STATEMENT OF CATHERINE ALLEN

I Catherine Allen c/- of 39 Kessels Road, Coopers Plains, in response to a Requirement to Give Information In A Written Statement, Notice Number 2022/00046, do solemnly and sincerely declare that:

- 1. Summarise your role to date in responding to document requirements from the Commissioner, including as to your role in collating documents, directing others to collate documents, determining where collated documents would be stored or provided to Crown Law and reviewing documents collated by others.
- 1. I am employed by Queensland Health as the Managing Scientist of the Forensic DNA Analysis Unit. I have held this position since July 2008. As will be explained in my response to Notice Number 2022/00026, I have held various positions in the Forensic DNA Analysis Unit having commenced as a laboratory technician in August 1999.
- 2. To the best of my knowledge and belief, due to my position as the Managing Scientist and my longstanding corporate knowledge, I was identified as a key point of contact for the identification and collation of documents in response to various Items listed in Requirements to Produce Documents for the DNA Commission of Inquiry.
- 3. From the outset, I wish to state for the record that it was and remains my intention to ensure a rigorous process was, and is, followed to respond comprehensively and truthfully to all of the Commission's Requirements to Produce Documents.
- 4. On or around 27 June 2022, I was provided with a copy of the Commission's Notice Number 2022/00002 (**Notice 1**). The response to Notice 1, with 19 Items (many with itemised subparts), was due to be served by 4.00pm on 4 July 2022.
- 5. The steps I took to identify, collate and coordinate documents responding to the requests in Notice 1 included as follows:
 - (a) I was responsible for identifying and collating Items 1, 5 (regarding acquisition), 8, 9, 10, 11, 17 and 19 of Notice 1 due to the types of documents required that were prepared at my senior level or above, and my long corporate history within the laboratory.
 - (b) To locate responding documents, I examined local network drives, CDs, emails, and hard copy paperwork.
 - (c) I also requested assistance from Queensland Health eHealth information technology support to source files from the backup system.
 - (d) Other Items from this Notice were also delegated to other senior scientists and other laboratory staff with the request to place copies of the documents on the local network drive ("G Drive", "ForBiol" folder, "AACOI" subfolder), which can be accessed by all staff within Forensic DNA Analysis.
 - (e) A number of scientists, laboratory assistants and administration officers were also assisting me and the other senior scientists with items from this Notice.



- (f) I instructed the senior staff members to refer to the Notice to ensure that documents were within the scope of the request as they placed them in the local network drive. Review of the documents by senior staff members was to ensure that the scope was adhered to. If there was doubt regarding the document and scope, the documents were included.
- (g) I then uploaded documents that I believed were in scope from the local network drive ("G Drive", "ForBiol" folder, "AACOI" subfolder), to corresponding folders created in a limited access Microsoft "Teams" site named "Commission of Inquiry" (COI Teams Site) for the Queensland Health Legal Branch to assess and provide to Crown Law.
- (h) To the best of my knowledge, apart from Queensland Health Legal Branch and Legislative Policy Unit members, access to the COI Teams Site for FSS Forensic DNA Analysis Unit staff was limited to myself, Lara Keller (Executive Director), and Alison Slade (Principal Advisor).
- (i) I no longer have access to that COI Teams Site and so I cannot verify the members of the group for the purposes of this Statement.
- 6. Items 16, 17 and 18 were delegated to Alison Slade for collating and uploading directly to the COI Teams Site. Although I added some for Item 17, that were available from the local network drive (saved there by the previous Managing Scientist / Chief Scientist), I did not review other documents that were within the COI Teams Site for these Items.
- 7. On or around 5 July 2022 I was provided with an extract of Notice Number 2022/00004 (**Notice 2**) identifying the requests for Items 1, 2, 3, 6, 7, 8, 9 and 10. The response to Notice 2 was due to be served by 11 July 2022.
- 8. The steps I took to identify, collate and coordinate documents responding to these extracted Items for Notice 2 were as follows:
 - (a) I was responsible for identifying and collating Items 6, 8 and 9 due to the nature of the documents, my knowledge due to my senior level and my long corporate history within the laboratory.
 - (b) To locate responding documents, I examined local network drives, emails, and hard copy paperwork.
 - (c) I also requested assistance from Queensland Health eHealth information technology support to source files from the backup system.
 - (d) Other Items from this Notice were also delegated to other senior scientists and other laboratory staff with the request to place copies of the documents on the local network drive ("G Drive", "ForBiol" folder, "AACOI" subfolder), which can be accessed by all staff within Forensic DNA Analysis.
 - (e) A number of scientists, laboratory assistants and administration officers were also assisting me and the other senior scientists with items from this Notice.

