

UNIT CODE	PSPREG020
UNIT TITLE	Conduct prosecutions
APPLICATION	<p>This unit describes the performance outcomes, skills and knowledge required to review a brief of evidence and prosecute offences while acting as the prosecutor in court.</p> <p>This unit applies to those working in public sector roles conducting regulatory activities. Those undertaking this unit would work autonomously, performing complex tasks in a range of familiar and unfamiliar contexts.</p> <p>The skills in this unit must be applied in accordance with Commonwealth and State or Territory legislation, Australian standards and industry codes of practice.</p> <p>No occupational licensing, certification or specific legislative or certificate requirements apply to this unit at the time of publication.</p>
PREREQUISITE UNIT	Nil
COMPETENCY FIELD	Regulatory
UNIT SECTOR	

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. Prepare for prosecution	1.1 Review and clarify brief of evidence with the authorised officer prior to court proceedings. 1.2 Identify relevant precedents. 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	<p>2.1 Follow evidentiary procedures and conduct prosecution according to court processes, protocols, rules of evidence and organisational instructions.</p> <p>2.2 Maintain personal presentation.</p> <p>2.3 Complete file endorsements.</p> <p>2.4 Follow up or complete matters arising from proceedings.</p> <p>2.5 Review the outcome of the prosecution to provide input or recommendations for handling future cases.</p>
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FOUNDATION SKILLS

Foundation skills essential to performance in this unit, but not explicit in the performance criteria are listed here, along with a brief context statement.

SKILLS	DESCRIPTION
UNIT MAPPING INFORMATION	Release 1: Supersedes and is equivalent to PSPREG020 Conduct prosecutions
LINKS	Companion Volume Implementation Guide

TITLE	Assessment Requirements for PSPREG020 Conduct prosecutions
PERFORMANCE EVIDENCE	<p>Evidence of the ability to complete tasks outlined in elements and performance criteria of this unit in the context of the job role, and on at least one occasion, each of the following:</p> <ul style="list-style-type: none"> ■ make presentations, including participating in complex oral exchanges, in briefing sessions and court ■ read complex, lengthy documents to ascertain key elements ■ undertake research to identify precedents.

KNOWLEDGE EVIDENCE	<p>Demonstrated knowledge required to complete the tasks outlined in elements and performance criteria of this unit:</p> <ul style="list-style-type: none">■ 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	<p>Skills must be demonstrated in either:</p> <ul style="list-style-type: none">■ a workplace environment or■ a simulated environment. <p>Simulated assessment environments must simulate the real-life working environment where the skills and knowledge within this unit would be utilised, with all the relevant equipment and resources of that working environment.</p> <p>Assessment must ensure access to:</p> <ul style="list-style-type: none">■ applicable legislation, policies and procedures. <p>Assessors must satisfy the Standards for Registered Training Organisations' requirements for assessors.</p>
LINKS	Companion Volume Implementation Guide