



Australian Government

LGAREG002 Provide evidence in court

Release: 1

LGAREG002 Provide evidence in court

Modification History

Not applicable.

Application

This unit describes the performance outcomes, skills and knowledge required to prepare for legal proceedings, present evidence and follow up outcomes of court proceedings.

This unit applies to individuals working in local government across all job levels.

The skills in this unit must be applied in accordance with Commonwealth and State or Territory legislation, Australian standards and industry codes of practice.

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

Competency Field

Not applicable.

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes

1. Prepare for legal proceedings.

2. Present evidence.

PERFORMANCE CRITERIA

Performance criteria describe the performance needed to demonstrate achievement of the element.

1.1. Verify court arrangements, role and involvement in legal proceedings.

1.2. Prepare documentation and exhibits according to legislative and organisational requirements.

1.3. Review material referred to in proceedings prior to presentation in court to ensure familiarity, completeness and availability.

1.4. Confirm personal presentation, manner and language are consistent with court protocols and organisational requirements.

2.1. Observe and adhere to rules of evidence, procedures and protocols relevant to the jurisdiction involved.

2.2. Give fact-based evidence in a clear, concise and

- unambiguous manner compliant with the rules of evidence.
- 2.3. Make evidence required during legal proceedings available in an original form.
- 2.4. Provide specialist opinion within own scope of expertise on request according to organisational policy.
3. Implement proceeding outcomes.
- 3.1. Implement proceeding outcome actions according to organisational policies and procedures.
- 3.2. Complete documentation according to professional obligations in the case and organisational requirements.
- 3.3. Seek feedback, further information and clarification of issues associated with proceedings and outcomes.

Foundation Skills

Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed below.

SKILLS	DESCRIPTION
Reading skills to:	interpret legislation and court documents.
Writing skills to:	collate and organise information to prepare statements.
Learning skills to:	maintain current knowledge of legislation and common law.
Technology skills to:	use information systems relevant to accessing information and providing evidence in court.

Unit Mapping Information

LGAREGS402B Provide evidence in court.

Links

Companion Volume Implementation Guide are available in VETNet - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=0388d502-0fc3-49d9-a06e-c95893d7>

Assessment Requirements for LGAREG002 Provide evidence in court

Modification History

Not applicable.

Performance Evidence

Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and:

- provide evidence in court that involves:
 - preparing for one legal proceeding
 - presenting evidence for one legal proceeding
 - following up outcomes of that legal proceeding.

Knowledge Evidence

Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:

- organisational policies and procedures applicable to providing evidence in court
- legislative requirements applicable to providing evidence in court
- types of legal proceedings relevant to the job role
- general principles regarding admissibility of evidence in courts
- continuity of evidence
- rules of evidence:
 - admissibility
 - chain of custody for validity of physical evidence
 - contemporaneousness
- court protocols:
 - punctuality
 - voice clarity and language
 - impartiality
 - forms of address
 - respect for people and offices held
 - standards of dress and physical appearance
 - readiness of self and evidence
 - general demeanour
- briefing and documentation requirements
- preparation of legal documentation rules
- requirements for handling and managing evidential exhibits

- storage requirements for information that is susceptible to spoiling or damage.

Assessment Conditions

Skills must be demonstrated in the workplace or in a simulated work environment.

Assessment must ensure access to:

- organisational policies and procedures applicable to providing evidence in court
- legislation applicable to providing evidence in court
- formal legal procedures and court protocols
- evidence and exhibits.

Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.

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