



**Australian Government**

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

# **PSPCRT502C Manage jurors**

**Release 3**

## PSPCRT502C Manage jurors

### Modification History

Release	TP Version	Comments
3	PSP12V1	Elements and performance criteria pre-content edited.
2	PSP04V4.2	Layout adjusted. No changes to content.
1	PSP04V4.1	Primary release.

### Unit Descriptor

This unit covers the ability to manage jurors before, during and after they are selected for jury duty to ensure the integrity of the jury process. It includes supporting the jury selection process, ensuring the welfare and security of jurors during trials, and completing post-trial duties.

In practice, managing jurors may overlap with other generalist or specialist public sector work activities, such as acting ethically, complying with legislation, working safely, working with diversity and performing court duties.

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

### Application of the Unit

The task of managing jurors may be performed in court, court precincts or other places occupied by jurors and will be undertaken by authorised court officials operating under legislative and organisational procedures and protocols.

### 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 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. Support the jury selection process.	1.1. Jurors are directed to the assembly point and <i>preliminary procedures</i> are completed in accordance with legislative and administrative requirements. 1.2. <i>Jury panel information</i> is provided and retrieved in accordance with statutory requirements and organisational policy and procedures. 1.3. Jurors are escorted to court and directed to the jury box according to court procedures and protocols. 1.4. Following <i>selection procedures</i> , jurors are provided with <i>orientation</i> to the jury room, briefed on <i>general protocols</i> , and relevant <i>documentation</i> is completed. 1.5. Jurors not empanelled are directed from the courtroom and further commitments to attend court are confirmed in accordance with court requirements.
2. Ensure the welfare and security of jurors during trials.	2.1. Juror needs are addressed and the integrity of jurors is preserved through maintenance of an impartial and courteous relationship according to legal requirements and organisational policy and procedures. 2.2. <i>Jury security procedures</i> are implemented according to standard operating procedures, in the court and court precincts, during jury deliberations and when jurors leave the courthouse for meals. 2.3. <i>Questions</i> from jurors are dealt with in accordance with legislative requirements and organisational policy and procedures. 2.4. Jury views are facilitated in accordance with legislative requirements and organisational policy and procedures. 2.5. Procedures for <i>jury deliberations</i> are followed in accordance with legislative requirements and the number of officers on duty.
3. Complete post-trial duties after jury is discharged.	3.1. <i>Items</i> used and produced by jurors during deliberations are dealt with according to organisational policy and procedures. 3.2. Jurors are briefed on support or counselling available to them according to organisational policy and procedures. 3.3. <i>Jurors are escorted</i> from the court precinct according to standard operating procedures and any special requirements. 3.4. Jury room is restored in accordance with legislative requirements and organisational policy and procedures. 3.5. <i>Administrative duties</i> relating to the jury are completed according to organisational procedures and

timelines.

## Required Skills and Knowledge

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

### Required skills

- initiative and enterprise skills to apply:
  - legislation, rules, practice and procedures relating to managing jurors
  - procedures relating to public sector legislation, such as OHS procedures relating to working in a court environment
- communication skills to:
  - announce persons in court
  - direct jurors
  - brief jurors
  - provide information to jurors
  - confirm jurors' personal details
  - address juror needs
- interpersonal skills to respond to diversity, including gender and disability
- literacy skills to complete:
  - court forms and documentation appropriately
  - statistical returns accurately

### Required knowledge

- jury selection process
- role and function of juries
- legislative requirements of jurors
- general procedures and protocols relating to jurors
- standard operating procedures relating to jury management
- court procedures relating to juries
- documentary and administrative requirements relating to juries
- equal employment opportunity principles
- equity and diversity principles
- working ethically

## 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:

- complete preliminary procedures
- provide and retrieve jury panel information
- provide relevant information to jurors
- provide appropriate responses to enquiries from jurors
- ensure integrity of jurors
- apply security procedures
- complete post-trial duties
- complete relevant documentation
- comply with court protocols, legislative and organisational policies and procedures

### Consistency in performance

Competency should be demonstrated by managing jurors 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 managing jurors, including coping with difficulties, irregularities and breakdowns in routine
- legislation, policy, procedures and protocols relating to managing jurors
- case studies and workplace scenarios to capture the range of situations likely to be encountered when managing jurors