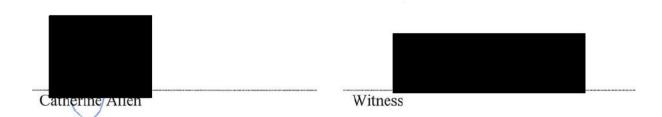


- (f) I instructed the senior staff members to refer to the Notice to ensure that documents were within the scope of the request as they placed them in the local network drive. Review of the documents by senior staff members was to ensure that the scope was adhered to. If there was doubt regarding the document and scope, the documents were included.
- (g) I then uploaded documents that I believed were in scope for the Notice 2 Items to the relevant subfolder in the COI Teams Site for Queensland Health Legal Branch to assess and provide to Crown Law.
- 9. I have not been informed and I do not know the scope or nature of the documents requested by the Commission in Item 4 of Notice 2.
- 10. On or around 13 July 2022, I was provided with an extract of Notice Number 2022/00019 (**Notice 3**) identifying the requests for Items 1 to 8, 10 to 12, 15 to 16, and 18 to 21. The response to Notice 3 was due to be served by 19 July 2022.
- 11. The steps I took to identify, collate and coordinate documents responding to Notice 3 were as follows:
 - (a) I was responsible for identifying and collating Items 5, 7, 8, 10, 11, 12, 18, 19, 20, 21 due to the nature of documents, my knowledge due to my senior level and my long corporate history within the laboratory.
 - (b) To locate responding documents, I examined local network drives, emails, and hard copy paperwork.
 - (c) I also requested assistance from Queensland Health eHealth information technology support to source files from the backup system.
 - (d) Other Items from this Notice were also delegated to other senior scientists and other laboratory staff with the request to place copies of the documents on the local network drive ("G Drive", "ForBiol" folder, "AACOI" subfolder), which can be accessed by all staff within Forensic DNA Analysis.
 - (e) A number of scientists, laboratory assistants and administration officers were also assisting me and the other senior scientists with items from this Notice.
 - (f) I instructed the senior staff members to refer to the Notice to ensure that documents were within the scope of the request as they placed them in the local network drive. Review of the documents by senior staff members was to ensure that the scope was adhered to. If there was doubt regarding the document and scope, the documents were included.
 - (g) I do not now recall whether I uploaded any items collated for responding to Notice 3 to the COI Teams Site.
- 12. On or around 13 July 2022, I was provided with a copy of the Notice Number 2022/00023 (**Notice 4**). The response to Notice 4 was due the following day, 14 July 2022. Given the items related to the casefile where Mr Rhys Parry was the Reporting



Scientist, I delegated the task of identifying and collating to Mr Parry. The steps I took to coordinate these additional documents for Notice 4 were as follows:

- (a) The request to Mr Parry was to place copies of the documents on the local network drive ("G Drive", "ForBiol" folder, "AACOI" subfolder).
- (b) I did not review these documents prior to uploading to the COI Teams Site.
- 13. On or around 14 July 2022, I was provided with a further extract of Notice 3 identifying the requests for Items 9, 13 and 14.
- 14. The steps I took to identify, collate and coordinate these additional documents for Notice 3 were as follows:
 - (a) I was responsible for identifying and collating Items 9, 13 and 14 due to the nature of documents, my knowledge due to my senior level and my long corporate history within the laboratory.
 - (b) To locate responding documents, I examined local network drives, emails, and possibly hard copy paperwork.
 - (c) I also requested assistance from Queensland Health eHealth information technology support to source files from the backup system.
 - (d) To be best of my recollection, a number of scientists, laboratory assistants and administration officers were also assisting me with these additional items.
 - (e) As noted above, I do not now recall whether I uploaded any items collated for responding to Notice 3 to the COI Teams Site.
- 15. I have not been informed and I do not know the scope or nature of the documents requested by the Commission in Item 17 of Notice 3.
- 16. On 15 July 2022, at 1.06pm, I was provided an extract of the request in Item 5 of Notice 2. I responded with documents for assessment by lawyers.
- 17. On 15 July 2022, at or around 3.20pm, I was advised to have no further involvement in the identifying, collation, coordination or uploading of documents for the DNA Commission of Inquiry.
- 2. Explain who, to your knowledge, was the original author or creator of the document titled "Volume Crime Processing in P+ instead of PP21" (document ID FSS.0001.0010.7080 and attached).
- 18. I was not the original author of the document.
- 19. I do not know who the original author was, but the Microsoft Word metadata ("Info" tab) records that Dr Kirsten Scott was the author.



