people maintaining the importance of land and culture	30
AILA403A	Advocate for clients in care or custody or in need of assistance	60
AILA404A	Support clients needing legal assistance	80
AILA405A	Utilise ethical standards when dealing with clients	20
BSALC402A	Research, locate and provide legal and other information in response to requests	60
BSBADM305A	Create and use databases	30
BSBCMN108A	Develop keyboard skills	20
BSBCMN214A	Create and use simple spreadsheets	20
BSBCMN311A	Maintain workplace safety	30
CHCCOM3A	Utilise specialist communication skills	40
CHCORG5A	Maintain an effective work environment	32
CSCSAS018A	Manage conflict through negotiation	20
ICPMM63BA	Access the internet	20
RTD4804A	Develop community networks	25
THHGH03B	Provide first aid	24

2) Elective units of competency – students must complete 2 from this table

Competency Code	Competency Name	Nominal Hours (Supervised)
AILA406A	Promote access and equity with Indigenous clients in the legal system	40
BSALPL402A	Provide support in family law matters	80
BSBCMN308A	Maintain financial records	60
CHCADMIN3A	Undertake administrative work	32
CHCDFV1A	Recognise and respond to domestic and family violence	TBA
CHCPROT11A	Provide for care and protection of clients in specific need	56
PUALIO004A	Provide interpreting and translating services	20



Diploma of National Indigenous Legal Advocacy – Course 39104QLD

Participants

The Diploma of National Indigenous Legal Advocacy is intended to address the training needs of Indigenous peoples who have significant experience working in a legal environment.

The course is specifically designed to provide a detailed knowledge of legal matters necessary to work as a Senior Field Officer or Senior Indigenous Legal Advocate and to develop skills in office administration, staff supervision and/or management work in Aboriginal and Torres Strait Islander Legal Services or related areas.

It is also designed to meet the needs of Indigenous peoples with significant experience working in Indigenous community organisations, Government departments / agencies relating to juvenile justice, corrective services or care and protection, or participating in Indigenous community justice mechanisms and in other similar roles.

Skills and outcomes

On successful completion of the Diploma, students will have demonstrated that they are able to:

- manage responsibilities for court appearances and law reform;
- represent their organisation; and
- manage legal work environments and effective communication processes.

Students will also be able to demonstrate that they are able to work with limited supervision to:

- support clients in maintaining the importance of land and culture;
- advise on provisions of a range of law enforcement legislation;
- manage ethical responsibilities in the legal system;
- report on legal issues;
- provide advice and advocacy for clients;
- support clients in arrest, bail, court and detention situations;
- manage conflict;
- conduct research in response to requests; and
- develop community networks.

Course outline

In undertaking the course, students will learn about:

- skills for mediation and counselling clients and staff;
- recognition of Aboriginal customary law;
- law reform processes;
- substance abuse and family violence; and
- Sentencing processes and management of client appearances before court.

Students can also choose from electives on indigenous rights at the international level and the application of international law to indigenous peoples; Aboriginal men's and women's perspectives on the law; managing an organisation's finances; mediation and counselling a client; mental health and disability issues; finance administration; interpreting; care and protection; and family violence issues.

It is envisaged that a student will in many instances progress from the Certificate IV course to the Diploma. In order to be awarded the Diploma, students will be required to complete the requirements for the Certificate IV course (ie, the 19 compulsory units and 2 electives) and also complete an additional 5 compulsory units and 2 electives at the diploma level.

If a student is enrolled in the Diploma and does not complete the requirements of the course, they will still be awarded the Certificate IV if they have completed the required units for that course.

There is provision in the course for trainers to recognise student's prior learning for any unit. There is also provision in the course for students to undertake a vocational training placement (of 100 hours). The course structure is contained in the tables below.

1) Compulsory units of competency – Diploma students must complete the following compulsory units from the Certificate IV course

Competency Code	Competency Name	Nominal hours (Supervised)
AILA301A	Gather information in legal systems to assist in routine responsibilities	30
AILA302A	Provide advice to client	30
AILA303A	Provide assistance to people seeking support when detained or in an arrest situation	30
AILA401A	Assist persons seeking bail	30
AILA402A	Provide assistance to Indigenous people maintaining the importance of land and culture	30
AILA403A	Advocate for clients in care or custody or in need of assistance	60
AILA404A	Support clients needing legal assistance	80
AILA405A	Utilise ethical standards when dealing with clients	20
BSALC402A	Research, locate and provide legal and other information in response to requests	60
BSBADM305A	Create and use databases	30
BSBCMN108A	Develop keyboard skills	20
BSBCMN214A	Create and use simple spreadsheets	20
BSBCMN311A	Maintain workplace safety	30
CHCCOM3A	Utilise specialist communication skills	40
CHCORG5A	Maintain an effective work environment	32
CSCSAS018A	Manage conflict through negotiation	20
ICPMM63BA	Access the internet	20
RTD4804A	Develop community networks	25
THHGHS03B	Provide first aid	24

