

Notice number: 2022/00106

**COMMISSION OF INQUIRY INTO FORENSIC DNA TESTING  
IN QUEENSLAND**

Section 5(1)(d) of the *Commissions of Inquiry Act 1950*

**STATEMENT OF DR DAVID ROSENGREN**

I, David Rosengren, **Chief Operating Officer, Queensland Health**, of 33 Charlotte Street, Brisbane, do solemnly and sincerely declare that:

1. I am the Chief Operating Officer, Queensland Health.
2. I have held this position since March 2022.
3. I have been issued with a requirement to provide a written statement by Commissioner Sofronoff QC, Notice 2022/106.
4. I have considered the schedule of topics provided by the Commissioner.
5. In this statement I have made reference to correspondence. For ease of reference to this correspondence, the file names have been updated to include the date and time at which the latest email was received. The Commission should note that the original file name of each document as included in this statement is exclusive of the date and time.

**Question 1 – Your qualifications and experience, in particular in relation to DNA testing and analysis.**

6. I have a Bachelor of Medicine, Bachelor of Surgery (MBBS) from University of Queensland obtained in 1994.
7. I am a fellow of the Australian College for Emergency Medicine.

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David Rosengren

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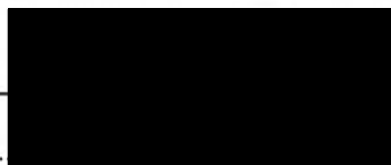
8. I hold a current representative role on a number of boards including Health Round Table, Choosing Wisely Advisory Group, Royal Brisbane and Women's Hospital Foundation and the Sony Foundation.
9. Prior to my current position, I was the Acting Chief Operating Officer for Metro North Hospital and Health Service from September 2021 to March 2022. From May 2019 to September 2021, I was the Executive Director of Royal Brisbane and Women's Hospital.
10. I have more than 20 years clinical and leadership experience in both public and private hospital emergency departments and continue to provide clinical services as a Senior Staff Specialist in the Emergency and Trauma Centre at Royal Brisbane and Women's Hospital.
11. I have no experience in DNA testing or analysis.

**Question 2 – The start and end date of your current period of acting as Director-General of the Department of Health, and any previous periods.**

12. I was the Acting Director-General, Queensland Health for two weeks from Monday 8 August 2022 to Sunday 22 August 2022.
13. I have not acted in that role previously.

**Question 3 - What involvement, if any, did you have in a decision made on or about 6 June 2022 to determine the process to be followed for Priority 1 or 2 samples with a quantitation value between 0.001 ng/µl and 0.0088 ng/µl? Explain your involvement in detail, with reference to material and information you had access to in relation to the decision, meetings, discussions or correspondence in relation to the decision, and others' contribution to the decision.**

14. I had no involvement in the decision of 6 June 2022.



David Rosengren



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**Question 4 - If you had no involvement in the decision made on or about 6 June 2022, what is your understanding, and explain the basis for your understanding, of the following:**

**a. Who made that decision;**

15. I understand that the decision was made by Mr Shaun Drummond, Acting Director-General.
16. I base this understanding on a number of conversations held by me, as well as email correspondence received whilst I was acting in the role of Acting Director General.
17. In particular, I received an email on 17 August 2022 at 11.25am which stated that Option 1 was in place from 6 June 2022. A copy of this email is attached at **DR-00 20220817 – 1125 – Wording to describe pre-2018 thresholds and options.eml**.

**b. When the decision was made;**

18. I understand that the decision was made on 6 June 2022. My understanding of that date is based upon conversations held with me from around 12 August 2022 and drafts of the memorandum that I ultimately issued on 19 August 2022 as outlined below in this statement.

**c. The reasons for the decision;**

19. I understand that the decision was made with a view to directing an appropriate workflow for Priority 2 samples that had been reported as 'DNA insufficient for further processing'. This related to samples with a quantitation result of between 0.001ng/μL and 0.0088ng/μL. This was to be an interim measure pending further consideration of the question of thresholds by the Commission of Inquiry, and I believe the intention was to revert, so far as possible, to the workflow in place for such samples pre-2018.

**d. The material or information on which the decision was based;**

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David Rosengren

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20. I understand that the decision was based on advice received, including an email from Lara Keller to Shaun Drummond on 3 June 2022 at 5.10pm, which set out options for his consideration. This email was attached to an email I received from Megan Fairweather, Acting Chief Legal Counsel on 15 August 2022 at 5:24pm. A copy of this email is attached at **DR-01 20220815 – 1724 – FW Forensic DNA testing impacts.msg**.

**e. The meetings, discussions or correspondence in relation to the decision.**

21. As previously outlined, I became aware of the decision based on my conversations and email correspondence received whilst Acting as the Director-General, Queensland Health. Those conversations and emails are detailed below.

**Question 5 - In relation to a memorandum from you titled 'Reversion to concentration of all Priority 2 samples in range' and dated 19 August 2022, explain in detail:**

**a. Who made the decision to "revert" to the process outlined in that memorandum;**

22. I made the decision.

**b. When was that decision made;**

23. The decision was made on the same day the memorandum was issued.

**c. All meetings, discussions or correspondence about that decision, including who was present, what was said, and material or information available to those at the meeting or discussion;**

**Friday 12 August 2022**

24. On Friday 12 August 2022, at about 6:15pm, I received a phone call from Matt Rigby, Executive Director, and Megan Fairweather, Acting Chief Legal Counsel. I do not recall the exact details of the conversation. I was at a private event at the time and I did not make notes. I recall being advised that a potential inaccuracy had been identified in the options provided to Shaun Drummond which were the basis of his decision on 6

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David Rosengren

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June 2022. I understood the potential inaccuracy was related to the fact it was not strictly possible to revert strictly to the pre-2018 workflow due to the introduction of new technology since that time. The effect of the discussion on 12 August 2022 was whether there was sufficient clarity in the memorandum to ensure the intention to revert to pre-2018 testing workflows for 'DNA insufficient for further processing' results had been effectively achieved.

25. As a result of that conversation, I requested that the Acting Chief Legal Counsel obtain further advice on the original options articulated in the information provided to the Acting Director General prior to the June 6 decision, specifically any further clarification required to ensure that all staff would have explicit clarity on the workflow to deliver on the objective of that memorandum. I made it clear that, irrespective of the explanation, if there was any potential for confusion regarding the specific workflow requirements, I was minded to proactively address that.

**Monday 15 August 2022**

26. On Monday 15 August 2022, at about 5:00pm, I attended a telephone call with Executive Director Matt Rigby and Acting Chief Legal Counsel, Megan Fairweather. The discussion included an update that the options on 3 June 2022 had not been accurately recorded and my intention to put something in writing for relevant staff for the interim pending the Commission of Inquiry process. I do not have a clear recollection now of the exact details of that discussion. I agreed that the options should be rewritten for the benefit of my decision to draft a clarifying memorandum.

**Tuesday 16 August 2022**

27. On Tuesday 16 August 2022, at 11:30am, I participated in a scheduled 30 minute meeting at 1 William Street, Brisbane, attended by Associate Director General Jasmina Joldic, Executive Director Matt Rigby, Executive Director David Harmer, Director Stephen Stewart. Acting Chief Legal Counsel, Megan Fairweather also attended part of that meeting via Teams. The meeting was arranged to brief Associate Director General Jasmina Joldic about the DNA Commission of Inquiry on her return from

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- annual leave, on the basis that she would be taking over as department lead for the Commission of Inquiry. I did not make notes of this meeting, however, I recall discussing Shaun Drummond's decision of 6 June 2022 and the issue that had arisen about the options presented to him.
28. As a result of the discussions, I asked that further information be obtained from Cathie Allen, Managing Scientist, and Helen Gregg, Acting Executive Director, FSS about the true position of the pre-2018 threshold workflow and for them to update the options available to revert to that process. I also requested information about how many samples had been processed since 3 June 2022. My plan was to provide a very clear communication to clarify that the workflow should, to the closest extent possible, revert as it was the day before the thresholds were introduced in 2018. I also requested proactive communication take place with the Commission, QPS and the Minister's office. I understood that an updated Briefing Note might be required for additional funding to give effect to any revised decision for additional testing.
29. At about 12:45pm, I telephoned Acting Executive Director, FSS, Helen Gregg. I indicated to Helen Gregg that I required advice from FSS on a technological level regarding strengthening clarification of the forensic DNA analysis workflows to revert as closely as possible to the workflows in place before the introduction of the thresholds in early 2018. That is, to ensure that all staff were comfortable with an agreed and consistent protocol for processing DNA specimens.
30. In the preparation of this statement, I have been provided with an email dated 16 August 2022, sent by Cathie Allen at 1.06pm to Helen Gregg. A copy of this email is attached at **DR-02 20220816 – 1306 – Advice regarding information supplied**. The contents of this accords with my recollection of the issue as raised with me during the meeting referred to in paragraphs [27] to [28] and the conversation with Helen Gregg in paragraph [29] above.
31. Shortly after my conversation with Helen Gregg, at around 1:00pm on 16 August 2022, I received a telephone call from Shaun Drummond who was on leave in the United Kingdom. I was acting in the role of Director-General, Queensland Health at the time,

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 David Rosengren

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which is Shaun Drummond's substantive position. This phone call was an ad-hoc unscheduled check in from Shaun Drummond to check if I required any advice or support on any issues within the Queensland Health portfolio. As part of the brief conversation, I advised that I had become aware of potential confusion around the specific workflows for FSS staff to revert to the pre-2018 processes as had been communicated in the decision of 6 June 2022. I informed Shaun Drummond that I understood this was the result of advancement in technology and testing platforms in that time period since 2018. I also advised Shaun Drummond that I was communicating with FSS and QPS stakeholders about my intention to distribute a more refined and specific communication to provide staff with appropriate guidance pending any advice that may arise from the active Commission of Inquiry. This discussion was in the context of an opportunistic informal update on active issues that I was managing as Acting Director General on his behalf.

32. Later, on 16 August 2022, at around 4:30pm, I received a telephone call from Yvette D'Ath, the Minister for Health and Ambulance Services. I consider the telephone call was a routine check in with me in my role as the Acting Director General. During that conversation, which I recall lasted around 5 minutes, I mentioned there had been some confusion with the FSS laboratory staff about reverting to the pre-2018 testing workflows and that I was planning to send an updated memorandum to clarify the situation.

**Wednesday 17 August 2022**

33. On Wednesday 17 August 2022, as noted in paragraph [17] above, at around 11.25am, I received an email from Helen Gregg with an explanation to clarify the options for returning to the pre-threshold testing workflows.
34. After reviewing and considering this email, at about 2:45pm, Matt Rigby, Executive Director, and I had a telephone conversation with Inspector David Neville of the Queensland Police Service ('QPS'). Inspector Neville had been nominated by the Commissioner of Police as the point of contact for Queensland Health. I did not record notes of this meeting and do not now recall the exact specifics of the matters discussed.

David Rosengren

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I do recall that we discussed the proposed process going forward and the approach to sending out a memorandum to FSS to clarify testing for staff. We agreed that a draft of the memorandum would be provided to QPS for their feedback later that day.

