



Australian Government

PSPREG010 Prepare a brief of evidence

Release: 1

PSPREG010 Prepare a brief of evidence

Modification History

Release	Comments
1	This unit was released in PSP Public Sector Training Package release 1.0 and meets the Standards for Training Packages. This unit supersedes and is equivalent to PSPREG409B Prepare a brief of evidence. • Unit code updated • Content and formatting updated to comply with new standards • All PC transitioned from passive to active voice

Application

This unit describes the skills required to prepare a brief of evidence. It includes analysing evidence, preparing and reviewing admissible evidence, developing a brief of evidence and coordinating witnesses.

This unit applies to those working in public sector roles conducting regulatory activities.

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 independently as part of a team, performing complex tasks in a range of familiar and unfamiliar contexts.

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

Competency Field

Regulatory

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. Analyse evidence	1.1 Consider all related information, whether likely to be admissible as evidence, or not. 1.2 Cross-check information to confirm origin, authenticity and reliability, and to anticipate challenge/s that may occur. 1.3 Identify and assess gaps and inadequacies to allow further collection of evidence. 1.4 Handle and store information appropriately.
2. Prepare and review admissible evidence	2.1 Prepare witness and expert statements. 2.2 Include all evidence in the brief that is likely to be admissible by the court. 2.3 Separate and retain non-admissible evidence. 2.4 Identify and review similar proofs to confirm that evidence is sufficient to proceed to prosecution. 2.5 Maintain security, recording and continuity of evidence.
3. Develop a brief of evidence	3.1 Plan and prepare brief of evidence according to standards required by the prosecution. 3.2 Include all required information in the brief and meet all legal requirements. 3.3 Provide brief to prosecution and other parties as required by law and organisational requirements. 3.4 Brief counsel on the case when required, and advise any circumstances that may affect the progress and outcomes.
4. Coordinate witnesses	4.1 Identify and use expert witnesses when required and familiarise them with the evidence. 4.2 Organise witness summonses when required. 4.3 Maintain contact with witnesses to ensure cooperation, communication and attendance at proceedings.

Foundation Skills

Foundation skills are embedded within the elements and performance criteria of this unit.

Unit Mapping Information

This unit supersedes and is equivalent to PSPREG409B Prepare a brief of evidence.

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=bebbece7-ff48-4d2c-8876-405679019623>

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Assessment Requirements for PSPREG010 Prepare a brief of evidence

Modification History

Release	Comments
1	These Assessment Requirements were released in PSP Public Sector 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. If not otherwise specified the candidate must demonstrate evidence of performance of the following on at least one occasion.

- undertaking analysis and research
- undertaking collation and compilation
- writing complex documents reflecting key points of oral statements in written form in witness statements and in the brief of evidence
- writing reports using formal structures and language
- making comparisons and exercising judgment about facts in written materials
- communicating with witnesses from diverse backgrounds

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.

- legislation relating to preparation of a brief of evidence
- admissible evidence
- burden of proof
- court hearing procedures
- rules of evidence
- requirements of brief of evidence
- principles of disclosure
- anti-discrimination law
- public sector legislation

Assessment Conditions

This unit contains no specific industry-mandated assessment conditions. Guidance on suggested and recommended conditions and methods can be found in the Implementation Guide.

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

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