

# Director-General Brief for Noting

Requested by: Paul Csoban, Executive Director,  
Forensic and Scientific Services  
Department

Department RecFind No:	
Division/HHS:	
File Ref No:	

**SUBJECT: *Possible Public Interest Disclosure regarding Forensic DNA Analysis***

<b>NOTED</b>				
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**Issue/s**

1. Amanda Reeves, a staff member in Forensic DNA Analysis, Forensic and Scientific Services wishes to return to her substantive role as a Senior Court Reporting Scientist, after a period of extended leave.
  - 1.1. Ms Reeves raised an issue to her line manager, Mr Justin Howes regarding a process used to examine sexual assault investigation kits on the 4<sup>th</sup> of March 2016.
  - 1.2. A project was instigated into this issue and feedback on the project to the Forensic DNA Analysis Management Team began on the 12<sup>th</sup> of May 2016.
  - 1.3. On the 9<sup>th</sup> of June 2016, during a Forensic DNA Analysis management team meeting, Mr Allan McNevin behaved inappropriately towards Ms Reeves when discussion commenced regarding the project (called Project #181).
  - 1.4. Mr McNevin has apologised twice to Ms Reeves for his outburst. Ms Reeves and Mr McNevin were offered formal mediation and a facilitated discussion. Mr McNevin agreed to both options and Ms Reeves declined both options.
  - 1.5. The matter has been appropriately dealt with at a local level. In addition to the management at a local level, an external investigation into the incident at the management team meeting has commenced. Mark Brady, Principal Consultant of Livingstones has conducted interviews and is preparing a final report.
  - 1.6. Ms Reeves has been on extended leave from the 30<sup>th</sup> of November 2016, with a return to work date of the 31<sup>st</sup> of January 2017.
  - 1.7. Ms Reeves engaged JA Hodgins, Principal, Human A.S.S.E.T. Solutions in early December 2016 to act on her behalf.
  - 1.8. Ms Reeves, through her lawyer, has threatened a Public Interest Disclosure (PID) on the issue regarding processing of sexual assault investigation kits.
  - 1.9. Risk mitigation steps have been introduced into the process used to examine sexual assault investigation kits. Additionally, a scientific review into the processing of sexual assault investigation kits has commenced, with the Institute of Environmental Science and Research (ESR), New Zealand's Crown Research Institute.

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- 1.10. On the 6<sup>th</sup> of February, 2017, Acting Superintendent Scott McLaren, Forensic Services Group, was briefed regarding the possible PID. A/Supt McLaren advised that he would prepare a briefing for the Assistant Commissioner Michael Condon.
2. Ms Reeves has obtained medical clearance to return to her duties and wishes to be placed back in her substantive role, which requires reporting and expert evidence on sexual assault cases, among other case types. An offer of alternative employment has been extended to Ms Reeves until both the external investigation and the scientific review have been completed, however Ms Reeves is insistent on returning to her substantive role.
  3. If Ms Reeves is returned to her substantive role prior to the conclusion of the external review and scientific review, she may be called to provide expert testimony on a sexual assault case. Ms Reeves would be under oath and be required to truthfully answer questions relating to the processing of sexual assault investigation kits when she has highlighted her misgivings in the processing. This would be detrimental to Ms Reeves and the work unit.
  4. If Ms Reeves were to provide evidence that processing of sexual assault evidence was inadequate, this would be detrimental to Queensland Health, the Queensland Police Service, the Queensland Government and the community would lose faith in the scientific work that is conducted in the forensic areas of Forensic and Scientific Services.
  5. It is recommended that Ms Reeves undertake alternate duties until the outcomes are known for the two reviews currently underway.
  6. Human Resources and Legal advice is being sought on this issue.
  7. Ms Reeves was deemed fit for return to work from the 2<sup>nd</sup> of February 2017.

## Background

8. Forensic DNA Analysis are delegated the authority to test forensic items by the Commissioner of Police through the Police Powers and Responsibilities Act 2000 (section 488B). The work unit analyses approximately 21,000 crime scene items and 15,000 person samples each year. Results are provided electronically to the Queensland Police Service (QPS). Statement of Witness documents and expert evidence are provided to all levels of the Queensland Courts. Forensic DNA Analysis provide vital DNA analysis results for both court purposes and intelligence purposes, which enable the QPS to link together previously unrelated alleged offences.
9. Forensic and Scientific Services underwent a Ministerial Taskforce Review in 2005 following three front page media articles highlighting the large number of untested items held by Forensic DNA Analysis. The QPS and FSS worked collaboratively to reduce the number of untested items down to zero and begin working in real-time at the beginning of 2008. The Review also provided resources for the purchase of automated platforms to assist with laboratory throughput, a laboratory refurbishment and additional staff members (both permanent and temporary) to process the items.

## Results of Consultation

10. Mr Jade Franklin, Manager Human Resources and Business Relationships has been consulted during this process. **Who from Legal has been consulted?**

## Resource Implications (including financial)

11. The report from Livingstones is estimated to cost approximately \$20,000.
12. The scientific review from ESR is estimated to cost approximately **\$2,500.**

## Attachments

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13. Please ensure all attachments referred to are included and numbered.

*Note – three levels (only) of internal approval are required; the table below will be removed prior to submission of brief to Minister*

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