



Australian Government

DEFCM123A Conduct an arrest

Release 2

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Modification History

Release	TP Version	Comments
2	DEF12V2	Minor change to Range Statement Removed generic Method of Assessment statement
1	DEF12V1	Primary release.

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

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

This unit contains employability skills.

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. Prepare for arrest	1.1 Powers of Arrest are identified. 1.2 Decision to arrest is made within lawful authority and in accordance with organisational policies and procedures.
2. Perform an arrest	2.1 Offenders are arrested without warrant, using the necessary force and are placed in custody in accordance organisational policies and procedures. 2.2 Rights of a person under arrest are protected in accordance organisational policies and procedures.
3. Conduct after arrest actions	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 Documentation is completed and submitted in accordance with organisational policies and procedures. 3.4 Decision to notify other parties is left to the discretion or local orders of the arresting officer.

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
- work 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

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.

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.

<i>Powers of Arrest</i> may include:	• arrest under warrant • arrest without warrant • general provisions relating to arrest: • enter premises • use of force
<i>Organisational policies and procedures</i> may include:	• provisions of the Defence Act and the DFDA • regulations, orders and instructions made under the Defence Act and DFDA • standard operating procedures • standing orders
<i>Arrest without warrant</i> may include:	• 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
<i>Rights of a person under arrest</i> may include:	• caution • legal representation • notification of family/friends • silence
<i>Documentation</i> may include:	• arrest reports • duty officer log • incident log • record of conversation form • statements
<i>Other parties</i> may include:	• Australian Defence Force Investigative Service (ADFIS) • commanding officer • Federal Police • service police • state police

Unit Sector(s)

Not applicable.