2) Compulsory units of competency – Diploma students must complete the following additional compulsory units

Competency Code	Competency Name	Nominal hours (Supervised)
AILA501A	Manage effective communication processes for legal work	60
AILA502A	Manage responsibilities in relation to law reform	20
AILA505A	Manage responsibilities for court appearances	40
BSBATSIW514A	Represent your organisation	40
CHCORG6A	Coordinate the work environment	64

3) Elective units of competency – students must complete 2 elective units from the Certificate IV course

Unit Code	Unit Name	Nominal hours (Supervised)
AILA406A	Promote access and equity with Indigenous clients in the legal system	40
BSALPL402A	Provide support in family law matters	80
BSBCMN308A	Maintain financial records	60
CHCADMIN3A	Undertake administrative work	32
CHCDFV1A	Recognise and respond to domestic and family violence	TBA
CHCPROT11A	Provide for care and protection of clients in specific need	56
PUALIO004A	Provide interpreting and translating services	20

4) Elective units of competency – students must complete 2 elective units from the Diploma elective list

Unit Code	Unit Name	Nominal hours (Supervised)
AILA503A	Promote Indigenous legal perspectives	40
AILA504A	Provide mediation for clients needing legal advice	20
CHCADMIN4A	Manage the organisations finances, accounts and resources	96
CSCORG21A	Research issues and concerns in correctional services	TBA
RTD5907A	Plan for successful cultural practice at work	50



National Indigenous Legal Advocacy Courses – Who can deliver the courses?

1. Trainers must obtain a licence

An organisation must obtain a licence from the Human Rights and Equal Opportunity Commission (HREOC) in order to use, offer and deliver the National Indigenous Legal Advocacy Courses (NILAC).

2. Licensing process

HREOC has established a two-step process for approving NILAC training course providers:

Step 1: Submit the Intending Training Provider licence application to HREOC for consideration

Step 2: If approved, enter into a licensing agreement with HREOC to use, offer and deliver the courses.

The intending trainer must satisfy HREOC that they are equipped to deliver the courses in a culturally appropriate manner and in accordance with the requirements set out in the course Syllabus documents.

The trainer must demonstrate that they:

- are registered as a training organisation in their state or territory;
- have consulted with the local Aboriginal and Torres Strait Islander Legal Service in their region about offering the courses; and
- have established an Aboriginal and Torres Strait Islander Community Advisory Board, in accordance with the Syllabus requirements.

Additional requirements that must be met are set out in the licence application form.

A trainer who is granted a licence to deliver the courses will be required to sign a licensing agreement with HREOC. The licensing agreement sets out the conditions of the licence and reporting obligations to HREOC to be undertaken by the Intending Training Provider about the use and delivery of the courses

3. Further information

Licence application forms and information about the licensing process are available from the HREOC website at: www.humanrights.gov.au/social_justice/nilac/ or by contacting HREOC at the following address:

The Director, Social Justice Unit
Human Rights and Equal Opportunity Commission
GPO Box 5218
Sydney NSW 2001

Ph: (02) 9284 9600
Fax: (02) 9284 9849
E-mail: nilac@humanrights.gov.au



National Indigenous Legal Advocacy Courses – How can I enrol in the courses?

1. Students must be Indigenous

Enrolment in the National Indigenous Legal Advocacy courses is restricted to Aborigines and Torres Strait Islanders. The purpose of the courses is to address the under-representation of Indigenous peoples in the provision of legal services to Indigenous people, and the difficulties of Indigenous peoples gaining entry into the legal profession.

2. Qualifications for entry into courses

Indigenous peoples wishing to undertake the courses do not have to have formal educational qualifications. Instead, selection into the courses will be based on applicants being able to satisfy the training organisation that their experience, literacy and numeracy skills, and any qualifications, that they possess indicate that they are able to successfully complete the course/s.

Entry into the courses is determined by the individual training organisations that are licensed to deliver the courses. Applicants will be interviewed by a selection panel in order to gain entry into the courses. The selection panel may identify any assistance that they consider the training organisation should provide to assist an individual to undertake the courses.

3. Training organisations which offer the courses

The courses can only be offered by training organisations (such as independent aboriginal educational institutes or TAFE colleges) that are licensed to offer and deliver the courses. Each training organisation must obtain a licence from the Human Rights and Equal Opportunity Commission before it can offer the courses.

It is anticipated that the courses will be taught by approximately 1-3 organisations in each state and territory.

Information about which training organisations are licensed to offer and deliver the courses are available from the Human Rights and Equal Opportunity Commission's website at: www.humanrights.gov.au/social_justice/nilac/.