

<b>Title</b>	<b>Prepare a prosecution file and brief counsel</b>		
<b>Level</b>	<b>5</b>	<b>Credits</b>	<b>5</b>

<b>Purpose</b>	This unit standard is for people who work, or intend to work as compliance inspectors, investigating officers, or enforcement officers. People credited with this unit standard are able to: prepare summary of facts; prepare prosecution file; and brief counsel.
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<b>Classification</b>	Compliance and Law Enforcement > Compliance and Regulatory Control
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<b>Available grade</b>	Achieved
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### Guidance Information

- 1 Assessment will be in relation to those laws, regulations, bylaws, activities, procedures, and policies defined by the compliance and/or regulatory organisation relevant to the performance context.
- 2 *Organisational requirements* refer to instructions to staff on policy and procedures, which are documented in memo or manual format and are available in the workplace. These include the application of legislation.

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### Outcomes and performance criteria

#### Outcome 1

Prepare summary of facts.

#### Performance criteria

- 1.1 Purpose of file is described.
- 1.2 Summary is completed in accordance with organisation's required format.
- 1.3 Evidence and facts that support charge are summarised.
- 1.4 Provision of legislation that describes ingredients of offence are stated.
- 1.5 Summarised history of investigation is completed.

#### Outcome 2

Prepare prosecution file.

**Performance criteria**

- 2.1 File is produced in organisation's format.
- 2.2 Evidence is recorded on file.
- 2.3 Information is factual, relevant to the case, and able to be readily assimilated by intended reader.
- 2.4 Selected legislative action is justified in terms of observed facts and evidence.
- 2.5 Details of investigators involved in the case are provided in accordance with organisation's requirements.
- 2.6 Information regarding previous instances of non-compliance is included in file.

**Outcome 3**

Brief counsel.

**Performance criteria**

- 3.1 Briefing is factual, relevant to the prosecution file, and able to be readily assimilated by counsel.
- 3.2 Direct language, including legal terms, is used when responding to questions.
- 3.3 Briefing is completed in accordance with organisational requirements.

**This unit standard is expiring. Assessment against the standard must take place by the last date for assessment set out below.**

**Status information and last date for assessment for superseded versions**

Process	Version	Date	Last Date for Assessment
Registration	1	27 April 1995	31 December 2023
Revision	2	25 November 1997	31 December 2023
Revision	3	13 November 2002	31 December 2023
Revision	4	19 May 2004	31 December 2023
Review	5	27 February 2006	31 December 2023
Review	6	23 May 2019	31 December 2023

<b>Consent and Moderation Requirements (CMR) reference</b>	0046
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.