



Australian Government

Assessment Requirements for PUALAW004 Represent the organisation in a judicial or quasi-judicial setting

Release: 2

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Modification History

Release 2.0 This is the second release of this unit of competency in the PUA Public Safety Training Package.

Editorial adjustments and clarification of text in Assessment Conditions.

Release 1.0 This is the first release of this unit of competency in the PUA Public Safety Training Package.

Performance Evidence

Evidence required to demonstrate competence in this unit must be relevant to and satisfy all the requirements of the elements and performance criteria on at least one occasion and includes

- applying Work, Health and Safety (WHS)/Occupational Health and Safety (OHS) organisational requirements
- briefing counsel and witnesses
- collating evidence
- monitoring rulings
- negotiating with opposing parties where required
- preparing comprehensive and accurate legal briefs
- preparing evidence and other material for proceedings
- preparing personnel for proceedings preparing statements
- writing reports

Knowledge Evidence

Evidence required to demonstrate competence in this unit must be relevant to and satisfy all the requirements of the elements and performance criteria and includes knowledge of

- burden of proof
- conduct and operation of hearings
- court protocols and proceedings including for different judicial or quasi-judicial settings
- exemptions and defences
- hearsay rule
- how to prepare legal briefs and submissions
- organisational documentation, policies and procedures
- points of proof
- qualifications and experience required of expert witness
- range of crimes and/or offences that can be committed

- relevant sections of Coroners Act, Criminal Code, Evidence Act and legislation
- role of lay and expert witnesses
- rules of evidence in different judicial or quasi-judicial settings
- types of evidence
- use of notes
- Work, Health and Safety (WHS)/Occupational Health and Safety (OHS) organisational requirements

Assessment Conditions

Assessors must hold credentials specified within the Standards for Registered Training Organisations current at the time of assessment.

Assessment must satisfy the Principles of Assessment and Rules of Evidence and all regulatory requirements included within the Standards for Registered Training Organisations current at the time of assessment.

Assessment must occur in operational situations or in simulated operational training situations that reflect workplace conditions.

Assessment processes and techniques must be appropriate to the language, literacy and numeracy requirements of the work being performed and the needs of the candidate.

Resources for assessment must include access to

- a range of relevant exercises, case studies and/or simulations
- appropriate materials, equipment, tools and personal protective clothing and equipment currently used in industry
- applicable documentation including organisational procedures, industry standards, equipment specifications, regulations, codes of practice and operation manuals.

Links

Companion Volume Implementation Guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=3eca5672-6d5a-410b-8942-810d0ba05bbf>