

Unit 46 Represent the agency in courts and formal hearings

Origin of this unit

This unit originated from Unit F407 of the National Occupational Standards for Community Justice developed by CJNTO. It has been tailored to fit the context of these standards.

Place in the NVQ/SVQ framework

This Unit is a Level 4 optional unit within the N/SVQ for Learning, Development and Support Services (for children, young people and those who care for them).

Elements

1. Exchange information at courts and formal hearings
2. Present reports at courts and formal hearings.

Unit Summary

This unit focuses on the worker representing their agency in courts and at formal hearings through exchanging information and presenting reports. The information and reports are confidential. Reports are any which are relevant to the worker's agency. Due to the nature of such work, the worker needs to be able to develop effective relationships with others and liaise with them. The courts and formal hearings will include: criminal courts, civil courts, youth courts, prison establishments, parole boards, mental health tribunals, other tribunals, children's hearings and other formal hearings. Workers only need to apply their knowledge to those courts and formal hearings in which they work, and know about those others to which their work is related.

Who is this unit for?

This unit is designed to be relevant to any worker who has responsibility for representing their agency in courts or formal hearings.

Principles of good practice

These occupational standards incorporate principles of good practice that apply across the sector

Linked units

Links to QCA Key Skills: Communication level 4; Working with Others level 4; Problem Solving level 4.

Links to SQA Core Skills: Communication level - Higher; Numeracy level - Intermediate 1; Using Information Technology level - Access 3; Problem Solving level - Higher.

Element 1

Exchange information at courts and formal hearings

Performance Criteria

The worker will need to

1. Clarify the reports which the courts and formal hearings require, by when and for what purpose
2. Plan how to obtain the necessary information
3. Work effectively with staff from own and other agencies to obtain the necessary information
4. Gather relevant, accurate and current information from relevant people in a supportive manner which is sensitive to their needs
5. Summarise the information received from people and reflect it back to them to confirm that the worker has interpreted the information correctly
6. Analyse the collected information, identify correctly any problems with it and address them promptly
7. Provide accurate, legible and complete written information in the required format at the appropriate time
8. Provide information which is consistent with requests, their work role, agency policy and statutory requirements
9. Explain clearly and accurately the nature of, and rationale for, their agency's policies and practices when these are questioned
10. Identify any tensions and areas of conflict with others and seek to address them constructively
11. Complete records accurately and clearly and store them according to agency requirements
12. Communicate information to people who are authorised to have it.

Range

- 1.** Relevant people
 - a) children and young people who are subject to the court or formal hearing
 - b) people who are significant to the child or young person and/or who are affected by their behaviour
 - c) people within the worker's agency
 - d) partner agencies
 - e) other staff in the legal and judicial system
 - f) staff in other relevant services.

- 2.** Problems
 - a) factual errors
 - b) omissions
 - c) discriminatory language and content
 - d) doubts about the authenticity of information.

Element 2

Present reports at courts and formal hearings

Performance Criteria

The worker will need to

1. Identify and discuss the issues which may be raised at courts and formal hearings with their line manager prior to the hearing
2. Present the information which the court requires clearly, accurately and succinctly and in a manner which is consistent with court conventions
3. Present themselves and interact with others in a manner which promotes the work of the agency and is consistent with the promotion of individuals' rights
4. Make timely and appropriate interventions which challenge others when they misinterpret information or are discriminating unfairly
5. Seek advice and support from an appropriate person if difficulties arise
6. Clarify details of court requests for further information
7. Take action to gain further information about the report promptly
8. Complete records accurately and clearly and store them according to agency requirements
9. Communicate information to people who are authorised to have it.

Range

1. Court conventions relating to
 - a) style of presentation
 - b) use of language.
2. Presenting themselves in
 - a) dress
 - b) speech and body language.
3. Appropriate person
 - a) line manager
 - b) court officer/duty officer.
4. Information on
 - a) the outcomes of the court or hearing
 - b) requirements for further work
 - c) implications for other work
 - d) requirements and timing of progress reports
 - e) critical comment and positive feedback
 - f) factors relating to the management of risk.

Knowledge and understanding needed for this unit

The individual will need the following knowledge and understanding to achieve the standards in this unit.

Working with individuals and groups

1. The functions, associated statutory requirements, procedures (eg administration and etiquette) and resources of the different courts and formal hearings in which the worker practises or to which their work is related
2. Possible hearing outcomes and associated statutory requirements of the different courts and formal hearings in which the worker practises or to which their work is related
3. The different forms of report which are required for the different courts and formal hearings in which the worker practises or to which their work is related and the reasons for these
4. The ways in which it is necessary to alter communication when working with different individuals and representatives of different agencies
5. Ways of identifying and addressing problems with the information and examples of how they have done this in their work
6. How they have applied the principles of equality, diversity and anti-discriminatory practice to their work.

Working within the youth justice sector

1. The nature of the sector in which the worker is practising, and the nature, roles and functions of the principal agencies within it
2. Agency structures, functions, methods of communication and decision making processes
3. The specific legislation (national and European) which relates to the work being undertaken - both the context and the individual - and the impact of this on the work
4. Any particular factors relating to the agency's policies and practices which have affected the work undertaken.

Working to improve individual practice

1. Methods of evaluating their own competence, determining when further support and expertise are needed and the measures taken to improve own competence in this area of work.