- 35. Later that day, at 5.29pm, I am aware that Matt Rigby, Executive Director, received an email from the Acting Chief Legal Counsel with a draft memorandum and a workflow attachment. This email is attached at **DR-03 20220817 – 1729 – A-DG draft memo for FSS microcon requirements.eml**.
- 36. At 5.53pm, Matt Rigby forwarded this email with the draft memorandum attached. This email is attached at **DR-04 20220817 – 1753 – A-DG draft memo for FSS microcon requirements.eml**.
- 37. I then had a telephone conversation with Matt Rigby and subsequently reviewed the draft memorandum, prior to sending an updated draft version to Matt Rigby via email or 6.02pm for him to provide to QPS. This email is attached at **DR-05 20220817 – 1803 – FSS memo.eml**.
- 38. At 7.08pm I received an email sent by Matt Rigby to David Neville. This included a draft memorandum and extract from the SOP that I had reviewed earlier. This email is attached at **DR-06 20220817 – 1908 – FSS SOP Draft memo.eml**.

**Thursday 18 August 2022**

- 39. On Thursday, 18 August 2022 at 2:00pm, Matt Rigby received an email from David Neville notifying that he was in the process of internal consultation and would get back to Queensland Health either that afternoon or the following morning. I am aware that Matt Rigby responded to David Neville thanking him for the update. Matt Rigby verbally provided me with this update from QPS in relation to receiving feedback. The emails between Matt Rigby and QPS are attached at **DR-07 20220818 – 1400 – Re FSS SOP draft memo.msg**.

**Friday 19 August 2022**

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David Rosengren

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40. On Friday 19 August 2022 at 9.22am, David Neville replied to Matthew Rigby, with a cc to Duncan McCarthy within QPS providing feedback to Queensland Health. On 19 August 2022 at 9.28am, Matthew Rigby forwarded that reply to me. These emails are attached at **DR-08 20220819 – 0922 – FWD- FSS SOP draft memo.pdf**.
41. At 10:02am I forwarded that email to Shaun Drummond with the intention of it being in his email inbox as an update for noting on his return from leave. My intention was based on it containing important QPS information that I considered valuable for him to be aware of for ongoing considerations upon his return to work. These emails are attached at **DR-09 20220819 – 0928 – FWD- FSS SOP draft memo.pdf**.
42. On 19 August 2022 at 10:22am Shaun Drummond called me by telephone. He had returned back to Australia the previous day and was checking in to see if there were any issues I required support with. Included in my brief update, I advised Shaun Drummond that the matter involving FSS reverting to the pre-2018 testing workflows communication was being finalised. I advised that I was intending to circulate a memorandum to FSS staff clarifying the specific workflows to be implemented to ensure forensic DNA specimen processing would revert to workflows as close as possible to the pre 2018 workflows acknowledging that it would not be exactly the same as the pre 2018 workflows as a consequence of technology advances in the interim period.
43. On 19 August, I received various emails prior to the final issue of my memorandum of 19 August 2022.
- On 19 August 2022 at 1.47pm, I was forwarded an email trail by Matt Rigby which also provided an attached draft memorandum. A copy of that email is attached as **DR-10 20220819 – 1347 – FW- Updated memo for consideration.eml**.
  - Following receipt of that email, I had a discussion with Matt Rigby about the draft memo, where I indicated that my preference to make a number of edits to the memorandum. An email sent by Matt Rigby on 19 August 2022 at 2.17pm indicates the discussion, and attaches my edits to the draft memorandum. A copy of the email

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David Rosengren

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from Matt Rigby is attached as **DR-11 20220819 – 1417 – RE- Updated memo for consideration[3].eml**.

- On 19 August at 2.31pm Matt Rigby sent me a further email attaching a memorandum for my approval. A copy of the email is attached as **DR-12 20220819 – 1431 – FW- Updated memo for consideration[1].eml**.
  - On 19 August 2022 at 2.37pm I received an email from Helen Gregg regarding amendments to the memo in an email trail. A copy of the email trail is attached as **DR-13 20220819 – 1437 – RE- Updated memo for consideration[4].eml** and includes:
    - An email from Renaie Tesch at 2.36pm suggesting a wording change in the memorandum;
    - My agreement to this suggestion at 2.37pm;
    - Helen's reply at 2.37pm.
44. On 19 August 2022 at 2.58pm Matt Rigby sent an email to Helen Gregg, Renaie Tesch, and Megan Fairweather attaching the memorandum I had approved. A copy of the email trail is attached as **DR-14 20220819 – 1458 – Final FSS memo and SOP.eml**. The email trail included:
- An email I sent at 2.44pm including a draft of the memorandum;
  - An email from Renaie Tesch at 2.51pm which provided some minor formatting changes and a correction to the title of Professor Keith McNeil.
45. On 19 August 2022 at 3.20pm an email was sent to me attaching the memorandum the subject of Question 5. A copy of this email is attached as **DR-15 20220819 – 1520 – C-ECTF-22-13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum.eml**.

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- 46. On 19 August 2022 at 3.34pm I received an email from Helen Gregg stating that this (in reference to the email of 3.20pm) had been actioned. A copy of the email is attached as **DR-16 20220819 – 1534 – RE- C-ECTF-22-13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum.eml**.
- 47. On 19 August 2022 at 4:29pm Matt Rigby emailed David Neville with a cc to Duncan McCarthy and myself that included a finalised copy of the DG Memo and the SOP for their information. This email is attached as **DR-17 20220819 – 1629 – RE FSS SOP draft memo.msg**.
- 48. On 19 August 2022 at 5:31pm I emailed Helen Gregg thanking her for her assistance. A copy of this email is attached as **DR-18 20220819 – 1731 – Fwd C-ECTF-2213557 - DG MEMO - from Dr David Rosengren Acting Director-General Queensland Health - Subject of memorandum**.

**d. The reason for reconsidering the decision made on 6 June 2022, and how, when and by what means that reason came to your attention;**

- 49. I did not reconsider the decision but rather provided specific clarification to ensure that there was no ambiguity or confusion arising from the options relied upon in the decision of 6 June 2022, and thus allowing the decision to be consistently implemented by all staff.
- 50. The need to provide clarification initially arose on Friday 12 August 2022, when I received a call from Matt Rigby and Megan Fairweather and thereafter based on the conversations and emails I received as outlined at paragraphs [26] to [47] above. In particular, I refer to the email from Helen Gregg, Acting FSS Executive Director, on 17 August 2022 at 11.25am (see paragraph [17] above) advising me that the formulation of the options on 3 June 2022 had not been sufficiently clear. Helen Gregg attached the 3 June 2022 email to her 17 August 2022 email.

**e. The reasons for the decision;**

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David Rosengren

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51. I wanted, so far as possible, to implement an interim workflow consistent with the intent of the 6 June 2022 decision by Shaun Drummond i.e. to revert to the manner of processing Priority 1 and 2 samples that was in place prior to February 2018 pending any advice or recommendations from the Commission of Inquiry.
52. At the same time, I wanted to ensure that the prescribed workflow would meet the needs of the QPS by specifying that, where any further amplification of such samples after concentration would exhaust the sample, approval would be obtained from QPS. This was to ensure compliance with the email from David Neville to Matt Rigby referred to in paragraph [40] above. That is, in recognition that the DNA samples are the property of QPS and the QPS email confirmed that other testing outside of Queensland Health may be required.

**f. The material or information on which the decision was based.**

53. My decision was based upon the information I was provided in draft memoranda and emails providing feedback provided to me, and in the discussions as outlined in response to question 5(c) above.

**Question 6 – In relation to the memorandum of 19 August 2022, explain the consultation undertaken by you or other members of the Department of Health, before or after the decision was made with:**

- a. The Managing Scientist of the DNA laboratory;**
- b. The management team of the DNA laboratory;**
- c. Scientists working in the DNA laboratory;**
- d. The Acting Executive Director of FSS;**

54. In relation to the questions asked in 6(a)-(d), I have no knowledge of communications I was not a party to. I have been provided with additional emails which I take at face value but cannot otherwise speak to. I have excluded legal advice received. The emails containing legal advice attracting legal professional privilege are:

- DR-19 20220816 - 1215 - RE- Legal and Privileged .eml

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- DR-20 20220817 - 0928 - LPP - Draft wording to describe pre-2018 thresholds and options.eml
- DR-21 20220819 - 1442 - RE- DG Memo - Required amendment to FSS SOP 17117V19 - 19 August 2022 updated DR (003).eml
- DR-22 20220816 - 1639 - Draft email.eml
- DR-23 20220817 - 1029 - FINAL DRAFT Wording to describe pre-2018 thresholds and options.eml
- DR-24 20220819 - 1439 - DG Memo - Required amendment to FSS SOP 17117V19 - 19 August 2022 updated DR (003).eml

55. I have included the balance of the documents I was provided:

- DR-25 20220816 - 2218 - Process re- 2018 - flowchart.eml
- DR-26 20220817 - 1518 - RE- DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022.eml
- DR-27 20220817 - 1638 - Email re Wording to describe pre-2018 thresholds and options | Draft A-DG memo.eml
- DR-28 20220817 - 1700 - RE- Email re Wording to describe pre-2018 thresholds and options | Draft A-DG memo.eml
- DR-29 20220819 - 1116 - Updated memo for consideration.eml
- DR-30 20220819 - 1158 - BSAG Method and Instrument details 2021\_final.xlsx.eml
- DR-31 20220819 - 1202 - RE- BSAG Method and Instrument details 2021\_final.xlsx.eml
- DR-32 20220819 - 1202 - RE- BSAG Method and Instrument details 2021\_final.xlsx[1].eml
- DR-33 20220819 - 1240 - Document1.eml
- DR-34 20220819 - 1251 - RE- Updated memo for consideration[2].eml
- DR-35 20220819 - 1259 - RE- Updated memo for consideration[1].eml
- DR-36 20220819 - 1300 - RE- Document1.eml
- DR-37 20220819 - 1304 - RE- Updated memo for consideration.eml

David Rosengren

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- DR-38 20220822 - 1238 - FW- clarification.eml

**e. Any Deputy Director-General or Acting Deputy Director-General;**

56. I did not undertake any consultation with any Deputy Director-General or Acting Director-General in respect of the 19 August 2022 memorandum.

**f. Mr Shaun Drummond;**

57. I spoke to Mr Shaun Drummond on two occasions prior to issuing my memorandum of 19 August 2022. I also forwarded Shaun Drummond an email correspondence. The details of these matters are outlined above at paragraphs [31], [41], and [42].

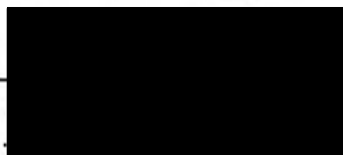
**g. The Queensland Police Service.**

58. The Queensland Police Service were consulted by Matt Rigby and I prior to issuing my memorandum of 19 August 2022. My knowledge of the details of these consultations are outlined above at paragraphs [34], [38], [39], and [40].

**Question 7 - In relation to the memorandum of 19 August 2022, explain what steps were put in place by you or other members of the Department of Health to communicate and explain the decision, and the reasons for the decision, to scientists and management of the DNA laboratory.**

59. I believe the memorandum I issued on 19 August 2022 explains the decision and my reasoning for the decision to scientists and management at the laboratory. I would expect my memorandum to be actioned by the executive director and communicated to the relevant personnel within the laboratory.

60. My memorandum also requests that the acting Executive-Director ensures that is shared with the forensic DNA Analysis Unit staff and ensures clarity with the approach outlined above.



David Rosengren



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61. The email referred to in response to Question 5 at paragraph [45] is also responsive to this question.

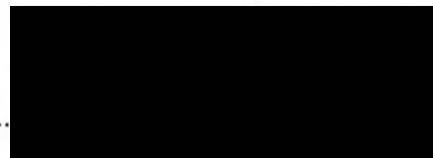
All the facts and circumstances declared in my statement, are within my own knowledge and belief, except for the facts and circumstances declared from information only, and where applicable, my means of knowledge and sources of information are contained in this statement.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

**TAKEN AND DECLARED** before me at Brisbane in the State of Queensland this 16th day of September 2022



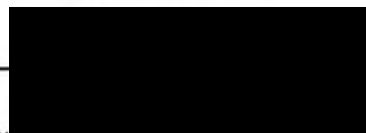
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Witness - Carol Calderbank,  
Government Legal Officer.



