



Amended Report of



prepared for

the Commission of Inquiry into Forensic DNA Testing in Queensland:

Review of QPS processes

15th October 2022

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Introduction

- 1) My name is [REDACTED] and my professional address is Forensic Foundations International Pty Ltd (formally Forensic Foundations Pty Ltd), PO Box 2279, Ringwood North, Victoria, 3134.
- 2) I hold the following qualifications: Bachelor of Science with Honours and Master of Science, both awarded by the University of Melbourne; Certificate IV in Competency Based Training, awarded by Barton TAFE; Graduate Certificate of Public Sector Management awarded by Flinders University and Graduate Diploma of Legal Studies awarded by the University of New England.
- 3) I currently teach, or have previously taught, at Canberra Institute of Technology, University of Canberra, Monash University, and University of South Australia. I also undertake sessional lecturing at The University of Melbourne, University of Technology, Sydney, Swinburne University of Technology and RMIT University.
- 4) I regularly conduct workshops for professional groups on the topics of legal studies, provision of expert evidence, quality management, DNA and statistics.
- 5) My practical experience with forensic DNA profiling commenced in 1988 within (what is now) the Victoria Police Forensic Services Department (VPFSD) as one of three scientists employed to introduce DNA profiling to the Victorian criminal justice system. I remained in the employ of the VPFSD until 2000 when I was employed by the National Institute of Forensic Science (NIFS). In 2008, I formed Forensic Foundations Pty Ltd. Since 1997, my roles have been more managerial, however I have remained current with respect to DNA collection, profiling and interpretation, forensic statistics and quality management issues.

- 6) I am a professional member of the Australian and New Zealand Forensic Science Society and a Council member of the Victorian chapter the Australian Academy of Forensic Sciences.
- 7) I am an Affiliate Member of The Chartered Society of Forensic Sciences (UK) and an Associate Member of the American Academy of Forensic Sciences.
- 8) I am bound by the Code of Professional Practice of the Australian and New Zealand Forensic Science Society.
- 9) I have read the Victorian Supreme Court (Chapter I Expert Witness Code Amendment) Rules 2016 (Sr No 52 Of 2016) - Reg 6 'Form 44a—Expert Witness Code of Conduct' and agree to be bound by it, despite the work being related to a Queensland Commission.
- 10) I am subcontracted by Bureau Veritas to provide national and international auditing against ISO 18385:2016 (Minimizing the risk of human DNA contamination in products used to collect, store and analyze biological material for forensic purposes — Requirements).
- 11) A full Curriculum Vitae is attached at Appendix 1.
- 12) Forensic Foundation is certified to ISO 9001:2015 (Quality Management Systems - Requirements) by Bureau Veritas and accredited to ISO/IEC 170435:2010 (Conformity assessment — General requirements for proficiency testing) by the National Association of Testing Authorities, Australia.

Circumstances

- 13) On 19 August 2022, I received an email containing:
 - a) Letter of instructions from the Commissioner;
 - b) Appointment letter;
 - c) Short form contract; and
 - d) Link to (electronic) Brief to Expert Witness.
- 14) On 21 August 2022, I downloaded and unzipped the Brief to Expert Witness. The file contained 82 documents summarised in Appendix 2.
- 15) On 24 August 2022, I receive further verbal instructions from [REDACTED] to the effect that:
 - a) the term 'collection' also includes presumptive and confirmatory testing, DNA sample triage and reporting DNA results;
 - b) The review covers only methods, systems and procedures currently in use and the finding contained in external audit reports from 2019; and
 - c) The review covers all Queensland Police forensic facilities.
- 16) On 24 August 2022, I received a further 5 documents, summarised in Appendix 2.
- 17) On 7 September 2002, I received a further 138 documents, also summarised in Appendix 2.
- 18) On 14 September 2022, I received a further 7 documents, also summarised in Appendix 2.
- 19) On 30 September I received further instructions and a further 3 documents were provided, also summarized in Appendix 2.
- 20) On 7 October I received a further 2 documents related to the training of Scenes of Crime Officers and Scientific Officers, also summarized in Appendix 2.
- 21) On 10 October, I received a further 3 documents, also summarized in Appendix 2.
- 22) On 11 October I received a further 8 documents, also summarized in Appendix 2.

- 23) On 14 October, I received an unredacted copy of the Statement of [REDACTED] (redacted copy identified as document 226).
- 24) Additional documents used as part of this review are summarised in Appendix 3.

Instructions

- 25) I was asked to provide my opinion on the following:
- a) Are the methods, systems and processes used by the Queensland Police Service (QPS) for the collection of biological material for forensic DNA testing in accordance with best international practice?
For the purposes of the Commission's investigation, please treat the reference to 'methods, systems and processes' to include the processes for collecting and transporting biological material, the equipment used for collection and transportation, the qualifications, training and proficiency testing requirements for forensic officers, and the quality assurance and auditing processes related to collection.
 - b) Is there anything about the methods, systems and processes for the collection of biological material for forensic DNA testing, whether as stipulated in QPS policies or as actually practised, that compromises or diminishes the ability to obtain reliable forensic DNA results or matches from the samples collected by QPS?
 - c) To consider the methods, systems and processes for transporting a sexual assault investigation kit (SAIK) containing the samples obtained during a forensic medical examination from the site of the examination to the Queensland Health Forensic and Scientific Services (FSS) DNA Laboratory in Brisbane, and whether the methods, systems and processes are in accordance with best international practice.

Findings

26) Following a review of the documents described in Appendix 2, I set out my opinions below.

Methods and Procedures

27) I reviewed the methods and procedures outlined in Appendix 2 documents 5 – 17 and the statements of Inspector [REDACTED] and A/Inspector [REDACTED]. These documents related directly to the methods and procedures with respect to the examination, collection, equipment and transport of biological material. The methods, equipment and procedures, the QPS response to a crime scene including the roles of the Forensic Manager, Forensic Co-Ordinator, Scenes of Crime Officers and Scientific Officers are appropriate and are in accordance with best international practice. The distinction between the duties, roles and responsibilities of the Scenes of Crime Officers and the Scientific Officers is recognised worldwide. The duties, roles and responsibilities of the Forensic Manager and Forensic Co-Ordinator are specific to QPS but are appropriate given the geographic size of Queensland.

Subsampling

28) Subsampling in the field and by QPS officers in the DNA laboratory is appropriate, if:

- a) The QPS officers are appropriately trained.

This training should include reinforcement of the scientific method and impartiality, as the officers are undertaking the role of a scientist not a police officer. The training should also include an understanding of the relevance of the location, size and pattern of any staining. The documents numbered in Appendix 2 as 234 and 235, which are PowerPoints delivered during Scientific Officer training indicate that the scientific method is included in the training (document 234 page 10 & document 235 page 9) and that the sampling rationale is seen as an extension of 'crime scene

reconstruction' (document 235.6 page 9). Document 238 DNA SCI 4 SOC Trace DNA Trace DNA PPT slide presentation also explains in detail issues relating to the collection of 'trace' DNA samples. Document 4, the position of description for Scientific officers describes the role as "Forensic Scientist".

I am satisfied that the QPS Scientific Officers are sufficiently trained to understand their role as scientists.

- b) There is a feedback mechanism where further subsampling can be undertaken, if and when it is required.

Specifically, when DNA results are provided to QPS, the results should be reviewed in the context of the case and further testing and/or subsampling undertaken as required. This responsibility is shared between the DNA Management Unit, the SOCO or SO, the Forensic Coordinators and the investigating officers.

The Statement of [REDACTED] indicates, at paragraph 9, that she is "a key point of contact for investigators and Forensic Coordinators providing advice on DNA testing and results returned for major incidents which are mostly homicides. These are generally 'hot jobs' (i.e. 'contemporary high profile unsolved matters) or 'cold cases' (historical unsolved cases that are being reviewed in an attempt to find new evidence)"

and that she

"collate[s] the information in relation to evidence collected and results returned and is 'the conduit for ordering additional testing for these matters."

At paragraph 17b [REDACTED] indicates that DNA results other than 'Cold links or Priority1 job; are assigned as a 'task report on QPRIME to the applicable Senior Sergeant Crime Manager who is responsible for reviewing all tasks and forwarding them on to the applicable police for further investigation when appropriate."

[REDACTED] also states in paragraph 20 that in relation to 'hot jobs' she 'provide[s] advice in relation to exhibits that may benefit from further testing'.

██████████ defines 'warm links' as an

"evidence link ... which can include comparison to offender evidence, reference samples, victim/elimination reference samples or autopsy reference samples; and negative result which can include person exclusions, no comparable profiles, or no DNA profile." (paragraph 17)

██████████ describes her role in relation to 'hot jobs' in paragraphs 19 and 20 and her role in relation to 'cold cases' in paragraph 21.

In paragraph 23 ██████████ describes the permanent liaison point, a conduit between QHFSS and the forensic coordinator for both 'hot jobs' and 'cold cases' and that this work takes up approximately 70% of her workload.

'Warm links' are managed by the DNA Results Management Unit.

The statement of ██████████ describes her duties as the Forensic Coordinator of the Far Northern Area, these include:

- plan and coordinate the multidisciplinary forensic response to major incidents – homicides, unusual death and serious violence against the person or when the attending officer is seeking support and advice in relation to a scene;
- consulting with investigators and specialists to coordinate forensic evidence examinations, provide investigator briefing, including explaining the significance of conclusions and findings from crime scenes and laboratory examinations; and
- to coordinate and review the forensic brief of evidence from complex multidisciplinary cases when required.

██████████ further states:

At paragraph 34 "The only disadvantage to police subsampling that I am aware of is the inability of QHFSS to readily re-sample an area if required or the knowledge of sample locations to allow pooling of samples if required."

At paragraph 43b "My understanding is that DNA results relating to comparisons of Crime Scene Samples to DNA Evidence samples, are added to the FR on the exhibit screen and later uploaded directly to QPRIME. There is no specific notification to the Forensic Coordinator.

At paragraphs 81 – 86 ██████████ describes the process of "DNA testing results and communication:

- [REDACTED] obtains DNA analysis results though manual searching of the Forensic Register. Results of note are forwarded to Investigating Officers and Scientific Officers;
- Results are issues at several stages of the analysis of a single sample which can become “overwhelming to understand” particularly in large cases;
- [REDACTED] is aware that some results have advice to consider further testing
- [REDACTED] is aware that other results lines provide advice which conflicts with its outcome and these leads to confusion.

I am satisfied that there is sufficient feedback with respect to ‘hot jobs’ and ‘major incidents’ but none of the material provided suggests that there is a similar formalised process for other active cases. If this formalised review is not present, there is an increase in the risk of further subsampling / testing not being undertaken and information being lost from the investigation. This risk could be mitigated by the appointment of a suitably qualified person or persons to review all cases in a similar manner to the ‘hot jobs’, if this position is not already in place.

Triage requirements

29) CSE101 (document 7) directs that a maximum of two samples (limited types) are to be submitted to Queensland Health in the case of Property Crime Offences (Volume Crime) and no more than twenty five samples, at any one time, in the case of Major Crime Offences. Submission of additional samples may be considered. This is appropriate, if all results are reviewed by appropriately trained QPS members and further samples submitted if and when required. As described in paragraph 27, the risk with this approach is that if a detailed review of all results with reference to the case details is not undertaken, further samples may not be submitted and relevant information lost.

Opinion

The methods and procedures in relation to the identification and collection of biological material for forensic DNA are in accordance with best international practice.

The procedures for the review of DNA results received from QHFSS in relation to 'hot jobs' is in accordance with best international practice.

The procedures for the review of DNA results received from QHFSS in relation to other jobs should be evaluated to ensure that feedback and review of the DNA results in the context of the specific case is undertaken and would mitigate the risk that further samples are not taken when required.

Qualifications and Training

30) The pre-requisite qualifications required of 'Scenes of Crime Officer' is the successful completion of the 'Field Training Program'.

31) The pre-requisite qualification for Scientific Officers (referred to as 'Forensic Scientist' in document 4) is the successful completion of the 'Field Training Program' and a minimum of two years sworn service, which is appropriate. The added requirement of a Bachelor's degree in Science (or equivalent) is more stringent than most police services.

Scenes of Crime Officers

32)The Statement of [REDACTED] contains details of the 12-month training program which culminates in the awarding of a Diploma of Forensic Investigation through QPS as a Registered Training Organisation.

- a) This qualification comprises 6 Units of Competency:
 - i) POLFOR017-Contribute and comply with quality systems;
 - ii) POLFOR023-Maintain a safe forensic working environment;
 - iii) POLFOR024-Detect, record and collect forensic evidence ;
 - iv) POLFOR025-Process forensic evidence;
 - v) POLFOR026-Prepare and Present forensic evidence; and
 - vi) POLFOR027-Assess and control incident/crime scene

33)The document 'Scenes of Crime Development Program' outlines the five phase training program undertaken, which culminates in:

- a) 'Scenes of Crime Officer Confirmation' also known as 'SOCDP' which is issued by the Superintendent and gives the new officers the authorisation to work in the QPS as Scenes of Crime Officers; and
- b) 'Diploma of Forensic Investigation' following further assessment.

The Diploma of Forensic Investigation' is a nationally recognised qualification and is issued by QPS as a Registered Training Organisation.

The 'Diploma of Forensic Investigation' is one qualification within the 'Police Training Package'. Training packages are described on the ASQA website (<https://www.asqa.gov.au/rto/what-is-an-rto>)

"Training packages are developed by industry and endorsed for use in the Australian vocational education and training (VET) sector by the Australian Industry and Skills Committee (AISC).... Training packages specify the knowledge and skills required by individuals to perform effectively in the workplace, expressed in units of competency. Training packages also detail how units of competency can be packaged into nationally

recognised and portable qualifications that comply with the Australian Qualifications Framework (AQF)."

The Australian Skills Quality Authority (ASQA) approves Registered Training Organisations (RTOs) to deliver nationally recognised training. The ASQA website (<https://www.asqa.gov.au/rto/what-is-an-rto>) states:

"RTOs are the only organisations in the Australian VET system authorised to:

- deliver and assess nationally recognised training
- issue nationally recognised qualifications and statements of attainment
- apply for government funding to provide VET services."

The recognition of the QPS training environment by the Australian Skills Quality Authority, as a Register Training Organisation aligns with best practice.

- 34) The content, structure (including training, supervision and assessment) of the 'Scenes of Crime Development Program' is appropriate for Scenes of Crime Officers who attend property (volume) crime scenes and may assist at major crime scenes.

Scientific Officers

- 35) The content and delivery of the in-house training and the Graduate Certificate in Crime Scene Investigation offered by Griffith University, as described in the documents I have received is sufficient for the needs of the Scientific Officers.
- .
- 36) The 'Police Training Package' contains POL84315 – Graduate Certificate in Crime Scene Investigation. This qualification contains four units of competency:
- a) POLFOR001-Apply specialised forensic science techniques;
 - b) POLFOR002-Conduct complex forensic crime and incident scene investigations;
 - c) POLFOR003-Coordinate multi-discipline forensic investigations; and
 - d) POLFOR004-Develop forensic crime scene expertise.
- 37) This and the involvement of an independent tertiary provider (Griffith University) conforms with international best practice.

Opinion

The training of the QPS Scenes of Crime Officers and the Scientific Officers is in accordance with best international practice.

Proficiency Testing (external and internal)

38) ISO 17025 outlines the requirements for proficiency testing and competency testing.

a) ISO/IEC 17025 section 7.7.2 states

“The laboratory shall monitor its performance by comparison with results of other laboratories, where available and appropriate. This monitoring shall be planned and reviewed and shall include, but not be limited to, either or both of the following:

- a. participation in proficiency testing;
- b. participation in interlaboratory comparisons other than proficiency testing.”

b) ISO/IEC 17043 section 3.7 defines proficiency testing as:

“...evaluation of participant performance against pre-established criteria by means of interlaboratory comparisons.”

c) Competency is covered under ISO/IEC 17025 section 6.2.3

“The laboratory shall ensure that the personnel have the competence to perform laboratory activities for which they are responsible and to evaluate the significance of deviations.”

In summary, proficiency tests involve a comparison of one laboratory or facility's results with another laboratory(ies) or facility(ies) and involve an assessment against pre-established criteria. Competency testing involve the assessment of an individual, as they perform the nominated activity.

39) There appears to be some confusion and/or misunderstanding in the documents reviewed as to the differences between proficiency testing and competency testing. For example:

- the statements of Senior Sergeant [REDACTED] (para 21) and Inspector [REDACTED] (para 27);
- the use of the words 'competency' and 'proficiency' in PFS 100 Forensic Services Group Quality Manual, see section 6.4;
- proficiency test requirements in 'Facility Audit Checklist' QMS06 v45 includes Courtroom/Witness Evaluations; and
- the response to questions 1 & 2 in the document 00252 – 02.1 – Response to Notice 2022.00252 – Items 1 through 3.

40) The NATA Audit reports, provided for review, contain details of external proficiency tests conducted by QPS Forensic services. The following external tests were undertaken (in relation to the collection of biological material and excluding cannabis identification)

- a) NIFS After the Fact;
- b) CTS Bloodstain Pattern Analysis; and
- c) FTS Basic Hair Screening.

41) NATA Specific Accreditation Criteria... Legal at section 7.7.2 states

"Facilities are encouraged to participate in as broad a range of PT activities as practicable. Where formal PT programs are not available for any activities or do not provide sufficient coverage, facilities must investigate other means of assuring the quality and performance of the activities for which they seek or hold accreditation."

42) PFS 100 Forensic Services Group Quality Manual section 6.3.1 states

"The FSG has a program of proficiency testing which measures the capability of its facilities and the reliability of the analytical results in each area."

43) The external proficiency tests currently undertaken (as outlined in the NATA reports) do not measure the reliability of the examination methodology and analytical results in each area. For example, the external proficiency tests undertaken do not test subsampling, presumptive and confirmatory testing in the field, examination and

testing of items within the DNA laboratories and the searching and triage of items to be sent to Queensland Health.

44) NATA Specific Accreditation Criteria: ISO/IEC 17025 Application Document, Legal (including Forensic Science) – Appendix (2020) states at section 7.7.2:

“NATA requires each applicant or accredited facility to participate in appropriate proficiency testing (PT), where available (refer to *General Accreditation Criteria: Proficiency Testing*).

Where proficiency testing meets the needs of the facility, participation is mandatory and at least one test per skill set must be undertaken annually, where available. A facility must complete all proficiency tests for which it is enrolled...

In addition to participating in external PT, or where external PT is unavailable, a facility should consider conducting inter-laboratory or intra-laboratory comparisons. This could include blind tests prepared internally (or externally) and circulated, or re-examination of a completed case by a different examiner. The distinguishing feature of proficiency testing, inter-laboratory or intra-laboratory comparisons is that they measure ‘performance against pre-established criteria’.”

45) PFS 100 Forensic Services Group Quality Manual section 6.4.1 states

“The competency (proficiency) of individuals can be determined in several ways which may include on or more of the following:

- Participation in internal or external proficiency testing and collaborative trials;
- Direct observation of routine work procedures;
- Evaluation of staff knowledge and understanding’
- Independent assessment of work undertaken;
- Court testimony monitoring;
- Peer review of case files;
- Client feedback.”

The latter six dot points assess the individual’s competence, not the proficiency of the organisation.

46) The NATA Audit reports, provided for review also indicate that the Brisbane office also conducted 'Field Scene Assessments (Internal)' also known as the scene assessment outlined in 'PFS 51 Scene Assessment Form'.

47) The practices described in paragraphs 44 and 45 are competency assessments. In my opinion, they do not satisfy the requirements of NATA criteria 7.7.2.

Opinion

The participation of QPS Scenes of Crime Officers and Scientific Officers do not meet the proficiency test requirements of ISO/IEC 17025, NATA or the QPS internal obligations, as the proficiency tests undertaken do not 'test the reliability of the analytical results in **each area**' for example test subsampling, presumptive and confirmatory testing in the field, examination and testing of items within the DNA laboratories and the searching and triage of items to be sent to Queensland Health.

This requirement may be met though the participation in a wider range of commercially available proficiency tests and/or the development of inter-facility collaborative trials (see NATA Specific Accreditation Criteria... Legal at section 7.7.2).

Quality assurance and auditing

Background

48) To determine if there is anything about the methods, systems and processes for the collection of biological material for forensic DNA testing ... as actually practised, that compromises or diminishes the ability to obtain reliable forensic DNA results or matches from the samples collected by QPS, I reviewed audit documents.

Audits review actual practice against a set of standards, in this case ISO/IEC 17025, AS5288, NATA requirements for 'Legal' and internal QPS procedures and methods.

Independent auditing is undertaken by a 3rd party accreditation body (i.e. NATA) to confirm compliance with the relevant standards (ISO/IEC 17025 and AS 5388) and the relevant NATA requirements.

Internal audit is first party auditing.

Relevant documents

49) PFS 100 Forensic Services Group Quality Manual section 1.1 states

“The management system is designed to ensure that this level of service is provided in accordance with the provisions of the ISO/IEC17025 and AS 5388 standards. “

50) Document 32B ‘Accreditation No:15042’ (Scope Last Changed 16/02/15) states that that

“This facility complies with the requirements of ISO/IEC 17025:2005
This facility complies with the requirements of AS 5388.1 Forensic analysis Part 1: Recognition, recording, recovery, transport and storage of material (except section 6 Occupational health and safety which is not assessed)
This facility complies with the requirements of AS 5388.2 Forensic analysis Part 2: Analysis and examination of material
This facility complies with the requirements of AS 5388.3 Forensic analysis Part 3: Interpretation
This facility complies with the requirements of AS 5388.4 Forensic analysis Part 4: Reporting”

51) Document 32C ‘Scope of Accreditation Queensland Police Service’ includes both reference to ISO/IEC 17025 and AS 5388 across all sites.

These three documents indicate that all sites are accredited to ISO/IEC 17025 and AS 5388.

52) Certificates of accreditation for Mackay, Rockhampton and Townsville do not reference AS 5388. This is appropriate as AS5388 is not included as NATA’s scope under the International Laboratory Accreditation Cooperation (ILAC) arrangement.

53) However, the NATA audit reports contain the following or similar wording
The purpose of this reassessment was to monitor the facility’s continuing fulfilment of ISO/IEC 17025:2017 and the applicable NATA Accreditation Criteria

(NAC) for its scope of accreditation. This included a review of the facility's technical competence together with a review of select elements of its management system.

There is no reference to the requirements of AS5388. This is inconsistent with the information referred to in paragraphs 48 - 50.

54) In addition, the internal audit documents, provided, do not indicate any reference the requirements of ISO/IEC 17025 or AS 5388.

Thus, it cannot be concluded at all sites are audit to and are compliant with the requirements of AS5388.

55) With respect to the external NATA reports, they do not specify exactly what activities or documents have been audited. The reports are minimalist proforma documents with a limited amount of information with respect to the specific audit and audit findings.

56) Where non-conformances have been reported in the NATA reports, these related to administrative, document control and/or recording issues. No technical issues were raised. QPS responses to the non-conformances were provided.

Opinion with respect to NATA audits

There is inconsistent recording / reporting of the scope of the accreditation granted by NATA.

The information provided to QPS in the reports is minimalist and provides little data for QPS and any subsequent reviewer.

No issues were raised during the NATA audits which would compromise the ability of QPS to obtain reliable DNA results.

57) The internal audits are conducted by 'the responsible Forensic Manager, Forensic Coordinator or Quality Assurance Officer'

This is contrary to best practice.

- ISO/IEC17025:2017 section 8.8 references ISO 19011 Guidelines for auditing management systems.
- ISO19011:2018 section 4 principles of auditing states:
 "Independence: the basis for the impartiality of the audit and objectivity of the audit conclusions.
 Auditors should be independent of the **activity** being audited wherever practicable, and should in all cases act in a manner that is free from bias and conflict of interest. For internal audits, auditors should be **independent from the function** being audited if practicable. Auditors should maintain objectivity throughout the audit process to ensure that the audit findings and conclusions are based only on the audit evidence."

58) The internal audit program comprises three parts

- a) Case file audit
- b) Exhibit [handling] audit
- c) Facility audit

59) Following a review of the records of the internal audits (Records 86-115, 134-191, 193-221) the following can be noted

- a) The majority of the issues raised relate to administrative, document control and/or recording issues. Many of these should have been detected and addressed during the technical and administrative review process.

Examples of these issues can be found in documents 92, 98, 110, 113, 137, 143, 144, 145, 146, 152, 157, 174

b) Issues which may comprise or diminish the ability to obtain reliable forensic DNA results were reported in the following internal audit reports.

i) With respect to the potential for contamination to occur

90	03.399 - Cleveland SOC Internal Audit Checklist	Previous audit noted contamination event
145	03.548 - Gold Coast SOC - Nerang Internal Audit Checklist Feb 2022	Multiple issues relating to the cleaning and environmental monitoring of the drying cabinet
157	03.522 - Bundaberg SOC Internal Audit Checklist	Multiple issues relating to the cleaning and environmental monitoring of the drying cabinet
162	03.602 - Warwick SOC Case File Audit	FR2068564 Exhibit bags placed in DNA cabinet – contamination issues
164	03.604 - Warwick SOC Internal Audit Checklist	FR2068564 Exhibit bags placed in DNA cabinet
189	03.578 - Rockhampton Internal Audit Checklist -final	Deep clean of laminar flow./ DNA room not noted in equipment log after NATA service on the 12/05/22
211	03.528 - Cairns Internal Audit Checklist	Multiple issues relating to the cleaning and environmental monitoring of the drying cabinet

ii) With respect to the potential for continuity issues

143	03.546 - Gold Coast SOC - Nerang Case File Audit	FR2070597. Photo of item exists but item not listed on FR or QP as property item.
144	03.547 - Gold Coast SOC - Nerang Exhibit Audit Checklist	FR2099812. Issues relating to labelling and packaging.
188	03.577 - Rockhampton Exhibit audit checklist	Issue relating to continuity mix up

iii) With respect to the lack of clarity regarding the significance of DNA results

205	03.571 - Mackay Case File Audit	FR2118756 Recommendation re: recording the location of collection on spanner and why collection for DNA was undertaken on some clothing but not from others
206	03.572 - Mackay Internal Audit Checklist	

c) There is a systemic issue with the Exhibit [handling] audit records – in many cases all the boxes are marked. The instruction indicate that the boxes should be marked where the observation was 'unsatisfactory'. This issue may have occurred during the generation of these hardcopy reports.

- d) Some audit records contain comment that a non-conformance identified in a previous internal audit has been addressed but no details were provided.
 - i) For example, document 90 '03.399 - Cleveland SOC Internal Audit Checklist' indicates that a previous non-conformance 21/034 DNA lab contamination event has been finalized and outcome effective.
- e) There are numerous instances where the auditors have made comments such as 'no big issues, no biggies, no real dramas but....'. Findings should be in the form of compliance, non-compliance or observations, all of which require some form of follow up.

Opinion with respect to internal audits.

A number of issues were identified during the review of the internal audit procedure and the audit reports provided.

Two issues have the potential to compromise the ability of QPS to obtain reliable DNA results.

- There is an ongoing issue with the use, cleaning and environmental monitoring of the drying cabinets in the DNA laboratories (Documents 145,157,162,164,189,211). An analysis should be undertaken to determine the root cause of this issue and to develop mechanisms to mitigate the risk of contamination.
- There is a lesser ongoing issue with the packaging, labelling and recording of items for examination (Documents 143, 144,188). An analysis should be undertaken to determine the root cause of this issue and to develop mechanisms to mitigate the risk to the continuity of the items.

The remaining issues, indicate that a review of the structure of the internal auditing program should be undertaken to ensure that it is achieving its stated aims.

- Wherever possible auditors should be independent of the activities being audited. An added benefit of engaging auditors not directly involved in the area being audited is that the areas are reviewed by 'a new set of eyes', and the auditor gains experience of the activities being undertaken in a different location than

their own. A rota of Forensic Managers or Forensic Co-coordinators could be established to undertake the annual internal audits.

- To ensure that all the requirement of ISO/IEC 17025 and AS 5388 are met the audit checklist should be mapped against the requirement of the Standards.
- Auditors should be reminded that audits are a formal examination of the activities of a work unit or individual. Terms such as “no big issues, no biggies, no real dramas but...” do not assist the work area evaluate the concern and address it appropriately.

Technical, peer and administrative reviews

60) ISO/IEC 17025 section 7.5.1 states

“The laboratory shall ensure that technical records for each laboratory activity contain the results, report and sufficient information to facilitate, if possible, identification of factors affecting the measurement result and its associated measurement uncertainty and enable the repetition of the laboratory activity under conditions as close as possible to the original. The technical records shall include the date and the identity of personnel responsible for each laboratory activity and for checking data and results. Original observations, data and calculations shall be recorded at the time they are made and shall be identifiable with the specific task.”

61) ISO/IEC 17025 section 7.7.1 states:

“The laboratory shall have a procedure for monitoring the validity of results. The resulting data shall be recorded in such a way that trends are detectable and, where practicable, statistical techniques shall be applied to review the results. This monitoring shall be planned and reviewed and shall include, where appropriate, but not be limited to:.....i) review of reported results”

62) NATA Specific Accreditation Criteria... Legal section 7.7.12 states

“A procedure must be available for the ongoing technical and administrative review of case records. 100% of case files must be both technically and administratively reviewed unless risk assessments have been completed for reducing this percentage.”

63) PFS 100 Forensic Services Group Quality Manual section 13.5.1 states

“The technical review examines the process by which conclusions or opinions are reported in individual case records. Working notes and technical information including sampling, examination and testing information are checked against the relevant operational procedures and accepted forensic practice, A technical review does not involve examination of the actual exhibits or items of interest. The technical reviewer checks that correct procedures are followed and that conclusions reached are supported by observations/results documented in the case file. “

64) PFS 100 Forensic Services Group Quality Manual section 13.7 (Peer Review of Statements) states

“The peer review will check that the notes and other documentation in the case file support the conclusions and observation made in the statement, that the statement is free from grammatical and spelling mistakes ... The peer reviewer must sight and approve the release of the final version of the statement. “

65) PFS 100 Forensic Services Group Quality Manual section 13.8.1 states with respect to Administrative Reviews

All case records are to be administratively reviewed to ensure compliance with the relevant case file procedure.

65) As noted above paragraphs 56 (NATA audits) and 59 (internal audits) there were multiple findings of issues which should have been detected and corrected during the review process. See documents 41,98 and 113, as examples.

Opinion

There appears to be a systemic issue in relation to the quality of the technical, peer and administrative review process as it is currently undertaken. An analysis should be undertaken to determine the root cause of this issue and to develop mechanisms to mitigate the risk to the results and reports generated by QPS FSG.

Crime categories and casework prioritisation

- 66) I cannot comment on the categorisation of crimes and crime scenes nor the prioritisation of casework in relation to this categorisation as it is outside my area of expertise.

Transportation of SAIK kits

- 67) Document 229 indicates that the packaging of the SAIK includes a label which includes the following statement “Please store at 8 to -20 degrees C:”

Document 230 indicates that the Investigating Officer is responsible for the delivery of the SAIK to Queensland Health and provides a reference to s 2.19.6: Forensic Services Group (FSG) of this chapter, which I understand to be document 231.

Document 231 states “The SAIK must be delivered at QHFSS as a matter of priority”

Whilst these requirements are appropriate, I am unable to comment on whether or not they are followed, nor on the investigator officers’ understanding of the term ‘matter of priority’.

If the biological material is dry, storage for a number of days should not be deleterious to the extraction of DNA. It is noted that biological material collected from a crime scene may be hand delivered or sent by Australia Post; biological material in a SAIK is no different.

- 68) Document 229 indicates that the SAIK are assembled at QHFSS. The relevant international standards for the assembly of DNA collection kits is ISO18385:2016 ‘Minimizing the risk of human DNA contamination in products used to collect, store and analyze biological material for forensic purposes — Requirements’.

Opinion

The methods, systems and processes for transporting a SAIK to QHFSS are appropriate.

The assembly of the SAIKs is not compliant with international best practice for the assembly of kits used for the collection of biological material for forensic purposes. The assembly process should comply with the requirements of ISO18385 or the assembly could be outsourced to organisations who hold ISO18385 certification.

Concluding opinion

69) The methods, systems and processes **documented** by the QPS for the **collection** of biological material for forensic DNA testing are in accordance with best international practice.

- a) This includes processes for collecting and transporting biological material, the equipment used for collection and transportation, the qualifications and training.
- b) The methods, systems and processes for the collection of biological material for forensic DNA testing, as stipulated in QPS policies, would not compromise or diminish the ability to obtain reliable forensic DNA results or matches from the samples collected by QPS.

70) Some aspects of the methods, systems and processes, **as actually practised**, by the QPS for the **collection** of biological material for forensic DNA testing introduce a risk to the ability of the organisation to obtain reliable forensic DNA results or matches from the samples collected by QPS. These include

- contamination minimisation in the DNA laboratories especially in the drying cabinets, recording, labelling and packaging of items for examination to maintain continuity and recording of the sampling regime.

71) Some aspects of the methods, systems and processes, **as actually practised**, by the QPS for the **review** of forensic DNA results or matches introduce a risk to the ability of the organisation that would lead to incomplete examination of all aspects of a case. These include:

- a requirement for the review of all DNA results in all case types.

72) Aspects of the QPS FSG Quality Management system could be improved, these include

- meeting the proficiency testing requirements for forensic officers;
- a review of the structure of the internal auditing program; and
- a review of the system of technical, peer and administrative reviews.

These issues demonstrate noncompliance against ISO/IEC 17025 but would be rated as minor non-conformances. A minor non-conformance is defined by NATA as “An issue that does not contribute directly to the reliability of test results but is still a criterion for accreditation” and which introduce an element of risk.”

73) In relation to the matters raised in paragraphs 70 – 72 - the identification of issues during an audit or review of any organisation’s policies, procedures and practices, especially one as large and complex as QPS FSG, would be expected. This is the reason for regular auditing and review, and leads to continuous improvement within the organisation.

74) The methods, systems and processes for **transporting** a sexual assault investigation kit (SAIK) containing the samples obtained during a forensic medical examination from the site of the examination to the Queensland Health Forensic and Scientific Services (FSS) DNA Laboratory in Brisbane are in accordance with best international practice.

75) The methods for the **assembly** of the SAIK at QHFSS is not in accordance with best international practice

Disclaimer

76) The opinions expressed in this report are based on the material provided. If further material is provided, these opinions may be qualified or may change.

77) I have made all the inquiries which I believe are desirable and appropriate, and that no matters of significance, which I regard as relevant, have, to my knowledge, and excepting those highlighted in the report, been withheld from the Commission;

[REDACTED]

[REDACTED]

15 October 2022

Appendix 1 – Curriculum Vitae

Name [REDACTED]

Professional Contacts

Forensic Foundations

PO Box 2279

Ringwood North Victoria 3134

Mobile: [REDACTED]

Email: [REDACTED]

Website: www.forensicfoundations.com.au

ACADEMIC QUALIFICATIONS

1980 B.Sc. (Hons) (Melb) 1986 M.Sc. (Melb)

1997 Certificate IV in Competency Based Training (Barton TAFE)

1998 Graduate Certificate of Public Sector Management (Flinders University)

2010 Graduate Diploma of Legal Studies (University of New England)

AWARDS

1985 Lady Latham Research Fellowship, Research Foundation, Royal Children's Hospital.

1999 Internal Victoria Forensic Science Centre quarterly award for Quality Improvement and System Design/Improvement.

2000 Victoria Police Service Award for sustained diligent and ethical service to Victoria Police.

2012 Best poster, Science and Justice Stream, 21st International Symposium on the Forensic Sciences.

PROFESSIONAL MEMBERSHIPS

Australian Academy of Forensic Sciences – Council member, Victorian Chapter

Australian and New Zealand Forensic Science Society Inc. – Public Officer / Vice President (Australia) (2003 – 2016). Ordinary member 1990 – 2020, Professional member 2020- present.

Principal Discipline convener, Education and Training International Association of Forensic Science 2020, postponed to 2023.

The Chartered Society of Forensic Sciences (UK) – Affiliate Member

American Academy of Forensic Sciences – Associate Member

PROFESSIONAL EXPERIENCE

December 1979 – February 1980

Research Assistant, Genetics Department, University of Melbourne

November 1980 – January 1985

Hospital Scientist, Cytogenetics Laboratory, Department of Genetics, Royal Children's Hospital

January 1985 – August 1986

Lady Latham Research Fellow, Research Foundation, Royal Children's Hospital.

This fellowship resulted in the awarding of a Master of Science Degree from the University of Melbourne.

October 1986 – November 1988

Research Officer, Centre for Early Human Development, Monash University.

November 1988 – October 1992

Scientist, Molecular Biological Section, State Forensic Science Laboratory, Victoria Police.

Involved in the development of a DNA profiling service and subsequently was responsible for the identification, comparison and typing of a wide variety of biological materials in the investigation of criminal offences and reporting of the results in courts of law. I also collaborated in further method development and research projects.

October 1992 – September 1994

Acting Section-Head, Molecular Biology Section, State Forensic Science Laboratory.

In addition to the above, I was responsible for the management of the section, including the establishment of work priorities based on the needs of the crime investigators and the courts, delegation of work, overseeing quality control and training, and preparing budget estimates.

I was co-author of the DNA Quality Management Guidelines which were accepted by the Senior Managers of Australian and New Zealand Forensic Laboratories (SMANZFL) and the National Institute of Forensic Science (NIFS). These guidelines were also adopted by the American Society of Crime Laboratory Directors (ASCLD) as the Australasian standard of accreditation of forensic scientific laboratories.

I developed and delivered a six week introductory statistics and population genetics training package for the Biology Division.

October 1994 – June 1995

Team Leader, Biology Division, Victoria Forensic Science Centre (VFSC)(previously the State Forensic Science Laboratory).

In addition to the activities described above, I was responsible for the management of a cross disciplinary team. This included establishment of work priorities based on the needs of crime investigators and courts, delegation of work, overseeing quality control, training of staff and preparing budget estimates.

July 1995 – April 1997

Senior Caseworker, Victoria Forensic Science Centre.

During this period I worked half time in the DNA Science Branch, where I was responsible for conducting DNA profiling of material in relation to criminal investigations, including work of a complex or controversial nature. I was also responsible for:

- Assisting in the maintenance of professional development and training / authorisation programs, including the establishment of training / development resources for the Biology Division, for the courts and other external bodies;
- Organising and running specific training programs;
- Method development.
- The review of scientific examinations conducted by other VFSC scientists;
- The review of scientific examinations conducted by scientists from other forensic laboratories on behalf of external clients;
- Lecturing to various internal and external groups, including Melbourne Magistrates' Conference, Detective Training School, Monash University, La Trobe University (Honours students, Post Graduate Diploma in Forensic Science, including setting and marking exams), RMIT (third year Applied science students), Melbourne University (Third year Genetics students) and teachers and community groups;

During the remaining half time I worked in the Quality Management, Education and Information Services Team, where I was involved with:

- The preparation and presentation of various courses and lectures:
 - within the VFSC, including induction and court orientation for new staff;
 - within Victoria Police, including Probationary Constables, Constables Field Investigators, Sergeants' Investigation Management, Forensic Refresher and the Detective Training Courses;
- The preparation, review and distribution of information resources;
- The preparation of VFSC client surveys, collation of the results and preparation of report; and
- The organisation of VFSC seminar program.

April 1997 – January 2000

Co-ordinator, Quality Management, Education and Information Services, Victoria Forensic Science Centre.

In this position I:

- Reviewed, revised, implemented and managed the Centre's quality management system;
- Co-ordinated the presentation of courses, both by and to VFSC staff and Victoria Police members;
- Developed and managed the events and programs for students and the general public
- Chaired Assessment Boards for caseworkers in the Biology and Chemistry Divisions;
- Produced guidelines for VFSC members regarding the development training programs based on Competency Based Training principles;
- Provided advice to other areas of Victoria Police regarding the applicability of competency based training to various aspects of forensic science;
- Organised a number of seminars as part of the VFSC seminar system; and
- Provided advice (including seminars) on Quality Management issues.

January 2000 – September 2000

(Acting) Manager, National Institute of Forensic Science.

September 2000 – September 2003

Manager, National Institute of Forensic Science.

In these positions I:

- Managed and co-ordinated the day to day activities of the National Institute of Forensic Science (NIFS);
- Co-ordinated the NIFS workshop program, including developing partnerships with tertiary institutions Australia wide to achieve joint industry/academic delivery and recognition of the NIFS training program;
- Conducted a series of 'Provision of Expert Evidence' workshops in conjunction with the local Judiciary and legal profession;
- Managed the development of the content, production of 'virtual reality' images and software development of the 'After the Fact' series of crime scene training and assessment programs;
- Undertook a review of the Diploma in Forensic Investigation and mapped the streams within the Diploma against the Diploma of Public Safety (Forensic Investigation);
- Co-ordinated the development of the National Forensic Firearm Training Program;
- Worked with the Forensic Firearm Examiners and the Australasian Police Professional Standards Council to develop accreditation requirements;
- Commenced a review of education and training issues pertaining to the various within forensic science both in Australia and overseas; and
- Provided advice to the Director and the Board of Control regarding budget, financial, personnel and planning issues.

September 2003 – March 2004

Acting Director, National Institute of Forensic Science

In this position I:

- Managed the activities of the Institute;
- Commenced negotiations with Defence Science and Technology with respect to the establishment of a Chemical Warfare Agent Laboratory Network;
- Co-ordinated the development of contracts with the Federal Attorney General's Department and the Department of Education, Science and Training with respect to a series of research projects; developed calls for Expression of Interest to undertake the work and managed the selection process; worked with the Project Managers to manage the projects and to ensure that the work was conducted to the appropriate standard;
- Participated in the development of two Australian Research Council Network Grant Proposals, one of which was successfully funded;
- Continued to co-ordinate the NIFS workshop program as described above; and
- Continued the development of the Forensic Firearm Training Curriculum;

March 2004 – 3 September 2007

Deputy Director, National Institute of Forensic Science

In this position I:

- Managed and co-ordinated the day to day activities of the Melbourne office of the National Institute of Forensic Science (NIFS);
- Supervised secondees and Victoria Law Foundation interns;
- Negotiated projects and where appropriate the subsequent contracts with a range of organisations;
- Represented NIFS at meetings with CrimTrac, Commonwealth Attorney General's Department, formal launches and the Crime Commissioner's Conference;
- Continued development and co-ordination of After the Fact; and
- Represented NIFS and the Australian Forensic Science community at international meetings.

4 September 2007 – 26 September 2008

Acting Director, National Institute of Forensic Science

During this period, the Institute was undergoing a significant government review. The initial proposal was to disband NIFS as a separate entity; however, in September 2008 the Board formed the view that NIFS should remain a discrete directorate within the newly formed Australia and New Zealand Policing Advisory Agency. During this time, the Institute continued to provide the normal services to the Australian forensic science community.

1 October 2008 – 5 October 2022

Director, Forensic Foundations Pty Ltd.

5 October – present

Director, Forensic Foundations International Pty Ltd

Forensic Foundations International provides a range of education / training and quality management programs, auditing and consultancy services. Clients include both the government and the private sectors, in Australia and internationally.

Forensic Foundations is certified to ISO9001 and accredited to ISO/IEC17043.

Education / training

Local workshops include:

- A suite of expert witness training / legal awareness programs;
- Introduction to Quality Management;
- Introduction to Statistics for Forensic Science; DNA Interpretation and Reporting;
- DNA for Legal practitioners.

International programs include:

- Introduction to Statistics for Forensic Science; – Namibia Police – 10 days
- Introduction to Statistics for Forensic Science; DNA Interpretation and Reporting – Myanmar Police – 3 months

Quality Management programs

- Provision of Proficiency program certified under ISO/IEC 17043;
- Provision of validation sample sets.

Auditing

Forensic Foundations is the only worldwide auditors subcontracted by Bureau Veritas to

- audit manufacturers against ISO 18385 Minimizing the risk of human DNA contamination in products used to collect, store and analyze biological material for forensic purposes. Currently there are ten manufacturers certified in Australia, USA, UK, Germany and China.
- Auditing forensic providers against the AS 5388: Forensic Analysis suite of Standards.

Forensic Foundations also provides external independent auditing against ISO/IEC 17025 for laboratories preparing for 3rd party auditing by an accreditation body.

Consulting

Two year consultancy with ThermoFisher Scientific – quality system development and preparation for ANAB ISO17025 accreditation – DNA laboratory in Southeast Asia.

Ad hoc consultancy with the Australian Defence Force.

Forensic casework and reviews of forensic casework.

Academic teaching

Canberra Institute of Technology, Diploma in Forensic Investigation
 Forensic Biology – 2009, 2010, 2011, some sessional teaching 2012
 Forensic Science – 2010, 2011, 2012
 Practical Project – 2009
 Canberra Institute of Technology, Bachelor of Applied Science
 Criminalistics 1 – 2011
 University of Canberra, Bachelor in Applied Science / Postgrad Diploma /Master of Forensic Studies
 Forensic Evidence and the Law – 2010, 2011
 Monash University – Postgrad Diploma / Masters in Forensic Medicine
 Elements of the Forensic Sciences – 2010, 2011, 2012, 2013, 2014, 2015
 Monash University – Law
 Forensic Evidence: Law, science, medicine and technology (formally) Elements of Forensic Medicine – 2014, 2015, 2016, 2017, 2018
 University of South Australia – Masters in Information Assurance
 Electronic Evidence and Analysis (40%) – 2010, 2011, 2012, 2013, 2014
 Holmesglen TAFE – Diploma of Laboratory Technology 2014
 MSL975024A Locate, record and collect forensic samples
 MSL975026A Perform physical examination of forensic samples
 MSL975025A Perform complex laboratory testing of forensic samples
 Sessional lecturing (ongoing) – LaTrobe University, RMIT University, Swinburne University, University of Melbourne and University of Technology, Sydney.

Research involvement and presentations

“Partner Investigator” in ARC Linkage Grant 2009-2013 ‘The Effectiveness of Forensic Science in the Criminal Justice System’. A collaboration of the University of Tasmania; University of Technology, Sydney; Victoria Police; and the Australian Federal Police
 Presentations

Implementation of the Diploma of Public Safety (Forensic Investigation). Postcards from the Edge – Strategic Directions in Public Safety Training, 2002

Ensuring appropriate Quality Education and Training in the Forensic Sciences

“International Forensic Summit” held in conjunction with the 17th Meeting of the International Association of Forensic Sciences in Hong Kong, August 2005

‘Developments in Australia’. e-Symposium on Forensic Education organised by The Forensic Institute in the UK. May 2006

Participated as ‘Judge’ in ‘Science and the Law: A Day in Court’ organised by the Young Tall Poppy Campaign. August 2006

‘Forensic Science across Australia and New Zealand’ to the Inaugural Centre for Human Identification Symposium; November 2006

'Forensic Standards Development' 19th International Symposium on the Forensic Sciences. October 2008

'Beyond Public Safety – a new curriculum for forensic science training' 19th International Symposium on the Forensic Sciences. October 2008

'The effectiveness of forensic science in the criminal justice system' 19th International Symposium on the Forensic Sciences. October 2008

'Forensic Standard Development 'receiving, documenting, storing and retrieving materials for forensic examination' 19th International Symposium on the Forensic Sciences. October 2008

'The Admissibility of Forensic Evidence' e-Forensics 2009. January 2009

The uneasy relationship between quality management systems and legal processes" NATA Quality Managers' Forum, Melbourne, August 2009

"Developing an effective partnership between 'persons having specialized knowledge' and those involved in legal deliberations" European Academy of Forensic Sciences meeting, Glasgow, UK, September 2009

"Developing an effective partnership between 'persons having specialized knowledge' and those involved in legal deliberations" Third Justice Environments Conference, Sydney, May 2010

"Developing an effective partnership between 'persons having specialized knowledge' and those involved in legal deliberations" 20th International Symposium on the Forensic Sciences, September 2010

Expert Evidence in 2011, NSW Forensic Accounting Specialist Interest Group, 7th April 2011

Experts and Lawyers – an exploration of relationship dynamics. 6th European Academy of Forensic Science Conference, The Hague, 20 – 24 August 2012.

Are Admissibility Criteria the way to go? 21st International Symposium on the Forensic Sciences, Hobart, 23 – 27 September 2012

Expert evidence – views from the witness box and bar table. 21st International Symposium on the Forensic Sciences, Hobart, 23 – 27 September 2012

Experts and Lawyers – an exploration of relationship dynamics. 21st International Symposium on the Forensic Sciences, Hobart, 23 – 27 September 2012 **[Poster – awarded Best Poster in Science and Justice Stream]**

Is forensic science effective? Critical issues from crime scene to court. 22nd International Symposium on the Forensic Sciences, Adelaide, 31 August – 4th September 2014

Who gives or should give what evidence? 22nd International Symposium on the Forensic Sciences, Adelaide, 31 August – 4th September 2014

Proficiency Testing Australia - Forensic Science. 22nd International Symposium on the Forensic Sciences, Adelaide, 31 August – 4th September 2014

Working across paradigms. Internal Communications and Assistance Workshop, Global Initiative to Combat Nuclear Terrorism, Sydney, 16-18 May 2016

Standards and Competency in Crime Scene Investigation. 8th Annual Meeting and Symposium of the Asian Forensic Network, Bangkok, 16-19 August 2016

Minimizing the risk of human DNA contamination in consumable products. 8th Annual Meeting and Symposium of the Asian Forensic Network, Bangkok, 16-19 August 2016

Proficiency testing - testing the complete examination and analysis process. 8th Annual Meeting and Symposium of the Asian Forensic Network, Bangkok, 16-19 August 2016

Collection to Court. Temporary Working Group on Investigative Science and Technology, OPCW, 12-14 February 2018

Quality Management, Standards & Forensic Science: Implementing Quality Management in Forensic Science – a convoluted journey. Asian Forensic Science Network meeting, Beijing, 45-8 September 2018.

Risk and Forensic Science. Asian Forensic Science Network meeting, Ho Chi Minh City 17-20 September 2019.

Proficiency testing: So much more than compliance. AFSN webinar, 16 December 2020.

How professional silos hurt women and children. Amity Institute of Forensic Sciences online symposium 19 December 2020.

Proficiency testing Is the tail wagging the dog? 25th International ANZFSS Symposium 11-15 September 2022.

Recent Publications

Ross, Alastair and Davey, Anna, 'Quality management and Expert Evidence' in Ian Freckelton and Hugh Selby (eds), *Expert Evidence* (2017)

Julian, Roberta D.; Kelty, Sally F.; Roux, Claude; Woodman, Peter; Robertson, James; Davey, Anna; Hayes, Robert; Margot, Pierre; Ross, Alastair; Sibby, Hugh; White, Rob.

'What is the value of forensic science? An overview of the effectiveness of forensic science in the Australian criminal justice system project.' (Dec 2011) Vol. 43(Issue 4) *Australian Journal of Forensic Sciences* p217-229.

Ross, A and Davey, A, 'Accreditation: Forensic Specialties', *Encyclopaedia of Forensic and Legal Medicine* (Elsevier Ltd, 2016) vol 1, 17 – 22

Cordner, Stephen, Bruenisholz, Eva, Cataggio, Dean, Chadwick, Peter, Champion, John, Davey, Anna, Kogios, Rebecca, Williams, Michele, Woodford, Noel. 'The uniform evidence act and Australian judges' ability to assess properly the validity and reliability of expert evidence'. *Australian Journal of Forensic Sciences* 52(3): 246-248.

Appendix 2

INDEX TO BRIEF

Key

	Reviewed
	Not reviewed in detail

No	Document	Date	Comments
1.	Letter of Instructions from Walter Sofronoff to [REDACTED]	19 Aug 2022	
A. Forensic Services Group Structure & Positions Descriptions			
2.	QPS Forensic Services Group Organisational Chart	Mar 2022	For information only
3.	Position Description – QPS Scenes of Crime Officer, Constable-Senior Constable	15 Sep 2021	
4.	Position Description SFO05 – QPS Scientific Officer (Forensic Scientist), Constable-Senior Constable	19 Oct 2021	
B. QPS Collection Policies			
5.	QPS Operational Procedures Manual, Ch 2, Part 2.25	3 Jun 2022	
6.	CSE 100 Crime Scene Examination	2 Aug 2021	
7.	CSE 101 Collection of Biological Evidence Crime Scene Examination	3 Nov 2021	
7A.	CSE 104 Fingernail Scrapings Crime Scene Examination	4 Sep 2020	
7B.	CSE 111 Hair and Fibre Detection and Collection	26 Oct 2020	
7E.	HEX 100 Hair Examination and Comparison	17 Feb 2021	
8.	CSM 100 Crime Scene Coordination for Major Investigations	21 Mar 2016	
	<i>Presumptive/confirmatory testing:</i>		
8A.	CSE 105 Leuco Crystal Violet (LCV) Detection/Enhancement of Bloodstains	6 Jan 2021	
9.	CSE 115 Use of Combur Test Strips	20 Jan 2022	
9A.	CSE 119 ABACard Hema-Trace	21 Jul 2021	
10.	PST 100 Tetramethylbenzidine (TMB)	23 Mar 2022	

	Screening Test for Blood		
11.	PST 101 ABACard P30 Test for Seminal Fluid	1 Sep 2021	
12.	PST 102 Luminol Detection and Enhancement of Bloodstains	21 Apr 2022	
13.	PST 104 Seminal Fluid Screening and Sampling Protocols	30 Mar 2021	
14.	PST 105 Forensic Light Sources v7	21 Apr 2022	
	Quality Management & Internal Auditing:		
15.	PFS 100 Forensic Services Group Quality Manual	Jun 2022	
16.	SOC 100 Scenes of Crime Case File Procedure (Note: <i>appears to apply to Scenes of Crime Officers</i>)	19 Nov 2021	
17.	SCI 116 Scientific Section Case File Management (Note: <i>appears to apply to Scientific Officers</i>)	4 Nov 2020	
18.	QMS 100 QMS Internal Audits	24 Aug 2021	
19.	QMS 05 QMS Exhibit Audit Checklist	May 2022	
20.	QMS 06 FSG Facility Audit Checklist	May 2022	
21.	QMS 07 QMS Case File Audit Checklist – Scientific Section	Feb 2021	
22.	QMS 09 QMS Case File Audit Checklist – Scenes of Crime	Feb 2021	
23.	PFS 51 Scene Assessment Form		
C. External standards			
24.	AS ISO/IEC 17025: General requirements for the competence of testing and calibration laboratories	16 Apr 2018	
25.	NATA Specific Accreditation Criteria Legal (including Forensic Science) ISO/IEC 17025 Annex – Forensic science facilities offering multi-site crime scene services	Jan 2018	
26.	NATA Specific Accreditation Criteria ISO/IEC 17025 Application Document Legal (including Forensic Science) – Appendix	Jul 2018	

27.	NATA General Accreditation Criteria ISO/IEC 17025 Standard Application Document for accreditation of testing and calibration facilities	Jan 2018	
28.	AS 5388 Part 1 Recognition, recording, recovery, transport & storage of material	2012	
29.	AS 5388 Part 1 (Amendments 2017)	2017	
30.	AS 5388 Part 2 Analysis & examination of material	2012	
31.	AS 5388 Part 3 Interpretation	2013	
32.	AS 5388 Part 4 Reporting	2013	
D. External Auditing Correspondence and Reports			
32A.	Document 'Response to Part 1' provided by QPS (1 page)	Undated 2022/114 – 1.3	
32B.	Accreditation No: 15042 Queensland Police Service (2 pages)	Undated 2022/114 – 1.1	
32C.	NATA Scope of Accreditation Queensland Police Service (6 pages)	30 Aug 2022 2022/114 – 1.2	
33.	Letter from NATA to Keatinge attaching NATA Report on Assessment – FSG Cairns dated 1 Oct 2019	1 Oct 2019	Proforma
34.	NATA Report on Assessment – FSG Cairns <i>(Appears to be the copy attached to the letter above, ie as sent from NATA)</i>	1 Oct 2019	Duplicate
35.	NATA Report on Assessment – FSG Cairns <i>(Appears to have the subsequent the response from QPS)</i>	1 Oct 2019	
36.	NATA Report on Assessment – FSG Cairns	15 Mar 2021	
36A.	NATA Report on Assessment – FSG Cairns <i>(Appears identical to document 36)</i>	15 Mar 2021 2022/13 – 8.14	
37.	Letter from NATA to Insp Keating, re FSG Cairns, advising recommendation for accreditation will be made	13 Apr 2021	
38.	NATA Interim Report on Assessment –	7 Jun 2022	

	FSG Townsville		
39.	Letter from NATA to Keatinge attaching NATA Report on Assessment – FSG Townsville, dated 12 Oct 2020	12 Oct 2020	
40.	NATA Report on Assessment – FSG Townsville <i>(Appears to be the copy attached to the letter above, ie as sent from NATA)</i>	12 Oct 2020	
41.	NATA Report on Assessment – FSG Townsville <i>(Appears to have the subsequent the response from QPS)</i>	12 Oct 2020	
42.	NATA Interim Report on Assessment – FSG Mackay	8 Jun 2022	
43.	Letter from NATA to Keatinge – attaching FSG Mackay Reassessment, and confirming accreditation	12 Oct 2020	
44.	NATA Report on Assessment – FSG Mackay <i>(Appears to be the copy attached to the letter above, ie as sent from NATA)</i>	12 Oct 2020	
45.	NATA Interim Report on Assessment – FSG Rockhampton	9 Jun 2022	
46.	Letter from NATA to Keatinge attaching NATA Report on Assessment – FSG Rockhampton dated 12 Oct 2020	12 Oct 2020	
47.	NATA Report on Assessment – FSG Rockhampton <i>(Appears to be the copy attached to the letter above, ie as sent from NATA)</i>	12 Oct 2020	
48.	NATA Report on Assessment – FSG Rockhampton <i>(Appears to have the subsequent the response from QPS)</i>	12 Oct 2020	
49.	Letter from NATA to Keatinge attaching NATA Report on Assessment – FSG Sunshine Coast, dated 8 Sep 2020	8 Sep 2020	
50.	NATA Report on Assessment – FSG Sunshine Coast <i>(Appears to be the copy attached to the letter above, ie as sent from NATA)</i>	8 Sep 2020	
51.	NATA Report on Assessment – FSG Sunshine Coast <i>(Appears to have the subsequent the</i>	8 Sep 2020	

	<i>response from QPS)</i>		
52.	Letter from NATA to Keating, re FSG Sunshine Coast, advising recommendation for accreditation will be made	19 Apr 2022	
53.	NATA Report on Assessment – FSG Sunshine Coast	19 Apr 2022	
54.	Letter from NATA to Keatinge attaching NATA Report on Assessment – FSG Toowoomba, dated 8 Sep 2020	8 Sep 2020	
55.	NATA Report on Assessment – FSG Toowoomba (Appears to be the copy attached to the letter above, ie as sent from NATA)	8 Sep 2020	
56.	NATA Report on Assessment – FSG Toowoomba (Appears to have the subsequent the response from QPS)	8 Sep 2020	
57.	Letter from NATA to Keating, re FSG Toowoomba, advising recommendation for accreditation will be made	21 Apr 2022	
58.	NATA Report on Assessment – FSG Toowoomba	21 Apr 2022	
59.	Letter from NATA to Keatinge, attaching NATA Report on Surveillance Visit – FSG Coomera, dated 7 Feb 2019	7 Feb 2019	
60.	NATA Report on Surveillance Visit – FSG Coomera, dated 7 Feb 2019	7 Feb 2019	
61.	Letter from NATA to Keatinge, attaching NATA Report on Surveillance Visit – FSG Coomera, dated 8 Apr 2022	8 Apr 2022	
62.	NATA Report on Assessment – FSG Coomera (Appears to be the copy attached to the letter above, ie as sent from NATA)	8 Apr 2022	
63.	NATA Report on Assessment – FSG Coomera (Appears to have the subsequent the response from QPS)	8 Apr 2022	
64.	NATA Report on Assessment – FSG Coomera (Appears to be as sent from NATA)	8 Sep 2020	
65.	Letter from NATA to Keatinge attaching	26 Nov 2019	

	NATA Report on Assessment – FSG Brisbane dated 26 Nov 2019		
66.	NATA Report on Assessment – FSG Brisbane (Appears to be the copy attached to the letter above, ie as sent from NATA)	26 Nov 2019	
67.	NATA Report on Assessment – FSG Brisbane (Appears to have the subsequent the response from QPS)	26 Nov 2019	
68.	NATA Interim Report on Assessment – FSG Brisbane (Appears to be as sent from NATA)	14 Jul 2021	
69.	NATA Interim Report on Assessment – FSG Brisbane (Appears to have the subsequent the response from QPS)	20 Jul 2021	
70.	Letter from NATA to Keatinge, advising FSG Brisbane advising satisfied noncompliance dealt with & accreditation is now confirmed	11 Aug 2021	
71.	NATA Report on Assessment – FSG Brisbane	17 Aug 2021	
72.	NATA Accreditation certificate ISO/IEC 17025 – FSG Mackay	20 Jun 2022	
73.	NATA Accreditation certificate ISO/IEC 17025 – FSG Rockhampton	20 Jun 2022	
74.	NATA Accreditation certificate ISO/IEC 17025 – FSG Townsville	20 Jun 2022	
E. Evaluation of QPS Forensic Services Group Performance			
75.	QPS Post Restructure Review of Forensic Services Group	Feb 2015	Corporate generic documents – limited value
76.	FSG 2018 Operational Review Outcomes Report 'Roadmap to Forensic Excellence'	Undated	
77.	Statement of David Neville regarding Contamination and Quality Control Flags	Undated	Draft only
F. Training documents for qualification POL54115 (Diploma of Forensic Investigations)			
78.	Companion Volume Implementation Guide – POL Police Training Package	20 Jun 2022	

79.	ASQ POL Police Training Package – Mapping Information Explanatory Notes	Undated	
80.	POL54115 Diploma of Forensic Investigation (Note: We can provide documents detailing POLFOR017, POLFOR023, POLFOR024, POLFOR025, POLFOR026 and POLFOR027 if that would assist.)	Undated	
G. Training documents from the Competency Acquisition Program (CAP) relating to collection of biological material			
81.	1 Blood & DNA as evidence (Note: Published by Articulate Storyline www.articulate.com)	Undated	
82.	Transcript of OLP_SOCO – Scene of crime officer role and methods of evidence collection	Undated	
H. Internal audits			
83.	Document 'Response to Part 2' provided by QPS (1 page)	Undated 2022/114 – 2.1	
84.	Schedule of FSG Internal Audits 2018 – 2022	Undated 2022/114 – 2.2	
85.	Document 'Response to Part 3' provided by QPS (1 page)	Undated	
86.	03.392 - Calamvale Case File Audit	24 Aug 2021	
87.	03.393 - Calamvale Internal Audit Checklist	18 Aug 2021	
88.	03.394 - Calamvale Exhibit Audit Checklist	18 Aug 2021	
89.	03.398 - Cleveland Case File Audit	23 Aug 2021	
90.	03.399 - Cleveland SOC Internal Audit Checklist	26 Aug 2021	
91.	03.400 - Cleveland Exhibit Audit Checklist	26 Aug 2021	
92.	03.506 - Upper Mt Gravatt Case File Audit	30 Sep 2021	
93.	03.507 - Upper Mt Gravatt Exhibit Audit Checklist	25 Aug 2021	
94.	03.508 - Upper Mt Gravatt Internal Audit Checklist	25 Aug 2021	

95.	03.441 - Hendra Case File Audit Checklist	27 Sep 2021	
96.	03.442 - Hendra Internal Audit Checklist 2021	2 Sep 2021	
97.	03.443 - Hendra SOC Exhibit Checklist	2 Sep 2021	
98.	03.444 - Indooroopilly Case File Audit Checklist	28 Aug 2021	
99.	03.445 - Indooroopilly SOC Exhibit Audit Checklist	14 Sep 2021	
100.	03.446 - Indooroopilly SOC Internal Audit Checklist 2021	14 Sep 2021	
101.	03.473 - New Farm Facility Audit Checklist	8 Sep 2021	
102.	03.474 New Farm Case File Audit	27 Aug 2021	
103.	03.475 - New Farm Exhibit Audit Checklist	8 Sep 2021	
104.	03.476 - North Lakes Case File Audit	9 Sep 2021	
105.	03.477 - North Lakes Internal Audit Checklist 2021	1 Sep 2021	
106.	03.478 - North Lakes SOC Exhibit Audit Checklist	1 Sep 2021	
107.	03.389 - Burpengary Case File Audit	6 Sep 2021	
108.	03.390 - Burpengary SOC Exhibit Audit Checklist	13 Oct 2021	
109.	03.391 - Burpengary SOC Internal Audit Checklist 2021	12 Oct 2021	
110.	03.481 - Redcliffe Case File Audit	9 Sep 2021	
111.	03.482 - Redcliffe SOC Exhibit Audit Checklist	1 Sep 2021	
112.	03.483 - Redcliffe SOC Internal Audit Checklist 2021	1 Sep 2021	
113.	03.468 - Major Crime Unit Case File Audit	12 Oct 2021	
114.	03.469 - Major Crime Unit Facility Audit Checklist	20 Oct 2021	
115.	03.470 - Major Crime Unit Exhibit Audit Checklist	21 Oct 2021	
116.	03.384 - Ballistics Unit File Checklist	29 Oct 2021	Out of scope
117.	03.385 - Ballistics Unit Exhibit Audit Checklist	15 Oct 2021	

118.	03.386 - Ballistics Unit Internal Audit Checklist	2 Nov 2021	
119.	03.379 - Analytical Services Unit Audit Facility Checklist	21 Oct 2021	
120.	03.380 - Analytical Services Unit Case File Audit	15 Oct 2021	
121.	03.381 - Analytical Services Unit Exhibit Audit Checklist	16 Sep 2021	
122.	03.420 - Document Examination Unit Audit Checklist	12 Oct 2021	
123.	03.421 - Document Examination Unit Case File Audit	23 Sep 2021	
124.	03.422 - Document Examination Unit Exhibit Audit Checklist	21 Sep 2021	
125.	03.430 - Fingerprint Bureau Case File Audit	28 Oct 2021	
126.	03.431 - Fingerprint Bureau Internal Audit Checklist 2021	24 Oct 2021	
127.	03.426 - Electronic Recording Section Case File Audit	21 Oct 2021	
128.	03.427 - Electronic Recording Section Internal audit checklist 2021	21 Oct 2021	
129.	03.429 - Electronic Recording Section Exhibit Audit Checklist (<i>Exhibit Audit Checklist by auditor A/Inspector [REDACTED]</i>)	21 Oct 2021	
130.	03.428 - Electronic Recording Section Exhibit Audit Checklist 2 (<i>Exhibit Audit Checklist by auditor A/Inspector S Morley – updated</i>)	21 Oct 2021	
131.	03.536 - Coomera Fingerprints Case File Audit	8 Feb 2022	
132.	03.537 - Coomera Fingerprints Exhibit Audit Checklist	4 Mar 2022	
133.	03.538 - Coomera Fingerprints Internal Audit Checklist	4 Mar 2022	
134.	03.585 - Coomera Scientific Case File Audits	16 Feb 2022	
135.	03.586 - Coomera Scientific Exhibit Audit Checklist	1 Mar 2022	
136.	03.587 - Scientific Internal Audit Checklist March 2022	1 Mar 2022	

137.	03.559 - Logan SOC Case File Audits	2 Feb 2022	
138.	03.560 - Logan SOC Exhibit Audit Checklist	23 Feb 2022	
139.	03.561 - Logan SOC Internal Audit Checklist_Feb 2022	23 Feb 2022	
140.	03.543 - Gold Coast SOC - Coomera Case File Audits	10 Feb 2022	
141.	03.544 - Gold Coast SOC - Coomera Exhibit Audit Checklist	Undated	
142.	03.545 - Gold Coast SOC - Coomera Internal Audit Checklist Feb 2022	22 Feb 2022	
143.	03.546 - Gold Coast SOC - Nerang Case File Audit	17 Feb 2022	
144.	03.547 - Gold Coast SOC - Nerang Exhibit Audit Checklist	Undated	
145.	03.548 - Gold Coast SOC - Nerang Internal Audit Checklist Feb 2022	21 Feb 2022	
146.	03.588 - Sunshine Coast SOC Case File Audit	7 Mar 2022	
147.	03.589 - Sunshine Coast SOC Exhibit Audit Checklist - Copy	10 Mar 2022	
148.	03.590 - Sunshine Coast SOC Internal Audit 10.03.2022	10 Mar 2022	
149.	03.539 - Sunshine Coast Fingerprints - Case File Exhibits	24 Feb 2022	
150.	03.549 - Gympie SOC Case File Audits	4 Mar 2022	
151.	03.550 - Gympie SOC Internal Audit 11.03.2022	11 Mar 2022	
152.	03.568 - Maryborough SOC case file audit	10 Mar 2022	
153.	03.569 - Maryborough SOC Exhibit Audit Checklist	15 Mar 2022	
154.	03.570 - Maryborough SOC Internal Audit Checklist	15 Mar 2022	
155.	03.520 - Bundaberg SOC case file audit	9 Mar 2022	
156.	03.521 - Bundaberg SOC Exhibit Audit Checklist	16 Mar 2022	
157.	03.522 - Bundaberg SOC Internal Audit Checklist	16 Mar 2022	
158.	03.594 - Toowoomba SOC - Case File	18 Mar 2022	

	Audits		
159.	03.595 - Toowoomba SOC Exhibit Audit Checklist	17 Mar 2022	
160.	03.596 - Toowoomba SOC Internal Audit Checklist	17 Mar 2022	
161.	03.535 - Toowoomba Fingerprint Case File Audits	30 Mar 2022	
162.	03.602 - Warwick SOC Case File Audit	23 Mar 2022	
163.	03.603 - Warwick SOC Exhibit Audit Checklist	21 Mar 2022	
164.	03.604 - Warwick SOC Internal Audit Checklist	21 Mar 2022	
165.	03.554 - Ipswich SOC Case File Audits	18 Mar 2022	
166.	03.555 - Ipswich SOC Exhibit Audit Checklist	18 Mar 2022	
167.	03.556 - Ipswich SOC Internal Audit Checklist	18 Mar 2022	
168.	03.530 - Dalby Internal Audit Checklist	5 Apr 2022	
169.	03.531 - Dalby case file audit	23 Mar 2022	
170.	03.582 - Roma Case File Audit	21 Mar 2022	
171.	03.583 - Roma SOC Exhibit Audit Checklist	28 Mar 2022	
172.	03.584 - Roma SOC Internal Audit Checklist	4 Apr 2022	
173.	03.523 - Charleville Internal Audit Checklist	31 Mar 2022	
174.	03.524 - Charleville Case File Audit Checklist	21 Mar 2022	
175.	03.557 - Kingaroy Internal Audit Checklist 2022	4 Apr 2022	
176.	03.558 – Kingaroy Case File Audits	21 Mar 2022	
177.	03.600 - Townsville SOC Case File Audit	23 May 2022	
178.	03.601 - Townsville SOC Internal Audit Checklist	24 May 2022	
179.	03.598 - Townsville Scientific Case File Audit	14 May 2022	
180.	03.599 - Townsville Scientific Exhibit Audit Checklist	30 May 2022	

181.	03.597 - Townsville Fingerprints Case File Audit	11 May 2022	
182.	03.517 - Ayr Case File Audit Checklist	21 May 2022	
183.	03.518 - Ayr Exhibit Audit Checklist	22 May 2022	
184.	03.519 - Ayr Internal Audit Checklist	22 May 2022	
185.	03.574 - Mount Isa Case File Audit	16 May 2022	
186.	03.575 - Mount Isa Exhibit Audit Checklist	19 May 2022	
187.	03.576 - Mount Isa Internal Audit Checklist	19 May 2022	
188.	03.577 - Rockhampton Exhibit audit checklist	6 Jun 2022	
189.	03.578 - Rockhampton Internal Audit Checklist -final	6 Jun 2022	
190.	03.579 - Rockhampton Case File Audit	24 May 2022	
191.	03.581 - Rockhampton Scientific Case File Audit	27 May 2022	
192.	03.580 - Rockhampton Fingerprints Case File Audit Checklist	20 Jun 2022	
193.	03.540 - Gladstone Case File Audit	17 May 2022	
194.	03.541 - Gladstone Exhibit audit checklist	23 Jun 2022	
195.	03.542 - Gladstone Internal-Emerald Exhibit Audit Checklist	21 Jun 2022	Incorrect description of document provided.
196.	03.532 - Emerald Case File Gladstone Internal Audit checklist	27 May 2022	
197.	03.533 - Emerald Exhibit Case File Audit Checklist	7 Jun 2022	
198.	03.534 - Emerald Internal Audit Checklist FINAL	7 Jun 2022	
199.	03.562 - Longreach Case File Audit	3 Jun 2022	
200.	03.563 - Longreach Exhibit Audit Checklist	Undated	
201.	03.564 - Longreach Internal Audit Checklist final	7 Jun 2022	
202.	03.605 - Whitsunday Case File Audit	22 May 2022	
203.	03.606 - Whitsunday Exhibit Audit Checklist	9 Jun 2022	
204.	03.607 - Whitsunday Internal Audit	9 Jun 2022	

	Checklist June 2022		
205.	03.571 - Mackay Case File Audit	3 Jun 2022	
206.	03.572 - Mackay Internal Audit Checklist	31 May 2022	
207.	03.573 - Mackay Exhibit Audit checklist 5 May 2022	31 May 2022	
208.	03.525 - Cairns Case File Audit	5 Jul 2022	
209.	03.526 - Cairns Exhibit Audit Checklist 1	12 Dec 2022	
210.	03.527 - Cairns Exhibit Audit Checklist 2	12 Dec 2022	
211.	03.528 - Cairns Internal Audit Checklist	12 Jul 2022	
212.	03.529 - Cairns Scientific Case File Audit	24 Jun 2022	
213.	03.551 - Innisfail Case File Audit	30 Jun 2022	
214.	03.552 - Innisfail Exhibit Audit Checklist	Undated	
215.	03.553 - Innisfail Internal Audit Checklist	22 Jul 2022	
216.	03.565 - Mareeba Case File Audit	24 Jun 2022	
217.	03.566 - Mareeba Exhibit Audit Checklist	7 Jul 2022	
218.	03.567 - Mareeba Internal Audit Checklist	7 Jul 2022	
219.	03.591 - Thursday Island Case File Audit	24 Jun 2022	
220.	03.592 - Thursday Island Exhibit Audit Checklist	Undated	
221.	03.593 - Thursday Island Internal Audit Checklist	5 Jul 2022	
<u>I. Statements of Queensland Police Service Officers</u>			
222.	David Keatinge Paras 1 – 73; no exhibits	18 Aug 2022	
223.	James Cook Paras 1 – 33, no exhibits	19 Aug 2022	
224.	Asha Haxton Paras 1 – 164, exhibit 4 and 5	18 Aug 2022	
225.	Darren Pobar Paras 1 – 38, no exhibits	Aug 2022	
226.	Cassie Thompson	4 Aug 2022	

	Paras 1 – 62, 67 – 80, 91, no exhibits		
227.	David Neville 1 – 39, 65 – 74, 267 – 281, 323 – 334, no exhibits	26 Aug 2022	
228.	Duncan McCarthy Paras 1 – 86 and 98 – 111, no exhibits	13 Sep 2022	
<u>J. Transportation of Sexual Assault Investigation Kits</u>			
229.	QH FSS Configuration of SAIKS Extract only: pages 1 and 2, and Appendix D only	26 May 2022	
230.	QPS Operational Procedures Manual, 2.6.3 Sexual Offences, Investigating officer responsibilities (pages 163 165)	12 Sep 2022	
231.	QPS Operational Procedures Manual, Sexual Assault Investigation Kits (SAIK) and seminal stains (page 255)	12 Sep 2022	
<u>K. Further material provided since draft report (6/10/22)</u>			
232.	General explanation from QPS – SOCO and SO	Undated	
233.	Scenes of Crime Development Program QPS.0078.0083.0001	Undated	
234.	53.7 Reporting ppt PowerPoint presentation titled Sample Packaging and reporting Bloodstains	2017	
235.	59.6 Semen Sampling and reporting.pdf Semen Sampling Protocols – [REDACTED] [REDACTED]	Undated	
236.	[REDACTED] Statement pages 1-6	30 August 2022	
237.	2.16 DNA RYSOC Activities 2022 Assessment 14 – FYSOC Activities	Undated	
238.	2.56 DNA SCI 4 SOC Trace DNA Trace DNA PPT slide presentation	Undated	
239.	2.31 DNA SOCD15 Exercise Workbook SOCDP Exercise Workbook	Feb 2022	
240.	2.9 DNA Assess 12 CSA Scenario FSG SOCDP Crime Scene Assessment Assessor Scenario Instructions	Undated	
241.	00252 – 02.1 – Response to Notice 2022.00252 – Items 1 through 3	Undated	

242.	00252-02.1 – Program 3334_Committee	10 October 2022	
243.	00252 – 03.2 – Graduate Certificate Level 8 PLO.QPS checked.	Undated	
244.	3.6.3 – DNA Management Section ppt.pdf	Undated	
245.	Notice 2022.00259 – Response to Items 1 through 6	Undated	
	Questions to [REDACTED]		
	[REDACTED]	4 Aug 2022	

Appendix 3

Further documents reviewed

- Qualification details. POL84315 – Graduate Certificate in Crime Scene Investigation (Release1) <https://training.gov.au/training/details/POL84315> accessed 30/8/22
- SO 19011:2018 Guidelines for auditing management systems.

