



**Australian Government**

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

# **PUADEFM123A Conduct an arrest**

**Revision Number: 1**

## **PUADEFM123A Conduct an arrest**

### **Modification History**

Not applicable.

### **Unit Descriptor**

#### **Unit Descriptor**

This unit covers the competency required to arrest a person under the powers provided by the Defence Act. It includes making the decision to arrest, performing arrests, and preparing and submitting documentation.

### **Application of the Unit**

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This unit only applies to members of the Australian Defence Force.

Arrests under the Defence Force Discipline Act (DFDA) may be carried out by a Defence member or a constable.

Defence members, as well as persons who are not Defence members, may be arrested in accordance with the DFDA Powers of Arrest where they are suspected of having committed a service offence. However, each power of arrest varies in terms of its scope (to whom it applies), the pre-requisite circumstances giving rise to the power of arrest, and who may carry out the actual arrest.

### **Licensing/Regulatory Information**

Not applicable.

### **Pre-Requisites**

Not applicable.

## Employability Skills Information

<b>Employability Skills</b>	This unit contains employability skills.
<b>Pre-requisite Unit/s</b>	Nil

## Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a Unit of Competency.

Performance Criteria describe the required performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the Required Skills and Knowledge and/or the Range Statement. Assessment of performance is to be consistent with the Evidence Guide.

## Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. <b>Prepare for arrest</b>	<p>1.1 <i>Powers of Arrest</i> are identified</p> <p>1.2 Decision to arrest is made within lawful authority and in accordance with <i>organisational policies and</i> procedures</p>
2. <b>Perform an arrest</b>	<p>2.1 Offenders are <i>arrested without warrant</i>, using the necessary force and are placed in custody in accordance organisational policies and procedures</p> <p>2.2 <i>Rights</i> of a person under arrest are protected in accordance organisational policies and procedures</p>

ELEMENT	PERFORMANCE CRITERIA
3. <b>Conduct after arrest actions</b>	3.1 Decision to caution or report is left to the discretion of the arresting officer 3.2 Relevant documentation for reporting is identified in accordance with organisational policies and procedures 3.3 <b>Documentation</b> is completed and submitted in accordance with organisational policies and procedures 3.4 Decision to notify <b>other parties</b> is left to the discretion or local orders of the arresting officer

## Required Skills and Knowledge

### REQUIRED SKILLS AND KNOWLEDGE

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

#### Required Skills

- communicate effectively in writing
- communicate effectively orally
- make decisions
- make sound judgements
- negotiate effectively

#### Required Knowledge

- common service offences
- equity and diversity principles
- occupational health and safety principles relating to arrests
- relevant organisational policies and procedures such as those relating to Powers of Arrest, limits of authority and arrest
- requirements for arrest without warrant
- rights of the alleged offender

## 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 competency in this unit**

Assessment must confirm the ability to:

- provide advice that is relevant and appropriate to the circumstances.

#### **Consistency in performance**

Competency should be demonstrated in a range of situations that could be expected in the workplace.

#### **Context of and specific resources for assessment**

##### **Context of assessment**

Competency should be assessed in the workplace or in a simulated workplace environment.

##### **Specific resources for assessment**

There are no specific resource requirements for this unit.

#### **Method of assessment**

In a public safety environment assessment is usually conducted via direct observation in a training environment or in the workplace via subject matter supervision and/or mentoring, which is typically recorded in a competency workbook.

Assessment is completed using appropriately qualified assessors who select the most appropriate method of assessment.

Assessment may occur in an operational environment or in an industry-approved simulated work environment.

Forms of assessment that are typically used include:

- direct observation
- interviewing the candidate
- journals and workplace documentation
- third party reports from supervisors
- written or oral questions.

## 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. ***Bold italicised*** wording in the Performance Criteria is detailed below.

<b>Powers of Arrest may include</b>	Arrest under warrant Arrest without warrant General provisions relating to arrest: <ul style="list-style-type: none"> <li>• enter premises</li> <li>• use of force</li> </ul>
<b>Organisational policies and procedures may include</b>	Provisions of the Defence Act and the DFDA Regulations, orders and instructions made under the Defence Act and DFDA Standard Operating Procedures Standing Orders
<b>Arrest without warrant may include</b>	Affecting an arrest Cumulative requirements for Powers of Arrest Informing the member being arrested of reason and service offence No more force than is required Strictly limited circumstances where the person making the arrest believes they are acting on reasonable grounds
<b>Rights may include</b>	Caution Legal representation Notification of family/friends Silence
<b>Documentation may include</b>	Arrest reports Duty Officer Log Incident Log Record of conversation form Statements
<b>Other parties may include</b>	Australian Defence Force Investigative Service (ADFIS)

## **RANGE STATEMENT**

Commanding Officer  
Federal Police  
Service Police  
State Police

## **Unit Sector(s)**

Not applicable.