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| **UNIT CODE** | CPPSEC3XXX |
| **UNIT TITLE** | Prepare and present evidence in court |
| **APPLICATION** | This unit specifies the skills and knowledge required to prepare and present evidence in court.  It requires   * interpreting and complying with policies and legal rights and responsibilities to source, organise and check security information to be used as evidence in court proceedings * checking different types of evidence for compliance against rules of evidence and evidence management principles to ensure admissibility * preparing for court proceedings by participating in oral briefing sessions, submitting evidence briefs and preparing documentation and exhibits * adhering to court procedures and protocols such as those relating to personal presentation, manner and language * oral communication skills required to present evidence in a clear, concise and unambiguous manner and provide specialist opinion on request * noting, filing and storing documentation and evidence from proceedings   It applies to people working independently or under limited supervision as members of a security team.  This unit may form part of the licensing requirements for people engaged in security operations in those states and territories where these are regulated activities. |
| **PREREQUISITE UNIT** | Nil |
| **ELEMENTS** | **PERFORMANCE CRITERIA** |
| Elements describe the essential outcomes. | Performance criteria describe what needs to be done to demonstrate achievement of the element. |
| 1. Prepare evidence. | 1.1 Interpret and comply with workplace policies and legal rights and responsibilities for preparing and presenting evidence.  1.2 Source, research and collate case summary and supporting information.  1.3 Select information to be used as evidence in court and confirm its relevance, validity and admissibility in court.  1.4 Organise evidence and check compliance against evidence management principles. |
| 2. Prepare for court proceedings. | 2.1 Participate in oral briefing session with relevant persons to confirm court arrangements, own role and involvement.  2.2 Discuss information to be presented as evidence and clarify negotiation parameters with relevant persons.  2.3 Submit briefs of evidence in a logical sequence and check compliance with rules of evidence to ensure admissibility in court proceeding.  2.4 Conduct a thorough review of material to be used or referred to in court proceeding prior to presentation in court to ensure familiarity, completeness and availability.  2.5 Prepare documentation and exhibits and review to confirm their acceptability for use in court. |
| 3. Attend court proceeding and present evidence. | 3.1 Attend court and adhere to court procedures and protocols including those for personal presentation, manner and language throughout proceeding.  3.2 Present admissible evidence in a clear, concise and unambiguous manner.  3.3 On request, provide specialist opinion within own area of competence and expertise.  3.4 Note, file and store outcomes of proceedings and associated documentation and evidence according to evidence management principles. |
| ***FOUNDATION SKILLS***  A person demonstrating competency in this unit must have the following language, literacy, numeracy and employment skills:   * language skills to use security industry approved terminology * writing skills to:   + prepare documentation using formal structure and language   + sequence security information and evidence to present cohesive text * reading skills to interpret:   + procedures and policies that clarify legal rights and responsibilities   + information and evidence that may be technical in nature, and in pictorial, diagrammatic or written formats * speaking and listening skills to:   + use and active listening to check understanding when participating in briefing sessions   + participate effectively in spoken interactions in a court setting using strategies to confirm, clarify or repair understanding   + make constructive additions to what has been said when offering own specialist opinion in court * numeracy skills to estimate time required to complete work tasks * problem solving skills to:   + verify accuracy and sources when gathering information and evidence   + analyse information to ensure it complies with rules of evidence for admissibility * self-management skills to plan tasks to meet work timeframes * teamwork skills to adjust personal communication styles in response to the opinions, values and needs of others * technology skills to use a range of common information technologies to access, store, study, retrieve, transmit and manipulate data or information that may be used as evidence | |
| **UNIT MAPPING INFORMATION** | Supersedes and is equivalent to CPPSEC3009A Prepare and present evidence in court |
| **LINKS** | Companion volumes to this training package are available at the VETNet website:  <https://vetnet.education.gov.au/Pages/TrainingDocs.aspx?q=6f3f9672-30e8-4835-b348-205dfcf13d9b> |

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| **TITLE** | | CPPSEC3XXX Prepare and present evidence in court |