Commission of Inquiry into Forensic DNA Testing in Queensland

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Our ref: COI/DOC/22/

19 August 2022

██████████
Director, Forensic Foundations Pty Ltd

Sent: ██████████

Dear ██████████

Re: Commission of Inquiry into Forensic DNA Testing in Queensland

Review of Queensland Police Service's methods, systems and procedure for the collection of biological material for forensic DNA testing

Thank you for agreeing to assist the Commission in its investigation.

Background

Overview

1. The Queensland Police Service (**QPS**) is responsible for the collection of biological material for forensic DNA testing. The one exception to this is the collection of biological material by medical examinations: QPS do not conduct medical examinations of complainants or suspects, which typically occur in cases of alleged sexual assault and/or by court order. Sampling in such cases is conducted by Queensland Health staff. However, QPS are responsible for transporting the samples of biological material once they are collected.
2. Samples of biological material are sent to the DNA laboratory at Queensland Health Forensic and Scientific Services (**FSS**) for DNA testing. The results of that testing are later communicated to QPS via a database called the Forensic Register.
3. As you will see in the briefed policies, QPS do not generally provide physical items to FSS for testing. Rather, QPS officers take samples from a crime scene or a physical item and produce an in-tube exhibit suitable for analysis at FSS without further handling. This 'sub-sampling' process occurs either in-situ at a scene or in QPS laboratories. In some cases, whole physical items are sent to FSS. For example, cigarette butts, condoms and female sanitary items are sent directly to FSS.

Personnel engaging in collection

4. The QPS Forensic Services Group manages the collection of biological material for forensic DNA testing, liaises with FSS, and oversees the receipt of results from FSS.
5. There are two types of police officers who collect material for testing.
 - a. The first are Scenes of Crime Officers (**SOCOs**) (see position description at **item 3** of the briefed material). SOCOs undertake a one-year training program, completion of which makes them eligible to receive a Diploma of Forensic Investigation. SOCOs are primarily responsible for volume crime examinations. 'Volume crime' refers to property crime offences like stealing and burglary; 'major crime' typically includes offences against the person such as homicide, rape, sex offences, robbery and assault. SOCOs also attend major crime scenes, including cases of homicide, and take direction from and/or assist a Scientific Officer if one attends. SOCOs are trained in all aspects of crime scene examination and are located in every police district.
 - b. The second are Scientific Officers (**SOs**) (see position description at **item 4** of the briefed material). SOs have, among other things, completed two years of sworn service and have a Bachelor degree in science (or equivalent). SOs undertake a four-year training program, completion of which makes them eligible to receive a Graduate Certificate in Crime Scene Investigation. SOs typically undertake major crime examinations. They have higher level skills

Commission of Inquiry into Forensic DNA Testing in Queensland

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than SOCOs in the detection, enhancement, interpretation and collection of physical evidence including biological evidence and impression evidence. They are located at the Gold Coast, Brisbane, Rockhampton, Townsville and Cairns.

6. SOCOs and SOs are referred to as 'forensic officers'.
7. Other QPS staff can be involved in responding to and managing a crime scene, including first-responders, investigators, a Forensic Coordinator and/or a Forensic Manager. Please let us know if you require more information on those roles.
8. We understand there are concerns that forensic officers may not be consistently notified of the results of the testing of the biological material they collect.

Transportation

9. Usually, the forensic officers take possession of any biological samples collected. They then transport them to a QPS forensic property point where the items are lodged.
10. FSS is located in Brisbane. QPS typically transport biological samples from a property point or crime scene to FSS by registered post or hand delivery.

Requirements

I would be grateful for a written report stating your opinion about the following:

- a) Are the methods, systems and processes used by the QPS for the collection of biological material for forensic DNA testing in accordance with best international practice? For the purposes of the Commission's investigation, please treat the reference to 'methods, systems and processes' to include the processes for collecting and transporting biological material, the equipment used for collection and transportation, the qualifications, training and proficiency testing requirements for forensic officers, and the quality assurance and auditing processes related to collection.
- b) Is there anything about the methods, systems and processes for the collection of biological material for forensic DNA testing, whether as stipulated in QPS policies or as actually practised, that compromises or diminishes the ability to obtain reliable forensic DNA results or matches from the samples collected by QPS?

Once you have considered the briefed material, would you contact Joshua Jones to discuss the scope and format of the proposed report.

I thank you again for your opinion.

Yours sincerely,



Commissioner

Commission of Inquiry into Forensic DNA Testing in Queensland

(enclosed)

Further Instructions to Expert

30 September 2022

1. As part of your consideration of the two questions asked of you in the letter from the Commission of Inquiry dated 19 August 2022, could you also please consider the methods, systems and processes for transporting a sexual assault investigation kit (**SAIK**) containing the samples obtained during a forensic medical examination from the site of the examination to the Queensland Health Forensic and Scientific Services (**FSS**) DNA Laboratory in Brisbane.
2. Please consider, in addition to your existing briefed material, the following information, and the documents in the table below.

Forensic Medical Examinations and Sexual Assault Investigation Kits

3. In Queensland, forensic medical examinations of sexual assault complainants and persons accused of sexual assault are conducted by physicians or nurses. Queensland Health (**QH**) Forensic and Scientific Services (**FSS**) produce sexual assault investigation kits (**SAIKs**), which, in order to obtain DNA samples, are usually used during an examination of an accused, and during the examination of complainants who wish to make a police complaint. Once produced by FSS, the SAIKs are provided to the Queensland Police Service (**QPS**).
4. We have included, below, pages 1 and 2 and Appendix D of a FSS document which outlines the components of a SAIK (see document 229). It also shows the address label that is placed on the SAIK when it is produced, which states, *inter alia*, 'Please Store at 8 to -20 degrees C'.
5. QPS officers generally provide the SAIK to the QH physician or nurse who conduct the examination. The examinations are conducted in locations across Queensland.
6. Once the forensic examination is completed, QPS take possession of the SAIK and are responsible for having a QPS forensic officer barcode the exhibit and enter it on the Forensic Register. The QPS investigating officer is responsible for transporting the SAIK to the FSS DNA Laboratory. Given the distance between the DNA Laboratory and where the examination may occur, the SAIK is usually stored for a period by QPS before it is taken to the laboratory.
7. Please consider the adequacy of instructions and/or policies about the temperature at which administered SAIKS are stored and transported. You do not need to consider Just in Case (JIC) SAIKs, as these are generally not transported or dealt with by QPS.

Index

J. Transportation of Sexual Assault Investigation Kits		
229.	QH FSS Configuration of SAIKS <i>Extract only: pages 1 and 2, and Appendix D only</i>	26 May 2022
230.	QPS Operational Procedures Manual, 2.6.3 Sexual Offences, Investigating officer responsibilities (pages 163 – 165)	12 Sep 2022
231.	QPS Operational Procedures Manual, Sexual Assault Investigation Kits (SAIK) and seminal stains (page 255)	12 Sep 2022



INTERNAL AUDITS

Quality Management Section

PURPOSE

The purpose of this document is to ensure that the Police Forensic Services internal audit program is conducted effectively and consistently and in accordance with the ISO/IEC 17025 Standard and AS5388.

SCOPE

This document applies to all Queensland Police Forensic Services internal auditors.

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REFERENCES

ISO/IEC 17025:2017 General Requirements for the Competence of Testing and Calibration Laboratories

AS5388 Australian Standard – Forensic Analysis

ISO/IEC 17025 Standard Application Document for Accreditation of Testing & Calibration Facilities

Specific Accreditation Criteria – Legal (including Forensic Science) ISO/IEC 17025 Appendix

Specific Accreditation Criteria – Legal (including Forensic Science) ISO/IEC 17025 Annex

Procedure [PFS 101 – Improvement Process](#)

Quality Management Section Internal Audits

DOCUMENTS

- Form [QMS 05 – Exhibit Audit Checklist](#)
- Form [QMS 06 – Internal Audit Checklist](#)
- Form [QMS 07 – Case File Audit Checklist \(SCI\)](#)
- Form [QMS 08 – Fingerprint Case File Audit Checklist](#)
- Form [QMS 09 – Case File Audit Checklist \(SOC\)](#)
- Form [QMS 10 – Case File Audit Checklist \(ERS\)](#)

1 AUDIT OBJECTIVES

- 1.1 To contribute to the continual improvement of the forensic services provided under a quality system.
- 1.2 To provide objective evidence to management that high quality forensic services are being delivered.
- 1.3 To identify areas of concern and facilitate the improvement or corrective action needed to prevent recurrence.
- 1.4 To meet requirements for accreditation.

2 PLANNING AND PREPARATION

2.1 Scheduling

- 2.1.1 The Quality Management Section ([QMS](#)) is responsible for the coordination of the internal audit program. This program involves internal audits of each forensic facility within the Forensic Services Group, which may be conducted physically by visiting the respective unit, or may be conducted remotely through a review of electronic records. Internal audits are conducted annually.
- 2.1.2 The audit calendar is made available to all staff on the Forensic Services Group intranet site at the beginning of each year and is updated as new dates are available.

2.2 Case File Audits

- 2.2.1 Case file auditors will be selected from offices/units other than the one being audited, [with exception made for specialist units where staff from other offices/units do not have the requisite technical knowledge to undertake case file audits \(i.e. Ballistics Unit, Analytical Services Unit, Document Examination Unit & Electronic Recording Section\).](#)
- 2.2.2 The selection of auditors shall be based on forensic experience, previous internal audit training and audit experience, and will usually be at the rank of Sergeant or above, but consideration may be given to experienced Senior Constables.
- 2.2.3 Representative case files will be selected from the previous twelve months and will be audited using [the relevant Case File Audit Checklist \(QMS 07 – SCI, QMS 08 – FPB, QMS 09 – SOC, QMS 10 – ERS\)](#). Case files selected will be representative of the work performed by the officer and will include at least one file that includes a statement where evidence was collected. For Scenes of Crime Officers, at least two case files will be reviewed. For specialist sections, at least one case file per officer will be reviewed covering each authorisation/examination type conducted at that section.

2.3 Audit Notifications

- 2.3.1 [QMS](#) will send an audit notification to the [Forensic Manager \(FM\)](#) for each Forensic Area approximately one month prior to the audit. This will be [generally](#) be emailed to the FM, [but may also be sent to any relevant FC/QAO.](#)

Quality Management Section

Internal Audits

2.4 Document Review

- 2.4.1 As part of each audit, the Facility Auditor will review previous records relating to the facility, including audit documentation and Quality Improvement System (Corrective & Improvement Action) records.
- 2.4.2 These records can be provided by QMS upon request.

3 CONDUCTING AUDITS

3.1 Scope

- 3.1.1 The scope of each audit is determined by the scope of accreditation for which the facility is accredited. This is detailed in PFS 100 – Quality Manual (Appendix 2). Audits may be conducted either physically at the site or remotely through a review of case files and electronic records, or through a combination of the two.

3.2 Personnel

- 3.2.1 Internal audits are to be conducted by the responsible Forensic Manager, Forensic Coordinator or Quality Assurance Officer. Any other member nominated to perform the internal audit on behalf of the responsible Forensic Manager must have completed internal audit training and be approved by the Quality Manager.

3.3 Auditing Methods

- 3.3.1 QPS Forensic Services internal audits utilise two styles of auditing:
- Facility audits – where the application of the quality system relating to that facility is evaluated. The facility audit will be conducted using the form QMS 06 – Internal Audit Checklist.
 - Case File audits – where the examination process is evaluated from beginning to end, considering all components of the activity. This can be achieved by reviewing a sample of case files completed by each practitioner.
- 3.3.2 Audit findings are based on the collection of information and evidence. This can be conducted using the following methods:
- Interviews with facility personnel;
 - Observation of activities and work environment/conditions; &/or
 - Review of records i.e. case files, customer feedback reports, minutes of meetings, inspection records.
- 3.3.3 Any non-conformance or irregularity detected during this process should be recorded by the auditors, using one of the audit documents, and be brought to the attention of the lead auditor. For further information regarding auditors' responsibilities, see 'Auditor Protocols' later in this procedure.
- 3.3.4 Upon completion of the audit, findings from all auditors are to be collated. This is an opportunity for the auditors to clarify and discuss any concerns.

4 REPORTING THE FINDINGS

4.1 Responsibility

- 4.1.1 The responsible Forensic Manager is to collate all audit documentation for each facility, checking the documents to ensure they have been completed as required before forwarding them to QMS.
- 4.1.2 QMS is responsible for collation of audit results and compilation of the audit report. The purpose of the audit report is to provide an official summary of audit findings for subsequent action.

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Internal Audits

4.2 Report Format

4.2.1 The audit report is to contain the following items at a minimum:

- Reference to initiated Corrective &/or Improvement Actions (with **nomination of** the corresponding Quality Improvement System records); &
- Any further observations or recommendations of note.

4.2.2 Copies of [QMS 06 – Internal Audit Checklist](#), [QMS 05 – Exhibit Audit Checklist/s](#) and relevant Case File Audit Checklists are to be completed where appropriate and retained as records of the audit results.

4.2.3 The audit report is to be forwarded to the FM/FC/QAO/OIC as soon as practicable after completion of the audit.

5 FOLLOW UP ACTIVITIES

5.1 The completion and effectiveness of the Quality Improvement System should be verified prior to, **or as part of**, the next internal audit. All items of concern are to be reviewed at the next scheduled audit.

See [PFS 101 – Improvement Process](#) for Quality Issues.

6 REVIEWING THE AUDIT PROGRAM

6.1 The internal audit program shall be reviewed each calendar year to assess whether its objectives have been met and to identify any areas of improvement. Areas of consideration can include:

- Results and trends from monitoring
- Conformity with this procedure
- Audit program records
- Alternative or new auditing methods
- Consistency in performance between audit teams.

7 AUDIT RECORDS

7.1 The original audit records, including reports, are filed at the Quality Management Section. These are retained in accordance with the QPS Retention and Disposal Schedule and NATA requirements.

8 AUDITOR PROTOCOLS

8.1 Internal auditors shall:

- 8.1.1 Familiarise themselves with the scope of the audit and their responsibilities prior to the commencement of the audit.
- 8.1.2 Be approachable and communicative with staff of the facility being assessed. A principal goal of the audit process is to assist forensic officers in maintaining accreditation standards. This will be facilitated by open communication with auditors.
- 8.1.3 Comply with any requests or directions made by the lead auditor.
- 8.1.4 Conduct a thorough and objective audit, providing sufficient evidence for all findings.
- 8.1.5 All handwritten notes on audit documents must be legible. Any alterations made to handwritten notes on audit documents must be made in accordance with case file procedures.
- 8.1.6 Auditors must ensure that all information entered onto an audit document is accurate. Where any doubt exists, a member of the facility must be consulted for confirmation. For example, if a training record is not found in an officer's

Quality Management Section

Internal Audits

- training folder it must be ascertained whether the record is temporarily located elsewhere before a non-conformance is instigated.
- 8.1.7 Seek advice from the lead auditor prior to making a comment or recommendation.
- 8.1.8 Provide adequate descriptions in relation to non-conformances which are recommended for further action. Notes shall clearly indicate the nature and extent of the issue, the procedure that has been deviated from, the case officer's name, case file or exhibit.
- 8.1.9 Avoid making generalisations unless a non-conformance relates to the laboratory as a whole.
- 8.1.10 Confidentiality must be maintained at all times. Issues relating to a particular facility may only be discussed with other members of the audit team, line managers and officers of the Forensic Services Quality Management Section.

9 MANAGEMENT AUDITS

- 9.1 Forensic Managers are responsible for ensuring that **periodic** quality and technical audits are conducted within their areas of responsibility in conjunction with the audit program.

REVISION HISTORY

Date	Version	Rationale	Author	Reviewed By
16/08/2004	1	Initial Documentation.		
01/10/2005	2	Reformat and review.		
13/06/2012	3	Complete revision.		
01/07/2015	4	Updated to include biannual audits by forensic managers.		
18/07/2016	5	Updated to 9 monthly audits.		
14/02/2019	6	Updated to annual audits. Changes made to reflect capacity for remote case file audits. Removed requirement for completion of an ESC audit concurrently with internal audits.		
24/08/2021	7	Procedure reviewed & updated, including change to completion of internal audits by FM (or authorised delegate) rather than QMS members.		



EXHIBIT AUDIT CHECKLIST

Quality Management Section

QMS 05 v4 02/21



Date		Auditor		Facility	
------	--	---------	--	----------	--

o Place an 'X' where unsatisfactory and provide further comments

FR Number		Exhibit Barcode	
-----------	--	-----------------	--

- | | | |
|--|---|--|
| <input type="checkbox"/> FR no. displayed on packaging and Property Tag attached (if required) | <input type="checkbox"/> Packaged appropriately | <input type="checkbox"/> Sealed correctly (including signature/initial and date) |
| <input type="checkbox"/> QPRIME continuity maintained | <input type="checkbox"/> FR Exhibit Movements correct (if applicable) | <input type="checkbox"/> Correct description on FR Exhibit Register |

Comments:

FR Number		Exhibit Barcode	
-----------	--	-----------------	--

- | | | |
|--|---|--|
| <input type="checkbox"/> FR no. displayed on packaging and Property Tag attached (if required) | <input type="checkbox"/> Packaged appropriately | <input type="checkbox"/> Sealed correctly (including signature/initial and date) |
| <input type="checkbox"/> QPRIME continuity maintained | <input type="checkbox"/> FR Exhibit Movements correct (if applicable) | <input type="checkbox"/> Correct description on FR Exhibit Register |

Comments:

FR Number		Exhibit Barcode	
-----------	--	-----------------	--

- | | | |
|--|---|--|
| <input type="checkbox"/> FR no. displayed on packaging and Property Tag attached (if required) | <input type="checkbox"/> Packaged appropriately | <input type="checkbox"/> Sealed correctly (including signature/initial and date) |
| <input type="checkbox"/> QPRIME continuity maintained | <input type="checkbox"/> FR Exhibit Movements correct (if applicable) | <input type="checkbox"/> Correct description on FR Exhibit Register |

Comments:

FR Number		Exhibit Barcode	
-----------	--	-----------------	--

- | | | |
|--|---|--|
| <input type="checkbox"/> FR no. displayed on packaging and Property Tag attached (if required) | <input type="checkbox"/> Packaged appropriately | <input type="checkbox"/> Sealed correctly (including signature/initial and date) |
| <input type="checkbox"/> QPRIME continuity maintained | <input type="checkbox"/> FR Exhibit Movements correct (if applicable) | <input type="checkbox"/> Correct description on FR Exhibit Register |

Comments:



FACILITY AUDIT CHECKLIST

Forensic Services Group



Date	Click or tap to enter a date.	Completed by	Click or tap here to enter text.	Location	Click or tap here to enter text.
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Details		Yes	No	NA	Comments
Management					
Is a system in place to ensure staff are made aware of critical information relevant to the facility & personnel? (e.g. regular staff meetings, FR notification system, etc.)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are staff made aware of procedure & form changes through discussion at staff meetings &/or the FR notification system? (If not, enter details of the method by which this is achieved in 'Comments' field)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Records	Staff members listed on roster match those listed on the Forensic Register & QPRIME?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Authorisations of ex-staff removed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Proficiency Tests	All proficiency tests for staff up to date? See Unit Statistics page – Proficiency Compliance and Proficiency Awaiting Result. Disregard Courtroom/Witness Evaluations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	All proficiency records updated with a result if results available?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Identity of marking officer recorded?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
New Staff Induction (HR Manual & WHS requirement)	PFS 08 New Staff Induction form completed for all new and relieving staff and attached to their FR Personnel Record under 'Achievements'?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.



FACILITY AUDIT CHECKLIST

Forensic Services Group



Details		Yes	No	NA	Comments
Document Control (ISO17025 S8.3.2)					
No printed unapproved aide memoirs, instructions or forms?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Have the facility's local procedures been reviewed in the last two years to ensure currency?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are all printed forms the latest version, including any kits that include instructions, in the facility & in vehicles?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Accommodation (ISO17025 S6.3.4)					
Does the facility have a Visitors Register (Form PFS 18) to record access to operational areas?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are visitors to the facility, including cleaners and contractors, signing the Visitors Register?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Case Review (ISO 17025 S7.7.1)					
Admin Reviews PFS 100 S13.8	Is the Admin Review Audit list for the unit at an acceptable level? (See FR/Unit Work List/Compliance Audit/Admin Review Audit)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Have requests to correct problems identified been acted on within a reasonable timeframe? (See FR/Unit Work List/Default Worklist)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Tech Reviews PFS 100 S13.5	Are Major Crime Tech reviews at an acceptable level? (FR/ Unit Work List/ Compliance Audit/ Major Crime Tech Reviews)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.



FACILITY AUDIT CHECKLIST

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Details		Yes	No	NA	Comments
	Have all latent fingerprints been submitted to the FPB? (See FR/Unit Work List/Compliance Audit/Latent Print Audit)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Statements ISO 17025 S7.8 PFS 100 S13.7 PFS 100 S11	Does the unit/facility have a system for tracking statement requests?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Are statement requests being completed within a reasonable timeframe? (See FR/ Unit Work List/ Compliance Audit/ Statement Review Audit if this system is used)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
QPRIME	All Unit and Individual tasks acted on within a reasonable timeframe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Training					
Provisional Authorisations	Have provisionally authorised staff (e.g. Cannabis) been supervised during examinations when required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Training Records	FR Training Records include electronic copies of awards relevant to authorisations? (e.g. degrees, diplomas, certificates, internal training, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	FR Training Records completed and signed off by a competent person?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.



Forensic Services Group

[illegible]



FACILITY AUDIT CHECKLIST

Forensic Services Group



Details		Yes	No	NA	Comments
<i>(Form QMS 05) is completed for at least 4 exhibits. Exhibits inspected during QPRIME checks may also be used for this purpose.</i>	Has at least one <i>Exhibit Audit Checklist</i> (Form QMS 05) been completed in relation to at least 4 exhibits located in the facility? (If not, please provide an explanation in 'Comments' field)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Work Health and Safety (PFS 105)					
ChemGold FFX manifest updated with current chemicals?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Supplies (ISO 17025 S6.6, PFS 100 S8)					
Are Supply Inspection Records completed for all relevant items? (PFS100 – Quality Manual S8)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are the batch/lot numbers and expiry dates for reagents and forensic consumables recorded on the FR?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are all reagents/chemicals and consumables within expiration date? (e.g. Combur strips, HemaTrace kits, respirator filters etc.)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are consumables protected from contamination (e.g. DNA kits, arson tins sealed, cotton wool sealed in tins or cryovac bags)?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are prepared chemicals labelled with an approved label? Labels legible and any changes initialled and dated?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Are all chemicals stored appropriately? (e.g. Combur strips not stored in vehicle, flammables etc.)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.



FACILITY AUDIT CHECKLIST

Forensic Services Group



Details		Yes	No	NA	Comments
Equipment (ISO 17025 S6.4)					
Equipment Register	A check of 3 items of portable equipment listed in the facility's FR Equipment Register locates each item? (Record Equipment Number for each item of equipment inspected in 'Comments' field)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Old/redundant equipment disposed of and removed from the equipment list?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Equipment records include equipment & software/firmware versions used for testing &/or calibration, & which are significant to the result, & updates including date of installation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Keys Check new staff to ensure that their details and key numbers have been recorded.	Are all keys uniquely identified and details of their location recorded on the FR Equipment Register?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Key/s issued matches staff on the roster?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Calibrations / Servicing etc.	Have the following items been calibrated/serviced/checked as required? PFS 100 S8.4, NATA General Equipment Table – Calibration and Checking Intervals.				
Balances / Scales PFS 134	Calibrated every 3 years, recorded in the FR Equipment Register Service History including attached copy of NATA endorsed Certificate or Report? (NATA logo on report)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Annual NATA Service for portable balances, recorded in the FR Equipment Register Service History including attached copy of Certificate or Report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.



FACILITY AUDIT CHECKLIST

Forensic Services Group



Details		Yes	No	NA	Comments
	<p>Single Point Checks conducted monthly & balance passes check? Locate most recent Single Point Check in Service History, open attached PFS 02, ensure Result states "Acceptable", ensure checks performed monthly</p> <p>Repeatability Checks conducted 6-monthly & balance passes check? Locate most recent Repeatability Check in Service History, open attached PFS 02, ensure Result states "Acceptable", ensure checks performed 6-monthly</p> <p>Passed 6-month limit of performance check? Locate most recent Repeatability Check in Service History, open attached PFS 02, ensure numerical result against UCLoP is less than 0.5 (red font appears if UCLoP is not less than 0.5)</p> <p>Test Masses Calibrated as required? Locate test masses in FR Equipment Register (Serial numbers listed in PFS 02 for balance), Calibrated as required (every 3 years for stainless steel or nickel chromium alloy, or 2 years for other alloy or iron), entry in Service History with copy of Calibration Report attached</p> <p>Standard Deviation relates to the closest test mass? Locate most recent NATA Calibration Report for balance (attached to Service History), check Standard Deviation of Reading & ensure figure utilised as Standard Deviation in PFS 02 is for mass closest to test mass</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Cyanoacrylate Fuming Chamber	Serviced every 12 months, recorded in the FR Equipment Register Service History including attached copy of Certificate or Report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.



FACILITY AUDIT CHECKLIST

Forensic Services Group



Details		Yes	No	NA	Comments			
Drying Cabinet/s (CSE 101 S3 & S11)	Serviced every 12 months, recorded in the FR Equipment Register Service History including attached copy of Certificate or Report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.			
	Drying cabinet/s cleaned after each use, & the cleaning recorded in the FR Service History?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.			
	Drying cabinet/s environmentally sampled at the end of each month where it has been used, & the sampling recorded in the FR Service History?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.			
	Drying cabinet/s protected from contamination and sealed when not being used?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.			
DNA Examination Areas (Bench / Laboratory / Laminar Flow Cabinet) (CSE 101 S3 & S11)	Has the DNA examination area been deep cleaned and environmentally sampled at the end of each month where it has been used? (Check Service History and Case History – for each Case History entry there should be a Clean & Environment Sample for that month recorded in the Service History)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Used (month)	Env Sample	Deep Cleaned	Comment
					Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
					Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	
	Is the DNA examination area protected from contamination & sealed when not being used?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.



FACILITY AUDIT CHECKLIST

Forensic Services Group



Details		Yes	No	NA	Comments			
	Where applicable, has the DNA Laboratory &/or Laminar Flow Cabinet been NATA Serviced every 12 months, recorded in the FR Equipment Register Service History including attached copy of Certificate or Report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
	Are bench cleaning solutions within date? (0.5% Sodium Hypochlorite and 1% F10SC)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Fume hood	NATA Serviced every six months, recorded in the FR Equipment Register Service History including attached copy of Certificate or Report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.			
Thermometers (PFS 124)	Have all glass & infrared thermometers, data loggers & i-buttons been checked & calibrated as outlined in PFS 124, recorded in the FR Equipment Register Service History including attached copy of Certificate or Report if applicable?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.			
Vehicle Hoist (PFS105)	Serviced every 3 months, recorded in the FR Equipment Register Service History including attached copy of Certificate or Report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.			
	Has a major inspection been performed after 10 years of use, recorded in the FR Equipment Register Service History including attached copy of Certificate or Report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.			



FACILITY AUDIT CHECKLIST

Forensic Services Group



Details		Yes	No	NA	Comments
Other Calibrated Equipment (e.g. Callipers, Chromatograph, Chronograph, etc)	Click or tap here to enter text.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
Vehicle Management	Are all reagents/chemicals & consumables stored & labelled correctly in vehicles? (cotton wool, plastic bags, arson tins protected from contamination)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.
	Are they all within their expiration? (check safety equipment, masks, safety helmets, sunscreen, kits, swabs etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Click or tap here to enter text.



FACILITY AUDIT CHECKLIST

Forensic Services Group



1. Corrective Actions / Improvement Actions – Previous 12 Months
(Go to Forensic Register 'Reference' section, 'Quality Mgmt' tab, search under relevant 'Unit Code' using 'Date Range' of last 12 months)

CA / IA Number & Description Brief details of Issue	Action Started	Finalised	Outcome Effective	Comments
Examples: 1. CA 21/123 – Contemporaneous notes 2. IA 21/456 – Signature register	Yes Yes	Yes Yes	Yes Yes	Sgt Jones ensuring notes recorded at scene. New staff member Con Smith has been added to register.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.



FACILITY AUDIT CHECKLIST

Forensic Services Group



2. Issues Identified During Current Audit
(Use dot points to list issues identified during audit of facility, case files &/or exhibits which may require a CA or IA to be initiated)

Issue Identified	CA / IA Number
Facility <ul style="list-style-type: none"> Click or tap here to enter text. Click or tap here to enter text. Click or tap here to enter text. 	Click or tap here to enter text.
Case Files <ul style="list-style-type: none"> Click or tap here to enter text. Click or tap here to enter text. Click or tap here to enter text. 	Click or tap here to enter text.
Exhibits <ul style="list-style-type: none"> Click or tap here to enter text. Click or tap here to enter text. Click or tap here to enter text. 	Click or tap here to enter text.
Other <ul style="list-style-type: none"> Click or tap here to enter text. Click or tap here to enter text. Click or tap here to enter text. 	Click or tap here to enter text.



Case File Audit Checklist – Scientific Section

Quality Management Section

QMS 07 v14 02/21



Date		Auditor		Officer		Facility	
FR Number		Job Type				Tech Reviewed	<input type="checkbox"/> Yes <input type="checkbox"/> No
Notes			Yes	No	NA	Comments	
Sufficient and satisfactory notes which do not contain assumptions or bias			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
All positive identifications and eliminations verified by an independent examiner			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Relevant checkboxes ticked in FR Examination Summary			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Photos							
Sufficient and satisfactory photos			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Correct camera settings			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Photos of exhibits (if required)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Photo of CSE (signed & dated seal, barcode)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Exhibits							
FR Desc. & Located fields correct			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Qual. check/delivery movement on FR			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Exhibit continuity maintained			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Statement							
Content satisfactory			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Peer & tech reviewed satisfactorily			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
PDF on QPRIME & doc/PDF on FR			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Qualifications in statement match Training Record			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Photos & exhibits described adequately			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Hardcopy Files							
File cover & activity record complete			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
All records included & are correct versions			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Doc. sleeves/bags marked with contents			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
FR no., initials & page number on each page			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		



Case File Audit Checklist – Scenes of Crime

Quality Management Section



QMS 09 v3 02/21

Date		Auditor		Officer		Facility	
FR Number		Job Type	FP	<input type="checkbox"/>	DNA	<input type="checkbox"/>	Other
Notes			Yes	No	NA	Comments	
Sufficient and satisfactory notes which do not contain assumptions or bias			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Relevant checkboxes ticked in FR Examination Summary			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Photos							
Sufficient photos			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Correct camera settings			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Photo/s of exhibit/s			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Photo of CSE (signed & dated seal, barcode)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Exhibits							
FR Desc. & Located fields correct			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Qual. check/delivery movement on FR			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Exhibit continuity maintained			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
No abbreviations in Fingerprint descriptions			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Statement							
Content satisfactory			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Peer & tech reviewed satisfactorily			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
PDF on QPRIME & doc/PDF on FR			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Qualifications referred to in Statement recorded in Personnel Training Record			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Photos & exhibits described adequately			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Hardcopy Files							
File cover & activity record complete			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
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Quality Management Section

OMS 09 v3 02/21



Notice 2022/00051 (Item 4) – seeks: Any aggregate data or statistics kept by the FSG about ‘quality control flags’ (or similarly named communications) sent by QHFSS to the QPS since 2010, including, but not limited to, the number of flags sent and the kinds of matters raised in the flags.

In response to the above I, [REDACTED], of Forensic Services Group, Queensland Police Service, advise as follows:

Quality Control Flags: Contamination

1. As the Inspector Biometrics, I am responsible for monitoring information in relation to incidents where forensic officers capture their own DNA within a sample. I am notified of this event by an Intelligence Report received from QHFSS. A ‘quality flag’ is also recorded by QHFSS on the FR on the relevant exhibit record.
2. Regardless of the care taken and PPE worn by forensic officers, inadvertent capture of one’s own DNA when taking a sample may occur.
3. The QPS has a staff DNA elimination database that includes the profiles of all forensic officers. The elimination database is something that FSG staff volunteered to participate in to prevent sampler contamination from being incorrectly reported as an unknown suspect.
4. The elimination database allows FSG to detect and filter results from sampler contamination being loaded to NCIDD. When QHFSS advises of a hit on the elimination database, I undertake a review of the matter to determine if the profile should or should not be loaded to NCIDD.
5. As far as I am aware, most police jurisdictions, both nationally and internationally, do not have this important quality control mechanism in place. The fact that the QPS has this in place is highly beneficial as we otherwise would not know if / when FSG staff inadvertently contaminate a sample.
6. Over the past 12 months this occurred approximately once in every 1000 samples collected (approximately 0.1%). I could only find very limited published data in relation to examiner contamination rates. A study undertaken in Austria indicated a contamination rate up to 0.66% of samples collected in the Salzburg and Upper Austria regions (Pickrahn, I., *et.al.*, 2015). I believe our relatively low rate of sampler contamination is indicative of the sound anti-contamination practises adopted.

7. All members on the staff elimination database provided their DNA under the limited purpose volunteer provisions of the *Police Powers and Responsibilities Act 2000*. The limited purpose consent is as follows:
 - (a) “By signing this form, I consent to the taking of a sample for DNA analysis and I consent to the results of the DNA Analysis being:
 - (i) Loaded and retained on the QPS DNA Elimination Data Base; and
 - (ii) Compared with all UNKNOWN profiles obtained from crime scene samples analysed in Queensland, from this date until the termination of my employment with the QPS, to exclude my DNA profile from any unknown crime scene profiles and to prevent my DNA profile from being loaded to CRIMTRAC NCIDD as part of any UNKNOWN crime scene profile;”
8. Given the limited purpose for which the samples were provided, I do not maintain statistics on staff contamination for quality assurance purposes. To do so would be outside the scope of the consent given. As participation in this important quality control measure is voluntary, there is a risk that staff may elect to no longer participate if the detection of sampler contamination was viewed negatively or used for a secondary purpose not expressly contemplated or agreed to by the participants.
9. QPS has been requested to provide data or statistics relating to ‘quality control flags’. I understand this may be intended to include instances of contamination. Whilst I do not ordinarily collect or maintain such statistics, I have collated some information specifically for the assistance of this Commission of Inquiry regarding the frequency of sampler contamination detection each calendar year.
10. The table below provides information on the number of crime scene samples submitted each year from 2010 to 2022 and the frequency with which forensic officers captured their own DNA within a sample each year.
11. In providing this information to the Commission I would respectfully seek to reiterate that participation is voluntary. Consequently, were adverse comments or findings to be made in relation to the fact, or rate, of contamination, it is possible that consent to inclusion in the database may be withdrawn. This would leave QPS unable to detect and prevent the unnecessary uploading of profiles to NCIDD.

Year	Number of samples submitted	# Exhibits confirmed as a Quality Control Failure
2010	24775	48
2011	23423	37
2012	24505	27
2013	22472	29
2014	21106	48
2015	19476	46
2016	20600	52
2017	25415	56
2018	28706	33
2019	27416	23
2020	28163	45
2021	29739	32
2022	17536	8

Quality Control Flags: Other

12. In so far as other ‘Quality Control Flags’ are concerned, the only category on which QPS collates statistics is retracted results. These fall within the scope of Items 3 and 7 of this Notice (and are provided in response to Item 7). Whilst aggregate data or statistics are not kept in relation to such things, other matters that have been (and may be) raised in ‘quality control flags’ include:
- (a) Mix up of samples in the laboratory.
 - (b) Spillage of samples.
 - (c) Instrumental malfunctions.

Examples of which were produced in response to Item 7 of Notice 2022/00013.

References:

Pickrahn, I., *et.al.* , 2015, Contamination when collecting trace evidence—An issue more relevant than ever?, ScienceDirect

COMPANION VOLUME IMPLEMENTATION GUIDE

POL POLICE TRAINING PACKAGE

Release 6.0



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ABOUT AUSTRALIAN INDUSTRY STANDARDS

Australian Industry Standards (AIS) provides high-quality, professional secretariat services to eleven Industry Reference Committees (IRCs), in our role as a Skills Service Organisation (SSO).

The eleven allocated IRCs incorporate Gas, Electricity, Electrotechnology, Corrections, Public Safety (including Police, Fire Services, Defence), Water, Aviation, Rail, Maritime and Transport and Logistics industries. AIS supports these important industry sectors using our world-class in-house capability and capacity in technical writing, quality assurance, project management and industry engagement in the production of Training Packages.

AIS was established in early 2016, 20 years after its predecessor the Transport and Logistics Industry Skills Council (TLISC) was established in 1996. More information about AIS can be found at www.australianindustrystandards.org.au

- We support industry growth and productivity through our modern innovative approach to establishing skills standards.
- We provide high-quality, professional secretariat services to help our allocated IRCs develop the skills that industry needs.
- We partner with industry to shape the workforce of the future.

OVERVIEW INFORMATION

This Companion Volume Implementation Guide (CVIG) is designed to assist assessors, trainers, Registered Training Organisations (RTOs) and enterprises in delivering the POL Police Training Package. It provides advice about the structure of the Training Package; its key features and useful links to more detailed information on a range of related topics.

VERSION CONTROL AND MODIFICATION HISTORY

Training Packages are dynamic documents and are amended periodically to reflect the latest industry practices. Training Packages are version controlled so it is essential that the latest release is always used.

In the version control and modification history table below, the latest information is provided first.

Version Number	Release Date	Comments
6.0	20 Jul 2022	<p>This is the sixth release of the POL Police Training Package and includes the following revised Qualification:</p> <ul style="list-style-type: none"> • POL62422 Advanced Diploma of Surveillance <p>7 revised Not for Public Access (NFPA) Units of Competency</p> <p>Minor change to 1 NFPA Unit of Competency</p> <ul style="list-style-type: none"> • These units are restricted Police Units of Competency. Content of restricted Police Units of Competency and their associated Qualifications are not made available for public access or

Version Number	Release Date	Comments
		published on the national register.
5.0	21 Sep 2021	<p>This is the fifth release of the POL Police Training Package and includes the following revised Qualifications:</p> <ul style="list-style-type: none"> • POL58121 Diploma of Police Search and Rescue Coordination (Marine/Land) • POL60121 Advanced Diploma of Police Close Personal Protection • POL60421 Advanced Diploma of Police Search and Rescue Management • POL60521 Advanced Diploma of Police Witness Protection <p>9 revised Not for Public Access (NFPA) Units of Competency</p> <ul style="list-style-type: none"> • These units are restricted Police units of competency. Content of restricted Police units and their associated qualifications are not made available for public access or published on the national register. <p>9 revised Search and Rescue Units of Competency:</p> <ul style="list-style-type: none"> • POLSAR011 Conclude police search and rescue operations • POLSAR012 Coordinate police search and rescue operations • POLSAR013 Manage and evaluate search and rescue exercises • POLSAR014 Manage resources for police search and rescue operations • POLSAR015 Manage search and rescue media requirements • POLSAR016 Manage search and rescue operations • POLSAR017 Undertake initial search and rescue actions • POLSAR018 Undertake land search and rescue duties • POLSAR019 Undertake marine search and rescue duties <p>Minor change to 1 Search and Rescue Unit of Competency:</p> <ul style="list-style-type: none"> • POLSAR007 Assess search and rescue requirements

Version Number	Release Date	Comments
4.0	18 Dec 2020	<p>This is the fourth release of the POL Police Training Package and includes the development of two new Qualifications:</p> <ul style="list-style-type: none"> • POL50120 Diploma of Crash Investigations • POL60120 Advanced Diploma of Crash Analysis <p>The development of 10 new Units of Competency:</p> <ul style="list-style-type: none"> • POLINV016 Analyse complex factors involved in crash incidents • POLINV017 Analyse crashes involving heavy vehicles • POLINV018 Analyse crashes involving motorcycles • POLINV019 Analyse crashes involving pedestrians and bicycles • POLINV020 Collate and review crash investigation evidence • POLINV021 Critically analyse complex crash incident evidence • POLINV022 Develop and present crash findings • POLINV023 Examine a crash incident • POLINV024 Manage quality of crash analysis • POLINV025 Present evidence of complex crash incidents
3.0	24 July 2019	<p>This is the third release of the POL Police Training Package and includes the following revised Qualifications:</p> <ul style="list-style-type: none"> • POL50119 Diploma of Police Intelligence Practice • POL60219 Advanced Diploma of Police Intelligence Operations • POL60319 Advanced Diploma of Police Negotiation <p>Includes one new Qualification:</p> <ul style="list-style-type: none"> • POL80119 Graduate Certificate of Police Investigation <p>9 revised NFPA Units of Competency:</p> <ul style="list-style-type: none"> • These units are restricted Police units of competency. Content of restricted Police units and their associated qualifications are not made available for public access or published on the national register. <p>12 revised Units of Competency:</p> <ul style="list-style-type: none"> • POLGEN012 Manage risk within a policing context • POLINV012 Coordinate multi-agency investigations • POLINV013 Lead major investigations • POLINV014 Conduct jurisdictional review of policing practices • POLINV015 Manage complex investigations • POLCOV044 Plan for intelligence activities

Version Number	Release Date	Comments
		<ul style="list-style-type: none"> • POLCOV047 Liaise with clients and stakeholders for intelligence purposes • POLCOV048 Manage intelligence briefings or presentations • POLCOV049 Provide intelligence support to policing responses • POLCOV051 Manage threat assessments and risk reporting in a policing environment • POLGEN035 Conduct briefings and debriefings in a policing environment • POLGEN036 Work collaboratively in a team environment <p>Not going forward Skill Sets:</p> <ul style="list-style-type: none"> • POLSS00001 Advanced Police Investigation <p>Qualification updates</p> <p>The below qualifications had major releases due to core units being recoded:</p> <ul style="list-style-type: none"> • POL31115 Certificate III in Aboriginal community Policing updated to POL30119 Certificate III in Aboriginal community Policing • POL41115 Certificate IV in Aboriginal Community Policing updated to POL40119 Certificate IV in Aboriginal Community Policing • POL62615 Advanced Diploma of Police Close Personal Protection updated to POL60119 Advanced Diploma of Police Close Personal Protection • POL68115 Advanced Diploma of Police Search and Rescue Management updated to POL60419 Advanced Diploma of Police Search and Rescue Management • POL62315 Advanced Diploma of Police Witness Protection updated to POL60519 Advanced Diploma of Police Witness Protection <p>Skill Sets</p> <p>POLSS00002 Police Intelligence (team leader) had a minor release due to core units being recoded.</p>
2.0	2018	<p>This is the second release of this Training Package and includes revisions to following qualifications:</p> <ul style="list-style-type: none"> • POL50118 Diploma of Policing • POL60118 Advanced Diploma of Police Supervision • POL65115 Advanced Diploma of Police Investigation <p>Includes one new qualification transitioned from PUA12 Public Safety Training Package Release 2.1:</p>

Version Number	Release Date	Comments
		<ul style="list-style-type: none"> POL50218 Diploma of Police Bomb Technical Response Revisions to 13 units of competency. IRC Minor Change to 7 units of competency.
1.0	Monday 19 October 2015	<p>This is the first release of the POL Police Training Package.</p> <p>Replaces Police material previously contained in PUA12 Public Safety Training Package Release 2.1</p>

TRAINING PACKAGES, THE AUSTRALIAN QUALIFICATIONS FRAMEWORK AND COMPETENCY STANDARDS

Training Packages

Training Packages:

- Specify the Qualifications determined by industry groups and when required, by regulatory requirements to be most relevant for employment within the industry
- Are developed by the relevant national IRCs in consultation with a range of stakeholders
- Are recommended to the Australian Industry and Skills Committee (AISC) for endorsement by the Council of Australian Governments (COAG) Industry and Skills Council
- Enable nationally recognised Qualifications to be awarded through direct assessment of workplace competencies
- Encourage the development and delivery of flexible training to suit individual needs and industry requirements
- Support learning, training and assessment in a work-related environment, leading to verifiable workplace outcomes.

The title of each endorsed Training Package is unique and relates to the broad industry coverage of the Training Package.

Each Training Package has a unique national code assigned when the Training Package is endorsed, for example TLI.

Training and assessment using Training Packages must be conducted by a Registered Training Organisation (RTO) that has the Qualification/s or specific unit/s of competency on its scope of registration.

New Standards for Registered Training Organisations (RTOs) 2015 came into effect on 1 April 2015 and are located on the [Australian Government ComLaw website](#).

Information about these standards can be found at the:

- [Department of Education, Skills and Employment](#)
- [Australian Skills Quality Authority](#)

Standards for Training Packages apply to the design and development of Training Packages for endorsement by the authorising body.

Information about these current standards, including applicable templates, can be found at the Department of Education Skills and Employment website (<https://www.dese.gov.au/training-packages>).

These templates describe mandatory and optional information that applies to Units of Competency, assessment requirements and Qualifications.

Vocationally Competent Police Trainers and Assessors

Under the *Standards for RTOs*, each trainer and assessor is required to have vocational competencies at least to the level being delivered and assessed. This does not mean the trainer and assessor is required to hold that exact Qualification or any specific Unit of Competency (unless this is specified in the Training Package).

A trainer or assessor that holds previous versions of Police Training Package (or Public Safety Training Package) Qualifications or Units of Competency would be considered vocationally competent, even if later versions are technically 'not equivalent'.

Policing trainers and assessors can demonstrate they have vocational competency through police knowledge, skills, experience, police academy training and/or Qualifications. Acceptable forms of evidence may include:

- Demonstrating current operational subject matter experience and be familiar with the subject area
- Demonstrating currency as a trainer or assessor in the subject area
- Demonstrating training at least to the level being delivered and assessed
- Have obtained a Qualification at least to the level being delivered and assessed, and relevant to the content of the vocation.

Australian Qualifications Framework

The Australian Qualifications Framework (AQF) provides a comprehensive, nationally consistent framework for all Qualifications in post-compulsory education and training in Australia. In the Vocational Education and Training (VET) sector the AQF enables national recognition of Qualifications and Statements of Attainment.

The POL Police Training Package Release 6.0 provides details of the Units of Competency that must be achieved to award AQF Qualifications.

The rules around which Units of Competency can be combined to make up a valid AQF Qualification are referred to as the packaging rules. The packaging rules must be followed to ensure the integrity of nationally recognised Qualifications issued.

The packaging rules are defined within each Qualification in a Training Package.

Competency Standards

The broad concept of industry competency is the ability to perform particular tasks and duties to the standard of performance expected in the workplace. Competency standards cover all aspects of workplace performance and involve:

- Performing individual tasks
- Managing a range of different tasks
- Responding to contingencies or breakdowns
- Dealing with the responsibilities of the workplace, including working with others.

Workplace competency is the ability to apply relevant skills and knowledge consistently over time and in the required workplace situations and environments.

Competency standards are determined by industry to meet industry skill needs and focus on what is expected of a competent individual in the workplace.

AUSTRALIAN QUALIFICATIONS FRAMEWORK QUALIFICATIONS, SKILL SETS AND UNITS OF COMPETENCY IN THE POL POLICE TRAINING PACKAGE

Qualifications

The POL Police Training Package provides details of the Units of Competency that must be achieved to award AQF Qualifications.

The rules around which Units of Competency can be combined to make up a valid AQF Qualification are referred to as the packaging rules. The packaging rules must be followed to ensure the integrity of nationally recognised Qualifications issued.

Codes and titles

There are mandatory conventions specified in the Standards for Training Packages for the titles and codes used in Training Packages and their components.

QUALIFICATION CODE MANDATORY FIELD	The qualification code contains the three alpha characters identifying the Training Package, a numeric character identifying the AQF level, a two numeric character sequence identifier, and two numeric characters identifying the year the qualification was endorsed. It must comply with the length specified in the AVETMIS Standard.
QUALIFICATION TITLE MANDATORY FIELD	A unique title that reflects the qualification outcome. It must comply with the length specified in the AVETMIS Standard (no more than 100 characters).

Extract from [Standards for Training Packages](#)

Extract from [Training Package Products Policy](#)

The title of each endorsed Training Package Qualification is unique. Qualification titles use the following sequence:

- First, the Qualification is identified as either Certificate I, Certificate II, Certificate III, Certificate IV, Diploma, Advanced Diploma, Graduate Certificate, or Graduate Diploma
- This is followed by the words 'in' for Certificates I to IV and Graduate Certificate, and 'of' for Diploma, Advanced Diploma and Graduate Diploma
- Then, the industry descriptor, for example Warehousing
- Then, if applicable, the occupational or functional stream in brackets, for example (Track Work)

Each Qualification has an eight-character code where the:

- First three characters identify the Training Package
- First number identifies the AQF Qualification level
- Second and third numbers identify a Qualification's position in the sequence of Qualifications at that AQF Qualification level
- Fourth and fifth numbers identify the year in which the Qualification was endorsed

For example: *POL80119 Graduate Certificate of Police Investigation*

AQF Qualifications in the POL Police Training Package

The following Qualifications are in the POL Police Training Package:

Code	Qualification Title	Public Access
AQF 2		
POL21115	Certificate II in Community Engagement	
AQF 3		
POL31115	Certificate III in Aboriginal Community Policing	
POL31215	Certificate III in Police Liaison	
AQF 4		
POL41115	Certificate IV in Aboriginal Community Policing	
POL41215	Certificate IV in Protective Services	
AQF 5		
POL50118	Diploma of Policing	
POL50119	Diploma of Police Intelligence Practice	NFPA
POL50120	Diploma of Crash Investigation	
POL50218	Diploma of Police Bomb Technical Response	NFPA
POL54115	Diploma of Forensic Investigation	NFPA
POL58121	Diploma of Police Search and Rescue Coordination (Marine/Land)	
AQF 6		
POL60118	Advanced Diploma of Police Supervision	NFPA
POL60121	Advanced Diploma of Police Close Personal Protection	NFPA
POL60120	Advanced Diploma of Crash Analysis	
POL60219	Advanced Diploma of Police Intelligence Operations	NFPA
POL60319	Advanced Diploma of Police Negotiation	NFPA
POL60421	Advanced Diploma of Police Search and Rescue Management	
POL60521	Advanced Diploma of Police Witness Protection	NFPA
POL62115	Advanced Diploma of Human Source Management	NFPA
POL62422	Advanced Diploma of Surveillance	NFPA

Code	Qualification Title	Public Access
POL62515	Advanced Diploma of Undercover Operations (Operative/Controller)	NFPA
POL64115	Advanced Diploma of Forensic Investigation	NFPA
POL65115	Advanced Diploma of Police Investigation	
AQF 8		AQF 8
POL80115	Graduate Certificate in Police Management	
POL80119	Graduate Certificate of Police Investigation	
POL84115	Graduate Certificate in Forensic Firearm Examination	NFPA
POL84215	Graduate Certificate in Forensic Fingerprint Investigation	NFPA
POL84315	Graduate Certificate in Crime Scene Investigation	
POL87115	Graduate Certificate in Police Prosecution	

Skill Sets

Codes

Skill Sets are single Units of Competency or combinations of Units of Competency from an endorsed Training Package/s that link to a licensing or regulatory requirement or a defined industry need.

Source: [Training Package Products Policy](#)

A Skill Set is awarded with the issuing of a Statement of Attainment.

Each Skill Set has a code that is automatically issued by training.gov.au (TGA) where the:

- First three characters identify the Training Package
- Next two characters indicate that it is a Skill Set
- Numbers identify the Skill Set's position in the sequence of Skill Sets

For example: *POLSS00002 Police Intelligence (team leader) Skill Set*

Skill Sets in the POL Police Training Package

The following Skill Sets are in the POL Police Training Package:

Code	Title
POLSS00002	Police Intelligence (team leader)

This Skill Set is stand alone and does not lead to a specific policing Qualification.

Units of Competency

Codes and titles

Units of Competency are nationally agreed statements about the skills and knowledge required for effective performance in the workplace. They outline work outcomes as defined by regulatory requirements and agreed by industry.

As such, they identify the skills and knowledge (as outcomes) that contribute to the whole job function – they do not describe how to perform a particular role.

Each Unit of Competency covers a specific work activity, the range of conditions under which the activity is conducted and the foundation skills essential to performance.

The same Unit of Competency (i.e. specific work activity) can be relevant across a range of AQF Qualification levels. It is important to check the packaging rules in Qualifications to establish how units can apply.

UNIT CODE MANDATORY FIELD	The unit code contains the three alpha characters identifying the Training Package, followed by alpha and/or numeric characters. It must comply with the length specified in the AVETMIS Standard (no more than 12 characters).
UNIT TITLE MANDATORY FIELD	The title concisely describes the unit outcome. It must comply with the length specified in the AVETMIS Standard (no more than 100 characters)

Extract from [Standards for Training Packages](#)

Extract from [Training Package Products Policy](#)

There are mandatory conventions specified in the *Standards for Training Packages* for the titles and codes used in Training Packages and their components.

The codes are assigned to Units of Competency when the Training Package is endorsed, or when new Units of Competency are added to an existing endorsed Training Package.

Each Unit of Competency has a specific character code where the:

- First three characters identify the Training Package
- Next character/s indicates the competency field
- Numbers identify a unit's position in the sequence of units in the competency field in the Training Package.

For example: *POLAUX001 Perform basic administration police duties*

Assessment Requirements

Each Unit of Competency has its own assessment requirements that identify the:

- Performance evidence
- Knowledge evidence
- Assessment conditions

TITLE MANDATORY FIELD	Assessment Requirements for [insert Unit of Competency Code and Title]
---------------------------------	--

The same code is used for the Unit of Competency and its associated assessment requirements.

Units of Competency in the POL Police Training Package

The following Units of Competency are in the POL Police Training Package:

Code	Title	Public Access
POLAUX001	Perform basic administrative police duties	
POLAUX002	Assist police with members of a culturally specific community	
POLAUX003	Participate in community engagement activities	
POLAUX004	Maintain operational safety in a policing environment	
POLAUX005	Promote public order through policing services	
POLAUX006	Administer legislation in a policing environment	
POLAUX007	Support road policing services	
POLAUX008	Facilitate public safety awareness activities	
POLAUX009	Represent policing in community engagement activities	
POLAUX010	Deliver a simple work-based policing initiative	
POLAUX011	Participate in police investigations	
POLAUX012	Contribute to judicial processes	
POLAUX013	Deliver services to local policing area	
POLAUX014	Promote engagement in a policing environment	
POLAUX015	Drive policing vehicles	
POLAUX016	Apply protective service methods	
POLAUX017	Escort persons in a protective service environment	
POLAUX018	Liaise with a culturally specific community	
POLCOV011	Recruit a human source	NFPA
POLCOV012	Control a human source	NFPA
POLCOV013	Maintain operational security for human sources	NFPA

Code	Title	Public Access
POLCOV014	Communicate in a covert environment	NFPA
POLCOV015	Manage stress in a covert environment	
POLCOV028	Maintain operational safety in a covert environment	NFPA
POLCOV030	Develop cover stories	NFPA
POLCOV031	Perform undercover negotiations	NFPA
POLCOV032	Use undercover policing technical and specialised equipment	NFPA
POLCOV033	Manage human sources within undercover operation	NFPA
POLCOV034	Deal in a commodity	NFPA
POLCOV035	Prepare and present evidence	
POLCOV036	Prepare reports relating to undercover operations	NFPA
POLCOV037	Plan an undercover operation	NFPA
POLCOV038	Supervise undercover operatives	NFPA
POLCOV042	Assess and report threats and risks	NFPA
POLCOV043	Produce and manage intelligence products	NFPA
POLCOV044	Plan for intelligence activities	
POLCOV045	Manage information in an intelligence environment	NFPA
POLCOV046	Analyse information to develop intelligence	NFPA
POLCOV047	Liaise with clients and stakeholders for intelligence purposes	
POLCOV048	Manage intelligence briefings or presentations	
POLCOV049	Provide intelligence support to policing responses	
POLCOV050	Undertake complex research and analysis in an intelligence environment	NFPA
POLCOV051	Manage threat assessments and risk reporting in a policing environment	
POLCOV052	Communicate in a close personal protection environment	NFPA
POLCOV053	Communicate in a witness protection environment	NFPA
POLCOV054	Conduct searches within a protection environment	NFPA

Code	Title	Public Access
POLCOV055	Drive close personal protection vehicles	NFPA
POLCOV056	Manage a close personal protection operation	NFPA
POLCOV057	Manage a witness protection operation	NFPA
POLCOV058	Perform close personal protection duties	NFPA
POLCOV059	Perform witness protection duties	NFPA
POLCOV060	Plan a protection operation	NFPA
POLCOV061	Collect and present surveillance information and evidence	NFPA
POLCOV062	Communicate in a surveillance environment	NFPA
POLCOV063	Conduct a surveillance operation	NFPA
POLCOV064	Demonstrate professional policing practice in a surveillance environment	NFPA
POLCOV065	Perform foot surveillance	NFPA
POLCOV066	Perform mobile surveillance	NFPA
POLCOV067	Perform static surveillance	NFPA
POLEXP001	Select and apply specialist equipment in an explosive devices environment	NFPA
POLEXP002	Manage search for an explosive device	NFPA
POLEXP003	Manage and maintain safety in an explosive devices environment	NFPA
POLEXP004	Plan and conduct render safe procedures for explosive devices	NFPA
POLEXP005	Interpret and apply principles of explosive device construction	NFPA
POLEXP006	Analyse and respond to an explosive device incident	NFPA
POLFOR001	Apply specialised forensic science techniques	
POLFOR002	Conduct complex forensic crime and incident scene investigations	
POLFOR003	Coordinate multi-discipline forensic investigation	
POLFOR004	Develop forensic crime scene expertise	
POLFOR005	Apply fingerprint comparison and identification methodology	NFPA
POLFOR006	Apply advanced fingerprint detection techniques	NFPA

Code	Title	Public Access
POLFOR007	Develop fingerprint expertise	NFPA
POLFOR008	Operate fingerprint database systems	NFPA
POLFOR009	Undertake fingerprinting of deceased persons	NFPA
POLFOR010	Undertake examination of firearms, ammunition and components	NFPA
POLFOR011	Restore serial numbers to firearms, components and accessories	NFPA
POLFOR012	Examine ammunition components using the comparison microscope	NFPA
POLFOR013	Attend to and reconstruct shooting scenes	NFPA
POLFOR014	Undertake firearm related tests	NFPA
POLFOR015	Interpret gunshot wounds	NFPA
POLFOR016	Apply core science within a forensic environment and or investigation	NFPA
POLFOR017	Contribute to and comply with quality systems	NFPA
POLFOR018	Prepare and present specialist forensic evidence or opinion	NFPA
POLFOR019	Record incident scene and evidence	NFPA
POLFOR020	Coordinate forensic evidence analysis	NFPA
POLFOR021	Use and maintain specialist forensic equipment	NFPA
POLFOR022	Manage complex forensic investigations	NFPA
POLFOR023	Maintain a safe forensic working environment	
POLFOR024	Detect, record and collect forensic evidence	
POLFOR025	Process forensic evidence	
POLFOR026	Prepare and present forensic evidence	
POLFOR027	Assess and control incident/crime scene	
POLGEN001	Develop high performing teams within policing	
POLGEN004	Conduct risk management activities in a policing environment	
POLGEN005	Plan policing operations and responses	NFPA
POLGEN006	Supervise policing responses	NFPA

Code	Title	Public Access
POLGEN007	Review policing governance and accountability compliance	
POLGEN008	Conduct an appreciation of incident management	
POLGEN009	Contribute to and implement policing strategy and policy	
POLGEN010	Demonstrate high level management capabilities within a policing context	
POLGEN011	Demonstrate leadership capabilities within a policing context	
POLGEN012	Manage risk within a policing context	
POLGEN013	Demonstrate professional policing practice	
POLGEN014	Minimise hazards in a policing environment	
POLGEN015	Apply media strategies for policing purposes	
POLGEN019	Operate safely within a policing environment	
POLGEN020	Communicate within a policing environment	
POLGEN027	Promote safety and wellbeing within policing	
POLGEN028	Facilitate community and stakeholder engagement for policing purposes	
POLGEN029	Manage persons in care or custody	
POLGEN030	Provide a policing response	
POLGEN031	Conduct an initial investigation	
POLGEN032	Apply legislation and judicial processes in policing	
POLGEN033	Deliver policing services	
POLGEN034	Deliver road policing services	
POLGEN035	Conduct briefings and debriefings in a policing environment	
POLGEN036	Work collaboratively in a team environment	
POLINV001	Plan police investigations	
POLINV002	Conduct police investigations	
POLINV003	Manage incident scenes	
POLINV009	Manage information within investigations	

Code	Title	Public Access
POLINV010	Confiscate assets	
POLINV011	Conduct investigative interviews	
POLINV012	Coordinate multi-agency investigations	
POLINV013	Lead major investigations	
POLINV014	Conduct jurisdictional review of policing practices	
POLINV015	Manage complex investigations	
POLINV016	Analyse complex factors involved in crash incidents	
POLINV017	Analyse crashes involving heavy vehicles	
POLINV018	Analyse crashes involving motorcycles	
POLINV019	Analyse crashes involving pedestrians and bicycles	
POLINV020	Collate and review crash investigation evidence	
POLINV021	Critically analyse complex crash incident evidence	
POLINV022	Develop and present crash findings	
POLINV023	Examine a crash incident	
POLINV024	Manage quality of crash analysis	
POLINV025	Present evidence on complex crash incidents	
POLNEG005	Use and maintain specialised equipment to support police response	NFPA
POLNEG006	Perform negotiations	NFPA
POLNEG007	Manage teamwork in a negotiation environment	NFPA
POLNEG008	Communicate in a negotiation environment	NFPA
POLPRO001	Conduct mention duties	
POLPRO002	Conduct pre-hearing mentions	
POLPRO003	Conduct legal research	
POLPRO004	Utilise the Rules of Evidence	
POLPRO005	Conduct hearings	
POLSAR007	Assess search and rescue requirements	

Code	Title	Public Access
POLSAR011	Conclude police search and rescue operations	
POLSAR012	Coordinate police search and rescue operations	
POLSAR013	Manage and evaluate search and rescue exercises	
POLSAR014	Manages resources for police search and rescue operations	
POLSAR015	Manage search and rescue media requirements	
POLSAR016	Manage search and rescue operations	
POLSAR017	Undertake initial search and rescue actions	
POLSAR018	Undertake land search and rescue duties	
POLSAR019	Undertake marine search and rescue duties	

QUALIFICATION MAPPING INFORMATION

The Qualification mapping information maps the POL Police Training Package Release 6.0 Qualifications to Qualifications in the POL Police Training Package Release 5.0.

Attachment A: Qualification mapping information

SKILL SETS MAPPING INFORMATION

The Skill Sets information maps the POL Police Training Package Release 6.0 Skill Sets to Skill Sets in the POL Police Training Package Release 5.0.

Attachment B: Skill sets mapping information

UNIT OF COMPETENCY MAPPING INFORMATION

The Unit of Competency information maps the POL Police Training Package Release 6.0 Units of Competency to Units of Competency in the POL Police Training Release 5.0.

Attachment C: Units of Competency mapping information

PREREQUISITE UNITS OF COMPETENCY

Code	Title
POLFOR007	Develop finger print expertise

-
- └ POLFOR005 Apply fingerprint comparison/identification methodology
 - └ POLFOR006 Apply advanced fingerprint detection techniques
 - └ POLFOR008 Operate fingerprint database systems
 - └ POLFOR009 Undertake fingerprinting of deceased persons
-

IMPORTED UNITS AND THEIR PREREQUISITE UNITS

The POL Police Training Package includes no imported Units of Competency from other Training Packages.

CONFIDENTIAL TRAINING PACKAGE PRODUCTS

The provision of Not for Public Access (NFPA) classification and implementation guidance ensures that there is rigor behind the decision to not publish POL Police Training Package materials on the National Register of VET, or store associated materials within the national repository system called VETNet.

The NFPA and Controlled Access classification is used when the compromise of the confidentiality of information could be expected to cause limited damage to the national interest, organisations or individuals through impacts on national security, agency operations or Police operations. Police stakeholders will continue to ensure that ongoing policing capabilities are maintained through the delivery of national VET training and assessment to their respective departments, agencies and jurisdictions.

In general terms, POL Police Training Package materials that have been assigned a NFPA or Controlled Access material classification include:

- Police capabilities related to the use of individual offensive and defensive tactics, techniques and procedures
- Police capabilities related to the identification, construction and destruction of munitions, including explosive ordnance manufacture and disposal
- Police capabilities related to information gathering, surveillance and reconnaissance operations
- Police capabilities related to intelligence operations, witness protection and covert surveillance planning and management capabilities
- Police capabilities related to criminal forensics, including the detection and investigation of crime
- Future police capabilities that have been assessed as requiring a NFPA or Controlled Access material classification to maintain the ongoing protection of information not otherwise specified at time of endorsement, including those where:
 - Access could cause damage to security or public safety
 - Access could be expected to prejudice conduct of investigations
 - Access could be expected to prejudice the enforcement or proper administration within policing
 - Access could reveal operational methodologies

- Access could be expected to endanger the life or physical safety of any person.

