

<b>Title</b>	<b>Demonstrate knowledge of judicial proceedings in regulatory investigations</b>		
<b>Level</b>	<b>6</b>	<b>Credits</b>	<b>5</b>

<b>Purpose</b>	<p>This unit standard is for people currently employed as regulatory investigators.</p> <p>People credited with this unit standard are able to:</p> <ul style="list-style-type: none"> <li>– explain requirements for preparing an investigation file for appearance in a judicial proceeding;</li> <li>– demonstrate knowledge of overseeing a judicial proceeding as a regulatory investigator; and</li> <li>– demonstrate knowledge of concluding involvement in a judicial proceeding.</li> </ul>
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<b>Classification</b>	Public Sector Compliance > Public Sector Compliance Investigations
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<b>Available grade</b>	Achieved
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### Guidance Information

- 1 Definition  
*Organisational requirements* refer to instructions to staff on policies, procedures, and methodologies which are documented and are available in the workplace. This includes an organisation's obligations under Te Tiriti o Waitangi/The Treaty of Waitangi.
- 2 The Regulatory sector has a number of terms with specific usage. For current definitions visit [Programme Guidance- Skills](#).
- 3 References include but are not limited to:  
Criminal Disclosure Act 2008;  
Criminal Procedure Act 2011;  
District Court Rules 2014;  
Evidence Act 2006;  
Judicature Act 1908;  
Te Tiriti o Waitangi/The Treaty of Waitangi;  
Victims' Rights Act 2002;  
Specific legislation mandating the powers and duties of a specific organisation with respect to its regulatory role and/or any other legislation applicable to a particular regulatory situation (e.g. Fisheries Act 1996, Resource Management Act 1991);  
and any subsequent amendments and replacements.

#### 4 Range

Demonstration of knowledge and skills must be consistent with any applicable code or codes of conduct such as the New Zealand State Services Code of Conduct, *Standards of Integrity and Conduct* (available from <https://www.publicservice.govt.nz/>) and/or any other agency specific code or codes of conduct and/or ethics.

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## Outcomes and performance criteria

### Outcome 1

Explain requirements for preparing an investigation file for appearance in a judicial proceeding.

#### Performance criteria

- 1.1 Explain requirements for ordering and preparing the file in accordance with organisational requirements.

Range file content may include but is not limited to – covering report; subject details, including witness details; exhibit schedules; exhibits; case notes; job sheets; notebook notes; research information; seizure lists; affidavits; records of interview; administration information.

### Outcome 2

Demonstrate knowledge of overseeing a judicial proceeding as a regulatory investigator.

#### Performance criteria

- 2.1 Explain activities and considerations in relation to liaising with parties involved in a judicial proceeding in accordance with needs of the case and organisational requirements.
- 2.2 Explain how to prepare any additional material required in relation to a judicial process in accordance with judicial and organisational requirements.
- 2.3 Describe legal and organisational requirements for fulfilling and recording any obligations to parties involved in a judicial proceeding.

Range may include but is not limited to – disclosure requirements.

- 2.4 Explain activities and considerations in relation to managing matters associated with parties to a judicial proceeding in accordance with organisational requirements and needs of the case.

Range parties include witnesses and may include but are not limited to – defendants;  
activities and considerations in relation to witnesses may include but are not limited to – briefing on progress of case, familiarisation with court procedures, ensuring appearance at court, safety, privacy, witness fees.

- 2.5 Describe organisational requirements for reporting on judicial proceedings.

### Outcome 3

Demonstrate knowledge of concluding involvement in a judicial proceeding.

#### Performance criteria

- 3.1 Explain activities and considerations in relation to complying with judicial directions in accordance with legal and organisational requirements.
- 3.2 Explain activities and considerations in relation to advising parties relevant to the judicial proceeding of proceeding outcomes in accordance with organisational and any legal requirements.
- 3.3 Describe legal and organisational requirements for returning, disposing of, and retaining documentation and/or exhibits.
- 3.4 Describe organisational requirements for updating case management systems at the conclusion of a judicial proceeding.

<b>Planned review date</b>	31 December 2026
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#### Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	18 February 2016	31 December 2023
Review	2	28 October 2021	N/A

<b>Consent and Moderation Requirements (CMR) reference</b>	0121
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

#### Comments on this unit standard

Please contact The Skills Organisation [reviewcomments@skills.org.nz](mailto:reviewcomments@skills.org.nz) if you wish to suggest changes to the content of this unit standard.