

Unit mapping

KQ: Knowledge questions

PA: Practical assessment – Task (T), Workplace Skills (WS)

KQ

PA

S

S: Simulations

Elements and performance criteria

E 1 Prepare to represent organisation in court or tribunal

PC 1.1	Follow appropriate court or tribunal preparation procedures and format in line with organisation requirements	Q 1.1 Q 1.2	T 1a-o
PC 1.2	Negotiate with client prior to court or tribunal appearance	Q 1.3a Q 1.3b	T 2a-k
PC 1.3	Liaise with, and brief solicitor prior to court or tribunal appearance in accordance with role and organisation requirements	Q 1.4	T 3a-j
PC 1.4	Prepare relevant paperwork prior to court or tribunal appearance and ensure it is up to date	Q 1.5a Q 1.5b Q 1.6	T 4a-e
PC 1.5	Assess each case and determine whether the organisation can lodge an application for a hearing	Q 1.7 Q 1.8 Q 1.9	T 5a-f
PC 1.6	Deliver relevant and appropriate legal notice/s with adequate time allowed prior to court or tribunal appearance	Q 1.10	T 6

E 2 Represent organisation in court or tribunal

PC 2.1	Observe appropriate court or tribunal dress, grooming and etiquette codes	Q 2.1 Q 2.2	T 8a T 8b
PC 2.2	Undertake additional briefing with solicitor as necessary	Q 2.3 Q 2.4	T 7a-j
PC 2.3	Finalise relevant documentation including procedures and protocols required to prepare case for presentation	Q 2.5 Q 2.6 Q 2.7	T 7a-j
PC 2.4	Answer questions and articulate facts clearly, concisely, confidently, and accurately	Q 2.8	T 8b T 8c T 8d
PC 2.5	Maintain effective negotiations and briefing with the client and the solicitor throughout the court or tribunal process in accordance with role and organisation requirements	Q 2.9	T 8a-h

KQ: Knowledge questions**PA: Practical assessment – Task (T), Workplace Skills (WS)****KQ****PA****S****S: Simulations****E 3 Follow up actions from court appearance or tribunal hearing**

PC 3.1	Prepare accurate records, reporting, and file updates, as required and resulting from the court appearance or tribunal hearing	Q 3.1 Q 3.2	
PC 3.2	Undertake appropriate debriefing with colleagues, supervisor and solicitor	Q 3.3	T 10a-p
PC 3.3	Establish a process for monitoring the action following the court or tribunal appearance	Q 3.4	T 11a-c
PC 3.4	Notify appropriate stakeholders of any intention to withdraw, adjourn or relist case	Q 3.5 Q 3.6a Q 3.6b	T 10a-p

E 4 Follow up actions resulting from the hearing

PC 4.1	Carry out procedures within time limits	Q 4.1	T 9d T 9e T 9f
PC 4.2	Follow appropriate steps after a legal order has been given	Q 4.2a Q 4.2b	T 9a-f T 11b T 11c

E 5 Use the procedure for resolving specific issues

PC 5.1	Investigate and document nuisance and annoyance claims	Q 5.1	T 13.1 T 13.1a-i
PC 5.2	Negotiate with client to attempt a resolution, prior to a hearing	Q 5.2 Q 5.3	T 13.2 T 13.2a-h
PC 5.3	Ensure all required reports are completed accurately after a hearing and record follow up action/s	Q 5.4 Q 5.5	T 13.3 T 13.3a-g
PC 5.4	Make appropriate referrals to agencies	Q 5.6	T 13.4 T 13.4a-g

KQ: Knowledge questions**PA: Practical assessment – Task (T), Workplace Skills (WS)****KQ****PA****S****S: Simulations****Knowledge evidence**

