



Australian Government

Assessment Requirements for CPPSEC3124

Prepare and present evidence in court

Release: 1

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Modification History

Release 1.

Supersedes and is equivalent to CPPSEC3009A Prepare and present evidence in court.

Updated to meet the Standards for Training Packages.

This version first released with CPP Property Services Training Package Version 7.0.

Performance Evidence

To demonstrate competency in this unit, a person must prepare and present evidence in court in two separate court proceedings.

In doing this, the person must meet the performance criteria for this unit.

Knowledge Evidence

To be competent in this unit, a person must demonstrate knowledge of:

- standard operating procedures and workplace policies that ensure compliance with legislative and regulatory requirements when preparing and presenting evidence in court:
 - anti-discrimination and diversity
 - duty of care
 - licensing requirements and limits of own authority
 - information privacy and confidentiality
 - workplace health and safety (WHS)
- basic research techniques that can be used to gather information and evidence
- evidence management principles
- methods for complying with privacy and confidentiality regulations when gathering, presenting and storing security information
- methods for identifying proofs of an offence
- methods for preserving, maintaining, storing and transporting evidence and exhibits that may be used in court
- operational functions of a range of information technologies used to gather, organise and present security information and evidence
- own areas of competence and expertise to provide specialist opinion in court
- procedures for preparing briefs of evidence
- procedures, protocols and rules to be followed when presenting evidence in court:
 - addressing court personnel
 - language
 - manner

- participating and giving evidence
- personal presentation
- who's who in court
- purpose of the Evidence Act
- requirements for recording information that is factual and can be used as evidence in court, including meaning of 'continuity of evidence'
- requirements for recording and reporting incidents
- requirements for taking statements from witnesses
- rules of evidence that can be presented in court:
- contemporaneousness
 - must not be 'hearsay'
 - must not be opinion
 - must be relevant
 - must be admissible
- storage requirements for information that is susceptible to spoil or damage, such as film, tapes and images
- techniques for validating the accuracy and reliability of security information and evidence
- treatment of persons being interviewed
- types of documentation and exhibits that may be presented as evidence in court
- types of law:
 - civil
 - common
 - criminal
 - statute.

Assessment Conditions

Assessors must satisfy the requirements for assessors contained in the Standards for Registered Training Organisations (RTOs). All individuals engaged by a licensed RTO for security licensing purposes must hold both a security trainer's licence (where such a licence exists within the relevant jurisdiction) and a security operative licence that authorises the security activities about which the individual is training/assessing. Regulators may impose other assessor conditions to meet jurisdictional assessment requirements.

Assessment of performance must be undertaken in an operational workplace environment or environment that reflects workplace conditions. Tasks are to be performed to the level of proficiency and within the time limits that would be expected in a workplace.

The assessment of performance evidence must be done by direct observation of the learner by an assessor, either by an assessor observing the learner physically or by an assessor observing the learner via audio and visual media.

Assessment of performance evidence is only valid where the learner has been assessed performing the role of a security officer.

Assessors are responsible for ensuring that the person demonstrating competency has access to:

- specifications of assessment tasks to prepare and present evidence in court
- appropriate documents, materials, equipment and personal protective equipment (PPE) currently used in industry
- information technologies required to gather, organise and present security information and documentation
- standard operating procedures and workplace policies related to the security work role and which specify requirements for complying with industry legislation and regulations
- access to a court environment to allow achievement of the performance evidence.

Links

Companion volumes to this training package are available at the VETNet website - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6f3f9672-30e8-4835-b348-205dfcf13d9b>