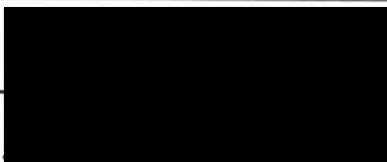
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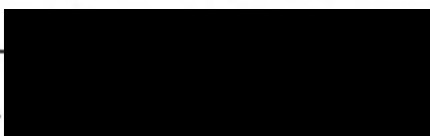


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### SCHEDULE OF EXHIBITS

<b>Question 5</b>
DR-00 20220817 - 1125 -Wording to describe pre-2018 thresholds and options
DR-01 20220815 – 1724 - FW Forensic DNA testing impacts.msg
DR-02 20220816 - 1306 - Advice regarding information supplied.
DR- 03 20220817 - 1729 - A-DG draft memo for FSS microcon requirements
DR-04 20220817 - 1753 - A-DG draft memo for FSS microcon requirements.eml
DR-05 - 20220817 - 1803 - FSS memo.eml
DR-06- 20220817 - 1908 - FSS SOP Draft memo.eml
DR-07 20220818 - 1400 - Re FSS SOP draft memo.msg
DR-08 20220819 - 0922 - FWD- FSS SOP draft memo
DR- 09 20220819 - 0928 - Fwd FSS SOP draft memo
DR- 10 20220819 - 1347 - FW- Updated memo for consideration
DR- 11 20220819 - 1417 - RE- Updated memo for consideration[3]
DR- 12 20220819 - 1431 - FW- Updated memo for consideration[1]
DR- 13 20220819 - 1437 - RE- Updated memo for consideration[4]
DR-14 20220819 - 1458 - Final FSS memo and SOP
DR-15 20220819 - 1520 - C-ECTF-22-13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum
DR-16 20220819 - 1534 - RE- C-ECTF-22-13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum
DR-17 20220819 -1629 - RE FSS SOP draft memo.msg
DR-18 20220819 - 1731 - Fwd C-ECTF-2213557 - DG MEMO - from Dr David Rosengren Acting Director-General Queensland Health - Subject of memorandum
<b>Question 6</b>
DR-19 20220816 - 1215 - RE- Legal and Privileged .eml <i>Legal professional privilege (not produced)</i>
DR-20 20220817 - 0928 - LPP - Draft wording to describe pre-2018 thresholds and options.eml <i>Legal professional privilege (not produced)</i>

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DR-21 20220819 - 1442 - RE- DG Memo - Required amendment to FSS SOP 17117V19 - 19 August 2022 updated DR (003).eml <i>Legal professional privilege (not produced)</i>
DR-22 20220816 - 1639 - Draft email.eml <i>Legal professional privilege (not produced)</i>
DR-23 20220817 - 1029 - FINAL DRAFT Wording to describe pre-2018 thresholds and options.eml <i>Legal professional privilege (not produced)</i>
DR-24 20220819 - 1439 - DG Memo - Required amendment to FSS SOP 17117V19 - 19 August 2022 updated DR (003).eml <i>Legal professional privilege (not produced)</i>
DR-25 20220816 - 2218 - Process re- 2018 – flowchart
DR- 26 20220817 - 1518 - RE- DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022.eml
DR-27 20220817 - 1638 - Email re Wording to describe pre-2018 thresholds and options Draft A-DG memo.eml
DR-28 20220817 - 1700 - RE- Email re Wording to describe pre-2018 thresholds and options   Draft A-DG memo.eml
DR-29 20220819 - 1116 - Updated memo for consideration.eml
DR-30 20220819 - 1158 - BSAG Method and Instrument details 2021_final.xlsx.eml
DR-31 20220819 - 1202 - RE- BSAG Method and Instrument details 2021_final.xlsx.eml
DR-32 20220819 - 1202 - RE- BSAG Method and Instrument details 2021_final.xlsx[1].eml
DR-33 20220819 - 1240 - Document1.eml
DR-3 420220819 - 1251 - RE- Updated memo for consideration[2].eml
DR-35 20220819 - 1259 - RE- Updated memo for consideration[1].eml
DR-36 20220819 - 1300 - RE- Document1.eml
DR-37 20220819 - 1304 - RE- Updated memo for consideration.eml

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David Rosengren

Witness

DR-38 20220822 - 1238 - FW- clarification.eml

[Redacted Signature]

David Rosengren

[Redacted Signature]

Witness

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**From:** Helen Gregg [REDACTED]  
**Sent:** Wednesday, 17 August 2022 11:25 AM  
**To:** David Rosengren  
**Cc:** Megan Fairweather; Cathie Allen; Karen Watson; Glen Rice; FSS Corro  
**Subject:** Wording to describe pre-2018 thresholds and options  
**Attachments:** Forensic DNA testing impacts (30.4 KB); Extract 19.4 from SOP 17117V19.pdf

**Importance:** High

Dear David

I have received advice from Cathie Allen, Managing Scientist for Police Services FSS, that on Monday afternoon, she had a meeting with Mr Glen Rice QC, Megan Fairweather, Chief Legal Counsel, and Karen Watson, Crown Law. During that meeting, Cathie conceded that the **attached** email of 3 June 2022 was not sufficiently clear in explaining the 'options' put forward as alternative workflows to the one currently in place for '*DNA insufficient for further processing*'.

The email wording had been provided following an urgent request by Lara Keller, A/Executive Director, to devise options that could be put forward to the Director-General on alternative workflows that did not include the '*DNA insufficient for further processing*' workflow and some costing data associated with this.

Cathie would like to acknowledge her unintended human error and provide a correction to the previous information put forward.

### **Information about DNA testing prior to 2018**

It is helpful to explain that DNA Analysis is performed using 4 basic steps: 1. Extraction; 2. Quantification; 3. Amplification and 4. Capillary Electrophoresis.

The DNA samples processed at the laboratory are broadly divided as:

- Major crime (committed against a person, such as murder), categorised as Priority 1 or Priority 2
- Volume crime (committed against property, such as break and enter), categorised as Priority 3.

In early 2018, a process was approved by QPS to modify the DNA testing process for Priority 1 and 2 (major crime) samples with a quant value between 0.001ng/uL and 0.0088ng/uL. The new process meant that this cohort were no longer subjected to a 'microcon' process following stage 2 (of 4) in the DNA testing process, and were effectively 'paused' at that stage 2 unless the further processing steps were requested by QPS or initiated at the discretion of the Forensic DNA Analysis Scientist.

Immediately prior to this, as described in the **attached** workflow (*Extract 19.4 SOP 17117V19*), all Priority 1 and 2 samples in this cohort would undergo the workflow for the PP21 profiling kit (Powerplex21 and STRMix) which included 'microcon' to maximise the chances of a DNA result being obtained after processing through stages 3 and 4 of the profiling process.

The other workflow used, immediately before the 2018 changes, was for Priority 3 (volume crime) samples using the ProfilerPlus profiling kit. These samples were processed through all 4 stages of DNA profiling process, without concentration. The ProfilerPlus profiling kit has since been discontinued and the volume crime samples are also now processed through Powerplex21 and STRMix.

The two options provided in the email from Lara Keller to the Acting Director-General on 3 June 2022 were intended to differentiate that volume crime (Priority 3) samples would not be included in any recommendation for returning to the microcon process, given that this had never been conducted on these samples. It was also intended to provide an option to allow for some scientific discretion for using the microcon process, taking into consideration other case information, against the risk of the process using up sample volume. It is now necessary to clarify any misconception that may have arisen following the short form of the options put forward urgently on 3 June 2022. The new or corrected information is highlighted in yellow or strikethrough.

### Clarification about the 3 June 2022 options

#### Option 1 – ~~Preferred~~ Discretionary concentration

Discontinue the 2018 workflow and progress all Priority 1 and Priority 2 samples with a quant value above 0.001ng/uL through to DNA profiling. Samples that are identified as being beneficial for concentration can be, based on the DNA profile achieved, item criticality and case context. This workflow was used in the laboratory prior to the implementation of PowerPlex 21 (ie prior to 2012). This option ensures that resources are applied to samples that will benefit from the additional concentration in the context of the case. In 2012, an in-house laboratory recommendation, regarding processing with PP21, was put forward suggesting that samples with low quantitation values would benefit from concentration. Laboratory review of this recommendation hasn't been undertaken since that time, and new equipment has been introduced into the laboratory.

#### Option 2 – ~~Least preferred~~: Concentration of all samples in range

Discontinue the 2018 workflow and concentrate all Priority 1 and Priority 2 samples with a quant value between 0.001ng/uL and 0.0088ng/uL and then process through to DNA profiling stage in accordance with the attached workflow for PP21. This workflow was used within the laboratory between 2012 and early 2018. Note, the concentration step creates a risk of there being no DNA samples available for testing by other technologies not undertaken in Queensland, future technologies or testing requested by Defence. In discussions with the QPS regarding the 2018 workflow, the QPS supported an automatic concentration process for Priority 1 or urgent samples, and were aware that automatic concentration of the sample may leave no sample remaining for future testing.

If option 2 is preferred, it may be prudent to consult with QPS given the potential impact on reduced sample quantity being available for future testing.

In light of this updated advice from Cathie Allen, Option 2 is the closest to the process used immediately prior to 2018, however requires an estimated additional 2FTE and \$35,000 per annum in consumables. Option 1 (in place since 6 June 2022) requires additional FTE which we are in the process of recruiting to (MOHRI granted but no funding). If Option 2 is preferred, a revised funding brief will be prepared.

Regards  
Helen



**Helen Gregg**  
A/Executive Director

**Forensic and Scientific Services**  
Prevention Division, Queensland Health

p [redacted] m [redacted]  
e [redacted] [w www.health.qld.gov.au/fss](http://www.health.qld.gov.au/fss)

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---

**From:** Megan Fairweather [REDACTED]  
**Sent:** Monday, 15 August 2022 5:24 PM  
**To:** David Rosengren  
**Cc:** Matthew Rigby  
**Subject:** FW: Forensic DNA testing impacts  
**Attachments:** Forensic DNA testing impacts

Hi David, attached is the original email with options about removing thresholds.

We now know that the option 1 content needs correcting.

Kind regards, Megan

---

**From:** Cathie Allen [REDACTED]  
**Sent:** Tuesday, 16 August 2022 1:06 PM  
**To:** Helen Gregg  
**Cc:** Megan Fairweather; Karen Watson  
**Subject:** Advice regarding information supplied  
**Attachments:** Email of draft proposal to EDFSS 4.38pm\_20220603.pdf; Email of draft proposal to EDFSS 3.58pm\_20220603.pdf; Forensic DNA testing impacts (30.4 KB)

Hi Helen

Yesterday afternoon, I had a meeting with Mr Glen Rice QC, Megan Fairweather, Chief Legal Counsel, and Karen Watson, Crown Law. During this meeting, it was highlighted that I had not been clear in an explanation regarding options that had been put forward as alternative workflows to the one currently in place (related to the 'DNA insufficient for further processing' and attached emails). I would like to acknowledge my unintended human error and provide a correction to the previous information put forward.

My recollection is that I was completing a Hot Issues Brief for the Director-General on the 3<sup>rd</sup> of June 2022, when I was asked by Lara Keller, A/Executive Director to devise options that could be put forward to the Director-General on alternative workflows that did not include the 'DNA insufficient for further processing' workflow and some costing data associated with this.