- 3. Identify who, to your knowledge, provided that document on a date before 12 July 2022 to Queensland Health Legal for the purpose of responding to a document requirement from the Commissioner.
- 20. To the best of my recollection, it was me who uploaded the document to the COI Teams Site, and I provide further detail in my response to Question 4 below.
- 4. Identify how you came to review that document on a date before 12 July 2022 in connection with its provision to Queensland Health Legal for the purpose of responding to a document requirement from the Commissioner.
- 21. The document FSS.0001.0010.7078 was uploaded to the best of my recollection by me to the COI Teams Site on 11 July 2022.
- 22. I first came to review the document on 11 July 2022. Because there were large amounts of documents to move across from the local network drive ("G Drive", "ForBiol" folder, "AACOI" subfolder) to the COI Teams Site, I would undertake a process to check and verify that all items had been successfully transferred. There had been instances where not everything had transferred successfully on the first attempt.
- 23. I undertook this check and verification by manually going through the files to check and verify that all the files in the folder had moved across successfully. It was whilst I was undertaking this process that I noticed the name of the document. I had not seen it before, so I looked at it.
- 24. The document was within a folder called "Proposal #131 PP21 post implementation review", in a subfolder called "Drafts to check". I did not then, and do not now recall ever seeing or approving the content of this document in my role as Managing Scientist. I believed that the document uploaded to the COI Teams Site was a "draft" given it had been located in folder named "Drafts to check".
- 25. When I looked at the document, I noticed an error.
- 26. The document included the sentence "In an effort to return to pre-PowerPlex results turn-around times, Forensic DNA Analysis decided to return Priority 3 Volume samples to Profiler on the 6th May 2013."
- 27. The error was that the above sentence said "Forensic DNA Analysis decided". I knew that this was not correct because FSS did not make the decision.
- 28. The QPS provided the decision regarding Volume Crime items being processed in Profiler Plus.
 - (a) The usual process when QPS authorises a change in our laboratory processes is to advise the management team in FSS Forensic DNA Analysis, and if appropriate, all of the team. I cannot presently access emails from this period as they need to be restored by IT.
 - (b) Exhibit CA1 is a copy of handwritten diary notes of Justin Howes for 2 May 2013 and 3 May 2013.

Catherin Witness

- (c) In the diary entry of 2 May 2013 by Justin Howes, at about 3.30pm, the note includes "CJA said QPS requesting think about P+ from Volume Crime". I believe this is a diary note made after advice from the QPS.
- (d) **Exhibit CA2** is a note I made recording a phone call on 3 of May 2013 that relates to a phone call from Acting Superintendent David Neville. The note includes:

Dave Neville 03.05.03 Phone Call re: Proposal for Vol+P+

3p - Vol Crime - Report as Complex, unable to load

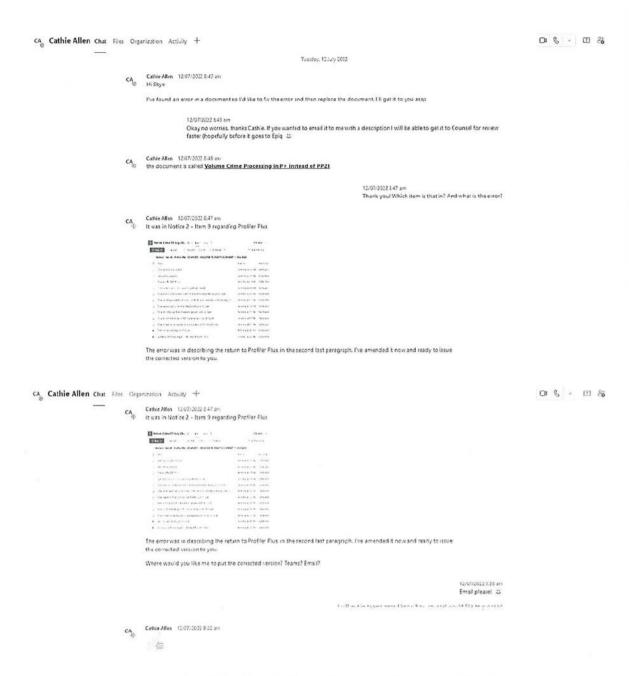
→ no interp conducted

Email - incl Bob

My assumption is that the reference to 'Bob' is likely Bob Utz, a legal person with the OPS.