Not for Public Access

The POL Police Training Package Release 6.0 contains material that is NFPA. While this material does not contain a security classification, it is considered sensitive and may provide information that should be limited to stakeholders on a need to know basis. NFPA material is listed by code and title within the POL Police Training Package but is not publicly available on the National Register.

Individuals or training organisations requesting access to NFPA material are to request access in writing to the nominated industry authority, Australian New Zealand Policing Advisory Agency (ANZPAA).

NFPA materials are indicated in the Units of Competency section of this CVIG.

Controlled Access Material

The POL Police Training Package also contains material that may only be accessed under controlled conditions. Individuals or training organisations requesting access for scope of registration purposes are to request in writing through the nominated industry authority for access approval.

KEY WORK AND TRAINING REQUIREMENTS IN THE INDUSTRY

The regional and global nature of Australia's strategic interests requires Australia's police agencies to operate within a broad set of understandings, gained through intelligence on international as well as national trends. Workplace and job design is influenced by these trends, such as globalisation and new technologies.

Previous major natural disasters, such as floods and bushfires, have led to operations that have required the skills and cooperation of multiple agencies and services across different segments of the police sector. Preparedness with cross-agency standards and protocols in complex areas of decisions continues to require in-depth skill and knowledge capacity to address changing, real-time situations.

[Australian Industry Standards Public Safety IIRC Skills Forecast 2019](#)

REGULATION AND LICENSING IMPLICATIONS FOR IMPLEMENTATION

The Units of Competency and Qualifications within the POL Police Training Package do not lead to the attainment of industry licenses within any Commonwealth, state or territory jurisdiction. Within the POL Police Training Package, there are no identified licensing or regulatory requirements identified within Units of Competency. These requirements are addressed through jurisdictional policies and procedures and managed through comprehensive internal requirements, as opposed to being identified within the Units of Competency themselves.

IMPLEMENTATION INFORMATION

KEY FEATURES OF THE TRAINING PACKAGE AND THE INDUSTRY THAT WILL IMPACT ON THE SELECTION OF TRAINING PATHWAYS

Pathways define a sequence of learning or experience that can be followed to attain competency and describe the way in which training and assessment is undertaken in an education or training program. They are **not mandatory** and may vary depending on the Qualification or training program, the needs of the individual and the industry.

The POL Police Training Package is flexible and there are many ways that pathways can be constructed to align with individual requirements and business needs. RTOs can work with their clients to apply the flexibility available in the packaging rules to ensure 'fit for purpose outcomes'.

The AQF provides a comprehensive, nationally consistent framework for Qualifications in compulsory post-education and training in Australia. The framework helps to provide consistency in the VET sector for all trainees, learners, employers and providers by enabling recognition of Qualifications and Statements of Attainment. The framework enables learners to have flexible pathways than can cover more than one provider, pathways that are horizontal (across AQF Qualifications at the same level) and vertical (between Qualifications at different levels) and eliminates unnecessary and unfair barriers to AQF Qualifications. Assessment by any pathway must comply with the assessment requirements associated with Police Units of Competency and the Standards for RTOs.

POLICE PROFESSIONALISATION AND TRAINING PATHWAYS

The Australia New Zealand Council of the Police Profession Strategic Framework (the Framework) is a product of the Australia New Zealand Council of Police Professionalisation (ANZCoPP). ANZCoPP is comprised of all Australian and New Zealand Police Commissioners as well as the Presidents of the New Zealand Police Association and the Police Federation of Australia. ANZCoPP supports the best possible police service delivery to communities through professional policing.

The delivery of quality policing services to communities is challenged by the constantly evolving global environment and economic conditions, together with cross-jurisdictional issues associated with new and emerging crimes. The changing environment requires policing to be flexible and proactive in finding innovative, creative and practical means to deliver jurisdictional and collective policing services.

The Framework supports Australia and New Zealand police in working collaboratively on activities that encourage efficient and effective use of policing resources. This requires policing to invest in its own future while continuing to deliver a sustainable policing service.

The Framework:

- Is ultimately focused on improved community outcomes through a professional police service
- Is aimed at strengthening the institution of policing across Australia and New Zealand
- Provides policing with a framework to progress activities that support professional of policing.

POL Police Training Package products are aligned to the intent of the Strategy and provide the mechanism by which individuals can be recognised within the AQF. Further information on the Framework is available from the [Australia New Zealand Policing Advisory Agency](#) (ANZPAA).

INDUSTRY SECTORS AND OCCUPATIONAL OUTCOMES OF QUALIFICATIONS

The POL Police Training Package contains 29 Qualifications comprising 156 police-specific Units of Competency aligned to occupations across the following sectors:

- Close Personal Protection
- Community Policing
- Crash Investigation and Analysis
- Crime Scene Investigation
- Forensic Fingerprint Investigation
- Forensic Firearm Examination
- Forensic Investigation
- Human Source Management
- Police Bomb Technical Response
- Police Intelligence Practice
- Police Investigation
- Police Liaison
- Police Management
- Police Negotiation
- Police Prosecution
- Police Supervision
- Policing
- Protective Services
- Search and Rescue
- Surveillance
- Undercover Operations
- Witness Protection

Industry Occupations Guide

Code	Qualification Title	Job Roles
AQF 2		
POL21115	Certificate II in Community Engagement	Aboriginal Community Police Officer Police Liaison Assistant
AQF 3		
POL31115	Certificate III in Aboriginal Community Policing	Aboriginal Community Police Officer
POL31215	Certificate III in Police Liaison	Police Liaison Officer
AQF 4		
POL41115	Certificate IV in Aboriginal Community Policing	Aboriginal Community Police Officer
POL41215	Certificate IV in Protective Services	Protective Services Officer
AQF 5		
POL50118	Diploma of Policing	Police Officer
POL50218	Diploma of Police Bomb Technical Response	Police Bomb Technical Response Officer
POL50119	Diploma of Police Intelligence Practice	Police Officer
POL50120	Diploma of Crash Investigation	Crash Investigator
POL54115	Diploma of Forensic Investigation	Forensic Investigator
POL58121	Diploma of Police Search and Rescue Coordination (Marine/Land)	Police Search and Rescue Coordinator Police Officer
AQF 6		
POL60118	Advanced Diploma of Police Supervision	Police Officer
POL60121	Advanced Diploma of Police Close Personal Protection	Police Officer
POL60120	Advanced Diploma of Crash Analysis	Crash Analyst
POL60219	Advanced Diploma of Police Intelligence Operations	Police Officer
POL60319	Advanced Diploma of Police Negotiation	Police Officer
POL60421	Advanced Diploma of Police Search and Rescue Management	Police Search and Rescue Manager Police Officer

Code	Qualification Title	Job Roles
POL60521	Advanced Diploma of Police Witness Protection	Police Officer
POL62115	Advanced Diploma of Human Source Management	Police Officer
POL62422	Advanced Diploma of Surveillance	Police Officer
POL62515	Advanced Diploma of Undercover Operations (Operative/Controller)	Police Officer
POL64115	Advanced Diploma of Forensic Investigation	Forensic Investigator
POL65115	Advanced Diploma of Police Investigation	Police Detective
AQF 8		
POL80115	Graduate Certificate in Police Management	Police Officer
POL80119	Graduate Certificate of Police Investigation	Investigation Coordinator
POL84115	Graduate Certificate in Forensic Firearm Examination	Forensic Investigator
POL84215	Graduate Certificate in Forensic Fingerprint Investigation	Forensic Investigator
POL84315	Graduate Certificate in Crime Scene Investigation	Forensic Investigator
POL87115	Graduate Certificate in Police Prosecution	Police Officer

QUALIFICATIONS ENTRY REQUIREMENTS

Entry requirements are the knowledge, skills or experience required to enter a Qualification. They may be expressed as Units of Competency, Qualifications or vocational outcomes and **must** be demonstrated prior to commencing the Qualification.

In the POL Police Training Package, the following entry requirements apply:

A recruit will join a police agency, generally become a police officer initially and subsequently move into a specialist role (such as a supervisor, detective, dog handler, scientific officer etc.). Therefore, the recruit will be equipped with generic police skills, and often move into a supervising, managing, leading role or into a technical specialist role.



PATHWAYS ADVICE

The [Australian Apprenticeships website](#) offers information about traineeships and apprenticeships and includes links to State and Territory Training Authorities (STAs) that monitor provision.

VET in Schools programs are packaged and delivered in a variety of ways across Australia. However, it is highly recommended that schools work together in partnership with an RTO where Qualifications or Skill Sets result in strong transferable skills relevant to the needs of the individual and commercial enterprises.

Due to the specific occupational nature of policing, all Qualifications in the POL Police Training Package are considered unsuitable for delivery via VET in Schools or an Australian Apprenticeship pathway.

CREDIT ARRANGEMENTS

Currently there are no credit transfer arrangements between Qualifications in this Training Package and higher education Qualifications.

ACCESS AND EQUITY

Good vocational education and training, and assessment include making adjustments to meet the learning and assessment needs of individuals. An open mind, common sense and tailoring training and assessment to individual circumstances should ensure individuals achieve the standards employers and RTOs expect.

Adjustments can be made to assist learners to access and participate in vocational education and training. Adjustments are reasonable if they achieve this purpose and take into account factors such as the nature of the learner's ability and disability, the views of the learner, the potential effect of the adjustment on the learner and others, and the costs and benefits of making the adjustment.

Reasonable adjustments need only be that – reasonable. It is about identifying what adjustments might reasonably be made and how they may be put into place.

Assessment processes and techniques should be modified for distance-based learners, be culturally appropriate and suitable to the communication skill level, language, literacy and numeracy capacity of the candidate and the work being performed.

An individual's access to the assessment process should not be adversely affected by restrictions placed on the location or context of assessment.

Assessment processes and techniques must be appropriate to the language, literacy and numeracy requirements of the work being performed and the needs of the candidate.

INDIGENOUS LEARNERS

It is very likely that aspects of this Training Package will be delivered to Indigenous people. Non-Indigenous trainers and assessors should acknowledge that Indigenous experience of the world can differ greatly from mainstream Australian experiences. Indigenous culture is a well-established, complex, proud, adaptive and adoptive culture, deserving of respect. Many Indigenous people and their families have had negative experiences in mainstream education.

These experiences often have a negative impact on learners' self-confidence, so strategies to rebuild positive learning experiences and attitudes need to be an integral part of training and assessment programs for Indigenous people. Showing respect of Indigenous culture requires understanding of the protocols of the local community. Protocols vary between different groups and trainers and assessors should always check with a contact or an Elder in the local community about issues to be aware of in the training and assessment environment.

FOUNDATION SKILLS

Language, literacy and numeracy skills can make the difference between whether or not someone succeeds in training and at work. These important skills are now called 'core skills' or 'foundation skills' because they are at the core of – or the foundation to – other more specific technical skills.

All Units of Competency in the POL Police Training Package clearly describe the foundation skills that are essential to performance in the elements and performance criteria of the Unit of Competency.

There is a distinction between 'core skills' and 'foundation skills' in Training Packages, which can be summarised as follows:

- **Core skills** are those described in the Australian Core Skills Framework (ACSF): learning, numeracy, oral communication (speaking and listening), reading and writing.
- **Foundation skills** is the term that the Australian Government uses in a number of different contexts, including vocational Units of Competency, to capture language, literacy and numeracy skills and employment skills.

In the POL Police Training Package, foundation skills are explicit in the performance criteria in each Unit of Competency.

This is achieved with the use of key words or phrases to indicate foundation skills that are essential to performance. It is important to note that foundation skills may not have the same meaning in every instance and do need to be considered in the relevant job context.

The significance of each of these skills will also vary in respect to job roles and the strengths of individuals. It is important for users of the Training Package to contextualise relevant foundation skills identified in Units of Competency and assessment criteria.

FSK Foundation Skills Training Package

The FSK Foundation Skills Training Package allows RTOs to choose and deliver foundation skills units, Qualifications and Skill Sets that will enable learners to build the specific foundation skills they need to achieve vocational competency.

Foundation skills units provide additional information about the types of language, literacy and numeracy skills that are needed to meet the requirements of vocational Units of Competency.

The Training Package can be downloaded from <https://training.gov.au/Training/Details/FSK>.

HEALTH AND SAFETY IMPLICATIONS IN THE INDUSTRY

Work health and safety (WHS)/occupational health and safety (OHS) has been used in Units of Competency to refer to the relevant legislation. As not all jurisdictions have implemented the Model Work Health and Safety (WHS) Act the combined term is used to recognise that either the national model or existing state instrument will apply, as specified by the relevant regulatory authority.

In jurisdictions where the Model WHS Act has not been implemented, RTOs are advised to contextualise the Unit of Competency by referring to the existing state/territory OHS legislative requirements.

RESOURCES AND EQUIPMENT RELEVANT TO THE TRAINING PACKAGE

The assessment requirements relevant to each Unit of Competency refer to the relevant resources and equipment required for assessment.

Where a specific vehicle or piece of equipment is referred to, it must be used in the relevant assessment.

In particular, for assessment, access is required to:

- A range of relevant exercises, case studies and/or simulations
- A vehicle typical of that used in the industry
- Applicable documentation, including workplace procedures, regulations, codes of practice and operation manuals
- Relevant materials, tools, equipment and personal protective equipment (PPE) currently used in industry.

Specific assessment requirements and strategies are defined in the relevant Unit of Competency where applicable.

RTOs can only conduct training and/or assessment of the Qualifications and/or Units of Competency in this Training Package provided they are covered by their Scope of Registration.

The assessment requirements for each Unit of Competency specify the relevant resources and equipment required to achieve the vocational outcomes of the POL Police Training Package.

LEGAL CONSIDERATIONS FOR LEARNERS IN THE WORKPLACE/ ON PLACEMENTS

Legal requirements that apply to specific industries and VET vary across each state and territory, and the Commonwealth, and can change.

Contact relevant state/territory and Commonwealth departments to determine specific legal requirements.

LINKS

[Companion Volume Implementation Guide \(CVIG\) for POL Police Training Package](#)

AUSTRALIAN CORE SKILLS FRAMEWORK

The ACSF describes the five core skills of learning, reading, writing, oral communication and numeracy.

Five levels of performance ranging from one (low level performance) to five (high level performance).

Performance variables that may influence a person's performance at any time are:

- support
- context
- text complexity
- task complexity.

ACSF PERFORMANCE VARIABLES GRID				
5 levels of Performance	Support	Context	Text Complexity	Task Complexity
1	Works alongside an expert/mentor where prompting and advice can be provided	Highly familiar contexts Concrete and immediate Very restricted range of contexts	Short and simple Highly explicit purpose Limited, highly familiar vocabulary	Concrete tasks of 1 or 2 steps Processes include locating, recognising
2	May work with an expert/mentor where support is available if requested	Familiar and predictable contexts Limited range of contexts	Simple familiar texts with clear purpose Familiar vocabulary	Explicit tasks involving a limited number of familiar steps Processes include identifying, simple interpreting, simple sequencing
3	Works independently and uses own familiar support resources	Range of familiar contexts Some less familiar contexts Some specialisation in familiar/known contexts	Routine texts May include some unfamiliar elements, embedded information and abstraction Includes some specialised vocabulary	Tasks involving a number of steps
4	Works independently and initiates and uses support from a range of established resources	Range of contexts, including some that are unfamiliar and/or unpredictable Some specialisation in less familiar/known contexts	Complex texts Embedded information Includes specialised vocabulary Includes abstraction and symbolism	Complex task organisation and analysis involving application of a number of steps Processes include extracting, extrapolating, inferencing, reflecting, abstracting
5	Autonomous learner who accesses and evaluates support from a broad range of sources	Broad range of contexts Adaptability within and across contexts	Highly complex texts Highly embedded information Includes highly specialised language and symbolism	Sophisticated task conceptualisation, organisation and analysis

ACSF PERFORMANCE VARIABLES GRID				
5 levels of Performance	Support	Context	Text Complexity	Task Complexity
		Specialisation in one or more contexts		Processes include synthesising, critically reflecting, evaluating, recommending

The ACSF provides detail about the following five core skills:

Learning: the process of gaining understanding and developing skills by drawing on prior knowledge and experience.

Reading: the process of making meaning from different types of documents - being aware of an author's purpose and intended audiences, of own purposes for reading, and of the role learners play in the construction of meaning.

Writing: the process of employing prior knowledge and strategies to convey a message, taking into account the purpose of writing, audience and context.

Oral communication: the process of speaking and listening, which is shaped by the purpose and context of communication. It involves transactional and interpersonal exchanges.

Numeracy: the process of using and applying mathematics to make sense of the world. Further information can be found [here](#)

AUSTRALIAN CORE SKILLS FRAMEWORK MAPPING

POLAUX001	Perform basic administrative police duties	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Identify own learning needs in consultation with relevant personnel Seek suggestions on ways to improve work outputs and performance Identify opportunities to meet learning needs and take action in consultation with relevant personnel Collate evidence of on and off-the-job learning relevant to work role 	3
Reading	<ul style="list-style-type: none"> Locate key information in organisational communication policy, processes and systems for use within own job role Identify and read procedures for the use of police communications equipment 	3
Writing	<ul style="list-style-type: none"> Record details of tasks and commitments Maintain security documentation Record received information for reporting purposes 	3
Oral communication	<ul style="list-style-type: none"> Consult others to establish tasks, priorities and deadlines Clarify requirements with supervisors to facilitate completion of tasks Listen and follow instructions Transmit oral information concisely and clearly to facilitate accurate reception of message 	3
Numeracy	<ul style="list-style-type: none"> Manage time and prioritise tasks 	2

POLAUX002	Assist police with members of a culturally specific community	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Assist police with members of a culturally specific community 	3
Reading	<ul style="list-style-type: none"> Read and apply relevant code of conduct 	3

Writing	<ul style="list-style-type: none"> • Provide written advice on cultural considerations which may affect interaction between culturally specific community and police • Adjust written communication style to explain information to culturally specific community • Report culturally specific community concerns and suggestions from culturally specific community to supervisors 	3
Oral communication	<ul style="list-style-type: none"> • Provide oral advice on cultural considerations which may affect interaction between culturally specific community and police • Adjust oral communication style to explain information and police service strategies to culturally specific community • Perform consultations with culturally specific communities • Report culturally specific community concerns and suggestions to supervisors • Use clear and concise language to explain cultural considerations and community decision-making practices 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLAUX003	Participate in community engagement activities	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> • Read and adhere to codes of conduct 	3
Writing	<ul style="list-style-type: none"> • Use written means to seek assistance from colleagues 	3
Oral communication	<ul style="list-style-type: none"> • Adapt language and non-verbal communication to target audience • Apply active listening skills and questioning techniques to clarify issues • Interact with community to obtain information and provide advice • Report community engagement plan to supervisors • Seek oral assistance from colleagues to manage community member's expectations • Refer community members to relevant personnel as required 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLAUX004	Maintain operational safety in a policing environment
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Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Develop situational awareness to identify risks in an operational environment 	3
Reading	<ul style="list-style-type: none"> Read and apply current jurisdictional policies and procedures, relating to work health and safety Read and apply policies and procedures relating to use of force/tactical options 	4
Writing	<ul style="list-style-type: none"> Complete routine documentation requirements relating to operational safety 	3
Oral communication	<ul style="list-style-type: none"> Communicate oral any safety concerns to other stakeholders Maintain oral communication with police and other parties throughout a specific response Seek oral feedback from supervisor regarding response Explain use of tactical options based on situational factors to personnel and other stakeholders 	3
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLAU005	Promote public order through policing services	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Initiate problem-solving activities 	4
Reading	<ul style="list-style-type: none"> Read and apply legislation relating to offences against persons and property and policies covering operational response and safety issues Read and adhere to codes of conduct 	4
Writing	<ul style="list-style-type: none"> Record and report information relating to local policing Use written means to communicate outcomes of response to stakeholders 	3
Oral communication	<ul style="list-style-type: none"> Engage in conversation with individuals/community to develop rapport Report information orally relating to local policing area Liaise with stakeholders to facilitate response and inform them of outcomes Interview persons of interest at the incident scene 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLAUX006	Administer legislation in a policing environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and apply legislation to scenarios to inform the use of police powers Read and assess brief of evidence for elements of offences Check own judicial documents for compliance purposes 	4
Writing	<ul style="list-style-type: none"> Develop written briefs of evidence 	3
Oral communication	<ul style="list-style-type: none"> Deliver relevant oral cautions and rights Communicate clearly with stakeholders as part of policing responses and judicial processes 	3
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLAUX007	Support road policing services	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and apply current legislation to support road policing services Read and apply jurisdictional policies and procedures related to work health and safety (WHS) 	4
Writing	<ul style="list-style-type: none"> Use written communication to refer and report safety issues to internal and external stakeholders 	3
Oral communication	<ul style="list-style-type: none"> Refer and report safety issues verbally to internal and external stakeholders Communicate with stakeholders at crash incident scenes and vehicle stops and pullovers Use questioning to gather details of potential witnesses, offenders and victims 	3
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLAUX008	Facilitate public safety awareness activities	
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Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and apply codes of conduct Read and apply jurisdictional policies and procedures relating to reporting 	3
Writing	<ul style="list-style-type: none"> Complete reports detailing activities, results and recommendations 	3
Oral communication	<ul style="list-style-type: none"> Communicate confidently in a group setting Interact with a wide variety of people and adapt language to suit the audience and diversity Establish rapport with community representatives and groups to facilitate engagement Use oral communication to seek cooperation and support from stakeholders in planning and initiating public safety awareness activities 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLAU009	Represent policing in community engagement activities	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Identify own limitations in knowledge and responsibility and refer non-routine requests for information to an appropriate person 	3
Reading	<ul style="list-style-type: none"> Read and apply jurisdictional policies and procedures relating to engagement with external stakeholders Read a range of information to facilitate community presentation Read and follow meeting procedures and protocols 	4
Writing	<ul style="list-style-type: none"> Develop written resources for use within presentation Use written communication to respond to community requests for information or participation 	4

Oral communication	<ul style="list-style-type: none"> • Deliver oral presentations to community groups using appropriate language and structure • Seek feedback on presentation for continuous improvement purposes • Explain and promote the organisation's activities to encourage community recognition and support • Provide information to the group to assist in discussions and outcomes 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLAU010	Deliver a simple work-based policing initiative	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> • Read and apply organisational policies and procedures including those related to information security and codes of conduct 	3
Writing	<ul style="list-style-type: none"> • Prepare work-based project documents • Use written communication to report exceptions and changing circumstances to supervisor • Report outcomes of feedback process to stakeholders 	4
Oral communication	<ul style="list-style-type: none"> • Consult and liaise with stakeholders to develop tailored response. • Interact with supervisors to seek organisational approvals to conduct problem-oriented and partnership initiatives • Report any exceptions and changing circumstances verbally to supervisor • Seek feedback from stakeholders to identify outcomes 	4
Numeracy	<ul style="list-style-type: none"> • Apply time management skills and identify financial resources required for implementation of policing initiative 	3

POLAU011	Participate in police investigations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> • Read and assess information and evidence for potential relevance to investigation 	4

Writing	<ul style="list-style-type: none"> Record details of exhibits for evidentiary purposes Put statement from interviewee in writing Ensure chronology of information is accurately recorded 	4
	<ul style="list-style-type: none"> Communicate with internal and external stakeholders using written means 	
Oral communication	<ul style="list-style-type: none"> Provide guidance to junior members on identifying and securing incident scenes and evidence Listen to statement from interviewee to support investigation Participate in offender interview to support judicial process Orally communicate with internal and external stakeholders 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLAUX012	Contribute to judicial processes	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and apply court and bail procedures and processes Read and apply organisational policies and procedures including WHS and codes of conduct 	4
Writing	<ul style="list-style-type: none"> Complete judicial documents that comply with judicial policies and current legislation Document outcomes of contribution to judicial process Use written means to communicate court results to stakeholders 	4
Oral communication	<ul style="list-style-type: none"> Provide advice to victims and witnesses in relation to participation in judicial processes Communicate information regarding available support services to victims and witnesses Inform stakeholders of court results 	4
Numeracy	<ul style="list-style-type: none"> Manage timeframes 	3

POLAUX013	Deliver services to local policing area	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Identify cultural diversity issues and challenges to contribute to solutions 	3

Reading	<ul style="list-style-type: none"> Read and apply jurisdictional policies and procedures relating to information management systems, including collection, storage and release of information Read written sources to determine credibility and potential bias 	4
Writing	<ul style="list-style-type: none"> Use written means to communicate information to stakeholders to facilitate analysis Provide written advice regarding support services available to individuals and community Seek feedback from community to continuously improve policing service delivery 	4
Oral communication	<ul style="list-style-type: none"> Communicate information to stakeholders to facilitate analysis Discuss police service options with members of the community Liaise with individuals/community regarding operational status and matters Conduct oral consultations with members of community Provide advice regarding support services available to individuals and community 	4
Numeracy	<ul style="list-style-type: none"> Manage own time and prioritise tasks 	2

POLAUX014	Promote engagement in a policing environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Identify cultural diversity issues and challenges to contribute to solutions 	3
Reading	<ul style="list-style-type: none"> Read and apply current Commonwealth, state or territory legislation pertaining to discrimination Read and apply jurisdictional customer service charters, codes of ethics and codes of conduct 	4
Writing	<ul style="list-style-type: none"> Use written means to communicate information to stakeholders Provide written advice regarding support services available to individuals and community Seek feedback from key community members 	3
Oral communication	<ul style="list-style-type: none"> Communicate key messages to specific target audience Mediate and negotiate with individuals/community regarding operational matters Conduct oral consultations with key members of community Provide advice regarding support services available to individuals and community 	4

Numeracy	<ul style="list-style-type: none"> Manage own time and prioritise tasks 	2
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POLAUX015	Drive policing vehicles	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build strategies to manage personal stress and fatigue when driving vehicles 	3
Reading	<ul style="list-style-type: none"> Read maps and diagrams to plan routes and navigate roads Read and apply jurisdictional policies and procedures relating to the use of police vehicles, including audible and visual warning systems Read and interpret traffic legislation, rules and regulations 	4
Writing	<ul style="list-style-type: none"> Complete vehicle and operational response documentation 	4
Oral communication	<ul style="list-style-type: none"> Use police communication systems and processes to report incidents and accidents 	3
Numeracy	<ul style="list-style-type: none"> Read and interpret mathematical symbols and values in maps and diagrams 	3

POLAUX016	Apply protective service methods	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build awareness to identify when further assistance is required 	3
Reading	<ul style="list-style-type: none"> Read and apply legislation relating to the roles and responsibilities of protective services and police power Read and interpret assignment instructions to manage access control systems Read and assess entry validations of persons and vehicles to monitor entry and egress 	4
Writing	<ul style="list-style-type: none"> Document a response plan Document details of search for integrity and accountability purposes Complete post-incident documentation for recording and accountability purposes 	3

Oral communication	<ul style="list-style-type: none"> Communicate with stakeholders to report incidents that infringe or breach assignment instructions Explain actions to persons detained Use clear language to effectively manage incidents and to provide situation reports to supervisors 	3
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLAUX017	Escort persons in a protective service environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Develop situational awareness and apply throughout escort operations 	3
Reading	<ul style="list-style-type: none"> Gather and read information relating to persons in care to identify transport and assistance requirements Read and apply legislative provisions to define parameters of escort operation Read and comply with duty of care requirements 	4
Writing	<ul style="list-style-type: none"> Communicate in writing with stakeholders Document route plans, itinerary and timetables to ensure the safest and most time-effective movements Complete post-escort documentation for accountability purposes 	4
Oral communication	<ul style="list-style-type: none"> Liaise with stakeholders during care situation and handovers Communicate escort plan to relevant persons to facilitate escort operations Communicate with stakeholders throughout escort operations to ensure appropriate flow of information 	3
Numeracy	<ul style="list-style-type: none"> Develop plans and itineraries that apply to strict timelines Perform routine calculations to determine route plans 	3

POLAUX018	Liaise with a culturally specific community	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and apply organisational policies and procedures particularly those relating to information security and codes of conduct 	4

Writing	<ul style="list-style-type: none"> • Collate and record information relating to culturally specific community • Report culturally specific community public safety concerns to supervisors 	3
Oral communication	<ul style="list-style-type: none"> • Consult with community members and organisations to build networks • Adjust communication style to suit audience • Report verbally any culturally specific community concerns to supervisors • Explain cultural protocols to stakeholders to enhance organisational understanding • Explain community decision-making practices including the roles of key groups and organisations • Explain police service strategies to community members and organisations • Seek community suggestions and feedback 	3
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLCOV015	Manage stress in a covert environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Identify warning flags of personal stress to implement mitigation strategies 	3
Reading	<ul style="list-style-type: none"> • Read and apply jurisdictional legislation policies and procedures relating to work health and safety • Read widely to identify support networks and resources to respond to welfare considerations 	4
Writing	<ul style="list-style-type: none"> • Use written mean to communicate personal stress issues with team members and stakeholders 	3
Oral communication	<ul style="list-style-type: none"> • Liaise with stakeholders to develop stress mitigation strategies • Communicate with team members to debrief and encourage management of personnel stress • Use oral means to seek support from team members to assist in managing factors affecting stress level 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLCOV035	Prepare and present evidence	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level

Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and comply with rules of evidence in testimony to support admissibility Read and comply with jurisdictional court procedures to support judicial outcomes 	4
Writing	<ul style="list-style-type: none"> Develop written statements detailing own participation in operation Compile documentation for submission to judicial proceedings Complete and update records pertaining to the admissibility of evidence in a judicial proceeding 	4
Oral communication	<ul style="list-style-type: none"> Present evidence in a clear, concise and articulate manner Advise judicial stakeholders prior to the commencement of proceedings of aspects that may be subject to Public Interest Immunity argument Communicate intention to claim Public Interest Immunity within judicial proceedings 	5
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLCOV044	Plan for intelligence activities	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build a knowledge and understanding of: <ul style="list-style-type: none"> jurisdictional information management systems including intelligence databases memoranda of understanding related to the sharing of information, planning processes, resource management, and information sourcing processes information security principles Build an awareness of risks identification and mitigation measures Build knowledge to establish strategies/methodologies in intelligence activity objectives 	4
Reading	<ul style="list-style-type: none"> Read and identify intelligence activities in line with jurisdictional priorities Read documentation to identify objectives, implications and constraints that may impact upon the intelligence activities Research and investigate resources required to achieve intelligence activity objectives 	5

Writing	<ul style="list-style-type: none"> Formulate written documents with activity objectives and priorities identified by client and stakeholder expectations Generate intelligence plans for recording, approval and implementation Report and document risks that may influence the completion or outcomes of the intelligence activity Document and implement risk mitigation strategies for the intelligence activity 	4
Oral communication	<ul style="list-style-type: none"> Consult orally with clients and stakeholders to establish ownership of intelligence activity Negotiate allocation of resources, timeframes and activity scope with all relevant clients and stakeholders Communicate potential implications and constraints that may impact upon the activity 	4
Numeracy	<ul style="list-style-type: none"> Perform calculations and manage time to develop sequence of activities and timeframes to achieve intelligence activity objectives 	4

POLCOV047	Liaise with clients and stakeholders for intelligence purposes	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build a knowledge and understanding of: <ul style="list-style-type: none"> capabilities, powers and authorities of services external to policing jurisdictional policies and procedures related to information security and external engagement 	2
Reading	<ul style="list-style-type: none"> Read and interpret a range of stakeholder written communications Read and review information received from clients/stakeholders with a mutual interest in the intelligence process 	4
Writing	<ul style="list-style-type: none"> Provide written information to clients/stakeholders to support collaboration, prevent duplication, improve efficiency and effectiveness for policing and intelligence Communicate with external agencies via email and other written means 	4

Oral communication	<ul style="list-style-type: none"> • Provide oral information to clients/stakeholders to support collaboration, prevent duplication, improve efficiency and effectiveness for policing and intelligence • Use oral communication strategies to develop stakeholder networks • Actively participate in cross-jurisdictional/interagency and other stakeholder meetings • Consult orally with clients/stakeholders to support jurisdictional and intelligence objectives 	5
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLCOV048	Manage intelligence briefings or presentations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Develop skills to employ information technologies to enhance design of briefings or presentations • Develop reasoned and logical arguments to support understanding of key information, considerations and recommendations • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ communication principles and concepts as applied to briefing or presentation contexts ○ evaluation methodology for gathering stakeholder views ○ information security protocols, classifications and management procedures ○ jurisdictional communication policies, methods, tools and techniques 	4
Reading	<ul style="list-style-type: none"> • Read and apply information security protocols and management procedures • Read and determine security level of information • Read and analyse collated information for key content messages, themes or findings • Read and review stakeholder evaluations of briefings or presentations to inform continuous improvement processes 	5
Writing	<ul style="list-style-type: none"> • Design and record plan for briefings or presentations and develop written resources as required • Write information in a logical and sequential format for stakeholder analysis and review • Record stakeholder evaluations of intelligence briefings or presentations for subsequent review 	4

Oral communication	<ul style="list-style-type: none"> • Communicate and liaise with stakeholders to coordinate and attend intelligence briefings or presentations • Deliver oral briefings or presentations to jurisdictional standards and in line with organisational policies, procedures and security protocols • Communicate orally to coordinate arrangements and resources for the briefings or presentations • Use questioning and clarification skills to deliver high risk information and to ensure stakeholder understanding • Use oral means to seek stakeholders' evaluation of intelligence briefings or presentations 	5
Numeracy	<ul style="list-style-type: none"> • Manage schedules and time allocations for briefings or presentations 	3

POLCOV049	Provide intelligence support to policing responses	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Provide intelligence support to policing responses • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ information security protocols and classifications ○ jurisdictional communication policies, methods, tools and techniques ○ jurisdictional information technologies and their application to intelligence situations ○ jurisdictional response policies and procedures 	4
Reading	<ul style="list-style-type: none"> • Collect information in accordance with intelligence support objectives • Collect, collate and review information to meet multiple stakeholder requirements and to determine its relevance, reliability and validity • Disseminate information in accordance with information security requirements • Analyse information to develop inferences and insights • Read and organise intelligence products into logical and sequential formats • Read and identify gaps in intelligence to guide further information collection • Read and assess written feedback for continuous improvement opportunities 	5

Writing	<ul style="list-style-type: none"> • Document intelligence support plan to provide rationale for resource use • Draft intelligence products to support defined requirements • Document intelligence support evaluations to inform future analysis and reviews • Revise and document intelligence products to accommodate changing circumstances and requirements • Complete reports on findings and results 	4
Oral communication	<ul style="list-style-type: none"> • Communicate and liaise with multiple stakeholders, including external agencies • Collaborate with stakeholders to improve the quality of intelligence support • Communicate orally with stakeholders to negotiate timelines • Interact with stakeholders to seek evaluations to assist review of intelligence support responses • Delivering intelligence briefings/presentations to key operational personnel and stakeholders • Contribute to debriefs and post-response evaluations 	5
Numeracy	<ul style="list-style-type: none"> • Negotiate and manage timelines with stakeholders 	3

POLCOV051	Manage threat assessments and risk reporting in a policing environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Develop risk management strategies from prior research and apply to risk management planning • Monitor circumstances and environment for changes in level of threat and harm to determine importance of threat and to identify urgency and prioritisation • Analyse indicators of intent and capability to determine likelihood of threat • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ jurisdictional reporting and recording processes for tracking threat assessments ○ jurisdictional strategic planning processes and techniques ○ principles of good practice in threat assessments 	5

Reading	<ul style="list-style-type: none"> • Read and review existing risk management strategies to understand sufficiency and validity of current practices • Conduct research of documented current good practice, alternative options and expert opinions • Review and critique information to determine relevance, reliability and credibility 	4
Writing	<ul style="list-style-type: none"> • Record levels of threat for monitoring and accountability purposes • Use written means to communicate limitations and impacts of threat assessment to stakeholders • Document risk management strategies to ensure accountability • Document referral to investigation or operational threat assessment • Record and disseminate threat assessment to inform risk management strategies • Document research and threat assessment process 	5
Oral communication	<ul style="list-style-type: none"> • Consult with stakeholders to confirm operations, goals and objectives • Use clear and concise language to communicate limitations and impacts of threat assessments to stakeholders • Respond to client and stakeholder requirements to refine response options • Communicate clearly with stakeholders to explain threat and vulnerability level, prioritisation and opportunities 	5
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLFOR001	Apply specialised forensic science techniques	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Develop an understanding of the processes of analysis and conceptualisation to draw sound conclusions • Build an understanding of risk mitigation activities 	4
Reading	<ul style="list-style-type: none"> • Read and apply jurisdictional coronial and criminal legislation related to forensic investigation • Read, interpret and evaluate complex information related to forensic science techniques • Read and review examination results for reliability and justification • Read and compare recorded evidence data to draw conclusions/opinions 	5

Writing	<ul style="list-style-type: none"> Record observations and test data to assist in interpreting physical evidence Conduct and record comparative analysis examinations Collate written information to complete complex written reports 	4
Oral communication	<ul style="list-style-type: none"> Discuss examination results and conclusions with team members 	4
Numeracy	<ul style="list-style-type: none"> Apply principles of physics and perform calculations related to mechanics and motion, forces, trajectory, electricity 	4

POLFOR002	Conduct complex forensic crime and incident scene investigations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Conduct complex forensic crime and incident scene investigations 	4
Reading	<ul style="list-style-type: none"> Read and apply jurisdictional policies and procedures that relate to multi-agency operations, quality management systems, and forensic investigations Read and analyse a range of written information on crime/investigation scene to develop a forensic investigation plan Read and interpret data related to physical evidence in order to develop a hypothesis 	5
Writing	<ul style="list-style-type: none"> Develop a written forensic investigation plan and adjust it to address developments or new information Record accurately any characteristics of evidence for further specialist analysis Write summaries of information gathered during the forensic investigation to develop initial interpretation Compile complex reports which include conclusions and assessments of the outcomes of the forensic investigation 	5
Oral communication	<ul style="list-style-type: none"> Use oral communication strategies to negotiate stakeholder requirements throughout the forensic investigation Liaise with internal and external agencies, services and specialists Communicate clearly with a range of stakeholders and interpret and explain complex concepts for those from diverse backgrounds 	5
Numeracy	<ul style="list-style-type: none"> Apply scientific principles and mathematical concepts to interpret information and draw conclusions 	4

POLFOR003	Coordinate multi-discipline forensic investigation	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Develop skills to identify own limitations or that of team and know when to involve forensic specialists in specific disciplines 	4
Reading	<ul style="list-style-type: none"> Read and apply jurisdictional policies and procedures related to occupational/workplace health and safety, case management systems, human resources and forensic investigations Read a range of complex information on forensic disciplines required for the investigation Read and evaluate recorded data on completed tasks to determine whether the forensic objectives of the action plan and investigation have been met Read and analyse preliminary results of the forensic investigation 	5
Writing	<ul style="list-style-type: none"> Develop a written investigation /action plan and adjust to address new developments or information Complete records to substantiate critical decisions and for reporting purposes Write complex reports which include investigation processes, results and conclusions 	5
Oral communication	<ul style="list-style-type: none"> Use clear and concise language to negotiate with stakeholders to allocate resources Use oral communication to lead a team and manage personnel in a multi-discipline investigation Explain action plan taskings and delegate to personnel Liaise and present oral briefings with stakeholders Communicate to team members scene/preliminary results for hand-over purposes 	5
Numeracy	<ul style="list-style-type: none"> Perform calculations to procure and allocate resources 	4

POLFOR004	Develop forensic crime scene expertise	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Learn to acknowledge limitations of the information/evidence when providing an expert opinion Liaise with peers to review opinions of self and others 	4

Reading	<ul style="list-style-type: none"> Conduct a literature review using various search techniques. Read and evaluate information relevant to the investigation critically to form an expert opinion Review data and research findings for accuracy and compliance with legal requirements Read and review information in a case file to determine quality, accuracy and completeness Evaluate contemporary information to determine potential applicability and suitability within forensic investigations 	5
Writing	<ul style="list-style-type: none"> Developing research proposals, including hypotheses, jurisdictional context and research methodology Use written means to report research findings to inform broader forensic community Develop written recommendations on better practice 	5
Oral communication	<ul style="list-style-type: none"> Communicate information that includes the description of a complex opinion/point of view/argument in a clear, concise manner to a wide range of audiences Interact with colleagues to validate expert opinion Report expert opinion to others as required Deliver expert opinion to aid judicial enquiry process 	5
Numeracy	<ul style="list-style-type: none"> Read and interpret mathematical concepts in complex forensic information 	4

POLFOR023	Maintain a safe forensic working environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build a knowledge of risk management strategies 	3
Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional policies and procedures related to forensic examination, WHS and equipment maintenance regimes Assess information about the forensic situation to identify welfare considerations for potential referrals, specialist and/or external agency assistance Read and assess packaging procedures for relevance to the type and scope of hazard and potential periods of storage Read and adhere to material safety data information as appropriate to tasks undertaken 	4
Writing	<ul style="list-style-type: none"> Use written communication to report WHS hazards, incidents or near misses to stakeholders Record details of hazards identified relating to substances and equipment 	3

Oral communication	<ul style="list-style-type: none"> Interact orally with specialist/external agencies and other relevant personnel in order to respond to hazards Communicate WHS hazards, incidents or near misses to stakeholders 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLFOR024	Detect, record and collect forensic evidence	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Develop knowledge of best application of a range of forensic evidence search methods, observation techniques, technical methods, photography, screening techniques, casting and lifting techniques 	4
Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional policies and procedures related to forensic examination, WHS, quality systems, exhibit handling and intimate samples and authorisations Read and assess forensic written evidence to identify potential contamination or loss 	4
Writing	<ul style="list-style-type: none"> Label, record and package evidence in accordance with evidence type Record and document accurate details of scene and physical evidence using notes, sketches and photographs Record data of forensic evidence using jurisdictional information management systems 	3
Oral communication	<ul style="list-style-type: none"> Use clear and concise language when reporting to senior staff 	3
Numeracy	<ul style="list-style-type: none"> Utilise spatial awareness to select markers and scales to accurately represent characteristics and information of the scene 	3

POLFOR025	Process forensic evidence	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA

Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional policies and procedures related to forensic examination, WHS, quality systems and exhibit management and handling Read and evaluate record of exhibits to determine examination requirements Read and assess case information 	4
Writing	<ul style="list-style-type: none"> Document movement of exhibits to ensure continuity, security and integrity Complete detailed documentation in accordance with evidentiary requirements Record and maintain forensic evidence using jurisdictional information management systems 	3
Oral communication	<ul style="list-style-type: none"> Communicate examination requirements to forensic practitioners Use oral means to coordinate logistics of examination with other forensic practitioners Communicate with stakeholders to facilitate and ensure relevance of examinations 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLFOR026	Prepare and present forensic evidence	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional policies and procedures related to forensic examination, forensic presentation, WHS, quality systems and security and disclosure requirements Interpret information to identify if it is within own role and responsibility Read and assess case requirements to prepare evidence for presentation Read, review and evaluate forensic evidence to ensure accuracy, continuity and integrity before presentation in proceedings Read and evaluate forensic evidence in accordance with case requirements Read and review outcomes of proceedings for quality purposes 	4
Writing	<ul style="list-style-type: none"> Prepare written forensic evidence, statements and submissions which are accurate, complete and legible Write and submit clear and accurate reports to senior staff 	4

Oral communication	<ul style="list-style-type: none"> Discuss and confirm arrangements, roles and involvement in proceedings with others Participate in case briefings and evaluations of court proceedings with relevant personnel Present evidence in a clear, concise and articulate manner Refer the presentation of forensic evidence when it is beyond own role and responsibility Communicate with stakeholders to facilitate presentation of evidence 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLFOR027	Assess and control incident/crime scene	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build a knowledge of risk mitigation strategies 	3
Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional policies and procedures related to forensic examination and scene management Read, analyse and evaluate information to inform forensic examination and scene management plans Read and review forensic examination to identify if further actions are required Interpret information to identify secondary or alternate incident/crime scene for forensic examinations 	4
Writing	<ul style="list-style-type: none"> Prepare written forensic examination plans to process scene and define responsibilities of stakeholders Formulate a written control measures plan to establish entry and exit paths and to minimise contamination of evidence Record incidences where contamination has occurred Record information on jurisdictional information management systems 	4
Oral communication	<ul style="list-style-type: none"> Use clear and concise language to control incident/scene, boundaries and parameters Communicate information requirements to stakeholder to facilitate release scene Adapt oral language to communicate with stakeholders according to the purpose of interaction 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLGEN001 Develop high performing teams within policing		
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build an understanding of team dynamics to influence, supervise and enhance performance • Build knowledge of how to recognise different types of conflict and intervention methods 	4
Reading	<ul style="list-style-type: none"> • Read a range of information to identify skill/knowledge gaps to build capability and monitor performance • Read and evaluate position descriptions and analyse team strength/qualities to allocate activities/tasks accordingly • Read and interpret result/completion of work to evaluate performance • Read and review jurisdictional objectives to encourage performance 	4
Writing	<ul style="list-style-type: none"> • Develop and implement a conflict resolution plan. • Review and amend outcomes of conflict resolution plan for continuous improvement • Define in writing the agreed performance objectives in accordance with jurisdictional position descriptions • Develop and complete a written template on strategies to assess negative behaviour, identify potential causes and actions to rectify 	4
Oral communication	<ul style="list-style-type: none"> • Use oral communication strategies to monitor and support team dynamics • Actively participate and identify actions to resolve potential sources/triggers of conflict • Engage orally with stakeholders to build capability of individuals • Interact with team members to establish supportive relationships and productive work environment 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLGEN004 Conduct risk management activities in a policing environment		
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build an understanding of risk management fundamentals and attempt to apply these to current situations 	4

Reading	<ul style="list-style-type: none"> • Read and evaluate written data on current control measures identify risk and determine effective response • Read and select resources/activities required to implement control measures • Read and review risk management plans for continuous improvement and effectiveness 	4
Writing	<ul style="list-style-type: none"> • Develop a written risk management plan to mitigate risks • Document and review performance/actions of individuals/teams as part of supervision process • Provide written feedback where required • Record and report workplace risks in accordance with organisational policies, procedures and guidelines • Provide written advice to stakeholders on risk management activities 	5
Oral communication	<ul style="list-style-type: none"> • Communicate risk management activities orally to stakeholders • Provide oral feedback to individuals on effectiveness of performance 	4
Numeracy	<ul style="list-style-type: none"> • Use mathematical concepts to calculate and evaluate consequences and likelihood of risks occurring to determine response 	4

POLGEN007	Review policing governance and accountability compliance	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Develop critical thinking skills to determine how and what should be communicated to stakeholders • Review own performance throughout the audit/review process using stakeholder feedback and identify areas for development 	4
Reading	<ul style="list-style-type: none"> • Read and apply current legislation, policies, standards and procedures relating to audits • Read and review potential sources of information/intelligence to inform audit/review • Collect, analyse and evaluate information relating to audits/reviews • Scan and monitor written information to make adjustments to audit/review and develop preliminary findings • Read and assess the business activity and/or information from stakeholders to inform the scope and objectives of the audit 	5

Writing	<ul style="list-style-type: none"> • Use written means to communicate the objectives, scope, roles and responsibilities of the audit/review to team and stakeholders • Design and document a compliance audit review. • Record preliminary audit/review findings and recommendations through evaluation of audit/review evidence • Develop reports with findings and recommendations to ensure compliance/improvements 	5
Oral communication	<ul style="list-style-type: none"> • Use clear and concise language to communicate the objectives, scope, roles and responsibilities of the audit/review to team and stakeholders 	4
Numeracy	<ul style="list-style-type: none"> • Manage timeframes and schedules to progress and complete audit 	4

POLGEN008	Conduct an appreciation of incident management	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Initiate problem-solving in collaboration with relevant agencies 	4
Reading	<ul style="list-style-type: none"> • Read and analyse highly complex information and data to identify the nature and complexity of the incident • Analyse and discriminate information for communication to stakeholders and media 	5
Writing	<ul style="list-style-type: none"> • Use written methods to facilitate the flow of information for command, control and coordination • Develop and adjust a written response plan • Maintain records of media enquiries and interviews • Document recommendations on review findings to support continuous improvement practices 	4
Oral communication	<ul style="list-style-type: none"> • Liaise and negotiate with agencies and stakeholders • Delegate roles and responsibilities to personnel • Use oral communication channels to facilitate the flow of information for command, control and coordination • Liaise with media to facilitate the two-way communication process and provision of public information • Conduct briefings and debriefings 	5
Numeracy	<ul style="list-style-type: none"> • Perform complex calculations for an audit of response resources • Read and interpret numerical, statistical and graphical data in complex information 	5

POLGEN009	Contribute to and implement policing strategy and policy	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Initiate problem-solving activities Liaise with others to seek feedback on performance and identify opportunities for improvement 	5
Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional policies and procedures relating to quality assurance Interpret, analyse and translate jurisdictional legislation, strategy and policy Analyse collated information to develop key messages Read and evaluate data to identify trends and patterns that impact public safety and policing initiatives Review existing policies and practices to identify strengths, weaknesses, opportunities and threats Assess written feedback to inform future plans Analyse intelligence and information to monitor the effectiveness of policing initiatives 	5
Writing	<ul style="list-style-type: none"> Develop and review a written business plan Use written means to consult with stakeholders to benchmark and validate business plan Compose complex written documents with analysis and synthesis of intelligence and information 	5
Oral communication	<ul style="list-style-type: none"> Consult and negotiate with stakeholders to promote and gain support for policing initiatives Use oral means to discuss and confirm a communication strategy Provide advice and deliver instructions and timeframes for implementation purposes 	5
Numeracy	<ul style="list-style-type: none"> Estimate resource allocation to establish resource priorities Perform calculation to assign resources and determine milestones and timeframes for implementation purposes 	4

POLGEN010	Demonstrate high level management capabilities within a policing context	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Develop skills to manage workplace conflict 	4

Reading	<ul style="list-style-type: none"> • Read and apply jurisdictional policies and procedures relating to financial management, human resource management and project management • Analyse financial information in relation to impact on own area of responsibility • Read and monitor budgetary allocations to ensure compliance with budget, agency objectives and priorities 	5
Writing	<ul style="list-style-type: none"> • Develop and document a risk matrix for the project • Design and document a project plan, including roles, responsibilities, scope, resources, timelines, budgets and objectives • Prepare a written cost benefit analysis to validate budgetary decisions • Report on expenditure, budgets and procurement for accountability purposes • Analyse organisational needs, expected deliverables for area of responsibility and human resource requirements to develop a human resources plan 	5
Oral communication	<ul style="list-style-type: none"> • Negotiate with stakeholders to manage resources and activities • State clearly and negotiate performance expectations with individuals and teams to enhance performance and maximise deliverables • Provide constructive and timely feedback 	5
Numeracy	<ul style="list-style-type: none"> • Read and analyse financial information in relation to impact on own area of responsibility. • Perform calculations and identify cost elements to develop a budget which minimises waste • Measure and evaluate performance against agreed expectations and deliverables 	5

POLGEN011	Demonstrate leadership capabilities within a policing context	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Review own leadership capabilities through self-awareness and reflection • Initiate decision making, critical thinking and problem-solving activities 	4
Reading	<ul style="list-style-type: none"> • Read and apply jurisdictional policies and procedures relating to multi-agency agreements • Read and apply a range of contextual intelligence to complex situations 	5

Writing	<ul style="list-style-type: none"> • Use written means to develop professional networks, partnerships and stakeholder alliances in line with jurisdictional policies and procedures. • Communicate key messages in writing to target audiences 	4
Oral communication	<ul style="list-style-type: none"> • Use oral strategies to develop professional networks, partnerships and stakeholder alliances • Negotiate and liaise with internal and external stakeholders to support organisational capacity and capability and manage expectations • Provide guidance and advice to internal and external stakeholders • Explain rationale of decision making and communicate key messages to target audiences 	5
Numeracy	<ul style="list-style-type: none"> • Read and interpret a range of complex statistical information to make decisions and solve problems 	4

POLGEN012	Manage risk within a policing context	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> • Read and apply jurisdictional risk assessment processes, policies and procedures • Read and apply jurisdictional quality assurance responsibilities and processes • Read and assess information to identify risks and define problems 	5
	<ul style="list-style-type: none"> • Read and apply criteria in jurisdictional risk management frameworks to identify and evaluate risks 	
Writing	<ul style="list-style-type: none"> • Develop and document a risk treatment strategy • Use written means to communicate risk mitigation strategies 	4
Oral communication	<ul style="list-style-type: none"> • Consult stakeholders to identify and confirm risks • Use oral means to communicate risk mitigation strategy outcomes to stakeholders to support accountability and transparency 	4
Numeracy	<ul style="list-style-type: none"> • Use statistical and numerical values to assess and interpret risk 	4

POLGEN013	Demonstrate professional policing practice
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Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Implement strategies to assess own practices on a continuous basis to identify potential reputational risks to self, unit, division and jurisdiction Review own performance in order to improve personal professional practices 	4
Reading	<ul style="list-style-type: none"> Read and apply current Commonwealth, national, state or territory legislation, jurisdictional policies and procedures which regulate internal human resource practices Read work-based materials to identify team objectives to inform work related tasks and activities Read and comply with professional standards and integrity frameworks 	4
Writing	<ul style="list-style-type: none"> Not evident in PCs 	NA
Oral communication	<ul style="list-style-type: none"> Give and receive oral feedback to support improvements to own and others' personal professional practices 	4
Numeracy	<ul style="list-style-type: none"> Prioritise and manage time effectively 	3

POLGEN014	Minimise hazards in a policing environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and apply organisational policies and procedures relating to hazards, risk control and hazard reporting Read and follow written instructions 	3
Writing	<ul style="list-style-type: none"> Record and report hazards to designated personnel in accordance with workplace procedures 	3
Oral communication	<ul style="list-style-type: none"> Communicate hazards to designated personnel verbally Listen and follow instructions to control risks 	2
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLGEN015	Apply media strategies for policing purposes	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level

Learning	<ul style="list-style-type: none"> Build a knowledge of risk mitigation activities 	4
Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional policies and procedures related to media liaison, information security and authorisation processes Read a range of information for media engagement to assess timelines, resource requirements and security considerations Read and evaluate information on content and implementation of media strategy to determine future actions 	4
Writing	<ul style="list-style-type: none"> Communicate in writing with stakeholders to identify objectives of and options for media involvement Document media strategies to ensure accountability and responsibility for activities undertaken Document and manage information released to prevent unauthorised use of information Record and assess media coverage resulting from media strategies to identify potential impact 	5
Oral communication	<ul style="list-style-type: none"> Liaise and negotiate with stakeholders regarding aims, options and objectives of media strategy Use oral communication strategies to establish media relationships to facilitate planned release of information Adjust and adapt oral language communicating with stakeholders according to the purpose of interaction 	4
Numeracy	<ul style="list-style-type: none"> Manage time effectively to address timelines and resource requirements 	4

POLGEN019	Operate safely within a policing environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build skills in decision making and problem solving to assist in choosing best response option Develop skills in situational awareness to identify risks in the operational environment 	4
Reading	<ul style="list-style-type: none"> Read and apply current Commonwealth, national, state or territory legislation, as well as jurisdictional policies and procedures, relating to work health and safety (WHS) Read and apply jurisdictional policies and procedures relating to use of force/tactical options Read and interpret situational information to identify workplace safety risks 	4

Writing	<ul style="list-style-type: none"> Document workplace safety risks and response options Use written means to report issues/faults that may impact on the use of equipment 	3
Oral communication	<ul style="list-style-type: none"> Communicate safety concerns clearly to other stakeholders Provide clear and concise directions 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLGEN020	Communicate within a policing environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build awareness of cultural diversity issues and challenges 	4
Reading	<ul style="list-style-type: none"> Read and apply current Commonwealth, state or territory legislation pertaining to discrimination Read and apply jurisdictional codes of ethics and codes of conduct Read and assess information to identify key messages that meet the needs of a target audience 	4
Writing	<ul style="list-style-type: none"> Apply written communication means to inform a specific target audience Provide written advice regarding support services available to individuals and communities 	4
Oral communication	<ul style="list-style-type: none"> Use clear and concise language to inform a specific target audience Provide oral advice regarding support services available to individuals and communities Mediate disputes using negotiation skills Promote consensus using liaison skills Engage and interact on formal and informal community engagement activities 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLGEN027	Promote safety and wellbeing within policing	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build an understanding of hazard identification and the associated physical and psychological impacts 	4

Reading	<ul style="list-style-type: none"> • Read and comply with jurisdictional policies and procedures • Read and assess information on the nature of workplace hazards to determine appropriate responses • Read and research external sources of information relating to workplace hazards • Review documented solutions to ensure hazards were addressed 	4
Writing	<ul style="list-style-type: none"> • Use written communication methods to provide information on hazards and prevent harm • Write referrals to internal and external support services • Develop written recommendations to prevent reoccurrence of workplace hazards and to report solutions to stakeholders 	4
Oral communication	<ul style="list-style-type: none"> • Communicate orally with individuals affected by workplace hazards and monitor • Interview individuals involved in workplace hazards • Liaise with experts to collect information for developing potential solutions to workplace hazards • Communicate with internal and external stakeholders for solutions implementation • Contact and arrange services/assistance required to resolve workplace hazards • Discuss implementation of strategies with individuals, teams and communities 	5
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLGEN028	Facilitate community and stakeholder engagement for policing purposes	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build knowledge of risk assessments conducted across different communities and adapt knowledge to current context 	4
Reading	<ul style="list-style-type: none"> • Conduct research to understand characteristics, complexity and diversity within communities • Read and analyse information to manage communities' needs, expectations, and perceptions • Interpret gathered information to develop tailored policing services • Read and identify jurisdictional objectives for community engagement 	4

Writing	<ul style="list-style-type: none"> • Provide written information on diversity issues and team expectations • Develop and disseminate written information to external stakeholders on policing matters to reassure communities and build confidence/trust • Use written means to provide advice and support to teams 	4
Oral communication	<ul style="list-style-type: none"> • Communicate expectations to team and inform them of diversity issues • Provide information orally to external stakeholders on policing matters to reassure and build confidence/trust and to acknowledge diversity • Provide oral support and advice to teams to facilitate community engagement • Actively consult with community members on effective policing service delivery 	5
Numeracy	<ul style="list-style-type: none"> • Calculate capacity and capability of policing to meet community needs and expectations 	4

POLGEN029	Manage persons in care or custody	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Develop situational awareness to identify safety risks to self, colleagues and public 	3
Reading	<ul style="list-style-type: none"> • Read and apply laws, policies and procedures pertaining to providing for, processing and escorting persons in care or custody • Read and assess information to determine custody status of person/s 	4
Writing	<ul style="list-style-type: none"> • Develop and document a care plan in accordance with identified risks and requirements • Document services provided to persons in care/custody for record keeping purposes • Communicate in writing with internal and external stakeholders for both the delivery of services and handovers 	4
Oral communication	<ul style="list-style-type: none"> • Interact with person to conduct initial assessment • Communicate information verbally to stakeholders while in care/custody and during handover 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLGEN030	Provide a policing response	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Self-reflect and evaluate own and other's policing response for quality and professionalism 	3
Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional command and control/incident response policies and procedures Read, interpret and share information with authorised stakeholders Read and assess information and intelligence to inform policing services Evaluate a range of information to determine relevance to local policing area Conduct research on jurisdictional laws, by-laws and regulations relating to offences against persons and property 	4
Writing	<ul style="list-style-type: none"> Record and report local policing area issues Complete post-incident documentation 	3
Oral communication	<ul style="list-style-type: none"> Engage with community members and stakeholders Conduct briefings and debriefings to ensure the sharing of information 	3
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLGEN031	Conduct an initial investigation	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build skills in how to exercise police powers with tact, discretion and sensitivity in an ethical manner 	3
Reading	<ul style="list-style-type: none"> Read and apply jurisdictional policies and procedures for preparation, filing and execution of search and arrest warrants Read and evaluate written information and evidence to determine whether an offence has been committed Read and assess information and potential evidence to determine its evidentiary value 	4
Writing	<ul style="list-style-type: none"> Record details of the scene and potential evidence Develop an initial investigation plan Record, check and review statements from interviewee to ensure detail and chronology have been accurately recorded 	3

Oral communication	<ul style="list-style-type: none"> Communicate orally with internal and external stakeholders to facilitate investigation Question others to determine potential persons of interest and/or witnesses Use interviewing skills including questioning and clarifying Explain the interview process to interviewee to provide an understanding of legal rights and investigative interviewing processes Repeat and check accuracy of statements taken from interviewee 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLGEN032	Apply legislation and judicial processes in policing	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and apply current Commonwealth, national, state or territory legislation which outlines powers and responsibilities applicable to policing Read and comply with Rules of Evidence 	4
	<ul style="list-style-type: none"> Read and categorise legislation according to fitness for purpose Read and review judicial documents for compliance purposes Read and adhere to the timeframes and governance structures of judicial documents 	
Writing	<ul style="list-style-type: none"> Develop written briefs of evidence in accordance with the Rules of Evidence Use written means to communicate with stakeholders 	4
Oral communication	<ul style="list-style-type: none"> Communicate orally with stakeholders as part of policing responses and judicial processes Interact orally to prepare persons for their involvement in the judicial processes Liaise with persons involved in the judicial process for care/custody, support and referral requirements Provide oral information to relevant parties of court results 	4
Numeracy	<ul style="list-style-type: none"> Manage timeframes and schedules 	3

POLGEN033	Deliver policing services
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Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Initiate problem-solving/decision-making skills when providing policing services Build awareness of cultural diversity issues and challenges to contribute to solutions 	4
Reading	<ul style="list-style-type: none"> Read and comply with policing codes of conduct and codes of ethics Read and apply human rights acts and legislation and anti-discrimination legislation 	4
Writing	<ul style="list-style-type: none"> Use written means to communicate operational status and matters to individuals/communities Provide written advice regarding support services to individuals and communities 	4
Oral communication	<ul style="list-style-type: none"> Engage with, actively listen and respond to individuals and communities Seek oral feedback to continuously improve policing service delivery Liaise with external stakeholders for referral purposes Provide advice regarding support services available to individuals and communities 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLGEN034	Deliver road policing services	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and apply current legislation to inform road policing services Read and apply jurisdictional policies and procedures related to road policing 	4
Writing	<ul style="list-style-type: none"> Use written means to refer and report safety issues to internal and external stakeholders Record details of potential witnesses, offenders and victims for further investigation purposes 	3

Oral communication	<ul style="list-style-type: none"> • Direct traffic using traffic signals • Use oral means to refer and report safety issues to internal and external stakeholders • Use questioning to gather details of potential witnesses, offenders and victims for further investigation purposes • Communicate clearly with stakeholders at crash incident scene • Listen, assess and respond to urgent duty calls 	3
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLGEN035	Conduct briefings and debriefings in a policing environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Undertake self-analysis to improve performance of briefings/debriefings • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ Commonwealth, state and territory legislation related to information security, privacy, and freedom of information ○ jurisdictional policies and procedures related to conduct of briefing and debriefings ○ jurisdictional quality and performance standards ○ security levels 	4
Reading	<ul style="list-style-type: none"> • Read and interpret briefings/debriefings information and identify clients/stakeholders required to attend • Read and analyse information to identify level of security and deliver briefings/debriefings accordingly 	4
Writing	<ul style="list-style-type: none"> • Develop presentation documents in line with policing project and plan delivery of briefings/debriefings • Develop a written outline of the purpose and structure of the briefings/debriefings to communicate to clients/stakeholders • Communicate written information in line with jurisdictional standards • Respond in writing to feedback/contributions for organisational improvement purposes • Document and record briefings/debriefings outcomes/findings for further actions in line with jurisdictional standards 	4

Oral communication	<ul style="list-style-type: none"> Communicate briefings/debriefings requirements orally to clients/stakeholders Use clarification techniques during interaction to assess client/stakeholder understanding of briefings/debriefings content Adapt communication techniques and language choices to facilitate client/stakeholder understanding Use language to encourage contributions from clients/stakeholders 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLGEN036	Work collaboratively in a team environment	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build an understanding of group dynamics and how best to deal with them Build a knowledge and understanding of: <ul style="list-style-type: none"> interaction and implications of non-co-located/virtual teams roles and responsibilities of team members support services 	4
Reading	<ul style="list-style-type: none"> Read a range of written information and identify team objectives in relation to corresponding activities Read and apply jurisdictional policies and procedures related to human resources and communication processes 	4
Writing	<ul style="list-style-type: none"> Complete written activities in collaboration with team members 	3
Oral communication	<ul style="list-style-type: none"> Use encouraging language to promote team collaboration and recognise roles and responsibilities Communicate information orally to team members to achieve objectives Use clear language to transfer knowledge and skills to team members to support activities within designated timeframes Provide oral feedback and assistance to team members to achieve team objectives Ask for views and opinions of team members to develop common understandings and for personal development Use oral strategies to mediate competing interests and views of team members to maintain a collaborative environment 	4
Numeracy	<ul style="list-style-type: none"> Manage timeframes for activities 	3

POLINV001	Plan police investigations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and comply with jurisdictional policies and procedures related to conduct of investigations Read and analyse information to identify potential investigation directions Read information to conduct risk assessments to identify investigation opportunities and limitations Compare written investigation outcomes against objectives of the investigation plan Read and review procedures and outcomes for quality assurance purposes 	4
Writing	<ul style="list-style-type: none"> Prepare written investigation plans to provide direction to investigations and define responsibilities of stakeholders Communicate investigation plan and outcomes in writing to relevant personnel Establish written communication channels with stakeholders to facilitate flow of information Record information using jurisdictional information management systems Formulate a written security plan to address security requirements of the investigation, resources and security of exhibits 	4
Oral communication	<ul style="list-style-type: none"> Establish oral communication channels with stakeholders to facilitate flow of information Communicate investigation plan and outcomes orally to relevant personnel Communicate information in investigation briefings 	4
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLINV002	Conduct police investigations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA

Reading	<ul style="list-style-type: none"> • Read and organise information using jurisdictional information management systems • Read and evaluate information for relevance, reliability and value • Read, analyse and assess incoming information and adjust activities in accordance with investigation plan • Read and interpreting legislation applicable to asset confiscation 	4
Writing	<ul style="list-style-type: none"> • Record and update information to comply with security and evidentiary requirements • Record critical decisions to account for investigation activities • Compile investigation documentation to provide an ongoing reference for stakeholders • Develop an asset confiscation plan and prepare information and documentation to support confiscation of assets • Finalise documents, information and exhibits in accordance with jurisdictional policies and procedures 	4
Oral communication	<ul style="list-style-type: none"> • Conduct oral briefings/debriefings with stakeholders for information sharing purposes • Conduct investigative interviews • Communicate with stakeholders to inform them of information, changing circumstances and requirements • Advise stakeholders of the progress of criminal assets investigations and of investigation outcomes 	5
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLINV003	Manage incident scenes	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> • Read and apply organisational policies in which incident scenes are managed and investigated • Manage information for planning, recording and reporting purposes 	4
Writing	<ul style="list-style-type: none"> • Record activities in writing at scenes to support investigation • Formulate informal/formal plans to select methods and resources for processing scenes • Record identified physical evidence for investigative purposes and handling information 	4

Oral communication	<ul style="list-style-type: none"> • Use clear and concise language to control persons and suspects at incident, including searching, separating and securing them • Use a range of communication strategies to coordinate stakeholders to manage and contain scenes and identify roles and responsibilities • Use appropriate language to coordinate stakeholders to process and rehabilitate incident scenes • Interview identified persons to determine possible avenues of inquiry and offences/defences • Refer persons verbally to relevant support agencies for welfare purposes 	5
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLINV009	Manage information within investigations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Develop an understanding of best methods of collection and collation of information 	4
Reading	<ul style="list-style-type: none"> • Assess risk to identify whether information/sources could be compromised • Read and evaluate information to determine credibility, reliability, validity and relevance • Read and assess information continually to determine investigative relevance, reliability and validity • Interpret information to identify investigative actions and develop recommendations • Read and evaluate consistency of interpretations by comparing to available information 	5
Writing	<ul style="list-style-type: none"> • Use written communication to convey information requirements to stakeholders • Record information using information management systems, with consideration of security and risk • Record collected information with accessibility and retrievability in mind • Record information collected within investigation for archiving purposes • Develop written recommendations to provide direction to and further inform the investigation 	4
Oral communication	<ul style="list-style-type: none"> • Communicate information requirements to stakeholders to facilitate collection • Interact orally with a wide range of stakeholders to elicit and provide relevant information 	4

Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA
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POLINV010	Confiscate assets	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Develop strategies to address the risk and sensitivities of confiscation of assets to individuals 	4
Reading	<ul style="list-style-type: none"> Read and apply legislation, in particular regarding the role of law enforcement Read and distinguish legal terminology related to different aspects of asset confiscation Evaluate information on the nature and context of the investigation to determine assets for confiscation Review documented confiscation plan for quality assurance purposes Read and interpret court orders relating to disposal and appropriation of assets 	5
Writing	<ul style="list-style-type: none"> Develop and document a plan for confiscation of assets Record information in support of links established between assets and ownership Prepare required documentation for appropriation and protection of assets 	4
Oral communication	<ul style="list-style-type: none"> Communicate with stakeholders to facilitate collection of information 	4
Numeracy	<ul style="list-style-type: none"> Perform calculations to estimate the quantity and potential value of assets for appropriation purposes 	4

POLINV011	Conduct investigative interviews	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Modify interview strategies to adapt to changing circumstances and requirements 	4

Reading	<ul style="list-style-type: none"> • Read and analyse information relevant to the interview to inform interview plan • Assess written information obtained continually to identify impact on interview and investigation • Assess available evidence against information obtained to verify or amend investigation directions 	4
Writing	<ul style="list-style-type: none"> • Draft a written interview plan to achieve investigative objectives • Record characteristics, responses and behaviour of interviewees during interviews • Complete required post-interview documents to comply with jurisdictional, legal, judicial and security requirements 	4
Oral communication	<ul style="list-style-type: none"> • Brief stakeholders on roles and responsibilities during interview • Conduct interviews • Confirm information gathered during interviews with interviewees to ensure accurate understanding • Establish rapport with interviewees to facilitate flow of information • Employ a range of interview techniques and communication methods to engage interviewee 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLINV012	Coordinate multi-agency investigations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build an awareness of risks identification and mitigation measures • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ cross-jurisdictional legislation that impacts upon the conduct of investigations ○ jurisdictional policies and procedures relating to inter-agency collaboration, agreements, resource sharing, privacy and confidentiality ○ resource management principles and plans for multi-agency investigations ○ review process for multi-agency investigations ○ risk analysis and management theory and practices ○ security classifications and requirements 	4