After completing the Hot Issues Brief, I drafted some options and emailed them to Lara Keller and Alison Slade. I then worked on these options with Alison and a draft was sent to Lara for review. Lara then wrote an email to the Director-General with information from the draft, whilst I was in her office with her. Lara read parts of the email to me as she was drafting it.

I wish to clarify the wording that was used regarding the Options as the information provided doesn't adequately explain the options, and it would benefit from additional wording as clarification. The clarification only relates to the workflows within Option 1 and 2, and does not relate to the costings. The clarification I would like to make has been highlighted in yellow below.

Option 1 – Preferred:

Discontinue the 2018 workflow and progress all samples with a quant value above 0.001ng/ul through to DNA profiling. Samples that are identified as being beneficial for concentration can be based on the DNA profile achieved, item criticality and case context. This workflow was used in the laboratory prior to the implementation of PowerPlex 21 (ie prior to 2012). This workflow ensures that resources are applied to samples that will benefit from the additional concentration in the context of the case. In 2012, an in-house laboratory recommendation, regarding processing with PP21, was put forward suggesting that samples with low quantitation values would benefit from concentration. Laboratory review of this recommendation hasn't been undertaken since that time, and new equipment has been introduced into the laboratory.

Option 2 – Least preferred:

Discontinue the 2018 workflow and concentrate all samples with a quant value between 0.001ng/ul and 0.0088ng/ul and then process through to DNA profiling stage. This workflow was used within the laboratory between 2012 and early 2018, when the workflow change was approved by QPS based on an Options Paper provided to them. Note, the concentration step creates a risk of there being no DNA samples available for testing by other technologies not

undertaken in Queensland, future technologies or testing requested by Defence. In previous discussions, the QPS did not support an automatic concentration process, as the sample hadn't been assessed in the context of the case and may leave no sample remaining for future testing. **The exception to this is Priority 1 or urgent samples.**

I believe that I made this unintended human error regarding an inadequate explanation of the information due to the work pressure from the negative media attention for the work unit over the past 6 months, the error that I discovered relating to the Shandee Blackburn case that required a Hot Issues Brief to be drafted and the short timeframe to provide information.

I understand that given the above clarification, this information may need to be put forward to the Director-General and with this additional information a different option may be chosen, and the Director-General may liaise with QPS regarding this.

To ensure that unintended human errors of this kind don't occur again, I would consider requesting one of my Team Leaders to peer review the information to ensure that it is clear to the reader of the intent.

Cheers  
Cathie



**Cathie Allen** BSc, MSc (Forensic Science) (She/Her\*)  
Managing Scientist

Social Chair, Organising Committee for 25th International Symposium of the  
Australian and New Zealand Forensic Science Society (ANZFSS), Brisbane, 11 – 15 Sept 2022

**Police Services Stream, Forensic & Scientific Services**  
Prevention Division, Queensland Health

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\*If you're wondering about the use of pronouns She/Her on this signature block, I encourage you to read some resources available [here](#)





---

**From:** Megan Fairweather [REDACTED] >  
**Sent:** Wednesday, 17 August 2022 5:30 PM  
**To:** Matthew Rigby  
**Subject:** A/DG draft memo for FSS microcon requirements  
**Attachments:** Extract 19.4 from SOP 17117V19.pdf; DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022.docx

Hi Matt

A draft memo with content approved by Helen, Cathie and reviewed by Glen Rice QC is attached for yours and David's consideration.

I will leave to you to polish up, and to let me know any changes (and who you think should be the memo contact).

Kind regards, Megan



**Megan Fairweather**  
A/Chief Legal Counsel  
Legal Branch | Corporate Services  
Division | Queensland Health

**P** [REDACTED] | [REDACTED]  
**E** [REDACTED]  
**W** [health.qld.gov.au](http://health.qld.gov.au)  
**A** [Level 6, 33 Charlotte Street, Brisbane 4000](#)



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**From:** Matthew Rigby  
**Sent:** Wednesday, 17 August 2022 5:53 PM  
**To:** David Rosengren  
**Subject:** Fwd: A/DG draft memo for FSS microcon requirements  
**Attachments:** Extract 19.4 from SOP 17117V19.pdf; DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022.docx

Hi David, as discussed see attached for your consideration. I would suggest removing the highlighted sentence before I sent to QPS for their consultation and feedback this evening.

Thanks Matt

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**From:** Megan Fairweather [REDACTED]  
**Sent:** Wednesday, August 17, 2022 5:29:59 PM  
**To:** Matthew Rigby [REDACTED]  
**Subject:** A/DG draft memo for FSS microcon requirements

Hi Matt

A draft memo with content approved by Helen, Cathie and reviewed by Glen Rice QC is attached for yours and David's consideration.

I will leave to you to polish up, and to let me know any changes (and who you think should be the memo contact).

Kind regards, Megan



**Megan Fairweather**  
 A/Chief Legal Counsel  
 Legal Branch | Corporate Services  
 Division | Queensland Health

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**E** [REDACTED]  
**W** [health.qld.gov.au](http://health.qld.gov.au)  
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**From:** David Rosengren  
**Sent:** Wednesday, 17 August 2022 6:03 PM  
**To:** Matthew Rigby  
**Subject:** FSS memo  
**Attachments:** DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022.docx

A few minor edits tracked on attached document

Tx

DR

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---

**From:** Matthew Rigby [REDACTED]  
**Sent:** Wednesday, 17 August 2022 7:09 PM  
**To:** David Neville (QPS)  
**Cc:** David Rosengren  
**Subject:** FSS SOP draft memo  
**Attachments:** Extract 19.4 from SOP 17117V19.pdf; DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022.docx

Hi Dave,

Thanks for your time today and as discussed with the Acting DG and myself this afternoon, please find attached a draft memo that has been prepared and the associated SOP extract to provide some further clarity to our staff at FSS.

Appreciate any feedback/input that you have from a QPS perspective.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

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**E** [REDACTED]  
**W** [health.qld.gov.au](http://health.qld.gov.au)  
**A** [Level 14, 33 Charlotte Street, Brisbane QLD 4000](#)

---

**From:** Matthew Rigby [REDACTED]  
**Sent:** Thursday, 18 August 2022 2:04 PM  
**To:** David Neville (QPS)  
**Subject:** Re: FSS SOP draft memo

Thanks for the update Dave.

Thanks Matt

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---

**From:** Neville.DavidH[OSC] [REDACTED]  
**Sent:** Thursday, August 18, 2022 1:59:55 PM  
**To:** Matthew Rigby [REDACTED]  
**Subject:** RE: FSS SOP draft memo

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---

Hi Matt

I am in the process of consulting within. I hope to get back to you this afternoon or tomorrow morning.



**David Neville**  
Inspector  
Biometrics  
Forensic Services Group  
Operations Support Command  
Ph: [REDACTED]  
Mob: [REDACTED]

---

**From:** Matthew Rigby [REDACTED]  
**Sent:** Wednesday, 17 August 2022 19:09  
**To:** Neville.DavidH[OSC] [REDACTED]  
**Cc:** David Rosengren [REDACTED]  
**Subject:** FSS SOP draft memo

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Hi Dave,

Thanks for your time today and as discussed with the Acting DG and myself this afternoon, please find attached a draft memo that has been prepared and the associated SOP extract to provide some further clarity to our staff at FSS.

Appreciate any feedback/input that you have from a QPS perspective.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
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**From:** Matthew Rigby [REDACTED]  
**Sent:** Friday, 19 August 2022 9:29 AM  
**To:** David Rosengren; Megan Fairweather  
**Subject:** FW: FSS SOP draft memo  
**Attachments:** Extract 19.4 from SOP 17117V19.pdf; DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022.docx

Hi David and Megan,

Please see the below email that I received back from Inspector Dave Neville from QPS in relation to the draft memo that was provided for their feedback/input.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

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**E** [REDACTED]  
**W** [health.qld.gov.au](http://health.qld.gov.au)  
**A** [Level 14, 33 Charlotte Street, Brisbane QLD 4000](#)

---

**From:** Neville.DavidH[OSC] [REDACTED]  
**Sent:** Friday, 19 August 2022 9:22 AM  
**To:** Matthew Rigby [REDACTED]  
**Cc:** McCarthy.DuncanJ[OSC] [REDACTED]  
**Subject:** FW: FSS SOP draft memo

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Hi Matt

Thank you for the opportunity to comment on the proposed change to the laboratory workflow involving automatic micro-concentration of samples in the concentration range of .001-.0088ng/uL.

The QPS agreed to the removal of this process in February 2018 following a recommendation that was initiated by the DNA laboratory and presented in an Options Paper. The QPS now has some concern about the information it was provided to make this decision including the manner in which the supporting data was derived.

In November 2018 the QPS first raised concern with the Managing Scientist that the removal of the automatic micro-concentration process may have resulted in evidence being missed. At that time the QPS was given an assurance that the success of micro-concentration was very low and that 'automatic progression of samples through the Microcon process means that all available DNA extract will be consumed, so no further testing can be conducted on these samples after this step'. Based on this advice, the QPS continued with the arrangement.

Due to limitations of the QHFSS DNA laboratory, from time to time the QPS seeks the services of other providers to undertake alternative testing, particularly for low concentration and degraded samples. If the advice from the Managing Scientist is correct, the automatic concentration of all samples in the range of .001-.0088ng/uL could result in the opportunity being lost to use another service provider to obtain important probative evidence. This is a consequence that the QPS is unable to accept as a matter of routine.

The risk is that the proposed directive may result in a sample being exhausted making alternative testing impossible. The QPS does not have the expertise to assess the likelihood of the risk given such an assessment can only be made based on information that is exclusively within the domain of QHFSS. As a result, the QPS considers the decision to reimplement automatic micro-concentration an internal matter that QH must decide in the context that the customer (the QPS) desires to maximise the potential to obtain a profile from every sample, whether that be by services delivered by QHFSS or by another provider that can deliver a service QHFSS is not resourced to deliver.

Regards



**David Neville**  
Inspector  
Biometrics  
Forensic Services Group  
Operations Support Command  
Ph: [REDACTED]  
Mob: [REDACTED]

---

**From:** Matthew Rigby [REDACTED]  
**Sent:** Wednesday, August 17, 2022 7:10 pm  
**To:** Neville.DavidH[OSC] [REDACTED]  
**Cc:** David Rosengren [REDACTED]  
**Subject:** FSS SOP draft memo

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Hi Dave,

Thanks for your time today and as discussed with the Acting DG and myself this afternoon, please find attached a draft memo that has been prepared and the associated SOP extract to provide some further clarity to our staff at FSS.

Appreciate any feedback/input that you have from a QPS perspective.



Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

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**From:** David Rosengren <[REDACTED]>  
**Sent:** Thursday, 25 August 2022 5:00 PM  
**To:** Megan Fairweather  
**Subject:** Fwd: FSS SOP draft memo

For the record

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**From:** David Rosengren <[REDACTED]>  
**Sent:** Friday, August 19, 2022 10:02 am  
**To:** Shaun Drummond <[REDACTED]>  
**Subject:** Re: FSS SOP draft memo

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**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, August 19, 2022 9:28 am  
**To:** David Rosengren <[REDACTED]>; Megan Fairweather <[REDACTED]>  
**Subject:** FW: FSS SOP draft memo

Hi David and Megan,

Please see the below email that I received back from Inspector Dave Neville from QPS in relation to the draft memo that was provided for their feedback/input.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Neville.DavidH[OSC] <[REDACTED]>  
**Sent:** Friday, 19 August 2022 9:22 AM  
**To:** Matthew Rigby <[REDACTED]>

Cc: McCarthy.DuncanJ[OSC] <[REDACTED]>

Subject: FW: FSS SOP draft memo

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Hi Matt

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The QPS agreed to the removal of this process in February 2018 following a recommendation that was initiated by the DNA laboratory and presented in an Options Paper. The QPS now has some concern about the information it was provided to make this decision including the manner in which the supporting data was derived.

