



Australian Government

Department of Education, Employment and Workplace Relations

PUAPOLGD009A Manage involvement in the judicial process

Revision Number: 3

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Modification History

PUAPOLGD009A Release 3: Unit Descriptor revised.

PUAPOLGD009A Release 2: Layout adjusted. No changes to content.

PUAPOLGD009A Release 1: Primary release.

Unit Descriptor

This unit covers the competency required to prepare and manage evidence, witnesses and persons of interest for the relevant judicial authority in accordance with organisational policies and procedures.

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

Application of the Unit

This unit supports the preparation of judicial documents, the managing of witnesses, the monitoring of persons of interest, the ability to liaise with and assist the prosecuting authority and an understanding of court and/or post-court procedures.

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 Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Prepare judicial documents	1.1 Elements/points of proof are comprehensively and accurately included into briefs of evidence 1.2 Jurisdictional/court required document formats and presentation standards are complied with 1.3 Jurisdictional legal rules of evidence for briefs of evidence are complied with 1.4 Documents are forwarded to persons/ authorities within required timeframe 1.5 Safety and security of victims and witness evidence is maintained at all times 1.6 Requirements of disclosure are complied with in accordance with organisational policies and procedures.
2. Manage witnesses	2.1 Witnesses are identified and informed of judicial processes in accordance with organisational policy 2.2 Court appearances for witnesses are arranged, including transport, accommodation and security where appropriate 2.3 Liaison with and support of victims/witnesses is maintained in line with organisational policy 2.4 Witnesses are prepared in an ethical manner to enable them to present their evidence in court where required 2.5 Victims/witnesses are referred to support agencies in accordance with organisational policy 2.6 Witness summonses are arranged and served, in accordance with organisational policy/jurisdictional law, to ensure witness attendance at courts where required
3. Monitor person/s of interest	3.1 Procedures are followed to ensure compliance of person/s of interest with court requirements 3.2 Appropriate authorities and parties are clearly advised in a timely manner of bail conditions, further proceedings and court requirements
4. Liaise with and assist prosecuting authority	4.1 Documentation is provided promptly and accurately to support the prosecution's case 4.2 Informal and formal communication channels are maintained with prosecuting authority 4.3 Judicial guidelines, protocols and legal requirements are observed and adhered to at all times
5. Undertake court and/or post-court procedures	5.1 Briefs of evidence and other documents are acted upon in accordance with organisational policies and procedures

ELEMENT**PERFORMANCE CRITERIA**

- 5.2 Property and exhibits are returned or disposed of in accordance with organisational policies and procedures where required
- 5.3 *Relevant parties* are notified of court results in accordance with organisational requirements
- 5.4 Where required, avenues of possible further action are constructively and objectively discussed with a prosecuting authority
- 5.5 *Proceedings* and *protocols* relevant to the jurisdiction involved are adhered to throughout the proceedings

Required Skills and Knowledge

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

Required Skills

- communicate in writing (prepare briefs of evidence, exhibit register)
- communicate orally (briefing, responding to questioning, listening, reflecting, establishing rapport, negotiating, resolving conflict)
- implement operational safety skills
- maintain an acceptable demeanour (in relation to issues such as appearance, confidence, deportment, dress standard)
- make decisions and solve problems
- manage computers and information
- manage witness/victim, in particular by using cultural awareness skills, ethical behaviours and integrity
- organise and manage time effectively

Required Knowledge

- compilation of a brief of evidence
- court procedures and processes
- government and policy environments within which interviews will be managed
- organisational goals and objectives
- potential discussions with prosecuting authorities (which may be formal or informal and may occur before, during or after a trial)
- potential influencing circumstances (such as likelihood of repeat offences, nature of the person of interest's antecedents, protection of witnesses, tampering with evidence)
- professional standards (such as impartiality, integrity, language, respect for people and offices held, voice clarity)
- relevant law (including the rules of evidence, continuity of evidence), policies and procedures
- victim/witness support services

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:

- apply organisational policies and procedures in effectively preparing and managing evidence, witnesses and person/s of interests.

Consistency in performance

Competency should be demonstrated over time and from a range of actual workplace or simulated situations.

Context of and specific resources for assessment

Context of assessment

Competency should be assessed over time in a range of actual or simulated workplace environments.

Specific resources for assessment

There are no specific resource requirements for this unit.

Method of assessment

In a public safety environment assessment is usually conducted via direct observation in a training environment or in the workplace via subject matter supervision and/or mentoring, which is typically recorded in a competency workbook.

Assessment is completed using appropriately qualified assessors who select the most appropriate method of assessment.

Assessment may occur in an operational environment or in an industry-approved simulated work environment.

Forms of assessment that are typically used include:

- direct observation
- interviewing the candidate
- journals and workplace documentation
- third party reports from supervisors
- written or oral questions.

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.

- Documents*** may include:
- Briefs of evidence
 - Court brief/summary of facts
 - Inquest briefs
 - Reports or legal opinion
 - Requests for medical and other specialist reports
 - Statements/affidavits
 - Victim impact statements
- Authorities*** may include:
- Bail/watch house
 - DPP
 - Legal representatives
 - Officer in Charge
 - Relevant court
- Liaison and support for witnesses:***
- Is a continuing process and will therefore take place before, during and after a trial
- Support agencies are statutory or voluntary*** and may include:
- Child welfare agencies
 - Counselling agencies
 - Court-based witness assistance
 - Medical services
 - Sexual assault units
 - Victims of crime associations
- Monitoring person/s of interest*** may include:
- Bail conditions
 - Curfew checks
 - Reporting conditions
 - Residential checks
 - Respondents in family court matters
- Procedures*** may include:
- People summonsed or on notice to appear
 - Person of interests on bail
 - Others subject to court orders e.g. victims/witnesses
- Prosecuting authority*** may include:
- Coroner
 - And assistance to the prosecuting authority may be required before, during and after court
- Court procedures and processes*** may include:
- Being advised of obligations and format for giving evidence
 - Being advised of the procedure for obtaining witness fees
 - Being kept informed of investigation/court status

Post-court procedures may include:

- Discussion of possible appeal
- Implementation of judicial orders such as for confiscation or destruction of property

Relevant parties to be notified may include:

- Aboriginal legal aid
- Defence forces
- Foreign embassies
- Government departments
- Internal and external agencies
- Other police
- Parents/care givers
- Victim
- Witness

Proceedings and protocols may include:

- Judicial and quasi judicial tribunals
- Rules of court

Unit Sector(s)

Not applicable.