Reading	<ul style="list-style-type: none"> • Read and comply with jurisdictional policies and procedures relating to inter-agency collaboration • Read, evaluate and confirm interagency agreements to formalise communication channels and promote shared understanding • Read and evaluate flow of information to identify impacting factors • Monitor and review budgets to maximise investigative objectives 	5
Writing	<ul style="list-style-type: none"> • Use written means to negotiate with external agencies to determine scope, objectives, direction, capabilities and roles within investigations • Develop and document investigation plans with identified objectives, roles and responsibilities of stakeholders • Develop resource management plan to guide multi-agency investigations • Communicate review findings in writing to stakeholders • Develop complex reports and plans within a multi-agency context according to multi-agency protocols and procedures 	5
Oral communication	<ul style="list-style-type: none"> • Use a range of oral communication strategies to liaise with stakeholders and participants in a multi-agency investigation • Use clear and concise language to negotiate with external agencies to determine scope, objectives, direction, capabilities and roles within investigation • Provide clear oral responses to cross-agency enquiries to facilitate coordination • Use appropriate language to manage interagency conflicts to achieve investigative objectives • Deliver oral presentations and other methods to communicate review findings to stakeholders 	5
Numeracy	<ul style="list-style-type: none"> • Process mathematical concepts to monitor expenditure and resource usage throughout investigations to maximise investigative objectives • Perform a range of calculations to manage a multi-agency investigation budget 	5

POLINV013	Lead major investigations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level

Learning	<ul style="list-style-type: none"> • Build awareness of potential impacting factors on investigation and address with learned strategies • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ court procedures and evidentiary requirements ○ duty of care responsibilities ○ security classifications and requirements within own organisation ○ specialist assistance available to assist with security assessments 	4
Reading	<ul style="list-style-type: none"> • Read and analyse complex information to inform investigative directions • Read and assess investigation plan against command and control principles • Analyse information to determine relevance to investigation and assess it before dissemination to stakeholders • Assess evidence and intelligence continually to determine impact on investigations and future investigative activities • Read investigative material for final referral, recording and archiving purposes 	5
Writing	<ul style="list-style-type: none"> • Use high-level writing skills to communicate investigation progress and outcomes to stakeholders • Complete written reports on expenditure and resource usage as per jurisdictional policies and procedures • Record and collate investigation-related material using information management systems • Record critical decisions for accountability purposes 	5
Oral communication	<ul style="list-style-type: none"> • Use oral communication strategies to provide complex and sensitive information to stakeholders • Share information with team by conducting briefings and debriefings • Provide advice and directions to investigation team to ensure investigation objectives are met 	5
Numeracy	<ul style="list-style-type: none"> • Perform complex calculations to manage expenditure and allocate resources 	4

POLINV014	Conduct jurisdictional review of policing practices	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level

Learning	<ul style="list-style-type: none"> • Build effective strategies to deal with diverse clients, law enforcement providers and stakeholders • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ jurisdictional corporate goals and objectives ○ jurisdictional operational priorities ○ law enforcement context and the criminal justice system ○ macro environmental impact upon investigations of serious crime, including government, policy, political and community interests ○ command and control principles 	5
Reading	<ul style="list-style-type: none"> • Read and comply with: <ul style="list-style-type: none"> ○ jurisdictional and organisational requirements of agencies, clients and stakeholders ○ jurisdictional policies and procedures ○ legislation relevant to the jurisdiction/s involved in the investigation and review • Read and analyse a range of complex documents providing information relevant to the review • Read to clarify stakeholder's expectations from the intended review • Read and assess review findings and recommendations to ensure alignment with terms of reference • Assess original information to determine archiving, retention and retrieval requirements 	5
Writing	<ul style="list-style-type: none"> • Use highly developed writing skills to prepare investigation plans, tactical plans, resource bids etc • Use a range of written means to negotiate with stakeholders, to determine scope of review and formalise reporting arrangements and review timeframes • Document review findings and recommendations to complete review process • Write complex communications on review findings, recommendations and further actions to stakeholders 	5
Oral communication	<ul style="list-style-type: none"> • Use high-level communication strategies with stakeholders to liaise, listen, establish rapport, negotiate, resolve conflict and seek feedback • Interact professionally with stakeholders to secure resources, formalise reporting arrangements and review timeframes • Communicate and make high-level presentations on review findings 	5
Numeracy	<ul style="list-style-type: none"> • Manage expenditure and resources to maximise effectiveness of review 	2

POLINV0015	Manage complex investigations
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Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Develop knowledge of a range of risk management strategies to mitigate investigative risks • Identify and assess impacting factors to guide the direction of the investigation • Continually evaluate information, intelligence and evidence to determine impact on current and future investigations and actions • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ media types and engagement strategies ○ investigative priorities and jurisdictional objectives ○ change management theory and methods 	5
Reading	<ul style="list-style-type: none"> • Read and comply with jurisdictional policies and procedures with respect to complex investigations • Read, analyse and review records of current and upcoming investigations to determine jurisdictional priorities • Read and review investigation, exhibit and forensic management plans • Read and evaluate complex information, intelligence and evidence continually to determine impact on current and future investigations and actions • Evaluate the quality of written information, intelligence and evidence • Read and review media engagement strategies for continuous improvement • Review recommendations and outcomes of complex investigations to improve future investigations 	5
Writing	<ul style="list-style-type: none"> • Use written communication to negotiate with stakeholders to secure and allocate resources and to inform them of investigation outcomes • Design and complete a complex investigation plan • Coordinate all written communication to facilitate the flow of information • Record critical decisions to ensure accountability 	5
Oral communication	<ul style="list-style-type: none"> • Communicate orally with stakeholders to manage security arrangements and negotiate and secure resources • Communicate with stakeholders to determine investigative requirements and seek authorisation of investigation plans • Monitor and adjust investigative activities to ensure adherence to investigative plans • Monitor and adapt language to facilitate the flow of information during complex investigations • Communicate orally with stakeholders to inform them of investigation outcomes 	5

Numeracy	<ul style="list-style-type: none"> • Perform calculations to manage budgets • Manage expenditure and resources to maximise effectiveness of complex investigations 	4
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POLINV016	Analyse complex factors involved in crash incidents	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ organisational policies and procedures related to work health and safety (WHS) ○ road evidence and road laws ○ interview evaluation techniques ○ factors impacting human ability to operate a vehicle ○ faults and defects impacting vehicle operations ○ features, standards and capabilities of vehicles ○ medical information and records ○ standard operations and maintenance of mechanical parts and systems ○ types of electronic data recorder systems ○ vehicle maintenance record keeping systems ○ specialist analysis methodologies to determine causal factors in vehicle crash 	5
Reading	<ul style="list-style-type: none"> • Read and apply organisational policies and procedures related to work health and safety (WHS) • Read and interpret vehicle maintenance record keeping systems • Read and interpret electronically recorded event data information • Review medical records of persons in crash incident to establish if records corroborate analysis • Read and interpret interviews and statements to corroborate crash analysis and determine contributing factors • Read and interpret driver information to assess experience and driving ability as factors of influence in crash incident • Read and understand road laws relevant to crash incident geographical location 	5
Writing	<ul style="list-style-type: none"> • Use written means to communicate with police crash investigators as part of the crash investigation • Use a range of written communication methods when reporting to senior staff 	3
Oral communication	<ul style="list-style-type: none"> • Communicate orally with police crash investigators as part of the crash investigation 	4

	<ul style="list-style-type: none"> • Maintain oral communication with senior staff for reporting purposes • Communicate orally to obtain information and evidence for analysis 	
Numeracy	<ul style="list-style-type: none"> • Calculate speed and dynamics of vehicles • Calculate vehicle mass distribution and vehicle dimensions 	4

POLINV017	Analyse crashes involving heavy vehicles	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ class, type and configuration of heavy vehicles ○ event data recording devices and operating parameters ○ factors impacting human ability to operate a heavy vehicle ○ interview evaluation techniques ○ mechanical and operational features of a heavy vehicle ○ organisational policies and procedures related to work health and safety (WHS) ○ regulations for road use specific to heavy vehicles ○ road laws ○ specialist analysis methodologies to determine causal factors in heavy vehicle crash ○ vehicle standards, legal vehicle configurations and modifications 	5
Reading	<ul style="list-style-type: none"> • Read and interpret interviews and statements to corroborate crash analysis • Review medical and injury records of persons in crash incident to corroborate analysis • Read and apply organisational policies and procedures related to work health and safety (WHS) • Read and interpret electronically recorded event data information • Read and interpret driver work management information to assess contributing factors to crash 	4
Writing	<ul style="list-style-type: none"> • Use written means to communicate with police crash investigators as part of the crash investigation • Use a range of written communication methods when reporting to senior staff 	4
Oral communication	<ul style="list-style-type: none"> • Communicate orally with police crash investigators as part of the crash investigation 	4

	<ul style="list-style-type: none"> • Maintain oral communication with senior staff for reporting purposes • Communicate orally to obtain information and evidence for analysis 	
Numeracy	<ul style="list-style-type: none"> • Calculate speed and dynamics of a heavy vehicle • Calculate heavy vehicle mass distribution and vehicle dimensions • Apply specialist physics and mathematics calculations and principles to heavy vehicle crashes • Analyse heavy vehicle measurements and features • Assess heavy vehicle loading and dimensions to establish mass distribution and rollover threshold 	5

POLINV018	Analyse crashes involving motorcycles	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ motorcycle rider safety clothing and equipment ○ electronic data recorder systems ○ interview evaluation techniques ○ features of a motorcycles ○ organisational policies and procedures related to work health and safety (WHS) ○ road laws ○ specialist analysis methodologies to determine causal factors in motorcycle crash ○ effect of environmental factors that could impact on motorcycle operations ○ factors impacting human ability to operate a motorcycle ○ motorcycle standards, legal motorcycle configurations and modifications ○ regulations of motorcycle road use by the rider, pillion or sidecar 	5
Reading	<ul style="list-style-type: none"> • Read and interpret interviews and statements to corroborate evidentiary analysis and inform causal factors • Read and review medical and injury records to corroborate evidentiary analysis of rider movements and interactions during crash • Read and apply organisational policies and procedures related to work health and safety (WHS) • Read and interpret electronically recorded event data information 	4

	<ul style="list-style-type: none"> Read and interpret driver information to assess experience and driving ability as factors in crash incident 	
Writing	<ul style="list-style-type: none"> Use written means to communicate with police crash investigators as part of the crash investigation Use a range of written communication methods when reporting to senior staff 	4
Oral communication	<ul style="list-style-type: none"> Communicate orally with police crash investigators as part of the crash investigation Maintain oral communication with senior staff for reporting purposes Communicate orally to obtain information and evidence for analysis 	4
Numeracy	<ul style="list-style-type: none"> Apply specialist calculations to determine lean angles in the calculation of speed Apply specialist physics and mathematics calculations, formulas and principles to motorcycle crashes Examine road evidence to determine crash dynamics and speed Analyse motorcycle braking systems and road evidence to determine braking efficiency 	5

POLINV019	Analyse crashes involving pedestrians and bicycles	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build a knowledge and understanding of: <ul style="list-style-type: none"> human kinematics sources of electronic data interview evaluation techniques bicycle and rider safety equipment features organisational policies and procedures related to work health and safety (WHS) road laws analysis methodologies to determine causal factors in crashes involving pedestrians and bicycles effects of environmental factors on bicycle operations factors impacting human ability to operate a bicycle jurisdictional regulations of bicycle road use 	5
Reading	<ul style="list-style-type: none"> Read and interpret interviews and statements to corroborate evidentiary analysis and inform causal factors Read and review medical and injury records to corroborate evidentiary analysis and inform causal factors Read and apply organisational policies and procedures related to work health and safety (WHS) 	4

	<ul style="list-style-type: none"> Read and interpret electronically recorded data information when available 	
Writing	<ul style="list-style-type: none"> Use written means to communicate with police crash investigators as part of the crash investigation Use a range of written communication methods when reporting to senior staff 	4
Oral communication	<ul style="list-style-type: none"> Communicate orally with police crash investigators as part of the crash investigation Maintain oral communication with senior staff for reporting purposes Communicate orally to obtain information and evidence for analysis 	4
Numeracy	<ul style="list-style-type: none"> Analyse human movement and interaction to sequence impacts and events during crash Analyse damage to calculate and correlate interaction of vehicles and pedestrians or bicycles Apply specialist physics and mathematics formulas and principles relevant to pedestrian and bicycle crashes Examine road evidence to determine crash dynamics and speed Calculate speed and dynamics of vehicles Analyse human kinematics 	5

POLINV020	Collate and review crash investigation evidence	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build knowledge of communication and interview techniques Build a knowledge and understanding of: <ul style="list-style-type: none"> different types of crash evidence current case law and legal precedents pertaining to crash investigation jurisdictional information management systems jurisdictional policies and procedures related to information gathering, recording, dissemination and security of exhibits legislation and court policies related to admissible evidence legislation, policies and procedures relating to work health and safety (WHS) potential causes of evidence contamination principles of crash incident photography techniques and methodologies for collecting crash investigation evidence vehicle features and mechanical conditions 	5

Reading	<ul style="list-style-type: none"> • Read and interpret victim medical records • Read and apply organisational policies and procedures related to work health and safety (WHS) • Read and apply current case law and legal precedents pertaining to crash investigation • Read and apply jurisdictional policies and procedures related to information gathering, recording, dissemination and security of exhibits • Read and adapt evidence gathering plan and resources as further assessment of crash incident is undertaken • Read and interpret driver, witness and victim interview statements • Read and analyse collated evidence to identify potential evidence gaps 	4
Writing	<ul style="list-style-type: none"> • Develop and adjust evidence gathering plan • Use written means to record driver, victim and witness interviews • Communicate in writing with internal and external stakeholders • Compile a summary report of investigation evidence • Communicate in writing to source and coordinate resources • Use written means to communicate with police crash investigators as part of the crash investigation • Provide written guidance and assistance to lead the crash investigation team • Request and access support from a broad range of services in writing • Measure and record crash incident scene for evidence recording purposes • Record evidence in jurisdictional information management systems 	5
Oral communication	<ul style="list-style-type: none"> • Conduct verbal driver, witness and victim interviews • Communicate verbally with internal and external stakeholders to control, secure and manage the crash scene • Provide oral guidance and assistance when leading the crash investigation team • Communicate orally with police crash investigators as part of the crash investigation • Verbally request and access support from a broad range of services • Consult with stakeholders to minimise road closures and control access to the crash incident scene • Verbally request victim medical records to establish evidence of injury • Communicate orally to source and coordinate resources 	5
Numeracy	<ul style="list-style-type: none"> • Mark and measure crash incident scene for evidence recording purposes • Review numerical evidence and measurements 	3

POLINV021	Critically analyse complex crash incident evidence	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build knowledge of methodologies for crash analysis and for analysing crash evidence • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ different types of crash evidence ○ organisational policies and procedures related to information safety and information quality management ○ organisational policies and procedures related to work health and safety (WHS) ○ types of damage ○ vehicle rollover thresholds, balance and loads ○ vehicle data analysis ○ velocity and speed ○ judicial practices and court policies on admissible evidence ○ jurisdictional policies and procedures related to information gathering, recording and dissemination ○ kinematics, mathematics and physics for crash analysis 	5
Reading	<ul style="list-style-type: none"> • Read and assess written evidence to determine relevance, quality and evidentiary value • Read and apply judicial practices and court policies on admissible evidence • Read and apply jurisdictional policies and procedures related to information gathering, recording and dissemination • Read and apply organisational policies and procedures related to work health and safety (WHS) • Read and apply organisational policies and procedures related to information safety and information quality management 	4
Writing	<ul style="list-style-type: none"> • Record vehicle rollover thresholds, balance and loads to determine forces in crash incident • Record vehicle forces and impact speeds after undertaking analysis • Calculate and record in writing the object, vehicle movement and speed using mathematical equations and physics principles • Use written means to reconstruct object and vehicle dynamics in crash incident 	4
Oral communication	<ul style="list-style-type: none"> • Communicate orally with police crash investigators as part of the crash investigation • Communicate orally to source and coordinate resources 	4

	<ul style="list-style-type: none"> Verbally verify investigation processes to ensure integrity of evidence Communicate orally to obtain information and evidence for analysis 	
Numeracy	<ul style="list-style-type: none"> Calculate speed and dynamics of vehicle Identify variables using derivatives of formulae and calculations Calculate object, vehicle movement and speed using mathematics and physics Analyse object and vehicle movement using kinematic equations Analyse momentum and kinetic energy to establish interactions of objects and vehicles Establish vehicle rollover thresholds, balance and loads to determine forces in crash incident Undertake vehicle data analysis to determine forces and impact speeds Verify the consistency and accuracy of calculations to support findings 	5

POLINV022	Develop and present crash findings	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build a knowledge and understanding of: <ul style="list-style-type: none"> organisational policies and procedures related to work health and safety (WHS) jurisdictional policies and procedures relating to the presentation of evidence format and structure of crash investigation reports human and vehicle factors that may impact on a crash investigation information systems and recording methodologies for items and evidence communication and presentation techniques evidence analysis and evaluation methods continuous improvement procedures Build knowledge of potential causal factors of crashes Develop skills and capability to evaluate alternative scenarios to consider alternative findings Develop presentation techniques to present evidence and findings in a clear, concise and articulate manner 	5
Reading	<ul style="list-style-type: none"> Read and apply organisational policies and procedures related to work health and safety (WHS) 	4

	<ul style="list-style-type: none"> • Read and apply jurisdictional policies and procedures relating to the presentation of evidence • Read crash investigation reports and presentations • Examine written evidence to determine potential causal factors • Review report and presentation to ensure they meet jurisdictional requirements • Evaluate the quality of collected evidence to determine impact on investigation • Review written presentation and report findings to establish impact on investigation outcome 	
Writing	<ul style="list-style-type: none"> • Develop crash investigation reports and presentations • Request and access support in written format from a broad range of services • Refer findings in writing to subject matter experts for validation • Use written means to communicate with police crash investigation team • Combine evidence and findings to develop a report 	4
Oral communication	<ul style="list-style-type: none"> • Communicate findings orally during a crash incident investigation • Provide oral guidance and assistance when leading the crash investigation team • Verbally request and access support from a broad range of services • Verbally refer findings to subject matter experts for validation • Present evidence and findings orally in a clear, concise and articulate manner to support investigation outcomes • Discuss the quality of the crash investigation for continuous improvement purposes 	4
Numeracy	<ul style="list-style-type: none"> • Verify the consistency and accuracy of physics and mathematics calculations to develop findings 	3

POLINV023	Examine a crash incident	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build knowledge of methodologies for analysing and interpreting crash evidence • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ organisational policies and procedures related to work health and safety (WHS) ○ specialist mapping and modelling software used in crash investigations 	5

	<ul style="list-style-type: none"> ○ mathematics and physics specific to crash investigations ○ measurement and degree of measurement uncertainty ○ determining crash dynamics and vehicle speeds ○ different types of crash evidence 	
Reading	<ul style="list-style-type: none"> ● Read and apply organisational policies and procedures related to work health and safety (WHS) 	3
Writing	<ul style="list-style-type: none"> ● Use written means to communicate with police crash investigators as part of the crash investigation ● Provide written guidance and assistance to lead the crash investigation team ● Request and access support from a broad range of services in writing 	4
Oral communication	<ul style="list-style-type: none"> ● Provide oral guidance and assistance when leading the crash investigation team ● Verbally request and access support from a broad range of services ● Communicate orally with police crash investigators as part of the crash investigation 	4
Numeracy	<ul style="list-style-type: none"> ● Calculate and validate measurements ● Evaluate crash incident using physics and mathematical calculations and principles ● Calculate object and vehicle dynamics using formulae applicable to crash investigation ● Interpret tyre marks and road friction evidence to determine and calculate vehicle speed and braking distances ● Validate measurements to confirm accuracy of crash incident map ● Represent a crash incident graphically using vectors ● Interpret outcomes of calculations, maps and models to determine crash dynamics ● Use arithmetic including algebraic concepts and geometry 	5

POLINV024	Manage quality of crash analysis	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level

Learning	<ul style="list-style-type: none"> • Develop awareness of risk mitigation strategies • Develop awareness of areas of good practice and opportunities for improvement in crash analysis • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ crash investigators' briefs of evidence ○ biases that may affect analysis of evidence ○ continuous improvement procedures ○ sources of crash case law and legal findings ○ technological developments in crash analysis ○ quality control practices ○ organisational policies and procedures related to work health and safety (WHS) ○ jurisdictional reporting practices ○ Jurisdictional policies and procedures related to information security and information quality management 	5
Reading	<ul style="list-style-type: none"> • Validate analysis methodologies and findings • Review written evidence to corroborate hypotheses • Read and apply organisational policies and procedures related to work health and safety (WHS) • Read and interpret evidential inconsistencies to ascertain if and how it impacts the findings • Read and review crash analysis report 	5
Writing	<ul style="list-style-type: none"> • Use written means to communicate with police crash investigators as part of the crash investigation • Use a range of written communication methods when reporting to senior staff • Develop a peer review/report of a crash analysis report • Develop a review/report of a finalised crash investigation • Develop recommendations, opinions and conclusions to improve analysis report • Test consistency of findings using multiple methodologies • Provide written feedback on crash analysis report 	5
Oral communication	<ul style="list-style-type: none"> • Provide oral feedback on crash analysis report • Communicate orally with police crash investigators as part of the crash investigation • Maintain oral communication with senior staff for reporting purposes • Communicate orally to obtain information and evidence for analysis • Communicate areas of good practice and opportunities for improvement in a crash analysis • Interrogate quality of evidence and investigation for continuous improvement purposes 	5
Numeracy	<ul style="list-style-type: none"> • Verify the consistency and accuracy of calculations to support findings 	4

	<ul style="list-style-type: none"> • Apply and interpret specialist physics and mathematics calculations and principles 	
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POLINV025	Present evidence on complex crash incidents	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ organisational policies and procedures related to investigation and judicial processes ○ judicial and court policies on expert reporting of findings and conclusions ○ legislative requirements of presenting evidence in court ○ prosecution and stakeholder liaison protocols ○ suitable demonstrative tools and exhibits for presentation to the court ○ court debrief proceedings ○ operation of hearings ○ rules of evidence in judicial settings ○ types of evidence admissible in judicial settings ○ quality assurance process ○ crash analysis findings to validate quality ○ analysis methodologies and evaluation methods ○ format and structure of crash investigation reports • Develop skills and techniques to conduct case and court briefings • Build knowledge of causal factors of crashes • Develop skills and capability to assess information systems and recording methodologies to support evidentiary value of analysis • Develop presentation and communication techniques to present evidence and findings in a clear, concise and articulate manner • Develop skills to evaluate and review own performance in court • Build knowledge and understanding of roles and responsibilities of stakeholders in the judicial process, including witnesses 	5

Reading	<ul style="list-style-type: none"> • Read and apply organisational policies and procedures related to investigation and judicial processes • Read and apply judicial and court policies on expert reporting of findings and conclusions • Read and apply legislative requirements of presenting evidence in court • Read and respond to enquiries about crash analysis or analyst's opinion • Evaluate crash investigation reports and presentations • Review crash analysis causal factors, findings report and case files • Read written communication from internal and external stakeholders • Assess information systems and recording methodologies to support evidentiary value of analysis 	4
Writing	<ul style="list-style-type: none"> • Prepare written evidence and exhibits for the judiciary • Respond in writing to enquiries about crash analysis or analyst's opinion • Use a range of written communication methods when reporting to senior staff • Use written means to communicate with police crash investigators and internal and external stakeholders as part of the crash investigation • Generate written findings and develop crash analysis report • Develop visual and written representations to communicate analysis findings to different audiences • Use written means to communicate with police crash investigation team 	4
Oral communication	<ul style="list-style-type: none"> • Communicate orally how limitations of evidence impacted analysis • Communicate verbally with internal and external stakeholders • Conduct case and court outcome briefings orally • Present crash analysis evidence and exhibits verbally to the judiciary • Verbally respond to enquiries about crash analysis or analyst's opinion • Debrief on court proceedings for quality assurance purposes • Liaise with prosecution and stakeholders to determine case requirements • Communicate analysis findings in a clear, concise and articulate manner to audiences • Communicate and report orally with police crash investigators as part of the crash investigation 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	N/A

POLPRO001	Conduct mention duties
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Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and reconcile briefs against the court list Read and evaluate briefs to determine if any remedial action is required Analyse information critically to formulate arguments for inclusion in submissions 	5
Writing	<ul style="list-style-type: none"> Document actions undertaken on brief for transparency and recording purposes Develop and submit written applications to achieve desired outcome of prosecution Record issues and court outcomes for future reference Use written means to communicate with stakeholders to inform them of unresolved issues and outcome Develop written recommendations for continuous improvement purposes 	4
Oral communication	<ul style="list-style-type: none"> Interact with stakeholders to resolve issues Provide oral assistance and advice to the court regarding management of mentions Use clear and concise language to present circumstances of the case for court's consideration Listen astutely and assess status of unresolved issues continually throughout proceedings to identify further actions required Communicate with stakeholders to inform them of unresolved issues and outcomes 	5
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLPRO002	Conduct pre-hearing mentions	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> Read and assess brief to ensure sufficiency of evidence Analyse documented evidence to determine that it substantiates elements of offences Analyse brief to identify adherence to legislation and precedent Read and analyse circumstances of the case to determine need for applications 	4

Writing	<ul style="list-style-type: none"> • Document actions undertaken on brief • Record issues and court outcomes for future reference • Develop written recommendations for continuous improvement purposes • Use written means to communicate with stakeholders 	4
Oral communication	<ul style="list-style-type: none"> • Engage verbally with stakeholders to resolve issues • Negotiate with stakeholders to progress case • Provide oral assistance and advice to the court regarding the management of pre-hearing mentions • Present circumstances of the case for courts consideration with detail of issues and concessions • Listen astutely and assess status of unresolved issues throughout proceedings • Communicate with stakeholders to inform them of unresolved issues and outcomes 	5
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLPRO003	Conduct legal research	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> • Analyse information to determine factual situation • Evaluate information to identify legal issues requiring research • Identify, read and critically analyse sources of law to address the identified legal issue • Analyse sources of law to distil the legal precedent and determine application to the legal issue 	5
Writing	<ul style="list-style-type: none"> • Communicate responses to inform stakeholders • Formulate response to the legal issue based on research • Develop and record recommendations 	5
Oral communication	<ul style="list-style-type: none"> • Use oral means to communicate research responses to stakeholders • Use and negotiate legal terminology 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLPRO004	Utilise the Rules of Evidence	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level

Learning	<ul style="list-style-type: none"> • Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> • Read highly complex texts to identify evidence that supports elements of offence • Identify applicable evidentiary law to categorised evidence • Read and examine evidence to determine relevance and admissibility • Conduct legal research to support alternative methods for adducing evidence 	5
Writing	<ul style="list-style-type: none"> • Document and cite evidence findings 	4
Oral communication	<ul style="list-style-type: none"> • Deliver oral submissions to elicit decisions from the court 	5
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLPRO005	Conduct hearings	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Not evident in PCs 	NA
Reading	<ul style="list-style-type: none"> • Read and evaluate brief to determine applicable Rules of Evidence • Read and evaluate witness testimony prior to the hearing to determine evidence to be presented • Verify evidence is admissible and available for hearing • Read highly complex legal texts to identify legal principles to support the case concept 	5
Writing	<ul style="list-style-type: none"> • Document case concept • Record evidence presented by cross-examined witnesses and defence witnesses for reference purposes • Note down submissions utilising relevant facts, legislation and case law • Record issues and court outcomes for future reference • Develop recommendations to inform continuous improvement 	5

Oral communication	<ul style="list-style-type: none"> Engage verbally with stakeholders to evaluate issues Present preliminary information to commence hearing Elicit evidence in chief from witnesses to cover elements of the offences Re-examine witnesses to clarify witness responses in cross-examination Cross-examine defence witnesses to test credibility of witness and reliability of evidence Deliver submissions and objections throughout the hearing Communicate verbally with stakeholders to inform them of outcomes 	5
Numeracy	<ul style="list-style-type: none"> Not evident in PCs 	NA

POLSAR0013	Manage and evaluate search and rescue exercises	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Develop a range of problem-solving and decision-making techniques Build a knowledge and understanding of: <ul style="list-style-type: none"> search and rescue objectives, exercise styles and feasibility search and rescue risk and safety management principles continuous improvement factors organisational policies and procedures related to resource acquisitions and exercise authorisations emergency and incident management principles logistics management principles National manual relating to search and rescue 	4
Reading	<ul style="list-style-type: none"> Read and apply legislative and regulatory arrangements relevant to using resources, such as land, buildings, equipment and volunteers Read a range of information, including operational outcomes, training needs analysis, previous exercise plans and evaluation reports Read and apply organisational policies and procedures related to resource acquisitions and exercise authorisations Analyse post-exercise feedback to identify issues Read and interpret the National manual relating to search and rescue 	4
Writing	<ul style="list-style-type: none"> Use written means to obtain appropriate authorisation(s) to use resources Record all exercise feedback Produce an exercise report, including recommendations 	4

	<ul style="list-style-type: none"> • Develop a written exercise plan • Confirm and manage logistics requirements in writing • Conduct and document risk assessment and safety factors 	
Oral communication	<ul style="list-style-type: none"> • Consult stakeholders to determine search and rescue exercise purpose • Liaise with stakeholders to develop exercise plan • Seek appropriate authorisation(s) to use resources • Negotiate availability and timeframes for use of resources with appropriate authorities • Communicate with activity personnel to facilitate flow of information throughout the exercise • Deliver pre and post exercise briefings to stakeholders reflecting objectives and activities 	5
Numeracy	<ul style="list-style-type: none"> • Manage timeframes and schedules to implement exercise plan 	4

POLSAR014	Manage resources for police search and rescue	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ organisational policies and procedures related to resource acquisitions and financial delegations ○ continuous improvement factors ○ resources and equipment required to respond to search and rescue incidents ○ audit methodologies ○ control and organisation command structure ○ other organisations' and external authorities' operational capabilities and limitations 	4
Reading	<ul style="list-style-type: none"> • Read and apply jurisdictional legislation, policies and procedures relating to health, safety and wellbeing • Read and apply jurisdictional financial delegations and arrangements • Read and apply organisational policies and procedures related to resource acquisitions and financial delegations • Review, monitor and assess resource allocations and requirements 	4
Writing	<ul style="list-style-type: none"> • Request in writing the supply and resupply of resources • Conduct an audit to ensure resources were acquired and supplied in a cost-effective and efficient manner • Develop reports for accountability purposes • Develop and document recommendations for continuous improvement purposes 	4
Oral	<ul style="list-style-type: none"> • Establish communication lines with stakeholders to facilitate 	5

communication	<ul style="list-style-type: none"> flow of information Manage coordination function within search and rescue operation Communicate verbally with stakeholders to facilitate resupply and negotiation for ongoing resource requirements Evaluate coordination effectiveness through debriefings and peer reviews Allocate resources during the search and rescue operation 	
Numeracy	<ul style="list-style-type: none"> Assess financial requirements and associated authorisations to facilitate resource management Conduct an audit to ensure resources were acquired and supplied in a cost-effective and efficient manner Manage and review financial arrangements arising from search and rescue operations 	4

POLSAR015	Manage search and rescue media requirements	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Build a knowledge and understanding of: <ul style="list-style-type: none"> organisational policies and procedures related to information security and media engagement opportunities for media to support search and rescue operations jurisdictional policies, procedures and arrangements for media liaison risk and safety management principles restrictions relating to the release of information information security, confidentiality and privacy requirements Understand the use of jurisdictional information management systems 	4
Reading	<ul style="list-style-type: none"> Read and apply jurisdictional policies, procedures and arrangements for media liaison Read and apply organisational policies and procedures related to information security and media engagement Read and adapt media releases to suit operational demands and/or level of incident Read and apply policies and procedures related to information security and media engagement 	4
Writing	<ul style="list-style-type: none"> Initiate and maintain written communication with media personnel, agencies and organisations Adapt written media releases to suit operational demands and/or level of incident Record media enquiries and interviews for accountability purposes Maintain written records 	4

Oral communication	<ul style="list-style-type: none"> • Explain restricted and/or special access areas to media personnel to safeguard the operation • Liaise with agencies/organisations to negotiate consistent key messaging and communicate media strategy • Brief media representatives to manage information flow and support search and rescue operations • Coordinate media involvement through the appointment of a media liaison 	5
Numeracy	<ul style="list-style-type: none"> • Schedule briefing sessions and maintain timeframes 	3

POLSAR016	Manage search and rescue operations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Develop problem solving and decision-making strategies under pressure • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ jurisdictional policies and procedures relating to search and rescue operations and reporting requirements ○ organisational policies and procedures related to human resource management ○ search and rescue plans ○ risk management techniques and processes ○ National manual relating to search and rescue ○ communication and negotiation techniques ○ roles and responsibilities of stakeholders involved in search and rescue 	4
Reading	<ul style="list-style-type: none"> • Read and apply jurisdictional policies and procedures relating to search and rescue operations and reporting requirements • Read and apply organisational policies and procedures related to human resource management • Read and review information relating to search and rescue incident to plan operation • Read and evaluate search and rescue plan to determine relevance, feasibility and likelihood of success • Read and analyse available information to identify trends • Read and interpret the National manual relating to search and rescue 	5
Writing	<ul style="list-style-type: none"> • Record changes to search and rescue plan as required • Collate and record information from internal and external sources • Develop written recommendations for continuous improvement purposes • Communicate in writing with stakeholders 	4

Oral communication	<ul style="list-style-type: none"> • Communicate nature of search and rescue incident to stakeholders • Brief search and rescue teams on roles, responsibilities and activities • Relay feedback received from team to stakeholders to inform search and rescue operations • Provide briefings to stakeholders to ensure consistency of information • Negotiate with stakeholders to acquire resources for search and rescue operations • Provide guidance and support to stakeholders to improve search and rescue effectiveness 	5
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLSAR019	Undertake marine search and rescue duties	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Understand the use of jurisdictional information management systems • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ organisational policies and procedures relating to work health and safety (WHS) within a marine environment ○ Commonwealth, national, state and territory legislation and arrangements relating to search and rescue ○ limitations/regulations which impact marine search ○ obstacles to marine navigation ○ common marine search and rescue scenarios ○ National manual relating to search and rescue ○ communication and coordination techniques ○ international treaties relating to maritime safety ○ principles of marine navigation 	4
Reading	<ul style="list-style-type: none"> • Read and interpret information relating to the location and details of incident • Read and apply Commonwealth, national, state and territory legislation and arrangements relating to search and rescue • Read and interpret charts, electronic navigation aids and navigation equipment • Read and interpret the National manual relating to search and rescue 	4
Writing	<ul style="list-style-type: none"> • Compile and document operational plan, including initial search areas chart work • Record all plots/search areas on chart using overlays allowing for variables and prevailing conditions • Document progress, modifications and outcomes of marine search and rescue 	5

Oral communication	<ul style="list-style-type: none"> Initiate and maintain ongoing communication with stakeholders to ensure flow of information Convey tasks and allocation of resources to personnel to facilitate marine search and rescue operations 	4
Numeracy	<ul style="list-style-type: none"> Perform calculations to estimate rescue asset's speeds, search time, investigation time and endurance within prevailing conditions to provide an estimated search time Use datum of target to calculate wind and currents Plot current location and estimated destination of target on a chart 	5

POLSAR018	Undertake land search and rescue duties	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Understand the use of jurisdictional information management systems Build a knowledge and understanding of: <ul style="list-style-type: none"> organisational policies and procedures relating to work health and safety (WHS) within a land environment limitations/regulations which impact on land searches obstacles to land navigation common land search and rescue scenarios National manual relating to search and rescue communication and coordination techniques principles of land navigation 	4
Reading	<ul style="list-style-type: none"> Access jurisdictional information management systems to read information on target Interpret map information to ensure accurate parameters of search area Analyse data to plot incident location and evaluate terrain to identify impacts on land search and rescue operations Read maps and other information to identify safe routes and potential access restrictions to determine access to search area Analyse information from portable navigation aids to determine areas searched by teams Read and interpret the National manual relating to search and rescue 	5
Writing	<ul style="list-style-type: none"> Use search and rescue maps to plot and record data Modify and document land search patterns using on scene intelligence 	4

Oral communication	<ul style="list-style-type: none"> • Maintain clear communication with a range of stakeholders to ensure flow of information • Communicate navigational references to search and rescue operations team • Communicate references to field personnel for use in portable navigational aids • Communicate directional information to operations team 	4
Numeracy	<ul style="list-style-type: none"> • Calculate incident distance and location from distinct features to fix a position • Calculate grid references using magnetic bearings and/or latitude and longitude and/or incident location • Calculate and determine size of search area to establish cordons 	4

POLSAR007	Assess search and rescue requirements	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ jurisdictional policies and procedures relating to search and rescue operations and information management ○ jurisdictional information management and search and rescue systems ○ search and rescue terminology, emergency stages and distress and emergency signals ○ risk management and urgency assessment techniques and processes ○ National manual relating to search and rescue ○ roles and responsibilities of stakeholders involved in search and rescue 	NA
Reading	<ul style="list-style-type: none"> • Read and comply with Commonwealth, national, state and territory legislation relating to search and rescue • Read and apply jurisdictional policies and procedures relating to information management and search and rescue • Read, collate and evaluate a broad range of information and intelligence to assess situation and determine response • Read and interpret the National manual relating to search and rescue 	4
Writing	<ul style="list-style-type: none"> • Use written means to gather and disseminate information to inform stakeholders • Communicate responsibility in writing for coordination and control of search and rescue operation 	4

Oral communication	<ul style="list-style-type: none"> • Communicate orally with stakeholders to gather additional information • Use clear and concise language to disseminate information to inform stakeholders • Determine and communicate roles and responsibilities based on the assessment of the incident • Communicate responsibility verbally for coordination and control of search and rescue operation 	4
Numeracy	<ul style="list-style-type: none"> • Not evident in PCs 	NA

POLSAR017	Undertake initial search and rescue operations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Build a knowledge and understanding of: <ul style="list-style-type: none"> ○ jurisdictional policies, procedures and arrangements relating to search and rescue operations ○ organisational policies and procedures relating to resource deployment, conducting briefings and debriefings and workplace health and safety ○ jurisdictional information management and search and rescue systems ○ jurisdictional procurement processes and arrangements relating to external agencies and resources ○ capabilities of assets and resources ○ jurisdictional communication systems and briefing and debriefing requirements ○ National manual relating to search and rescue ○ information technology systems to support search and rescue operation 	5
Reading	<ul style="list-style-type: none"> • Identify last known position of the target • Identify mission to prosecute search and rescue operation • Read and apply jurisdictional legislation, policies and procedures relating to work health and safety (WHS) • Read and interpret the National manual relating to search and rescue • Read and comply with Commonwealth, national, state and territory legislation relating to search and rescue • Read and apply jurisdictional policies and procedures relating to information management and search and rescue • Read and apply jurisdictional procurement processes relating to external agencies and resources • Read and apply organisational policies and procedures relating to resource deployment, conducting briefings and debriefings and WHS 	5

	<ul style="list-style-type: none"> Read and interpret maps and charts to identify search area 	
Writing	<ul style="list-style-type: none"> Establish lines of communication with internal and external stakeholders to facilitate sharing of information/progress of operation Collate and document information to develop briefings Use written means to communicate required follow-on actions for ongoing coordination of search and rescue operation 	4
Oral communication	<ul style="list-style-type: none"> Deploy resources to commence search and rescue operation Negotiate resource acquisition to facilitate search and rescue operation Collate information and deliver briefings to facilitate flow of information Establish lines of communication with internal and external stakeholders to facilitate sharing of information/progress of operation Communicate required follow-on actions for ongoing coordination of search and rescue operation Communicate prioritised tasks to maximise efficiency and effectiveness of resources 	5
Numeracy	<ul style="list-style-type: none"> Perform calculations Identify last known position of the target Apply search planning models Determine probability of detection and coverage for allocation of resources 	4

POLSAR012	Coordinate police search and rescue operations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> Understand own limitations and determine when situation exceeds role/responsibility/capability Build a knowledge and understanding of: <ul style="list-style-type: none"> jurisdictional authorisation procedures for search and rescue operations jurisdictional policies and procedures relating to reporting requirements, handovers, media liaison, family liaison and command and control systems organisational policies and procedures relating to resource procurement and deployment, stakeholder and family liaison and work health and safety (WHS) National manual relating to search and rescue electronic search tools environmental factors that may impact on search and rescue operation calculations relating to search and rescue 	5

	operations <ul style="list-style-type: none"> o operating procedures for equipment 	
Reading	<ul style="list-style-type: none"> • Read and comply with Commonwealth, national, state and territory legislation relating to search and rescue • Read and understand operating procedures for equipment • Read and assess data on environmental factors to determine impact on search and rescue operations • Read and apply organisational policies and procedures relating to resource procurement, stakeholder and family liaison and work health and safety (WHS) 	4
Writing	<ul style="list-style-type: none"> • Develop, document, evaluate and modify rescue plan to assist in effectively managing search and rescue operations • Communicate in writing with stakeholders to coordinate resources and assets • Record critical decisions and progress for accountability purposes • Provide written information to the media to assist search and rescue operations 	4
Oral communication	<ul style="list-style-type: none"> • Liaise with, and coordinate multi-agency stakeholders to facilitate search and rescue operation • Communicate with family to ensure they are briefed • Seek medical and other expert advice • Use oral communication to delegate roles and responsibilities and ensure coordination of assets • Liaise with stakeholders to ensure effective coordination of resources • Allocate taskings and search areas • Provide information to the media to assist search and rescue operations 	5
Numeracy	<ul style="list-style-type: none"> • Calculate probability of detection of target to assess effectiveness of search and rescue plan 	4

POLSAR011	Conclude police search and rescue operations	
Core Skills	Examples of Foundation Skills in the form of text types embedded in this unit	ACSF Level
Learning	<ul style="list-style-type: none"> • Understand search and rescue evidence and when to conclude the operation • Build a knowledge and understanding of: <ul style="list-style-type: none"> o jurisdictional re-supply guidelines o jurisdictional policies and procedures relating to the administration, reporting and conclusion of search and rescue operations o organisational policies and procedures relating to resource procurement, stakeholder and family liaison and work health and safety (WHS) 	4

	<ul style="list-style-type: none"> ○ National manual relating to search and rescue ○ process for and requirements of coronial investigations ○ incident scene management 	
Reading	<ul style="list-style-type: none"> • Read and comply with Commonwealth, national, state and territory legislation and arrangements relating to the conclusion of search and rescue operations • Read and comply with jurisdictional policies and procedures relating to the administration, reporting and conclusion of search and rescue operations • Read, collate and store information/log for search and rescue records • Read and evaluate records of conduct of search and rescue operation 	4
Writing	<ul style="list-style-type: none"> • Maintain records of critical decisions and their justifications for accountability and transparency purposes • Complete jurisdictional reports on search and rescue outcomes for dissemination 	4
Oral communication	<ul style="list-style-type: none"> • Liaise with family prior to terminating search • Consult with stakeholders prior to terminating search to facilitate conclusion of operations • Communicate intention to terminate to stakeholders • Debrief search and rescue participants to review outcomes of search and rescue operation 	4
Numeracy	<ul style="list-style-type: none"> • Perform calculations when recalling and accounting for resources and assets 	3

ATTACHMENT A: QUALIFICATION MAPPING

Mapping information for Qualifications can be found in the [POL CVIG Mapping Information Attachments A-C spreadsheet](#).

ATTACHMENT B: SKILL SETS MAPPING

Mapping information for Skill Sets can be found in the [POL CVIG Mapping Information Attachments A-C spreadsheet](#).

ATTACHMENT C: UNITS OF COMPETENCY MAPPING

Mapping information for Units of Competency can be found in the [POL CVIG Mapping Information Attachments A-C spreadsheet](#).

ATTACHMENT D: COMPANION VOLUME IMPLEMENTATION GUIDE

QUALITY ASSURANCE PROCESS

A CVIG is initiated in accordance with the requirements of the National Skills Standard Council (NSSC) Standards for Training Packages and is located within the CVIG.

The steps in the Quality Assurance (QA) process as they apply to the CVIG are:

1. The CVIG is developed by the Industry Skills Specialist (ISS) in accordance with Standards 11 and 12 (NSSC Standards for Training Packages):
 - **Standard 11:** A quality assured Companion Volume Implementation Guide produced by the Training Package developer is available at the time of endorsement and complies with the Companion Volume Implementation Guide template
 - **Standard 12:** Training Package developers produce other quality assured companion volumes to meet the needs of their stakeholders as required
2. Content is validated and amended as part of the validation stage in the implementation of the Standards.
3. The CVIG is submitted for external QA with the Training Package changes, to ensure it is available at the time of endorsement.
4. As the implementation of the Standards continues for the Training Package, the CVIG is reviewed by the ISS to ensure mapping tables are updated and any additional information is added as required. Proposed changes are subject to industry validation as part of the Endorsement process.
5. Where changes are made to a Training Package and minor amendments are required for the CVIG, the ISS includes amendments as part of the validation phase and incorporates the reference in the version control modification history at the front of the CVIG.

ATTACHMENT E: COMPANION VOLUME IMPLEMENTATION GUIDE TEMPLATE

COMPANION VOLUME IMPLEMENTATION GUIDE FOR POL POLICE TRAINING PACKAGE

OVERVIEW INFORMATION	<ul style="list-style-type: none"> • Version control and modification history. • List of AQF Qualifications, Skill Sets and Units of Competency in the Training Package. • Unit mapping information, including equivalence table linking old to new Units of Competency. • Qualification mapping information, including equivalence table linking old to new Qualification. • List of imported and prerequisite units in the Training Package. • Key work and training requirements in the industry. • Regulation and licensing implications for implementation.
IMPLEMENTATION INFORMATION	<ul style="list-style-type: none"> • Information on the key features of the Training Package and the industry that will impact on the selection of training pathways. • Industry sectors and occupational outcomes of Qualifications. • Explanation of any mandatory entry requirements for Qualifications. • Pathways advice, particularly in line with requirements of the AQF Pathways Policy. • Access and equity considerations. • Foundation Skills. • Advice on any health and safety implications in the industry. • Resource and equipment lists relevant to the Training Package. • Legal considerations for learners in the workplace/on placements. • Other information relevant to implementation of the Training Package.
LINKS	<ul style="list-style-type: none"> • Resources supporting the Companion Volume Implementation Guide. • Other companion volumes as required, including: <ul style="list-style-type: none"> ○ Learning strategies guidance, describing the diversity of learners and learning strategies. ○ Knowledge guidance, identifying contextual information such as knowledge requirements and resources. ○ Assessment strategies, providing guidance on implementation of assessment requirements. • Training Package developer's quality assurance process for companion volumes.

POL54115 Diploma of Forensic Investigation

Modification History

Release 1. This is the first release of this qualification in the POL Police Training Package. Core units list revised. Content of all units reviewed.

Qualification Description

The public safety industry operates through discrete sectors. Policing qualifications have been developed to set agreed minimum standards for police personnel that should be contextualised within the specifics of each police jurisdiction/agency/organisation's policies and procedures.

This qualification allows for the attainment of general skills in forensic investigation. The qualification covers skills that allow police staff to employ specialised knowledge and skilled practice in forensic investigation within a police environment.

No licensing, legislative or certification requirements apply to this qualification at the time of publication.

Entry Requirements

There are no entry requirements for this qualification.

Packaging Rules

A total of **6 units of competency** comprising all units listed below.

Core units

POLFOR017	Contribute to and comply with quality systems
POLFOR023	Maintain a safe forensic working environment
POLFOR024	Detect, record and collect forensic evidence
POLFOR025	Process forensic evidence
POLFOR026	Prepare and present forensic evidence
POLFOR027	Assess and control incident/crime scene

Qualification Mapping Information

This qualification replaces and is equivalent to PUA50312 Diploma of Public Safety (Forensic Investigation).

OFFICIAL: Sensitive

Links

POL Police Training Package Companion Volume Implementation Guide at: [sector webpage link here]

OFFICIAL: Sensitive

Response to Part 2

Attached schedule list when each FSG facility was subject to an internal audit during the years 2018 to 2022. In 2018/2019, audits were completed every 9 months so some areas will have two audits. Since 2020, they have been conducted every 12 months.

Schedule of FSG Internal Audits 2018 – 2022

2018	
Month	Facilities
January	
February	Sunshine Coast SOC Fingerprint Sunshine Coast Gympie SOC Maryborough SOC Bundaberg SOC
March	Coomera SOC Scientific Coomera Fingerprint Coomera Logan SOC Gold Coast SOC Rockhampton SOC Scientific Rockhampton Fingerprint Rockhampton Gladstone SOC Emerald SOC Whitsunday SOC Mackay SOC Townsville SOC Scientific Townsville Fingerprint Townsville Ayr SOC Mt Isa SOC
April	
May	
June	
July	Cairns SOC Scientific Cairns Fingerprint Cairns Innisfail SOC Mareeba SOC Thursday Island SOC
August	Hendra SOC Indooroopilly SOC New Farm SOC North Lakes SOC Burpengary / Caboolture SOC (changed name from Caboolture SOC to Burpengary SOC) Redcliffe SOC
September	Upper Mt Gravatt SOC Calamvale SOC Cleveland SOC Ipswich / Yamanto SOC (changed name from Yamanto SOC to Ipswich SOC)

October	Coomera SOC Scientific Coomera Fingerprint Coomera Logan SOC Gold Coast SOC Sunshine Coast SOC Fingerprint Sunshine Coast Gympie SOC Maryborough SOC Bundaberg SOC
November	Toowoomba SOC Fingerprint Toowoomba Warwick SOC Ipswich SOC Dalby SOC Roma SOC Charleville SOC Kingaroy SOC Longreach SOC
December	Townsville SOC Scientific Townsville Fingerprint Townsville Ayr SOC Mt Isa SOC Rockhampton SOC Scientific Rockhampton Fingerprint Rockhampton Gladstone SOC Emerald SOC Whitsunday SOC Mackay SOC Major Crime Unit (Scientific Section) Ballistics Unit (Scientific Section) Analytical Services Unit (Scientific Section) Document Examination Unit (Scientific Section) Fingerprint Bureau Electronic Recording Section

2019	
Month	Facilities
January	
February	
March	
April	Coomera SOC Scientific Coomera Fingerprint Coomera Logan SOC Gold Coast SOC
May	Sunshine Coast SOC

	Fingerprint Sunshine Coast Gympie SOC Maryborough SOC Bundaberg SOC
June	Toowoomba SOC Fingerprint Toowoomba Warwick SOC Ipswich SOC Dalby SOC Roma SOC Charleville SOC Kingaroy SOC Longreach SOC
July	Rockhampton SOC Scientific Rockhampton Fingerprint Rockhampton Gladstone SOC Emerald SOC Whitsunday SOC Mackay SOC Cairns SOC Scientific Cairns Fingerprint Cairns Innisfail SOC Mareeba SOC Thursday Island SOC
August	Upper Mt Gravatt SOC Calamvale SOC Cleveland SOC Ipswich / Yamanto SOC (changed name from Yamanto SOC to Ipswich SOC)
September	Townsville SOC Scientific Townsville Fingerprint Townsville Ayr SOC Mt Isa SOC Hendra SOC Indooroopilly SOC New Farm SOC North Lakes SOC Burpengary / Caboolture SOC (changed name from Caboolture SOC to Burpengary SOC) Redcliffe SOC
October	Major Crime Unit (Scientific Section) Ballistics Unit (Scientific Section) Analytical Services Unit (Scientific Section) Document Examination Unit (Scientific Section) Fingerprint Bureau Electronic Recording Section
November	
December	

2020	
Month	Facilities
January	
February	
March	Coomera SOC Scientific Coomera Fingerprint Coomera Logan SOC Gold Coast SOC
April	Sunshine Coast SOC Fingerprint Sunshine Coast Gympie SOC Maryborough SOC Bundaberg SOC
May	Toowoomba SOC Fingerprint Toowoomba Warwick SOC Ipswich SOC Dalby SOC Roma SOC Charleville SOC Kingaroy SOC Longreach SOC
June	Townsville SOC Scientific Townsville Fingerprint Townsville Ayr SOC Mt Isa SOC
July	Rockhampton SOC Scientific Rockhampton Fingerprint Rockhampton Gladstone SOC Emerald SOC Whitsunday SOC Mackay SOC Cairns SOC Scientific Cairns Fingerprint Cairns Innisfail SOC Mareeba SOC Thursday Island SOC
August	Upper Mt Gravatt SOC Calamvale SOC Cleveland SOC
September	Hendra SOC Indooroopilly SOC New Farm SOC North Lakes SOC

	Burpengary SOC Redcliffe SOC
October	Major Crime Unit (Scientific Section) Ballistics Unit (Scientific Section) Analytical Services Unit (Scientific Section) Document Examination Unit (Scientific Section) Fingerprint Bureau Electronic Recording Section
November	
December	

2021	
Month	Facilities
January	
February	Coomera SOC Scientific Coomera Fingerprint Coomera Logan SOC Gold Coast SOC
March	Sunshine Coast SOC Fingerprint Sunshine Coast Gympie SOC Maryborough SOC Bundaberg SOC
April	Toowoomba SOC Fingerprint Toowoomba Warwick SOC Ipswich SOC Dalby SOC Roma SOC Charleville SOC Kingaroy SOC Longreach SOC
May	Townsville SOC Scientific Townsville Fingerprint Townsville Ayr SOC Mt Isa SOC
June	Rockhampton SOC Scientific Rockhampton Fingerprint Rockhampton Gladstone SOC Emerald SOC Whitsunday SOC Mackay SOC
July	Cairns SOC Scientific Cairns Innisfail SOC Mareeba SOC

	Thursday Island SOC
August	Upper Mt Gravatt SOC Calamvale SOC Cleveland SOC
September	Hendra SOC Indooroopilly SOC New Farm SOC North Lakes SOC Burpengary SOC Redcliffe SOC
October	Major Crime Unit (Scientific Section) Ballistics Unit (Scientific Section) Analytical Services Unit (Scientific Section) Document Examination Unit (Scientific Section) Fingerprint Bureau Electronic Recording Section
November	
December	

2022	
Month	Facilities
January	
February	Coomera SOC Scientific Coomera Fingerprint Coomera Logan SOC Gold Coast SOC
March	Sunshine Coast SOC Fingerprint Sunshine Coast Gympie SOC Maryborough SOC Bundaberg SOC
April	Toowoomba SOC Fingerprint Toowoomba Warwick SOC Ipswich SOC Dalby SOC Roma SOC Charleville SOC Kingaroy SOC
May	Townsville SOC Scientific Townsville Fingerprint Townsville Ayr SOC Mt Isa SOC
June	Rockhampton SOC Scientific Rockhampton Fingerprint Rockhampton Gladstone SOC

	Emerald SOC Longreach SOC Whitsunday SOC Mackay SOC
July	Cairns SOC Scientific Cairns Innisfail SOC Mareeba SOC Thursday Island SOC
August	Upper Mt Gravatt SOC Calamvale SOC Cleveland SOC
September	
October	
November	
December	

Response to Part 3

The following FSG documents are completed during the internal audit at each FSG facility as described above:

- Facility Audit Checklist/Internal Audit Checklist – One of these forms is completed for each FSG facility during the annual internal audit. If Scientific and/or Fingerprint Officers are also located where there is a SOC unit, all three areas will be captured under the one facility audit checklist. In 2018/2019, audits were completed every 9 months so some areas will have two audits. Since 2020, they have been conducted every 12 months.
- Exhibit Audit Checklist – One of these forms is completed for each FSG facility during the annual internal audit. The checklist includes a variety of more detailed checks which relate to four randomly chosen exhibits held within the facility. These checks include appropriateness of labelling, packaging, recording of exhibit continuity and recording of details on the Forensic Register. An exhibit audit checklist is only conducted if exhibits are stored onsite during the audit.
- Case File Audit Checklist – Scenes of Crime, Scientific, Fingerprint - One of these forms is completed to assess casework for each practitioner at each FSG Scenes of Crime facility, Scientific Section and Fingerprint Section during the annual internal audit. The checklist is completed by an experienced and similarly authorised practitioner from a different FSG facility. These checks include appropriateness of notes, photos, exhibits, statement and hardcopy case files.

Configuration of SAIKS (Sexual Assault Investigation Kits)

1 Purpose

To describe how the Sexual Assault Investigation Kits (SAIKs) are prepared within Forensic DNA Analysis.

2 Scope

This procedure describes the preparation of the SAIK within Forensic DNA Analysis for all Forensic DNA Analysis staff.

3 Explanation

SAIK's are prepared on site in Room 6117 within Forensic and Scientific Services, Forensic DNA Analysis. Completed SAIK's are stored in Forensic DNA Analysis SAIK room (Rm 6110)

Two types of SAIKs are compiled by Forensic DNA Analysis:

1. **Generic SAIKs** – these SAIKs are distributed to the *Child & Sexual Assault Investigation Unit (CSAIU)* of the Queensland Police Service and to the Forensic Medical Officers. These units distribute the kits to police as required.
2. **Just in Case (JIC) SAIKs** – these SAIKs are distributed to Pathology Queensland Laboratories and are to be used in instances where a patient has disclosed an alleged sexual assault but are not ready to involve police. A forensic examination can be requested "Just in Case" a police complaint may be made at a later date.

4 Actions

4.1 Generic SAIKs

These shall consist of a **clear** Tamper Evident Security bag with the following contents:

1.	One DNA Analysis address label
2.	One "Sexual Assault Investigation kit" label
3.	One large clipseal bag (30 x 23cm) containing <ul style="list-style-type: none"> - One "Medical Examination Information form" (QIS 31281) - One "Sexual Assault Toxicology form" (QIS 29066)
4.	6 x Plain labelled swabs
5.	One large clipseal bag (30 x 23cm) labelled "Dropsheet" containing: <ul style="list-style-type: none"> One dropsheet (A1 sheet of paper folded to A4 size) "Directions for collection of Samples", dropsheet form

Refer to Appendix D for direction on the preparation of the generic SAIK

4.2 Creation of Labels for Generic SAIKs

Labels can be printed from the Zebra designer software on a GX430t label printer. The required labels have been designed as per follows:



Queensland Government

QPS Exhibit Barcode

SEXUAL ASSAULT INVESTIGATION KIT

Patient Name: _____

Doctor Name: _____

Officer Present: _____

Date of Exam : / /

Figure { SEQ Figure * ARABIC } - SAIK "Sexual Assault Investigation Kit" Label



DROPSHEET

Patient Name: _____

Date: _____ Time : _____

Doctor: _____

Figure 2 - SAIK Dropsheet label



Forensic DNA Analysis
Forensic & Scientific Services
Department of Health
PO Box 594
ARCHERFIELD QLD 4108
Ph: 07 3096 2736
Please Store at 8 to -20 degrees C

Figure 3 – Forensic DNA Analysis Address label

4.3 Just in Case (JIC) SAIKs

These shall consist of an **opaque/white** Tamper Evident Security bag with the following contents:

1.	One orange "CSR STAFF: DO NOT OPEN" label (attached to bag)
2.	One plastic document wallet sticker containing <ul style="list-style-type: none"> - One Pathology Queensland JIC Request Form - One Pathology Queensland Chain of Custody Form - One green Scientific Services address (adhesive intact, not attached*)
3.	One green Scientific Services address label (attached to bag)
4.	One pink Forensic Services label (attached to bag)
5.	One large clipseal bag (30 x 23cm) containing <ul style="list-style-type: none"> - One "Medical Examination Information form" (QIS 31281) - One "Sexual Assault Toxicology form" (QIS 29066)
6.	6 x Plain labelled swabs
7.	One "Consent for Forensic Examination" Form
8.	One large clipseal bag (30 x 23cm) labelled "Dropsheet" containing: <ul style="list-style-type: none"> One dropsheet (A1 sheet of paper folded to A4 size) "Directions for collection of Samples", dropsheet form

*This is a spare label to be included – for later use on an esky

Refer to Appendix E for direction on the preparation of the JIC SAIK

Note – the unique barcode on the Tamper Evident Security bag is to be written on the Queensland Pathology Chain of Custody Form (in the "Satchel Identifier" field).

4.4 Labels for JIC SAIKS

Pre-printed coloured labels (green and pink) will be received by Forensic DNA Analysis for the use on JIC SAIKS.

Orange CSR labels

Can be printed from the Zebra design software on a GX430t label printer by using the green cog wheel in the printer to open the label holder to max then feeding the orange labels through the back of the machine (manual hold and feed).

Go to a PC and from the Control Panel select "Devices and Printer Settings", right click on a ZDesigner printer and select "Printing Preferences" > "Advanced Set Up"> "Calibrate". The labels can then be printed from the Zebra design program.

Drop sheet labels can be printed from the Zebra designer software on a GX430t label printer, with the design as following:

Figure 4 - SAIK Dropsheet label

5 Records

Nil

6 Associated Documentation

- QIS: 29066 Sexual Assault Toxicology Form
- QIS: [31281](#) Medical Examination Information Form – DNA
- Pathology Queensland – JIC Request Form (Refer Appendix A)
- Pathology Queensland – Chain of Custody Form (Refer Appendix A)
- Pathology Queensland – Consent for Forensic Examination Form (Refer Appendix A)

7 References

Nil

8 Amendment History

Version	Date	Author/s	Amendments
1	Unknown	Unknown	First Issue
2	26 Jun 2001	V Ientile	Unknown
3	9 Jan 2004	V Ientile	Change document numbers to QIS numbers, remove mention of unique numbers on front of SAIKs
4	26 Jun 2006	M Gardam / A Storer	Updated to include Central Property Point & storage area for kits
5	30 Apr 2007	G Tucker	Updated as part of project activity. Addition of labels and documents as appendices.
5	April 2008	QIS2 Migration Project	Headers and Footers changed to new CaSS format. Amended Business references from QHSS to FSS, QHPSS to CaSS and QHPS to Pathology Queensland

Configuration of SAIK's (Sex Assault Investigation Kits)

5	31 Mar 09	QIS2 Migration Project	Updated hyperlinks for QIS2 and changed revision to version
6	12 April 2011	[REDACTED]	Update = Purpose; removed all reference to slides and slide holders; addition of form 29066 to kit; updated associated documents; update to consumable; changed reference of Forensic Biology to DNA Analysis Unit; update to GoPrint information; fixed amended history.
7	03 Oct 2013	[REDACTED]	Complete re-write of procedure.
8	13 April 2015	[REDACTED]	Updated procedure and template
9	25 Oct 2016	[REDACTED]	Minor changes to room storage location General update
10	17 July 2017	[REDACTED]	Updated stickers for SAIK
11	25 Jan 2019	[REDACTED]	Update hyperlinks, label printing, suppliers and minor text edits
12	23 July 2019	[REDACTED]	Addition of instructions for Just in Case (JIC) SAIKs
13	08 Oct 2020	[REDACTED]	Update details for JIC Kits
14	20 April 2022	[REDACTED]	Update template. Minor wording edits.

9 Appendices

- Appendix A - List of Consumable Items required to prepare SAIKs
- Appendix B - Example of Requests for SAIKs Register
- Appendix C - Directions for Collection of Samples using Drop Sheet
- Appendix D – Directions for the Preparation of the Generic SAIK
- Appendix E – Directions for the Preparation of JIC SAIK

Appendix A - List of consumable items required to prepare the SAIKs

Item	Unit of measure	Supplier	Catalogue/SAP Number/Comments
A4 Tamper Evident Security Bag (Clear)	Box / 500	Tamper Evident	BAG_TEB340500
A4 Tamper Evident Security Bag (Opaque)	Box / 500	Tamper Evident	BAG_TEB340W500
Plastic Document Wallet (Packaging Envelope Adhesive Plain)	Box / 500	Winc	88632985
Plastic Bags, Transparent with Klick-Seal 230mmW x 305mmD	Pk / 100	FAMMIS item	129687
Swab Sterile Plain, MW104	Box / 100	FAMMIS item	10121650
Dropsheet, Paper White 1020 x 760mm A1-80gsm bond paper	As available	TJ's imaging centre	By quotation
Officemax Rubber Band No.33 500gram Natural Rubber Bag	500g	OfficeMax	1044877
Sexual Assault Toxicology Form (QIS – 29066)	Ea	Document located in QIS	Document located in QIS
Medical Examination Information Form (QIS - 31281)	Ea	Document located in QIS	Document located in QIS
Dropsheet Information Sheet (Appendix C)	As required	Document located in QIS	Photocopy
Pathology Queensland – JIC Request Form	Ea	Pathology Queensland	Download from website**
Pathology Queensland – Chain of Custody Form	Ea	Pathology Queensland	Download from website**
Pathology Queensland – Consent for Forensic Examination Form	Ea	Pathology Queensland	Download from website**

**Website - <https://qheps.health.qld.gov.au/hsq/forensics/response-to-sexual-assault>

(Note – when printing from the Pathology Queensland Website – there may be slight alignment errors on the request form. All current printable copies of the forms have been saved to [G:\ForBio\Evidence Recovery & Quality\JIC SAIK\Current JIC Forms July 2019](#), and can be accessed and printed from here – ensure to check them against the version on the website prior to printing so the most up to date form is included in the kit).

Queensland Health
Forensic and Scientific Services



Appendix B – Example of Requests for SAIKs Register

Date	No. of Kits	Released to:	Released to: Signature	Released by: Name	Released by: Signature
		Name: Business Unit:			
		Name: Business Unit:			
		Name: Business Unit:			
		Name: Business Unit:			
		Name: Business Unit:			
		Name: Business Unit:			



Appendix C – Drop sheet cover sheet

DIRECTIONS FOR COLLECTION OF SAMPLES PLEASE READ CAREFULLY BEFORE TAKING SAMPLES

DROP SHEET (A1 sheet paper)

The drop sheet is to be used for the purpose of collecting samples in the following way:

The sheet is spread out and placed on the floor. The person being medically examined stands on the sheet while undressing. Material dislodged from the person's clothes and body hairs i.e. hairs, fibres, plant material and foreign matter will drop on to the sheet.

The sheet is spread out on the examination couch beneath the buttocks of the patient. Material dislodged from the pubic and surrounding regions will drop onto the sheet.

On completion of the examination, the sheet should be carefully folded and placed in a plastic bag provided.

Queensland Health

Forensic and Scientific Services

Appendix D – Compilation of the Generic SAIK



STEP 1

You will require the following:

- Forensic DNA Analysis address label
- "Sexual Assault Investigation kit" label
- 1 x Tamper Evident Security Bag



STEP 2

Attach both labels to the Evident Security Bag

- Forensic DNA Analysis address label (adhere over barcode)
- "Sexual Assault Investigation kit" label



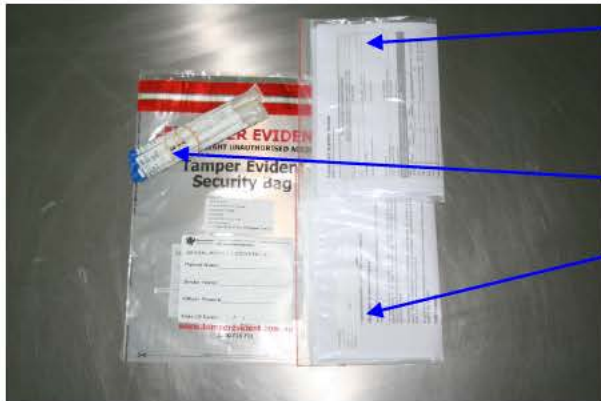
STEP 3

Tear off the top perforation from the top of the Evident bag.

**the perforated piece can be thrown out*

STEP 4

Contents to be prepared to be put in SAIK



- Form: "Medical Examination Information form QIS 31281" form and "Sexual Assault Toxicology form QIS [29066](#)". To be packaged within a large CSP
- 6 x Plain labelled swabs
- Form: "Directions for collection of Samples" Dropsheet form and 1 x dropsheet. To be packaged within a large labelled CSPB

STEP 5**STEP 5**

Place all contents within "Evident Security Bag"

SAIK COMPLETE

Queensland Health

Forensic and Scientific Services

Appendix E – Compilation of the JIC SAIK

Front of Tamper Evident Bag

The image shows the front of a Tamper Evident Bag (TEB) used for forensic and scientific services. It features a receipt at the top, a large orange label with the text "CSR STAFF: DO NOT OPEN", and a plastic document wallet at the bottom containing a form for the Queensland Pathology Request Form (QPRF).

Receipt:

Receipt Date / /
 Contents: _____
 Please tear off the perforated receipt tab and retain as a record.

Barcode: B340236550

Orange Label: CSR STAFF: DO NOT OPEN

Plastic Document Wallet:

UR Number ORN+
 Surname _____
 Given Name _____ D of B _____ Sex F M
 Patient Address _____
 HCF _____ Ward _____
 Consultant _____
 Requesting Practitioner _____
 Signature _____ Date / /
 Extra Copies To: Dr _____
 Address _____
 ALL collectors must complete Patient Y/N ☐ Time _____
 Signature _____ Date _____
 Print Name _____ Collector Code _____

FORSS (Just in case testing)

Please refer to the flowchart below for detailed instructions

FORSS

Any routine patient care requests are to be ordered on a separate request form

Contact: _____
 BILLING CATEGORY OPE

Orange label to be affixed to top of Tamper Evident Bag (above the unique barcode)

Plastic Document Wallet to be affixed towards the bottom of the Tamper Evident Bag (below the unique barcode)

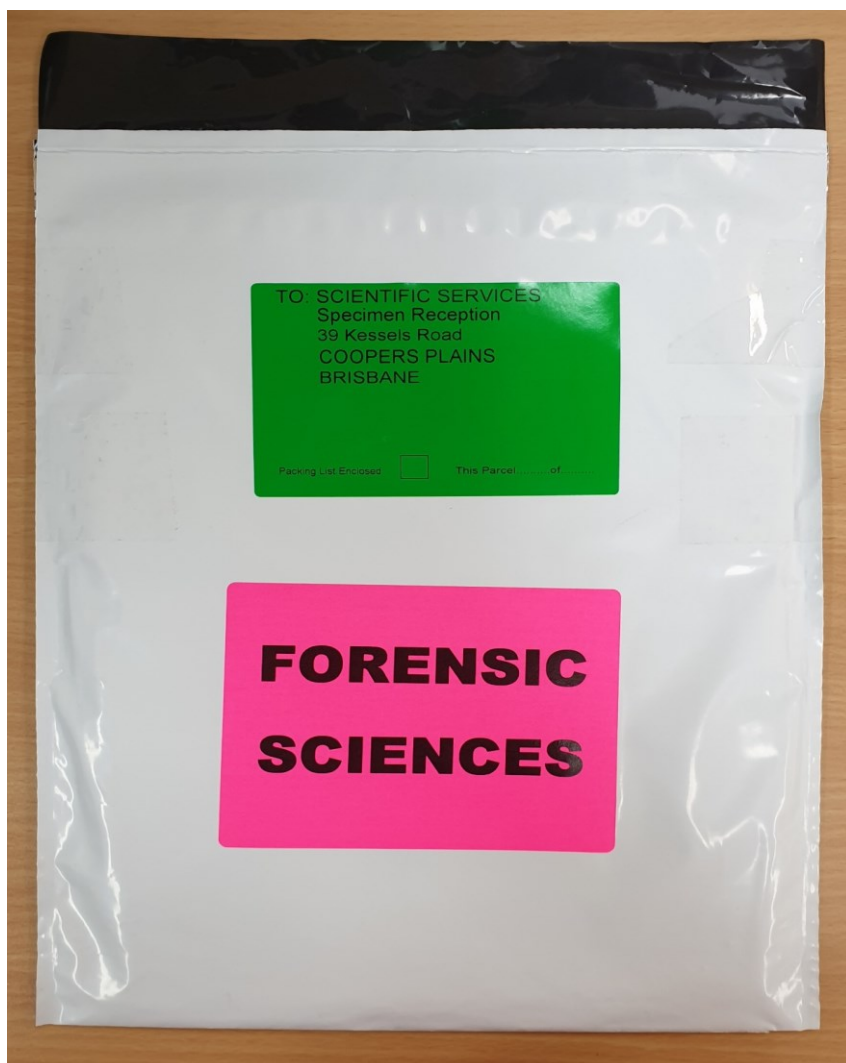
One copy of the following to be placed inside the plastic wallet:

- Queensland Pathology Request Form
- Queensland Pathology Chain of Custody Form
- 1 Green address label (unused)

Queensland Health

Forensic and Scientific Services

Back of Tamper Evident Bag



Green Scientific Services pre-printed label to be affixed towards the top of the Tamper Evident Bag

Pink Forensic Sciences pre-printed label to be affixed towards the bottom of the Tamper Evident Bag.