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Due to limitations of the QHFSS DNA laboratory, from time to time the QPS seeks the services of other providers to undertake alternative testing, particularly for low concentration and degraded samples. If the advice from the Managing Scientist is correct, the automatic concentration of all samples in the range of .001-.0088ng/uL could result in the opportunity being lost to use another service provider to obtain important probative evidence. This is a consequence that the QPS is unable to accept as a matter of routine.

The risk is that the proposed directive may result in a sample being exhausted making alternative testing impossible. The QPS does not have the expertise to assess the likelihood of the risk given such an assessment can only be made based on information that is exclusively within the domain of QHFSS. As a result, the QPS considers the decision to reimplement automatic micro-concentration an internal matter that QH must decide in the context that the customer (the QPS) desires to maximise the potential to obtain a profile from every sample, whether that be by services delivered by QHFSS or by another provider that can deliver a service QHFSS is not resourced to deliver.

Regards



**David Neville**  
Inspector  
Biometrics  
Forensic Services Group  
Operations Support Command



**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Wednesday, August 17, 2022 7:10 pm  
**To:** Neville.DavidH[OSC] <[REDACTED]>  
**Cc:** David Rosengren <[REDACTED]>  
**Subject:** FSS SOP draft memo

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Hi Dave,

Thanks for your time today and as discussed with the Acting DG and myself this afternoon, please find attached a draft memo that has been prepared and the associated SOP extract to provide some further clarity to our staff at FSS.

Appreciate any feedback/input that you have from a QPS perspective.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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**From:** Matthew Rigby [REDACTED]  
**Sent:** Friday, 19 August 2022 1:47 PM  
**To:** David Rosengren  
**Cc:** Megan Fairweather; Helen Gregg  
**Subject:** FW: Updated memo for consideration  
**Attachments:** DG Memo - Required amendment to FSS SOP 17117V19 - 19 August 2022 updated DR.docx

Hi David,

Please see attached and the advice below from Helen to supplement the memo (attached) for your approval.

Contact details in the memo will be finalised in DG corro prior to any distribution of the memo.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

**M** [REDACTED]  
**E** [REDACTED]  
**W** [health.qld.gov.au](http://health.qld.gov.au)  
**A** [Level 14, 33 Charlotte Street, Brisbane QLD 4000](#)

---

**From:** Megan Fairweather [REDACTED]  
**Sent:** Friday, 19 August 2022 1:03 PM  
**To:** Helen Gregg <Helen.Gregg@health.qld.gov.au>; Matthew Rigby [REDACTED]  
**Subject:** RE: Updated memo for consideration

Matt, the memo just needs a contact person included in the table (top of page 1).

---

**From:** Helen Gregg [REDACTED]  
**Sent:** Friday, 19 August 2022 1:00 PM  
**To:** Megan Fairweather [REDACTED]; Matthew Rigby [REDACTED]  
**Subject:** RE: Updated memo for consideration  
**Importance:** High

Hi Megan and Matt,

The wording I would like to send out with the memo (unchanged) is;

Background:

Our current processes are that after concentration, the remaining sample is approximately 35uL which is enough volume for one quantitation and two amplifications in-house. Conducting a second amplification will exhaust the sample and there will be no remaining sample available for further testing by another organisation in the future.

The risk associated with undertaking a second amplification needs QPS involvement.

Therefore; our processes from now on will be;

1. Concentrate to a volume of 35uL and perform one amplification.
2. If the scientist determines there may be benefit in performing a further amplification (therefore exhausting the concentrated sample), QPS written approval must be gained before the second amplification commences.

This will become a change to our SOP

Regards  
Helen

---

**From:** Megan Fairweather [REDACTED]

**Sent:** Friday, 19 August 2022 12:51 PM

**To:** Matthew Rigby [REDACTED]; Helen Gregg [REDACTED]

**Subject:** RE: Updated memo for consideration

Hi Matt and Helen

In speaking to the lab scientists this morning, I understand a plan is in place to include a consultation step with QPS to discuss any risk of sample exhaustion or reduction, essentially case by case, or in groups of cases (if able to be described). While those details are being refined operationally, do you see any reason why the A/DG should not send his memo to give effect to his decision now?

Kind regards, Megan

---

**From:** Matthew Rigby [REDACTED]

**Sent:** Friday, 19 August 2022 11:16 AM

**To:** Megan Fairweather [REDACTED]; Helen Gregg [REDACTED]

**Subject:** Updated memo for consideration

Hi Megan and Helen,

Can I please seek your feedback on this updated memo. Once you are comfortable with the content, I will seek David's final approval and arrange for this to be issued from DG Corro.

Thanks Matt



**Matt Rigby**

**Executive Director**

Office of the Director-General

Queensland Health

**M** [REDACTED]

**E** [REDACTED]

**W** [health.qld.gov.au](http://health.qld.gov.au)

**A** [Level 14, 33 Charlotte Street, Brisbane QLD 4000](#)



---

**From:** Matthew Rigby [REDACTED]  
**Sent:** Friday, 19 August 2022 2:32 PM  
**To:** David Rosengren  
**Cc:** Megan Fairweather; Helen Gregg; Renaie Tesch  
**Subject:** FW: Updated memo for consideration  
**Attachments:** DG Memo - Required amendment to FSS SOP 17117V19 - 19 August 2022 updated DR.docx; Extract 19.4 from SOP 17117V19.pdf

Hi David,

Please see email from helen below.

Attached is the memo and extract for your approval to be sent.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

**M** [REDACTED]  
**E** [REDACTED]  
**W** [health.qld.gov.au](http://health.qld.gov.au)  
**A** [Level 14, 33 Charlotte Street, Brisbane QLD 4000](#)

---

**From:** Helen Gregg [REDACTED]  
**Sent:** Friday, 19 August 2022 2:22 PM  
**To:** Matthew Rigby [REDACTED] Megan Fairweather [REDACTED]  
**Subject:** RE: Updated memo for consideration

Thanks Matt,

I am happy with those amendments

Regards  
Helen



**Helen Gregg**  
A/Executive Director

**Forensic and Scientific Services**  
Prevention Division, Queensland Health

p [REDACTED] m [REDACTED]  
e [REDACTED] w [www.health.qld.gov.au/fss](http://www.health.qld.gov.au/fss)

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---

**From:** Matthew Rigby [REDACTED]  
**Sent:** Friday, 19 August 2022 2:17 PM  
**To:** Helen Gregg [REDACTED]; Megan Fairweather [REDACTED]  
**Subject:** RE: Updated memo for consideration

Hi Helen and Megan,

I had a discussion with David in relation to this. His preference is to include all of the information into the memo to go to staff and he has edited the memo accordingly.

Can you please make an edits and come back to me so I seek his approval and arrange distribution.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

M [REDACTED]  
E [REDACTED]  
W [health.qld.gov.au](http://health.qld.gov.au)  
A [Level 14, 33 Charlotte Street, Brisbane QLD 4000](#)

---

**From:** Helen Gregg [REDACTED]  
**Sent:** Friday, 19 August 2022 1:00 PM  
**To:** Megan Fairweather [REDACTED] Matthew Rigby [REDACTED]  
**Subject:** RE: Updated memo for consideration  
**Importance:** High

Hi Megan and Matt,

The wording I would like to send out with the memo (unchanged) is;

Background:

Our current processes are that after concentration, the remaining sample is approximately 35uL which is enough volume for one quantitation and two amplifications in-house. Conducting a second amplification will exhaust the sample and there will be no remaining sample available for further testing by another organisation in the future.

The risk associated with undertaking a second amplification needs QPS involvement.

Therefore; our processes from now on will be;

1. Concentrate to a volume of 35uL and perform one amplification.
2. If the scientist determines there may be benefit in performing a further amplification (therefore exhausting the concentrated sample), QPS written approval must be gained before the second amplification commences.

This will become a change to our SOP

Regards  
Helen

---

**From:** Megan Fairweather [REDACTED]

**Sent:** Friday, 19 August 2022 12:51 PM

**To:** Matthew Rigby [REDACTED] Helen Gregg [REDACTED]

**Subject:** RE: Updated memo for consideration

Hi Matt and Helen

In speaking to the lab scientists this morning, I understand a plan is in place to include a consultation step with QPS to discuss any risk of sample exhaustion or reduction, essentially case by case, or in groups of cases (if able to be described). While those details are being refined operationally, do you see any reason why the A/DG should not send his memo to give effect to his decision now?

Kind regards, Megan

---

**From:** Matthew Rigby [REDACTED]

**Sent:** Friday, 19 August 2022 11:16 AM

**To:** Megan Fairweather <[REDACTED]> Helen Gregg [REDACTED]

**Subject:** Updated memo for consideration

Hi Megan and Helen,

Can I please seek your feedback on this updated memo. Once you are comfortable with the content, I will seek David's final approval and arrange for this to be issued from DG Corro.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

**M** [REDACTED]  
**E** [REDACTED]  
**W** [health.qld.gov.au](mailto:health.qld.gov.au)  
**A** [Level 14, 33 Charlotte Street, Brisbane QLD 4000](#)



---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Friday, 19 August 2022 2:38 PM  
**To:** David Rosengren; Renaie Tesch; Matthew Rigby  
**Cc:** Megan Fairweather  
**Subject:** RE: Updated memo for consideration

I would prefer it to be a 'must' – good pick up!

---

**From:** David Rosengren <[REDACTED]>  
**Sent:** Friday, 19 August 2022 2:37 PM  
**To:** Renaie Tesch <[REDACTED]>; Matthew Rigby <[REDACTED]>  
**Cc:** Megan Fairweather <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Subject:** Re: Updated memo for consideration

Yes

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---

**From:** Renaie Tesch <[REDACTED]>  
**Sent:** Friday, August 19, 2022 2:36:03 PM  
**To:** Matthew Rigby <[REDACTED]>; David Rosengren <[REDACTED]>  
**Cc:** Megan Fairweather <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Subject:** RE: Updated memo for consideration

Hi David/Matt,

Just one suggested change in the memo.

If further amplification is considered beneficial, and if this process will exhaust the remaining sample volume, then written approval **should** be obtained from QPS prior to that process being initiated.

Should the word 'should' be changed to 'must'?

Ren



**Renaie Tesch**

A/Senior Director

Office of the Director-General and Executive Director  
Queensland Health

[REDACTED]  
[REDACTED]  
W [health.qld.gov.au](http://health.qld.gov.au)

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SAVE LIVES**

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---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, 19 August 2022 2:32 PM  
**To:** David Rosengren <[REDACTED]>  
**Cc:** Megan Fairweather <[REDACTED]>; Helen Gregg <[REDACTED]>;  
 Renaie Tesch <[REDACTED]>  
**Subject:** FW: Updated memo for consideration

Hi David,

Please see email from helen below.

Attached is the memo and extract for your approval to be sent.