- (e) In the diary entry of 3 May 2013 by Justin Howes, it appears to include:
 - * CJA said to go with P+ for VC next week
 - I said won't be quick change to data b/c only CMang SS from VOLLOW @ moment
 - → long term would help
 - Proposal #1 would really help CJA said all proposals will be approved including '3p not decon' –
 - → Proposal #4
- (f) I believe that the above entries further illustrate that it was a QPS decision, rather than Forensic DNA Analysis deciding to move Volume Crime back to Profiler Plus.
- 29. I was concerned about the error in the document because I knew that it was not factually correct. I felt that there was an ethical dilemma if I did not explain that there was an error in the document, and if the Commission proceeded on the basis that the document (which I believed to be a draft) was accurate. I reflected about the contents of the document FSS.0001.0010.7078 overnight because I was deeply concerned that an inaccurate document was being supplied as evidence.
- 30. Before making any changes to the document, on the morning of 12 July 2022, I contacted Skye Nicoll over Teams to alert QH Legal that I had found an error in a document. **Exhibit CA3** is a copy of the Teams conversation that has been supplied by Queensland Health Legal Branch in the preparation of this statement as I no longer have access to the COI Teams Site. The screen shot from that Teams conversation is also extracted below.





31. In my first messages to Skye Nicoll at 8.40am, I informed her that "I've found an error in a document so I'd like to fix the error and then replace the document. I'll get it to you asap." My message was to make Queensland Health Legal Branch aware that I had found an error in a document. Although my original Teams message to Skye was expressed as a statement that "I'd like to fix the error and replace the document", the purpose of contacting Queensland Health Legal Branch was to seek clarification about the best approach for dealing with the error that I had identified in the document. I had not amended the document at that stage but did flag that I would. I was also aware that Queensland Health Legal Branch already had the original version of the document that had been uploaded on 11 July 2022 to the COI Teams Site.



- 32. At 8.43am, Skye messaged me over Teams to say "Okay, no worries, thanks Cathie. If you wanted to email it to me with a description, I will be able to get it to Counsel for review faster."
- 33. I then amended the document on the local drive at FSS. I did not change the file name. The original had by that stage already been provided to Queensland Health Legal Branch. The change that I made was to replace the words "Forensic DNA Analysis decided" to "the QPS requested Forensic DNA Analysis". I amended the document to ensure it was factually correct because I knew that Forensic DNA Analysis did not 'decide', but that the QPS had provided the decision.
- 34. I then emailed the amended document to Skye Nicoll at 9.00am as that is what was requested. **Exhibit CA4** to this statement is a copy of the email I sent to Skye at 9.00am with the amended document as an attachment. I sent this email providing an amended document to ensure that it was factually correct.
- 35. My intention in providing the amended document was to inform Queensland Health Legal Branch of the error I had noticed in a document, and to seek clarification on the best course of action and next steps. I had understood that the issue I had raised would be considered by the lawyers.
- 5. Explain why on or about 12 July 2022, you amended the original document and created a new version of the document (document ID FSS.0001.0010.8252) in which you replaced the words "Forensic DNA Analysis decided" with the words "the QPS requested Forensic DNA Analysis".
- 36. I have explained this in my answer to question 4 above.
- 37. In summary, I amended the document after raising the error I had noticed with Queensland Health Legal Branch. I was concerned that there was an error in a document located in a drafts folder, and it was not factually correct. I was bringing the matter to Queensland Health Legal Branch's attention so that I could be provided with clarification as to the best course of action. I had understood that the issue I had raised would be considered by the lawyers.
- 6. Explain why you contacted Skye Nicoll on 12 July 2022 and sought to replace the original document (document ID FSS.0001.0010.7078) titled "Volume Crime Processing in P+ instead of PP21" with the version you had amended document ID FSS.0001.0010.8252.
- 38. I have explained this in my answer to question 4 above.
- 39. In summary, I contacted Skye, the COI Teams Site Coordinator, to inform Queensland Health Legal Branch that I had noticed an error in a document. The purpose of raising the issue and then providing the amended document was to seek clarification from the legal team about the best approach to dealing with the error I had identified in the document.



- 7. Identify any other documents which to your knowledge have been altered from their original form and then produced to the Commissioner in response to a document requirement from the Commissioner.
- 40. I have not altered any other documents.