Once the labels and plastic document wallet have been affixed to the opaque/white Tamper Evident Bag, the following are to be placed inside the SAIK:

- 6 x Plain Labelled Swabs
- Large clipseal bag containing
 - o 1 x Medical Examination Information Form QIS 31281
 - o 1 x Sexual Assault Toxicology Form QIS 29066
- Large clipseal bag containing
 - o 1 x Dropsheet
 - o 1 x Directions for collection Samples Dropsheet Form (Appendix C)
- 1 x Forensic Examination Consent Form

The opaque/white Tamper Evident Bag can then be folded and placed inside a large (30 x 23cms) clipseal bag

The JIC SAIK is now complete

Spreadsheet for management of JIC SAIK Kit restocking:

<https://teams.microsoft.com/l/channel/19%3a33f3693d1be740ac8b9c91d0e55c6c76%40thread.skype/General?groupId=0fccdb25-fe83-40df-86b4-5b1bc2abe716&tenantId=0b65b008-95d7-4abc-bafc-3ffc20c039c0>

In the matter of the Commissions of Inquiry Act 1950
Commissions of Inquiry Order (No. 3) 2022
Commission of Inquiry into Forensic DNA Testing in Queensland

ADDENDUM STATEMENT OF DAVID HAROLD NEVILLE

I, **David Harold Neville**, of 200 Roma Street, Brisbane, Queensland state as follows:

The following statement is provided in response to a notice I received from the Commission of Inquiry into Forensic DNA Testing in Queensland requiring me to give information in a written statement regarding my knowledge of matters set out in the Schedule attached to that notice. Attached and marked '**Exhibit 207**' is a copy of that notice.

Memorandum of Understanding

1. I recall attending a meeting around August or September 2019 involving Bruce McNab, John Doherty and Cathie Allen where the development of a Memorandum of Understanding (MOU) was discussed. I recall John advising that they planned to develop a generic agreement that included provisions for all the services that Queensland Health Forensic and Scientific Services (QHFSS) deliver to the QPS. He said that there would be a schedule attached for each particular service that included costs and performance criteria. He indicated that they would seek agreement on the content of the MOU before the schedules were completed.
2. On 7 January 2020, the office of Superintendent McNab forwarded a copy of a draft MOU to me and requested that I provide comment. I provided the following comment:
 - (a) Does the execution of this MOU preclude us from procuring services from an alternative service provider should the QPS desire to do so due to cost of performance issues. In the past we have explored having a second service provider for business continuity purposes. Would the MOU preclude this?
 - (b) Clause 8.3 indicates that QH will cover the cost of travel within 300km for court. Does this mean the QPS will cover any other travel? This is something we currently do not do and we are not funded for it.



David Harold Neville

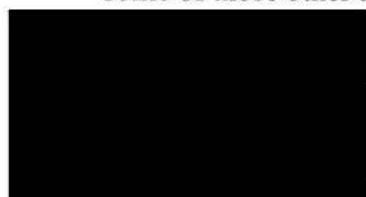


Witness

- (c) Clause 19.1 states the QPS will provide information and reports required under a service schedule. There is no reciprocal requirement for QH. The QPS currently reports nothing to QH so I am not sure what they need this for.
 - (d) Clause 19.2 requires QH to maintain records of costs and expenses. A request for this type of information from QH was recently declined. This clause should include "and be made available to the QPS upon request".
 - (e) Clause 8.2 indicates that the fees will be reviewed annually and clause 17 states it takes 6 months to terminate the MOU. If QH increases the fees, are we locked into paying that fee for 6 months before we can opt out?
3. A copy of the draft MOU is attached and marked '**Exhibit 208**'.
 4. I have had no further involvement in the development of the MOU. I believe that some further discussions may have occurred involving Bruce McNab, Assistant Commissioner Brian Connors and members of the Queensland Health (QH) Executive. I was not involved in those discussions. I believe that the process stalled because the details of costs and performance criteria were not provided by QHFSS.

Forensic Register

5. The Forensic Register (FR) was developed in-house by Mr Troy O'Malley. Development commenced in 2003. Troy was an Acting Inspector within the Forensic Services Group. Development continued with functionality increasing based on business needs. In about 2005 an interface was developed that enabled the FR to exchange information with AUSLAB which was the case management system used by QHFSS. From this time both QPS and QHFSS shared common barcodes as exhibit identifiers.
6. The QPS provided the FR to police services in other jurisdictions including Tasmania, South Australia and Western Australia. It was provided free of charge on the understanding that QPS would not provide technical support. I understand that Troy was given outside employment approval to work for 'Bdna' who was contracted by some of those other agencies to implement the FR and provide ongoing support.

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David Harold Neville

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Witness

7. Between 2015 and 2017 the FR was further developed to include functionality for QH. I believe this work was undertaken by Troy at no cost to QH. The developments included enhancements to facilitate the operations of the QHFSS DNA Laboratory. The DNA Laboratory commenced using the FR in around 2017. From this time QPS and the QHFSS DNA Laboratory shared the FR as a common system.
8. On 16 February 2018, Troy O'Malley separated from the QPS and commenced working for 'Bdna' full time. With the departure of Troy, the ongoing internal support and development of the FR was unsustainable. As a result, the QPS commenced a tender process to outsource support and development of the FR. Bdna was awarded the contract with the intellectual property of the FR being transferred to them as part of the IP agreement executed on 1 October 2020. There is also a ten-year support agreement between Bdna and QPS.
9. The QPS has some capacity to undertake its own data extraction which is limited to the parameters of search fields contained in the same screen. Requests for more extensive data extraction must now be made through Bdna. This may incur a cost depending on the time involved.
10. Under the terms of the support contract, the QPS pays Bdna for the support of both the QPS and QHFSS. The QPS then invoices QHFSS for its share of ongoing support. I believe that QHFSS is free to engage Bdna directly to undertake development including data extraction.
11. The information pertaining to each sample submitted to QHFSS is recorded on the Exhibit Record in the FR. This includes:
 - (a) the unique barcode identifier used by both QPS and QHFSS,
 - (b) the details of the collecting officer,
 - (c) the date of collection,
 - (d) the location collected from,

.....
David Harold Neville

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Witness

- (e) a description of the item,
- (f) the person the items relates to (victim, suspect, unknown),
- (g) the results of presumptive screening,
- (h) information on hazards, and
- (i) images of the area sampled.

Sexual assault investigation kits (SAIKs)

- 12. QH is responsible for the provision and use of SAIKs.
- 13. QH is responsible for the development of the content of the SAIK. I believe the SAIKs are developed in-house at QHFSS.
- 14. QH provide the SAIKS to the QPS for distribution to investigating police officers. A store of SAIKs is maintained in each police district.
- 15. I am not aware of any agreement between QPS and QH in relation to the supply of the kits.
- 16. I understand that QHFSS provides the kits to the QPS for distribution throughout the state to investigating police officers. When a sexual assault complaint is made, police provide the Forensic Medical Officer (FMO) with the SAIK to facilitate the forensic medical examination. Upon completion of the examination, the SAIK is handed back to the investigating officer who arranges delivery to QHFSS. The relevant parts of the Operational Procedures Manual are attached and marked '**Exhibits 209 and 210**'.
- 17. To my knowledge, the SAIK currently does not contain equipment for the collection of reference samples from victims. I know that because the QPS has been attempting to get the SAIK modified to include this equipment.
- 18. I am not aware if the SAIK is the same equipment that is used to collect a sample from an accused person. This is a question that would need to be asked of QH.

David Harold Neville

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19. I first raised a desire to explore the inclusion of reference collection materials in SAIKs on 29 August 2018 when I sent an email to Inspector George Marchesini, Child Trauma and Sexual Crime Unit. This was around the time I raised the issue with Cathie Allen. A copy of the email chain with George is attached and marked '**Exhibit 211**'.
20. On 6 September 2018, I contacted Dr Adam Griffin. At the time he managed the Forensic Medical Officers (FMOs) within QH. I asked about the prospect of the FMO taking a reference sample. He advised this was not something he was interested in pursuing. He advised of a number of risks including relating to contamination and training of FMOs. Dr Griffin gave me the impression that he was opposed to the idea of FMOs taking reference samples. As a result, I sent an email to Cathie and Craig Russell (Acting Executive Director, QHFSS) to advise that I was not pursuing the matter. A copy of that email is attached and marked '**Exhibit 212**'.
21. On 7 September 2018, I sent an email to all Forensic Services Group managers that included some suggested changes to the Operational Procedures Manual to ensure police officers collected reference samples from victims of sexual assaults. Inspector Peter Bushell responded drawing my attention to the 2014 interagency guideline titled, *"Response to Sexual Assault: Queensland Government Interagency Guidelines for Responding to People who have experienced Sexual Assault"*. This document was designed to ensure agencies work together in the best interest of the victim. The policy states DNA reference samples (usually a blood sample or mouth swab) should be taken routinely as part of the forensic medical examination. A copy of my email and Peter's response is attached and marked '**Exhibit 213**'.
22. I believe that Superintendent McNab may have followed up the matter based on information provided to him by Peter Bushell. This included raising the matter to Assistant Commissioner Alan McCarthy, Operations Support Command.
23. I understand that on 27 September 2018, Alan McCarthy met with Michael Lok and Craig Russell of QH and the matter of reference samples in SAIKs was discussed. Alan emailed me, requesting advice on the issues pertaining to SAIKs, to which I responded on 28 September 2018. A copy of my response is attached and marked '**Exhibit 214**'.

David Harold Neville

Witness

24. On 7 November 2018, I received an email from Cathie seeking advice as to whether the QPS had told its staff that QHFSS had issued a directive that they would not accept SAIKs without a reference sample. I responded that this was not correct and drew her attention to the 2014 interagency guideline. I advised I would like to work towards complying with that policy. A copy of her email and my response is attached and marked 'Exhibit 215'.
25. I did not have any other involvement with respect to the inclusion of reference sample equipment in SAIKs until about November 2021 when Superintendent Dale Frieberg sought advice. I provided her the same advice that I had previously provided Alan McCarthy. During November and December 2021, I attended a number of meetings relating to this issue involving Dale Frieberg, Peter Bushell and David Briese of QPS; and Lara Keller, Cathie Allen and Adam Griffin of QH. My understanding is that Adam Griffin continued to oppose the involvement of FMOs in the collection of reference samples and an impasse was reached. As a result, I believe that Dale prepared an Executive Briefing Note to raise the matter for the information of the Womens' Safety Justice Taskforce.

Sexual assault investigation kits – other issues

26. I am not aware of any other issues or problems about SAIKs and/or reference samples.
27. I have not been involved in the development or adoption of any new policies or guidelines other than already discussed. I have had no further involvement with any working group regarding SAIKs or relevant policies relating to them.
28. The only improvement I would like to see with the SAIK is the inclusion of reference sample collection equipment.

TAKEN AND DECLARED before me at Brisbane in the State of Queensland this 19th day of September 2022

.....
David Harold Neville

.....
Witness



.....
David Harold Neville

.....
Witness



In the matter of the *Commissions of Inquiry Act 1950*
Commissions of Inquiry Order (No. 3) 2022
Commission of Inquiry into Forensic DNA Testing in Queensland



**STATEMENT OF DAVID HAROLD
NEVILLE
INDEX TO EXHIBITS**

Exhibit no.	Description
207.	2022/00137 – Requirement to give information in a written statement – dated 06/09/2022
208.	Memorandum of Understanding for Forensic Science Services between Queensland Health and Queensland Police Service – undated and unsigned
209.	Queensland Police Service Operational Procedures Manual, Section 2.6.3 Sexual Officers, pages 163 to 165 – dated 12/09/2022
210.	Queensland Police Service Operational Procedures Manual, Section 2.19.6 Forensic Services Group (FSG), page 255 – dated 12/09/2022
211.	Email chain between David Neville (QPS) and George Marchesini (QPS) – dated 29/08/2018
212.	Email from David Neville (QPS) to Cathie Allen (QHFSS) and Craig Russell (QHFSS) – dated 06/09/2018
213.	Email chain between David Neville (QPS), Peter Bushell (QPS) and Forensic Services Group managers – dated 06/09/2018
214.	Email from David Neville (QPS) to Bruce McNab (QPS) – dated 28/09/2018
215.	Email chain between Cathie Allen (QHFSS) and David Neville (QPS) – dated 07/11/2018

Notice number: 2022/00137

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

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

REQUIREMENT TO GIVE INFORMATION IN A WRITTEN STATEMENT

To: David Neville

Of: Queensland Police Service

I, Walter Sofronoff QC, Commissioner, appointed pursuant to Commissions of Inquiry Order (No. 3) 2022 to inquire into certain matters pertaining to forensic DNA testing in Queensland require you to attend to give a written statement to the Commission pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950* in regard to your knowledge of the matters set out in the Schedule annexed hereto.

YOU MUST COMPLY WITH THIS REQUIREMENT BY:

Giving a written statement signed and witnessed as a declaration in accordance with the *Oaths Act 1867* to the Commission of Inquiry on or before **12.00pm on 19 September 2022** by delivering it to Level 21, 111 George Street, Brisbane.

A copy of the written statement must also be provided electronically by email at admin@dnainquiry.qld.gov.au, with the subject line "Requirement for Written Statement".

If you believe that you have a reasonable excuse for not complying with this notice, you will need to satisfy me of this by the above date.

6th day of September 2022



Walter Sofronoff QC

Commissioner

Commission of Inquiry into Forensic DNA Testing in Queensland

Notice number: 2022/00137

Schedule of topics for statement

Inspector David Neville

Queensland Police Service (QPS)

Memorandum of Understanding

1. Explain your involvement in the negotiation of a Memorandum of Understanding between the DNA Unit and the Queensland Police Service for the processing of crime scene samples. Include in your answer your understanding of:
 - a. Who is/was involved in any negotiations;
 - b. the reasons for any delays in formalising the Memorandum of Understanding.

Forensic Register

2. Explain how the Forensic Register was developed and implemented.
3. Explain how the Forensic Register was procured by the Queensland Police Service.
4. Explain how the Forensic Register was procured by the DNA Analysis Unit.
5. Explain any involvement QPS staff had in the procurement or implementation of the Forensic Register at the DNA Analysis Unit.
6. Explain how the QPS extracts data from the Forensic Register.
7. Explain your understanding of how staff at the DNA Analysis Unit extract data from the Forensic Register.
8. Explain what information or material police upload to the Forensic Register for each sample submitted to FSS for DNA Analysis and where in the Forensic Register that information or material is available.

Sexual assault investigation kits (SAIKs)

9. Identify who, or what organisation, is currently responsible for undertaking forensic medical examinations using sexual assault identification kits (SAIKs).
10. Identify and attach any current QPS policy, procedure or manual regarding the use, distribution and transportation of SAIKs.
11. Who determined the content of the current SAIK model? Who makes the SAIKs? Identify and attach any agreement, policy or memorandum of understanding concerning these matters.
12. Does QPS keep and store SAIKs? If so, where?

13. Who is responsible for providing a SAIK to the person administering a SAIK on a complainant or accused? Who is responsible for transporting a completed SAIK from the place of examination to QHFSS? Identify and attach any policies relevant to these matters. Explain how a SAIK is usually transported from the site of examination to, ultimately, Queensland Health Forensic and Scientific Services (QHFSS)?
14. Are SAIKs used by persons conducting forensic medical examinations on accused persons? Or is some other equipment used? If some other equipment is used, identify that equipment.
15. To your knowledge, does the SAIK contain equipment that is to be used to take a reference sample? Who is currently responsible for taking a reference sample from a person on whom a SAIK is conducted? If it is not the person who administers the SAIK, what equipment is to be used to take a SAIK? Attach any policies, procedures, MOU or emails which you sent or received that outline who is responsible for taking reference samples. Outline any changes in policy or practice on this issue since 2018.

Sexual assault investigation kits – other issues

16. Apart from any matter already discussed in full above, identify if there were any issues, problems or matters about SAIKs and/or reference sampling that have come to your attention while you have worked in the FSG Quality Management Section, the DNA Management Section and/or the Biometrics Unit? If so, provide details of those matters, who raised them, and when they came to your attention. Include any current or ongoing issues.
17. Explain what actions you have taken, if any, in response to those matters being raised with you? Were you involved in developing or adopting any new policies or guidelines about SAIKs and/or reference sampling? If yes, provide details.
18. Are you currently involved in any working group regarding SAIKs or involved in developing or adopting any new policies or guidelines about SAIKs and/or reference sampling? If yes, provide details.
19. Is there any other change or improvement to the use, content or availability of SAIKs and/or forensic medical examinations that you would like to see occur? If yes, provide details.

EXHIBIT 208



**Queensland
Government**

MEMORANDUM OF UNDERSTANDING

for

FORENSIC SCIENCE SERVICES

Between

**STATE OF QUEENSLAND
acting through Queensland Health**

and

**STATE OF QUEENSLAND
acting through Queensland Police Service**

MEMORANDUM OF UNDERSTANDING

'Fees' means the fees that QPS is required to pay to QH for the supply of Forensic Services under a Service Schedule.

'MOU' means this document and all of its attachments.

'New Material' means all material that is created by a Party for the purpose of this MOU.

'Parties' means QPS and QH.

'Personnel' means a Party's officers, employees, contractors and agents.

'Services' means the forensic science services provided by QH to QPS under a Service Schedule.

'Service Schedule' means a Service Schedule generally in the form of the template in Schedule 2 that is agreed by the parties.

2. TERM

2.1. This MOU will commence on the date it is signed by the last Party and will continue until:

(a) the parties agree in writing to terminate this MOU; or

(b) a party terminates it under **clause 17**.

2.2. The Parties agree to review the operation and outcomes of this MOU within 60 days after the end of each anniversary of the commencement of this MOU.

3. NATURE OF MOU

3.1. This MOU is not intended to create legal relations between the Parties or create legally enforceable rights and obligations.

3.2. The objective of this MOU is to outline the roles and responsibilities of the Parties in relation to the delivery of the Services.

4. MOU COMMITTEE

4.1. The Parties will establish a MOU Committee.

4.2. The MOU Committee will:

(a) be constituted by persons, of appropriate seniority, qualifications and experience, as agreed between the parties from time to time;

(b) meet at a frequency as agreed between the parties from time to time, though in default of agreement, will meet quarterly;

(c) generally, operate on an informal basis, though may adopt any procedures and processes as agreed between the parties from time to time;

(d) consider any matter relevant to the efficient and effective delivery of forensic services, including but not limited to:

MEMORANDUM OF UNDERSTANDING

- i) operational forecasting;
- ii) resource planning;
- iii) system risk management;
- iv) common systems, practices and process; and
- v) any other matter which may have an impact on either Parties' obligations, processes or resources.

5. COOPERATION

5.1. Each Party agrees, in performing its obligations under this MOU, to:

- (a) diligently carry out its obligations;
- (b) not cause unreasonable delays to the other Party's performance of its obligations;
- (c) act reasonably and in good faith in performing its obligations;
- (d) manage and mitigate risks that may arise in connection with the performance of its obligations;
- (e) notify the other Party of any potential delays or difficulties in performing its obligations as soon as is reasonably possible;
- (f) ensure its Personnel have the training and skills to effectively contribute to the performance of the obligations;
- (g) ensure that its Personnel involved in performing their obligations meet the performance standards expected of a person usually occupying the position; and
- (h) ensure that its Personnel and any other representatives of the Party that are involved in any way with the Services or the Forensic Register comply with all relevant laws.

5.2. Each Party is responsible for providing, at its own cost, any facilities, equipment and support it needs to perform its obligations under this MOU. Any facilities or equipment provided by a Party remains the property of that Party.

5.3. Each Party agrees to provide the other Party with:

- (a) such information, assistance, support, advice, Personnel and records as may reasonably be necessary to facilitate the performance of obligations under this MOU; and
- (b) such reasonable training as may be necessary to assist in the completion of any necessary tasks under this MOU to the extent that the request for training is reasonable and the Party to which the request is made has resources available.

MEMORANDUM OF UNDERSTANDING**6. SCIENTIFIC COLLABORATION**

- 6.1. The Parties agree to pursue opportunities to collaborate in matters of mutual benefit to the Parties or benefit to the Queensland community including:
- (a) basic and applied evidence-based research; and
 - (b) the development of research areas and projects including:
 - i) identification of business improvements, with the aim of eliminating inefficiencies and reduce the cost of the provision of forensic services; and
 - ii) identification of trends and market influences which support the development of analytical methods, prevention strategies, policies and legislation that inform training and professional practices.
- 6.2. The Parties will comply with any laws, research ethics requirements, confidentiality and privacy requirements and policies which may apply to any proposed research.
- 6.3. The Parties may adopt any processes or take any steps reasonably necessary to give effect to scientific collaboration.

7. PERFORMANCE OF SERVICES

- 7.1. The Parties' intention is for this MOU to set out the framework under which the Services will be delivered, but particular details of the Services will be set out in a Service Schedule.
- 7.2. QH agrees to deliver Services in accordance with the requirements set out in the Service Schedules that are agreed and signed by both Parties.
- 7.3. QPS will:
- (a) work cooperatively with QH to enable QH to deliver the Services; and
 - (b) fulfil any obligation placed on it under a Service Schedule.
- 7.4. QH will perform the Services.

8. FEES AND COSTS

- 8.1. QPS will pay the Fees to QH for the Services as set out in the relevant Service Schedule.
- 8.2. Unless otherwise specified in a Service Schedule, the parties agree to review the Fees annually within 60 days after the end of each anniversary of the commencement of this MOU.
- 8.3. QH will fund the following costs associated with delivery of the Services:

MEMORANDUM OF UNDERSTANDING

- (a) all travel costs and expenses incurred by QH personnel who undertake attendance at court within 300km from Brisbane CBD in connection with performance of Services; and
 - (b) any other costs specified to be funded by QH in a Service Schedule.
- 8.4. QPS will pay the Fees to QH monthly in arrears via electronic transfer to an account nominated by QH in writing for Services performed in the previous month.
- 8.5. QH will submit monthly invoices for the Fees to QPS within 5 Business Days after the end of each calendar month and QPS will make payment within 30 days after receipt of an invoice.

9. GST

- 9.1. In this clause, words used which have a defined meaning in the GST Law, have the same meaning as in the GST Law unless the context indicates otherwise.
- 9.2. Unless expressly indicated, the consideration for any supply under or in connection with this MOU is exclusive of any GST.
- 9.3. To the extent that any supply made under or in connection with this MOU is a taxable supply, the recipient must pay, in addition to the consideration to be provided under this MOU for that supply, unless it expressly includes GST, an amount equal to the amount of that consideration, or its GST exclusive market value, multiplied by the rate at which GST is imposed in respect of the supply. The additional consideration is payable at the same time and in the same manner as the consideration to which it relates.
- 9.4. The supplier must issue a tax invoice to the recipient of the supply prior to the time of payment of the GST inclusive consideration or at such other time as the Parties agree.
- 9.5. Where an adjustment event arises under or in connection with this MOU, the supplier must issue to the recipient an adjustment note in accordance with the GST Law within 14 days of becoming aware of the need to make the adjustment. If, as a result of an adjustment event, an additional amount is required to be paid by the recipient this payment will be made subject to an adjustment note being issued by the supplier.
- 9.6. If either party is entitled under this MOU to be reimbursed or indemnified by the other party for a cost or expense incurred in connection with this MOU, the reimbursement or indemnity payment must not include any GST component of the cost or expense for which an input tax credit may be claimed by the party being reimbursed or indemnified.

10. INSURANCE

- 10.1. Each party will obtain and maintain such insurances or self-insurance arrangements as it would normally maintain when carrying out the types of activities contemplated by this MOU.

MEMORANDUM OF UNDERSTANDING

11. PUBLIC SECTOR OVERSIGHT LAWS

- 11.1. The Parties acknowledge that they are required to comply with applicable laws, including laws relating to the oversight of public sector agencies, including laws relating to audit, financial matters, information privacy, public records, public sector ethics, the public service and the right to, or freedom of, information.

12. INFORMATION PRIVACY & CONFIDENTIALITY

- 12.1. Each Party will comply with applicable privacy and confidentiality laws, including the *Information Privacy Act 2009* (Qld).
- 12.2. Each Party will immediately notify the other on becoming aware of any breach of privacy laws in connection with this MOU.

13. CONFIDENTIALITY

- 13.1. Each Party must not, and must ensure that its Personnel do not, use or disclose the Confidential Information of the other Party without the other Party's consent, other than in accordance with this clause.
- 13.2. Each Party may disclose the other Party's Confidential Information:
- (a) to its Personnel to the extent necessary for the performance of the arrangement, provided that the disclosing Party makes such persons aware that the information is confidential;
 - (b) if specified or directed by the other Party;
 - (c) where required by law; or
 - (d) where this MOU requires disclosure to a third party.
- 13.3. Each Party must keep the other Party's Confidential Information in a secure location so that no unauthorised person is able to gain access to it.

14. INTELLECTUAL PROPERTY RIGHTS

- 14.1. Nothing in this MOU affects intellectual property rights in any existing material.
- 14.2. As between the Parties, any New Material created by a Party in the course of performing its obligations under this MOU will be owned by that Party.
- 14.3. Each Party grants to the other a non-exclusive, royalty-free licence to use, reproduce, adapt and modify its material for the purposes of Queensland Health complying with its obligations under this MOU.
- 14.4. This clause is subject to any specific term about intellectual property rights in certain material set out in a Service Schedule.
- 14.5. The Parties acknowledge that:
- (a) the Queensland Government owns the Forensic Register and QPS is the custodian of it; and

MEMORANDUM OF UNDERSTANDING

(b) QH owns any of its client data that is contained in the Forensic Register.

15. GENERAL PROVISIONS

- 15.1. This MOU may be varied at any time by a written MOU signed by both Parties. The Parties may vary a schedule to this MOU by signing and dating a substitute schedule or an additional schedule.
- 15.2. A Party will not by virtue of this MOU be or become an agent or partner of the other Party or a joint venturer with the other and must not represent itself or allow itself to be represented as such.
- 15.3. Neither Party will assign or subcontract its obligations under this MOU without the prior written consent of the other Party. If a Party is permitted to assign or subcontract its obligations under this MOU, that Party will remain responsible for its obligations under the MOU.
- 15.4. Each Party will bear its own costs incurred in negotiating and settling the terms of this MOU.
- 15.5. This MOU may consist of a number of counterparts and, if so, the counterparts taken together constitute one document.
- 15.6. Any notice or other communication to be given under this MOU must be in writing and may be delivered by hand, pre-paid post, facsimile or e-mail transmission to the other Party at its address set out in Schedule 1 or other persons the Parties notify to each other.

16. RESOLUTION OF DISPUTES

- 16.1. For the purpose of this clause, a dispute will have arisen when either Party gives notice in writing to that effect to the other Party.
- 16.2. Where there is a conflict or dispute over any matter relating to this MOU, the Parties will seek to resolve the issue by negotiation initially between the Contact Persons.
- 16.3. If the dispute is unable to be resolved pursuant to clause 16.2 within 4 weeks of the date of service of the dispute notice, the dispute must be referred to the Parties' chief executives to resolve the complaint.
- 16.4. Despite the existence of a dispute, the Parties will (unless agreed otherwise in writing) continue to perform their obligations under this MOU.

17. TERMINATION

- 17.1. Either Party may at any time end this MOU by providing at least 6 months' notice to the other party.
- 17.2. If this MOU is terminated under clause 17.1 or the Parties agree to end this MOU, then the Parties must collaboratively develop and implement a plan for smoothly transitioning to new arrangements in a way that will minimise the impact on both Parties' business operations.

MEMORANDUM OF UNDERSTANDING**18. CONTACT OFFICERS**

- 18.1. Each Party will appoint persons as Contact Officers to be the principal point of contact for MOU oversight, finance enquiries and other enquiries between the Parties for the purposes of this MOU.
- 18.2. At the Commencement Date, the Contact Officers are the individuals specified in Schedule 1.
- 18.3. A Party may change its nominated Contact Officers by notice to the other party.

19. REPORTING

- 19.1. QPS will provide to QH the information and reports required under a Service Schedule.
- 19.2. QH will keep and maintain all records and accounts necessary to provide a complete and detailed record of QH's costs and expenses.

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SCHEDULE 1 MOU PARTICULARS

QH Contact Officer	Name: Position: Email: Phone: Address:
QPS Contact Officer	Name: Position: Email: Phone: Address:

MEMORANDUM OF UNDERSTANDING

SCHEDULE 2 TEMPLATE SERVICE SCHEDULE

Service Schedule
<p>This Service Schedule is made between Queensland Police Service and Queensland Health under the Memorandum of Understanding for Forensic Science Services dated .</p> <p>Terms defined in the MOU have the same meanings in this Service Schedule.</p>
Description of Services to be provided by QH
Results to be provided by QH
<p>Process for requesting Services</p> <p>QPS will submit samples for analysis as follows:</p> <p>Results will be delivered by QH as follows:</p>
<p>Timeframe for delivery of Services</p> <p>Results will be provided within Business Days of receipt of the request through the Forensic Register</p>
<p>Fees payable for the Services</p> <p>(a) \$ for up to</p> <p>(b) \$ per for every service that exceeds the cap in (a)</p> <p>(c) \$ per for storage of</p> <p>Fees will be increased on [each anniversary of commencement of this Service Schedule or] as follows:</p>
Service Requirements
Reporting
Special terms

MEMORANDUM OF UNDERSTANDING

Signed by Queensland Police Service

Name of authorised person:

Date:

Signature:

Signed by Queensland Health

Name of authorised person:

Date:

Signature:

(date)

at Level two, the decision to commence a review will be made at the discretion and agreement of the Detective Inspector, HIU and the respective RCC.

The objective of a formal review of unsolved homicides and missing person investigations is to:

- (i) improve service delivery;
- (ii) reduce the risk of problems escalating to the detriment of the investigation;
- (iii) ensure high standards of investigation are maintained,

which will improve public confidence by:

- (i) identifying and developing investigative opportunities to progress an investigation;
- (ii) implementing quality assurance practices in relation to the content and process of an investigation; and
- (iii) identifying, developing and disseminating good investigative practices.

A decision to initiate an investigation review will be based on factors relevant to the individual circumstances of the investigation. Issues for consideration may include whether the investigation has identified any suspects and if the investigation is progressing to the satisfaction of the HIU and regional investigators.

The provisions of this section do not replace the obligations of the Missing Persons Unit under [ss. 8.5.24: 'Missing person reasonably suspected of being deceased'](#) and [12.4.6: 'Report to coroner where missing person reasonably suspected of being dead'](#) of this Manual.

The Detective Inspector, HIU and the respective RCC will record their joint decision to initiate or delay a review on a QP 1054: 'Critical Decision Record'. The QP 1054 is to be recorded within the IMAC case management system.

The Detective Inspector, HIU and the respective RCC are to revisit their decision to review active unsolved homicide investigations and suspicious missing person investigations at the following intervals:

- (i) three months after an investigation has commenced; and
- (ii) every six months if the investigation remains unsolved.

An investigation review is mandatory in the circumstances where a homicide investigation or a suspicious missing person investigation remains unsolved twelve months after it was commenced, and an investigation review has not yet been initiated.

Where the Detective Inspector, HIU and the respective RCC determine a review is required:

- (i) suitably experienced investigators, independent to the investigation, will be appointed to review the investigation;
- (ii) the investigation coordinator will ensure the reviewing officers are provided with access to all investigative holdings;
- (iii) upon completion of the review, the reviewing officers are to complete an outcome report for the attention of the Detective Inspector, HIU and the respective RCC. The report is to include:
 - (a) the status of the investigation;
 - (b) the direction of the investigation;
 - (c) suggestions to improve the efficiency and quality of the investigation;
 - (d) suggestions for improved investigation strategies; and
 - (e) comments on the quality of the investigation.

The outcome of the review will be forwarded to the Office of the State Coroner as a preliminary briefing and consideration.

2.6.3 Sexual offences

CIB and CPIU OIC responsibilities

The OICs of CIBs and CPIUs are responsible for undertaking the role of the sexual violence liaison officer (SVLO) as outlined in the section: 'Sexual violence liaison officer (SVLO) responsibilities' below.

First response officer responsibilities

Where first response officers identify a sexual offence, they should consider contacting the relevant district SVLO to assign an investigating officer in line with local arrangements and the responsibilities of an SVLO contained in this section.

Additional responsibilities of first response officers for sexual offences include:

- (i) ensuring the safety and welfare of the victim (see Charter of Victims' Rights of the *Victims of Crime Assistance Act (VOCAA)* and s. 2.12.1: 'Victims of Crime Assistance Act' of this chapter);
- (ii) identifying any person to whom the victim may have stated the complaint to following its occurrence, i.e. preliminary complaint and any other possible witnesses;
- (iii) obtaining personal particulars from the victim and identifying the offence to be investigated, i.e. rape, sexual assault;
- (iv) completing a brief account of the occurrence involving the offence complained of, including location, time, injuries, conversation, indicia, sequence of events, etc.;
- (v) obtaining sufficient information which would assist in identifying the suspect(s), including as appropriate:
 - (a) ascertaining if the suspect(s) is known to the victim or any witnesses;
 - (b) obtaining an accurate description of the suspect(s);
 - (c) identifying if any CCTV or security surveillance camera vision is available (see s. 2.4.11: 'Video and photographic evidence recorded during the commission of offences' of this chapter);
 - (d) obtaining any information which will assist investigators in locating and identifying the suspect(s); and
 - (e) arranging for a broadcast of suspect(s) where necessary; and
- (vi) not asking leading questions of the victim in relation to the complaint.

Investigating officer responsibilities

Additional responsibilities of investigating officers for sexual offences include:

- (i) providing an objective account of the investigative process and judicial process to ensure the victim is fully informed of the process;
- (ii) discussing with the victim their needs and concerns in relation to the investigative process including whether the victim has any preference in relation to the gender of any officer to be present during the investigation. Preferences should be complied with where possible;
- (iii) providing the opportunity for the victim to have a support person present during the various stages of the investigation, including taking the victim's statement (see also s. 7.6: 'Interview with a child or person with an impairment of the mind' of this Manual) and during any medical examinations. A support person may include an employee from a sexual assault support service. Victims should be advised that witnesses or potential witnesses may not act as support persons;
- (iv) fully informing the victim of the importance of retaining forensic evidence. However, officers should not discourage victims from washing bodily fluids from the vaginal or anal areas due to the risk of infection from potentially life-threatening diseases such as HIV;
- (v) arranging for a medical examination by a forensic medical officer (FMO), doctor or forensic nurse;
- (vi) providing the examining medical practitioner with a Sexual Assault Investigation Kit (SAIK);
- (vii) taking possession of the completed SAIK and ensuring it is:
 - (a) allocated a forensic exhibit number;
 - (b) entered onto the forensic register by a forensic officer; and
 - (c) delivered to Queensland Health Forensic and Scientific Services (FSS) (see s. 2.19.6: 'Forensic Services Group (FSG)' of this chapter);
- (viii) where additional biological evidence is taken from the complainant, only the SAIK is to be delivered to FSS. The biological samples are to be:
 - (a) retained by the investigating officer whilst awaiting the results of SAIK analysis; and
 - (b) submitted for analysis, if the analysis fails to identify the offender;
- (ix) ensuring a DNA reference sample is collected from the complainant:
 - (a) at the same time as the SAIK; or
 - (b) in offences involving oral rape, 48 hours after the time of the offence; and
 - (c) using a DNA 'Mouth Sample Kit – QPS'; and
 - (d) completing a:
 - QP 0442: 'DNA Sample Particulars Form'; and
 - QP 0535B: 'Signed consent for the taking of sample for DNA Analysis from victim/complainant/witness'.

(see [s. 2.25.6: 'Obtaining samples for DNA analysis from a victim/complainant/witness' of this chapter](#));

(x) collecting DNA reference samples from witnesses/husband/partners for the purpose of assisting analysts with the interpretation of complex mixed DNA profiles and improving the timeliness of results;

(xii) prior to obtaining a DNA sample:

(a) ensure the victim is fully aware of the procedures involved in the medical examination and discuss the evidentiary benefit to have such examination;

(b) explain to the victim written and signed consent should be given for:

- any clinical or forensic examination;
- the collection of specimens by the doctor;
- the release of any specimens taken or relevant laboratory results; and
- the taking of necessary photographs;

(c) provide the victim the option of having a support worker present during the examination. The examination should be directed to establishing whether the victim had been penetrated to any extent or sexually assaulted. All possible evidence of the commission of the crime should be obtained from the examination of the victim including signs of injury corroborating lack of consent (these signs may consist of bruises, lacerations, scratches, etc. on any part of the body, including the thighs and genital area).

Note: there is no legal requirement for a police officer to be present during a medical or forensic examination. Officers may however advise the victim they or medical staff may request an officer to be present;

(d) be aware of the provisions of [s. 93A: 'Statement made before proceeding by child or person with an impairment of the mind' of the Evidence Act](#) (EA) which deals with the admissibility of statements by a child or an intellectually-impaired person. Wherever possible, statements in this format should be obtained by officers who have successfully completed an ICARE (Interviewing Children and Recording Evidence) course; and

(e) where possible, obtain photographs of the victim which illustrate any injuries or other evidence;

(xiii) ensuring the victims clothing and underclothing which may assist in the investigation (e.g. bodily fluids such as saliva, semen or blood) are collected as per [s. 2.25.20: 'Procedure for items of clothing worn by a complainant' of this chapter](#);

(xiv) arrange for the examination of the crime scene by forensic personnel as soon as possible, ensuring the scene is not disturbed until the examination is completed. Items such as discarded clothing, bed linen etc. which may provide forensic evidence to support the investigation are collected in accordance with [s. 2.25.19: 'Procedure for items left at scenes of crime' of this chapter](#);

(xv) making, if appropriate, a detailed plan of the scene. Officers trained in accident investigation procedures may be able to assist;

(xvi) obtaining a detailed statement from the victim. In doing so officers should:

(a) consider the provisions of [Chapter 6: 'Persons who are vulnerable, disabled or have cultural needs' of this Manual](#);

(b) consider the provisions of [s. 93A of the EA](#) (Admissibility of statements by a child or an intellectually-impaired person). Statements in this format should, where possible, be taken by officers who have completed an ICARE course;

(c) inquire if a support person is required during the interview, e.g. a friend, family member or a community support worker;

(d) ensure if the victim has a disability/impairment, a representative from the appropriate agency or a support person, where available, is present during the interview;

(e) ensure, where the victim is not conversant with the English language, where available, an appropriate interpreter is present (see [s. 6.3.7: 'Interpreters' of this Manual](#));

(f) consider the use of a [Queensland Intermediary Scheme \(QIS\)](#) intermediary to assist witnesses with communication difficulties during the interview process for child sexual offence investigations (see [s. 7.6.3: 'Procedures for interviewing a child' of this Manual](#));

(g) acknowledge the impact of sexual violence can be different for everyone and ensure the victim is comfortable prior to commencing the statement;

(h) create an environment of trust with the victim;

(i) conduct the interview in a private quiet area;

- (i) court date;
- (ii) court location; and
- (iii) name of the magistrate, in the event of a direction.

Appointment as analysts under the Drugs Misuse Act

Section 4C: 'Analysts' of the [Drugs Misuse Act](#) (DMA) provides that the Minister may, by gazette notice, appoint as an analyst for this Act, a person the Minister is satisfied has the qualifications, standing and experience necessary to be an analyst for this Act.

The function of members appointed as analysts under the [DMA](#) is restricted to the analysis or examination of cannabis only.

Forensic officers are to undertake training for appointment as analysts under [s. 4C of the DMA](#) as required by the Superintendent, FSG, OSC.

Lodgement of forensic samples for testing

In order to reduce the risk of test results being compromised as a result of forensic samples (e.g. arson debris, blood and firearm residue) being delivered to unsuitable facilities, the following guidelines have been developed:

Sample analysed by Queensland Health Forensic and Scientific Services

Forensic toxicology samples

Samples from post mortem examinations and from living subjects such as vehicle drivers requiring analysis for alcohol, drugs or poisons (toxicology) are to be sent to Forensic Toxicology, Queensland Health Forensic Scientific Services (QHFSS).

In cases where a person has died in hospital after a significant period of survival and where toxicology is forensically relevant, samples taken from the person upon admission to hospital should, where possible, also be sent to Forensic Toxicology.

In the case of suspected poisoning due to cholinesterase inhibitors (e.g. organ phosphorus and carbamate type pesticides) blood samples are to be sent to a hospital pathology laboratory with the capacity to estimate cholinesterase levels (e.g. Royal Brisbane Hospital and Princess Alexandra Hospital).

Histology samples

Samples from post mortem examinations requiring microscopic examination of tissues (histology), including whole organs, are to be sent to Forensic Pathology, QHFSS unless the autopsy is performed by a pathologist other than a QHFSS Pathologist. In such cases histology is normally performed in the pathologist's own laboratory.

Sexual Assault Investigation Kits (SAIK) and seminal stains

The SAIK must be delivered to QHFSS as a matter of priority. Prior to delivery, the investigating officer must attend a scenes of crime office in order to have the SAIK barcoded and entered onto the Forensic Register.

Items requiring examination for presence of seminal fluid including clothing from complainants should be collected by a forensic officer wherever possible to prevent contamination and ensure that they are packaged correctly. These items are then returned to investigating police pending the outcome of the SAIK analysis. If the SAIK analysis fails to identify the offender, the remaining items requiring seminal fluid examination are forwarded to a scientific officer.

See also [s. 169: 'Preserving evidence at crime scene' of the PPRA](#).

Crime scene exhibits suspected of yielding DNA (other than seminal stains)

All crime scene exhibits requiring examination for the presence of DNA are to be collected by a forensic officer (scenes of crime or scientific officer). If circumstances prevent this, a forensic officer should be contacted for advice prior to collection. The collected item is to be delivered to a forensic officer for assessment of probative value and sub-sampling if required.

QHFSS will not accept crime scene exhibits (other than swabs or tape lift) submitted for testing for the presence of DNA. These exhibits are to be delivered to a forensic officer for sub-sampling. The subsequent sub-samples are then forwarded to QHFSS.

All crime scene exhibits collected by non-forensic police officers that are to be submitted to QHFSS for DNA testing must be:

- (i) recorded as property in QPRIME;
- (ii) taken to a forensic officer for a sub-sampling and/or examination; and
- (iii) entered on the Forensic Register and barcoded prior to lodgement at QHFSS.

De Marco.JennaL[LD]

EXHIBIT 211

From: Neville.DavidH[OSC]
Sent: Thursday, 6 September 2018 10:24
To: Marchesini.George[SCC]
Subject: RE: SAIK Kit Review

His reasoning was that it was too invasive to take blood from the victim. Given a swab is taken from the vagina/anus, I would have thought that this was nothing. Anyway, I think I have another solution,

From: Marchesini.George[SCC]
Sent: Thursday, 6 September 2018 10:15 AM
To: Neville.DavidH[OSC]; [REDACTED]
Cc: Blanchfield.StephenJ[SCC]; [REDACTED]; Clark.DenzilO[SCC]
Subject: RE: SAIK Kit Review

Dave,

I would be interested to know his reasoning and I am sure it will come back to the training required across the HHS's across the state. I wouldn't say this is a lost cause as we are having current discussions with Health as per below email. At the end of the day Health can't be criticising the QPS for delays in obtaining reference samples from victims and then not working with the QPS to develop some options. Additionally, from a trauma-informed practice perspective, it is not the best option to go back to a victim to seek a reference sample when they have already had the medical exam.

This should be viewed from the perspective of developing a victim-centric solution, rather than one that best serves government agencies. It may warrant further discussion at the Interagency Committee that is currently amending the current government response to sexual assault guidelines. I have copied in my Supt and also DI Steve Blanchfield who will soon be taking over my role.

Regards

George

George Marchesini
Acting Detective Superintendent
Child Abuse and Sexual Crime Group
 State Crime Command | Queensland Police Service
 Tel [REDACTED]
 Queensland Police Headquarters, 200 Roma Street, Brisbane Qld 4000
 GPO Box 1440 Brisbane Qld 4001

From: Neville.DavidH[OSC]
Sent: Thursday, 6 September 2018 9:49 AM
To: Marchesini.George[SCC]; [REDACTED]
Subject: RE: SAIK Kit Review

Hi George, I spoke to Adam and he was adamant that he did not want to take reference samples from the Complainant. As a result I will not be pursuing this process.

David Neville

From: Marchesini.George[SCC]
Sent: Tuesday, 4 September 2018 3:30 PM
To: Neville.DavidH[OSC] [REDACTED]
Subject: RE: SAIK Kit Review

Hi Dave, sorry for the delay in response. I have the below contact, who sits on the current Qld Government Interagency Working Group for the Sexual Assault Guidelines. I have spoken with Adam, along with D/Supt Denzil Clark regarding the current issues we are experiencing around the state re the availability of FMEs and FNEs.

Dr Adam Griffin
 Director
 Clinical Forensic Medicine Unit
 Health Services Support Agency
 [REDACTED]
 [REDACTED]
 [REDACTED]

George Marchesini
Acting Detective Superintendent
Child Abuse and Sexual Crime Group
 State Crime Command | Queensland Police Service
 [REDACTED]

Queensland Police Headquarters, 200 Roma Street, Brisbane Qld 4000
 GPO Box 1440 Brisbane Qld 4001

From: Neville.DavidH[OSC]
Sent: Friday, 31 August 2018 11:32 AM
To: Marchesini.George[SCC] [REDACTED]
Subject: RE: SAIK Kit Review

George,
 Years ago Bob Hoskins was in charge of the GMOs. Do you know who it is now and do you have their contact details

Dave

From: Marchesini.George[SCC]
Sent: Thursday, 30 August 2018 10:08 AM
To: Neville.DavidH[OSC] [REDACTED]
Cc: Colless.FabianG[SCC] [REDACTED]
Subject: RE: SAIK Kit Review

Hi Dave,

Firstly thanks for the email for the promotion – not quite official yet. Jumping from the frypan into the fire, so to speak!!!

It might be easier if you are able to give me a call as there are a many moving parts and stakeholders involved in this. Our involvement in the SAIK kits is really one of ensuring there is a supply available for the regional investigators. My understanding is that Qld Health are the main stakeholder in regards to the kits. The bigger issue though is the complexity in negotiating with Qld Health as their organisational structure is such that the Health and Hospital Services (16 in Qld) are very autonomous due to the legislation (Hospital and Health Boards Act 2011). Denzil Clarke and I have had some issues in trying to engage senior representatives in Qld Health to discuss current issues involving FMEs and FNEs.

The main issue with any change will be influencing Qld Health and also how this will flow on to training of the FMEs and FNEs and in a large proportion of cases around the state, the GPs and hospital doctors that also conduct the examinations when FMEs and FNEs are not available.

Give me a call to further discuss as it may be the case we have a representative from our unit also attend the meeting with you. We also sit on the Interagency Working Group that oversees the current government response protocols for responding to sexual assault.

Talk soon

Regards

George

George Marchesini

Detective Inspector | Operations Manager

Child Trauma and Sexual Crime Unit | Child Abuse and Sexual Crime Group

State Crime Command | Queensland Police Service

Queensland Police Headquarters, 200 Roma Street, Brisbane Qld 4000 | GPO Box 1440 Brisbane Qld 4001



From: Neville.DavidH[OSC]

Sent: Wednesday, 29 August 2018 9:14 AM

To: Marchesini.George[SCC]

Subject: SAIK Kit Reveiw

Supt

Firstly, congratulations on your promotion. I am told that you have the SAIKs under your portfolio. There is a significant issue with the SAIKs in that the investigators continually fail to get a reference sample from the victim. This causes delays in the testing. Often the sample is not able to be taken at the same time as the SAIK due to oral sexual activity.

From what I can determine, the complainant consents to the examination so there are no police powers exercised. As a result it may be possible for the medical practitioner to take the DNA reference sample at the same time. The medical practitioner could simply prick the finger of the complainant to collect a small sample of blood on a FTA card. This would prevent any issues with oral sex contamination of oral samples. In this way all required samples are received at once. The reference sample could only be used within the case to filter out the complainant's DNA, it would never be uploaded to NCIDD.

I have a meeting with Queensland Health on 28 September and I was wanting to raise this as a possibility. Do you have any thoughts on this? Has this ever been raised as a possibility with the GMOs?

Regards



David Neville

Inspector

DNA Management Unit | Forensic Services Group

Operations Support Command

QUEENSLAND POLICE SERVICE

Phone
Email



Address GPO Box 1440 Brisbane 4001

De Marco.JennaL[LD]

EXHIBIT 212

From: Neville.DavidH[OSC]
Sent: Thursday, 6 September 2018 10:15
To: Cathie Allen; Craig Russell
Cc: Frieberg.DaleJ[OSC]; [REDACTED] Marchesini.George[SCC]
Subject: Reference Samples / SAIK

Hi Cathie and Craig,

I previously indicated that I wished to raise the idea of a reference sample being included in the SAIK. I had a conversation with Adam Griffin this morning and he was adamant that this was not the best way forward for a number of reasons. Given these discussions, I will not be pursuing this avenue.

Because this is still an important issue that seems to be problematic, I reviewed the current policy to see what measures we can implement to get investigators to comply with our procedures that require them to take the reference sample. The procedures require the investigators to take the SAIK to a SOC officer to be barcoded and placed on the FR before it is sent to FSS. Another solution may be that the SOC officer only enters the SAIK on the FR if a reference sample has been taken. This should prompt the investigators to take the sample. I will look into how feasible this is, but I think it might work.



David Neville
Inspector
DNA Management Unit | Forensic Services Group
Operations Support Command
QUEENSLAND POLICE SERVICE

Phone [REDACTED]
Address GPO Box 1440 Brisbane 4001

De Marco.JennaL[LD]

EXHIBIT 213

From: Bushell.PeterA[OSC]
Sent: Friday, 7 September 2018 09:01
To: Baker.PaulL[OSC]; Neville.DavidH[OSC]; Arthy.LloydF[OSC]; Stewart.DonnaM[OSC]; Stanley.AndrewR[OSC]; Freeman.AdrianH[OSC]; Van Panhuis.Arthur[OSC]; Brock.AdrianC[OSC]; Smith.GregS[OSC]; McKay.DonniP[OSC]
Cc: Crick.BillW[OSC]; Cook.JamieB[OSC]; Colloopen.RubenB[OSC]; Simpfendorfer.GerardM[OSC]; Frieberg.DaleJ[OSC]
Subject: RE: SOC Officers to check if Reference Samples have been taken before a SAIK is entered on QPRIME

Gents,

The OPM's have only recently been changed to include the below.

2.6.3 Sexual Offences

Procedure

Additional responsibilities of first response officers for sexual offences include:

vii) ensuring a DNA reference sample is collected from the complainant:

- a) At the same time of the SAIK; or**
- b) in offences involving oral rape, 48hrs after the time of the offence.**

So this wasn't in the OPM's originally and some investigators thought that the GMO did the reference sample or others were building rapport with the complainants and simply forgot. So the OPM's reflect that the reference sample is now to be taken by the investigating officer at the time of the SAIK. So in theory this should reduce the amount being submitted without a reference sample as this has just been modified.

I can't see this being a forensic issue as the OPM's state that it should be taken at the time of the SAIK.

Ideally, why couldn't you design the SAIK to include the reference sample on the outside of the kit (similar to below). That way it prompts the I/O to include the reference sample as part of the SAIK. This way, they are delivered at the same time, which is attached but external to the kit. It can easily be separated and prompts the I/O that hey something's missing and forensic officers can see whether it's been taken or not.



The whole SAIK thing is a drama believe me and yes we are the only state in Australia where the investigating officer takes the reference sample. In all other states the GMO takes the sample as part of the SAIK – one procedure obviously best for the victim. Actually the other states couldn't believe that a rape victim was subject to the SAIK and then police have to take a reference sample after it – they thought it was the most bizarre thing they heard.

In a nutshell, there is a memorandum of understanding between agencies which highlight best practice as the taking of the reference sample as part of the forensic medical examination, that is by the nurse or doctor.

We hit a hurdle as the forensic director says no not his problem even though there is an interagency guideline for responding to sexual assaults signed by the Police Commissioner, Dept of Health, Dept of Justice & Dept of Communities. Pointless having the document really as why would you expose a victim to procedures which could easily be covered by the GMO, I thought that was the idea of an interagency agreement.

Hope this helps a little....

Bushy

From: Baker.Paull[OSC]

Sent: Friday, 7 September 2018 8:05 AM

To: Neville.DavidH[OSC]

Stewart.DonnaM[OSC]

; Arthy.LloydF[OSC]

Stanley.AndrewR[OSC]

Freeman.AdrianH[OSC]

Van

Panhuis.Arthur[OSC]

; Brock.AdrianC[OSC]

Smith.GregS[OSC]

; McKay.DonniP[OSC]

Cc: Crick.BillW[OSC]

Cook.JamieB[OSC]

Colloopen.RubenB[OSC]

Simpfendorfer.GerardM[OSC]

; Bushell.PeterA[OSC]

Friberg.DaleJ[OSC]

Subject: RE: SOC Officers to check if Reference Samples have been taken before a SAIK is entered on QPRIME

Yes Lloyd, Bushy has been asking this for some considerable time now.... for RS to be taken at same time as SAIK.. the biggest issue for me and Bushy is concern for the complainant, generally having to make another appointment with police for the RS to be taken when clearly the best time is at the time of the SAIK – it seems ludicrous that it is not done then – (another swab as part of the SAIK kit) and I guess some investigators would naturally think it would be done at that time.

Interestingly and from memory so don't hold me to this but Bushy will know.... when this was first mooted with QH it didn't seem too difficult a task.. then other people at QH were involved and it became difficult. What about the complainant in all this?

Cheers PB

Paul Baker

Forensic Coordinator

South Brisbane District

Forensic Services Group

Ph

Mob

Email

From: Neville.DavidH[OSC]

Sent: Friday, 7 September 2018 05:42

To: Arthy.LloydF[OSC]

; Stewart.DonnaM[OSC]

Stanley.AndrewR[OSC]

Baker.Paull[OSC]

Freeman.AdrianH[OSC]

Van Panhuis.Arthur[OSC]

; Brock.AdrianC[OSC]

; Smith.GregS[OSC]

; McKay.DonniP[OSC]

Cc: Crick.BillW[OSC] [REDACTED] Cook.JamieB[OSC] [REDACTED];
Collophen.RubenB[OSC] [REDACTED]; Simpfordorfer.GerardM[OSC]
[REDACTED]

Subject: Re: SOC Officers to check if Reference Samples have been taken before a SAIK is entered on QPRIME

I tried this and they declined.

Get [Outlook for iOS](#)

From: Arthy.LloydF[OSC]

Sent: Friday, September 7, 2018 5:41:35 AM

To: Neville.DavidH[OSC]; Stewart.DonnaM[OSC]; Stanley.AndrewR[OSC]; Baker.PaulL[OSC]; Freeman.AdrianH[OSC];
Van Panhuis.Arthur[OSC]; Brock.AdrianC[OSC]; Smith.GregS[OSC]; McKay.DonniP[OSC]

Cc: Crick.BillW[OSC]; Cook.JamieB[OSC]; Collophen.RubenB[OSC]; Simpfordorfer.GerardM[OSC]

Subject: RE: SOC Officers to check if Reference Samples have been taken before a SAIK is entered on QPRIME

Of course another way to achieve your aim might be to get QHealth to include a reference sample kit within all SAIK kits.

Lloyd

From: Neville.DavidH[OSC]

Sent: Thursday, 6 September 2018 1:08 PM

To: Stewart.DonnaM[OSC] [REDACTED] Stanley.AndrewR[OSC]

[REDACTED]; Baker.PaulL[OSC] [REDACTED]; Freeman.AdrianH[OSC]

[REDACTED] Van Panhuis.Arthur[OSC]

[REDACTED] Brock.AdrianC[OSC] [REDACTED].LloydF[OSC];

[REDACTED] Smith.GregS[OSC] [REDACTED]; McKay.DonniP[OSC] [REDACTED];

Cc: Crick.BillW[OSC] [REDACTED]; Cook.JamieB[OSC] [REDACTED]

[REDACTED] Collophen.RubenB[OSC] [REDACTED]; Simpfordorfer.GerardM[OSC]
[REDACTED]

Subject: SOC Officers to check if Reference Samples have been taken before a SAIK is entered on QPRIME

Dear Forensic Managers,

There continues to be issues with investigators failing to collect reference samples from rape victims. One way to make them do it is to only enter the SAIK on the FR if a reference sample has been taken. I was hoping to amend CSE101 Biological evidence as per below to include a check to ensure a reference sample has been taken. Does anyone see any risk or object to this, or have a better alternative.

8.6 Sexual Assault Investigation Kits (SAIK)

8.6.1 Investigating police in possession of a SAIK will require the kit to be allocated a forensic exhibit number and entered as an exhibit on the Forensic Register by a forensic officer.

8.6.2 The forensic officer is to ensure that a reference DNA sample has been collected from the complainant. This is recorded on QPRIME as an "Ident/fingerprint" report against the complainant. To view the report open the "Involvements" tab and select the complainant's name. The "Ident/fingerprint report" will be included under the "Occ events/reports" tab. If there is no reference sample, the forensic officer is to advise the investigator that the SAIK cannot be processed until the reference sample has been collected and no further action is required on the part of the forensic officer.

8.6.3 The forensic officer should not open the kit, or label anything inside it. The outside of the SAIK is labelled with the forensic exhibit number.

- 8.6.4 The forensic officer will enter the SAIK onto the Forensic Register as an exhibit to allow the tracking of the SAIK. It is not necessary to add an examination summary for this process.
- 8.6.5 In cases where other biological evidence is taken as well as a SAIK, only the SAIK is to be delivered to QHFSS Forensic Biology, generally by the investigating officer or a delivery officer. The biological samples are to be retained by the Investigating Officer until it is determined that either:
1. the SAIK has returned a positive result, in which case it will typically not be necessary to examine the additional biological evidence, or
 2. the SAIK has returned a negative result and further information may be adduced from the biological evidence.



David Neville
Inspector
DNA Management Unit | Forensic Services Group
Operations Support Command
QUEENSLAND POLICE SERVICE

Phone [REDACTED]
Address GPO Box 1440 Brisbane 4001

De Marco.JennaL[LD]

From: Neville.DavidH[OSC]
Sent: Friday, 28 September 2018 12:15
To: McNab.BruceJ[OSC]
Cc: Simpfordorfer.GerardM[OSC]; Colloppen.RubenB[OSC]
Subject: RE: Qld Health Follow up - SAIK
Attachments: 28092018102808-0001.pdf; VPARL2006-10No301.pdf

Dear Supt,

Please find the following dot points on the SAIK matter.

- The Sexual Assault Investigation Kit (SAIK) is produced by QHFSS and used by Forensic Medical Examiners (FMEs) when examining rape victims. It is used to collect the offender's DNA, which is usually present as semen. It includes vaginal and/or anal swabs plus other components.
- The swabs from the SAIK generally return a mixed DNA profile consisting of the offender's DNA and the victim's DNA. As a result, a reference DNA sample is required from the victim so their DNA can be filtered from the mixed profile.
- The SAIK currently does not include materials to collect a reference sample from the victim. The current practice is for police to collect a reference sample from the victim at another time. Police request the victim to sign a consent form and give them a mouth swab which they use to sample themselves with.
- Because the SAIK and reference samples are collected separately, the majority of SAIKs are received at QHFSS without any reference sample causing delays in the analysis. The delays in the provision of the reference sample has been repeatedly raised as an issue by QHFSS.
- QPS investigators are tasked with taking a statement from the victim which is often very traumatic as they have to recount the details of the crime. There is concern that asking the victim to consent to a second forensic examination to collect a reference sample of DNA only adds to the victim's stress at this time.
- This practice does not comply with Queensland Government policy issued in 2014 titled, "*Response to Sexual Assault: Queensland Government Interagency Guidelines for Responding to People who have experienced Sexual Assault.*" This document was designed to ensure agencies work together in the best interest of the victim. The policy states,
Victim DNA reference samples
DNA reference samples (usually a blood sample or mouth swab) should be taken routinely as part of the FME (forensic medical examination)
 (A copy of the guideline is attached).
- The solution to this problem is to include materials within the SAIK for the collection of a reference sample from the victim during the forensic medical examination. This is what occurs in all other states and is deemed best practice as per the guidelines.
- There is no legal impediment to collection of the reference sample by the FME. The sample is taken by consent and not by some police power.
- QPS has made repeated requests to QHFSS to alter their practice and kits so that a reference sample is taken during the forensic medical examination. In 2016 Dr Gary Hall, Acting Chief Medical Officer, and Ms Debbie Whelan, Acting Managing Scientist, both agreed that this would be best practice. However, support for these changes was later withdrawn by Dr Adam Griffin and Ms Cathie Allen who are the relative incumbents of those positions. They have subsequently declined repeated request to change the practice to comply with the Queensland Government Guidelines and what is considered as best practice nationally. The reasons for declining the requests are as follows:
 - The victim may have been assaulted orally which could result in the offender's DNA contaminating the reference sample.
 - QPS Comment: The other jurisdictions collect a sample of blood by pricking the victim's finger to prevent this contamination issue.
 - Taking a sample of blood is too invasive on the victim.

- QPS Comment: The victim has their vagina and/or anus swabbed, the collection of blood would seem to be unobtrusive in comparison. It is also common practice for QH to take blood from the victim to test for STD in any case.
- There is a chance that the reference sample could contaminate the other samples.
 - QPS Comment: The other jurisdictions manage this risk by appropriate packaging of samples. In any case, all of the samples taken from the victim are going to be contaminated with the victim's DNA because they were taken from intimate areas of the victim.
- It would be difficult to train FMEs outside of the metropolitan areas due to variation in the line control arrangements.
 - QPS Comment: It is critical that the medical examination of rape victims is closely regulated by procedures, training and compliance monitoring. Poor practice in forensic medical examination led to the 2008 wrongful conviction of Mr Farah Jama in Victoria. The parliamentary enquiry into this affair recommended strict processes to be adopted within that state to prevent repetition. Queensland FMEs should be regulated in such a manner to prevent this type of miscarriage of justice. If so, methodology should be able to be effectively modified to conform with contemporary views on best practice.

David Neville

From: McNab.BruceJ[OSC]
Sent: Thursday, 27 September 2018 7:16 PM
To: Neville.DavidH[OSC] [REDACTED]
Subject: Fwd: Qld Health Follow up

Hey Dave,

Hope your daughter is feeling better. Here is an update from the boss.

When you get back if you could have a squizz at the info Michael was looking for and contact him direct.

Let me know how it goes.

Take care.

Bruce McNAB BM
 Superintendent 7417
 Operations Commander
 Forensic Services Group
 Qld Police Service
 [REDACTED]

From: McCarthy.AllanE[OSC]
Sent: Thursday, September 27, 2018 4:00:32 PM
To: McNab.BruceJ[OSC]
Subject: Qld Health Follow up

Bruce,

I met with Michel Lok (and Craig Russell) from Qld Health this afternoon and discussed the listed issues with them.

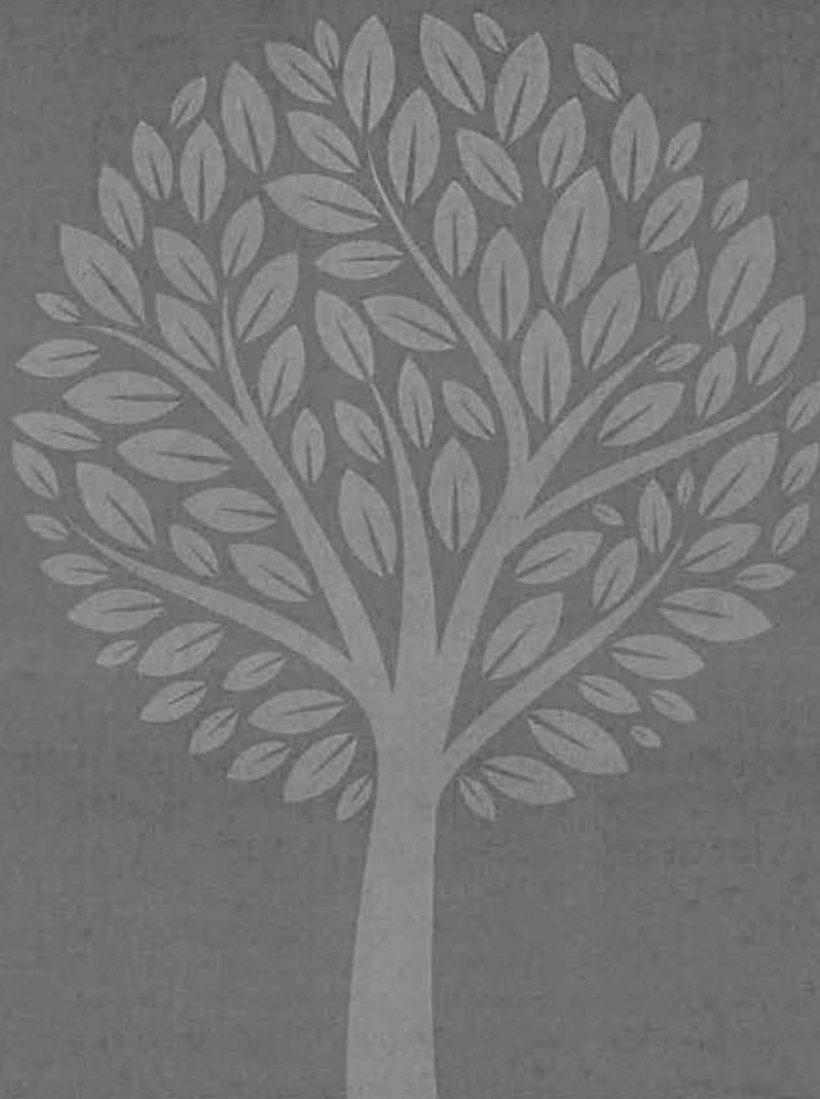
All matters raised were discussed positively.

Outcomes as follows:

- Bar codes – commitment given that they will work with Dave Neville to ensure we have necessary number of 9 digit codes to continue.
- AO6 payment arrangements – assurances provided that the full 12 month contract/funding is there and will be maintained. They agree to provided payment quarterly – it remains an admin matter for them. They understand the sensitivity around Tims' position and agree that he needs to be provided job security with certainty over funding.
- QAO re DNA audit – will remain in contact with us, and they appreciate the possible issues and risks involved – similarly with DNA turn-around times. Will remain in contact to work towards better TAT.
- STRMix problems with rescinded results – they immediately understood the ramifications and risks involved and happy to look at amending the process. Please arrange for Dave to liaise with Craig Russell asap on this one.
- SAIK and victim reference sample – they were unaware of the issue, but very happy to follow up. They requested that Dave liaise and explain some of the detail (in plain, non-expert terms) and the problems that arise. I gave them the explanation I had, but I think it will be better for Dave to follow up with some more detail – in a detailed email to me that I can forward to Michel - who has direct control over the CMO.

Regards,

Allan McCarthy
Assistant Commissioner
Operations Support Command
Queensland Police Service
Phone: [REDACTED]
 [REDACTED]



Response to sexual assault

Queensland Government Interagency
Guidelines for Responding to People
who have Experienced Sexual Assault

- 4 -

APPENDIX A: Contact list from interstate inquiries:**New South Wales Police**

PHQ Major Crime Unit

Detective Tim RYAN
[REDACTED]**Victoria Police**

Sexual Assault Unit

Detective Sophie LEETE
[REDACTED]**Tasmania Police**

Forensic Services

Alastair WATSON
[REDACTED]Detective Krista DENNIS
[REDACTED]**South Australia Police**

PHQ Major Crime Unit

Detective Bernie FARRINGTON
[REDACTED]YARROW PLACE – Rape and Sexual Assault Service
[REDACTED]**Western Australia Police.**

Sexual Assault Unit

Officer in Charge John MOTTOLINI
[REDACTED]**Northern Territory Police**

Major Crime Unit

Detective Glenn LEAFE
[REDACTED]

These guidelines have been developed through a strong collaborative approach by a Government Interagency Working Group including representatives from:

- **Queensland Police Service**

- **Department of Justice and Attorney-General**

- *Office of the Director of Public Prosecutions*
- *Queensland Courts*
- *Victim Assist Queensland*
- *Youth Justice Conferencing*

- **Department of Communities, Child Safety and Disability Services**

- **Queensland Health**

- *Aboriginal and Torres Strait Islander Health Unit*
- *Clinical Forensic Medicine Unit*
- *Child Advocacy Service*
- *Royal Brisbane and Women's Hospital Department of Social Work Services (Sexual Assault Service)*

The Strategic Policy Priority Areas, System Policy and Performance Division of Queensland Health were consulted during this process.

Mr Ian Maynard
Director-General
Department of Health



Mr Ian Stewart
Commissioner of Police
Queensland Police Service



The guidelines are intended to outline key principles and a best practice framework for working with people who have experienced sexual assault. This includes children and young people who have been sexually abused or sexually assaulted.

The term victim is used throughout the document where there is reference to specific legislation and where the person is either a male or female who has experienced sexual assault. The term sexual assault is used throughout the document and includes those assaults where rape and/or sexual abuse has taken place or is alleged to have taken place.

Mr Michael Hogan
Director-General
Department of Communities, Child Safety and Disability Services



Mr John Sosso
Director-General
Department of Justice and Attorney-General



June 2014

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Preface

The guidelines are designed to promote whole-of-government interagency cooperation and service coordination with an aim to improve governmental responses to victims of sexual assault. The need for enhanced coordination and cooperation has long been recognised and resulted in the development of the *2001 Queensland Government Interagency Guidelines for responding to adult victims of sexual assault*.

The 2013 guidelines aim to facilitate best practice, quality service and support to people who have experienced sexual assault.

