



Australian Government

Department of Education, Employment and Workplace Relations

SFICOMP315A Support the judicial process

Release: 1

SFICOMP315A Support the judicial process

Modification History

Not Applicable

Unit Descriptor

Unit descriptor	This unit of competency involves preparing and managing evidence, witnesses and offenders for the relevant judicial authority, including presenting evidence and following up on the outcomes of proceedings. Licensing, legislative, regulatory or certification requirements may apply to this unit. Therefore it will be necessary to check with the relevant state or territory regulators for current licensing, legislative or regulatory requirements before undertaking this unit.
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Application of the Unit

Application of the unit	
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Licensing/Regulatory Information

Refer to Unit Descriptor

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Prepare and forward court documents	1.1. Elements/points of proof are comprehensively and accurately included into briefs of evidence. 1.2. Jurisdictional court required document formats and presentation standards are complied with. 1.3. Briefs of evidence comply with the jurisdiction's legal rules of evidence. 1.4. Documents are forwarded to persons/authorities within required timeframe. 1.5. The safety and security of witness evidence is maintained at all times.
2. Manage witnesses	2.1. Witnesses are identified and court appearances arranged, including transport and accommodation, where required. 2.2. Witness summonses are arranged and served, in accordance with jurisdictional law, to ensure witness attendance at courts. 2.3. Liaison and support of witnesses is maintained before, during and after the trial. 2.4. Witnesses are prepared in an ethical manner to enable them to present their evidence in court. 2.5. Witness protection procedures are implemented, as necessary.
3. Monitor offenders	3.1. Documentation used in the monitoring of offenders is completed in compliance with court requirements 3.2. Procedures for monitoring offenders are in compliance with court requirements. 3.3. Appropriate authorities and parties are clearly advised in a timely manner of bail conditions, further proceedings and the court's requirements. 3.4. Procedures are implemented to ensure compliance of offenders with court requirements.
4. Liaise with and assist prosecuting authority	4.1. Arrangements, role and involvement in proceedings are confirmed. 4.2. Documentation is provided promptly and accurately to support the prosecution's case. 4.3. Informal and formal communication channels are maintained with the prosecuting authority. 4.4. Judicial guidelines, protocols and legal requirements are observed and adhered to at all times.

ELEMENT	PERFORMANCE CRITERIA
5. Present evidence	5.1. Proceedings and protocols relevant to the jurisdiction involved are adhered to throughout the proceedings. 5.2. Rules of evidence relevant to the jurisdiction are adhered to. 5.3. Demeanour is appropriate and evidence is presented to professional standards. 5.4. Considered expert evidence is consistent with qualifications and expertise and is provided on request.
6. Undertake post-court procedures and follow up outcomes of proceedings	6.1. Briefs of evidence and other documents are acted upon. 6.2. Property and exhibits are returned or disposed of. 6.3. Relevant parties are notified of court results in a timely manner. 6.4. Where required, avenues of possible further action are constructively and objectively discussed with a prosecuting authority. 6.5. The outcomes of the proceedings are noted and filed, and reports completed. 6.6. Any required actions are implemented.

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- communicating with witnesses, prosecution authority and court personnel
- using computer and information management systems
- making decisions and solving problems
- applying operational safety skills
- orally communicating briefings, responding to questioning, active listening, reflecting, establishing rapport, negotiating and resolving conflict
- applying organisational and time management skills
- presenting evidence clearly and concisely at proceedings
- witness/victim management skills, in particular cultural awareness skills, ethical behaviours and integrity.

REQUIRED SKILLS AND KNOWLEDGE**Literacy skills used for:**

- taking notes
- preparing briefs of evidence and exhibit register
- writing reports
- word processing.

Required knowledge

- agency policies and procedures relating to preparation of documents and evidence, and providing expert opinion
- different judicial/quasi-judicial systems at which fisheries compliance matters are heard or prosecuted, and their procedures and protocols
- general principles of criminal liability
- relevant law, including the rules of evidence and continuity of evidence, policy and procedures
- role of legal personnel in judicial/quasi-judicial systems
- types of evidence admissible in judicial/quasi-judicial systems
- use of notes in court/tribunal/commission.

Evidence Guide

EVIDENCE GUIDE

The evidence guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.

Overview of assessment

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Assessment must confirm ability to:

- support the judicial process through:
 - preparation of brief of evidence
 - issuing summonses to witnesses
 - ensuring witnesses are available and prepared
 - presenting evidence
 - following up on post-proceeding matters.

Assessment must confirm knowledge of:

- jurisdictional procedures and protocols
- legislation relevant to the jurisdiction and the proceeding.

Context of and specific resources for assessment

Assessment is to be conducted on the job or in a simulated environment.

A simulated environment must reflect a work environment with case materials, witnesses, court protocols and procedures, judicial forms and legal personnel.

Method of assessment

The following assessment methods are suggested:

- written or oral short-answer testing
- practical exercises or role-plays
- observation of practical demonstration.

Guidance information for assessment

This unit may be assessed holistically with other units within a qualification.

Range Statement

RANGE STATEMENT

RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

<i>Documents</i> may include:	• court brief/summary of facts • items or briefs of evidence • logs • media footage • photographs • radio/telephone records • reports of incidents • reports, legal opinion and other specialist reports • statements • statements/affidavits.
<i>Witnesses</i> may include:	• bystanders and experts • those directly involved.
Court <i>preparation</i> may include:	• being advised of obligations and format for giving evidence • being advised of the procedure for obtaining witness fees • being kept informed of investigation/court status.
<i>Witness protection procedures</i> may be undertaken by:	• specialised section for the case officer and may include bail conditions imposed on the offender.
<i>Documentation used in the monitoring of offenders</i> may include:	• bail reports/advice • fact sheets • field reports • reporting cards.
<i>Procedures for monitoring offenders</i> may refer to:	• bail conditions • curfew checks • reporting conditions • residential checks.
<i>Appropriate authorities and parties to be advised</i> include:	• bail/watch house Officer in Charge • the court.
<i>Liaison with the prosecuting</i>	• formal or informal and occur before, during or

RANGE STATEMENT	
authority may be:	after a trial.
Arrangements, role and involvement may include:	• confirmation of evidence required to be presented • confirmation of time • date and location of proceedings.
Proceedings may include:	• judicial and quasi-judicial tribunals • rules of court.
Demeanour may include:	• appearance • confidence • deportment • dress standard.
Professional standards may include:	• concise and articulate manner • impartiality • integrity • language • respect for people and offices held • voice clarity.
Post-court procedures may include:	• discussion of possible appeal • implementation of judicial orders, such as for confiscation or destruction of property.
Relevant parties to be notified may include:	• government departments • internal and external agencies • other fisheries officers • the witness or witnesses.

Unit Sector(s)

Unit sector	Fisheries compliance
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Co-requisite units

Co-requisite units	

Co-requisite units		

Competency field

Competency field	
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