



Australian Government

Department of Education, Employment and Workplace Relations

CHCPROT406C Facilitate court orders

Release: 1

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Modification History

Not Applicable

Unit Descriptor

Descriptor

This unit describes the knowledge and skills required to interpret legal processes to consider options, make recommendations and plan a course of action for a juvenile offender

Application of the Unit

Application

This unit may apply to community service work in security contexts

Licensing/Regulatory Information

Not Applicable

Pre-Requisites

Not Applicable

Employability Skills Information

Employability Skills

This unit contains Employability Skills

Elements and Performance Criteria Pre-Content

Elements define the essential outcomes of a unit of competency.

The Performance Criteria specify the level of performance required to demonstrate achievement of the Element. Terms in italics are elaborated in the Range Statement.

Elements and Performance Criteria

ELEMENT

PERFORMANCE CRITERIA

1. Prepare recommendations for orders

- 1.1 Collect and analyse *relevant documentation* and validate with appropriate sources
- 1.2 Undertake *interviews* with appropriate information sources
- 1.3 Base *decision-making* about orders on a range of relevant principles and criteria
- 1.4 Use established procedures to document recommendation for order and make available appropriately
- 1.5 Ensure legal rights of client are maintained through the provision of information, checking for understanding of these rights and advocating for them where appropriate

ELEMENT**PERFORMANCE CRITERIA****2. Collect information about order implementation**

- 2.1 Ensure actions and decisions arising from court process are made available to all appropriate parties in a culturally and linguistically appropriate manner
- 2.2 Provide information about implementation of court order to client and significant others and negotiate and document details
- 2.3 Make arrangements with relevant agencies to carry out order
- 2.4 Make referrals to ensure recommendations on order are undertaken

3. *Plan and monitor orders*

- 3.1 Identify, plan for and arrange *resources* needed by client to participate in order
- 3.2 Monitor progress of adherence to order, *take action on compliance* or non compliance with legal mandate, and keep all relevant parties informed on an ongoing basis
- 3.3 Plan for activities, resources and responsibilities cooperatively with client, significant others and service providers
- 3.4 Document action and decisions based on order

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

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

Essential knowledge:

The candidate must be able to demonstrate essential knowledge required to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role

These include knowledge of:

- Dynamics of adolescent offending
- Dynamics of young offender's families; peer group, community
- Legal implications and responsibilities of a juvenile justice worker
- Bail and remand diversion processes
- Effects of incarceration
- Services and resources
- Levels of authority and decision-making
- Relevant policy and procedures
- Relevant legislation
- Legal resources available
- Social issues/status of young people (age, ethnicity, subculture, access of education/employment)
- Psychological issues and concepts

Essential skills:

It is critical that the candidate demonstrate the ability to:

- Conduct interviews
- Prepare court reports
- Interpret/analyse interview data and information sources
- Interpret legal and court processes and orders
- Develop, monitor and evaluate case plans
- Demonstrate knowledge related to applicable agency and legislative requirements
- Use typical processes listed in the Range Statement

REQUIRED SKILLS AND KNOWLEDGE

In addition, the candidate must be able to effectively do the task outlined in elements and performance criteria of this unit, manage the task and manage contingencies in the context of the identified work role

These include the ability to:

- Interpret legal ground for making decisions and legal procedures
- Communicate effectively with clients, significant others and members of justice system
- Prepare court reports
- Demonstrate application of skills in:
 - planning and negotiation
 - interpretation of policies procedures, and standards
 - networking, negotiation and liaison with relevant parties

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 this unit of competency:

- The individual being assessed must provide evidence of specified essential knowledge as well as skills
- This unit of competence must be assessed in the workplace and under the normal range of workplace conditions
- Consistency in performance should consider the complexity of processes required for the facilitation of court orders

EVIDENCE GUIDE

- Access and equity considerations:*
- All workers in community services should be aware of access, equity and human rights issues in relation to their own area of work
 - All workers should develop their ability to work in a culturally diverse environment
 - In recognition of particular issues facing Aboriginal and Torres Strait Islander communities, workers should be aware of cultural, historical and current issues impacting on Aboriginal and Torres Strait Islander people
 - Assessors and trainers must take into account relevant access and equity issues, in particular relating to factors impacting on Aboriginal and/or Torres Strait Islander clients and communities
- Context of and specific resources for assessment:*
- This unit can be assessed independently, however holistic assessment practice with other community services units of competency is encouraged
 - Resource requirements for assessment include access to:
 - an appropriate workplace or an environment capable of accurately simulating the workplace for assessment purposes
- Method of assessment:*
- In cases where the learner does not have the opportunity to cover all relevant aspects in the work environment, the remainder should be assessed through realistic simulations, projects, previous relevant experience or oral questioning on 'What if?' scenarios
 - Assessment of this unit of competence will usually include observation of processes and procedures, oral and/or written questioning on Essential knowledge and skills and consideration of required attitudes
 - Where performance is not directly observed and/or is required to be demonstrated over a 'period of time' and/or in a 'number of locations', any evidence should be authenticated by colleagues, supervisors, clients or other appropriate persons

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. Add any 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.

The contexts for facilitation of court orders include:

- Within a detention facility
- Within an order to be undertaken in the community involving varying degrees of supervision

Facilitation of court orders will be carried out within requirements established by:

- Court processes and determinations
- Commonwealth and state legislation
- International conventions relating to the rights of children and young persons
- Agency policy and procedures
- Relevant program standards

Relevant documentation includes:

- Legal status of client (bail, control order, remand, appeal)
- Offending history
- Significant other history such as educational, social and medical history

Interviews include those with:

- Client about current legal and social status
- Significant others
- External organisations
- Relevant government organisations

Decision-making is based on:

- Determinations operating within the Juvenile Justice system

RANGE STATEMENT

- Monitoring compliance with legal mandates, a range of actions for non-compliance includes:*
- Explaining consequences of non-compliance
 - Encouraging client to accept and demonstrate responsibility for non-compliance
 - Provision of information to all relevant parties on breach of legal order
 - The setting up of processes to deal with breach
- Take action on compliance includes:*
- Reporting back to court process on the consequences of this on future of client
- Plan and monitor orders includes:*
- Developing plans that outline a range of goals, such as reducing offending behaviour
 - Relationship with significant others
 - Community, vocational and leisure activities
 - Gaining agreement from client on their achievement and corresponding timelines
- Resources needed include:*
- Money in form of allowances
 - Entitlements, counselling
 - Arrangements for accommodation
 - Transport support
 - Information

Unit Sector(s)

Not Applicable