Legislation relevant to and defining sexual assault includes but is not limited to:

- *Aboriginal and Torres Strait Islander Peoples Recognition Act 2013*
- *Child Protection Act 1999*
- *Criminal Code Act 1899*
- *Criminal Law (Sexual Offences) Act 1978*
- *Domestic and Family Violence Protection Act 2012*
- *Evidence Act 1977*
- *Health Act 1937 & associated regulations*
- *Hospital and Health Boards Act 2011*
- *Mental Health Act 2000*
- *Police Powers and Responsibilities Act 2000*
- *Public Health Act 2005*
- *Victims of Crime Assistance Act 2009*

Policy referred to includes but is not limited to:

- Queensland Government Language Services Policy
- Queensland Health Protocol for conducting child sexual assault examinations

The guidelines should be read in conjunction with internal agency procedures such as the Office of the Director of Public Prosecutions Guidelines and the Queensland Police Service Operational Procedures Manual. In addition to legislation, policies and procedures, the Queensland Government joins with governments around Australia in the implementation of the National Plan to Reduce Violence against Women and their Children 2010-2022.

Each government agency has a complementary and essential role in ensuring that people have access to effective, timely and appropriate information, support, care and treatment following a sexual assault.

Given the nature of the crime, sexual assault is an area of legal and social complexity. The guidelines are designed to help government officers and agencies work together in the best interests of the person who has been sexually assaulted through better understanding one another's roles and responsibilities.

The Queensland Government encourages reporting of criminal activity and prosecution of offender(s) where possible.

Glossary

CPA	<i>Child Protection Act 1999</i>
DCCSDS	Department of Communities, Child Safety and Disability Services
DFVPA	<i>Domestic and Family Violence Protection Act 2012</i>
EA	<i>Evidence Act 1977</i>
FME	Forensic Medical Examination
FMO	Forensic Medical Officer
FNE	Forensic Nurse Examiner
ODPP	Office of the Director of Public Prosecutions
QH	Queensland Health
QPS	Queensland Police Service
SAIK	Sexual Assault Investigation Kit
Victim Assist	Victim Assist Queensland
YJC	Youth Justice Conferencing

Section 1

Introduction

Governance

The government agencies responsible for delivering a service to victims of sexual assault, in accordance with relevant legislation, whole-of-government policy and internal departmental procedures, are responsible for the ongoing governance of this document. The guidelines are underpinned by each government agency's own internal policies and procedures which they are obligated to adhere to. Each government agency has a formal complaints mechanism which is accessible to members of the public.

The Government Interagency Working Group will meet bi-annually to review the guidelines and consider matters of particular concern for people impacted by sexual assault and to consider the impact of any legislative change.

Sexual assault

Sexual assault is a crime of violence. It is a humiliating and degrading experience. It has an emotional, physical, financial and social cost, not only to those directly affected, but also for the community as a whole.

The number of reported sexual offences against women aged 15 or over in Queensland in 2011/2012 was 2035 compared with 227 against males.¹

Major Australian studies indicate that only 11-25 per cent of sexual assaults are reported to the police and that most offenders are known to the victim.² People who experience sexual assault may feel a range of emotions including shock, fear, guilt, shame, depression and an inability to trust others. The social stigma attached to sexual assault can heighten these feelings and increase the trauma experienced. It is imperative that when disclosing or reporting a sexual assault, people receive an effective, professional and appropriate response from the agencies to which they report.

Community education can encourage family and friends to respond supportively and appropriately to a disclosure of sexual assault. However, in order to assist their recovery, victims may also need access to a range of personal support services including counselling, medical services and assistance to report the crime to the police.

The information provided in the guidelines is intended to provide a strategic overview to support the development of policies and procedures at a local level. Local level procedures will differ according to the nature of the service system in each area. It is also intended to contribute to improving service responses to victims.

Responses to victims

Following disclosure of a sexual assault, the following needs of the victim should be addressed:

- immediate safety needs
- immediate health needs
- options for pursuing justice
- ongoing emotional needs for longer term wellbeing.

In order to avoid secondary traumatisation and mitigate the risk of negative, long term outcomes, government responses to sexual assault must be both sensitive and effective. These responses therefore need to take into account the diversity of victims, including their cultural and linguistic background, disability, sexual orientation, age and geographical location. In addition to assisting recovery, more sensitive and effective responses may also lead to an increase in reporting rates.

This, in turn, can lead to a more accurate understanding of the prevalence of sexual assault, inform community education and awareness approaches, and result in improved prevention strategies.

¹ Queensland Police Service (2012) Statistical Review 2011-2012 Brisbane

² Australian Bureau of Statistics (1996) Women's Safety Survey, Cat.no. 4218.0 (unpublished data) as cited in Office of Women's Policy (1999) A Social and Economic Profile of Women in Queensland 1999 Brisbane; Australian Bureau of Statistics (1996) Victims of Crime Survey

Children and young people

It should be noted that the *Child Protection Act 1999* (CPA) is relevant where there are concerns that a child has been sexually abused and where a child does not have a parent able and willing to protect them from the abuse. The main principle for administering the CPA is that the safety, wellbeing and best interests of a child are paramount. Section 159B of the CPA imposes a responsibility on particular service providers to assess and meet the protection and care needs of children and provide collaborative and coordinated support to their families.

The definition of harm in the CPA includes harm resulting from sexual abuse or exploitation. A child is defined in the CPA as an individual less than 18 years of age. Where the child or young person is under the age of 16, their parent or guardian should be consulted where possible and appropriate. Whilst certain circumstances may not make this possible, the child or young person should have access to a support person throughout the response.

The safety and protection of children and young people who are sexually assaulted is a high priority. When disclosing a sexual assault, young people should be encouraged to access services so that they are aware of their options in terms of support, assistance, treatment and prevention.

When working with a young person who reports a sexual assault, personnel from the Queensland Police Service, Department of Communities, Child Safety and Disability Services (DCCSDS) and Queensland Health (QH) are required to follow the statutory requirements under the CPA and the *Public Health Act 2005* relevant to their position.

Where the child or young person is subject to an order granting custody or guardianship of the child, the Chief Executive, Child Safety, DCCSDS, must be notified regarding the report of a sexual assault.

Confidentiality cannot be guaranteed where a child or young person is believed to be in need of protection from harm. To work in the best interest of that child or young person, information may need to be exchanged between departments. It is best practice for the child or young person to be advised that a report to the DCCSDS and the police may take place. Certain circumstances may not make this possible.

Section 2

Principles of the Interagency Guidelines

Government responses to sexual assault are framed by the following overarching principles:

- All agencies will focus on the safety, physical and psychological needs of the victim
- The victim's right to privacy and confidentiality will be respected at all times unless disclosure is required by another law
- Comprehensive information about all processes and options will be offered in a way which is non-judgemental, appropriate, clear and sensitive to the victim in terms of language, culture, age, disability, gender, sexuality and location
- The victim's informed decision will be respected at every stage of the process
- The victim's sense of personal control will be supported and encouraged
- All relevant agencies will work collaboratively to respond to sexual assault, to provide clear, up to date and comprehensive information about other agencies and services and will facilitate access to appropriate agencies and services on request
- All agencies will ensure documentation and records are prepared in accordance with individual agency requirements and respect confidentiality, privacy, security and choice.

Fundamental Principles of Justice for Victims of Crime and Complaints Mechanism

Government responses are also framed by the legislated responsibilities defined in the Fundamental Principles of Justice for Victims of Crime (Principles of Justice) in Queensland, set out in Chapter 2 of the *Victims of Crime Assistance Act 2009*.

If a victim feels they have been treated unfairly or without respect by a Queensland Government officer, they have the right to complain to the government agency responsible for the conduct of the officer or to Victim Assist Queensland (Victim Assist).

As a guide, the following is a summarised version of the Principles of Justice:

Fair and dignified treatment

The victim must be treated fairly and shown dignity, respect, compassion and courtesy. The government entity must take in to account and be responsive to the particular needs of the victim relating to the victim's age, sex, race, cultural identity, impairment, sexuality or religion.

Privacy of victim

A person's personal information, including their address and phone number, can only be disclosed with consent or as authorised by the law.

Information about services

The victim must be given timely information about relevant services available to them, including welfare, health, counselling, legal help and financial assistance.

Information about investigation of the offender

If the victim asks, they should be given information about the investigation of the offender where possible. Information given to a victim may include the progress of the investigation and the name of the person charged.

Information about prosecution of the offender

If asked by the victim, the prosecuting agency is to give the victim details about the crime committed against them, including when the victim may attend a court proceeding, notice of a decision to change a charge, or notice of the outcome of a court proceeding.

Victim to be advised on their role as a witness

A victim, who is to be a witness for the prosecution in the trial for the crime committed against them, is to be informed by the prosecuting agency about the trial process and their role as a witness.

Minimal exposure to and contact with the offender

As much as possible, relevant agencies present at court are to ensure the victim has minimal contact with or exposure to the offender during court proceedings or in the court building.

Victim Impact Statement

During sentencing of the offender, the victim has the right to give details of the impact and harm caused to the victim by the offence, to the prosecutor as an impact statement. Victims can access information about completing a victim impact statement by calling Victim Assist on 1300 546 587 or by accessing a copy of the *[Guide to Making a Victim Impact Statement](http://www.justice.qld.gov.au)* at www.justice.qld.gov.au.

Information about the convicted offender

A victim can apply to be registered on the Victims Register. If the offender is then convicted and imprisoned, the victim will be provided with this information on request. This includes information on the sentence, an escape from custody, or day of release. To be included on the Victims Register call 1800 098 098.

Making a complaint

If a victim of crime feels a government agency, person or persons within the agency have engaged in conduct that is not consistent with the Principles of Justice, they have the right to make a complaint. Victims can access information about making a complaint by calling Victim Assist on 1300 546 587 or by accessing a copy of the *[Complaint Form](http://www.justice.qld.gov.au)* at www.justice.qld.gov.au.

Government agencies are obligated to have a formal complaints management system, and the Queensland Government is committed to having these systems available and acted upon in accordance with the Principles of Justice.

Section 3

The Roles of Key Government Agencies

Queensland Police Service

The Queensland Police Service (QPS) has three main functions in relation to sexual assault cases including:

1. Investigate complaints of sexual assault and establish whether an offence of sexual assault has been committed.
2. Protect victims of sexual assault.
3. Identify, apprehend and prosecute offenders.

In carrying out this role, the police should:

- observe QPS Operational Procedures Manual
- observe QPS local procedures or instructions
- observe legislative requirements
- observe the Fundamental Principles of Justice for Victims of Crime
- provide victims with information regarding the investigation and prosecution
- provide protection to victims at immediate risk of sexual assault
- provide victims with information about support services

Queensland Health

In responding to sexual assault, the role of QH is to provide medical care, forensic medical examinations (FME), sexual health assistance and information and support. These responses are provided by public hospitals, the Clinical Forensic Medicine Unit and may include specialist sexual assault teams. The extent and nature of this care varies across hospital and health services in accordance with local procedures and resources.

Assistance and care in the acute phase includes:

- medical treatment
- collection and documentation of medico-legal evidence where appropriate
- sexual health information and treatment
- information about rights as a victim of crime
- information about reporting to police and legal processes
- support and information extended to support networks.

In addition, QH provides education and training to government and non-government agencies, with an aim to broaden community knowledge, improve responses and prevent sexual violence as outlined in the National Plan to Reduce Violence against Women and their Children 2010 – 2022.

Department of Justice and Attorney-General

The Office of the Director of Public Prosecutions (ODPP), Victim Assist Queensland (Victim Assist), Youth Justice Conferencing (YJC) and the Queensland Courts all fall within the responsibilities of the Department of Justice and Attorney-General. The following provides an overview of each of these separate agencies.

Office of the Director of Public Prosecutions

The ODPP represents the Crown in criminal proceedings against persons accused of committing serious criminal offences including sexual assault. The criminal proceedings include:

- the committal hearing, before a Magistrate in Brisbane Central, Ipswich and Southport Magistrates Courts. In other centres, this hearing is conducted by prosecutors within the police
- trials before a judge alone or a judge and jury
- sentencing hearing before a judge
- any appeals arising from the trial or sentence.

In addition to prosecuting matters in court, the ODPP is responsible for:

- assisting victims by providing information about the progress of a prosecution, the victim's role as a witness, and how the victim can inform the court of the impact of the crime by providing a victim impact statement
- giving victims reasons for decisions made in relation to proceedings which directly affect them
- taking into account the wishes of a victim who does not wish to proceed with a prosecution for any reason
- providing information about the availability of other resources and processes that may assist victims
- requesting that the court give sexual assault matters appropriate priority
- ensuring the victim has minimal contact with or exposure to the offender during court proceedings or in the court building

- liaising with other relevant agencies to ensure that the victim and family members understand the legal and procedural issues which may impact them.

In carrying out the role of the ODPP, all officers are obliged to comply with the Director's Guideline No. 25 as at 2013 http://www.justice.qld.gov.au/data/assets/pdf_file/0015/16701/Directors-guidelines.pdf. This aims to ensure that the Principles of Justice, as set out in the *Victims of Crime Assistance Act 2009* are complied with.

Victim Assist Queensland

Victim Assist provides access to specialised support services and financial assistance for victims of personal acts of violence including sexual assault.

Financial assistance may be available to victims of sexual assault to help them pay for the cost of goods and services that have arisen, or will arise as a consequence of the assault.

This includes medical and dental expenses, and expenses associated with improving safety or relocation from their current location in order to escape the offender.

Victim Assist also provides information, referrals and support (which may include court support) to victims, and assistance in making a victim impact statement if the victim chooses to make one.

Youth Justice Conferencing

If the offender is a young person, there may be alternative processes to the matter being dealt with by a court. The purpose of YJC is to hold the young offender accountable for their actions and to come to an agreement on what they will do to attempt to make reparation for the harm caused. To safeguard the victim, additional procedures are adopted before a conference for a sexual assault can occur. These include referring the victim to a counselling service as well as compulsory attendance of the juvenile offender in a specialist treatment service.

Queensland Courts

Queensland Courts afford victims of sexual offences, affected child witnesses and special witnesses protections when proceeding through court. These are detailed in the *Evidence Act 1977* (EA) and the *Criminal Law (Sexual Offences) Act 1978*.

Section 21A of the EA provides protections for special witnesses and affected child witnesses. The court can declare a person a special witness by hearing evidence (if the witness does not automatically fall into the special category, such as where the witness is a child or the person has a mental impairment). When the court hears evidence from these special witnesses, there are a range of options to assist the witness. These include ensuring the victim has minimal contact with or exposure to the offender during court proceedings or in the court building. Where the witness is an affected child witness, there are further protections in place.

For further information refer to the Supreme Court Bench Book: <http://www.courts.qld.gov.au/information-for-lawyers/benchbooks-and-vcpr-bulletin/supreme-and-district-courts-benchbook>.

Department of Communities, Child Safety and Disability Services

The Department of Communities, Child Safety and Disability Services allocates funding to non-government organisations to assist people, predominantly women, who have experienced sexual assault, in accessing necessary services and support needed to rebuild their lives as quickly as possible. These sexual assault services offer flexible, holistic and ongoing personal support including advocacy and sexual assault counselling (including crisis counselling), in a culturally appropriate and safe environment.

The range of support provided by these services includes:

- provision of information, advice and referral
- needs assessment and development of case/ service plans
- individual advocacy
- sexual assault counselling for victims and survivors of sexual assault
- community education.

For more information about access to sexual assault services in local areas, contact the Sexual Assault Helpline on 1800 010 120.

Child Safety Services is the Queensland Government agency for child protection and adoption services. The department is dedicated to protecting children and young people from harm or who are at risk of harm, and whose parents cannot provide adequate care or protection for them.

Non-government organisations

It is acknowledged that a number of government departments provide grant funding to non-government organisations to deliver a range of specialist sexual assault services. Local procedures and service agreements in relation to services provided by these organisations should be adhered to.

Section 4

Interagency approach

Given the often violent and complex nature of sexual assault, an interagency approach is essential. The Queensland Police Service (QPS), Queensland Health (QH), the Department of Justice and Attorney-General (DJAG) and the Department of Communities, Child Safety and Disability Services (DCCSDS), each have a different but fundamental role in responding to sexual assault. Each of these agencies should assist each other in understanding and supporting their role and be familiar with, and sensitive to, their differing and complementary roles. An interagency approach provides opportunities to discuss and address issues of mutual concern across departments.

Teamwork

Quality of care depends on partnership between these different agencies. Each agency should establish local procedures to facilitate improved liaison and coordination between services. These procedures should include systems for information sharing and conflict resolution.

Confidentiality

Confidentiality, privacy of information and security of records is imperative when working with people who have experienced sexual assault. It is a fundamental principle in treating victims with dignity and respect.

Access to and disclosure of personal information regarding the assault will conform to legal requirements and be limited to people directly involved in the case. Except where legal obligations exist, information will not be released without the prior consent of the person involved. This includes names and identifying information.

Training

Joint training can contribute to achieving interagency objectives and allow those working in the field to understand how best practice is achieved. Training and orientation should be ongoing and could include input from relevant local services.

Information provision

Police officers, doctors, social workers, health workers and legal officers, should provide people with relevant information which may include written material. This information should be offered in a way which is non-judgemental, appropriate, clear and sensitive to the victim in terms of language, culture, age, disability, gender, sexuality and location.

People should be made aware of, and be given an opportunity to discuss and consider the implications of proceeding with medical, investigative and legal processes so that they can make informed decisions. These decisions must be respected. It should be noted however that the decision whether or not an investigation should proceed rests primarily with the police.

Referrals

Relevant referral procedures and guidelines between police and health services should be observed.

Staff of government agencies should be familiar with local specialist services and actively support people who have experienced sexual assault to access appropriate supports available in their community. In addition, relevant health, welfare and legal services likely to be accessed by victims will need to develop local strategies and procedures to ensure that referral processes are appropriate and coordinated. These services should also be aware of the admission procedures and location of the nearest health facility and police station.

Feedback

Quality of care is essential in ensuring that people are referred to the appropriate service. QPS, QH, DJAG and DCCSDS should ensure that local interagency links and procedures operate in a coordinated manner. Mechanisms for giving feedback about service delivery should also be in place and observed.

Access, availability and promotion of services

People who have experienced a sexual assault may need encouragement to use medical, counselling, police and legal services. Local procedures should ensure that services are accessible and coordinated. This includes the use of written information and community education materials.

Gender of service providers

Following a sexual assault, the person may feel uncomfortable talking with personnel of the opposite sex. If a preference for female or male personnel is expressed, all reasonable steps to accommodate this preference should be taken.

Diverse needs

Procedures need to be flexible in order to respond to diverse needs; including culture, language, gender, disability, religion, sexuality and geographical location. Furthermore, it is important to understand how these needs impact access to and utilisation of appropriate services.

All agencies should ensure that procedures and facilities provide access to appropriate services for Aboriginal and Torres Strait Islander people, people of non-English speaking backgrounds, children and young people and people with disabilities, including physical disabilities.

Aboriginal and Torres Strait Islander people

Service provision should reflect the cultural needs of Aboriginal and Torres Strait Islander people. Agencies should have a referral mechanism to facilitate access to culturally appropriate information for Aboriginal and Torres Strait Islander people. Where there is consent and it is appropriate to do so, Aboriginal and Torres Strait Islander liaison workers may be offered to assist people during the process.

Communication

The Queensland Government recognises that a significant number of people may require interpreter services, as well as culturally appropriate support in order to adequately disclose and report a sexual assault, and make informed decisions about the support and options available to them.

People with a disability

Services and agencies should facilitate access to appropriate support workers and interpreters for people with a disability. Disability includes intellectual, physical, sensory, psychiatric or neurological impairment, or a combination of these, resulting in a substantial reduction in the person's capacity to make informed decisions or communicate. With the person's consent, and when it is safe and appropriate to do so, services should also consult with relevant people involved in that person's life such as carers, guardians and specialist agencies or departments.

People from culturally and linguistically diverse backgrounds

Service provision should be responsive to, and respect the cultural, religious and language needs of the person who has experienced sexual assault. Where communication in English is difficult or where requested, accredited interpreters and cultural support workers should be used to assist in both eliciting information from, and providing information to the person who has experienced sexual assault. This supports client safety and enables informed decision making about health care, investigative and legal processes for both the client and agency.

Translating and interpreter services

All reasonable steps will be taken by government agencies and funded non-government organisations providing sexual assault responses, to ensure fair and equitable access to interpreting and translating services that are responsive and high quality.

All reasonable steps should be taken to make an accredited interpreter available in all situations where an interpreter and/or translator is required, unless there are extenuating circumstances that genuinely prevent an interpreter from being used. This may include, for example, a medical emergency or where a language group or community is very small and confidentiality is a concern for the client, or where there is no interpreter available for that language group. All agencies will take into consideration the wishes of the person who have been impacted by the sexual assault in relation to the use of an interpreter.

Each government agency is required to observe its own policies and procedures in relation to the use of interpreters. These internal procedures should align with the Queensland Government Language Services Policy.

Section 5

Interagency procedures

Regardless of where sexual assault is first reported, the first priority is to ensure the safety and welfare of the person reporting. Prompt referral to the designated specialist service should take place.

Crisis intervention

The purpose of intervention by a designated sexual assault response worker is to:

- provide immediate assistance, stabilisation and emotional support to assist the person to return to their level of functioning before the crisis
- assist the person to process their perception of the stressor
- provide information about the options available, as well as the procedures of the local health facility
- provide an opportunity for the person to express their concerns and feelings
- offer practical support, including contacting family members or support persons where appropriate
- talk to family members or support persons (if present) about how best to support the victim
- co-ordinate the interagency response and facilitate patient care and treatment along the sexual assault pathway
- provide information in relation to available community support resources.

The sexual assault worker will advise the victim of their right to access medical advice and treatment including sexual health treatment. If information or clarification about police procedures is requested, the sexual assault worker will, with the victim's consent, arrange for police to provide this information.

During any phase of this process, a support person can be present. The support person should not adversely influence the process.

Initial report to police

Police receiving a report of a sexual assault will act on the information received. The police should inform the victim of relevant decisions made and where necessary, obtain the victim's consent.

Initial report to a health facility

Health facilities, such as hospitals, are often the first place where a person will disclose a sexual assault. When this happens, nursing and medical staff will assess the general medical condition of the person and administer immediate medical treatment if required. Assessment of a person's need and urgent medical intervention will always be the first priority.

Medical examination and treatment

A general, non-forensic medical examination may be conducted by a medical professional with the aim to:

- reassure victims about their physical welfare, including giving information on, and providing treatments to reduce the risks of pregnancy and sexually transmitted infections
- assess, treat and document injuries
- provide advice and referral options for follow up medical care.

A medical examination should include sexual health intervention as described in *Queensland Sexual Health Clinical Management Guidelines of 2010 section 6*: http://www.health.qld.gov.au/sexhealth/documents/cm_guidelines06.pdf.

Unconscious patients who are admitted to hospital with a suspicion of sexual assault will be assessed and treated as medical emergencies.

Referral to the local sexual assault team

Health staff must follow local procedures in the management of sexual assault. All efforts should be made to contact the designated sexual assault team and where there is no specialist team, crisis intervention and support will be delivered by health staff present. A referral for follow-up support and care should be made as soon as possible.

Notifying the police

The sexual assault worker should discuss available reporting options with the person. If the victim requests to speak to police, it is the role of the sexual assault team or other designated staff member, to notify the police as soon as possible to ensure all evidence including the crime scene can be secured. Notification and initial reporting to police does not mean an investigation will automatically take place.

Where police are operating under time constraints, they should inform health staff. Working together to meet time constraints will directly impact the quality of the outcome for the victim.

Victim attending with police

Where victims arrive at the health facility with police, procedures outlined in referral to the local sexual assault team above should still be followed by health staff.

Initial contact

It is the sexual assault worker's role to coordinate an immediate response; offer practical and emotional support, assess the person's immediate physical and emotional safety and recognise the potentially traumatic nature of the assault.

Medical assessment will be conducted in accordance with local procedures.

Forensic medical examinations

Doctors or nurses conducting forensic examinations must follow local procedures in the management of sexual assault.

The forensic examination consists of obtaining a history as to the nature of the assault in order to guide the subsequent physical examination. It also includes interpretation of injuries and the collection of forensic evidence as it relates to the alleged sexual assault.

Forensic medical examinations and informed consent for people aged 14 years and above

Informed consent reflects a legal and moral principle whereby the victim has the right to decide what is appropriate for them. This includes the right to accept or to decline a forensic examination and to change that decision.

In order for a patient to exercise this right, they require access to information that is relevant to them. An explanation about the nature of the forensic examination must be given by the forensic medical officer (FMO) or forensic nurse examiner (FNE) and police also need to inform the victim about police investigation processes.

The victim should be made aware that they may withdraw their consent at any time to any particular procedure, or any aspect of the examination. However after the examination is complete, an investigation by police may continue to progress.

It should be noted that the decision to have a forensic examination is a health care matter and therefore legislation and policy around informed decision-making in health care applies in this circumstance. For more information on decision-making in health care settings, please refer to the Queensland Health guide to informed decision-making in healthcare: www.health.qld.gov.au/consent/documents/ic-guide.pdf.

It is the responsibility of the medical and forensic staff to assess capacity to consent. Where a person lacks capacity, it is appropriate to identify a capable adult to act on the patient's behalf. Please refer to section 2.2 of the Queensland Health guide to informed decision-making in healthcare: www.health.qld.gov.au/consent/documents/ic-guide.pdf.

If at any point there is a possibility that the capable adult identified is the offender, it is in the best interests of the patient for an Adult Guardian to be appointed in accordance with the *Powers of Attorney Act 1998* and the *Guardianship and Administration Act 2000*.

Where possible the examination will be carried out using the Sexual Assault Investigation Kit (SAIK).

Forensic medical examinations and informed consent for people under 14 years of age

Paediatric patients are generally those aged less than 14 years of age. It is usual practice for the child to be transferred to the hospital's child protection area for an examination, even if they have had initial treatment in an adult emergency setting. Emergency medical treatment for any child should be undertaken by the Department of Emergency Medicine prior to a forensic medical assessment.

Paediatric forensic medical assessments are undertaken by paediatricians. This will be done by the Child Protection Advisor on call (or similar) or the general paediatrician on call.

All examinations conducted on children should be consistent with Queensland Health's Hospital and Health Services Health Service Directive: Protocol for conducting child sexual assault examinations: <http://www.health.qld.gov.au/directives/docs/ptl/qh-hsdptl-029-11.pdf>. All paediatric FMEs should also adhere to legislation and policy around informed decision-making in health care. For more information on decision-making in health care settings, please refer to the Queensland Health guide to informed decision-making in healthcare: www.health.qld.gov.au/consent/documents/ic-guide.pdf.

Chain of evidence

The chain of evidence and the need for 'contemporaneous recollection of facts' to aid an investigation is essential. The chain of evidence involves not only the examination of the victim, but also includes the geographic location where the assault occurred, the identification and interview of witnesses and identification of relevant additional evidence. Evidence collected needs to be stored and transported in approved and standardised ways as outlined in police procedures to ensure the utility in a court proceeding. This further emphasises the importance of police involvement prior to an examination being conducted.

Storage and transportation issues need to be considered when undertaking an examination as the inability to safely and correctly store and transport evidence may damage the evidence or make it inadmissible in court in the later stage of an investigation and prosecution.

The doctor or nurse conducting the forensic examination should discuss the case with the police before the forensic examination takes place. This is to ensure that:

- all necessary evidence is collected
- a re-examination is prevented
- unusual evidence is not overlooked.

Timing and nature of the forensic medical examination

In determining the timing and nature of the FME a number of factors will be considered. These include the time since the assault, the physical and emotional state of the victim and their account of the assault.

This process, particularly if it involves an internal gynaecological or anal examination, can be distressing and the examination may need to be delayed or discontinued on account of the victim's physical and emotional state.

Presence of police and support person at medical and forensic examinations

Regardless of age, a person is entitled to have a support person present during the medical and forensic examination. This may include a friend or family member, a nurse, health care worker or sexual assault worker, who is not a potential witness.

There is no legal requirement for a police officer to be present during the medical and FME. However, if a victim requests the presence of police, this police officer is to be the same gender as the victim.

A police officer must be present to receive all evidence collected during a forensic examination immediately after the procedure to maintain continuity of the evidence for any potential court proceeding.

Consent to release information and evidence

The doctor or nurse conducting the FME will not release the SAIK to police without the signed consent of the victim or the capable adult acting on their behalf.

Access to health records

Health records, including counselling notes, are confidential. However, patients should be notified that any records can be subject to a subpoena or other court-related mechanisms.

Drug facilitated sexual assault

Where the administration of drugs in the sexual assault is suspected, testing to maximise the chances of detecting these substances should be administered in a timely fashion. However, the decision to test remains a clinical one which is made by the FMO or FNE.

Victim DNA reference samples

DNA reference samples (usually a blood sample or mouth swab) should be taken routinely as part of the FME.

Support person during the police interview

Police should inform victims that they may be accompanied by a support person while their statement is being taken. However, the victim must be advised that:

- the support person may not participate in the interview
- the support person may not directly or indirectly influence the interview
- a potential witness may not act as a support person.

Discontinuance of police action before a proceeding has commenced

Where the victim does not wish to proceed with further police action, police should:

- make clear that following the withdrawal of the complaint no further police action will be taken
- attempt to obtain a signed withdrawal of complaint
- inform the adult victim (18 years and over, only) of the online *Adult Sexual Assault Resource* (<http://www.police.qld.gov.au/programs/adultassault/>) package that provides alternative reporting options

If a proceeding has commenced, the victim's wishes will be taken into account when deciding if the matter will continue.

Domestic Violence Protection Orders

Sexual assault is one form of domestic and family violence. Where the sexual assault has occurred within an intimate personal relationship (marriage, engagement, couple), family relationship or an informal care relationship, the victim should be informed of their option to seek protection under the *Domestic and Family Violence Protection Act 2012*. In situations where domestic violence has occurred and where protection is needed to prevent further violence, a domestic violence order can be applied for by the victim, by police on behalf of the victim or by another person authorised by the victim. This is done through the Magistrates Court.

Where appropriate, victims should also be referred to a specialist domestic violence service for support and assistance, for example DVConnect Womensline Ph. 1800 811 811 and DVConnect Mensline Ph. 1800 600 636.

Follow-up and registration on the Victims Register

After the trial and/or sentence, the victim will have the opportunity to talk to the case lawyer about the outcome of the case and the sentence imposed, if any. This opportunity may arise immediately after the trial and/or sentence concludes or at a later time by telephone.

If the offender is imprisoned or placed under the supervision of Queensland Corrective Services, the victim may register their details on the Victims Register which is administered by Queensland Corrective Services. A victim and/or their family or nominee can register to be kept informed about the offender's imprisonment, movement between locations and proposed parole dates. They will also be given the opportunity to make submissions to parole boards when offenders apply.

Where the offender is a young person, the Victim Information Register may be utilised. This register is administered by Youth Justice within the Department of Justice and Attorney-General. A victim and/or their family or nominee can register to be kept informed about the young person's detention, movement between locations and supervised release dates.

If the offender appeals against their conviction and/or sentence or the Attorney-General appeals against the leniency of the sentence, the victim will be kept informed about the progress and outcome of the appeal and any consequential matters arising from the appeal.

Key stakeholders at the local level should maintain current referral information on appropriate support and other community services available. Localised referral pathways and protocols should be developed between key service providers to ensure timely referral pathways for those in need of support.

Conclusion

The government agencies acknowledged in this document (QPS, QH, DJAG and DCCSDS) have committed to the principles, roles, approaches and procedures articulated in the guidelines. This commitment aims to ensure that individuals who have experienced sexual assault are provided with timely, high quality and coordinated service delivery responses appropriate to their needs and appropriate to the role played by departmental officers.

Key service providers are encouraged to use this document as a framework to develop local level arrangements and protocols to ensure best practice, quality service and support to people who have experienced sexual assault.

The government agencies responsible for the development of the guidelines would like to thank all key government and non-government stakeholders who kindly contributed their knowledge and expertise.



For information or comments please contact:

Queensland Government Interagency Working Group Responding to Sexual Assault

Tel: 1300 546 587 **Email:** victimslinkup@justice.qld.gov.au

REPORT

INQUIRY INTO THE CIRCUMSTANCES THAT LED TO THE CONVICTION OF MR FARAH ABDULKADIR JAMA

THE HONOURABLE F H R VINCENT, AO QC

Ordered to be printed

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**INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE WRONGFUL
CONVICTION OF FARAH ABDULKADIR JAMA**

29 March 2010

Ms Penny Armytage
Secretary, Department of Justice
121 Exhibition Street Melbourne

Dear Ms Armytage,

In accordance with the instructions contained in my letter of appointment of 15 December 2009, I herewith present my Report of the Inquiry that I have conducted into a number of matters relating to the wrongful conviction in the County Court at Melbourne, on 21 July 2008, of Farah Abdulkadir Jama for the crime of rape.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

The Hon. F.H.R. Vincent AO, QC

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All of the agencies and individuals involved in the matter were deeply concerned about what had happened in this case and all had initiated an examination of their roles and structures prior to the Inquiry. All were extremely open and helpful in their responses to matters raised by me and provided me with the maximum level of assistance.

Terms of Reference

For the purposes of establishing the circumstances surrounding Mr. Farah Jama's conviction, you are requested to inquire, consider and report on the following aspects of the case:

1. The integrity and continuity of the forensic evidence in relation to the investigation of Mr Jama.
2. In relation to the possible contamination of the forensic samples, and taking into account Victorian Institute of Forensic Medicine, the [Victoria Police Forensic Services Department] (VPFSD) and current relevant standards and processes:
 - The integrity of the forensic medical procedures adopted when any of the samples pertaining to Mr Jama were taken.
 - The integrity of the processes, procedures and protocols followed (or not) when the samples were transported, analysed and interpreted at all stages of the investigation.
3. Whether the processes, procedures and protocols utilized in the collection, transport, analysis and interpretation of the forensic samples in this matter were sufficient to minimise the risk of contamination.
4. In relation to the matching of the forensic sample (s) with Mr Jama's profile on Victoria Police's DNA database (s) :
 - On what basis was Mr Jama's profile initially uploaded and then retained on the DNA database?
 - How and at what stage of the first investigation was the match made for the purposes of the second investigation?
 - If relevant, what are the issues in relation to the validity of the match that was made that resulted in Mr Jama being charged?
 - With particular reference to the current legislative regime, how should Mr Jama's profile have been handled once the first complaint had been withdrawn given the timing of the second investigation?
5. In relation to the forensic evidence and the apparent presence of biological material from Mr Jama taken from the same FMO in the same hospital examination facility approximately 24 hours prior to the alleged victim in the case upon which he was convicted being examined:
 - When was this first apparent to each relevant agency?
 - What was done with this knowledge by each relevant agency?
6. In relation to the conduct of the *committal hearing*, how and when the relevant agencies detailed below fulfilled their respective responsibilities in respect of the forensic evidence.
7. In relation to the conduct of the *trial*, how and when the relevant agencies

detailed below fulfilled their respective responsibilities in respect of the forensic evidence.

8. In relation to the conduct of the *appeal*, how and when the relevant agencies detailed below fulfilled their respective responsibilities in respect of the forensic evidence.
9. What improvements or legislative amendments might be made to improve the standard and integrity of forensic evidence provided to the criminal justice system as a result of this inquiry into the conviction of Mr. Jama.
10. What improvements might be made to the communication between and within relevant agencies in criminal prosecutions involving forensic evidence.

In undertaking this inquiry, you are requested in particular to consider the role of, and consult with, the Victorian Institute of Forensic Medicine, Victoria Police (including the VPFSD) and the Director, Solicitor and Office of Public Prosecutions, and the Northern Centre Against Sexual Assault.

You are requested to provide a status report of your findings by 26 February 2010, and the final report by 31 March 2010.

The Approach and Methodology of Inquiry

The inquiry was initiated when it became apparent that there had been a miscarriage of justice, resulting in the wrongful conviction and imprisonment of a young Somali man, Farah Abdulkadir Jama, for the crime of rape.

Not only was the evidence against him ultimately revealed as inherently unreliable but, it came to be recognized, the likelihood that he had committed the offence alleged was, at the risk of understatement, remote and found to have been perpetrated in circumstances where it seemed to be highly improbable that there was any crime at all.

The consequences of his prosecution and conviction in such circumstances are obviously serious from the viewpoints not only of all the individuals and agencies directly involved but the community generally and raise important questions concerning the operation of our criminal justice system and, in particular, in cases involving scientific expertise and DNA evidence.

In addition to the stress and anxiety to which Mr Jama and his family were undoubtedly subjected as the matter proceeded through its various stages, it must be borne in mind that a finding that he had committed a crime of the most serious kind was made against him and that he was required to undergo approximately 15 months imprisonment, as an innocent person, before the conviction was set aside and a verdict of acquittal entered by the Court of Appeal.

Looked at from the perspective of the alleged victim of a rape and, in more than one sense, actual victim of the process, to whom I will hereafter refer as M, the situation must have been and is likely to continue to be extraordinarily distressful. She was informed and accepted that she had been raped whilst unconscious. Her victim impact statement provides some indication of the suffering that she experienced as a result. After a lengthy legal process, she was then told that it was highly unlikely that the person she had been led to believe was her assailant was guilty of offending against her and, further, that there was a very high level of probability that no assault had actually been perpetrated upon her at all. Presumably, she experienced some relief from that knowledge, but then had to come to terms with very different information and a dramatically altered personal situation. Although I gained the strong impression when speaking with her that she appeared to be handling the situation extremely well, it must have been, and almost clearly still is, very difficult for her.

The case against Mr Jama had been mounted and pursued on the basis of a single piece of evidence; namely, the presence on a slide and a swab, collected in the course of a forensic medical examination at the Crisis Care Unit operated by and under the control of the Northern Centre Against Sexual Assault (NCASA) at the Austin Hospital, of DNA that could, in the opinion of scientists, to an extraordinarily high level of mathematical probability, be attributed to him.

M had been taken this unit and examined by a Forensic Medical Officer (FMO) from the Victorian Institute of Forensic Medicine (VIFM), after she was found unconscious in a toilet cubicle in a nightclub in Doncaster and with no recollection of how she came to be the cubicle or in that condition.

Notwithstanding that there was nothing apart from that evidence that could be seen to inculcate him in any respect, or could even provide the foundation for suspicion, reasonably held or otherwise, that he may have committed the offence alleged against him and, very importantly, where all of the known circumstances indicated otherwise, the questions relating to the possible unreliability of this evidence were not properly addressed until long after his conviction.

When it was finally realised that that the tested swab and slide were collected in the same unit as forensic samples secured from another woman, who, it was undisputed, had had sexual contact with Mr Jama, and by the same doctor, it was immediately appreciated that they may have been contaminated and that the verdict had to be set aside. The whole case was then reconsidered.

Clearly, in conducting an inquiry into this matter within the Terms of Reference given to me, it was necessary to attempt to ascertain how this sorry stage of affairs developed. This raised a variety of questions including:

- How and when the swab and the slide may have been contaminated.
- How was it that the possible sources of contamination were not recognised by any of those involved in the various processes between the commencement of the investigation and Mr Jama's conviction.
- How did it come about that Mr Jama was convicted in the absence of any other circumstantial evidence and where the known facts strongly indicated that the crime alleged was almost certainly not committed by anyone
- Was this an isolated incident that was highly unlikely to occur again, or did it point to some underlying systemic problems. If so, what should be done to address them.

Accordingly, I considered it important to examine all of the available files with the assistance of recognised independent experts, consult with and interview a number of persons concerning the processes and procedures employed in obtaining the evidence with a view to identifying the possible points at which contamination may have occurred, and, after consultation with the various agencies involved, make recommendations directed to ensuring, as far as possible, the integrity of the forensic process and thereby avoid or minimise the risk of such occurrences.

But as I have indicated, the issues raised by this matter were not confined to those processes. This was, as will be readily appreciated, a quite unusual case. One notable and highly uncommon feature which it possessed was that that the DNA evidence

provided the only foundation for concluding that a crime had been committed at all, and then constituted the only means of identifying the perpetrator. M had not consented to intercourse and, in consequence, if the evidence was accepted as establishing that it had taken place, it also characterised the crime as rape and, as a practical proposition, identified the person responsible.

In other words, the DNA evidence was, like Ozymandias' broken statue in the poem by Shelley, found isolated in a vast desert. And like the inscription on the statue's pedestal, everything around it belied the truth of its assertion. The statue, of course, would be seen by any reasonably perceptive observer, and viewed in its surroundings, as a shattered monument to an arrogance that now mocked itself. By contrast, The DNA evidence appears to have been viewed as possessing an almost mystical infallibility that enabled its surroundings to be disregarded. The outcome was, in the circumstances, patently absurd.

It became clear that the DNA evidence was perceived as so powerful by all involved in the case that none of the filters upon which our system of criminal justice depends to minimise the risk of a miscarriage of justice, operated effectively at any stage until a matter of weeks, before Mr Jama's appeal was expected to be heard.

There were several questions to be addressed at this level, requiring the examination of Victoria Police and Office of Public Prosecutions files, the transcripts of the committal hearing, pre-trial directions hearings, the trial, including the opening and closing addresses of both counsel and the judge's charge to the jury.

A number of interviews were conducted with persons who played a part in these processes with a view to gaining an appreciation of their perception and understanding of the issues presented by the case generally.

DNA evidence can obviously be of considerable value in the investigation and prosecution of serious crime, assisting in the identification of perpetrators and exclusion on occasions of the innocent from suspicion. However, it requires little thought to appreciate that it presents a number of serious challenges and dangers, if its character and limitations are not properly understood and appropriate measures taken to ensure that it would be safe to have regard to it and then properly used, as this case demonstrates.

After following this history of the proceedings against the unfortunate Mr Jama from their origins through to their disastrous conclusion with his conviction, I have been left with the deep impression that at virtually every point, and by almost everyone involved, it was handled with so little insight into the issues which it presented that no need was seen to explore further or conduct research into them. This was particularly so in the case of those involved in the legal processes. There were ample warning signs along the way that suggested that something was amiss, but they were simply not read.

In this report, I have pointed to a number of deficiencies that emerged and have advanced suggestions for improvements. I have not attempted, however, save on one or two occasions, to be specific concerning techniques of implementation or the

allocation of responsibility for them between the various agencies and stakeholders involved. To do so would have necessitated a far broader exploration of their respective areas of operation and inter agency relationships than was possible within the ambit of this Inquiry. What I have done, hopefully, is to identify the nature of the issues and the type of changes that I consider need to be made.

Rather than structure the report directly on the basis of the Terms of Reference, it appeared to me that the issues would be more easily addressed and their relationships more apparent if I dealt with them as they as the emerged from the history of the investigation and the legal proceedings. Accordingly, I have approached them in that fashion. Individuals have not been named in order to protect their privacy.

The Background

██████████ was, on 21 July 2008, convicted on his trial in the County Court at Melbourne of the commission of rape, for which he was subsequently sentenced to imprisonment for a term of 6 years in respect of which a non parole period of 4 years was fixed.

Shortly put, it was alleged against him that he engaged, without her consent, in the penile/vaginal penetration of M, a woman aged 48 years, in a night club at Doncaster, on 15 July 2006.

M had been found unconscious in a toilet cubicle, locked from the inside, at about 10.50 pm. She had entered the club at approximately 10:20 pm and recalled speaking to some people, purchasing two glasses of Frangelico, a well known liqueur, and lighting a cigarette at a table, but nothing thereafter.

She was of the view that the alcohol that she had consumed, in and before she entered the club on that evening, could not account for her condition and was understandably concerned about what may have happened. It occurred to her that she could have been surreptitiously given a drug of some kind and then sexually assaulted.

When she raised this possibility with the doctor who attended her at the Austin Hospital to which she was taken from the nightclub, the police, the Northern Centre Against Sexual Assault (NCASA) and a doctor on call that weekend for the Victorian Institute of Forensic Medicine (VIFM), were contacted.

The doctor conducted a physical examination of M, at 10.50 on the following morning, in a Crisis Care Unit, located in the Emergency Department at the hospital, but under the control of NCASA and took swabs from within the vagina of M and prepared slides that were subsequently conveyed for analysis at the Victoria Police Forensic Services Department (VPFSD) at Macleod. The doctor had, as mentioned, , in the same location and only approximately 28 hours previously, coincidentally taken forensic samples from another woman [B], who had, in fact, engaged in sexual activity with ██████████. There were no charges laid in respect of the earlier incident.

The Investigation Concerning M

The Circumstances

Apart from those who came across M in the toilet cubicle and attended to her afterwards, there were no witnesses as to what had occurred and nothing, save perhaps the degree to which she was observed to be incapacitated when found, to indicate that anything of a criminal character may have been involved. The circumstances under which she came to be in the cubicle were simply unknown and it certainly did not follow that something untoward must have happened.

Although, as I have mentioned, M did not consider that her state could be explained by the amount of alcohol that she had consumed, and therefore suspected that she may have been drugged, there was nothing, other than the presence of prescribed medication and alcohol, detected on subsequent toxicological investigation.

This did not exclude the possibility that some drug had been administered to her as one of those commonly used for this purpose, broadly known as GHB or Fantasy, is, by reason of its composition and the speed at which it metabolises in the body, difficult to detect within even a few hours on subsequent routine testing. On the other hand, the absence of any such finding means that there was no direct evidence of a drug being administered and the conclusion that it must or may have been would then be an inference drawn from the circumstances and the observations made by and of the person said to be possibly so affected.

I note that in the trial however, there was evidence adduced by the prosecution concerning GHB, pointing out its effects and the speed with which it can be metabolised by the body and thereby quickly become undetectable. This may well have been regarded by the jury as an invitation to speculate about the possible use of that substance and could have operated unfairly to ■■■■■ in the circumstances. I also note that, despite the admission of this evidence, the Judge when sentencing recognized that he could not have regard to it.

In this case, M, had consumed some alcohol in the couple of hours before she was found and had taken a prescribed dose of Tegretol earlier in the day. She stated in her evidence that she had been taking this particular medication since 1994 and that it was her understanding and experience that it was safe to do so in conjunction of alcohol, provided that she kept within what she described as 'the limitation'. What that term encompassed was not explored by either counsel or explained by M herself. Whether she inadvertently exceeded it on this occasion must, of course, remain a matter of conjecture, although M remains confident that that was not the case.

The police member dealing with the matter recorded in their note of a conversation with M, conducted at the Austin Hospital shortly after 08:20 on the following morning, 'arrived at about 21:30 hours and sat in car having a few drinks, (sister in

law) drove to the location. M had 3 approx. 3 x shots from bottle of Frangelico she bought from home'.

The examining doctor recorded a history of 'a few drinks of Frangelico' which were described by M as larger than normal standard measures. She then gave a history of 2 further drinks inside the nightclub and told the investigating police member that she felt 'a bit drunk at this stage'.

In a statement taken from M by another police member, on 26 July 2006, she said that the drinks that she had in the car "were probably one and a half to twice the normal amount". She also told the police member that she had been intoxicated on only about three occasions in her life, but this time it felt "different".

Whilst the precise level of alcohol in her system when she was in the nightclub is unknown, what is clear, on the basis of M's evidence in the trial, is that she had consumed a minimum of 2 larger than standard and, at least, one, but possibly two, presumably standard drinks, of Frangelico within a time period of a little over an hour and in the presence of her medication.

A blood alcohol test taken at the Austin Hospital at approximately 12.50 am, that is, about 2 hours after she was found, indicated the presence of .13%, a not insignificant amount and one which may well have affected her.

It is well recognised that the effect of a given amount of alcohol upon an individual can vary significantly and may be influenced by a variety of factors, including the quantity consumed, the person's tolerance to alcohol, his or her state of health, level of tiredness and, of possible relevance in this case, the ingestion of various drugs, including Tegretol. In other words, whilst it is possible that M may have been given an undetected drug, there are explanations for her physical state at the time found and subsequently that do not involve the inadvertent taking of some surreptitiously administered substance.

[REDACTED], the Chief Toxicologist and Manager of the Toxicology Laboratory at VIFM, in the course of cross examination in the trial, gave evidence on this aspect, but the matter was left largely in the air.

"[Defence Counsel, Is it possible that if a person takes Tegretol with an amount of alcohol, it can cause blackouts in certain instances? Yes, it can.

Can it also cause periods of unconsciousness? Yes, and that depends on the volume of alcohol consumed, as well as the dose of Carbamazepine or Tegretol."

The prosecutor did not pursue this aspect in re examination.

With respect to the circumstances under which a drug may have been put into her drink, where, when and by whom this could have been done was also problematic.

M stated that, on entering the club, she purchased a drink which she then took to a lounge area equipped with couches. She was alone and sat there, smoking and sipping her drink for "perhaps ten maybe fifteen minutes", after which she walked around the club "for a little bit". She said that she had a brief conversation lasting "probably a couple of minutes" with a man she encountered, but she was not interested in talking to him and moved on. After wandering around again, for "a little bit", M returned to the bar and purchased another drink. She was unsure of her movements thereafter but thought that she may have walked around a little more until she made her way to a nearby table to light a cigarette. After placing her handbag and the glass she was carrying on the table, she extracted her cigarettes and lighter and commenced smoking. Whilst there, she spoke, for possibly 5 minutes, with two males of European extraction. During that time, her glass, she said, would have been on the table or in her hand. She was not certain that she drank from it at any stage. If she had not, then the only known occasion on which a drug may have been put into her glass could be excluded. Her next recollection was becoming conscious, lying on a floor.

Significantly, M stated that she did not speak to any 'black men' during that evening. To her knowledge, she had not seen [REDACTED], who, it should be pointed out, was a thin, dark skinned 19 year old of African appearance, on that or any other occasion. However, in order to place something in her drink, he would, of necessity, have had to have been in very close proximity to her and at a time when her consciousness was not clouded by the administration of a drug. On the basis of her description, it would seem unlikely that an approach could have been made in the ten to fifteen minutes that she was sitting alone or when engaged in her conversations. The substance would also have had to act very quickly within the time frame set out above, and so effectively that she lost consciousness before she became aware of her assailant's presence.

Given that M had been in the night club for only about thirty minutes before being found and making full allowance for the possibility of significant inaccuracies in her estimates of time, the period within which all the activities involved in the alleged rape would have had to occur would be very brief indeed. The activities associated with the rape itself after she lost consciousness would, given M's prior movements and conversations, have had to have been undertaken, it seems, in a very few minutes.

All of her movements, conversations, the possible administration of a substance, the movement of her by her assailant to the place where the offence was committed and then possibly back to the toilet cubicle, would all have had to occur within that half hour period - a highly unlikely series of events, in my opinion.

The evidence indicated that DNA attributed to [REDACTED] was found on only one of the two swabs taken from the endocervical region. None was detected on two other swabs taken from within the high vagina and there was nothing found on the clothing of M and specifically no semen elsewhere. The amount on the swab was remarkably small in the context of a penile/ vaginal rape, with only one intact sperm and fifteen heads being observed.

When sentencing [REDACTED], the trial judge said

“Counsel rightly argued that there was no evidence of planning of this crime on your part. That is true, but it is more than outweighed by the fact that you took advantage of the situation as presented to you by the unwell state that the complainant was later found in. You raped her when she was in a most vulnerable state. You obviously saw her and sized up the situation as she presented to you. Instead of assisting her and making sure of her safety, you raped her for your own immediate and short-lived sexual gratification. The jury cannot have viewed the facts in any other way. That is what makes your crime so bad; and it is what makes the suffering of the complainant so lasting. She was sexually violated by a man she did not know and could never recognize.

.....
 There is no evidence that you administered an illicit substance to the complainant, and you have not been charged with such an offence. I have sentenced you on the basis that you took advantage of the complainant and raped her when she was indisposed, and at her most vulnerable state, for whatever reason.”

The problems inherent in that scenario hardly require recitation and can be seen to reflect the obvious difficulties encountered by the trial judge in formulating a factual foundation for sentencing in accordance with legal principle, the evidence given in the trial and the jury verdict.

There was no evidence, apart from that provided by the DNA, that [REDACTED] had ever attended the nightclub which was promoted as an over 28's venue and located in a suburb approximately 15 kilometres from his home. On its face, it would seem to be an unlikely place for him to go, as a young person with no known or likely cultural or other links to the area or the venue, and presumably alone, on a Saturday night.

Regrettably, the surveillance camera located at the entrance of the club on that night did not record all of the comings and goings of patrons. There are gaps between 8pm and 9.30pm and 11pm and 11.30pm. If he was there, he must have entered and left at periods for which, and remarkably fortuitously for him, there were no camera records.

What is apparent from my viewing of the camera surveillance record is that almost all, if not all, of those attending the club would have easily fallen within the targeted age group. I noted no dark skinned young male of his apparent age group entering or leaving through the public entrance during the periods covered. Members of the nightclub staff to whom a folder of photographs containing a depiction [REDACTED] was shown did not recall ever having seen him in the premises.

Naturally, the police pursued this aspect, but no link could be found. Examination of fingerprints from the toilet cubicle did not provide any evidence of his presence and subsequent investigation revealed no record of telephone calls, police checks, field contacts, parking infringement notices, traffic camera fines or any other indication that he had ever had contact with that area, or, specifically, the nightclub.

The DNA Evidence

The VIFM doctor conducted an examination of B at 3.50 am. on 15 July, 2006 at the CASA unit at the Austin Hospital. The doctor did not enter the unit again until they attended M at 10. 50 am. on the following day, that is, approximately 30 hours later.

The doctor informed me that it was their practice to shower and change their clothing immediately upon returning home after completing the relevant duties. I have no hesitation in accepting that the doctor would have done so on this occasion. I also accept that the doctor showered and changed their clothing at least twice between the two examinations.

The possibility that the DNA [REDACTED] was transferred directly to M, either from the doctor's clothing or through the doctor's personal physical contact with the two women in the course of examination, is, I have concluded, extremely remote.

In a statement, dated 21 December 2009, the doctor said that, by July 2006, they had been conducting genital (including speculum) examinations of female patients for over eight years and described the practices they adopted in sexual assault examinations:

1. While the subject is redressing I wash my hands and don clean gloves so that I can prepare and label the specimens.
2. On the metal bedside trolley, in corresponding sequence. I dab the swabs on slides, then shorten and replace the top of the swab into the sheath. The samples are then sealed and labelled with patient stickers/date/doctor details. I then cut the corners off the swab sheaths for airing, and all samples are placed into specimen bags which are then sealed with patient stickers and cover- I ask the subject to undress (behind the curtain for privacy) and change into a clean hospital gown, and the clothes are dropped by the subject into paper specimen bags for evidence if required.
3. I ask the subject to sit atop a "bluey" (where available, a disposable, multiply, hospital issue underlay sheet), which is placed on the bed sheet. A second bed sheet is provided for the subject to cover herself.
4. I then prepare the swabs and slides that I will be using by laying out on the metal bedside trolley beside the bed the exact number of new swabs and slides I will need and labelling them (with the pencil provided on the trolley) according to the anatomical location to be swabbed.
5. I then perform a general physical examination (routine head-to- toe examination for signs of injury or foreign material), following which photographs are taken and forensic evidence is collected if required.

6. Prior to performing a genital–anal examination, I wash my hands and don clean gloves.
7. A sterilized/new speculum is obtained (I open the packaging but leave the speculum on the bed inside the packaging until I am ready to use it).
8. I then ask the subject to position herself as instructed for the genital-anal examination.
9. I inspect the external genital region.
10. To perform the internal genital examination, I part the labia with the gloved fingers of my left hand and with my gloved right hand; remove the speculum from its packaging by grasping the handle only. I then use my gloved right hand to insert the speculum bill into the vagina. When I have visualized the cervix, I lock the speculum in position and use my gloved left hand to hold the new swab sheaths.
11. In order of labelled samples, I open the swab top and insert the swab for sampling with my gloved right hand, then replace the swab top into the swab sheath.
12. When all the swabs have been taken I place them on the trolley, before removing and discarding the speculum. I then remove and discard my gloves.
13. On the metal bedside trolley, in corresponding sequence, I dab the swabs on slides, then shorten and replace the top of the swab into the sheath. The samples are then sealed and labelled with patient stickers/date/doctor details. I then cut the corners off the swab sheaths for airing, and all samples are placed into specimen bags which are then sealed with patient stickers and cover-signed as a method of tamper-proofing.
14. I clean up the residual items on the metal bedside trolley (e.g. plastic corners/wooden pieces etc.) and dispose of all the remaining items. I then remove and discard my gloves.
15. At the completion of the interview, I hand the samples over to police who countersign the forensic samples documentation.

Concerning the two relevant examinations, the doctor stated,

“With specific reference to the collection of forensic specimens from [B], five bags of clothing were collected. Four oral swabs and corresponding slides were collected for spermatozoa. A skin swab of her right breast was collected for foreign DNA (saliva) and a vaginal swab and an anal swab were collected for foreign DNA, in view of the allegations of digital penetration. A portion of hair that appeared matted with a “sticky substance” was cut with

scissors that were provided on the examination trolley, following which the collected hair specimen was placed into a yellow screw-top plastic specimen container. I did not swab the hair for semen, as I believed at the time that swab and slide specimens of the hair were unnecessary, given that I was able to collect the hair directly for the laboratory to conduct further sampling on."

"The forensic samples that were collected during my examination of [M] were: 1 bag containing black pants, 2 x high vaginal swabs and slides for spermatozoa, 2 x endocervical swabs and slides for spermatozoa, and 1 x buccal swab for a comparison DNA sample."

Police and laboratory records are entirely consistent with these descriptions of the number of specimens obtained, their labelling and what was ascertained on analysis. I considered the possibility of mislabelling, but it would seem that that could only occur, if there was an extra swab and slide obtained at the time of the first examination which were then missed and then later mistakenly included in the materials collected in the course of the second. This would involve significant departures by the doctor from their normal practices on each occasion. I have no reason to suspect that anything of that kind may have happened, or that the doctor did not follow their ordinary course when conducting these examinations and obtaining the forensic samples.

There are no standard procedures laid down for or adopted by doctors across the country when conducting forensic examinations of female subjects and the collection of samples for subsequent testing. In some States, what is done is influenced by the use of sealed kits containing a number of necessary items, check lists and so forth. These kits are not used in Victoria where doctors perform the examinations with swabs, slides and other equipment obtained from a trolley in the examination room that has been pre stocked in accordance with VIFM requirements.

In its response to the inquiry, VIFM stated that the doctor's description of their practices accorded with the standards adopted by the Institute in 2006 and there was nothing to suggest that the doctor had deviated from them in any respect.

Associate Professor Bob Hoskins, the State Director of Queensland Health's Clinical Forensic Medicine Unit, said that the stated procedures were designed to minimise the risk of contamination through the examining doctor's actions and widely adopted at the time.

Similar views were expressed by Dr. Lesley Shone, Sexual Assault Medicine Clinician, Yarrow Place Rape and Sexual Assault Service in South Australia and by Dr James Robertson, National Manager Forensic and Data Services, Australian Federal Police.

All however considered that the taking of these measures could prove to be of no avail, if the environment, and, in particular, the equipment and furnishings in the examination room were contaminated from previous use.

They disapproved of the Victorian practice of using swabs, slides and other from a pre stocked trolley in the examination room and advocated the adoption of the packaged sexual assault examination kits employed in many places elsewhere. This, they said, would reduce the possibility of contamination from that source, at least.

Each expressed the opinion that, although it was generally the position that reliance was placed upon the cleaning of examination rooms carried out by hospital or other staff, this was inappropriate when taking samples for DNA testing. They stated that the central purpose of hospital cleaning is to maintain adequate levels of infection control and only in a very few locations and for specific purposes, would it be directed to the avoidance of DNA contamination. They emphasised that minute quantities can be spread throughout the examination room and the area in which it is located as for example, people move about or when the person is being examined or removing her clothing. Trolley surfaces upon which particles could settle presented a problem in this regard and should be carefully decontaminated before and after each examination. Professor Hoskins said that, even if this is done, clean paper from the kit should be placed on the trolley top before swabs and slides or other items are taken out. Control swabbing should be performed before and after use. This represents an application of Locard's principle that "every contact leaves a trace".

What then of the possibility of environmental contamination of the later collected samples at the CCU in this case?

The CCU in which the examinations were conducted and the two sets of specimens collected is one of nineteen operated and controlled by fifteen independent CASA groups in Victoria. Nine are physically attached to and function under the auspices of public hospitals, with the remainder being operated as stand alone community based agencies governed by a committee of management.

A recent Survey of Crisis Care Units carried out by the Department of Justice Sexual Assault Steering Committee, which involved unit managers, reported that the CCUs operated under a variety of arrangements with the hospitals or other organisations in whose premises they are located, varying from formal signed protocols to relatively casual arrangements.

The units perform some very important functions. Among them is the provision of a supportive environment within which the sometimes badly injured and very frequently severely traumatised victims of sexual assault can be counselled and provided with information to enable them to make properly informed and appropriate decisions. Those located in the Melbourne metropolitan area are relatively widely distributed in order to facilitate access by victims and to minimise the additional distress that is likely to be occasioned by travel and delay. The units are also used for the purposes of forensic medical examination and the collection of what may become evidentiary material from victims.

The one located at the Austin Hospital consists of four rooms, including an examination room, and is situated in the Emergency Department. Under the arrangements in place at the time of the examinations in 2006, these rooms were supposed to be cleaned immediately after use by hospital staff, although, it would appear, this was not always done.

With respect to the equipment in the examination room, the disposable items would be placed into a bin for later removal. The trolley on which equipment was laid out would probably not be cleaned after use and some of the items would not be cleaned at all, for example, the trolley top and scissors. Linen would always be changed by hospital staff after a physical or forensic examination, but it was not always removed immediately from the examination room.

As far as I have been able to ascertain, there was no log book or other record kept that would enable a check to be made as to whether any cleaning was carried out during the weekend in question and I consider that there is a strong possibility that it had not been.

I have already drawn attention to the views of three experts with respect to the kind of cleaning required to ensure that, as far as reasonably practicable, the environment within which the samples are collected is uncontaminated by foreign DNA. Having taken the opportunity to visit the unit concerned with Professor Hoskins and the manager, it is apparent that, even if the room had been cleaned in accordance with the arrangements then in place, a problem could still have arisen due to the inadequacy of the form of cleaning involved, the overall set up of the unit, including the presence of a pre stocked trolley and the areas that would not have been touched at all.

As it does not appear that any record was kept indicating when or by whom the rooms were cleaned and what, if any, steps were taken to ensure that the examination room, in particular, was at an appropriate standard for physical or forensic examinations to be conducted, there is a strong possibility that the environment, within which M was examined, was contaminated by DNA left after the examination of B.

Dealing with the causes of possible contamination of the samples from the environment, VIFM in its response to the inquiry, put the position

"VIFM considers three possibilities of contamination at the Austin Hospital may be described as follows:

1. [REDACTED] DNA deposited on [B] contaminated areas of the hospital where she was present. The seminal material on her hair would have been drying into a crusty material and would have been very prone to flaking off with any movement. Any part of the pathway between entering the hospital and the point at which she showered and washed here hair would have been prone to be contaminated.

Certain of the above areas would also have been occupied by [M] when she was seen at the hospital. In particular common areas of the CCU such as the couch and chair in the counselling room are

routinely occupied by all patients seen there and are not cleaned routinely. Other common occupied areas include the examination room and the bathroom.

It is possible that [M] became contaminated with material from [B] and that this material could have found its way into the collection pathway of the endocervical swab. The amount of material that would have been required is microscopic and would not have been visible to the naked eye.

2. It is possible that flakes of seminal residue from [B's] hair contaminated work surfaces/equipment that were used in the subsequent examination of [M] and the collection of evidence from her. This includes the trolley surface on which the slides for collection of evidence from [M] were placed and from where they could have been contaminated. A microscopic piece of material could have landed on the slide at the time that [B] was examined, and remained there until the [M] examination, when part of it could have been transferred to the swab when the swab was dabbed on to the glass.
3. The same scissors might have been used to cut the hair sample from [B] and, without having been cleaned, to cut the swab sheath on the swab that had been used to collect the endocervical swab from [M]. Seminal residue on the scissors could have found its way into the swab sheath when this occurred.

In relation to the third possibility above, the scissors do not come into contact with the slide and they are used only on the swab after the slide has been made from the swab. Therefore, the likelihood of the scissors being the source of contamination in this scenario is remote.

Whilst the above scenarios describe the potential for contamination, the possibilities are limited by the fact that [REDACTED] sperm was found on the slide and [REDACTED] DNA was found in the combined swab analysis. If the sperm was indeed that of [REDACTED] and not someone else's, then it follows that either:

- The swab was contaminated and transferred semen as it touched the slide, or
- The slide was contaminated and transferred semen/DNA when the swab touched it.

VIFM considers that the forensic examination itself is unlikely to be directly the cause of the contamination. If the contamination occurred during the forensic medical examination, it is most likely to be caused by secondary deposit of the extraneous DNA from the first complainant on or around the second complainant, the equipment or the furnishings

such that it may have been further transferred to the doctor or the equipment us contaminating the endocervical swab/slide.”

I have concluded that the possibility that there was transference of a microscopic amount of material containing the DNA [REDACTED] from B to a swab and slide obtained in the examination of M as a consequence of the presence and examination of the two women in an environment where that might easily have occurred is quite high.

Precisely how it may have happened cannot be determined as the deposition of the minute quantity of material involved could have occurred in a number of ways. It is possible to speculate about the probability of transference through various mechanisms, but ultimately pointless to do so.

The Police Response

When a report was sent to the police from the laboratory police that a DNA match had been made between material taken from M and the profile [REDACTED] obtained in relation to another investigation, he was interviewed on 12 November 2006. He denied any knowledge of the incident, asserted that he had not heard of the nightclub and claimed that he had never been to the Doncaster area at any time.

Conscious of the lack of supporting evidence of any kind, the investigating police member queried the possibility that there may have been some contamination of the sample upon which the investigation depended at some stage after it arrived at the laboratory.

When asked, in the course of the Inquiry, about the reason for this query, the member stated that there seemed to be no realistic scenario available as to when and where a rape could have been committed and there was nothing to connect [REDACTED] with the area or the nightclub. The possibility that it may have taken place in the toilet cubicle in which M was found was discounted for a number of reasons, and the backstage area of the club, which was, the only other possible location, was considered to be almost as unlikely.

Accordingly a memorandum was forwarded to the police member's superior, referring to the other investigation and pointing out that it seemed likely that the samples would have arrived at the laboratory in close proximity to each other.

This query was conveyed to the Manager of Biological Examination Division of the Forensic Biology Division of Victoria Police, expressed as follows;

“On 24th November while you were at Doncaster CIU obtaining a buccal swab from a rape suspect, I discussed with you an offender identified through a DNA sample allegedly responsible for a rape in Doncaster. Briefly, he has denied all knowledge and the victim has little or no recollection of the night. The report from [the investigating member] is

forwarded for attention and any results will assist me in recommending any charges.

In the current climate I need to be able to discount the possibility of cross contamination. Perhaps a report is all that is required. I have every faith in the process but no doubt the subject will be raised at any subsequent trial so we may as well be armed with suitable answers to the inevitable questions.

If this request is not your area of responsibility, can you forward to the appropriate person."

A response was then received from a Case Manager in the Biological Examination Branch, stating,

"In my opinion I do not think contamination between the two cases could have occurred as items from the two cases and the relevant reference samples were examined at different times, at different areas and by different people. Also the DNA processes were done at different times such that the samples were not processed together in the same batch.

If you need a report and any clarification, please do not hesitate to contact me."

This was a crucial statement in the history of the case and was repeated in different terms on several occasions afterwards. It effectively set the stage for all that followed.

No request for clarification was made of this seemingly comprehensive rejection of the existence of any risk or for a full report encompassing all the items tested. This should have been provided as a matter of course.

The investigating police member, when interviewed, said that it never contemplated that, if there was contamination, it may have happened at any other location than the testing laboratory. The member knew that the samples were taken to widely separated police stations and was generally familiar with the procedures for the taking of forensic samples.

The files relating to the other investigation, but that the focus of attention when doing so was on what might be learned about Mr Jama and the likelihood of his offending in the manner under consideration. Had the name of the examining doctor been seen, it would have possessed no significance to at the time.

It is apparent from the terms in which the opinion is expressed and the matters to which reference that it was addressing only the possibility of contamination at the laboratory, as the query was directed to what may have happened there, and that the scientist did not turn their mind to the question whether it could have occurred at

some other point. It is reasonable to assume that had the scientist done so, this limitation upon the opinion would have been expressed in the response and drawn the issue to the attention of the police, or VIFM.

The statement was also incomplete, in that the case notes from the laboratory indicate that another person in the examined the swabs and slides from B on bench 9 at 11.40 am on 17 July and the swabs and slides obtained from M at 12.05 pm on 21 July. A table attached to the response to the query, which has been set out above, makes no reference to any examination of the B samples on 17 July, nor was it mentioned subsequently.

When asked about this, the case manager said that this examination, but it was not mentioned it as no profile matching that [REDACTED] was obtained from the samples tested at that time and considered that the fact of common location and tester could not have presented a potential for contamination.

Given the time interval between the testing of the two sets of samples and the handling and cleaning protocols in place at the time and the reasonable assumption that there was compliance with them, I accept that it is extremely unlikely that contamination occurred at this stage. Under the protocols,

- Each scientist has their own kit or set of equipment and these are not transferred.
- The biology division has a stringent cleaning regime in place using hypochlorite to remove and destroy residual DNA from work surfaces. Additionally items are placed on disposable paper and not directly on to the bench surface. Gloves etc are routinely changed throughout the examination and specifically between handling different items or instruments.
- Instruments are used once and either discarded (in the case of disposable scalpels) or are subjected to extensive cleaning using hypochlorite, ethanol and autoclaving. In this case, the scientist used disposable scalpels.
- The biology division environmentally monitors the laboratory which involves the taking of swabs from surfaces, equipment etc and subjecting them to DNA profiling. Any DNA detected is compared to both staff profiles and those samples on the DNA database.

Noting that in the VIFM response to the Inquiry, reference was made in the laboratory case notes that the same person was recorded as receiving the two sets of items and as acting as case manager, I inquired into the matter and was informed that

“The process of receiving exhibits from FEMU in 2006 was that the items would be issued to the case manager but upon their arrival in the biology wing, the paraprofessional would take control. Thus the latter would open the items,

describe the contents, perform testing, sample for DNA (if applicable), re-seal the exhibit bags and return them FEMU.

.....

[The case manager] was not involved in the examination of either case

As part of the review process on cases worked on by paraprofessionals, the case manager must satisfy themselves that everything required to be done was done and was done according to relevant procedures and methods. The verification of the case notes is achieved via the case manager initialling the case notes"

Whilst it is conceivable that there was some DNA on the swab or slide that was not detected in the testing process or which was present on associated covers or containers, the likelihood that it found its way on to the materials tested four days later can I think, be reasonably regarded as remote.

The hair sample was tested, on 19 July, on bench 1 which is located 25 metres away from bench 9 and is further separated by walls and other infrastructure. This would also be an unlikely source of contamination of the material tested on the 21 July. I am satisfied that there is no substance to the VIFM concerns.

Nevertheless, for the response to contain no reference to the fact of common location and a common tester for some of the samples was inappropriate. Insofar as the presence and degree of a risk of contamination in any given case could be matters of opinion that could be reasonably disputed, an accurate statement of the circumstances relating to each of the items tested and the reasoning underpinning the opinion should have been given.

In the present case, and at minimum, the limitations upon the opinion given should have been specifically expressed and in a full report from the outset. That, of itself, may have prompted a broader inquiry and contact with VIFM and the doctor concerned.

