



Australian Government

DEFLAW004 Conduct an arrest

Release: 1

DEFLAW004 Conduct an arrest

Modification History

Release	Comments
1	This unit was released in DEF Defence Training Package release 1.0 and meets the Standards for Training Packages. This unit supersedes and is equivalent to DEFCM123A Conduct an arrest. • Unit code updated • Content and formatting updated to comply with new standards • All PC transitioned from passive to active voice • PC 3.1 and 3.4 revised • PC 3.2 and 3.3 merged

Application

This unit describes the skills 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. 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, the circumstances giving rise to the power of arrest, and who may carry out the actual arrest.

This unit applies to those working as 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.

The skills and knowledge described in this unit must be applied within the legislative, regulatory and policy environment in which they are carried out. Organisational policies and procedures must be consulted and adhered to.

Those undertaking this unit would work under supervision, while performing specific tasks in a broad range of contexts.

No licensing, legislative or certification requirements apply to unit at the time of publication.

Competency Field

Military Justice

Elements and Performance Criteria

ELEMENTS	PERFORMANCE CRITERIA
Elements describe the essential outcomes	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the range of conditions section.
1. Prepare for arrest	1.1 Identify powers of arrest. 1.2 Take decision to arrest within lawful authority.
2. Perform an arrest	2.1 Arrest offenders without warrant, using the necessary force and place them in custody. 2.2 Ensure the rights of a person under arrest are protected.
3. Conduct after arrest actions	3.1 Assess circumstances and take decision to caution or report. 3.2 Identify, complete and submit relevant documentation. 3.3 Assess circumstances and take decision to notify other parties or not.

Foundation Skills

The foundation skills demands of this unit have been mapped for alignment with the Australian Core Skills Framework (ACSF). The following tables outline the performance levels indicated for successful attainment of the unit.

ACSF levels indicative of performance:

1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Learning					Reading					Writing					Oral communication					Numeracy N/A				

Performance variables

1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Support					Context					Text complexity					Task complexity				

Further information on ACSF and the foundation skills underpinning this unit can be found in the Foundation Skills Guide on the GSA website.

Unit Mapping Information

This unit supersedes and is equivalent to DEFCM123A Conduct an arrest.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=6bdbab1e-11ed-4bc9-9cba-9e1a55d4e4a9>

Companion Volume implementation guides are found in VETNet -

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Assessment Requirements for DEFLAW004 Conduct an arrest

Modification History

Release	Comments
1	These Assessment Requirements were released in DEF Defence Training Package release 1.0 and meet the Standards for Training Packages. • Assessment Requirements created drawing upon specified assessment information from superseded unit

Performance Evidence

Evidence required to demonstrate competence must satisfy all of the requirements of the elements and performance criteria. The candidate must demonstrate evidence of performance of the following on at least one occasion.

- communicating in writing and orally
- making decisions
- making sound judgements
- negotiating
- providing advice that is relevant and appropriate to the circumstances

Knowledge Evidence

Evidence required to demonstrate competence must satisfy all of the requirements of the elements and performance criteria. If not otherwise specified the depth of knowledge demonstrated must be appropriate to the job context of the candidate.

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

Assessment Conditions

Competency should be assessed in an actual workplace or in a simulated environment, with access to equipment and infrastructure appropriate to the outcome. Competency should be demonstrated over time to ensure the candidate is assessed across a variety of situations.

Assessors must satisfy the NVR/AQTF mandatory competency requirements for assessors.

Links

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