KE 1	Relevant legislation, policies and organisation procedures			
	<ul style="list-style-type: none"> follow court or tribunal procedures and format in line with organisational requirements 	Q 1.1 Q 1.2	T 1a-o	
	<ul style="list-style-type: none"> liaise with, and brief solicitor prior to court or tribunal appearance in accordance with role and organisation requirements 	Q 1.4	T 3a-j	
	<ul style="list-style-type: none"> conduct internal review in accordance with organisational policies and protocols 	Q 2.7		
	<ul style="list-style-type: none"> organisational process for debriefing 	Q 3.3		T 10a-p
	<ul style="list-style-type: none"> organisational process for monitoring actions following court or tribunal hearing 	Q 3.4	T 9a-f	
	<ul style="list-style-type: none"> follow procedures within specified time limits after a court or tribunal hearing 	Q 4.1	T 12a-l	
	<ul style="list-style-type: none"> organisational and legal processes to investigate and document nuisance and claims 	Q 5.1	T 13.1 T 13.1a-i	
	<ul style="list-style-type: none"> organisational process for making referrals to agencies 	Q 5.6	T 13.4 T 13.4a-g	
KE 2	Relevance of legal system to service delivery policy			
	<ul style="list-style-type: none"> legal and organisational steps followed to prepare for court or tribunal hearings 	Q 1.2	T 9a-f	
	<ul style="list-style-type: none"> principles and responsibilities of organisations when liaising with solicitor 	Q 1.4	T 12a-l	
	<ul style="list-style-type: none"> purpose of an organisation's service delivery policy when preparing for legal actions 	Q 2.6	T 13.1 T 13.1a-i	
	<ul style="list-style-type: none"> client-centred approach during court or tribunal hearings 	Q 2.9	T 13.4 T 13.4a-g	T 8a-h
	<ul style="list-style-type: none"> ethical responsibilities when communicating with clients following a court or tribunal hearing? 	Q 3.2		
	<ul style="list-style-type: none"> effective negotiation in the legal context, prior to court or tribunal hearing 	Q 5.2	T 1a-o	T 2a-k

KQ: Knowledge questions		KQ	PA	S
PA: Practical assessment – Task (T), Workplace Skills (WS)				
S: Simulations				
KE 3	Knowledge of the processes and structure of the Australian legal system, including:			
	▪ court and/or tribunal processes	Q 1.2 Q 1.5 Q 1.7 Q 1.8 Q 1.10 Q 2.5 Q 3.6a Q 4.1 Q 4.2a Q 4.2b Q 5.5	T 1a-o T 4a-e T 11a-c	
	▪ role of different tribunals	Q 1.2 Q 1.6 Q 5.3	T 6	
	▪ knowledge of different court types and relevant procedures and etiquette	Q 1.2 Q 1.5 Q 1.10 Q 2.1 Q 2.2 Q 2.5 Q 2.8 Q 3.3 Q 3.5 Q 4.1 Q 4.2	T 4a-e	T 8-h
	▪ common law and statute law	Q 1.9		
KE 4	Organisational and legal documentation, including:			
	▪ briefs of evidence	Q 1.6	T 3a-j T 4a-e	
	▪ court reports	Q 1.6 Q 5.4 Q 5.5		T 8a-h
	▪ affidavit	Q 1.6		
	▪ police statements	Q 1.6		
	▪ set questions	Q 1.6		
	▪ file or case notes	Q 1.6 Q 3.1 Q 5.5	T 12a-l T 13.3 T 13.3a-g	

KQ: Knowledge questions**PA: Practical assessment – Task (T), Workplace Skills (WS)****KQ****PA****S****S: Simulations****Performance evidence**

There must be demonstrated evidence that the candidate has represented an organisation in court and/or tribunal on 1 occasion including preparing for, and following up on hearing.

Skills must be demonstrated in the workplace or a simulated environment that reflects workplace conditions.

Case study provided can be used in a simulated environment.

PE 1	Demonstrate how to prepare to represent organisation in court or tribunal hearing		
	<ul style="list-style-type: none">follow organisational requirements and court or tribunal preparation procedures		
	<ul style="list-style-type: none">negotiate with client		T 2a-k
	<ul style="list-style-type: none">liaise with and brief solicitor	T 1g T 3a-j	
	<ul style="list-style-type: none">prepare paperwork, ensuring it is up to date	T 4a-e	
	<ul style="list-style-type: none">assess whether to lodge an application	T 5a-f	
	<ul style="list-style-type: none">deliver legal notice on time	T 6	
PE 2	Demonstrate how to represent organisation in court or tribunal hearing:		
	<ul style="list-style-type: none">prepare briefing agenda	T 7a-j	
	<ul style="list-style-type: none">represent client and support solicitor in court or tribunal hearing		T 8a-h
PE 3	Demonstrate how to follow up actions from court appearance:		
	<ul style="list-style-type: none">monitor post-tribunal actions	T 9a-f	
	<ul style="list-style-type: none">undertake debriefing		T 10a-p
	<ul style="list-style-type: none">withdraw, adjourn or delist a case	T 11a-c	
PE 4	Demonstrate how to follow up actions resulting from hearing:		
	<ul style="list-style-type: none">meet task and deadlines after a legal order	T 12a-l	
PE 5	Demonstrate how you use procedures for resolving issues:		
	<ul style="list-style-type: none">investigate nuisance and annoyance claim	T 13.1 T 13.1a-i	
	<ul style="list-style-type: none">negotiate and attempt resolution	T 13.2 T 13.2a-h	
	<ul style="list-style-type: none">complete required reports	T 13.3 T 13.3a-g	
	<ul style="list-style-type: none">make referral to another agency	T 13.4 T 13.4a-g	