
Overview

This unit focuses preparing and presenting evidence in courts and at other hearings. You may be required to provide evidence in various capacities.

You must prepare for court or other hearings, ensuring that you identify and obtain all relevant exhibits, notes and materials in advance. You must also liaise with the relevant parties as required and take action to resolve any problems or difficulties that arise.

You must present evidence in an effective manner complying with the rules of evidence, court/hearing procedures and acceptable professional standards. You must also ensure that all relevant aspects of community and race relations, diversity and human rights are adhered to.

There are two elements

1. Prepare for court or other hearings
2. Present evidence to court or other hearings

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Present evidence in court and at other hearings

Performance criteria

Prepare for court or other hearings

- You must be able to:*
- P1 respond promptly to any warnings, citations or notifications received from courts or other hearings
 - P2 provide any information requested by the court or hearing accurately and expeditiously
 - P3 ensure the availability of exhibits within your area of responsibility taking steps to maintain their continuity and integrity at all times
 - P4 consider your evidence in advance of the hearing and ensure that you are in possession of the appropriate notes and materials
 - P5 liaise with appropriate agencies to confirm witness attendance
 - P6 liaise with representatives of the prosecuting authorities as required
 - P7 deal with individuals in an ethical manner, recognising their needs with respect to race, diversity and human rights

Present evidence to court or other hearings

- You must be able to:*
- P8 present yourself at the venue in a timely manner and in possession of all necessary exhibits and documents
 - P9 ensure your appearance and behaviour conforms to acceptable professional standards at all times
 - P10 liaise with victims, witnesses and defendants in accordance with current policy and legislation
 - P11 deliver your evidence and respond to questions in a truthful, objective, clear and concise manner with due regard for the rules of evidence and the procedures of the venue
 - P12 provide oral evidence that is consistent with any written materials provided by you as part of the case
 - P13 respond to all directions of the court or hearing promptly and appropriately

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Present evidence in court and at other hearings

Knowledge and understanding

You need to know and understand:

Legal and organisational requirements

- K1 rules of evidence
- K2 procedures and protocols in courts and at hearings
- K3 the legislation relevant to the case in question
- K4 the importance of adhering to national guidelines relating to working appropriately with children and young people

Preparing for court or other hearings

You need to know and understand:

- K5 how to prepare, label and make available exhibits in a manner that maintains their continuity and integrity
- K6 the importance of considering your evidence in advance
- K7 how and where to locate and obtain evidence, notes and materials for presentation
- K8 how to liaise with victims, witnesses and prosecuting authorities
- K9 relevant guidance regarding dealing with vulnerable victims and witnesses, and how to apply it correctly
- K10 how to take reasonable steps to ensure the safety and welfare of victims and witnesses
- K11 action to take in cases where problems or difficulties arise

Presenting evidence at court or other hearings

You need to know and understand:

- K12 how to give evidence effectively in a court or hearing
- K13 how and when you can refer to any notes and materials in your possession
- K14 circumstances in which evidence of opinion can be provided
- K15 techniques for maintaining control and composure under cross-examination
- K16 the permitted liaison with victims, witnesses and defendants
- K17 the support services (e.g. victim support, duty solicitor) available at court/hearing and their role and responsibilities
- K18 the roles and responsibilities of court personnel
- K19 what constitutes a breach of court protocol or procedure and to whom any breaches should be reported

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