| **PERFORMANCE EVIDENCE** | | |
| A person who demonstrates competency in this unit must prepare and present evidence in court in two (2) separate court proceedings.  In doing this, the person must meet the performance criteria for this unit. | | |
| **KNOWLEDGE EVIDENCE** | | |
| To be competent in this unit, a person must demonstrate knowledge of:   * standard operating procedures and workplace policies that ensure compliance with legislative and regulatory requirements including:   + anti-discrimination and diversity   + duty of care   + licensing requirements and limits of own authority   + information privacy and confidentiality   + workplace health and safety (WHS) * basic research techniques that can be used to gather information and evidence * court protocols and procedures to be adhered to when attending proceedings and presenting evidence * court protocols for presenting evidence * evidence management principles * methods for complying with privacy and confidentiality regulations when gathering, presenting and storing security information * operational functions of a range of information technologies used to gather, organise and present security information and evidence * own areas of competence and expertise to provide specialist opinion in court * procedures for preparing briefs of evidence * requirements for handling and managing evidential exhibits * rules of evidence, continuity of evidence and general principals of admissibility of evidence in courts * storage requirements for information that is susceptible to spoil or damage, such as film, tapes and images * techniques for validating the accuracy and reliability of security information and evidence * types of documentation and exhibits that may be presented as evidence in court | | |
| **ASSESSMENT CONDITIONS** | | |
| Assessors must satisfy the requirements for assessors contained in the Standards for Registered Training Organisations.  Assessment of performance must be undertaken in an operational workplace environment or environment that reflects workplace conditions. Tasks are to be performed to the level of proficiency and within the time limits that would be expected in a workplace.  Assessors are responsible for ensuring that the person demonstrating competency has access to:   * specifications of assessment tasks to prepare and present evidence in court * appropriate documents, materials, equipment and personal protective equipment currently used in industry * information technologies required to gather, organise and present security information and documentation * standard operating procedures and workplace policies related to the security work role and which specify requirements for complying with industry legislation and regulations | | |
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For inclusion in separate Companion Volume: Range Statements

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| ***Workplace policies and legal rights and responsibilities*** may relate to: | * access and equity policies, principles and practices * client service standards * communication and reporting procedures * counter terrorism * duty of care * licensing requirements * own role, responsibilities and authority * privacy and confidentiality * professional standards, code of conduct and ethics * protocols and procedures for presenting evidence in judicial and quasi-judicial proceedings * risk management * rules of evidence including admissibility * storage and disposal of evidence * team work * workplace health and safety (WHS) policies and procedures |
| ***Evidence*** may include**:** | * audio or video recordings * charts * documents * drawings * facts * photographs or images * physical items (e.g. specimens, samples) * statements * testimonies |
| ***Supporting information*** may relate to: | * admissible evidence * computer-based information * data * original and back-up video or audio tapes * original, copy or negative film or photographs * physical items * precedents * records of interview * reports or documentation * specimens and samples * tape recordings * witness statements |
| ***Evidence management principles*** may relate to: | * constant reviews during an investigation * continuity of possession * labelling * protection and storing of evidence * referral to prosecution organisations at any stage * systematic recording such as dating and numbering * using written or electronic database systems |
| ***Relevant persons*** may include: | * clients and their staff * colleagues * judicial representatives * legal representatives * police representatives * supervisors |
| ***Court arrangements*** may relate to: | * confirmation of evidence requirements * date, location and time of proceedings * documentation requirements |
| ***Rules of evidence*** may involve: | * admissibility * contemporaneousness |
| ***Court protocols*** may relate to: | * examination and cross-examination procedures * forms of address * general demeanour * impartiality * punctuality * readiness of self and evidence * respect for people and offices held * standards of dress, physical appearance * voice clarity and language |