



Australian Government

SFICPL302 Exercise compliance powers

Release: 1

SFICPL302 Exercise compliance powers

Modification History

Release	Comments
Release 1	This version released with SFI Seafood Industry Training Package Version 1.0.

Application

This unit of competency describes the skills and knowledge required to exercise compliance powers to enforce laws relating to traditional, recreational and commercial fisheries management and other associated legislation.

The unit applies to individuals who locate evidence by searching property in locations including sea, beach, inland waterways and landings. It involves entering and searching premises including vessels and vehicles, seizing property and arresting individuals.

All work must be carried out to comply with workplace procedures, according to state/territory health and safety, food safety, biosecurity and environmental regulations, legislation and standards that apply to the workplace.

Legislative requirements apply to this unit. Users are required to check with the relevant jurisdiction for current requirements.

Pre-requisite Unit

Nil

Unit Sector

Compliance (CPL)

Elements and Performance Criteria

Elements	Performance Criteria
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Conduct searches of property, vessels and vehicles	1.1 Confirm decision to enter and/or search is made and conducted according to lawful authority and jurisdictional procedures 1.2 Ensure search process is comprehensive and adheres to operational policy and procedures

Elements	Performance Criteria
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
	1.3 Seize or collect, record and store property according to jurisdictional policy and legislative requirements 1.4 Apply tactical communication as required, according to jurisdictional guidelines, professional codes of conduct and with minimum risk to self, colleagues and the public 1.5 Document any damage and/or injuries incurred according to jurisdictional policy
2. Caution, report or arrest persons	2.1 Identify and investigate breaches of the law according to relevant jurisdictional law, policy and procedures 2.2 Ensure that the decision to caution, report or arrest is made at the discretion of the officer and is conveyed to the person concerned according to jurisdictional guidelines, professional codes of conduct and with minimum risk to self, colleagues and the public 2.3 Prepare and submit relevant and accurate documentation as required by law and/or jurisdictional policy 2.4 Transport suspects for further processing according to their legal rights and jurisdictional policy
3. Afford rights to suspects	3.1 Treat suspects in a fair, equitable and non-discriminatory manner, and with consideration to cultural sensitivities 3.2 Ensure suspects are made aware of, and provided with, their legal entitlements under relevant jurisdictional laws and procedures
4. Assess and preserve crime/incident scenes and assist in the investigation process	4.1 Assess crime or incident scenes for future investigation requirements 4.2 Secure crime or incident scenes to facilitate potential future investigatory activity, where necessary 4.3 Ensure all actions and reports taken at crime or incident scenes optimise the gathering and preservation of evidence and its lawful presentation in court

Foundation Skills

This section describes those language, literacy, numeracy and employment skills that are essential for performance in this unit of competency but are not explicit in the performance criteria.

Skill	Description
Numeracy	Determines quantities of seized property
Reading	Identifies and interprets relevant information and requirements of jurisdictional laws, by-laws and regulations and professional codes of conduct
Writing	Prepares compliance reports and documents information
Navigate the world of work	Interprets and follows regulatory requirements, and seeks clarification or other assistance when required
Interact with others	- Uses appropriate vocabulary, conventions and protocols, including technical language relevant to role, to convey compliance requirements and breaches, suspect rights, outcomes and actions - Cooperates and collaborates with others to enter and search premises, vessels or vehicles, seize property and arrest individuals
Get the work done	- Plans and organises search activities and resources - Resolves and de-escalates conflicts; makes decisions about appropriate compliance response

Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
SFICPL302 Exercise compliance powers	SFICOMP302C Exercise compliance powers	Updated to meet Standards for Training Packages	Equivalent unit

Links

Companion Volumes, including Implementation Guides, are available at VETNet: - <https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=e31d8c6b-1608-4d77-9f71-9ee749456273>

Assessment Requirements for SFICPL302 Exercise compliance powers

Modification History

Release	Comments
Release 1	This version released with SFI Seafood Industry Training Package Version 1.0.

Performance Evidence

An individual demonstrating competency must satisfy all of the elements and performance criteria in this unit.

There must be evidence that the individual has exercised compliance powers for a suspected fisheries breach on at least one occasion, including:

- applying a search warrant
- using discretion to caution or arrest person/s
- applying defensive tactics, conflict resolution, mediation and/or incident de-escalation as required by the situation
- communicating clear and appropriate instructions and directives to suspects and other members of the public
- preparing accurate reports and documentation as required by the jurisdiction
- containing and preserving the crime or incident scene.

Knowledge Evidence

An individual must be able to demonstrate the knowledge required to perform the tasks outlined in the elements and performance criteria of this unit. This includes knowledge of:

- human behaviour and the impacts of age, gender, ethnicity, social background and recreational practices, such as use of drugs and alcohol
- relevant state or territory jurisdictional laws and procedures for search and entry
- relevant state, territory or Commonwealth jurisdictional laws, by-laws and regulations relating to offences against state, territory and Commonwealth fisheries, existence of any land rights and customary fishing practices
- relevant state or territory jurisdictional policy and procedures covering reactive operational safety issues and practices
- exercising discretion in relation to jurisdiction guidelines and professional codes of conduct
- potential risks associated with operational policing
- reporting requirements in relation to operational safety matters

- requirements for crime or incident scene preservation and investigation, as far as it relates to non-compliance with fisheries management regulations
- strategies to optimise safety under a range of operational scenarios
- use of tactical communications, including conflict resolution, mediation and incident de-escalation techniques
- the ‘use of force’, and its legal implications when exercising compliance powers
- relevant sections of Anti-Discrimination Act and Disability Act.

Assessment Conditions

Assessment of skills must take place under the following conditions:

- physical conditions:
 - skills must be demonstrated in a compliance monitoring setting or an environment that accurately represents workplace conditions
- resources, equipment and materials:
 - persons, property, vessels and vehicles for searching
 - evidence of non-compliance/breaches of the law
 - required documentation for arrests
- specifications:
 - access to jurisdictional laws, policies and procedures relating to search and entry and offences against state, territory and Commonwealth fisheries
 - workplace policies and procedures, including advice on operational and safety practices
 - professional codes of conduct
- relationships:
 - evidence of interactions with real suspects or realistic scenarios or role-plays.

Assessors of this unit must satisfy the requirements for assessors in applicable vocational education and training legislation, frameworks and/or standards.

Links

Companion Volumes, including Implementation Guides, are available at VETNet: -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=e31d8c6b-1608-4d77-9f71-9ee749456273>