



Australian Government

Department of Education, Employment and Workplace Relations

SFICOMP302C Exercise compliance powers

Release: 1

SFICOMP302C Exercise compliance powers

Modification History

Not Applicable

Unit Descriptor

Unit descriptor	<p>This unit of competency involves exercising compliance powers to enforce laws relating to fisheries management and other associated legislation.</p> <p>Licensing, legislative, regulatory or certification requirements may apply to this unit. Therefore it will be necessary to check with the relevant state or territory regulators for current licensing, legislative or regulatory requirements before undertaking this unit.</p>
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Application of the Unit

Application of the unit	
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Licensing/Regulatory Information

Refer to Unit Descriptor

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Conduct searches of persons, property, vessels and vehicles	<p>1.1. Decision to enter and/or <i>search</i> is made and conducted with due regard to lawful authority and jurisdictional procedures.</p> <p>1.2. Search process is thorough, meticulous and adheres to operational policy and procedures.</p> <p>1.3. Property is seized or collected, recorded and stored according to jurisdictional policy and legislative requirements.</p> <p>1.4. Any damage and/or injuries incurred are accurately documented according to jurisdictional policy.</p>
2. Caution, report or arrest persons	<p>2.1. <i>Breaches of the law</i> are identified and investigated according to relevant jurisdictional law, policy and procedures.</p> <p>2.2. The decision to caution, report or arrest is made at the discretion of the officer and conveyed to the person concerned according to jurisdiction guidelines and professional codes of conduct.</p> <p>2.3. Relevant and accurate <i>documentation</i> is prepared and submitted as required by law and/or jurisdictional policy.</p> <p>2.4. Suspects are transported for further processing according to their legal rights and jurisdictional policy.</p>
3. Afford rights to suspects	<p>3.1. Suspects are treated in a fair, equitable and non-discriminatory manner.</p> <p>3.2. Suspects are made aware of, and provided with, their legal entitlements under relevant jurisdictional laws and procedures.</p>
4. Assess and preserve crime/incident scenes and, when required, assist in the investigation process	<p>4.1. Crime or incident scenes are correctly assessed for future investigation requirements.</p> <p>4.2. Where necessary, crime or incident scenes are correctly secured to facilitate potential future investigatory activity.</p> <p>4.3. All actions and reports taken at crime or incident scenes optimise the gathering and preservation of evidence present and its lawful presentation in court.</p>

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- applying for search warrants
- applying the 'use of force' (defensive tactics)
- cautioning or arresting persons
- applying conflict resolution, mediation and incident de-escalation
- containing and preserving various crime/incident scenes
- effectively communicating appropriate instructions/directives to suspects and other members of the public
- identifying situational behaviour and problems
- minimising workplace risks to self, colleagues and the public.

Literacy skills used for:

- documenting actions
- preparing and writing reports and briefs of evidence
- responding to conflict.

Required knowledge

- Anti-Discrimination Act
- Disability Act
- human behaviour and the impacts of age, gender, ethnicity, social background and recreational practices,, such as use of drugs and alcohol
- Indigenous land rights and cultural activities, including fishing by traditional methods
- jurisdictional laws and procedures for search and entry
- jurisdictional laws, by-laws and regulations relating to offences against state, territory and commonwealth fisheries
- jurisdictional policy and procedures covering reactive operational safety issues/practices
- potential risks associated with operational policing
- reporting requirements in relation to operational safety matters
- requirements for crime or incident scene preservation and investigation, as far as it relates to non-compliance with fisheries management regulations
- strategies to optimise safety under a range of operational scenarios
- the 'use of force' and its legal parameters.

Evidence Guide

EVIDENCE GUIDE

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.

Overview of assessment

Critical aspects for assessment evidence required to demonstrate competence in this unit

Assessment must confirm ability to:

- exercise compliance powers with tact, discretion and sensitivity in an ethical manner and in accordance with legal and organisational policies and procedures.

Assessment must confirm knowledge of:

- jurisdictional laws, by-laws and regulations relating to offences against state, territory and commonwealth fisheries.

Context of and specific resources for assessment

Assessment may be conducted on the job and/or in simulated work environments. Evidence of competency will need to be gathered over time and from across a range of actual/simulated workplace situations.

Resources may include:

- actual or simulated crime/incident scene
- persons, property, vessels and vehicles for searching.

Method of assessment

The following assessment methods are suggested:

- observation of demonstration
- portfolio of reports/documentation
- role-play
- written or oral short-answer testing.

Guidance information for assessment

This unit may be assessed holistically with other units within a qualification.

Range Statement

RANGE STATEMENT

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, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

<i>Searches</i> may include:	<ul style="list-style-type: none"> • at sea, beach or landing • of inland waterways • of persons • of premises • of vehicles or vessels • to locate evidence.
<i>Breaches of the law</i> may include non-compliance with:	<ul style="list-style-type: none"> • Criminal Code • Environmental Protection Authority (EPA) legislation • fisheries legislation • licensing terms and conditions • marine/boating legislation • National Parks and Wildlife legislation.
<i>Documentation</i> may include:	<ul style="list-style-type: none"> • arrest reports • briefs of evidence • cautioning notices • expiation notices • information reports.

Unit Sector(s)

Unit sector	Fisheries compliance
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Co-requisite units

Co-requisite units	

Competency field

Competency field	
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