Further, had there been procedures and protocols in place that would, as a matter of course, have been triggered by the raising of the query, which included the tracing of the tested materials back to their sources, the connection between the two matters would, in all likelihood, have been seen, the possible sources of contamination identified and almost certainly [REDACTED] would never have been prosecuted or put on trial. This, perhaps overly confident, assertion is based upon the fact that once it was realized that the connection existed, the miscarriage of justice was immediately recognised.

This has been indicated by the Director of VIFM to be a matter of real concern to the Institute which only became aware of the existence of a problem over three years later. He said that had the matter been drawn to their attention at the time of the initial query, it would have been immediately addressed and the whole situation that subsequently developed would have been avoided.

Having no justification for rejecting the statement of the VIFM doctor as to the practices normally adopted and compliance with them, or the advice given to me concerning the handling of the materials at the laboratory, I am of opinion that the contamination that I am satisfied must have occurred, was almost certainly the consequence of environmental factors.

The Interpretation and Use of the Scientific Opinion

Examples of the manner in which the opinion, expressed without its limitations being made clear, was interpreted and used can be found in several passages in the trial transcript.

At one point, the prosecutor, who presumably wanted to dispel any doubts that members of the jury might harbour concerning the reliability of the DNA evidence, adduced evidence from the scientist called on this aspect about the quality control procedures employed at the laboratory. The prosecutor then asked,

“We are not talking about generalities, we are talking about the particular case that you might be giving evidence about in any situation?....In relation to this case there no any-or there was no evidence of any contamination occurring.”

Significantly, a little later, the jury enquired as to whether there were any statistics relating to detected incidents of contamination.

The prosecutor then asked

“...In this case, let's forget other cases was there any evidence of contamination using the controls you've described?--No there was no evidence of any contamination in this case”

In their final address, the prosecutor submitted;

“There was no suggestion in this case of any lapse or error, including contamination type error about which the laboratory has got techniques that reveal such a thing if it happens...”

It must have been obvious to the VPFS scientist that this evidence would be seen to exclude any possibility of contamination. However, the questions put by counsel were answered and there was no suggestion at any stage that a problem may have arisen at any earlier point. As I commented earlier, I do not think that that possibility had ever been considered as the situation appeared to have been approached entirely through the prism of the Forensic Science Centre and its role as it was understood .

The responsibility resting upon the participants in a criminal trial dependent upon scientific evidence was the subject of attention in the report of the Royal

Commissioner conducting the inquiry into the case of Edward Charles Splatt in South Australia in 1984. He expressed the view that

“a very serious obligation lies not only on the scientist who gives evidence but on the representatives of the legal system who are responsible for the conduct of the trial.

-The vital obligation which lies upon the testifying scientists is that they will spell out to the jury, in non ambiguous and precisely clear terms, the degree of weight and substance and significance which is or ought or ought properly to be attached to the scientific tests and analyses and examinations as to which they depose; and specifically the nature and degree of any limitations or provisos which are properly appended thereto.

-And the critical responsibility which rests upon the legal persons is to ask such detailed and probing questions of the scientists as are most likely to elicit the type of evidence just mentioned.

Of course, in that context of question and answer, the primary responsibility must always remain with the scientist; because it is [that person] (my alteration) who should know the nature and scope of [their] scientific analysis and the limitations and exceptions properly attachable to the results which [he or she] achieves.

Accordingly, in my view, it is not properly open to a scientist, on a later occasion when [their] trial evidence is being reassessed, to say, for example; “I answered correctly such questions as I was asked. If I had been asked other and more relevant questions I would also have answered them correctly. It is not my fault that the correct questions were not asked of me”.

If there is a failure on either side in respect to the exercise of that responsibility which I have just discussed it is the jury (and ultimately the particular accused) which suffers; in that it (the jury) is inadequately informed as to essential matters upon which its ultimate verdict must depend; it being the tribunal of fact which must give the ultimate decision”

I would add that these obligations must be recognised not only at the trial and by the legal representatives and the judge who has responsibilities in this area as well, but at all stages of the investigative and legal processes.

In this case, the defence did not challenge any of the prosecutor’s assertions concerning the absence of any risk of contamination whatever as they were operating on the same assumptions. The trial judge was not alerted to the existence of any

problem and, in consequence, the jury arrived at their verdict on the basis of a fundamental misconception.

The Decision To Proceed

Although troubled by the lack of any other evidence connecting [REDACTED] with the venue and still unable to develop a realistic scenario or theory of how, when and where a rape could have been perpetrated, the police member handling the matter prepared a brief of evidence in which it was pointed out that a criminal prosecution would be heavily, if not entirely, dependent upon the DNA evidence.

Approval was however given to proceed.

The brief was then forwarded to the Office of Public Prosecutions (OPP) for consideration.

The Deputy Commissioner for Crime of Victoria Police, Sir Ken Jones, informed me in the course of discussion that, as a result of greater familiarity in the UK with the issues and risks surrounding DNA evidence, it was not by itself considered a sufficient foundation upon which to base a prosecution. He was confident that it would not have been authorised in a case such as the present one, where there was no other evidence of any kind to establish that a crime had been committed and, if it had, anything whatever apart from the DNA evidence that even suggested that [REDACTED] may have been the perpetrator.

Sir Ken was of the view that DNA matching was very valuable to police for intelligence and evidentiary purposes, but, when used as evidence, had to be seen as one part of a circumstantial case and not as the entirety of it. He said that [REDACTED]'s case highlighted the need to increase the level of understanding of investigators in Victoria Police of the issues arising from this type of evidence and indicated that steps were being taken to address this.

He also expressed concern that, as a result of exaggerated claims and expectations that reflect the "CSI effect", which are then debunked, its real value may be seriously diminished. This, he said, appears to be occurring in the United States where there have been a number of examples of the misuse of such evidence.

Dr Robertson strongly endorsed this approach. He said that it was vitally important that the proper role of forensic science within the criminal justice system is understood by other investigators, those involved in the legal processes and, of course, the scientists themselves. In the case of DNA evidence, its function must not be regarded as simply to produce a 'number' to be applied uncritically. Like all other evidence, he said, whether or not it can be seen to be reliable and probative in the determination of disputed issues of fact involves consideration of a range of factors. However, the very nature and perceived probative value of this type of evidence requires that extreme care is taken at every stage from the collection, handling, testing of the materials and the interpretation of the results.

The importance of appropriate investigation to address the possibility of contamination, in particular, before DNA evidence is relied upon was also the subject of submission by VIFM.

“Whether or not there has been contamination in a particular case is most often a question of opinion/judgement following investigation, not a fact. The assurance that there has or has not been a contamination is part of the overall investigation of the case. To a limited extent this occurred in this case with exploration of the possibility of contamination within the forensic laboratory. This explanation was initiated by the investigator. There is no particular “test” for contamination

One way to explain what is involved in establishing whether or not there has been contamination is to consider the following:

In an alleged sexual assault, one of the aims of taking the forensic samples is to detect foreign (i.e. another person’s) DNA on the complainant. One of the risks of the forensic uses of DNA evidence in cases where the identity of the suspect is in dispute or unknown is: how does one distinguish between a true finding of foreign DNA (ie. swabbing detected presence of an individual who may be connected with the case) and inadvertent contamination (ie. contamination with DNA extraneous to the material being swabbed). One distinguishes between a true finding and inadvertent contamination by:

An evaluation of the circumstances of the alleged sexual assault; and

By relying on the overall (low) probability of inadvertent contamination having occurred bearing in mind

- The total circumstances and procedures of the collection of the specimens
- The environment in which the specimens are collected
- The procedures of the forensic science laboratory

“Locard’s principle that every contact leaves a trace allows for the transfer of microscopic amounts of DNA/semen being feasible, although a complex set of events needs to occur to result in contamination. A combination of events might include a woman with DNA/semen on her person externally, (eg: on her hands, clothing or hair) coming into contact with

furnishings, equipment and her environment in such a way as to transfer some of that DNA/semen. A second person then comes into direct contact with that contaminated environment and is themselves contaminated.

In circumstances where DNA/semen is on the person externally (i.e. on the hair, outer clothing or hands), the possible opportunities for contamination are greater than when DNA/semen is deposited internally (vagina, anus) or under clothing (breasts, buttocks etc.)”

From the perspective of the police members directly involved, who clearly had limited knowledge of the problems presented by this kind of evidence and did not recognize the limitations within which the scientific opinion was expressed, they had made the appropriate enquiries and had received assurances that, in the present case, it was both compelling and entirely reliable.

The Prosecution Approach

Allegations of sexual offending are dealt with by a specialist unit within the OPP. After an initial assessment is made of the nature and complexity of the case, solicitors are allocated to handle it.

On this occasion, the initial assessment contained the observation that it was unusual in that “the case appears 100% reliant upon the DNA matching” and appeared to be the first time that the initiation of proceedings was being considered in the absence of any other evidence whatever.

Those handling the matter were well aware that, if the matter went to trial, the prosecution case would be constituted entirely upon the DNA evidence. In consequence, further checks were made in relation to the laboratory processes which confirmed the earlier findings and the assurance that there was no reasonable likelihood that contamination had occurred was effectively repeated.

On this aspect, there is nothing in the files, or was conveyed to me in the course of the Inquiry, that indicated that there was any appreciation on the part of involved of the possibility that contamination of the samples could have occurred other than at the testing laboratory.

It is clear however that no problem was perceived in proceeding on DNA evidence alone. Although directed attention to the issue of contamination, there can be little doubt that the prosecution was more concerned about a quite separate problem.

In a Memorandum, dated 19 September 2007, to the barrister appearing for the prosecution at the committal hearing, he was instructed,

“Issue(s) at Committal:

There is no other evidence that implicates the defendant other than the DNA evidence. The difficulty the prosecution will have is how to lead this evidence without disclosing that the defendant was arrested in relation to another rape that occurred the night before the current offence, for which he was profiled.”

What was fundamentally important in the observation in the initial assessment was not only that the case was dependent on DNA evidence, but that it was the only occasion of which he was aware on which a prosecution was contemplated in the absence of any other evidence whatsoever.

As I have earlier mentioned, a single piece of evidence, based upon statistical probability of a match between the DNA profile of [REDACTED] and DNA on material collected in the course of the forensic examination was to be used to establish both the commission of a crime at all and the identity of the perpetrator. The fact that it was seen as possibly unprecedented within the OPP, should, in my opinion, have prompted some investigation of the experience of the courts in cases of that kind or in which issues with respect to DNA evidence and probability reasoning were considered.

Those dealing with the matter obviously regarded the DNA evidence as reliable on the basis of the opinion that they had received. It is, I think, reasonable to infer that the limitations to that opinion were obviously not detected, and the evidence regarded as sufficient to justify the further progressing of the matter, although the features militating against the commission of a crime at all and [REDACTED]'s possible guilt of it were powerful.

- He was a 19 year old student of Somali origin living in Preston and studying year 12 VCE. He had no prior convictions, no known connection with the Doncaster area, claimed that he did not drink alcohol and had never been seen in the nightclub in question which was promoted as an over 28's venue. At face value, there would seem to be little, if anything, to attract a person of his age group and what is known of his social connections to such a place. Nothing was suggested as to why he might have gone there. As a broad proposition, I suspect that a nightclub catering to substantially older people would be anything but attractive to such a young person and that one of its attractions to the targeted group is that they can interact more comfortably with persons of their general age group.
- As a thin dark skin teenager of African appearance, it would be surprising if his presence was not noted by someone, including M, in that setting.
- As a potential predator looking for a victim, he could hardly anticipate that he would not be observed in that situation, or that the person chosen would not remember him or would lose consciousness so quickly and completely that she would have no recollection of him or his actions at all.

- If, on the other hand, he acted opportunistically, as the judge found when passing sentence, he would have had to observe the degree of vulnerability of his victim for at least long enough to assure himself that she was on her own, identify a location in which he could rape her, move her to it, commit the offence and then escape; all within a very short period of time.
- It would also have to be accepted that he entered and left the premises at times at which fortuitously for him the video surveillance camera at this entrance was not operating.
- The time frame within which the events related to the alleged rape would have had to occur was so short that it is improbable that they happened.
- There was DNA located on only one of the four swabs taken from within the vagina, only one complete sperm found and nothing on her clothing including the long black pants M was wearing.
- How he, a young dark skinned man could have moved a heavy and, at least, semiconscious woman in her late 40s a substantial distance across the nightclub without attracting attention is difficult to see. The only evidence bearing upon this scenario was that two male security staff members experienced a problem in moving her from the toilet cubicle to the back stage area; at times, dragging her across the floor. To attempt to move M in these circumstances, apart from the challenges in accomplishing the task, [REDACTED] would have had to be a very self contained and calculating predator with a very high degree of personal confidence. Setting to one side the issue of admissible evidence, there was nothing whatever in his background that could be seen in any way to support that view.
- There was no prosecution scenario or theory ever developed concerning the circumstances under which the alleged rape was committed:
 - If it took place in the cubicle, Mr Jama had to take his victim there undetected, commit the offence, possibly pull up the slacks that M was wearing, as this was the state in which they were found when she was located, climb over the top of the cubicle, for the door was locked from the inside, and make his escape, again undetected. It is hardly necessary to draw attention to the improbabilities involved in this scenario, or to emphasise the risk to which [REDACTED] would have placed himself by raping his victim in that location. At any moment, for example, women could have entered the area and detected him in the act, or seen him entering with his unconscious or semi conscious victim, or climbing over the top of the cubicle or leaving. The possibility that M was raped in the toilet cubicle was understandably rejected out of hand by the police member directly handling the investigation.
 - Where else a rape may have been committed was never indicated, nor was any possible location identified. The prosecution case simply bypassed this

aspect. In this context, I have earlier pointed to the difficulties that the judge encountered in his fact finding concerning the circumstances in which the rape may have occurred, when he was passing sentence. Bearing in mind that there were approximately 800 people in the venue at various stages on that night, wherever it could have been perpetrated, the risk of detection accepted by a potential rapist would almost certainly be very high.

- There was no evidence that [REDACTED] had any access to the drug GHB in the course of the trial, or any other drug capable of inducing unconsciousness in the way suggested. In this regard, it is important to bear in mind, as earlier mentioned, that there were other explanations for M's state when found, including an unexpected reaction to the combination of medication and alcohol that she had taken.
- It emerged from the investigation of the other incident that [REDACTED] had not taken the opportunity to engage in penile vaginal sex with a young woman less than 24 hours earlier. When questioned about that matter, he provided a version of events that was, in large measure, later accepted by the woman concerned. Yet, according to the prosecution, he was prepared to act in a most extraordinarily predatory fashion, by, either, surreptitiously drugging a woman in her late 40's and raping her or, opportunistically, attacking her upon observing that she was severely incapacitated.

Although the DNA evidence had become available because of the investigation of [REDACTED] possible involvement in the commission of a separate offence of a sexual character very shortly prior to the night in question, no attempt was made until well after the trial by the prosecution to secure detailed information concerning that matter or to investigate what had taken place.

At the very least, the fact that he had come to police notice for his possible commission of sex offences against two women in widely separated parts of Melbourne within a period of 24 hours, of itself, should have attracted attention to the full circumstances of each occasion.

The apparent dismissal of the other investigation as irrelevant to the matter in hand is also difficult to understand in a situation where there was no scenario ever developed as to how, when and where Mr Jama could have perpetrated the crime alleged against him.

The material gathered in relation to it may have been useful for any one of a number of purposes, including, what might be learned about [REDACTED] himself, and, as it ultimately transpired, the likelihood that he may have committed the offence in the circumstances alleged, when, on the previous night, he had not availed himself of the opportunity to engage in consensual penile intercourse with an apparently enthusiastic young woman.

Had the earlier matter been adequately explored, presumably the fact that the samples were obtained from the two women at a common location and by a common forensic

medical officer would have been observed. That may well have alerted those conducting the case to the existence of a potential problem.

The reasoning of those dealing with the matter at the OPP seems to have been there was no justification for doubting the general reliability of the version of M which was consistent with the findings made upon the examinations conducted at the Austin Hospital, her condition when found at the nightclub and what was known of her movements prior to that time. The presence of spermatozoa constituted strong evidence that sexual intercourse had taken place to which she clearly had not consented, and probably after she had been rendered incapacitated by a 'spiked' drink. DNA had been located in the samples taken from her that could in turn be attributed to Mr Jama. They were satisfied that there had been no contamination of the tested sample. It followed that the question of his guilt should be put before a jury, although there was otherwise no evidence incriminating him and no scenario developed as to the circumstances of the offence itself.

This was the basis upon which the trial was conducted as, the prosecutor, made clear in his final address to the jury. The prosecutor submitted that they need not be concerned with such matters as when and where the rape of M could have taken place or the absence of any other evidence inculcating [REDACTED] because the DNA evidence established his guilt. After asserting that the evidence of the scientist was "rock solid" and that they could act upon it "safely and beyond a reasonable doubt", it was argued;

"If you are satisfied about that evidence there's no question, you may think, that the penetration was without [M's] consent and that the accused was aware that she was not consenting, or might not be consenting. Now, of course, it doesn't matter how or why she came to be unconscious. For example, whether her drink was spiked, or whether she'd had too much alcohol, or that there was a question of the mixture of alcohol with medication, or any combination of those possibilities it does not matter how or why she came to be unconscious.

If you're satisfied beyond a reasonable doubt that the accused man penetrated her vagina with his penis without her consent while aware that she was not consenting, or might not be consenting, then he is guilty of the crime of rape. How ever she came to be incapable of consenting, or incapable of freely agreeing, how ever that came about doesn't matter. If you're satisfied that he penetrated her vagina and did so without her consent then he is guilty of the crime of rape. Nor do you need to make any finding or come to any conclusion about where exactly at the premises, for instance, the rape occurred and, for example, it's not necessarily and it's (not) a necessary part of the prosecution case that it happened in the toilets. It may have happened in the toilets. It may have happened somewhere else but you don't have to draw any conclusion or make any finding about that and you don't

have to be temporary sleuths to work out where it did happen. The reason why you don't have to make any finding about that or draw any conclusion about that because the prosecution does not have to prove every fact in the case for you to be entitled to convict an accused person. The prosecution doesn't have to prove every fact but what the prosecution has to prove otherwise it would in any case – forget this case, in any case there's always lots of facts that rear their heads and it would be impossible to prove every fact we'd be here forever; in any case, not this case. It's futile and it's not necessary. The law doesn't require it."

Both conceptually and operationally, our legal system is being required to accommodate and respond to awe inspiring and almost magical developments in human knowledge and technologies concerning which, for most part, those involved have little or no knowledge or experience. In the present case, the obviously unreserved acceptance of the reliability of the DNA evidence appears to have so confined thought that it enabled all involved to leap over a veritable mountain of improbabilities and unexplained aspects that, objectively considered, could be seen to block the path to conviction

As far as I have been able to determine, it was not until the issues presented by this case came to the fore that the particular care with which DNA evidence must be approached was seriously considered. It was recognized that issues of contamination could arise but clear that it was thought that once they had been resolved there was no problem in using it directly as powerful proof of guilt.

As I have earlier mentioned, there was reference in the course of preparation of the matter to the possible difficulties that could be encountered in explaining to the jury how the police came to be in possession of Mr Jama's DNA profile without introducing the earlier investigation or creating an atmosphere of suspicion that would compromise the conduct of a fair trial.

This was, as it transpired, a matter of legitimate concern, as the jury enquired as to how it came about that the police were in possession of [REDACTED] DNA profile. The trial judge informed them that there was no evidence on that aspect, which was irrelevant to their deliberations. It is difficult to put to one side the thought that, notwithstanding his instructions, concerning the adequacy of which I have some reservations in any event, the jury may have harboured suspicions about Mr Jama on that basis. It could be seen as akin to an indication that an individual had prior convictions that they were not to know about.

The prosecution approach was, of course, determined to a large extent by the very important concession clearly made by the defence in the course of pre trial proceedings, that no issue of contamination arose and by the assurances that had been received from the laboratory.

I am acutely conscious that it is easy to be critical, given the advantage of hindsight, of actions taken or not taken, decisions made or approaches adopted in the absence of

later acquired knowledge. For a number of reasons, including the costs and limitation of resources involved and sheer work pressures, our investigative, prosecution and trial processes are of necessity directed to those matters repeatedly referred to by appellate courts as "the real issues" presented by a case. However, this was, from the outset, a rare case with a number of very curious features and warning signs, the significance of which were not understood.

The Defence Position

██████████ counsel, in his address to the jury at the trial, argued that they could not be satisfied beyond reasonable doubt that M, who had no recollection of any assault upon her, had, in fact, been raped. In support of this argument, attention was drawn to a number of the features earlier listed. As mentioned, the prosecution did not attempt to respond at this level and simply relied on the overwhelming power of the DNA evidence.

In any event, counsel contended, the evidence was insufficient to support the conclusion that ██████████ was the perpetrator. Counsel pointed to the circumstances in which the rape was alleged to have been committed, the fact that ██████████ had no prior convictions and was to be regarded as a person of good character, the absence of evidence of any connection between ██████████, the Doncaster area and the nightclub or any evidence that a person fitting his description was even seen in there on that night.

Reliance was also placed upon evidence adduced from members ██████████ family that he was at home at the time with his family members as his father was believed to be gravely ill. A friend of ██████████, said that he was present and tried to interest him in enrolling at Latrobe University.

Judging from the trial transcript, all of the alibi witnesses fared badly under cross examination, particularly, ██████████ young friend, who, had earlier told the police that he was at his own home at that time ██████████, who did not give evidence, had told the police that he had not seen any of his friends on that night

With respect to these witnesses, the prosecutor, in their address, submitted

"Now you've heard some alibi witnesses called only yesterday, two members of the family and, I suppose you could say, a loyal friend.... You might think [he] was roped in to give some semblance of non family type evidence.....you might think that the evidence this alibi evidence all of the witnesses taken together was a pretty artificial, synthetic contrived sort of account, evidence cobbled together not to be trusted".

The defence counsel presented a quite different perspective of them

"..let me suggest this to you that in relation to the cross examination of those witnesses in relation to the alibi you

might have thought that it was easy sport for my learned friend to cross examine these people. It's a matter for you to see how you judge them but obviously they appeared, I suggest, to be relatively simple people. They were people without guile of any sort. They could not even work out what the relevance was of certain things."

Whichever of these views may be taken of the alibi witnesses, it is perhaps not surprising that their evidence had no positive impact on the verdict and may well have operated to his disadvantage in the minds of some jury members.

The defence were confronted with what they perceived as reliable evidence that a surprisingly small amount of sperm on the swab in the context of an alleged penile vaginal rape, consisting of one intact spermatozoa and fifteen sperm heads, was obtained from within the body of M. Accepting that it was there, they questioned whether she may have had intercourse at some time shortly before that night, but this possibility was removed when she said that she had not been sexually active in that way for some considerable time.

██████ legal representatives obviously had no knowledge that the two sets of tested materials were obtained by the same doctor and at the same location. It can be safely assumed that, if they had been aware of the connection, this aspect would have been pursued well before the trial. Again, I observe that no request was made to the OPP to secure access to the file relating to the earlier incident and which may well have alerted them to the existence of a problem.

Against that background, the defence argued that a real question then arose with respect to the interpretation of the test results. They contended that, as ██████ was not present in the night club at any stage, he had mistakenly been involved, when it must have been the DNA of an unknown third person. I do not need to set out the technical argument advanced to support this claim. No expert witness to support the defence contentions was called and, through their verdict, the jury can be seen to have rejected this possibility.

Again, in common with the prosecution, no reference was made by the defence to the concerns expressed by judges in other jurisdictions over a number of years with regard to the dangers of relying on statistical probabilities in the determination of guilt and the specific problems that can arise in cases involving such calculations based upon DNA testing. No mention was made of them in the directions hearings prior to the trial or in the trial itself. The attention of the trial judge was not drawn to them at any stage. It would seem that their level of understanding was akin to that of the prosecution.

The Trial Judge's Directions

Although there have been a number of cases before Victorian courts in which issues relating to DNA evidence, including the question of the possibility of contamination, have arisen for consideration, I think that it is fair to state that, generally speaking, the

amount of experience by judges and legal practitioners alike concerning them is quite limited. Not many matters have been contested and, so far as I am aware, none have possessed the features of the present matter.

There can be no doubt that the introduction of this form of circumstantial evidence of the involvement of an accused person in the commission of the offence charged has posed substantial challenges for our system of trial by jury. What meaning can sensibly be ascribed, separate from an assessment of statistical probability, to the concept of proof beyond reasonable doubt is difficult to discern, when, as in the present case, a jury is informed that on the basis of "rock solid" evidence, using the Australian Caucasian population sample data it was 800 billion times more likely that the sample originated from the accused than from an unknown person taken at random. The range, it was said, within which the calculation was made was between 1 in 45 billion and 1 in 14 trillion. The same comparison, when made by reference to the Somali population database produced a calculation of 1 in 89 billion with a range of 4.7 billion and 1.6 trillion. In other words, it would appear to be necessary to search well beyond this planet and conceivably this galaxy to find a match.

The relationship between the concept of proof beyond reasonable doubt and a statistical probability of guilt of the order involved here is, to put it mildly, problematic. If the science and the methodology underpinning these calculations are valid, the evidence is of an extraordinarily powerful character and, realistically, what jury would require more.

In my experience, juries regularly encounter great difficulty with the standard of proof in a criminal trial not involving issues and probabilities assessments of this kind and often ask for assistance. The judge then informs them cannot be provided other than that "beyond reasonable doubt" is a common English language expression that means what it conveys. Although compelled by authority to answer in that fashion, I have, when doing so, always regarded the required response to a sensible question concerning the standard of proof as ridiculous. The jury had requested assistance because they were uncertain as to what substantively the standard was or how the concept of proof beyond reasonable doubt would apply in the case that they had to determine. They would then be effectively told, "Work it out for yourselves because I am not allowed to help you".

Not long ago when sitting as a member of the Victorian Court of Appeal I had occasion to consider a trial judge's response to a question from the jury to the effect – regarding proof beyond reasonable doubt, would 70 – 80% satisfaction be sufficient? The judge replied that he was not permitted by law to attempt to define the term "beyond reasonable doubt" and could not do more than repeat his general direction on that aspect. The court in that matter indicated that, although His Honour was correct in declining to define the term, he should have made clear to the jury that a doubt reasonably held was not to be put to one side by reason of an assessment of that kind. Only a moment's thought concerning the relative ratios involved in the two cases is required to see the nature of the challenges presented.

In *R v GK* [2001] NSWCCA 413, Mason P accepted the force of a comment made by the trial judge in the course of discussion with counsel concerning the practical realities in the case before him,

“I think that there is a very considerable risk that the jury notwithstanding any blandishments on my part may take the practical position of a punter and say that this is not just a mere certainty but an absolute certainty”

In this context, I observe that the probability or likelihood ratio given by the VPFS scientist in November 2009 in relation to a retesting performed during that year in preparation of the appeal was expressed as follows;

“Using Australian Caucasian population sample data, the Likelihood Ratio is one hundred and fifty million (150,000,000) (with arrange of fourteen million (14,000,000) to one billion seven hundred million (1,700,000,000).....

Using Somalian population sample data.....The likelihood Ratio is 17 million (17,000,000) (with a range of one million six hundred thousand (1,600,000) to one hundred and eighty million (180,000,000)”.

The later calculations were made, I have been informed, in the course of a review conducted into DNA evidence in the period after the trial and reflect a more conservative interim approach being adopted.

I understand that, as a consequence of the review, a third calculation formula will be employed that is likely to produce a different ratio somewhere between them.

The amazing variations in the ranges within which the separate likelihood ratios were determined and the changes in the ratios in such a short period could hardly engender confidence in the use of such statistical techniques in evidence. I wonder what would have been the response of the jury in the present case had they been told that, on one basis, the likelihood ratio was in the order of 99% less than it was on the other. At least, on the latter formulation, it would no longer be necessary to seek beyond the solar system for a possible match. They may have been far less inclined to accept that the evidence was “rock solid”.

There are a number of reported and easily accessible unreported cases in which the courts in several countries during the last twenty five years have grappled with the problem of the value and use of evidence of statistical probability, calculated by reference to esoteric concepts of science and mathematics that they have, to a large extent, accepted on faith, deferring to the seeming expertise of scientific witnesses.

They have been concerned about their ability to ensure that verdicts are based upon the standard of proof beyond reasonable doubt by reference to the totality of the

circumstances and not some impenetrable notion of statistical probability or likelihood ratio that may ultimately be seen to rest on arbitrary assumptions. Evidence of that kind is inherently dangerous as the changes to the formula set out above, and which have been made within a matter of a very few years, make abundantly clear.

I wish to emphasise that this does not mean that the presence of the DNA of a suspect at a crime scene or upon associated items or the body of a victim is not extremely valuable both as an investigative tool and, when appropriately used, as evidence in a criminal trial. It has been so accepted and employed for quite a long time. But it must be carefully used and placed into proper perspective and understood that a calculation of statistical likelihood provides a dangerous basis for conviction, if it is upon that alone that proof beyond reasonable rests.

almost 20 years ago remarked in one of the relatively few Victorian cases dealing with DNA evidence - *R v Lucas* [1992] 2 VR 109- that "caution must be exercised as the scientific appearance of expert evidence may be overwhelming".

In *R v GK*, Mason P expressed his agreement with the extra-judicial statement of Hodgson J (*Probability and Proof of Fact in Legal Reasoning* (1995) 69 ALJ at 736) that

"Decision making generally involves a global assessment of a whole complex array of matters which cannot be given individual numeric expression.

In the Queensland case of *R v Fletcher* (1998) 2 QR 437, the Court of Appeal set out the direction of the trial judge which makes this point quite well,

"The DNA matching, if proved beyond reasonable doubt, does not prove that the accused is the offender. The evidence only fails to prove that he is not the offender. The only inference which can be drawn from a match proved beyond reasonable doubt, together with the evidence of the occurrence in the community, assuming you accept the percentage occurrences, which is not here challenged, is that it was possible that he was the person who had sexual intercourse with the deceased, such that the matter then could not be proved beyond reasonable doubt on its own, so that, if there is only DNA evidence and nothing else which you accept, you cannot convict the accused. If you accept that there has been a match and no mismatch shown on any one locus which would exclude the accused, you can use the probability of this match, in accordance with the random occurrence in the community, as another item of circumstantial evidence, along with all of the other evidence in the case which you accept, in deciding whether or not, at the end of your deliberations, you are satisfied beyond reasonable doubt of the guilt of the accused. You consider

carefully all of the evidence in conjunction and not individually.”

It was observed in the Court of Criminal Appeal in England in [1997] 1 Cr App R 369 –

“As the art of [DNA] analysis progresses...the stage may be reached when a match will be so comprehensive that it will be possible to construct a DNA profile that is unique and which proves the guilt of the defendant without any other evidence. So far as we are aware that stage has not yet been reached.”(at 373)”

It certainly does not appear that, in that respect, the situation is any different at the present time. Arguably, the advances in technology which have enabled DNA to be extracted from infinitesimally small amounts of material and the application of Locard’s principle, have increased the potential for the wrongful involvement of a person, whose DNA is detected, in the suspected commission of a criminal offence. The importance to be attributed to ensuring that the collection, transport, testing and analysis processes are maintained at the highest level could almost be said to increase in inverse proportion to the size of the particles involved as the smaller they are, the more easily they can be transferred.

It follows that, before evidence of such seeming strength is placed before a jury, the greatest possible care must be taken to ensure that its limitations are understood and that it is safe to rely upon it. There is such danger in the uncritical acceptance of what I have earlier called the mystical infallibility attributed to it, the methods employed to collect it and the interpretation given to the findings by experts whose opinions can often only be challenged by other experts in arcane discourse that its reliability must be the subject of the most careful scrutiny.

This gives rise to important responsibilities that must be addressed at each level of our forensic processes, a number of which can be seen to be demonstrated in the present case.

So far, Australian courts have been extremely reluctant to engage in the testing of the admissibility of DNA evidence and its possible exclusion by reason of its unduly prejudicial effect through the use of *voir dire* procedures under which the judge determines these questions, leaving it to the jury to struggle with the problem and with little assistance in dealing with it. That is, in my view, most unsatisfactory and should be addressed.

As I have emphasized, the courts of a number of jurisdictions have pointed out that it is fallacious simply to convert a statistical probability that an individual might be guilty of the offence charged into a finding that he was and dangerous to rely on DNA evidence alone.

Phillips LJ in *R v Doheny and Adams* described the fallacy

"Only one person in a million will have a DNA profile which matches that of the crime stain.

The defendant has a DNA profile which matches the crime stain.

Ergo there is a million to one probability that the defendant left the crime stain and is guilty of the crime."

It is, to say the least, unfortunate that neither this nor any of the other expressions of concern in the courts or in the literature, some of which I have mentioned, were brought to the attention of the trial judge. If they had been, or if the trial judge had possessed greater experience in this area than can be inferred from my reading of the trial transcript, it is, I think, reasonable to assume that a number of questions would have been asked, consideration given to whether the matter should proceed at all, and, if the trial continued, appropriate directions would have been given to the jury. The fact that the DNA evidence, like Ozymandias' statue, was at odds with all around it could not have been so easily bypassed.

At the very least, the provision of clear instructions to the jury as to the proper use and limitations of DNA evidence is required. The charge in the present case was devoid of any reference to these considerations.

The Consciousness Of Guilt Direction

The trial judge's charge in this case was otherwise conventional in both form and content, save in one respect, which the prosecution conceded at the appeal, would have required the setting aside of the verdict in any event.

When interviewed by the police, [REDACTED] was asked whether he went to nightclubs and responded that he did not. His friend, in the course of cross examination, said that he had been with him at one called Chasers and another called Monsoon. However, he denied that they had ever gone to the Doncaster area together. He said that he had no knowledge of the existence of that part of the metropolitan area until after and because of the laying of charges. Significantly, in the present context, he was not asked at that stage when it was that [REDACTED] and he attended nightclubs together. In re-examination, on being asked to recall the approximate dates of these attendances, he said that he thought that they went to the clubs after [REDACTED] finished school and early in 2007.

Contrary to the submissions of both the Prosecutor and Defence Counsel that the trial judge should not do so, the trial judge instructed the jury that [REDACTED] denial that he had gone to night clubs could be used as evidence of his consciousness of guilt of the rape of M. This is clearly not the occasion for an attempted exegesis on the principles governing the use of evidence in this way and sufficient, I think, to state that the Crown concession in the appeal was in my opinion properly made. In other words, the evidence was incapable of supporting the inference [REDACTED] guilt for several reasons.

Whether the Judge's error affected the outcome of the trial cannot be determined. If the jury did regard [REDACTED] denial of night club attendances as encompassing the night of 15 July, 2006 and as indicating concern about being at one in Doncaster because he was trying to distance himself from his commission of the rape of M, then it may well have done so and dispelled any doubts about the reliability of the only other incriminating evidence before them, namely the DNA match.

At a lesser level, this innocuous evidence may have been used by the jury as indicative of a lack of credibility of both [REDACTED] and his friend and perhaps the possession of greater worldly experience and social sophistication on [REDACTED] part that could only have operated to his forensic disadvantage. As a practical proposition however, I doubt that it affected the verdict whichever way it was perceived.

The Appeal

There is no need to detail the course of the matter as it proceeded to the Court of Appeal. New solicitors, who were engaged on [REDACTED] behalf, focused on the possibility of contamination, but still in the context of the procedures adopted at the testing laboratory. Further tests were conducted, one by an independent laboratory which was unable to replicate the findings and another at the Forensic Science Centre itself which confirmed them to their satisfaction.

The first indication in the files or the court proceedings that there had been judicial consideration of the question whether a case could be mounted on DNA evidence alone appears in a Memorandum of an Associate Crown Prosecutor in preparation of the appeal in which the following appears:

"Can an offender be safely convicted only on DNA evidence?"

Whilst there is no absolute bar to a conviction based solely on DNA evidence, the better view is that a conviction should only be returned where there is DNA evidence and at least one other item of evidence present which is consistent with the guilt of the offender.

This issue was first raised in the decision of the New South Wales Court of Criminal Appeal in *R v Green*, unreported, 26/3/1991 and then in *R v Pantoja* (1996) 88A Crim R 554.

In *Green*, the Court did not doubt the admissibility or reliability of DNA evidence in general. However, the Court went on to observe in respect of DNA evidence –

"That evidence being admitted, it became incumbent upon the trial judge to tell the jury that the evidence, if accepted, meant that the Appellant could not be excluded and that, therefore, it was possible that he was the person responsible for the semen stains. That was the highest the Crown

claimed it could use the evidence. It would follow that it would have to have been made clear to the jury that the “matching” results could not, in the absence of other evidence, prove beyond reasonable doubt that the Appellant was the person responsible for the semen stains”.

In *Pantoja*, the evidence linking the offender to a sexual assault was a DNA match. In addition, there was also evidence of a disputed confession from the offender as to having engaged in sexual intercourse with the victim.

In dealing with the probative force of DNA evidence, Hunt CJ stated –

“The significance of a match between the blood type or DNA of the offender and the suspect (or accused person) must be clearly explained to the jury: that (as is said earlier) it establishes no more than the accused could be the offender...” (at 564)

Abbadee J stated that a direction in the terms expressed in *Green* was a necessary requirement in any jury trial where the crown relied upon disputed DNA evidence. His Honour stated -

“First, the jury was required to be told that it had to be satisfied (beyond reasonable doubt) that there was a match between the two profiles. If they concluded that there was a match, then it would then have to be made clear to the jury that the only inference they could draw from such matching was that the Appellant could not be excluded, and that therefore it was possible that he was responsible for the semen stains. Further, it would also need to have been made clear to the jury that the matching results could not in the absence of other evidence, prove beyond reasonable doubt that the Appellant was the person responsible for the stains.” (at 583 – 4)

The decision in *Pantoja* was cited with approval and followed in *R v Fletcher* [1998] 2 QD R 437 (Queensland), *Latcha v R* (1998) 127 NTR 1 (Northern Territory) and *R v Karger* (2001) 83 SASR 1 (South Australia).”

The absence of any indication in the OPP files prior to this memorandum that there had been any legal research undertaken in what were recognized at the outset to be not only simply unusual circumstances, but involved a situation that had not previously been encountered at all, was both surprising and disappointing.

VIFM was notified of the link between the two cases, on 25 November 2009, for the first time as a result of investigation undertaken within the OPP in preparation of the appeal and commenced their own inquiries. The possibility of contamination was recognized and the hearing of the case was expedited.

The Director of VIFM in an affidavit on 4 December 2009 put the Institute's position as follows,

"While the interpretation and utilization of the results in this case were not within the control of the VIFM, I would like to advise that it is possible that processes VIFM relied upon may have resulted in contamination of swabs taken during the examination of the alleged victim in this case".

It is apparent that those words were carefully chosen but, like the initial expression of opinion by the VPFSD scientist concerning the possibility of contamination, they did not make clear to a person who was unfamiliar with the "processes VIFM relied upon" that there may have been some other source of contamination than the involvement of the same doctor.

The focus was placed on the fact that the same doctor examined the two women, with, perhaps, through the mention of transferability on to surfaces, an oblique reference to the potential for it to have occurred otherwise than through that contact. In my view, this produced a measure of inadvertent unfairness to the doctor concerned.

When the matter came before the Court, the Crown accepted that there had been a miscarriage of justice and that a verdict of not guilty should be entered.

The Aftermath and Recommendations.

It is almost incredible that, in consequence of a minute particle, so small that it was invisible to the naked eye, being released into the environment and then by some mechanism settling on a swab, slide or trolley surface, a chain of events could be started that culminated in the conviction of an individual for a crime that had never been committed by him or anyone else, created immense personal distress for many people and exposed a number of deficiencies in our criminal justice system. But that, I believe, is what happened.

The test samples-- VIFM and the CCUs

VIFM presented a substantial submission to the Inquiry, which sets out in detail its response to what has happened and provides much useful information concerning the conduct of forensic medical examinations and the collection of samples for testing generally. I found it to be quite helpful and have included it with this report. It is apparent that a considerable amount of thought and work has been put into the issues which have been thrown up by [REDACTED] case.

Although asserting that its standards of practice in 2006 accorded with those adopted internationally at the time, VIFM stated that, since [REDACTED] case, there have been meetings with a number of Australian leaders in sexual assault examinations. In consequence,

“many of these leaders have met with the various local stakeholders and revisited their policies and procedures with respect to conducting the forensic medical examination and the collection of evidence. Examples of altered practice include: limitations being placed on entry to the examination rooms to authorized personnel, implementing cleaning policies in the facilities where the examinations take place and redesigning rape kits accordingly....Notwithstanding VIFM alignment with relevant standards in 2006, there are a number of VIFM forensic medical examination processes and practices however, that are not in line with National and International Standards at present. They include the following:

- VIFM had introduced a list of items required on a trolley which was stocked by CASA members after each examination. It is no longer considered best practice to have a pre stocked trolley.
- We cut the ends off swabs to allow air drying. Recent practice has changed to exclude this process.

- In all jurisdictions excluding Victoria, the use of a prepacked DNA free rape kit is used.

At present, FMO are not responsible for cleaning and the furnishings and room prior to the forensic medical examination.”

RECOMMENDATION 1:

Insofar as VIFM's current practices do not accord with current National and International practices, the outstanding matters should be addressed as soon as practicable.

Until this case, VIFM accepted the undertaking of examinations and, in particular, the collection of samples for DNA analysis in less than satisfactory conditions as the FMOs were simply called to locations operated by and under the control of others. This meant that they were not involved in the decontamination and cleaning regimes and relied on the VIFM procedures to minimize the risk of contamination. This case made it apparent that, on occasions, this could prove to be inadequate.

As I have pointed out, I have grave doubts that there was any cleaning of the unit at all during the twenty eight hours between the two examinations. If any was carried out, it was highly unlikely to have been directed to DNA decontamination control. The trolley top, scissors and other items left on it would not have been cleaned and, I suspect, neither would have been the moveable light above the bed.

The unit was being at that time used for forensic examinations approximately once each week with significant variations in time intervals. It was quite uncommon for two examinations to be conducted there in the one weekend, as happened on this occasion. The maintenance of appropriate cleaning regimes to accommodate such relatively infrequent and unpredictable usage and the special requirements for DNA collection would undoubtedly constitute a problem for all concerned. I think that it is unlikely that, in any event, it would feature high on the list of priorities of any busy hospital emergency department.

The CCUs have been established to satisfy a number of related needs which are by no means incompatible. However, great care must be taken if they are to be performed in the same location. An environment that is essentially designed and furnished to reduce stress and create a sense of personal safety may look very different from one which is intended to be clinically sterile and with minimal risk of DNA contamination occurring and the latter may need to have quite different entry and cleaning arrangements in place.

It is trite to say that, if a CCU is to be used for the purpose of forensic examination and the taking of samples for the purpose of DNA testing, it must be fit for such use. That was clearly not the position with respect to the one in which the samples were collected from B and M. On the basis of the recent survey, it would seem that a

similar situation would exist in a number of the others, although I wish to make clear I have not explore this aspect.

Interim measures to address the risk of environmental contamination in the units have been developed by VIFM and are currently under consideration by an inter agency working group which includes VIFM, the CASAs, Victoria Forensic Paediatric Medical Services, Victoria Police, and representatives of the Departments of Health, Human Services and Justice. [Attachment A]

In the short term, the proposed regime in conjunction with changes that VIFM is making to its own procedures would appear to be adequate. A similar set of proposals has been helpfully provided to me by Associate Professor Hoskins which is also attached. [Attachment B]

It must be borne in mind however that they are only interim measures and that a more satisfactory set of arrangements will need to be developed.

I appreciate that the issue of who is to have responsibility for the maintenance of an appropriate sterile environment at locations for the collection of samples will be of some difficulty for the various agencies and stakeholders, but one which cannot be avoided.

RECOMMENDATION 2:

That the current discussions with respect to the interim measures proposed by VIFM should be vigorously pursued and the agreed changes put into effect as soon as practicable.

As the attached table shows, [Attachment C] as a practical necessity, forensic medical examinations may need to be conducted in a variety of locations, including prisons, police stations and residential care units as well as VIFM and hospital and medical centres, and sometimes in fraught and complex circumstances where the collection of samples constitutes only one of the matters to which attention must be given and, at that stage, by no means the most important.

The FMO cannot assume, as I have pointed out, that even when the examination is conducted within a hospital, appropriate cleaning for DNA collection purposes will have been carried out or that the environment may not have been contaminated subsequently.

It follows that, if samples are to be taken for this purpose, the FMO will have to accept responsibility for ensuring that all working services are decontaminated, both before and after the examination. This should be monitored through the use of control swabs.

In order to further reduce the risk of environmental contamination, the necessary items for the examination should be available in a sealed kit, with all unused items being discarded.

RECOMMENDATION 3:

That the use of sexual assault examination kits should be adopted as soon as possible and the FMOs accept responsibility for ensuring that trolley tops and working surfaces are cleaned before and after use.

There are currently six units catering for adults in the Melbourne Metropolitan area in which forensic examinations are seldom conducted more than once or twice per week. That is a large number of units by international standards for our population and requirements. There are four, for example, in London and they are specifically designed and staffed for this purpose.

I am acutely mindful of the importance of minimising the distress already being experienced by victims at such times by avoiding delay and the need to travel substantial distances for forensic examination and recognize that the units are widely dispersed for this very reason.

Victoria Police have informed me that they are currently working with relevant stakeholders on a whole of government approach towards a victim centric model that supports the victim locally and creates higher probability of dealing with the same counsellor throughout the process. There is obvious great sense in this approach.

The issue with respect to forensic examinations is by no means a simple one. Northern CASA made the powerful point in their response that the greater the level of support that is provided to victims and the less protracted and complicated are the processes to which they are subjected; the more likely it is that they will be prepared to undergo forensic examination. However, there is little point in conducting such examinations and collecting intimate samples for the purpose of obtaining DNA evidence, if the evidence is subsequently perceived to be of little or no value.

In this case, not only was the failure of the process productive of a miscarriage of justice for the person accused but the creation of much unnecessary suffering for M. At all stages, it must be remembered that this is a very different type of evidence from that normally adduced and requires special measures to be undertaken before it can be safely used.

It is, it seems to me, impractical to attempt to adequately staff, clean and maintain, for this particular purpose, six adult units in the Melbourne metropolitan area and suggest that two located within hospitals where access to other specialist services would be more easily secured would be sufficient. This could involve the use of some of the units presently being operated principally for counselling and other support purposes. The specialist units would, under this scheme, have a role in the training of FMOs and counsellors and act as a resource for those working in regional areas.

RECOMMENDATION 4

That consideration be given to the establishment of a smaller number of specifically designed and staffed units for the purpose of conducting such procedures.

The Police Role in Transport and Storage of Forensic Materials

The investigations into the separate complaints were undertaken by police units from different areas. There was no evidence of common contact by any police member with B and M and I am satisfied that it was extremely unlikely to have occurred.

The samples were handed to different police members and many hours apart. They were transported in different cars to widely separated police stations, Diamond Creek and Doncaster respectively. The possibility of contamination through police contact either with the two women or their handling or transportation of the samples can therefore be confidently discounted.

Consequently, in the context and time frame within which this inquiry was conducted, and which, in any event, was focussed on the issues that emerged from the case of Mr Jama, it was not necessary to direct attention to the procedures adopted by police members to avoid accidental contamination of crime scenes or materials collected in other situations.

Accordingly, this aspect has not been pursued. Obviously without suggesting that those in place currently are deficient, but with some doubts about the extent of knowledge of DNA issues possessed by investigators generally, I recommend that a review of police procedure be undertaken to ensure that the risk of environmental contamination through the activities of the investigators themselves is kept to a minimum.

RECOMMENDATION 5:

That a review of the procedures for the collection, transportation and storage of materials be conducted by Victoria Police, encompassing also the training of police members concerning the issues involved and the precautions to be taken.

The Victoria Police Forensic Services Department Role

I have earlier emphasized the impact upon the history of this matter made by the statements and evidence of the scientist. There is no need to expatiate further on this aspect.

Before DNA evidence can be used with reasonable confidence in its reliability as either an investigative tool or as evidence in court, the testing processes employed and the foundation upon which the resultant findings rest must be transparent and expressed in a fashion that admits of no reasonable possibility of misunderstanding of the precise findings made.

Dr James Robertson, the National Manager of Forensic and Data Centres of the Australian Federal Police, in my discussions with him, emphasized the importance he attributed to those engaged in the forensic science aspects of an investigation to remain conscious of the fact that their activities constitute only a part of a broader inquiry and that, insofar as the information in their possession enables them to do so, to relate their activities and findings to the other information available about the events in question. In this case, he said, there was only a minute amount of material on one swab and an associated slide. Nothing was found anywhere else, including M's clothing. The laboratory had been provided with the memorandum of the investigating police member which indicated that there was no other evidence. This, in Dr Robertson's opinion, "should have rung alarm bells" and prompted a call for further investigation rather than what he viewed as a regrettably too narrow response.

The point made by Dr Robertson is, I consider, an important one. This is not to suggest that the laboratory was under some obligation to intrude into or monitor the activities of the other agencies involved. For a number of obvious and excellent reasons, it is vital for the integrity of the system of justice upon which our society depends, that the forensic scientists and those responsible for the other parts of an investigation operate within their designated areas and maintain an appropriate professional distance and independence of each other. Neither does it mean, however, that they isolate themselves. In this case where, on the basis of the experience of Dr Robertson, "alarm bells" should have been ringing, their reverberations should have been heard by the other agencies involved.

I recognise that there could be some sensitive privacy issues that would need to be carefully addressed under this proposed approach.

RECOMMENDATION 6:

In cases where DNA testing is carried out for forensic purposes, a full report be provided as a matter of course to the investigating police members and, where VIFM is involved, to them, setting out,

1. The history of the samples as known to the laboratory, both before and after their arrival.
2. A statement identifying all items examined, when where and by whom the examination was performed and indicating the findings, whether or not a DNA profile is obtained.
3. A clear statement setting out the basis upon which any opinion rests and limitations within which it is expressed.

Common sense indicates that, where an issue of possible contamination arises, there should be some procedures that enable the question to be answered at each point in the process of collection, transport, storage and testing of the materials involved. Each of the relevant agencies can only be fairly held accountable for the integrity of their own operations and the quality of their own work, but they do and must interact effectively in the interests of the proper administration of justice.

RECOMMENDATION 7:

Arrangements should be developed by VIFM, VPFS and Victoria Police so that in any case where a question concerning possible contamination can be seen to arise, all relevant agencies and, where proceedings have been instituted, the defence are notified.

There are separate issues relating to the data base itself where there is reliance upon that source for a DNA match. It was not constructed in a way that automatically picked up the existence of links between the collecting of the two sets of samples. Had the link been noted at the laboratory, it would undoubtedly have been explored or VIFM notified.

For completeness, I should advert to the Term of Reference which raises the query as to whether the DNA profile was lawfully on the database at the time of the match with the sample related to M. On examination, it was immediately obvious that no problem existed. The samples were collected within 28 hours of each other and at time that the match was made, approximately three months later, both investigations were still on foot. As there was no breach of the legislative provisions involved that I have detected, I have not addressed the legislative scheme which is outside the ambit of this report.

RECOMMENDATION 8:

Attention will need to be given to the possibility of reconfiguration of the data base to enable the existence of links between the collection and testing of samples to be detected.

This might require some legislative change.

Criminal Investigation and DNA evidence

In this case, the decision to proceed to prosecution was based entirely on the acceptance of the DNA evidence and with, it appears, only the most limited understanding of the proper use of such evidence. Statistical probability appears to have been converted to a prima facie case, although there was awareness of the absence of any scenario or evidence otherwise inculcating [REDACTED] without appreciating the problems involved.

I do not consider that the relevant police officer could be legitimately criticised for a lack of knowledge that was shared by virtually everyone else involved in the investigative and legal process. The point to be made is that is extremely unfortunate that all were so poorly informed and that there is a need to improve drastically this situation if evidence of this kind is to be used. Sir Ken Jones, the Deputy Commissioner for Crime, and the Director of Legal Services, of Victoria Police, have indicated to me that this deficiency has been recognised and was being addressed.

I have been informed that in light of this case and other issues, Victoria Police is currently developing a comprehensive "DNA Prosecutions Policy" that will minimise the risks associated with the use of this evidence.

RECOMMENDATION 9:

That police training in this area be reviewed with a view to developing a greater level of understanding of investigators with respect to the use of DNA evidence for both intelligence gathering and evidentiary purposes, and particularly in cases where there is minimal corroborative evidence to support proposed or pending charges.

The OPP and the Prosecution Process

In common with the police investigators, there was, as I have pointed out, no indication of any appreciation of the particular care that was required in dealing with a case dependent on DNA evidence or its proper probative use. Perhaps the most disappointing feature which emerged from the examination of the OPP files and the transcripts of the court proceedings is the total absence of any indication that any legal

research had been conducted, bearing in mind that the circumstances of [REDACTED] case had not previously been encountered in this jurisdiction.

Since this matter came to his attention, the DPP has issued a directive requiring that all cases wholly or principally dependent upon DNA evidence are to be referred to him for consideration. Whilst this is clearly a sensible move, it does not address the problem of limited understanding of the issues and what is involved in the adequate preparation of such cases by members of the OPP staff generally

RECOMMENDATION 10:

That the Judicial College of Victoria, the Law Institute of Victoria and the Victorian Bar Council be approached to conduct courses to instruct legal practitioners and members of the judiciary involved in areas where DNA evidence is used with respect to nature and appropriate use.

Attachment A

REPORT OF VIFM EXPERT WORKING GROUP ON THE CONVICTION OF MR FARAH JAMA Interim Recommendations

Date 19th JANUARY 2010

1. PURPOSE

- 1.1 To advise of the potential risk of the contamination of forensic specimens in sexual assault cases
- 1.2 To research and explore national and international processes to
 - a) reduce the risk of contamination of forensic samples in sexual assault cases; and
 - b) reduce the risk of a miscarriage of justice from contaminated forensic samples in sexual assault cases in the future
- 1.3 To recommend short term solutions

2. BACKGROUND

- 2.1 Under section 66(2) of the *VIFM Act 1985*, VIFM has the function to ensure the provision of clinical forensic medical services to the police force of Victoria and government bodies.
- 2.2 In December 2009, the Court of Appeal in Victoria overturned the conviction for rape by Mr Farah Jama. One of the issues at appeal was the possibility of contamination of a forensic specimen with [REDACTED] DNA.
- 2.3 On December 24th 2009, VIFM received the Draft Crisis Care Unit (CCU) Audit Report¹ commissioned by the Department of Justice.
- 2.4 Informed by both the Jama case and the CCU Audit report, VIFM has been considering the implications of the conviction of [REDACTED] for its own practices and for the operation of VIFM medical staff in providing sexual assault services in Victoria.
- 2.5 A working group of VIFM clinical forensic medical, nursing, scientific and legal experts was convened and has been meeting since early December 2009 to

¹ This report is based on surveys of CCU managers. Most of the CCUs are hospital based but the units (Multi Disciplinary Units – MDUs) at Frankston and Mildura are not attached to a hospital.

consider the implications of the [REDACTED] case, more recently in the light of the Draft CCU Audit report.

- 2.6 In developing the findings and recommendations, the VIFM working group has referenced national and international practices (see Attachment 1).

3. FINDINGS

3.1 Forensic Medical practice

- 3.1.1 VIFM has established standard procedures for the clinical forensic medical examination of complainants in sexual assault cases since 1995. These standards were updated in 2003 and 2008, and reflected relevant standards elsewhere.
- 3.1.2 In relation to the collection of the forensic evidence relied upon for the conviction of [REDACTED], and on the basis of the forensic doctor's statement, there is no evidence that the doctor involved deviated from the applicable standard practice or procedure.
- 3.1.3 Over time standards change and VIFM is currently reviewing national and international practices to inform the next iteration of the VIFM standards manual.

3.2 Circumstances of the JAMA case

- 3.2.1 Transferring of microscopic amounts of DNA/semen is feasible although a complex set of events needs to occur to allow for contamination. A combination of events might include a woman with DNA/semen on her person externally, (eg: on her hands, clothing or hair) coming into contact with furnishings, equipment and her environment in such a way as to transfer some of that DNA/semen. A second person then comes into direct contact with that contaminated environment and is themselves contaminated.
- 3.2.2 In circumstances where DNA/semen is on the person externally (i.e. on the hair, outer clothes or hands), the possible opportunities for contamination increase.
- 3.2.3 In the [REDACTED] a woman has entered the Austin Hospital with a visible seminal deposit on her external person (hair). Transfer of this deposit to the samples taken from the second woman thirty hours later may have occurred in a combination of ways at any point from entry to the hospital, during the forensic medical examination (see Attachment 2 – Potential For Contamination In Sexual Assault Examinations), to the point of analysis and report at the forensic laboratory (VIFM acknowledges that Victoria Police Forensic Sciences Department has excluded the latter two possibilities to its own satisfaction). It is

theoretically possible for contamination to occur prior to entry to the hospital but this does not appear to be possible in this case.

- 3.2.4 This report has been written on the basis of possible contamination at the Austin Hospital.

3.3 VIFM reliance on other agencies

- 3.3.1 The majority of sexual assault forensic medical examinations are conducted in Melbourne, the rest being conducted in regional Victoria.
- 3.3.2 Almost all sexual assault examinations in Melbourne are undertaken at metropolitan Crisis Care Units (CCU)².
- 3.3.3 VIFM is a key service provider and a partner with the Victorian Forensic Paediatric Medical Service in the delivery of forensic medical examinations on children and young people throughout Victoria, the majority at the Royal Children's Hospital and Monash Medical Centre.
- 3.3.4 VIFM conducts its forensic medical examinations (FME) on the assumption that the standards for the cleaning of Crisis Care Units have been set, implemented and are monitored.
- 3.3.5 VIFM notes that the Draft CCU Audit Report shows significant deficiencies in the cleaning of the CCU facilities in Victoria, and notably at the Austin Hospital.

4. INTERIM RECOMMENDATIONS

The following recommendations will reduce the risk of contamination but not necessarily remove it completely. They are intended to be implemented immediately or as soon as practicable. They will be reviewed in the light of the Report of the Vincent Inquiry. The interim recommendations relate to the provision of forensic medical services by health care professionals from both VIFM and VFPMS. All recommendations are based on the References listed in Attachment 1 of this report.

Recommendation	Rationale	Timeframe
Physical facilities in all CCU		
1. Furnishings, in particular chairs/couches, to be made	In some CCU's (including that at the Austin Hospital), couches are	Immediately/ As soon as

² Exceptions to this include, for example, patients admitted to hospital for injuries associated with the assault whereby the examination will be conducted in the emergency or other medical ward

Recommendation	Rationale	Timeframe
of impermeable material that can be easily wiped clean.	covered with fabric which cannot be easily cleaned. Patients ³ sitting on these surfaces may leave behind traces of DNA/semen from their external person thereby risking contamination of another case.	practicable
2. Ensure a dedicated bench/trolley space is available to collect and process specimens.	If the bench/trolley space is crowded with equipment or utilised for other clinical purposes (e.g. suturing) there is a risk of contaminating specimens upon collection and processing.	Immediately/ As soon as practicable
3. Lockable cupboards/drawers to be provided for storing all equipment and disposable items	Storing of items away from the clinical workspace reduces the risk of contamination with foreign DNA and in association with Recommendation 14 below, assures the examiner that the items for each case have not been exposed to a previous sexual assault examination and are selected from clean storage.	Immediately/ As soon as practicable
4. Make appropriate hand-washing facilities and soap dispensers available within the examination room.	Some of the CCU examination rooms do not have non-touch taps and basins and one CCU does not have hand-washing facilities within the room at all. Turning taps on and off with hands and leaving the room to use a basin are both practices which increase the risk of contamination. Availability of taps as close as possible to the examination couch reduces the risk of contamination and improves hygiene.	Medium term to allow for facilities rebuild
Cleaning of the facility		
5. Strictly ensure CCU facility is cleaned after	Current cleaning processes have been identified as suboptimal.	Immediately/ As soon as

³ VIFM acknowledges the terminology 'patient' may be interchanged with 'victim/survivor'

Recommendation	Rationale	Timeframe
every sexual assault related examination in accordance with <i>VIFM Interim Standards 2010 - Cleaning of CCU</i> (see Attachment 3).	The furniture will now be of a type which can be cleaned, and this must occur. Cleaning the facility after each sexual assault examination will reduce the presence of residual DNA remaining thus reducing the risk of contamination between cases.	practicable
6. Make appropriate cleaning products available within each CCU in accordance with <i>VIFM Interim Standards 2010 - Cleaning products required for Forensic Medical Examinations</i> (see Attachment 4).	Current cleaning processes fail to meet national/international standards in that bleach is rarely if ever used. If the appropriate cleaning solutions are not used, there is a risk that cleaning efforts will not eliminate residual DNA between cases, thereby increasing the risk of contamination.	Immediately/ As soon as practicable
7. In addition to 5 above, strictly ensure standard daily and weekly room cleaning regime according to standard hospital policy of cleaning clinical examination rooms (where sterile procedures may take place) and surrounding facilities.	If rooms are not cleaned to strict standards by appropriately trained personnel there is a risk that cleaning efforts do not reduce the risk of contamination in the facility	Immediately/ As soon as practicable
8. Implement, maintain and regularly audit a log book to record the cleaning of the CCU.	Without such a log, and its audit, confidence in the cleanliness of the facility will not be maintained. Such a log, and records of its audit, may be required for accreditation of the facility and/or in court proceedings to satisfy the court about the cleanliness of the facility.	Immediately/ As soon as practicable

Recommendation	Rationale	Timeframe
Access arrangements to the CCU facility		
9. Limit access to the examination room to patients, health care practitioners ⁴ performing the examination and hospital designated cleaners	The examination room should not be used for any other purpose eg: hospital clinics or Emergency Department patients or staff because of the risk of introducing biological material with DNA and therefore contaminating forensic evidence.	Immediately/ As soon as practicable
10. Implement, maintain and audit the proper use of a log book to record all persons who enter the examination room.	A log book is required to record adherence with the above standard. A log book and its audit records may be required for accreditation purposes and/or in court to satisfy the court about the cleanliness of the facility.	Immediately/ As soon as practicable
11. Suspected perpetrators or other persons are not to be examined in the CCU	Reduces the risk of contamination of the patient by the suspect or other persons	Immediately/ As soon as practicable
Equipment and materials		
12. Store all equipment for a forensic medical examination in locked drawers or cupboards.	Storing of items away from the clinical workspace reduces the risk of contaminating them with foreign DNA and, in association with Recommendation 14 below, assures the examiner that the items have not been exposed to a previous sexual assault and have been selected from clean storage	Immediately/ As soon as practicable
13. Health care practitioners are responsible for selecting the appropriate equipment and disposable supplies used to conduct the examination so as to	The forensic medical examination is a medical procedure. The equipment and supplies need to be specified by VIFM.	Immediately/ As soon as practicable

⁴ Health care practitioner for the purposes of this document refers to forensic physicians, forensic medical officers and forensic nurse examiners. Health care practitioners are employed/contracted by VIFM to provide forensic medical services throughout Victoria.

Recommendation	Rationale	Timeframe
reduce the risk of contamination. The equipment and disposable supplies should be standard across the CCUs.		
14. The health care practitioner will select the appropriate equipment from the stores within the CCU and place them on the trolley. No items are to be removed from the trolley and placed back in the store	Placing unused items back into the stores will increase the risk of contaminating future cases as the unused items may have become contaminated with foreign DNA.	Immediately/ As soon as practicable
15. Stocks of clean gloves to be made available in three sizes	Gloves place a barrier between the health care professional's DNA and the patient thus avoiding possible contamination. They also provide a barrier between carriage of DNA from one patient to another	Immediately/ As soon as practicable
16. Sterile packs and gowns to be made available within the CCU	Gowns place a barrier between the health care professional's DNA and the patient thus avoiding possible contamination. They also provide a barrier between carriage of DNA from one patient/environment to another	Immediately/ As soon as practicable
17. VIFM staff ⁵ to be responsible for monitoring stocks in the locked cupboards and sourcing equipment and materials. Equipment and materials should be made available according to appendix 3 – <i>Equipment and materials required for FME – VIFM Interim Standards 2010</i>	Limiting the people that enter the room and people who open the specimens cupboard/drawer will further reduce the risk of contamination	Immediately/ As soon as practicable

⁵ VIFM staff regularly visit the CCUs and will monitor stocks and arrange for replacements.

Recommendation	Rationale	Timeframe
18. The layout of the facilities at CCUs to be redesigned and redeveloped to bring them up to current national and international best practice models.	Poor layout of the facility impacts on the risk of contamination between cases. For example, if a bathroom is in a thoroughfare or utilised by a number of persons (patient, support people, health practitioners, police etc) it increases the risk of contamination. In this scenario, a bathroom should be an extension of the examination room and only accessible by the patient.	Medium term/ As soon as practicable

ATTACHMENT 1

REFERENCES

All references are available from VIFM upon request

1. Interim DNA Sample Site Cleaning Protocol (CFMU SER 24 Dec 2009) (Qld)
2. Yarrow Place Medical Suite Cleaning Protocol (SA)
3. Faculty of Forensic and Legal Medicine – Operational procedures and equipment for medical rooms in police stations and victim examination suites (UK)
4. Faculty of Forensic and Legal Medicine – Recommended Equipment for Obtaining Forensic Samples from Complainants and Suspects (UK)
5. Faculty of Forensic and Legal Medicine – Guidelines for the collection of forensic specimens from complainants and suspects (UK)
6. Recommendations for Regional Sexual Assault Referral Centres – Report of a Department of Health Working Group (UK)
7. Goulburn Valley Health Safe Practice and Environment Function Manual
8. Sexual Assault Referral Centres: Developing Good Practice and Maximising Potentials, Home Office Research UK
9. National Adult Sexual Assault Medical Committee – Best practice guidelines 1998
10. St Mary's Division Sexual Assault Referral Centre (SARC) Operational Policy (UK)
11. Doctors for Sexual Abuse Care – Sexual assault manual (New Zealand)
12. Forensic and Medical Sexual Assault Clinicians Australia
13. Forensic and Medical Sexual Assault Clinicians ACT
14. A National Protocol for Sexual Assault Medical Forensic Examinations Adults/Adolescents (USA)
15. Guidelines for medico-legal care of victims of sexual violence - World Health Organization, Dept. of Gender and Women's Health.
16. Service specification for services providing care to adults in Wales who have been sexually assaulted – National Public Health Service for Wales
17. Service: The Haven (Sexual assault and rape centre) (UK)
18. Central Manchester University Hospitals Decontamination Policy (UK)

ATTACHMENT 2

POTENTIAL FOR CONTAMINATION IN SEXUAL ASSAULT EXAMINATIONS

1. DNA (deoxyribonucleic acid) is the genetic blueprint of a human being and is unique to every individual. It involves two strands bound together (double helix) and is organised into long structures called chromosomes. DNA is only visible under electron microscopes and is therefore analysed and 'read' or 'profiled' by scientific processes. In order to conclude the identity of a person from whom DNA has been shed and subsequently profiled, there needs to be comparison of this profile with the profile of a reference sample (i.e. a sample of DNA from a known source).
2. The ejaculate of a male consists of seminal fluid (secretions from glands and the seminal vesicles) and in most men sperm⁶. A sperm count of more than 20 million per ejaculation is considered normal. As a male achieves orgasm, the ejaculate is expelled and sperm is deposited along with the seminal fluid. An intact sperm consists of a head and a tail and is normally mobile when deposited. However over time, the tails disintegrate and when seminal fluid is examined under a slide, sperm can then appear as either intact sperm or sperm heads without tails. When viewed with a microscope, sperm heads without tails can be confused with other things such as nuclei of other cells.
3. Seminal fluid is visible to the naked eye for a short time after it is expelled from the male. It does however, change consistency and transparency and can be difficult or impossible to identify as time progresses. In some circumstances, semen can be seen with the assistance of special lights and luminescent sprays. This practice is not conducted on sexual assault victims or in examination facilities (i.e.: Crisis Care Units) and is only used at crime scenes and in examining evidence.
4. Sperm and seminal fluid contains DNA that can provide a male individual's DNA profile when scientifically analysed. It is distinguished from the female by part of the profile which reflects the nature of the sex chromosomes (XX, XY) and the reference sample of DNA provided from the patient.
5. Locard's principle states that 'every contact leaves a trace'. Theoretically, as any body part of one individual comes into contact with another person or object in the environment, there is the potential for the transfer of DNA.
6. The premise, upon which forensic samples are taken in a sexual assault case, is that the male individual's semen/sperm is deposited on the victim and thus the collection of the appropriate forensic sample(s) may assist in the identification of the male using DNA profiling technologies.
7. Sampling for DNA/sperm occurs in the following ways:

Genital area (vagina, anus, endocervix)	High vaginal swabs and corresponding slides* Low vaginal swabs and corresponding slides Endocervical swab and corresponding slides
Genital area (penis)	Wet skin swab and corresponding slide followed by a dry skin swab and corresponding slide
General body surface (i.e. abdomen, arm)	Wet skin swab and corresponding slide Followed by a dry skin swab and corresponding slide
Oral cavity	Oral swab and corresponding slide
Hair	Cut clump of hair from relevant site and place in appropriate container/envelope
*In order to identify sperm, every swab that is taken is dabbed in the centre of a corresponding slide immediately before the swab is placed back in its sheath. This is to assist the lab in identifying the presence	

⁶ Sperm may be absent from ejaculate in the following circumstances: drug/medication effects, azoospermia (medical condition of no sperm), oligospermia (medical condition of low sperm count), post-vasectomy, trauma, etc.

of sperm through the microscope prior to DNA analysis.

