



Australian Government

Department of Education, Employment and Workplace Relations

PSPCRT410B Provide court support to Indigenous clients

Release: 2

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Modification History

PSPCRT410B Release 1: Layout adjusted. No changes to content.
PSPCRT410B Release 2: Primary release.

Unit Descriptor

This unit covers the ability to negotiate and assist Indigenous Australians in their dealings with the court. It includes providing advice and support to the court and the Aboriginal community, and assisting Aboriginal people in court.

In practice, provision of court support to Indigenous clients may overlap with other generalist or specialist public sector work activities, such as acting ethically, working with diversity, complying with legislation, applying government processes, and gathering and analysing information.

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

Application of the Unit

The task of assisting Aboriginal people will take place in a court or other appropriate setting and will be undertaken by authorised court officials.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

<p>Elements describe the essential outcomes of a unit of competency.</p>	<p>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.</p>
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Provide information and options.	1.1. Information and options are provided to Indigenous <i>court users</i> in a <i>culturally appropriate and respectful manner</i> . 1.2. Client information is used to identify services required, and protocols for the sharing of information are observed in a culturally appropriate manner. 1.3. Identify and apply organisational policy and procedures relevant to Indigenous people in the provision of information and options, including alternative procedural options available to Indigenous people. 1.4. <i>Appropriate referrals</i> are provided according to organisational policy and procedures, including making necessary and appropriate arrangements according to client needs. 1.5. Problems raised by clients are clarified and addressed according to organisational policy and procedures, including referral and seeking appropriate assistance.
2. Provide support to Indigenous Australians involved in court proceedings.	2.1. Assistance is provided to Indigenous people to access support services and any alternative, available procedural options. 2.2. Assistance is provided to Indigenous people to complete <i>procedural requirements</i> . 2.3. Information regarding procedural requirements is communicated to Indigenous court users and their nominated representatives, and protocols for the sharing of information are observed in a culturally appropriate manner. 2.4. Obligations contained in orders are explained and understanding of the ramifications of non-compliance is confirmed in a culturally appropriate and respectful manner.

Required Skills and Knowledge

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

Required skills

- initiative and enterprise skills to apply:
 - legislation, regulations and policies relating to courts administration, specifically relating to Indigenous people and communities
 - procedures relating to public services legislation, such as OHS and environment in the context of court support services
- communication skills to:
 - deal effectively with Indigenous communities and people in a culturally appropriate manner
 - make effective explanations
 - advise and support
 - build rapport
 - deal effectively with judiciary
- interpersonal skills to respond to:
 - Indigenous communities and people respectfully and in a culturally sensitive manner, including:
 - responding sensitively and appropriately to disclosure
 - responding sensitively to cultural issues
 - maintaining confidentiality
 - diversity, including gender, disability and need
- problem-solving skills to:
 - negotiate and use collaborative skills between court, client, client's family and community, and other service providers
 - provide assistance
- language and literacy skills to gather and interpret information

Required knowledge

- legislation, regulations, policies, procedures and guidelines relating to:
 - courts
 - Indigenous communities and court users
- criminal and civil justice systems and legislation conferring jurisdiction
- courts administration structure
- principles of judicial independence
- appropriate range of referral sources and associated protocols for working with Indigenous clients
- current policy approaches to courts administration that are specifically applicable to Indigenous people, including fine payment schemes, alternative sentencing options and flexible case management procedures

- social, historical, political and economic context of Indigenous justice issues
- Indigenous culture and customs
- local Indigenous issues and social structures
- principles of financial budgeting and assessment
- equal employment opportunity principles
- equity and diversity principles
- working ethically
- public sector legislation, such as OHS and environment in the context of providing court support

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.

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Assessment must confirm the ability to:

- provide information on Indigenous issues and cultural information to judiciary and court staff
- provide information on courts and the justice system to Indigenous court users
- provide culturally appropriate responses to a range of questions to ensure understanding
- access knowledge of organisational policy and procedure to provide appropriate information and options to Indigenous court users
- explain defendants' obligations to ensure understanding
- provide appropriate referrals for assistance where relevant
- comply with legislative and organisational policies and procedures.

Consistency in performance

Competency should be demonstrated by providing court support to Indigenous clients on a range of occasions, over time.

Context of and specific resources for assessment

Assessment must comply with:

- applicable regulations and codes
- workplace procedures and protocols.

Access may be required to:

- a workplace environment or one that closely resembles normal work practices and replicates the range of conditions likely to be encountered when providing court support to Indigenous clients, including coping with difficulties, irregularities and breakdowns in routine
- legislation, policy, procedures and protocols relating to the provision of court support to Indigenous clients
- case studies and workplace scenarios to capture the range of situations likely to be encountered when providing court support to Indigenous clients.

Guidance information for assessment

The following assessment methods are suggested:

- oral questioning about relevant legislation, acting ethically, and applying processes
- observation of the candidate responding to a range of contexts to ensure achievement of the unit outcomes

- feedback from peers and/or supervisor that the candidate consistently applies relevant workplace procedures
- review of records completed by candidate or reports of performance.

In all cases, practical assessment should be supported by questions to assess underpinning knowledge and those aspects of competency that are difficult to assess directly. Questioning techniques should suit the language and literacy levels of the candidate.

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.

- Court users*** may include:
- witness
 - support person
 - nominated representative
 - defendant
 - applicant
 - expert witness.
- Culturally appropriate and respectful manner*** may include:
- gender of court user
 - languages spoken
 - verbal and non-verbal behaviour.
- Appropriate referrals*** may include:
- Aboriginal Legal Service
 - Legal Aid
 - drug and alcohol services
 - Aboriginal liaison services
 - support services.
- Procedural requirements*** may include:
- initiating matters
 - complying with orders
 - lodging documents
 - appearing in court.

Unit Sector(s)

Not applicable.

Competency field

Courts.

Co-requisite units

Not applicable.