Thanks Matt



**Matt Rigby**  
 Executive Director  
 Office of the Director-General  
 Queensland Health

[REDACTED]  
 [REDACTED]  
 W [health.qld.gov.au](http://health.qld.gov.au)  
 [REDACTED]

---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Friday, 19 August 2022 2:22 PM  
**To:** Matthew Rigby <[REDACTED]>; Megan Fairweather <[REDACTED]>  
**Subject:** RE: Updated memo for consideration

Thanks Matt,

I am happy with those amendments

Regards  
 Helen



**Helen Gregg**

A/Executive Director

**Forensic and Scientific Services**

Prevention Division, Queensland Health

[Redacted]

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---

**From:** Matthew Rigby <[Redacted]>  
**Sent:** Friday, 19 August 2022 2:17 PM  
**To:** Helen Gregg <[Redacted]>; Megan Fairweather <[Redacted]>  
**Subject:** RE: Updated memo for consideration

Hi Helen and Megan,

I had a discussion with David in relation to this. His preference is to include all of the information into the memo to go to staff and he has edited the memo accordingly.

Can you please make an edits and come back to me so I seek his approval and arrange distribution.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[Redacted]

---

**From:** Helen Gregg <[Redacted]>  
**Sent:** Friday, 19 August 2022 1:00 PM  
**To:** Megan Fairweather <[Redacted]>; Matthew Rigby <[Redacted]>  
**Subject:** RE: Updated memo for consideration  
**Importance:** High

Hi Megan and Matt,

The wording I would like to send out with the memo (unchanged) is;

**Background:**

Our current processes are that after concentration, the remaining sample is approximately 35uL which is enough volume for one quantitation and two amplifications in-house. Conducting a second amplification will exhaust the sample and there will be no remaining sample available for further testing by another organisation in the future.

The risk associated with undertaking a second amplification needs QPS involvement.

Therefore; our processes from now on will be;

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This will become a change to our SOP

Regards  
Helen

---

**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:51 PM  
**To:** Matthew Rigby <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Subject:** RE: Updated memo for consideration

Hi Matt and Helen

In speaking to the lab scientists this morning, I understand a plan is in place to include a consultation step with QPS to discuss any risk of sample exhaustion or reduction, essentially case by case, or in groups of cases (if able to be described). While those details are being refined operationally, do you see any reason why the A/DG should not send his memo to give effect to his decision now?

Kind regards, Megan

---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, 19 August 2022 11:16 AM  
**To:** Megan Fairweather <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Subject:** Updated memo for consideration

Hi Megan and Helen,

Can I please seek your feedback on this updated memo. Once you are comfortable with the content, I will seek David's final approval and arrange for this to be issued from DG Corro.

Thanks Matt



**Matt Rigby**  
 Executive Director  
 Office of the Director-General  
 Queensland Health

[REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]





---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, 19 August 2022 2:58 PM  
**To:** Chief Legal Counsel; Helen Gregg; Renaie Tesch  
**Cc:** David Rosengren  
**Subject:** Final FSS memo and SOP  
**Attachments:** DG Memo - Required amendment to FSS SOP 17117V19 - 19 August 2022 updated DR (004).docx; Extract 19.4 from SOP 17117V19.pdf

Hi All,

Thanks for your feedback Helen and Megan in your emails just received.

Attached is the version approved by the A/DG. Helen you will receive the signed copy of this for you to action from DG Coro shortly.

I will share a copy of this with Inspector Dave Neville from QPS in response to his email from this morning.

Thanks all for your assistance with this and I hope you have a nice weekend.

Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Renaie Tesch <[REDACTED]>  
**Sent:** Friday, 19 August 2022 2:51 PM  
**To:** Matthew Rigby <[REDACTED]>  
**Cc:** David Rosengren <[REDACTED]>  
**Subject:** FW: Final final

As discussed, attached with some minor formatting changes only and correction to Keith's title.

Thanks  
Ren



**Renaie Tesch**

**A/Senior Director**

Office of the Director-General and Executive Director  
Queensland Health

[Redacted]

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---

**From:** David Rosengren <[Redacted]>  
**Sent:** Friday, 19 August 2022 2:44 PM  
**To:** Matthew Rigby <[Redacted]>; Renaie Tesch <[Redacted]>  
**Subject:** Final final

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---

**From:** DG correspondence <[REDACTED]>  
**Sent:** Friday, 19 August 2022 3:20 PM  
**To:** Helen Gregg  
**Cc:** Keith McNeil; David Rosengren; Matthew Rigby; Megan Fairweather  
**Subject:** C-ECTF-22/13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum  
**Attachments:** DG Memo - Reversion to concentration of all Priority 2 samples in range.pdf; Extract 19.4 from SOP 17117V19.pdf

Good Afternoon

Please see attached the Memorandum from Dr David Rosengren, Acting Director-General, Queensland Health, for your attention.

Should you have any questions in relation to this advice, please contact Professor Keith McNeil, Acting Deputy Director-General on telephone [REDACTED]

Kind Regards



Ministerial & Executive Services Unit, Office of the  
Director-General | Queensland Health

E [REDACTED]  
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---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Friday, 19 August 2022 3:34 PM  
**To:** DG correspondence  
**Cc:** Keith McNeil; David Rosengren; Matthew Rigby; Megan Fairweather  
**Subject:** RE: C-ECTF-22/13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum

Thank you – this has been actioned

---

**From:** DG correspondence <[REDACTED]>  
**Sent:** Friday, 19 August 2022 3:20 PM  
**To:** Helen Gregg <[REDACTED]>  
**Cc:** Keith McNeil <[REDACTED]>; David Rosengren <[REDACTED]>; Matthew Rigby <[REDACTED]>; Megan Fairweather <[REDACTED]>  
**Subject:** C-ECTF-22/13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum

Good Afternoon

Please see attached the Memorandum from Dr David Rosengren, Acting Director-General, Queensland Health, for your attention.

Should you have any questions in relation to this advice, please contact Professor Keith McNeil, Acting Deputy Director-General on telephone [REDACTED]

Kind Regards



Ministerial & Executive Services Unit, Office of the  
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**CLEAN HANDS  
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---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, 19 August 2022 4:29 PM  
**To:** David Neville (QPS)  
**Cc:** Duncan McCarthy (QPS); David Rosengren  
**Subject:** RE: FSS SOP draft memo  
**Attachments:** DG Memo - Reversion to concentration of all Priority 2 samples in range.pdf; Extract 19.4 from SOP 17117V19.pdf

Hi Dave,

Thanks for providing your feedback below through to us.

For your information, the Acting DG has approved the attached and this has been provided through to FSS this afternoon.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Neville.DavidH[OSC] <[REDACTED]>  
**Sent:** Friday, 19 August 2022 9:22 AM  
**To:** Matthew Rigby <[REDACTED]>  
**Cc:** McCarthy.DuncanJ[OSC] <[REDACTED]>  
**Subject:** FW: FSS SOP draft memo

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---

Hi Matt

Thank you for the opportunity to comment on the proposed change to the laboratory workflow involving automatic micro-concentration of samples in the concentration range of .001-.0088ng/uL.

The QPS agreed to the removal of this process in February 2018 following a recommendation that was initiated by the DNA laboratory and presented in an Options Paper. The QPS now has some concern about the information it was provided to make this decision including the manner in which the supporting data was derived.

In November 2018 the QPS first raised concern with the Managing Scientist that the removal of the automatic micro-concentration process may have resulted in evidence being missed. At that time the QPS was given an assurance that the success of micro-concentration was very low and that 'automatic progression of samples through the Microcon process means that all available DNA extract will be consumed, so no further testing can be conducted on these samples after this step'. Based on this advice, the QPS continued with the arrangement.

Due to limitations of the QHFSS DNA laboratory, from time to time the QPS seeks the services of other providers to undertake alternative testing, particularly for low concentration and degraded samples. If the advice from the Managing Scientist is correct, the automatic concentration of all samples in the range of .001-.0088ng/uL could result in the opportunity being lost to use another service provider to obtain important probative evidence. This is a consequence that the QPS is unable to accept as a matter of routine.

The risk is that the proposed directive may result in a sample being exhausted making alternative testing impossible. The QPS does not have the expertise to assess the likelihood of the risk given such an assessment can only be made based on information that is exclusively within the domain of QHFSS. As a result, the QPS considers the decision to reimplement automatic micro-concentration an internal matter that QH must decide in the context that the customer (the QPS) desires to maximise the potential to obtain a profile from every sample, whether that be by services delivered by QHFSS or by another provider that can deliver a service QHFSS is not resourced to deliver.

Regards



**David Neville**  
Inspector  
Biometrics  
Forensic Services Group  
Operations Support Command



---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Wednesday, August 17, 2022 7:10 pm  
**To:** Neville.DavidH[OSC] <[REDACTED]>  
**Cc:** David Rosengren <[REDACTED]>  
**Subject:** FSS SOP draft memo

**CAUTION:** This email originated from outside of Queensland Police Service. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Dave,

Thanks for your time today and as discussed with the Acting DG and myself this afternoon, please find attached a draft memo that has been prepared and the associated SOP extract to provide some further clarity to our staff at FSS.

Appreciate any feedback/input that you have from a QPS perspective.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[Redacted text block]

\*\*\*\*\*

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\*\*\*\*\*



---

**From:** David Rosengren <[REDACTED]>  
**Sent:** Thursday, 25 August 2022 4:57 PM  
**To:** Matthew Rigby; Megan Fairweather  
**Subject:** Fwd: C-ECTF-22/13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum

For your record to assist with the statement  
Tx

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---

**From:** David Rosengren <[REDACTED]>  
**Sent:** Friday, August 19, 2022 5:31 pm  
**To:** Helen Gregg <[REDACTED]>  
**Subject:** Re: C-ECTF-22/13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum

Thanks for your assistance on this Helen

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---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Friday, August 19, 2022 3:34:12 PM  
**To:** DG correspondence <[REDACTED]>  
**Cc:** Keith McNeil <[REDACTED]>; David Rosengren <[REDACTED]>; Matthew Rigby <[REDACTED]>; Megan Fairweather <[REDACTED]>  
**Subject:** RE: C-ECTF-22/13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum

Thank you – this has been actioned

---

**From:** DG correspondence <[REDACTED]>  
**Sent:** Friday, 19 August 2022 3:20 PM  
**To:** Helen Gregg <[REDACTED]>  
**Cc:** Keith McNeil <[REDACTED]>; David Rosengren <[REDACTED]>; Matthew Rigby <[REDACTED]>; Megan Fairweather <[REDACTED]>  
**Subject:** C-ECTF-22/13557 - DG MEMO - from Dr David Rosengren, Acting Director-General, Queensland Health - Subject of memorandum

Good Afternoon

Please see attached the Memorandum from Dr David Rosengren, Acting Director-General, Queensland Health, for your attention.

Should you have any questions in relation to this advice, please contact Professor Keith McNeil, Acting Deputy Director-General on telephone [REDACTED]

Kind Regards



Ministerial & Executive Services Unit, Office of the  
Director-General | Queensland Health

E [REDACTED]  
W [health.qld.gov.au](http://health.qld.gov.au)

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A dark blue banner with a white dashed line. On the left, the text 'CLEAN HANDS SAVE LIVES' is in green and white. To the right, the text 'Wash your hands regularly to stop the spread of germs' is in white. Further right is a stylized graphic of a hand being washed. On the far right are four circular social media icons: Facebook, Twitter, LinkedIn, and Instagram.

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---

**From:** Cathie Allen <[REDACTED]>  
**Sent:** Wednesday, 17 August 2022 3:19 PM  
**To:** Megan Fairweather; Helen Gregg  
**Cc:** Karen Watson; Glen Rice  
**Subject:** RE: DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022  
**Attachments:** DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022\_CJA.docx

Hi Megan and Helen

I've tracked some changes to the document (and included Helen's feedback) for your review.

