



Australian Government

CPPSEC3124 Prepare and present evidence in court

Release: 1

CPPSEC3124 Prepare and present evidence in court

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.

Application

This unit specifies the skills and knowledge required to prepare and present evidence in court.

It requires

- sourcing, organising and checking security information to be used as evidence in court proceedings, and checking compliance against rules of evidence and evidence management principles to ensure admissibility
- participating in oral briefing sessions, submitting evidence briefs and preparing documentation and exhibits
- adhering to court procedures and protocols such as those relating to personal presentation, manner and language
- presenting evidence in a clear, concise and unambiguous manner and providing specialist opinion on request.

It applies to people working independently or under limited supervision as members of a security team.

This unit may form part of the licensing requirements for people engaged in security operations in those states and territories where these are regulated activities.

Pre-requisite Unit

Nil

Unit Sector

Security operations

Elements and Performance Criteria

Elements describe the essential outcomes.	Performance criteria describe what needs to be done to demonstrate achievement of the element.
1. Prepare evidence.	1.1 Review workplace policies and procedures to ensure compliance with legal rights and responsibilities when preparing

	and presenting evidence in court. 1.2 Source, research and collate case summary and supporting information. 1.3 Select information to be used as evidence in court and confirm its relevance, validity and admissibility in court. 1.4 Organise evidence and check compliance against evidence management principles. 1.5 Interpret requirements for recording and presenting evidence in court.
2. Prepare for court proceedings.	2.1 Participate in oral briefing session with relevant persons to confirm court arrangements, own role and involvement. 2.2 Discuss information to be presented as evidence and clarify negotiation parameters with relevant persons. 2.3 Submit briefs of evidence in a logical sequence and check compliance with rules of evidence to ensure admissibility in court proceeding. 2.4 Conduct a thorough review of material to be used or referred to in court proceeding prior to presentation in court to ensure familiarity, completeness and availability. 2.5 Prepare documentation and exhibits and review to confirm their acceptability for use in court.
3. Attend court proceeding and present evidence.	3.1 Attend court and adhere to court procedures and protocols including those for personal presentation, manner and language throughout proceeding. 3.2 Present admissible evidence in a clear, concise and unambiguous manner and on request, provide specialist opinion within own area of competence and expertise in accordance with evidence requirements. 3.3 Note, file and store outcomes of proceedings and associated documentation and evidence in accordance with evidence management principles.

Foundation Skills

This section describes the language, literacy, numeracy and employment skills essential to performance in this unit but not explicit in the performance criteria:

- language skills to use security industry approved terminology
- writing skills to:
 - prepare documentation using formal structure and language

- sequence security information and evidence to present cohesive text
- reading skills to interpret:
 - procedures and policies that clarify legal rights and responsibilities
 - information and evidence that may be technical in nature, and in pictorial, diagrammatic or written formats
- speaking and listening skills to:
 - use active listening to check understanding when participating in briefing sessions
 - participate effectively in spoken interactions in a court setting using strategies to confirm, clarify or repair understanding
 - make constructive additions to what has been said when offering own specialist opinion in court
- numeracy skills to estimate time required to complete work tasks
- problem solving skills to:
 - verify accuracy and sources when gathering information and evidence
 - analyse information to ensure it complies with rules of evidence for admissibility
- teamwork skills to adjust personal communication styles in response to the opinions, values and needs of others
- technology skills to use a range of common information technologies to access, store, study, retrieve, transmit and manipulate data or information that may be used as evidence.

Unit Mapping Information

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

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>

Assessment Requirements for CPPSEC3124 Prepare and present evidence in court

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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

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