



Australian Government

POLGEN032 Apply legislation and judicial processes in policing

Release: 1

POLGEN032 Apply legislation and judicial processes in policing

Modification History

Release 1. This is the first release of this unit of competency in the POL Police Training Package.

Application

This unit describes the skills required to apply current legislation and undertake policing activities within judicial processes. This includes applying legislation related to offences, applying legislative powers, preparing judicial documents and participating in court proceedings.

This unit applies to those working in a policing environment, typically in a general duties role.

The skills and knowledge described in this unit must be applied within the current legislative, regulatory and policy environment in which they are carried out. Organisational policies and procedures must be consulted and adhered to, particularly those related to police powers, court processes and procedures, and proofs of evidence.

Those undertaking this unit would primarily work autonomously or under limited supervision, while completing complex tasks in a broad range of contexts. They would be required to apply decision making and problem-solving skills to interpret behaviours and develop solutions.

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

Pre-requisite Unit

Not applicable.

Competency Field

General

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes.

PERFORMANCE CRITERIA

Performance criteria describe the performance needed to demonstrate achievement of the element.

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| 1 Apply legislation related to offences | 1.1 | Differentiate between categories of offences/crimes in terms of their respective elements |
| | 1.2 | Assess incident/situation to establish whether an offence has been committed |
| | 1.3 | Identify relevant sections of legislation applicable to incident/situation to inform policing response |
| | 1.4 | Identify potential evidence of offences for prosecution purposes |
| 2 Apply legislative powers and cautions | 2.1 | Identify police powers to inform policing responses |
| | 2.2 | Exercise police powers lawfully |
| | 2.3 | Assess alternative prosecution options to determine an appropriate response |
| | 2.4 | Apply alternative prosecution options in accordance with the incident/situation |
| 3 Prepare judicial documents | 3.1 | Identify judicial documentation required for the proceeding |
| | 3.2 | Complete judicial documentation in accordance with the Rules of Evidence |
| | 3.3 | Submit judicial documentation in accordance with reporting requirements |
| | 3.4 | Adhere to the timeframes and governance structures of judicial documents |
| 4 Participate in court proceedings | 4.1 | Engage with victims, witnesses and court officials to support court process |
| | 4.2 | Give oral testimony in accordance with the rules of the court |
| | 4.3 | Manage exhibits throughout court proceedings |

Foundation Skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of

competency.

Range of Conditions

Range is restricted to essential operating conditions and any other variables essential to the work environment.

Non-essential conditions may be found in the POL Police Training Package Companion Volume Implementation Guide.

Unit Mapping Information

This unit replaces but is not equivalent to POLGEN023 Apply legislation and judicial processes in policing

Links

Companion Volume Implementation Guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=98c3984e-2cf1-48a8-8ed1-85e4b92e7351>