



Australian Government

PSPREG020 Conduct prosecutions

Release: 1

PSPREG020 Conduct prosecutions

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 PSPREG501B Conduct prosecutions. • Unit code updated • Content and formatting updated to comply with the new standards • All PC transitioned from passive to active voice

Application

This unit describes the skills required to review a brief of evidence and prosecute offences while acting as the prosecutor in court.

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 autonomously, 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. Prepare for	1.1 Review and clarify brief of evidence with the authorised officer,

prosecution	where necessary, prior to court proceedings. 1.2 Identify precedents as relevant. 1.3 Prepare questions to address the facts of the brief. 1.4 Brief personnel involved. 1.5 Agree upon parameters for negotiating out of court prior to prosecution with authorised organisational personnel.
2. Conduct a prosecution	2.1 Follow evidentiary procedures and conduct prosecution according to court processes, protocols, rules of evidence and organisational instructions. 2.2 Maintain personal presentation. 2.3 Complete file endorsements. 2.4 Follow up or complete matters arising from proceedings. 2.5 Review the outcome of the prosecution to provide input or recommendations for handling future cases.

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 PSPREG501B Conduct prosecutions.

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 PSPREG020 Conduct prosecutions

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.

- making presentations including participating in complex oral exchanges in briefing sessions and in court
- reading complex, lengthy documents to ascertain key elements
- undertaking research to identify precedents

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.

- court prosecution process, procedures and protocols
- court conduct
- enabling legislation and offences
- sections of the Evidence Act
- types of evidence
- rules of evidence
- possible defences
- burden of proof
- role of expert witnesses
- hearsay
- public sector legislation, including WHS and environment in the context of conducting prosecutions

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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