



**Australian Government**

**Department of Education, Employment and Workplace Relations**

# **CHCPROT401C Act as a witness**

**Release: 1**

## **CHCPROT401C Act as a witness**

### **Modification History**

Not Applicable

### **Unit Descriptor**

#### **Descriptor**

This unit describes the knowledge and skills required to provide assistance within juvenile justice and care and protection processes

### **Application of the Unit**

#### **Application**

This unit may apply to community service work in security contexts

### **Licensing/Regulatory Information**

Not Applicable

### **Pre-Requisites**

Not Applicable

## Employability Skills Information

### Employability Skills

This unit contains Employability Skills

## Elements and Performance Criteria Pre-Content

Elements define the essential outcomes of a unit of competency.

The Performance Criteria specify the level of performance required to demonstrate achievement of the Element. Terms in italics are elaborated in the Range Statement.

## Elements and Performance Criteria

### ELEMENT

1. *Contribute to the court processes as a witness*

### PERFORMANCE CRITERIA

- 1.1 Participate in *pre and post court briefings* and debriefings as appropriate and required
- 1.2 *Provide evidence* that reflects questions and directions asked by court or *legal representatives*
- 1.3 Provide evidence using factual descriptions and present clearly and concisely
- 1.4 Ensure conduct is according to requirements of court processes and proceedings
- 1.5 Liaise with appropriate legal representatives
- 1.6 Undertake all appropriate and required documentation and reporting and store in accordance with organisation procedures

2. Provide appropriate coordination and assistance

- 2.1 Provide relevant information about court processes to *relevant people*
- 2.2 Provide immediate assistance as appropriate to the work role
- 2.3 Offer referral and/or other advice to parents, caregivers and children

## Required Skills and Knowledge

### REQUIRED SKILLS AND KNOWLEDGE

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

#### *Essential knowledge:*

The candidate must be able to demonstrate essential knowledge required to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role

These include knowledge of:

- Operations of the court process
- Operations of legal system
- Legal implications and responsibilities of statutory work
- Rules of evidence
- Relevant policy and procedures
- Relevant legislation

#### *Essential skills:*

It is critical that the candidate demonstrate the ability to:

- Present information factually and descriptively
- Demonstrate awareness of legal and court protocols and processes
- Demonstrate knowledge related to appropriate organisation and legislative requirements
- Use typical processes listed in the Range Statement

In addition, the candidate must be able to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role

These include the ability to:

- Communicate effectively with:
  - organisations and representatives of court and legal system
  - children, young people and parents/caregivers
- Demonstrate application of skills in:
  - clear speaking and presentation of facts

## REQUIRED SKILLS AND KNOWLEDGE

- managing stress within a court environment
- report writing
- interviewing and assessment

## 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, the Range Statement and the Assessment Guidelines for this Training Package.

*Critical aspects for assessment and evidence required to demonstrate this unit of competency:*

- The individual being assessed must provide evidence of specified essential knowledge as well as skills
- This unit of competence will be assessed in the workplace or in a simulated workplace and under the normal range of workplace conditions
- Consistency in performance should consider the complexity of juvenile justice or care and protection processes undertaken by workers

## EVIDENCE GUIDE

- Access and equity considerations:*
- All workers in community services should be aware of access, equity and human rights issues in relation to their own area of work
  - All workers should develop their ability to work in a culturally diverse environment
  - In recognition of particular issues facing Aboriginal and Torres Strait Islander communities, workers should be aware of cultural, historical and current issues impacting on Aboriginal and Torres Strait Islander people
  - Assessors and trainers must take into account relevant access and equity issues, in particular relating to factors impacting on Aboriginal and/or Torres Strait Islander clients and communities
- Context of and specific resources for assessment:*
- This unit can be assessed independently, however holistic assessment practice with other community services units of competency is encouraged
  - Resource requirements for assessment include access to:
    - an appropriate workplace or an environment capable of accurately simulating the workplace for assessment purposes:
- Method of assessment:*
- In cases where the learner does not have the opportunity to cover all relevant aspects in the work environment, the remainder should be assessed through realistic simulations, projects, previous relevant experience or oral questioning on 'What if?' scenarios
  - Assessment of this unit of competence will usually include observation of processes and procedures, oral and/or written questioning on Essential knowledge and skills and consideration of required attitudes
  - Where performance is not directly observed and/or is required to be demonstrated over a 'period of time' and/or in a 'number of locations', any evidence should be authenticated by colleagues, supervisors, clients or other appropriate persons

## 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. Add any 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.

*The contexts for acting as a witness include:*

- Within a juvenile justice process
- Within a care and protection process

*Contribute to the court processes as a witness will be carried out within requirements established by:*

- Rules of evidence within legal and court processes
- Commonwealth and State legislation
- International conventions relating to the Rights of Children and Young Persons
- Organisation policy and procedures
- Relevant program standards

*Pre and post court briefings includes being briefed by:*

- A legal representative on the rules of evidence and court protocol
- A statutory worker on the details of the case and organisation policy for presentation of evidence
- A legal representative and/or statutory worker on outcomes and consequences of court decisions

*Provide evidence includes verbal presentation of factual information that:*

- Is descriptive and devoid of assumptions or judgemental statements
- Represents the details and facts of the evidence that are pertinent to the case

**RANGE STATEMENT**

*Information provided is tailored to include:*

- Language that can be understood by the majority of participants in the court process with reduced jargon

*Legal representatives include:*

- Crown law or private legal representatives appointed by Crown law

*Relevant people may include:*

- Parents and caregivers
- Workers or representatives from related agencies

**Unit Sector(s)**

Not Applicable