Catherine Allen

- 41. I do not know of any other documents that have been altered by any other person from their original form.
- 8. Identify any documents which were identified by another person within QHSS as being responsive to a document requirement from the Commissioner but which have been withheld for production to the Commissioner as a consequence of a decision or review by you.
- 42. In requesting the assistance of a number of other staff within FSS, as explained above, it was my intention to capture documents under a very broad interpretation of the Items allocated to the FSS Forensic DNA Analysis Unit for responding to the Commission Notices. That was done to ensure the responses were comprehensive and to minimise the risk that documents would not be identified.
- 43. All documents that I considered even distantly relevant to the Notices were uploaded to the Teams COI Site for assessment by the Queensland Health Legal Branch.
- 44. If I had any questions at all about relevance of documents to be uploaded, where I had any doubt, I sought advice from the Queensland Health Legal Branch. I do not now recall which documents I may have sought advice about.
- 45. There were some documents that were, by their title, nature or content, clearly outside the scope of the requests in Notices 1 to 2 (noting my truncated involvement in the collation of documents for Notice 3) and these have not been supplied.
- 46. As I have stated from the outset, it is my intention and wish to openly and honestly assist the DNA Commission of Inquiry including to provide all documents requested under the document requirement Notices.

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

TAKEN AND DECLARED before me at Ea	ist Brisban	e in the State of Queensland this
21st day of July 2022		
Catherine Allen	Witness	Megan tairweather Solicitor

Witness

"CAI"

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May 2013

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May WEEK 18

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[12/07/2022 8:40 am] Cathie Allen

Hi Skye

[12/07/2022 8:41 am] Cathie Allen

I've found an error in a document so I'd like to fix the error and then replace the document. I'll get it to you asap

[12/07/2022 8:43 am] Skye Nicoll

Okay no worries, thanks Cathie. If you wanted to email it to me with a description I will be able to get it to Counsel for review faster (hopefully before it goes to Epiq ©

[12/07/2022 8:46 am] Cathie Allen

the document is called Volume Crime Processing in P+ instead of PP21

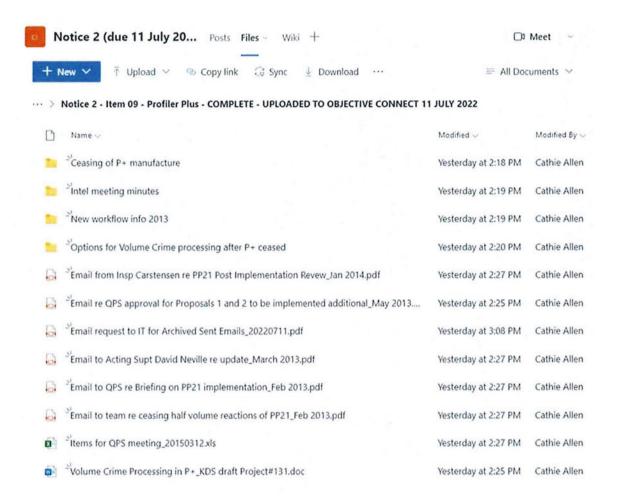
[12/07/2022 8:47 am] Skye Nicoll

Thank you! Which item is that in? And what is the error?

[12/07/2022 8:47 am] Cathie Allen

It was in Notice 2 - Item 9 regarding Profiler Plus

[12/07/2022 8:48 am] Cathie Allen



[12/07/2022 8:49 am] Cathie Allen

The error was in describing the return to Profiler Plus, in the second last paragraph. I've amended it now and ready to issue the corrected version to you.

[12/07/2022 8:49 am] Cathie Allen

Where would you like me to put the corrected version? Teams? Email?

[12/07/2022 8:58 am] Skye Nicoll

Email please!

[12/07/2022 8:59 am] Skye Nicoll

I will put in teams once I know how counsel would like to proceed

[12/07/20229:02 am] Cathie Allen



"CA4"

Megan Fairweather

From:

Cathie Allen

Sent:

Tuesday, 12 July 2022 9:00 AM

To:

Skye Nicoll

Subject:

Corrected version of document

Attachments:

Volume Crime Processing in P+_KDS draft Project#131.doc

Hi Skye

Please find the corrected version of the document attached. Apologies for the inconvenience.

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

a 39 Kessels Road, Coopers Plains, QLD 4108

e

w www.health.qld.gov.au/fss

Queensland Health acknowledges the Traditional Owners of the land, and pays respect to Elders past, present and future.

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