Cheers  
Cathie



**Cathie Allen** BSc, MSc (Forensic Science) (She/Her\*)  
Managing Scientist

Social Chair, Organising Committee for 25th International Symposium of the  
Australian and New Zealand Forensic Science Society (ANZFSS), Brisbane, 11 – 15 Sept 2022

**Police Services Stream, Forensic & Scientific Services**  
Prevention Division, Queensland Health



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\*If you're wondering about the use of pronouns She/Her on this signature block, I encourage you to read some resources available [here](#)



---

**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Wednesday, 17 August 2022 2:50 PM  
**To:** Helen Gregg <[REDACTED]>; Cathie Allen <[REDACTED]>  
**Cc:** Karen Watson <[REDACTED]>; Glen Rice <[REDACTED]>  
**Subject:** RE: DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022

Thanks Helen. I will combine in a new version, once all feedback is provided.

---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Wednesday, 17 August 2022 2:46 PM  
**To:** Megan Fairweather <[REDACTED]>; Cathie Allen <[REDACTED]>  
**Cc:** Karen Watson <[REDACTED]>; Glen Rice <[REDACTED]>  
**Subject:** RE: DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022  
**Importance:** High

Hi Megan,

I believe the first paragraph needs to be changed

Following the announcement of the DNA Commission of Inquiry, on 6 June 2022, the A/DG Shaun Drummond made a decision about **removal of thresholds in relation to for 'microcon'** testing of **Priority 1 and 2** samples with a quantitation result of between 0.001ng/uL (LOD) and 0.0088ng/uL

I'm also not a fan of the term 'microcon testing' – maybe we could use something better? Microconcentrating? Concentrating? Process? Step?

H

---

**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Wednesday, 17 August 2022 2:35 PM  
**To:** Helen Gregg <[REDACTED]>; Cathie Allen <[REDACTED]>  
**Cc:** Karen Watson <[REDACTED]>; Glen Rice <[REDACTED]>  
**Subject:** DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022  
**Importance:** High

Hi all

I have been asked to prepare a memo for the A/DG in case option 2 is preferred./

I have started a rough draft attached for your (sorry, urgent) input please.

Kind regards, Megan



**Megan Fairweather**  
A/Chief Legal Counsel  
Legal Branch | Corporate Services  
Division | Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



Queensland Health acknowledges the Traditional Custodians of the land across Queensland, and pays respect to First Nations Elders past, present and future.

**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Wednesday, 17 August 2022 4:39 PM  
**To:** Helen Gregg; Cathie Allen  
**Cc:** Glen Rice; Karen Watson  
**Subject:** Email re Wording to describe pre-2018 thresholds and options | Draft A/DG memo  
**Attachments:** Wording to describe pre-2018 thresholds and options; DG Memo - Required amendment to FSS SOP 17117V19 - 17 August 2022.docx

**Importance:** High

Hi Helen and Cathie

We think a correction needs to be made to the email sent this morning to the A/DG – to delete the words “1 and” as follows:

*In early 2018, a process was approved by QPS to modify the DNA testing process for Priority 1 and 2 (major crime) samples with a quant value between 0.001ng/uL and 0.0088ng/uL. The new process meant that this cohort were no longer subjected to a ‘microcon’ process following stage 2 (of 4) in the DNA testing process, and were effectively ‘paused’ at that stage 2 unless the further processing steps were requested by QPS or initiated at the discretion of the Forensic DNA Analysis Scientist.*

This is because we understand that the 2018 Options Paper proposed the modification would only apply to P2 samples, and the initial email ‘approval’ from QPS mentions only P2 samples.

The memo has been updated to capture this (with some other non-controversial edits), and is **attached** for your final careful read through and approval before we send to the ODG team tonight please. Helen/Cathie – can you please insert an appropriate subject line for the memo?

Kind regards, Megan



**Megan Fairweather**  
 A/Chief Legal Counsel  
 Legal Branch | Corporate Services  
 Division | Queensland Health

[REDACTED]

Queensland Health acknowledges the Traditional Custodians of the land across Queensland, and pays respect to First Nations Elders past, present and future.

---

**From:** Cathie Allen <[REDACTED]>  
**Sent:** Wednesday, 17 August 2022 5:00 PM  
**To:** Megan Fairweather; Helen Gregg  
**Cc:** Karen Watson  
**Subject:** RE: Email re Wording to describe pre-2018 thresholds and options | Draft A/DG memo  
**Attachments:** Email with Simpfordorfer on Micrcons\_Dec 2018.pdf

Hi Megan & Helen

During the meeting held in Feb 2018, the Supt verbally indicated that Priority 1 samples should be processed like Priority 2 samples (email attached – Thursday 15 November 2018 refers).

From 6 December 2018 onwards, QPS approved for Priority 1 samples that fell into the range were automatically concentrated (email attached – Thursday, 6 December 2018 refers).

So between Feb and early Dec 2018, Priority 1 samples were only concentrated after they'd been through stages 1 to 4. After Dec 2018, Priority 1 samples were automatically concentrated if they were in the specified range after stage 2. Priority 1 samples are still automatically concentrated now – this didn't change.

So from my reading the below isn't incorrect – given we state early Feb. Perhaps we could add 'From December 2018 onwards, QPS approved for Priority 1 samples to be automatically concentrated and this has continued.'

I don't have any feedback for the Memo.

Cheers  
Cathie



**Cathie Allen** BSc, MSc (Forensic Science) (She/Her\*)  
Managing Scientist

Social Chair, Organising Committee for 25th International Symposium of the Australian and New Zealand Forensic Science Society (ANZFSS), Brisbane, 11 – 15 Sept 2022

**Police Services Stream, Forensic & Scientific Services**  
Prevention Division, Queensland Health



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\*If you're wondering about the use of pronouns She/Her on this signature block, I encourage you to read some resources available [here](#)





**From:** Megan Fairweather <[redacted]>  
**Sent:** Wednesday, 17 August 2022 4:39 PM  
**To:** Helen Gregg <[redacted]>; Cathie Allen <[redacted]>  
**Cc:** Glen Rice <[redacted]>; Karen Watson <[redacted]>  
**Subject:** Email re Wording to describe pre-2018 thresholds and options | Draft A/DG memo  
**Importance:** High

Hi Helen and Cathie

We think a correction needs to be made to the email sent this morning to the A/DG – to delete the words “1 and” as follows:

*In early 2018, a process was approved by QPS to modify the DNA testing process for Priority 1 and 2 (major crime) samples with a quant value between 0.001ng/uL and 0.0088ng/uL. The new process meant that this cohort were no longer subjected to a ‘microcon’ process following stage 2 (of 4) in the DNA testing process, and were effectively ‘paused’ at that stage 2 unless the further processing steps were requested by QPS or initiated at the discretion of the Forensic DNA Analysis Scientist.*

This is because we understand that the 2018 Options Paper proposed the modification would only apply to P2 samples, and the initial email ‘approval’ from QPS mentions only P2 samples.

The memo has been updated to capture this (with some other non-controversial edits), and is **attached** for your final careful read through and approval before we send to the ODG team tonight please. Helen/Cathie – can you please insert an appropriate subject line for the memo?

Kind regards, Megan



**Megan Fairweather**  
 A/Chief Legal Counsel  
 Legal Branch | Corporate Services  
 Division | Queensland Health





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---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, 19 August 2022 11:16 AM  
**To:** Megan Fairweather; Helen Gregg  
**Subject:** Updated memo for consideration  
**Attachments:** DG Memo - Required amendment to FSS SOP 17117V19 - 19 August 2022 updated DR.docx

Hi Megan and Helen,

Can I please seek your feedback on this updated memo. Once you are comfortable with the content, I will seek David's final approval and arrange for this to be issued from DG Corro.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Justin Howes <[REDACTED]>  
**Sent:** Friday, 19 August 2022 11:58 AM  
**To:** Helen Gregg; Cathie Allen; Paula Brisotto; Megan Fairweather  
**Subject:** BSAG Method and Instrument details 2021\_final.xlsx  
**Attachments:** BSAG Method and Instrument details 2021\_final.xlsx

Hi  
Please find attached a spreadsheet from 2021 with technology across the Aust/NZ labs.  
Relevant to read is the highlighted column. This shows the volume required for processes in other labs. Most external testing is performed to my knowledge in NZ or NSW. For degraded samples, NZ use Minifiler and this requires 25uL of volume.

If we microcon to 35uL and amplify, we are left with less than this volume for this particular testing in NZ.

Regards  
Justin



## Justin Howes

Team Leader - Forensic Reporting and Intelligence Team

**Forensic DNA Analysis, Police Services Stream, Forensic & Scientific Services**  
Prevention Division, Queensland Health



*Please note that I may be working from a different location during the COVID-19 Pandemic. The best contact method is via email.*

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---

**From:** Justin Howes <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:03 PM  
**To:** Megan Fairweather; Helen Gregg; Cathie Allen; Paula Brisotto  
**Subject:** RE: BSAG Method and Instrument details 2021\_final.xlsx

Hi, the consultation was mentioned to be after the auto-mic and amp, which doesn't leave enough volume for QPS to look into other labs except for Y-chromosome testing (YFP in spreadsheet) where only two labs are potentials.

Justin



## Justin Howes

Team Leader - Forensic Reporting and Intelligence Team

**Forensic DNA Analysis, Police Services Stream, Forensic & Scientific Services**  
Prevention Division, Queensland Health



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---

**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:00 PM  
**To:** Justin Howes <[REDACTED]>; Helen Gregg <[REDACTED]>; Cathie Allen <[REDACTED]>; Paula Brisotto <[REDACTED]>  
**Subject:** RE: BSAG Method and Instrument details 2021\_final.xlsx

If we consult with them about the risk at the time, they can opt to proceed or take to another lab?

---

**From:** Justin Howes <[REDACTED]>  
**Sent:** Friday, 19 August 2022 11:58 AM  
**To:** Helen Gregg <[REDACTED]>; Cathie Allen <[REDACTED]>; Paula Brisotto <[REDACTED]>; Megan Fairweather <[REDACTED]>  
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If we microcon to 35uL and amplify, we are left with less than this volume for this particular testing in NZ.

Regards

Justin



**Justin Howes**

Team Leader - Forensic Reporting and Intelligence Team

**Forensic DNA Analysis, Police Services Stream, Forensic & Scientific Services**

Prevention Division, Queensland Health



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---

**From:** Cathie Allen <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:03 PM  
**To:** Megan Fairweather; Justin Howes; Helen Gregg; Paula Brisotto  
**Subject:** RE: BSAG Method and Instrument details 2021\_final.xlsx

Hi Megan

They can opt to –

- do nothing, review other samples in the case, see if other items are available for testing, ask for other samples to be concentrated & wait for new technology
- authorise second amp and accept the risk (which would be documented)
- see what other technologies are available to them and undertake that at a financial cost to them

Cheers  
Cathie



**Cathie Allen** BSc, MSc (Forensic Science) (She/Her\*)  
Managing Scientist

Social Chair, Organising Committee for 25th International Symposium of the  
Australian and New Zealand Forensic Science Society (ANZFSS), Brisbane, 11 – 15 Sept 2022

**Police Services Stream, Forensic & Scientific Services**  
Prevention Division, Queensland Health

[REDACTED]

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**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:00 PM  
**To:** Justin Howes <[REDACTED]>; Helen Gregg <[REDACTED]>; Cathie Allen

<[REDACTED]>; Paula Brisotto <[REDACTED]>

**Subject:** RE: BSAG Method and Instrument details 2021\_final.xlsx

If we consult with them about the risk at the time, they can opt to proceed or take to another lab?

