

Modification history

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

SFICPL503	Undertake the prosecution in a trial
Application	<p>This unit of competency describes the skills and knowledge required to undertake the prosecution in a trial for a fisheries management breach. It requires the ability to collect information, carry out enquiries, manage witnesses, arrange and conduct pre-trial hearings, examine prosecution witnesses, present arguments and undertake post-trial tasks.</p> <p>The unit applies to individuals who work as senior fisheries compliance officers and act in an advocacy role to undertake prosecution functions in a trial. Fisheries compliance officers may not undertake prosecution duties in some states and territories.</p> <p>Regulatory requirements may apply to this unit. Users are required to check with the relevant jurisdictions for current requirements.</p>
Prerequisite Unit	Nil
Unit Sector	Compliance (CPL)

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 the trial	1.1 Gather, collate and confirm all information required for the trial as available for the duration of the trial 1.2 Initiate further enquiries for the prosecution case as required 1.3 Arrange and conduct pre-trial hearings or negotiations as required 1.4 Process any alteration to charges according to courtroom procedures and relevant jurisdictional policies and legislation 1.5 Prepare prosecution argument to meet deadlines for trial related dates
2. Assess and manage witnesses	2.1 Assess witnesses credibility and reliability before the trial 2.2 Notify witnesses of trial dates, confirming their understanding 2.3 Interview witnesses before trial and induct them in courtroom processes 2.4 Disclose unfavourable witness information as appropriate 2.5 Provide witness support during the trial
3. Undertake prosecution role in trial	3.1 Present opening address providing an overview of the prosecution case 3.2 Examine prosecution witness and, if necessary, re-examine, and cross-examine defence witness, as required, to prove elements beyond reasonable doubt 3.3 Select, sequence and word questions for witness to cover all elements, clarify issues and minimise opportunity for defence to propose objections 3.4 Respond to objections from defence during examination-in-chief of prosecution witness and during cross-examination of defence witness 3.5 Propose objections during defence examination-in-chief and during defence cross-examination of prosecution witness 3.6 Present argument based on fact, law and evidence in a manner that is decisive, composed and credible 3.7 Present the prosecution submissions in such a way that strengthens the prosecution case, minimises the prosecution's weaknesses and minimises the strengths in the defence case
4. Complete post-trial administrative tasks	4.1 Complete file endorsements accurately in a timely manner 4.2 Follow up matters arising from the trial

Foundation Skills	
<i>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.</i>	
Skill	Description
Numeracy	<ul style="list-style-type: none"> Calculate additional penalties
Reading	<ul style="list-style-type: none"> Analyse and evaluate statements and courtroom documents Research, analyse and evaluate legal information, case materials and notes
Writing	<ul style="list-style-type: none"> Complete detailed, structured and technical court documents
Navigate the world of work	<ul style="list-style-type: none"> Apply detailed knowledge of legislation and policies to prosecute compliance matters Recognise and respond to both explicit and implicit court and prosecution protocols
Interact with others	<ul style="list-style-type: none"> Use modes of communication suitable to presentation of evidence and make adjustments to communication style to effectively prosecute in a trial
Get the work done	<ul style="list-style-type: none"> Use a mix of intuitive and formal processes to identify and consider key case information and issues, evaluate alternative strategies, anticipate consequences and consider contingencies

Unit Mapping Information			
Code and title current version	Code and title previous version	Comments	Equivalence status
SFICPL503 Undertake the prosecution in a trial	SFICOMP503C Undertake the prosecution in a trial	Updated to meet Standards for Training Packages	Equivalent unit

Links	Companion Volumes, including Implementation Guides, are available at VETNet: https://vetnet.education.gov.au/Pages/TrainingDocs.aspx?q=e31d8c6b-1608-4d77-9f71-9ee749456273
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TITLE	Assessment requirements for SFICPL503 Undertake the prosecution in a trial
Performance Evidence	
<p>An individual demonstrating competency must satisfy all the elements and performance criteria of this unit. There must be evidence that the individual has undertaken the prosecution in a trial for a fisheries management breach on at least one occasion including:</p> <ul style="list-style-type: none"> • researching case materials and notes • planning and organising case materials and arguments • managing witnesses before the trial • presenting argument for the prosecution • acting in an advocacy role • directing the case for the prosecution • completing post-trial activities • following courtroom procedures and relevant jurisdictional policies and legislation. 	
Knowledge Evidence	
<p>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:</p> <ul style="list-style-type: none"> • relevant national, state and territory fisheries management legislation • advocacy techniques that contribute to successful presentation of prosecution case • courtroom etiquette • courtroom procedures for: <ul style="list-style-type: none"> • addressing the bench and opposing counsel • proposing and responding to objections • trial processes. 	
Assessment Conditions	
<p>Assessment of this unit of competency must take place under the following conditions:</p> <ul style="list-style-type: none"> • physical conditions: <ul style="list-style-type: none"> • skills must be demonstrated in a court setting or an environment that accurately represents workplace conditions • resources, equipment and materials: <ul style="list-style-type: none"> • resources required for undertaking the prosecution in a trial, including court staff, defence counsel, witnesses and exhibits • specifications: <ul style="list-style-type: none"> • access to courtroom procedures and relevant jurisdictional policies and legislation • relationships: <ul style="list-style-type: none"> • interactions with witnesses and legal personnel <p>Assessors of this unit must satisfy the requirements for assessors in applicable vocational education and training legislation, frameworks and/or standards.</p>	
Links	Companion Volumes, including Implementation Guides, are available at VETNet: https://vetnet.education.gov.au/Pages/TrainingDocs.aspx?q=e31d8c6b-1608-4d77-9f71-9ee749456273