### 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.

<p><b><i>Preliminary procedures</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• roll call</li> <li>• checking identification against jury summons</li> <li>• correcting details, such as spelling of names, change of name or address, etc.</li> <li>• identifying public servants (who may be ineligible for payment)</li> <li>• dealing with administrative problems</li> <li>• providing information to jurors</li> <li>• confirming juror requirements</li> <li>• describing court layout, where parties sit and where jurors will go during empanelling</li> <li>• procedures for oath or affirmation</li> <li>• identifying exempt jurors</li> <li>• identifying jurors who wish to make application to the judge to be excused from service</li> <li>• notifying judge of number of applications for being excused and number of prospective jurors</li> </ul>
<p><b><i>Jury panel information</i></b> may be provided:</p>	<ul style="list-style-type: none"> <li>• to presiding judge alone</li> <li>• to Crown</li> <li>• to defence counsel</li> <li>• immediately prior to jury selection</li> <li>• immediately after jury selection</li> <li>• to prospective jurors</li> </ul>
<p><b><i>Selection procedures</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• personal applications to be excused</li> <li>• excusing jurors who know witnesses</li> <li>• calling names or identification numbers</li> <li>• challenging jurors before they take their seat in the jury box</li> <li>• procedure for those challenged to leave the court</li> <li>• security of jury cards once a trial is in process</li> <li>• ban on use of recording equipment during selection</li> <li>• ban on mobile phones, cameras and weapons</li> </ul>
<p><b><i>Orientation</i></b> may include:</p>	<ul style="list-style-type: none"> <li>• court layout</li> <li>• how to gain entry to the jury room</li> <li>• emergency exit procedures</li> <li>• arrangements for lunch or evening adjournments</li> <li>• arrangements for leaving and re-entering court on succeeding days</li> </ul>



	<ul style="list-style-type: none"><li>• procedure for emergencies that prevent juror from attending court on time</li><li>• procedures for messages to jurors in case of emergencies</li><li>• jury room to be locked while jury is in court and after evening adjournment</li></ul>
--	--

<b>General protocols</b> may include:	<ul style="list-style-type: none"> <li>• role and selection of foreperson</li> <li>• use of jury communication forms</li> <li>• no mobile telephones or pagers in court</li> <li>• surrender of mobile phones and pagers during jury deliberations</li> <li>• jurors not to be approached by other people while in court or jury room</li> <li>• no contact with counsel or witnesses during adjournments</li> <li>• avoiding unnecessary contact with public</li> </ul>
<b>Documentation</b> may include:	<ul style="list-style-type: none"> <li>• selected juror's form</li> <li>• jury telephone contact form</li> <li>• jury attendance sheet</li> <li>• jury statistics returns</li> <li>• electronic record keeping</li> </ul>
<b>Jury security procedures</b> may include:	<ul style="list-style-type: none"> <li>• escorting jurors</li> <li>• keeping jury room closed/locked</li> <li>• ensuring jurors are not approached during meals and breaks</li> <li>• protecting identity of jurors</li> <li>• ensuring jurors are not photographed</li> <li>• not allowing jurors to separate during meals when deliberating</li> <li>• transport arrangements for jury views</li> <li>• keeping jurors apart from other court members during jury views</li> <li>• views and showers</li> </ul>
<b>Questions</b> may include:	<ul style="list-style-type: none"> <li>• sitting times for court and when they will be required</li> <li>• those relating to the trial or the principles and practices of law, which are referred to the presiding judge</li> <li>• requests for items that must be referred to the presiding official, such as street directory, dictionary or whiteboard</li> <li>• request for items relating to accommodation and other amenities</li> </ul>
<b>Jury deliberations</b> may include:	<ul style="list-style-type: none"> <li>• access to exhibits tendered during trial (subject to judge's direction)</li> <li>• access to electronic equipment</li> <li>• requests for information</li> <li>• questions for the judge</li> <li>• questions where the judge determines the court must re-convene to hear the questions and the answers</li> <li>• majority verdict in the case of civil trials</li> </ul>
<b>Items</b> may include:	<ul style="list-style-type: none"> <li>• written material that must not be retained by jurors</li> <li>• jurors' notebooks</li> <li>• whiteboard information that must be removed</li> <li>• trial paperwork</li> <li>• exhibits</li> <li>• reference books or other requested items</li> </ul>

	<ul style="list-style-type: none"> <li>• jurors' identification tags</li> </ul>
<i>Escorting jurors</i> may include:	<ul style="list-style-type: none"> <li>• avoiding public areas</li> <li>• notifying security control of special circumstances</li> <li>• arranging transport in special circumstances</li> </ul>
<i>Administrative duties</i> may include:	<ul style="list-style-type: none"> <li>• completion of jury cards</li> <li>• payment to jurors</li> <li>• completion of forms, court returns, statistical returns and covering reports</li> <li>• dealing with court files</li> <li>• electronic record keeping</li> </ul>

## Unit Sector(s)

Not applicable.

## Competency field

Courts.