



**Australian Government**

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

# **PSPREG406C Make arrests**

**Revision Number: 3**

## PSPREG406C Make arrests

### Modification History

Release	TP Version	Comments
3	PSP12V1	Unit descriptor edited.
2	PSP04V4.2.	Layout adjusted. No changes to content.
1	PSP04V4.1	Primary release.

### Unit Descriptor

This unit covers the competency to arrest persons under powers provided by various legislation. It includes making the decision to arrest, performing arrests and preparing and submitting documentation.

In practice, making arrests may overlap with other generalist and specialist public sector work activities such as exercising regulatory powers, acting ethically, complying with public sector legislation, acting on non-compliance, applying government processes, etc.

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

### Application of the Unit

Not applicable.

### Licensing/Regulatory Information

Not applicable.

### Pre-Requisites

Not applicable.

### Employability Skills Information

This unit contains employability skills.

## Elements and Performance Criteria Pre-Content

Elements are the essential outcomes of the unit of competency. Together, performance criteria specify the requirements for competent performance. Text in *bold italics* is explained in the Range Statement following.

## Elements and Performance Criteria

### ELEMENT

### PERFORMANCE CRITERIA

- |   |   |
|---|---|
| <p><b>1. Make decision to arrest</b></p>          | <p>1.1 Circumstances are assessed and arrest is determined to be the appropriate response decision in relation to the alleged breach of law.</p> <p>1.2 Assessment is carried out to ensure the arrest can be made without endangering self or others in accordance with <i>legislation, organisational policy and procedures</i>.</p> <p>1.3 When <i>assistance</i> is required, requests are made in a timely manner and in accordance with organisational policy and procedures.</p> |
| <p><b>2. Perform arrest</b></p>                   | <p>2.1 When performing arrest, all <i>legal and administrative requirements</i> are carried out.</p> <p>2.2 Conflict de-escalation techniques are used as necessary to avoid force and maintain the safety of self and others.</p> <p>2.3 Any arrest, restraint and/or transport actions are conducted in accordance with legislative requirements and organisational policy and procedures.</p>  |
| <p><b>3. Prepare and submit documentation</b></p> | <p>3.1 <i>Documentation</i> is completed that is accurate, relevant, complete, and is prepared and submitted within the required timeframe, as required by law and organisational policy and procedures.</p>  |

## Required Skills and Knowledge

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

### Skill requirements

Look for evidence that confirms skills in:

- engaging in communication, negotiation and conflict resolution with alleged offenders from diverse backgrounds
- responding to diversity, including gender and disability
- using techniques to protect personal safety including restraint techniques for suspects
- writing, requiring precision of expression and formality of structure and style
- applying public sector legislation, such as occupational health and safety and environmental processes relating to the safety of self and others in the context of making arrests

### Knowledge requirements

Look for evidence that confirms knowledge and understanding of:

- offences under the enabling legislation
- legislative powers of arrest and limits of authority
- organisational policy and procedures relating to arrest
- rights of alleged offender
- formal caution
- terminology used in legislation and procedures
- communication and conflict resolution techniques relating to arrest
- equity and diversity principles
- public sector legislation such as occupational health and safety and environment relating to arrests

## Evidence Guide

The Evidence Guide specifies the evidence required to demonstrate achievement in the unit of competency as a whole. It must be read in conjunction with the Unit descriptor, Performance Criteria, the Range Statement and the Assessment Guidelines for the Public Sector Training Package.

### Units to be assessed together

- *Pre-requisite* units that must be achieved prior to this unit: *Nil*
- *Co-requisite* units that must be assessed with this unit: *Nil*
- *Co-assessed units* that may be assessed with this unit to increase the efficiency and realism of the assessment process include, but are not limited to:
  - PSPETHC401A Uphold and support the values and principles of public service
  - PSPGOV408A Value diversity
  - PSPGOV422A Apply government processes
  - PSPLEGN401A Encourage compliance with legislation in the public sector
  - PSPREG401C Exercise regulatory powers
  - PSPREG405B Act on non-compliance

### Overview of evidence requirements

In addition to integrated demonstration of the elements and their related performance criteria, look for evidence that confirms:

- the knowledge requirements of this unit
- the skill requirements of this unit
- application of the Employability Skills as they relate to this unit (see Employability Summaries in Qualifications Framework)
- arrests made in a range of (3 or more) contexts (or occasions, over time)

### Resources required to carry out assessment

These resources include:

- legislation, regulations, policy, guidelines and standards
- public sector values and codes of conduct
- wording of formal caution, and other legal and administrative requirements
- case studies and workplace scenarios to capture the range of situations likely to be encountered when making arrests

### Where and how to assess evidence

Valid assessment of this unit requires:

- a workplace environment or one that closely resembles normal work practice and replicates the range of conditions likely to be encountered when making arrests, including coping with difficulties, irregularities and breakdowns in

routine

- arrests made in a range of (3 or more) contexts (or occasions, over time)

Assessment methods should reflect workplace demands, such as literacy, and the needs of particular groups, such as:

- people with disabilities
- people from culturally and linguistically diverse backgrounds
- Aboriginal and Torres Strait Islander people
- women
- young people
- older people
- people in rural and remote locations

Assessment methods suitable for valid and reliable assessment of this competency may include, but are not limited to, a combination of 2 or more of:

- case studies
- demonstration
- observation
- questioning
- scenarios
- simulation or role plays
- authenticated evidence from the workplace and/or training courses

**For consistency of assessment**

Evidence must be gathered over time in a range of contexts to ensure the person can achieve the unit outcome and apply the competency in different situations or environments

## Range Statement

The Range Statement provides information about the context in which the unit of competency is carried out. The variables cater for differences between States and Territories and the Commonwealth, and between organisations and workplaces. They allow for different work requirements, work practices and knowledge. The Range Statement also provides a focus for assessment. It relates to the unit as a whole. Text in ***bold italics*** in the Performance Criteria is explained here.

***Legislation, policy and procedures*** may include:

- enabling legislation
- State/Territory or Commonwealth policy and procedures
- organisational procedures and processes
- codes of conduct
- equal employment opportunity and anti-discrimination law

***Assistance*** may include:

- other officers
- other jurisdictions
- other organisations
- police

***Legal and administrative requirements relating to arrest*** may include:

- telling person of the decision to arrest
- identifying self and authority to arrest
- identifying nature of offence, and ensuring alleged offender understands this
- reading the suspect their rights/giving the formal verbal caution
- State/Territory or Commonwealth procedures and guidelines
- organisational procedures/guidelines

***Documentation*** may include:

- recording facts in notebook
- incident report
- appointment certificate
- police statement

## Unit Sector(s)

Not applicable.

## Competency field

Regulatory.