---

**From:** Justin Howes <[REDACTED]>

**Sent:** Friday, 19 August 2022 11:58 AM

**To:** Helen Gregg <[REDACTED]>; Cathie Allen <[REDACTED]>; Paula Brisotto <[REDACTED]>; Megan Fairweather <[REDACTED]>

**Subject:** BSAG Method and Instrument details 2021\_final.xlsx

Hi

Please find attached a spreadsheet from 2021 with technology across the Aust/NZ labs.

Relevant to read is the highlighted column. This shows the volume required for processes in other labs. Most external testing is performed to my knowledge in NZ or NSW. For degraded samples, NZ use Minifiler and this requires 25uL of volume.

If we microcon to 35uL and amplify, we are left with less than this volume for this particular testing in NZ.

Regards

Justin



**Justin Howes**

Team Leader - Forensic Reporting and Intelligence Team

**Forensic DNA Analysis, Police Services Stream, Forensic & Scientific Services**

Prevention Division, Queensland Health



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---

**From:** Paula Brisotto <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:41 PM  
**To:** Cathie Allen; Megan Fairweather; Helen Gregg; Justin Howes  
**Cc:** Alison Slade  
**Subject:** Document1  
**Attachments:** Document1.docx

Hi all,

Justin and I just put together this as a draft regarding potential options.

Thanks,  
Paula

---

**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:51 PM  
**To:** Matthew Rigby; Helen Gregg  
**Subject:** RE: Updated memo for consideration

Hi Matt and Helen

In speaking to the lab scientists this morning, I understand a plan is in place to include a consultation step with QPS to discuss any risk of sample exhaustion or reduction, essentially case by case, or in groups of cases (if able to be described). While those details are being refined operationally, do you see any reason why the A/DG should not send his memo to give effect to his decision now?

Kind regards, Megan

---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, 19 August 2022 11:16 AM  
**To:** Megan Fairweather <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Subject:** Updated memo for consideration

Hi Megan and Helen,

Can I please seek your feedback on this updated memo. Once you are comfortable with the content, I will seek David's final approval and arrange for this to be issued from DG Corro.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Friday, 19 August 2022 1:00 PM  
**To:** Megan Fairweather; Matthew Rigby  
**Subject:** RE: Updated memo for consideration

**Importance:** High

Hi Megan and Matt,

The wording I would like to send out with the memo (unchanged) is;

Background:

Our current processes are that after concentration, the remaining sample is approximately 35uL which is enough volume for one quantitation and two amplifications in-house. Conducting a second amplification will exhaust the sample and there will be no remaining sample available for further testing by another organisation in the future.

The risk associated with undertaking a second amplification needs QPS involvement.

Therefore; our processes from now on will be;

1. Concentrate to a volume of 35uL and perform one amplification.
2. If the scientist determines there may be benefit in performing a further amplification (therefore exhausting the concentrated sample), QPS written approval must be gained before the second amplification commences.

This will become a change to our SOP

Regards  
Helen

---

**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:51 PM  
**To:** Matthew Rigby <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Subject:** RE: Updated memo for consideration

Hi Matt and Helen

In speaking to the lab scientists this morning, I understand a plan is in place to include a consultation step with QPS to discuss any risk of sample exhaustion or reduction, essentially case by case, or in groups of cases (if able to be described). While those details are being refined operationally, do you see any reason why the A/DG should not send his memo to give effect to his decision now?

Kind regards, Megan

---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, 19 August 2022 11:16 AM

To: Megan Fairweather <[REDACTED]>; Helen Gregg <[REDACTED]>  
Subject: Updated memo for consideration

Hi Megan and Helen,

Can I please seek your feedback on this updated memo. Once you are comfortable with the content, I will seek David's final approval and arrange for this to be issued from DG Corro.

Thanks Matt



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Paula Brisotto <[REDACTED]>  
**Sent:** Friday, 19 August 2022 1:00 PM  
**To:** Cathie Allen; Megan Fairweather; Helen Gregg; Justin Howes  
**Cc:** Alison Slade  
**Subject:** RE: Document1

Hi all,

Confirming that the spreadsheet provided by Justin appears to refer to Total amp volume, not total sample required. Therefore, there may be sufficient volume for testing in other jurisdiction (as per our recent discussion).

Thanks,  
Paula

---

**From:** Paula Brisotto  
**Sent:** Friday, 19 August 2022 12:41 PM  
**To:** Cathie Allen <[REDACTED]>; Megan Fairweather <[REDACTED]>;  
Helen Gregg <[REDACTED]> Justin Howes <[REDACTED]>  
**Cc:** Alison Slade <[REDACTED]>  
**Subject:** Document1

Hi all,

Justin and I just put together this as a draft regarding potential options.

Thanks,  
Paula

---

**From:** Matthew Rigby <[REDACTED]>  
**Sent:** Friday, 19 August 2022 1:04 PM  
**To:** Megan Fairweather; Helen Gregg  
**Subject:** RE: Updated memo for consideration

Great thank you both,

I will run this past David for a final sign off and then once approved get the memo updated and distributed.

Thanks for your help on this.

Mat



**Matt Rigby**  
Executive Director  
Office of the Director-General  
Queensland Health

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Friday, 19 August 2022 1:03 PM  
**To:** Helen Gregg <[REDACTED]>; Matthew Rigby <[REDACTED]>  
**Subject:** RE: Updated memo for consideration

Matt, the memo just needs a contact person included in the table (top of page 1).

---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Friday, 19 August 2022 1:00 PM  
**To:** Megan Fairweather <[REDACTED]>; Matthew Rigby <[REDACTED]>  
**Subject:** RE: Updated memo for consideration  
**Importance:** High

Hi Megan and Matt,

The wording I would like to send out with the memo (unchanged) is;

Background:

Our current processes are that after concentration, the remaining sample is approximately 35uL which is enough volume for one quantitation and two amplifications in-house. Conducting a second amplification will exhaust the sample and there will be no remaining sample available for further testing by another organisation in the future.

The risk associated with undertaking a second amplification needs QPS involvement.

Therefore; our processes from now on will be;

1. Concentrate to a volume of 35uL and perform one amplification.
2. If the scientist determines there may be benefit in performing a further amplification (therefore exhausting the concentrated sample), QPS written approval must be gained before the second amplification commences.

This will become a change to our SOP

Regards  
Helen

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**From:** Megan Fairweather <[REDACTED]>  
**Sent:** Friday, 19 August 2022 12:51 PM  
**To:** Matthew Rigby <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Subject:** RE: Updated memo for consideration

Hi Matt and Helen

In speaking to the lab scientists this morning, I understand a plan is in place to include a consultation step with QPS to discuss any risk of sample exhaustion or reduction, essentially case by case, or in groups of cases (if able to be described). While those details are being refined operationally, do you see any reason why the A/DG should not send his memo to give effect to his decision now?

Kind regards, Megan

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**Sent:** Friday, 19 August 2022 11:16 AM  
**To:** Megan Fairweather <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Subject:** Updated memo for consideration

Hi Megan and Helen,

Can I please seek your feedback on this updated memo. Once you are comfortable with the content, I will seek David's final approval and arrange for this to be issued from DG Corro.

Thanks Matt



**Matt Rigby**  
 Executive Director  
 Office of the Director-General  
 Queensland Health

[REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]





---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Tuesday, 23 August 2022 1:45 PM  
**To:** Megan Fairweather  
**Subject:** FW: clarification

---

**From:** Justin Howes <[REDACTED]>  
**Sent:** Monday, 22 August 2022 12:38 PM  
**To:** Helen Gregg <[REDACTED]>; Cathie Allen <[REDACTED]>; Paula Brisotto <[REDACTED]>  
**Cc:** Alison Slade <[REDACTED]>  
**Subject:** RE: clarification

Hi all

I have had some questions from staff, so one point to ensure we all understand the same thing:

The staff question was: *'samples that are 0.010 and have bene amped on their initial run, and we would like to M'con it to 35uL and then amp it again after that, potentially using up all of the extract? Do we need to ask permission from QPS for those too? If we do, does this mean m'conning to full can only happen if we request permission from QPS to use up all of the extract?'*

My answer was

- My understanding from the seeking of approval for a second amp is that QPS want extract volume retained, and only with approval, are QPS fine to accept the consumption of the extract. So with the scenario below, any work that would totally consume the extract (ie. full microcon, or second amp after microcon) would need prior approval from QPS.

Do we all agree that the general point is that any decision which could use up all the extract would need QPS approval? This would be second amp after microcon, or if microconned to full.

Regards

Justin



## Justin Howes

Team Leader - Forensic Reporting and Intelligence Team

Forensic DNA Analysis, Police Services Stream, Forensic & Scientific Services  
Prevention Division, Queensland Health



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---

**From:** Helen Gregg <[REDACTED]>  
**Sent:** Monday, 22 August 2022 12:21 PM  
**To:** Cathie Allen <[REDACTED]>; Paula Brisotto <[REDACTED]>; Justin Howes <[REDACTED]>  
**Cc:** Alison Slade <[REDACTED]>  
**Subject:** RE: clarification

Hi,

See below in green

Regards  
 Helen

---

**From:** Cathie Allen <[REDACTED]>  
**Sent:** Monday, 22 August 2022 8:15 AM  
**To:** Paula Brisotto <[REDACTED]>; Justin Howes <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Cc:** Alison Slade <[REDACTED]>  
**Subject:** RE: clarification

Good questions Paula!

I've responded in blue below for ease.

---

**From:** Paula Brisotto <[REDACTED]>  
**Sent:** Friday, 19 August 2022 5:18 PM  
**To:** Justin Howes <[REDACTED]>; Cathie Allen <[REDACTED]>; Helen Gregg <[REDACTED]>  
**Cc:** Alison Slade <[REDACTED]>  
**Subject:** clarification

Hi all,

A couple of things have popped into my head, which may be questions from staff come Monday (or may be my tired Friday afternoon thoughts):

For any samples processed prior to 5 June 2022~~18~~ that were reported as *DNA Insufficient for Further Processing* and **are requested by QPS to proceed to testing** (which as per previous process, involves microconning), QPS have already approved additional processing, so further approval is not required? **From my perspective, I would say the 2<sup>nd</sup> amp would require approval, however if 2<sup>nd</sup> amp has already proceeded then it has occurred before the QPS direction of**

**19<sup>th</sup> Aug 2022. Agree – 2<sup>nd</sup> amp approval required if we are doing post 19 August. If 2<sup>nd</sup> amp started pre-19 August we cannot get approval.**

For any samples processed after 5 June 2022~~18~~ until today, where FSS staff requested a microcon, before proceeding to a second amplification, approval from QPS is required? **Yes, written approval required agree – written approval required**

For any samples after 5 June where a microcon by FSS staff was requested to full, or a second amplification has already occurred and all sample is consumed, as this was previous process, no further advice is required...? **In these instances, do we need to formally advise the QPS – Helen, what's your thoughts? We'd need bdna to search the FR to find these ones (any in the quant range, that have Microcon and have 2 amps after Microcon). As above, the request for 2<sup>nd</sup> amp was prior to 19<sup>th</sup> August, so QPS approval is not possible, and the sample has been exhausted. I don't think QPS can do anything with the additional information we could provide except to know that the sample has been exhausted. Also - who would we give that message to so that it would get through (would we put it in FR/on the statement)? Given TAT are going up, and the information is unactionable, I think we do not need to do anything.**

Thanks,  
Paula



### **Paula Brisotto**

Team Leader – Evidence Recovery & Quality Team

#### **Forensic DNA Analysis, Police Services Stream**

Forensic & Scientific Services, Prevention Division, Queensland Health



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