

Specification of Competency Standards
for the Security Services Industry
Unit of Competency

Functional Area - Investigation

Title	Understand legal issues relevant to investigative services in Hong Kong
Code	107848L4
Description	This unit of competency applies to security personnel at managerial level responsible for managing investigative services of an organisation. It covers the abilities to apply relevant legal knowledge in order to ensure that investigative services will serve the needs of the organization.
Level	4
Credit	3
Competency	<p>Performance Requirements</p> <p>1. Knowledge about legal issues relevant to investigative services in Hong Kong:</p> <ul style="list-style-type: none"> • Understand the organisation's policies and guidelines for investigations • Understand the organisation's established policies and procedures for handling civil and criminal matters • Understand the judicial system and key elements of civil and criminal proceedings in Hong Kong • Understand legal and regulatory obligations pertaining to the business operations and objectives of the organisation • Understand the elements of common criminal offences relevant to the business operations of the organisation <p>2. Apply legal knowledge in investigations</p> <p>Be able to:</p> <ul style="list-style-type: none"> • Support management in discharging their duty of care and diligence in finding facts about issues regarding its business through effective and efficient investigations and take appropriate actions to resolve issues and improve its business and operations. • Apply knowledge about the judicial system in Hong Kong: <ul style="list-style-type: none"> ○ Basic understanding about the court system and its operations ○ Key elements in civil proceedings including standard of proof ○ Key elements in criminal proceedings including standard of proof. • Apply knowledge about interviewing in investigations: <ul style="list-style-type: none"> ○ The right of management to ask employees and agents questions on matters associated with the business and operations of the organisation ○ An individual's right to remain silence in the face of incriminating questions • Apply knowledge about the obligations and liabilities of the organisation, including: <ul style="list-style-type: none"> ○ Obligations under its business licence ○ Employment and employee compensation ○ Health and safety in the workplace ○ Data privacy ○ Equal opportunities ○ Liabilities under its business contract with vendors/customers ○ Product/service liabilities ○ Premises liabilities • Apply knowledge about criminal offences commonly handled in an organisation, including: <ul style="list-style-type: none"> ○ Theft, misappropriation, fraud and embezzlement, etc. ○ Offences against persons, e.g. assault ○ Offences against properties, e.g. criminal damage ○ Offences against public order, e.g. fighting ○ Arson, drug abuse, gambling, etc.

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Assessment Criteria	The integrated outcome requirements of this UoC are the abilities to: <ul style="list-style-type: none">• Apply the legal knowledge to provide an effective investigative services that meet the business needs of the organisation
Remark	