8. The definition of 'to contaminate' is: 'to make impure by contact or mixture' (Shorter OED). In relation to DNA contamination, the word is often used to refer to the presence of DNA, which is extraneous, being added to the material which is being sampled.
9. The word contamination is often used to describe the following scenarios:
 - a. The health care professional's DNA found on the patient's forensic sample
 - b. An individual's DNA present in a sample that has otherwise been shown to have no relation to that person
 - c. The inadvertent pollution of minuscule amounts of DNA between cases

(The inadvertent swapping of forensic specimens between cases could produce results mimicking contamination)
10. Contamination of forensic samples taken from complainants in sexual assault cases is possible at the following points in time:
 - a. Errors or intersections prior to the examination of victims – meaning that the victim herself is contaminated and this is reflected in the samples which are taken
 - b. Errors or intersections during the presentation of victim(s) – i.e. within the CCU environment, during the forensic medical examination
 - c. Errors or intersections within the chain of custody post examination and pre laboratory
 - d. Errors or intersection within the laboratory at the point of receipt of specimens, processing, analysis and/or entering or transferring data into the system.
11. Whether or not there has been contamination in a particular case is most often a question of opinion/judgement, not of fact. The assurance that there has or has not been a contamination is part of the overall investigation of the case. There is no particular 'test' for contamination.
12. In a sexual assault, one of the aims of taking the forensic samples is indeed to detect **contamination of the complainant** by the offender's biological material bearing the offender's DNA. This indicates one of the risks of the forensic uses of DNA evidence in cases where the identity of the suspect is in dispute: how does one distinguish between the detection of true contamination (i.e. contamination of the complainant, the contamination the swabbing is intended to detect) and inadvertent contamination (i.e. contamination with DNA extraneous to the material being swabbed). One distinguishes between true and inadvertent contamination by:
 - a. An evaluation of the circumstances of the sexual assault; and
 - b. By relying on the overall (low) probability of inadvertent contamination having occurred bearing in mind:
 - i. The total circumstances and procedures of the collection of the specimens
 - ii. The environment in which the specimens are collected
 - iii. The procedures of the forensic science laboratory
13. Published experience of contamination of forensic specimens in sexual assault cases is limited especially with direct reference to contamination by semen. Therefore there is little in the way of an evidence base to assist in analysing the likelihood of DNA/sperm transfer within CCU type facilities. Most experience with contamination of forensic specimens is with DNA contamination in the laboratory, which can be thought of as involving extremely microscopic quantities of material.
14. It is accepted that every contact leaves a trace and thus the transfer of microscopic amounts of DNA/semen is feasible although a complex set of events needs to occur to result in contamination. A combination of events might include a woman with DNA/semen on her person externally, (eg: on her hands, clothing or hair) coming into contact with furnishings, equipment and her environment in such a way as to transfer some of that DNA/semen. A second person then comes into direct contact with that contaminated environment and is themselves contaminated.
15. In circumstances where DNA/semen is on the person externally (i.e. on the hair, outer clothes or hands), the possible opportunities for contamination is greater than when DNA/semen is deposited internally (vagina, anus) or under clothing (breasts, buttocks etc).
16. In order to reduce the risk of contamination of forensic samples in sexual assault cases in the facility where the forensic medical examination is undertaken, the following principles need to be adhered to:

- a. Appropriate facility design that minimises the risk of patient, health care practitioner and environmental exposure to contamination (i.e.: a facility having a logical flow through the CCU from point of entry through to the examination and/or bathroom and then to the exit. (This is a consideration for the medium to longer term)
 - b. Limit the access to the space designed for forensic medical examinations so that the likelihood that extraneous DNA is present is reduced and if the potential for contamination is realised the contaminating individual(s) may be identified.
 - c. Adequate decontamination/cleaning techniques can destroy DNA/sperm and therefore reduce the risk of extraneous DNA being transferred to future cases.
 - d. Equipment should be clean and separate from exposure to people and the environment
 - e. Maintenance of strict security of the samples and well documented chain of custody
17. The VIFM Expert Working Group on the conviction of Mr Farah Jama has been exploring possible scenarios for contamination with direct reference to the specifics of the Jama case. In that case there was large amount of semen in the hair of complainant 1⁷, some of which (a microscopic amount, smaller than a speck of dust) was found on a swab taken from complainant 2, who was examined in the same facility some thirty hours later.
18. At this stage it is not possible to conclude the mechanism by which contamination may have occurred, nor the point at which the contamination occurred.

⁷ The women who were examined are referred to as complainants. This terminology is used even though the second woman examined was in fact not a complainant until she too believed she had been sexually assaulted following the results of the forensic samples being made available.

ATTACHMENT 3

EQUIPMENT AND MATERIALS REQUIRED

Gown

- Unisex
 - Not transparent
 - Loose short sleeves
 - Non-shedding
 - Soft
 - Different sizes
1. Gloves
 - Sterile
 - Powder free
 - Non-latex
 - Various sizes
 2. Drop Sheets
 - Sterile white paper sheets
 - Approximately 90cm²
 3. Swabs
 - Sterile standard swab – no transport medium
 - Fine tipped (endocervical) sterile swabs
 4. Slides
 - Glass slides with frosted end
 - Slide covers
 5. Blood
 - Alcohol-free skin cleansing tissue
 - Cotton wool balls
 - 19G, 21G and 23G needles
 - 2ml, 5ml and 10ml syringes
 - Hospital pathology blood tubes and laminated guide to their use/identification
 6. Urine
 - Sterile urine containers
 7. Lubricant
 - Single use sachets of Lubricating Jelly
 8. Specula and Proctoscopes
 - Small, medium and large sterile disposable specula
 - Sterile disposable proctoscopes
 9. Packaging
 - Envelopes – letter and A4 size
 - Brown paper bags – medium size
 - Patient clothing bags
 10. Other
 - 5ml sterile water
 - Band-aids
 - Sterile gauze squares
 - Disposable or sterile forceps
 - VIFM toxicology kits
 - Tourniquet*
 - Disposable tape measures
 - Urine pregnancy tests
 - Medications (as directed)
 - Blueys
 - Emesis bags
 - Masks
 - Basic dressing packs
 - Chlorhexidine antiseptic single use vials
 - Disposable or sterilised scissors
 11. Medications
 - Emergency contraception packs
 - Paracetamol
 - Paracetamol + codeine
 - Hepatitis B Vaccine adult dose
 12. Office
 - Small pencils – disposable
 - Medical certificates
 - Hospital letterhead
 - Pencil sharpener*
 - Sexual assault proformas
 - Hospital pathology/radiology requests
 - Hospital pharmacy request forms
 - Stapler and spare staples*
 - Adhesive tape
 - Patient identification labels
 13. Room
 - Microshield® hand wash
 - Cleaning bleach – Det-Sol 500
 - Mixing jug
 - Chux or other wipes
 - Sphygmomanometer*
 - Stethoscope*
 - Auroscope*
 - Light source*
 - Clean and clear bench space
 - Sharps container
 - Biological waste bin
 - Rubbish bin

All stocks should be stored in secure, clean cupboards for selection by the Health Care Practitioner on the basis of the individual case that presents for a forensic medical examination. Equipment that has been selected for a case and not used will be disposed of at the conclusion of the examination. At no time should anyone replace the items back into the stocks.

- Alcohol cleansing swabs
- STI testing swabs/kits

* These items are non-disposable and will be cleaned at the conclusion of the examination after they have been used.

ATTACHMENT 4

CCU CLEANING RESPONSIBILITY MATRIX VIFM Interim Standards 2010

WHEN	WHERE	RESPONSIBILITY	ACCOUNTABILITY	STANDARD
Before each case	Examination room	Health care practitioner	SEXUAL ASSAULT EXAMINATION PROCEDURE VIFM Interim Standards 2010 Complete Technical checklist	SEXUAL ASSAULT EXAMINATION PROCEDURE VIFM Interim Standards 2010
	Other CCU space (couches, cups, kitchenettes, counselling rooms, waiting area etc)	Hospital designated cleaner	Cleaning log book	As per Hospital standards for cleaning of a clinical room
After each case	Examination room	Health care practitioner	SEXUAL ASSAULT EXAMINATION PROCEDURE VIFM Interim Standards 2010 Complete Technical checklist	SEXUAL ASSAULT EXAMINATION PROCEDURE VIFM Interim Standards 2010
	Other CCU space (couches, cups, kitchenettes, counselling rooms, waiting area etc)	Hospital designated cleaner	Cleaning log book	As per Hospital standards for cleaning of a clinical room
Daily	Examination room – i.e. phone, floors, light sources, examination tables etc	Hospital designated cleaner	Cleaning log book	As per Hospital standards for cleaning of a clinical room
Weekly	Examination room – i.e. computer, desk, chair etc	Hospital designated cleaner	Cleaning log book	As per hospital standards for cleaning of a clinical room

ATTACHMENT 5

CLEANING PRODUCTS REQUIRED FOR FME VIFM Interim Standards 2010

1. Hand-washing
 - Microshield ®
2. Equipment
 - Det-Sol 5000 Hospital Grade Disinfectant 5000ppm, 20g sachets
 - Det-Sol 500 Hospital Grade Disinfectant 500ppm, 6g sachets
3. Room cleaning
 - As per hospital clinical area cleaning protocols

ATTACHMENT 6

SEXUAL ASSAULT EXAMINATION PROCEDURE VIFM Interim Standards 2010

Health care practitioners will follow the below procedure when conducting a forensic medical examination. The technical checklist will be filled in at the conclusion of every case.

Procedure	Technical Checklist
1. Check hospital cleaning log book for status	<input type="checkbox"/>
2. Wearing gloves and a mask and using Det-Sol 5000 cleaning fluid and a disposable wipe <ul style="list-style-type: none"> • Clean examination table • Clean patient chair • Clean bench/trolley top • Wipe your pen 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
3. Linen <ul style="list-style-type: none"> • Cover examination table with 2 clean sheets • Cover pillow with new pillow case • Obtain clean blanket or sheet to cover patient • Place a bluey/sterile pack down to designate specimen collection space 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. Bring patient into clinical examination room to commence the examination by taking a history	<input type="checkbox"/>
5. Glove and gown (mask is up to the discretion of the health care practitioner) to select equipment	<input type="checkbox"/>
6. Select from the secure storage cupboard a range of items that you may use in conducting the forensic medical examination. If during the examination you require more items than you initially select, you must remove your personal protective gown and gloves before returning to the locked drawers/cupboards. Wash hands and retrieve the items, put on a new gown and glove before recommencing the examination.	<input type="checkbox"/>
7. After selection of equipment (whilst still gloved and gowned) commence the physical examination	<input type="checkbox"/>
8. Separate new clean gloves should be used for each of the following components of the FME <ul style="list-style-type: none"> ○ Body examination ○ Genital examination ○ Collection of specimens that may leave residue on gloves (i.e. blood, semen on body, paint, debris etc) ○ Processing of specimens including cutting of swabs ○ Selecting more equipment from the secure storage cupboard 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
9. Swabs <ul style="list-style-type: none"> • Swabs should be 'cut' with disposable scissors midway along the shaft of the tube 	<input type="checkbox"/>
10. Dispose of all items that you selected and didn't use at the time of this examination. They should be disposed of in either the rubbish bin or sharps container.	<input type="checkbox"/>
11. Ensure there are no specimens or equipment left at the conclusion of the examination	<input type="checkbox"/>
12. Remove bed linen and place in linen basket	<input type="checkbox"/>
13. Using Det-Sol 500 cleaning fluid and a disposable wipe <ul style="list-style-type: none"> • Clean examination table • Clean patient chair • Clean bench/trolley top • Wipe down any other non-disposable equipment you have used – phone, light source, sphygmomanometer, auroscope (i.e. any items as designated by the * in Attachment 3). 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
CASE NAME: TECHNICAL CHECKLIST COMPLETED BY: SIGNED AND DATED:	

Under no circumstances should a forensic medical examination be conducted if the facilities or equipment are compromised in any way.

Attachment B

Associate Professor Bob Hoskin's List of Changes considered necessary

The following is a list of the changes I think are necessary. I've attempted to give a rationale for each and am happy to discuss any of them. In some instances the purpose of the proposed change is other than to reduce the risk of DNA contamination: as there is likely to be a process of significant change it makes sense to incorporate other changes that have merit at the same time.

The order of the changes has no significance.

	Recommendation	Reason
1 ⁸	Develop a national uniform protocol for the collection of forensic specimens by medical/nursing staff (samplers).	Practices diverge within and between jurisdictions. There is only one best way of doing things and there is greater likelihood of conformity with a national standard, especially with itinerant practitioners. This could be referred to the Australasian Association of Forensic Physicians in association with FAMSACA to develop.
2	ALL equipment ⁹ used should be certified DNA-free and be drawn from a sealed single use kit.	Common use supplies and the retention of unused equipment from existing kits magnifies the opportunity for contamination. Current equipment is sterile but not uniformly certified DNA-free.
3	Access to examination facilities, to the extent it is possible to do so, should be restricted to staff who have a bona fide reason to be there with access logs used.	Unauthorised staff access is a double whammy – not only do they risk contaminating the environment, they are more likely to do so out of unfamiliarity with protocols.
4	Examination suites should carry a warning that unauthorised access may result in a person's DNA being identified in a criminal investigation.	Hospital staff, especially doctors, aren't terribly good at following rules.

⁸ The only reason not to do this would be if different laboratory practices require different inputs.

⁹ Swabs, scissors, labels, tapes, speculums etc. Gloves, which come in individually sealed packets are the only item where it may make sense to have separate.

5	All medical, nursing, counselling and cleaning staff who have bona fide access should be strongly encouraged to lodge their DNA profile on the laboratory (as opposed to national) register.	This allows detection of inadvertent DNA contamination by the people most likely to do so. Limiting this to the laboratory register protects the individual's privacy.
6	Swabs used should have polyester tips and plastic or metal stems.	Currently, medium-free bacteriology swabs are used. They are cotton-tipped with wooden stems. Cotton does not yield DNA as readily as synthetic fibre and wood inhibits the PCR reaction.
7a	Trolleys used during the examination to be cleaned according to laboratory protocol prior to every examination (probably by the person doing the examination).	This ensures that any "stray" DNA that may have found its way onto the trolley is removed.
7b ¹⁰	The surface of the trolley is to be covered by a certified DNA-free drop-sheet immediately prior to the examination.	This ensures that any "stray" DNA that may have found its way onto the trolley is inaccessible.
8	Prior to opening and setting up equipment a control swab should be taken from the surface of the trolley or drop-sheet.	This control swab need not be routinely analysed but it provides an opportunity to confirm that the working surface was DNA-free if there is a subsequent need to do so.
9	Slides should be made at the laboratory rather than by the sampler.	Slide quality varies from practitioner to practitioner whereas it is a part of routine laboratory practice. As important, it also creates an opportunity for handling errors during which contamination may occur.
10	Swabs to be re-sheathed immediately after collection.	The practice of allowing them to air dry creates an opportunity for handling errors during which contamination may occur.

¹⁰ 7a and 7b are alternative approaches to the same goal.

11	The practice of cutting corners from sheaths should be eliminated.	The evidence that this could possibly add value is scant and theoretical. It is completely unnecessary when swabs are correctly stored (frozen) and/or opened by the laboratory in a timely manner. Conversely, the possibility that there may be cross-contamination between multiple swabs in a single bag following this practice is completely untested.
12	Samplers should put on fresh pair of gloves ¹¹ prior to moving to a new part of the body to collect a DNA sample ¹² .	It is important to prevent transfer of DNA from one body part to another, especially where doing so may change the nature of the offence to whose proof it may contribute.
13	Each kit to contain sufficient swabs to cater for 95% of examinations.	This means extra kits will need to be "broken into" only rarely. The number of swabs needed to achieve this can be established by asking the labs.
14	Equipment kits to contain barcodes which are applied to each specimen.	This ensures that samples that are truly related to the same examination can be identified as such and that if there is mixing of kits it can be identified.
15	A checklist to be developed for use by the sampler at the conclusion of each examination.	This serves as an aide memoire for all of the steps in the protocol and is useful given that the sampler's alertness cannot be guaranteed.
16	Once all the crime scene samples have been labelled, barcoded and sealed any residual equipment is to be disposed of.	This prevents equipment that may have been contaminated during the examination from being involved in subsequent examinations.
17	Once the trolley is clear it is to be cleaned according to laboratory protocol after every examination (probably by the person doing the examination).	This ensures that any contamination that may have occurred during the examination is cleaned away.

¹¹ Sealed surgical gloves as noted above.

¹² In the majority of examinations this would require only one change of gloves during an examination.

18	After cleaning a control swab should be taken from the surface of the trolley.	This control swab need not be routinely analysed but it provides an opportunity to confirm that the working surface was DNA-free at the end of the examination if there is a subsequent need to do so.
19	Any item needed during the examination that cannot be rendered non-touch or certified DNA-free should be cleaned and swabbed in the same manner as the trolley surface.	Items such as flexible lamps, tap handles and light switches may provide opportunities for between-case contamination.
20	Examination couches to be impermeable material that can withstand cleaning by bleach and alcohol as per laboratory protocol ¹³ .	This allows couches to be cleaned to the requisite standard.
21	Suspects are never to be examined in the same facility as complainants.	Makes it very hard to answer the question "is it possible?".
22	Where a sampler conducts more than one examination without the benefit of a shower or thorough wash of any exposed clothing or skin they should don a disposable all-in-one suit for subsequent examinations.	Prevents sampler cross-contamination.
23	A national minimum standard be developed for the construction, layout, equipment level and operation of sexual assault examination suites be developed (AAFP & FAMSACA).	I'd be surprised if this is achievable in all locations in the context of competitive funding but at least we'll have something that should be achievable in metro areas and it will allow the identification of shortfalls elsewhere, especially where they may compromise evidence.

¹³ Not sure that control swabs are necessary. Generally the couch would be covered with a sheet and/or a bluey. Probably we should move to a certified DNA-free dropsheet for couches, too.

24	These recommendations be reviewed and refined by colleagues from around the country through the AAFP and FAMSACA.	I don't have a monopoly on good ideas.
25	Collegiate review of the final products.	As well as ensuring that it is comprehensive and has buy-in this will also ensure that things that are currently done well have not been eliminated by the process of change.

Attachment C

FORENSIC MEDICAL EXAMINATIONS IN SEXUAL ASSAULT CASES VICTORIA

The tables below represent the number of forensic medical examinations conducted in adult (18 years and over) sexual assault patients in Victoria for the period of January 2007 until February 2010 by location.

There are 6 metropolitan Melbourne Crisis Care Units in which forensic medical examinations are conducted; Austin Hospital, Monash Medical Centre, Maroondah Hospital, Royal Women's Hospital, Sunshine Hospital, and the Frankston Multidisciplinary Centre.

**Metro Sexual Assault Examination Summary Table
Year and CCU Location**

Metropolitan Melbourne CCU Location	2007	2008	2009	2010¹⁴	Total
Maroondah Hospital (CASA East)	1	26	37	5	69
Austin Hospital (CASA North)	46	39	24	6	115
Monash Medical Centre (CASA South East)	163	137	129	18	447
Sunshine Hospital (CASA West)	49	46	51	9	155
Royal Women's Hospital (CASA House)	78	71	82	11	242
Frankston Multidisciplinary Centre (PENSAC)	2	16	7	0	25
Yearly Totals	339	335	330	49	1053

The number of forensic medical examinations conducted on adults in the metropolitan Melbourne region does not appear to have changed over the last three years. The apparent decrease in forensic medical examinations conducted at the Monash Medical Centre (163 (2007) – 129 (2009)) might be explained by the dispersion of cases to either the Frankston Multidisciplinary Centre or the Maroondah CCU facility both of which gained momentum early 2008. The existence of a Gippsland Forensic Nurse Examiner Network may also account for some of the decrease in cases seen at Monash Medical Centre as they may be examined locally at Latrobe Regional Hospital.

¹⁴ The numbers of forensic medical examinations tabled in 2010 are not truly representative of the numbers of forensic medical examinations conducted to date as the data has not been entered in all cases.

There are a number of other locations in which forensic medical examinations are conducted in the metropolitan Melbourne region. This is not a regular occurrence but rather, provided on an individual case by case basis. The numbers are tabled below:

Metro Sexual Assault Examination Summary Table Year and non-CCU Location					
Metropolitan Melbourne non-CCU Location	2007	2008	2009	2010	Total
Hospital other	13	8	10	2	33
Medical centre	1	2			3
Prison	1	2		2	5
Police Station	3	11	12	2	28
VIFM	3	4	10	3	20
Residential Care Unit	2	1	1	0	4
Yearly Totals	23	28	33	9	93

The field 'hospital other' refers to FME conducted at a Melbourne hospital other than one housing the above listed CCU. In these circumstances, the examiner is requested to see patients admitted to the Emergency department, Intensive Care Unit or Medical ward at a Melbourne hospital – for example the Royal Melbourne Hospital or the Alfred Trauma Centre.

Where sexual assault forensic medical examinations are noted at the locations of 'police station' or 'VIFM' these refer to examinations of alleged offenders or opinion cases respectively.

The total number of forensic medical examinations conducted in metropolitan Melbourne is as follows:

Metro Sexual Assault Examination Summary Table TOTAL FME					
Metropolitan Melbourne	2007	2008	2009	2010	Total
Yearly Totals	362	363	363	58	1146

Forensic Medical Examinations of adults are conducted by Forensic Medical Officers and Forensic Nurse Examiners in Regional and Rural locations in Victoria. The term non-hospital in the main refers to medical centres in which doctors practice and therefore conduct a forensic medical examination during the course of their day. Most of the hospitals noted below are designated as facilities in which forensic medical examinations occur (i.e. there is an MOU between VIFM and the hospital or a designated CCU). There may be errors of interpretation regarding the terms hospital/non-hospital at some of the regional locations below (eg Bannockburn). The following table represents the locations in which FME were conducted during the timeframe of January 2007 to February 2010:

Regional Sexual Assault Examination Summary Table Year and Location									
Region	2007		2008		2009		2010		Region Total
	Hospital	Non	Hospital	Non	Hospital	Non	Hospital	Non	
Bairnsdale	4		10		5	1			20
Ballarat	14		10		18			1	43
Bannockburn	2		3		2				7
Bendigo	10		10		16	1	1		38
Camperdown					1				1
Castlemaine							1		1
Corio				1					1
Geelong	10		14	1	18	1			44
Gippsland	1								1
Gisborne								1	1
Goulburn					1				1
Horsham	3		3						6
Kerang			2						2
Kyneton						1			1
Lilydale		2							2
Mildura	8		9		10	1	2		30
Mt Hotham			1						1
Portland			1						1
Sale	3		1		3				7
Shepparton	7		4		6				17
Swan hill	3		3		1				7
Traralgon			5		15				20
Wangaratta	4		5		3				12
Warragul					1				1
Warnambool	5		7		3		1		16
Werribee			1	1					2
Wodonga	1		4						5
Yearly Totals	75	2	93	3	103	5	5	2	288
	77		96		108		7		

Whilst forensic medical examinations are conducted on the children and young people (i.e. 17 years old and under) in some of the above locations, they have not been included in the numbers for the purpose of this exercise. An account of the numbers and locations of FME conducted in this age group should be sought from the Victorian Forensic Paediatric Medical Service.

De Marco.JennaL[LD]

EXHIBIT 215

From: Neville.DavidH[OSC]
Sent: Thursday, 8 November 2018 08:45
To: Cathie Allen
Cc: [REDACTED]
Subject: RE: Reference Samples and SAIKs
Attachments: 28092018102808-0001.pdf

Hi Cathie

This seems to be misconstrued a bit. The QPS has a policy that all SAIKs are to be checked, bar coded and entered onto the FR by a SOC officer. The investigating officer has to attend a SOC office for this to occur. Recently we have instructed our SOC officers not to process the SAIK unless a reference sample has been collected. The reason for this is to try and eliminate instances where IO's fail to obtain a reference sample. This is an internal policy established to try and overcome issue with SAIKs (i.e. the lack of reference samples). It has not been sold as a directive from QHFSS.

My preference would still be that reference samples are collected at the same time as the SAIK. This is what occurs in other states. The current practice does not comply with Queensland Government policy issued in 2014 titled, "Response to Sexual Assault: Queensland Government Interagency Guidelines for Responding to People who have experienced Sexual Assault." This document was designed to ensure agencies work together in the best interest of the victim. The policy states,

Victim DNA reference samples

DNA reference samples (usually a blood sample or mouth swab) should be taken routinely as part of the FME (forensic medical examination)

(A copy of the guideline is attached).

The QPS would like to work towards compliance with the guideline and hope to have discussions moving forward on this matter in the near future.

Regards

David

From: Cathie Allen [REDACTED]
Sent: Wednesday, 7 November 2018 5:15 PM
To: Neville.DavidH[OSC] [REDACTED]
Cc: Craig Russell [REDACTED]
Subject: Reference Samples and SAIKs

Hi David

Our Scientific Services Liaison Unit (SSLU) at FSS have been contacted by a police officer from the Gold Coast regarding reference samples and Sexual Assault Investigation Kits (SAIK). The officer has advised that a directive has been issued from QHFSS to the QPS stating that a SAIK will not be accepted for testing unless a reference sample has been taken from the complainant.

Are you able to advise if the QPS have disseminated something with respect to reference samples and SAIKs or advise the context that this may have come from.

Cheers
 Cathie



Cathie Allen

Managing Scientist

Police Services Stream, Forensic & Scientific Services

Health Support Queensland, Queensland Health

p [REDACTED]
 a 39 Kessels Road, Coopers Plains, QLD 4108
 e [REDACTED] w www.health.qld.gov.au/healthsupport



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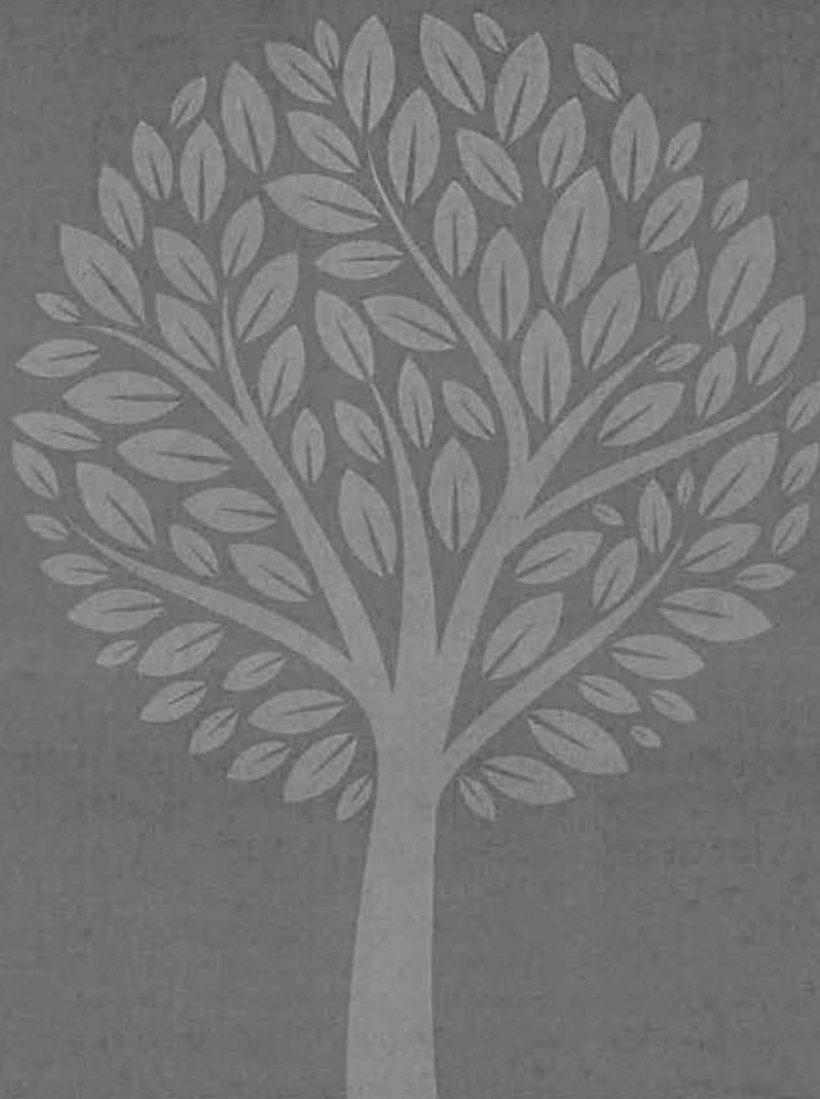
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Response to sexual assault

Queensland Government Interagency
Guidelines for Responding to People
who have Experienced Sexual Assault

- 4 -

APPENDIX A: Contact list from interstate inquiries:

New South Wales Police
PHQ Major Crime Unit
Detective Tim RYAN

[REDACTED]

Victoria Police
Sexual Assault Unit
Detective Sophie LEETE

[REDACTED]

Tasmania Police
Forensic Services
Alastair WATSON

[REDACTED]

Detective Krista DENNIS

[REDACTED]

South Australia Police
PHQ Major Crime Unit
Detective Bernie FARRINGTON

[REDACTED]

YARROW PLACE – Rape and Sexual Assault Service

[REDACTED]

Western Australia Police.
Sexual Assault Unit
Officer in Charge John MOTTOLINI

[REDACTED]

Northern Territory Police
Major Crime Unit
Detective Glenn LEAFE

[REDACTED]

These guidelines have been developed through a strong collaborative approach by a Government Interagency Working Group including representatives from:

- **Queensland Police Service**

- **Department of Justice and Attorney-General**

- *Office of the Director of Public Prosecutions*
- *Queensland Courts*
- *Victim Assist Queensland*
- *Youth Justice Conferencing*

- **Department of Communities, Child Safety and Disability Services**

- **Queensland Health**

- *Aboriginal and Torres Strait Islander Health Unit*
- *Clinical Forensic Medicine Unit*
- *Child Advocacy Service*
- *Royal Brisbane and Women's Hospital Department of Social Work Services (Sexual Assault Service)*

The Strategic Policy Priority Areas, System Policy and Performance Division of Queensland Health were consulted during this process.

Mr Ian Maynard
Director-General
Department of Health



Mr Ian Stewart
Commissioner of Police
Queensland Police Service



June 2014

The guidelines are intended to outline key principles and a best practice framework for working with people who have experienced sexual assault. This includes children and young people who have been sexually abused or sexually assaulted.

The term victim is used throughout the document where there is reference to specific legislation and where the person is either a male or female who has experienced sexual assault. The term sexual assault is used throughout the document and includes those assaults where rape and/or sexual abuse has taken place or is alleged to have taken place.

Mr Michael Hogan
Director-General
Department of Communities, Child Safety and Disability Services



Mr John Sosso
Director-General
Department of Justice and Attorney-General



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Preface

The guidelines are designed to promote whole-of-government interagency cooperation and service coordination with an aim to improve governmental responses to victims of sexual assault. The need for enhanced coordination and cooperation has long been recognised and resulted in the development of the *2001 Queensland Government Interagency Guidelines for responding to adult victims of sexual assault*.

The 2013 guidelines aim to facilitate best practice, quality service and support to people who have experienced sexual assault.

Legislation relevant to and defining sexual assault includes but is not limited to:

- *Aboriginal and Torres Strait Islander Peoples Recognition Act 2013*
- *Child Protection Act 1999*
- *Criminal Code Act 1899*
- *Criminal Law (Sexual Offences) Act 1978*
- *Domestic and Family Violence Protection Act 2012*
- *Evidence Act 1977*
- *Health Act 1937 & associated regulations*
- *Hospital and Health Boards Act 2011*
- *Mental Health Act 2000*
- *Police Powers and Responsibilities Act 2000*
- *Public Health Act 2005*
- *Victims of Crime Assistance Act 2009*

Policy referred to includes but is not limited to:

- Queensland Government Language Services Policy
- Queensland Health Protocol for conducting child sexual assault examinations

The guidelines should be read in conjunction with internal agency procedures such as the Office of the Director of Public Prosecutions Guidelines and the Queensland Police Service Operational Procedures Manual. In addition to legislation, policies and procedures, the Queensland Government joins with governments around Australia in the implementation of the National Plan to Reduce Violence against Women and their Children 2010-2022.

Each government agency has a complementary and essential role in ensuring that people have access to effective, timely and appropriate information, support, care and treatment following a sexual assault.

Given the nature of the crime, sexual assault is an area of legal and social complexity. The guidelines are designed to help government officers and agencies work together in the best interests of the person who has been sexually assaulted through better understanding one another's roles and responsibilities.

The Queensland Government encourages reporting of criminal activity and prosecution of offender(s) where possible.

Glossary

CPA	<i>Child Protection Act 1999</i>
DCCSDS	Department of Communities, Child Safety and Disability Services
DFVPA	<i>Domestic and Family Violence Protection Act 2012</i>
EA	<i>Evidence Act 1977</i>
FME	Forensic Medical Examination
FMO	Forensic Medical Officer
FNE	Forensic Nurse Examiner
ODPP	Office of the Director of Public Prosecutions
QH	Queensland Health
QPS	Queensland Police Service
SAIK	Sexual Assault Investigation Kit
Victim Assist	Victim Assist Queensland
YJC	Youth Justice Conferencing

Section 1

Introduction

Governance

The government agencies responsible for delivering a service to victims of sexual assault, in accordance with relevant legislation, whole-of-government policy and internal departmental procedures, are responsible for the ongoing governance of this document. The guidelines are underpinned by each government agency's own internal policies and procedures which they are obligated to adhere to. Each government agency has a formal complaints mechanism which is accessible to members of the public.

The Government Interagency Working Group will meet bi-annually to review the guidelines and consider matters of particular concern for people impacted by sexual assault and to consider the impact of any legislative change.

Sexual assault

Sexual assault is a crime of violence. It is a humiliating and degrading experience. It has an emotional, physical, financial and social cost, not only to those directly affected, but also for the community as a whole.

The number of reported sexual offences against women aged 15 or over in Queensland in 2011/2012 was 2035 compared with 227 against males.¹

Major Australian studies indicate that only 11-25 per cent of sexual assaults are reported to the police and that most offenders are known to the victim.² People who experience sexual assault may feel a range of emotions including shock, fear, guilt, shame, depression and an inability to trust others. The social stigma attached to sexual assault can heighten these feelings and increase the trauma experienced. It is imperative that when disclosing or reporting a sexual assault, people receive an effective, professional and appropriate response from the agencies to which they report.

Community education can encourage family and friends to respond supportively and appropriately to a disclosure of sexual assault. However, in order to assist their recovery, victims may also need access to a range of personal support services including counselling, medical services and assistance to report the crime to the police.

The information provided in the guidelines is intended to provide a strategic overview to support the development of policies and procedures at a local level. Local level procedures will differ according to the nature of the service system in each area. It is also intended to contribute to improving service responses to victims.

Responses to victims

Following disclosure of a sexual assault, the following needs of the victim should be addressed:

- immediate safety needs
- immediate health needs
- options for pursuing justice
- ongoing emotional needs for longer term wellbeing.

In order to avoid secondary traumatisation and mitigate the risk of negative, long term outcomes, government responses to sexual assault must be both sensitive and effective. These responses therefore need to take into account the diversity of victims, including their cultural and linguistic background, disability, sexual orientation, age and geographical location. In addition to assisting recovery, more sensitive and effective responses may also lead to an increase in reporting rates.

This, in turn, can lead to a more accurate understanding of the prevalence of sexual assault, inform community education and awareness approaches, and result in improved prevention strategies.

¹ Queensland Police Service (2012) Statistical Review 2011-2012 Brisbane

² Australian Bureau of Statistics (1996) Women's Safety Survey, Cat.no. 4218.0 (unpublished data) as cited in Office of Women's Policy (1999) A Social and Economic Profile of Women in Queensland 1999 Brisbane; Australian Bureau of Statistics (1996) Victims of Crime Survey

Children and young people

It should be noted that the *Child Protection Act 1999* (CPA) is relevant where there are concerns that a child has been sexually abused and where a child does not have a parent able and willing to protect them from the abuse. The main principle for administering the CPA is that the safety, wellbeing and best interests of a child are paramount. Section 159B of the CPA imposes a responsibility on particular service providers to assess and meet the protection and care needs of children and provide collaborative and coordinated support to their families.

The definition of harm in the CPA includes harm resulting from sexual abuse or exploitation. A child is defined in the CPA as an individual less than 18 years of age. Where the child or young person is under the age of 16, their parent or guardian should be consulted where possible and appropriate. Whilst certain circumstances may not make this possible, the child or young person should have access to a support person throughout the response.

The safety and protection of children and young people who are sexually assaulted is a high priority. When disclosing a sexual assault, young people should be encouraged to access services so that they are aware of their options in terms of support, assistance, treatment and prevention.

When working with a young person who reports a sexual assault, personnel from the Queensland Police Service, Department of Communities, Child Safety and Disability Services (DCCSDS) and Queensland Health (QH) are required to follow the statutory requirements under the CPA and the *Public Health Act 2005* relevant to their position.

Where the child or young person is subject to an order granting custody or guardianship of the child, the Chief Executive, Child Safety, DCCSDS, must be notified regarding the report of a sexual assault.

Confidentiality cannot be guaranteed where a child or young person is believed to be in need of protection from harm. To work in the best interest of that child or young person, information may need to be exchanged between departments. It is best practice for the child or young person to be advised that a report to the DCCSDS and the police may take place. Certain circumstances may not make this possible.

Section 2

Principles of the Interagency Guidelines

Government responses to sexual assault are framed by the following overarching principles:

- All agencies will focus on the safety, physical and psychological needs of the victim
- The victim's right to privacy and confidentiality will be respected at all times unless disclosure is required by another law
- Comprehensive information about all processes and options will be offered in a way which is non-judgemental, appropriate, clear and sensitive to the victim in terms of language, culture, age, disability, gender, sexuality and location
- The victim's informed decision will be respected at every stage of the process
- The victim's sense of personal control will be supported and encouraged
- All relevant agencies will work collaboratively to respond to sexual assault, to provide clear, up to date and comprehensive information about other agencies and services and will facilitate access to appropriate agencies and services on request
- All agencies will ensure documentation and records are prepared in accordance with individual agency requirements and respect confidentiality, privacy, security and choice.

Fundamental Principles of Justice for Victims of Crime and Complaints Mechanism

Government responses are also framed by the legislated responsibilities defined in the Fundamental Principles of Justice for Victims of Crime (Principles of Justice) in Queensland, set out in Chapter 2 of the *Victims of Crime Assistance Act 2009*.

If a victim feels they have been treated unfairly or without respect by a Queensland Government officer, they have the right to complain to the government agency responsible for the conduct of the officer or to Victim Assist Queensland (Victim Assist).

As a guide, the following is a summarised version of the Principles of Justice:

Fair and dignified treatment

The victim must be treated fairly and shown dignity, respect, compassion and courtesy. The government entity must take in to account and be responsive to the particular needs of the victim relating to the victim's age, sex, race, cultural identity, impairment, sexuality or religion.

Privacy of victim

A person's personal information, including their address and phone number, can only be disclosed with consent or as authorised by the law.

Information about services

The victim must be given timely information about relevant services available to them, including welfare, health, counselling, legal help and financial assistance.

Information about investigation of the offender

If the victim asks, they should be given information about the investigation of the offender where possible. Information given to a victim may include the progress of the investigation and the name of the person charged.

Information about prosecution of the offender

If asked by the victim, the prosecuting agency is to give the victim details about the crime committed against them, including when the victim may attend a court proceeding, notice of a decision to change a charge, or notice of the outcome of a court proceeding.

Victim to be advised on their role as a witness

A victim, who is to be a witness for the prosecution in the trial for the crime committed against them, is to be informed by the prosecuting agency about the trial process and their role as a witness.

Minimal exposure to and contact with the offender

As much as possible, relevant agencies present at court are to ensure the victim has minimal contact with or exposure to the offender during court proceedings or in the court building.

Victim Impact Statement

During sentencing of the offender, the victim has the right to give details of the impact and harm caused to the victim by the offence, to the prosecutor as an impact statement. Victims can access information about completing a victim impact statement by calling Victim Assist on 1300 546 587 or by accessing a copy of the *Guide to Making a Victim Impact Statement* at www.justice.qld.gov.au.

Information about the convicted offender

A victim can apply to be registered on the Victims Register. If the offender is then convicted and imprisoned, the victim will be provided with this information on request. This includes information on the sentence, an escape from custody, or day of release. To be included on the Victims Register call 1800 098 098.

Making a complaint

If a victim of crime feels a government agency, person or persons within the agency have engaged in conduct that is not consistent with the Principles of Justice, they have the right to make a complaint. Victims can access information about making a complaint by calling Victim Assist on 1300 546 587 or by accessing a copy of the *Complaint Form* at www.justice.qld.gov.au.

Government agencies are obligated to have a formal complaints management system, and the Queensland Government is committed to having these systems available and acted upon in accordance with the Principles of Justice.

Section 3

The Roles of Key Government Agencies

Queensland Police Service

The Queensland Police Service (QPS) has three main functions in relation to sexual assault cases including:

1. Investigate complaints of sexual assault and establish whether an offence of sexual assault has been committed.
2. Protect victims of sexual assault.
3. Identify, apprehend and prosecute offenders.

In carrying out this role, the police should:

- observe QPS Operational Procedures Manual
- observe QPS local procedures or instructions
- observe legislative requirements
- observe the Fundamental Principles of Justice for Victims of Crime
- provide victims with information regarding the investigation and prosecution
- provide protection to victims at immediate risk of sexual assault
- provide victims with information about support services

Queensland Health

In responding to sexual assault, the role of QH is to provide medical care, forensic medical examinations (FME), sexual health assistance and information and support. These responses are provided by public hospitals, the Clinical Forensic Medicine Unit and may include specialist sexual assault teams. The extent and nature of this care varies across hospital and health services in accordance with local procedures and resources.

Assistance and care in the acute phase includes:

- medical treatment
- collection and documentation of medico-legal evidence where appropriate
- sexual health information and treatment
- information about rights as a victim of crime
- information about reporting to police and legal processes
- support and information extended to support networks.

In addition, QH provides education and training to government and non-government agencies, with an aim to broaden community knowledge, improve responses and prevent sexual violence as outlined in the National Plan to Reduce Violence against Women and their Children 2010 – 2022.

Department of Justice and Attorney-General

The Office of the Director of Public Prosecutions (ODPP), Victim Assist Queensland (Victim Assist), Youth Justice Conferencing (YJC) and the Queensland Courts all fall within the responsibilities of the Department of Justice and Attorney-General. The following provides an overview of each of these separate agencies.

Office of the Director of Public Prosecutions

The ODPP represents the Crown in criminal proceedings against persons accused of committing serious criminal offences including sexual assault. The criminal proceedings include:

- the committal hearing, before a Magistrate in Brisbane Central, Ipswich and Southport Magistrates Courts. In other centres, this hearing is conducted by prosecutors within the police
- trials before a judge alone or a judge and jury
- sentencing hearing before a judge
- any appeals arising from the trial or sentence.

In addition to prosecuting matters in court, the ODPP is responsible for:

- assisting victims by providing information about the progress of a prosecution, the victim's role as a witness, and how the victim can inform the court of the impact of the crime by providing a victim impact statement
- giving victims reasons for decisions made in relation to proceedings which directly affect them
- taking into account the wishes of a victim who does not wish to proceed with a prosecution for any reason
- providing information about the availability of other resources and processes that may assist victims
- requesting that the court give sexual assault matters appropriate priority
- ensuring the victim has minimal contact with or exposure to the offender during court proceedings or in the court building

- liaising with other relevant agencies to ensure that the victim and family members understand the legal and procedural issues which may impact them.

In carrying out the role of the ODPP, all officers are obliged to comply with the Director's Guideline No. 25 as at 2013 http://www.justice.qld.gov.au/data/assets/pdf_file/0015/16701/Directors-guidelines.pdf. This aims to ensure that the Principles of Justice, as set out in the *Victims of Crime Assistance Act 2009* are complied with.

Victim Assist Queensland

Victim Assist provides access to specialised support services and financial assistance for victims of personal acts of violence including sexual assault.

Financial assistance may be available to victims of sexual assault to help them pay for the cost of goods and services that have arisen, or will arise as a consequence of the assault.

This includes medical and dental expenses, and expenses associated with improving safety or relocation from their current location in order to escape the offender.

Victim Assist also provides information, referrals and support (which may include court support) to victims, and assistance in making a victim impact statement if the victim chooses to make one.

Youth Justice Conferencing

If the offender is a young person, there may be alternative processes to the matter being dealt with by a court. The purpose of YJC is to hold the young offender accountable for their actions and to come to an agreement on what they will do to attempt to make reparation for the harm caused. To safeguard the victim, additional procedures are adopted before a conference for a sexual assault can occur. These include referring the victim to a counselling service as well as compulsory attendance of the juvenile offender in a specialist treatment service.

Queensland Courts

Queensland Courts afford victims of sexual offences, affected child witnesses and special witnesses protections when proceeding through court. These are detailed in the *Evidence Act 1977* (EA) and the *Criminal Law (Sexual Offences) Act 1978*.

Section 21A of the EA provides protections for special witnesses and affected child witnesses. The court can declare a person a special witness by hearing evidence (if the witness does not automatically fall into the special category, such as where the witness is a child or the person has a mental impairment). When the court hears evidence from these special witnesses, there are a range of options to assist the witness. These include ensuring the victim has minimal contact with or exposure to the offender during court proceedings or in the court building. Where the witness is an affected child witness, there are further protections in place.

For further information refer to the Supreme Court Bench Book: <http://www.courts.qld.gov.au/information-for-lawyers/benchbooks-and-vcpr-bulletin/supreme-and-district-courts-benchbook>.

Department of Communities, Child Safety and Disability Services

The Department of Communities, Child Safety and Disability Services allocates funding to non-government organisations to assist people, predominantly women, who have experienced sexual assault, in accessing necessary services and support needed to rebuild their lives as quickly as possible. These sexual assault services offer flexible, holistic and ongoing personal support including advocacy and sexual assault counselling (including crisis counselling), in a culturally appropriate and safe environment.

The range of support provided by these services includes:

- provision of information, advice and referral
- needs assessment and development of case/service plans
- individual advocacy
- sexual assault counselling for victims and survivors of sexual assault
- community education.

For more information about access to sexual assault services in local areas, contact the Sexual Assault Helpline on 1800 010 120.

Child Safety Services is the Queensland Government agency for child protection and adoption services. The department is dedicated to protecting children and young people from harm or who are at risk of harm, and whose parents cannot provide adequate care or protection for them.

Non-government organisations

It is acknowledged that a number of government departments provide grant funding to non-government organisations to deliver a range of specialist sexual assault services. Local procedures and service agreements in relation to services provided by these organisations should be adhered to.

Section 4

Interagency approach

Given the often violent and complex nature of sexual assault, an interagency approach is essential. The Queensland Police Service (QPS), Queensland Health (QH), the Department of Justice and Attorney-General (DJAG) and the Department of Communities, Child Safety and Disability Services (DCCSDS), each have a different but fundamental role in responding to sexual assault. Each of these agencies should assist each other in understanding and supporting their role and be familiar with, and sensitive to, their differing and complementary roles. An interagency approach provides opportunities to discuss and address issues of mutual concern across departments.

Teamwork

Quality of care depends on partnership between these different agencies. Each agency should establish local procedures to facilitate improved liaison and coordination between services. These procedures should include systems for information sharing and conflict resolution.

Confidentiality

Confidentiality, privacy of information and security of records is imperative when working with people who have experienced sexual assault. It is a fundamental principle in treating victims with dignity and respect.

Access to and disclosure of personal information regarding the assault will conform to legal requirements and be limited to people directly involved in the case. Except where legal obligations exist, information will not be released without the prior consent of the person involved. This includes names and identifying information.

Training

Joint training can contribute to achieving interagency objectives and allow those working in the field to understand how best practice is achieved. Training and orientation should be ongoing and could include input from relevant local services.

Information provision

Police officers, doctors, social workers, health workers and legal officers, should provide people with relevant information which may include written material. This information should be offered in a way which is non-judgemental, appropriate, clear and sensitive to the victim in terms of language, culture, age, disability, gender, sexuality and location.

People should be made aware of, and be given an opportunity to discuss and consider the implications of proceeding with medical, investigative and legal processes so that they can make informed decisions. These decisions must be respected. It should be noted however that the decision whether or not an investigation should proceed rests primarily with the police.

Referrals

Relevant referral procedures and guidelines between police and health services should be observed.

Staff of government agencies should be familiar with local specialist services and actively support people who have experienced sexual assault to access appropriate supports available in their community. In addition, relevant health, welfare and legal services likely to be accessed by victims will need to develop local strategies and procedures to ensure that referral processes are appropriate and coordinated. These services should also be aware of the admission procedures and location of the nearest health facility and police station.

Feedback

Quality of care is essential in ensuring that people are referred to the appropriate service. QPS, QH, DJAG and DCCSDS should ensure that local interagency links and procedures operate in a coordinated manner. Mechanisms for giving feedback about service delivery should also be in place and observed.

Access, availability and promotion of services

People who have experienced a sexual assault may need encouragement to use medical, counselling, police and legal services. Local procedures should ensure that services are accessible and coordinated. This includes the use of written information and community education materials.

Gender of service providers

Following a sexual assault, the person may feel uncomfortable talking with personnel of the opposite sex. If a preference for female or male personnel is expressed, all reasonable steps to accommodate this preference should be taken.

Diverse needs

Procedures need to be flexible in order to respond to diverse needs; including culture, language, gender, disability, religion, sexuality and geographical location. Furthermore, it is important to understand how these needs impact access to and utilisation of appropriate services.

All agencies should ensure that procedures and facilities provide access to appropriate services for Aboriginal and Torres Strait Islander people, people of non-English speaking backgrounds, children and young people and people with disabilities, including physical disabilities.

Aboriginal and Torres Strait Islander people

Service provision should reflect the cultural needs of Aboriginal and Torres Strait Islander people. Agencies should have a referral mechanism to facilitate access to culturally appropriate information for Aboriginal and Torres Strait Islander people. Where there is consent and it is appropriate to do so, Aboriginal and Torres Strait Islander liaison workers may be offered to assist people during the process.

Communication

The Queensland Government recognises that a significant number of people may require interpreter services, as well as culturally appropriate support in order to adequately disclose and report a sexual assault, and make informed decisions about the support and options available to them.

People with a disability

Services and agencies should facilitate access to appropriate support workers and interpreters for people with a disability. Disability includes intellectual, physical, sensory, psychiatric or neurological impairment, or a combination of these, resulting in a substantial reduction in the person's capacity to make informed decisions or communicate. With the person's consent, and when it is safe and appropriate to do so, services should also consult with relevant people involved in that person's life such as carers, guardians and specialist agencies or departments.

People from culturally and linguistically diverse backgrounds

Service provision should be responsive to, and respect the cultural, religious and language needs of the person who has experienced sexual assault. Where communication in English is difficult or where requested, accredited interpreters and cultural support workers should be used to assist in both eliciting information from, and providing information to the person who has experienced sexual assault. This supports client safety and enables informed decision making about health care, investigative and legal processes for both the client and agency.

Translating and interpreter services

All reasonable steps will be taken by government agencies and funded non-government organisations providing sexual assault responses, to ensure fair and equitable access to interpreting and translating services that are responsive and high quality.

All reasonable steps should be taken to make an accredited interpreter available in all situations where an interpreter and/or translator is required, unless there are extenuating circumstances that genuinely prevent an interpreter from being used. This may include, for example, a medical emergency or where a language group or community is very small and confidentiality is a concern for the client, or where there is no interpreter available for that language group. All agencies will take into consideration the wishes of the person who have been impacted by the sexual assault in relation to the use of an interpreter.

Each government agency is required to observe its own policies and procedures in relation to the use of interpreters. These internal procedures should align with the Queensland Government Language Services Policy.

Section 5

Interagency procedures

Regardless of where sexual assault is first reported, the first priority is to ensure the safety and welfare of the person reporting. Prompt referral to the designated specialist service should take place.

Crisis intervention

The purpose of intervention by a designated sexual assault response worker is to:

- provide immediate assistance, stabilisation and emotional support to assist the person to return to their level of functioning before the crisis
- assist the person to process their perception of the stressor
- provide information about the options available, as well as the procedures of the local health facility
- provide an opportunity for the person to express their concerns and feelings
- offer practical support, including contacting family members or support persons where appropriate
- talk to family members or support persons (if present) about how best to support the victim
- co-ordinate the interagency response and facilitate patient care and treatment along the sexual assault pathway
- provide information in relation to available community support resources.

The sexual assault worker will advise the victim of their right to access medical advice and treatment including sexual health treatment. If information or clarification about police procedures is requested, the sexual assault worker will, with the victim's consent, arrange for police to provide this information.

During any phase of this process, a support person can be present. The support person should not adversely influence the process.

Initial report to police

Police receiving a report of a sexual assault will act on the information received. The police should inform the victim of relevant decisions made and where necessary, obtain the victim's consent.

Initial report to a health facility

Health facilities, such as hospitals, are often the first place where a person will disclose a sexual assault. When this happens, nursing and medical staff will assess the general medical condition of the person and administer immediate medical treatment if required. Assessment of a person's need and urgent medical intervention will always be the first priority.

Medical examination and treatment

A general, non-forensic medical examination may be conducted by a medical professional with the aim to:

- reassure victims about their physical welfare, including giving information on, and providing treatments to reduce the risks of pregnancy and sexually transmitted infections
- assess, treat and document injuries
- provide advice and referral options for follow up medical care.

A medical examination should include sexual health intervention as described in *Queensland Sexual Health Clinical Management Guidelines of 2010 section 6*: http://www.health.qld.gov.au/sexhealth/documents/cm_guidelines06.pdf.

Unconscious patients who are admitted to hospital with a suspicion of sexual assault will be assessed and treated as medical emergencies.

Referral to the local sexual assault team

Health staff must follow local procedures in the management of sexual assault. All efforts should be made to contact the designated sexual assault team and where there is no specialist team, crisis intervention and support will be delivered by health staff present. A referral for follow-up support and care should be made as soon as possible.

Notifying the police

The sexual assault worker should discuss available reporting options with the person. If the victim requests to speak to police, it is the role of the sexual assault team or other designated staff member, to notify the police as soon as possible to ensure all evidence including the crime scene can be secured. Notification and initial reporting to police does not mean an investigation will automatically take place.

Where police are operating under time constraints, they should inform health staff. Working together to meet time constraints will directly impact the quality of the outcome for the victim.

Victim attending with police

Where victims arrive at the health facility with police, procedures outlined in referral to the local sexual assault team above should still be followed by health staff.

Initial contact

It is the sexual assault worker's role to coordinate an immediate response; offer practical and emotional support, assess the person's immediate physical and emotional safety and recognise the potentially traumatic nature of the assault.

Medical assessment will be conducted in accordance with local procedures.

Forensic medical examinations

Doctors or nurses conducting forensic examinations must follow local procedures in the management of sexual assault.

The forensic examination consists of obtaining a history as to the nature of the assault in order to guide the subsequent physical examination. It also includes interpretation of injuries and the collection of forensic evidence as it relates to the alleged sexual assault.

Forensic medical examinations and informed consent for people aged 14 years and above

Informed consent reflects a legal and moral principle whereby the victim has the right to decide what is appropriate for them. This includes the right to accept or to decline a forensic examination and to change that decision.

In order for a patient to exercise this right, they require access to information that is relevant to them. An explanation about the nature of the forensic examination must be given by the forensic medical officer (FMO) or forensic nurse examiner (FNE) and police also need to inform the victim about police investigation processes.

The victim should be made aware that they may withdraw their consent at any time to any particular procedure, or any aspect of the examination. However after the examination is complete, an investigation by police may continue to progress.

It should be noted that the decision to have a forensic examination is a health care matter and therefore legislation and policy around informed decision-making in health care applies in this circumstance. For more information on decision-making in health care settings, please refer to the Queensland Health guide to informed decision-making in healthcare: www.health.qld.gov.au/consent/documents/ic-guide.pdf.

It is the responsibility of the medical and forensic staff to assess capacity to consent. Where a person lacks capacity, it is appropriate to identify a capable adult to act on the patient's behalf. Please refer to section 2.2 of the Queensland Health guide to informed decision-making in healthcare: www.health.qld.gov.au/consent/documents/ic-guide.pdf.

If at any point there is a possibility that the capable adult identified is the offender, it is in the best interests of the patient for an Adult Guardian to be appointed in accordance with the *Powers of Attorney Act 1998* and the *Guardianship and Administration Act 2000*.

Where possible the examination will be carried out using the Sexual Assault Investigation Kit (SAIK).

Forensic medical examinations and informed consent for people under 14 years of age

Paediatric patients are generally those aged less than 14 years of age. It is usual practice for the child to be transferred to the hospital's child protection area for an examination, even if they have had initial treatment in an adult emergency setting. Emergency medical treatment for any child should be undertaken by the Department of Emergency Medicine prior to a forensic medical assessment.

Paediatric forensic medical assessments are undertaken by paediatricians. This will be done by the Child Protection Advisor on call (or similar) or the general paediatrician on call.

All examinations conducted on children should be consistent with Queensland Health's Hospital and Health Services Health Service Directive: Protocol for conducting child sexual assault examinations: <http://www.health.qld.gov.au/directives/docs/ptl/qh-hsdptl-029-11.pdf>. All paediatric FMEs should also adhere to legislation and policy around informed decision-making in health care. For more information on decision-making in health care settings, please refer to the Queensland Health guide to informed decision-making in healthcare: www.health.qld.gov.au/consent/documents/ic-guide.pdf.

Chain of evidence

The chain of evidence and the need for 'contemporaneous recollection of facts' to aid an investigation is essential. The chain of evidence involves not only the examination of the victim, but also includes the geographic location where the assault occurred, the identification and interview of witnesses and identification of relevant additional evidence. Evidence collected needs to be stored and transported in approved and standardised ways as outlined in police procedures to ensure the utility in a court proceeding. This further emphasises the importance of police involvement prior to an examination being conducted.

Storage and transportation issues need to be considered when undertaking an examination as the inability to safely and correctly store and transport evidence may damage the evidence or make it inadmissible in court in the later stage of an investigation and prosecution.

The doctor or nurse conducting the forensic examination should discuss the case with the police before the forensic examination takes place. This is to ensure that:

- all necessary evidence is collected
- a re-examination is prevented
- unusual evidence is not overlooked.

Timing and nature of the forensic medical examination

In determining the timing and nature of the FME a number of factors will be considered. These include the time since the assault, the physical and emotional state of the victim and their account of the assault.

This process, particularly if it involves an internal gynaecological or anal examination, can be distressing and the examination may need to be delayed or discontinued on account of the victim's physical and emotional state.

Presence of police and support person at medical and forensic examinations

Regardless of age, a person is entitled to have a support person present during the medical and forensic examination. This may include a friend or family member, a nurse, health care worker or sexual assault worker, who is not a potential witness.

There is no legal requirement for a police officer to be present during the medical and FME. However, if a victim requests the presence of police, this police officer is to be the same gender as the victim.

A police officer must be present to receive all evidence collected during a forensic examination immediately after the procedure to maintain continuity of the evidence for any potential court proceeding.

Consent to release information and evidence

The doctor or nurse conducting the FME will not release the SAIK to police without the signed consent of the victim or the capable adult acting on their behalf.

Access to health records

Health records, including counselling notes, are confidential. However, patients should be notified that any records can be subject to a subpoena or other court-related mechanisms.

Drug facilitated sexual assault

Where the administration of drugs in the sexual assault is suspected, testing to maximise the chances of detecting these substances should be administered in a timely fashion. However, the decision to test remains a clinical one which is made by the FMO or FNE.

Victim DNA reference samples

DNA reference samples (usually a blood sample or mouth swab) should be taken routinely as part of the FME.

Support person during the police interview

Police should inform victims that they may be accompanied by a support person while their statement is being taken. However, the victim must be advised that:

- the support person may not participate in the interview
- the support person may not directly or indirectly influence the interview
- a potential witness may not act as a support person.

Discontinuance of police action before a proceeding has commenced

Where the victim does not wish to proceed with further police action, police should:

- make clear that following the withdrawal of the complaint no further police action will be taken
- attempt to obtain a signed withdrawal of complaint
- inform the adult victim (18 years and over, only) of the online *Adult Sexual Assault Resource* (<http://www.police.qld.gov.au/programs/adultassault/>) package that provides alternative reporting options

If a proceeding has commenced, the victim's wishes will be taken into account when deciding if the matter will continue.

Domestic Violence Protection Orders

Sexual assault is one form of domestic and family violence. Where the sexual assault has occurred within an intimate personal relationship (marriage, engagement, couple), family relationship or an informal care relationship, the victim should be informed of their option to seek protection under the *Domestic and Family Violence Protection Act 2012*. In situations where domestic violence has occurred and where protection is needed to prevent further violence, a domestic violence order can be applied for by the victim, by police on behalf of the victim or by another person authorised by the victim. This is done through the Magistrates Court.

Where appropriate, victims should also be referred to a specialist domestic violence service for support and assistance, for example DVConnect Womensline Ph. 1800 811 811 and DVConnect Mensline Ph. 1800 600 636.

Follow-up and registration on the Victims Register

After the trial and/or sentence, the victim will have the opportunity to talk to the case lawyer about the outcome of the case and the sentence imposed, if any. This opportunity may arise immediately after the trial and/or sentence concludes or at a later time by telephone.

If the offender is imprisoned or placed under the supervision of Queensland Corrective Services, the victim may register their details on the Victims Register which is administered by Queensland Corrective Services. A victim and/or their family or nominee can register to be kept informed about the offender's imprisonment, movement between locations and proposed parole dates. They will also be given the opportunity to make submissions to parole boards when offenders apply.

Where the offender is a young person, the Victim Information Register may be utilised. This register is administered by Youth Justice within the Department of Justice and Attorney-General. A victim and/or their family or nominee can register to be kept informed about the young person's detention, movement between locations and supervised release dates.

If the offender appeals against their conviction and/or sentence or the Attorney-General appeals against the leniency of the sentence, the victim will be kept informed about the progress and outcome of the appeal and any consequential matters arising from the appeal.

Key stakeholders at the local level should maintain current referral information on appropriate support and other community services available. Localised referral pathways and protocols should be developed between key service providers to ensure timely referral pathways for those in need of support.

Conclusion

The government agencies acknowledged in this document (QPS, QH, DJAG and DCCSDS) have committed to the principles, roles, approaches and procedures articulated in the guidelines. This commitment aims to ensure that individuals who have experienced sexual assault are provided with timely, high quality and coordinated service delivery responses appropriate to their needs and appropriate to the role played by departmental officers.

Key service providers are encouraged to use this document as a framework to develop local level arrangements and protocols to ensure best practice, quality service and support to people who have experienced sexual assault.

The government agencies responsible for the development of the guidelines would like to thank all key government and non-government stakeholders who kindly contributed their knowledge and expertise.



For information or comments please contact:

Queensland Government Interagency Working Group Responding to Sexual Assault

Tel: 1300 546 587 **Email:** victimslinkup@justice.qld.gov.au

Notice: 2022/00252

1. **Advise whether, pursuant to 7.7.2 of ISO/IEC 17025 Application Document, Legal (including Forensic Science) – Appendix (2020), QPS forensic facilities conduct inter-laboratory or intra-laboratory comparisons for matters related to the collection of biological evidence for DNA testing where external proficiency testing is unavailable, such as, for example:**
 - subsampling, presumptive and confirmatory testing in the field
 - examination and testing of items within QPS DNA laboratories;
 - triage of items to send for DNA testing.

Response: No.

2. **If the answer to item 1 is yes, provide a list of matters related to the collection of biological evidence for DNA testing for which QPS forensic facilities conduct inter-laboratory or intra-laboratory comparisons. Provide any relevant supporting documents.**

If the answer to item 1 is no, explain why not.

Response:

Scenes of Crime Officers and Scientific Officers participate in a proficiency testing program which relates to examination of crime scenes and collection of biological evidence.

This program includes a Crime Scene Assessment every 2 years for each practitioner, which involves assessment of that member's examination of a crime scene by another suitably authorised practitioner, and may include detection for biological evidence, presumptive and/or confirmatory testing, and collection of biological samples.

Further, examinations undertaken in relation to major crime scene examination (both in the field and within QPS laboratories), as well as a proportion of volume crime scene examinations, will be technically reviewed by an appropriately authorised officer to ensure that relevant procedures are followed and appropriate conclusions drawn.

Additionally, each FSG facility is required to submit an annual response to the 'After the Fact' online (external) proficiency test, which assesses participants' competency in collection of biological evidence, and associated documentation and recording.

3. **Any overall curriculum document or course program for the four-year training program undertaken by Scientific Officers (completion of which renders them eligible for a Graduate Certificate in Crime Scene Investigation). We do not seek documents relating to individual lessons or components of the course.**

Response: Course program for Griffith University Graduate Certificate in Crime Scene Investigation provided.



Graduate Certificate in Crime Scene Investigation (Domestic Students)

3334 | Other | Postgraduate | Trimester 1, Trimester 2 and Trimester 3 intakes

Credit points 40

Duration 2 years part-time

Delivery by School of Environment and Science

Award abbreviation GCertCSI

Overview and fees (Domestic students)

About this program

The Graduate Certificate in Crime Scene Investigation is only available to specifically nominated officers in an approved police service as part of their mandatory professional training. The program is based on nationally agreed Australian and New Zealand Policing Advisory Agency (ANZPAA) Education and Training Guidelines introduced in 2013.

My attendance during the program

Attendance information

This program is completed part-time over two years, off-campus. Students will attend two or three scheduled intensive training blocks at the headquarters of the approved police service. Students will be released from their jurisdictions to attend the course with face-to-face delivery. Support will be provided to students when they return to their jurisdictions by e-mail and phone.

Managing study interruptions

Readmission

A student who has discontinued enrolment in the Graduate Certificate in Crime Scene Investigation program and who is not on an approved leave of absence is required to seek approval for readmission to the program from the Program Director.

Work-integrated learning

Students will be shown how to undertake a range of Crime Scene Investigation techniques and will apply them in mock cases. At the completion of the course work it is expected that students will be competent to apply their training in the workplace. Work-integrated learning activities integrate theoretical learning with its application in the workplace. The inclusion of work-integrated learning activities in this program demonstrates Griffith's commitment to preparing its graduates for success in their working life.

My career opportunities

My career opportunities

Upon completion of the Graduate Certificate students will be able to perform a range of Crime Scene Examiner duties within the Scientific Section of a Police Service. This program complies with nationally agreed Australian and New Zealand Policing Advisory Agency (ANZPAA) Education and Training and provides the basis for Crime Scene Investigators to be accredited through the Australasian Field Forensic Science Accreditation Board (AFFSAB) as training based on the guidelines will be a pre-requisite for accreditation, and allows recognition of study by other policing jurisdictions.

Professional recognition

Professional recognition

This program also provides the basis for Crime Scene Investigators to be accredited through the Australasian Field Forensic Science Accreditation Board (AFFSAB) as training based on the guidelines will be a pre-requisite for accreditation.

Pathways to further study

Pathways to further study

After achieving the Graduate Certificate in Crime Scene Investigation, candidates may undertake a range of qualifications relevant to their role, either to contribute to further technical expertise in a specialist area or to move to a supervising or managing role. Pathways for candidates considering this qualification may include a wide range of tertiary qualifications.

How to apply (Domestic students)

Can I apply?

Admission requirements

Applicants for the **Graduate Certificate in Crime Scene Investigation** will only be available to currently serving members of an approved police service, and will be selected by the Service. All students must have a Science degree or equivalent.

What is the application process?

How to apply

To apply, add this program to your shortlist at the top of this page or apply for this program now (a maximum of three preferences is allowed).

Griffith will assess your first preference and will **only** assess subsequent preferences if you are not successful.

Once you have submitted your application, you will be sent an email about how to track your application.

For a full list of your incomplete or submitted applications, please view your application list.

Trimester 3 2017 - Trimester 3 2024, Trimester 1 2017 - Trimester 1 2024, Trimester 2 2017 - Trimester 2 2024, Trimester 1 - Trimester 2 2017 - 2024

Degree requirements (Domestic students)

To be eligible for the award of *Graduate Certificate in Crime Scene Investigation* (GCertCSI), a student must complete:

- 40 credit points of prescribed courses.

Enrolment in the Graduate Certificate in Crime Scene Investigation is conditional upon continued employment of the approved police service. Should a student cease employment with the approved service they will be administratively withdrawn from the program.

Australian Qualifications Framework (AQF) Level and Type

The Australian Qualifications Framework (AQF) is the national policy for regulated qualifications in Australian education and training. This qualification is accredited as an AQF Level 8 - Graduate Certificate.

Program learning outcomes

Program learning outcomes

Program Learning Outcomes communicate to the community the value of the Griffith educational experience as benchmarked against national qualification standards.

Program Learning Outcomes for this award describe the knowledge, skills and the application of knowledge and skills you will acquire through studying the Griffith program of your choice.

Course List (Domestic students)

Course list: Students starting Trimester 3 2017 - Trimester 3 2024, Trimester 1 2017 - Trimester 1 2024

Course offering information in program structures is a guide only. Please check the actual offering information in the Course Catalogue.

Students must complete the following courses:

Trimester	Course code	Requirement	Course title	CP
Tri 3	7297NSC_Y1		Applied Specialised Forensic Science Techniques	5
Tri 3	7298NSC_Y1		Conduct Serious Forensic Crime and Incident Scene Examinations	5
Tri 1	7297NSC_Y2		Applied Specialised Forensic Science Techniques	5
Tri 1	7298NSC_Y2		Conduct Serious Forensic Crime and Incident Scene Examinations	5
Tri 2	7299NSC_Y1		Develop Forensic Crime Scene Expertise	10
Tri 2	7299NSC_Y2		Develop Forensic Crime Scene Expertise	10

Course List (Domestic students)

Course list: Students starting Trimester 2 2017 - Trimester 2 2024

Course offering information in program structures is a guide only. Please check the actual offering information in the Course Catalogue.

Students must complete the following courses:

Trimester	Course code	Requirement	Course title	CP
Tri 2	7297NSC_Y1		Applied Specialised Forensic Science Techniques	5
Tri 2	7298NSC_Y1		Conduct Serious Forensic Crime and Incident Scene Examinations	5
Tri 3	7297NSC_Y2		Applied Specialised Forensic Science Techniques	5
Tri 3	7298NSC_Y2		Conduct Serious Forensic Crime and Incident Scene Examinations	5
Tri 1	7299NSC_Y1		Develop Forensic Crime Scene Expertise	10
Tri 1	7299NSC_Y2		Develop Forensic Crime Scene Expertise	10

Course List (Domestic students)

Course list: Students starting Trimester 1 - Trimester 2 2017 - 2024

Course offering information in program structures is a guide only. Please check the actual offering information in the Course Catalogue.

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Students must complete the following courses:

Trimester	Course code	Requirement	Course title	CP
Tri 1	7297NSC_Y1		Applied Specialised Forensic Science Techniques	5
Tri 1	7298NSC_Y1		Conduct Serious Forensic Crime and Incident Scene Examinations	5
Tri 2	7297NSC_Y2		Applied Specialised Forensic Science Techniques	5
Tri 2	7298NSC_Y2		Conduct Serious Forensic Crime and Incident Scene Examinations	5
Tri 1	7299NSC_Y1		Develop Forensic Crime Scene Expertise	10
Tri 1	7299NSC_Y2		Develop Forensic Crime Scene Expertise	10

AQF LEVEL	AQF LEVEL 8 CRITERIA –	PROGRAM LEARNING OUTCOMES
	GRADUATE CERTIFICATE	
PURPOSE	The Graduate Certificate qualifies individuals who apply a body of knowledge in a range of contexts to undertake professional/highly skilled work and as a pathway for further learning.	
KNOWLEDGE	Graduates of a Graduate Certificate will have specialised knowledge within a systematic and coherent body of knowledge that may include the acquisition and application of knowledge and skills in a new or existing discipline or professional area	Graduates of the Graduate Certificate in Crime Scene Investigation Graduate Certificate will have: <ul style="list-style-type: none"> • specialist knowledge in crime scene investigation and of key forensic science issues and concepts; and • knowledge on the application of forensic techniques to crime scene investigation and the applicability of the crime scene investigation outcomes to the broader area of forensic science; and • ability to apply this knowledge in an operational forensic science setting. • knowledge and practical skills for forensic crime scene investigation in the Queensland Policing system.

SKILLS

Graduates of a Graduate Certificate will have:

- cognitive skills to review, analyse, consolidate and synthesise knowledge and identify and provide solutions to complex problems
- cognitive skills to think critically and to generate and evaluate complex ideas
- specialised technical and creative skills in a field of highly skilled and/or professional practice
- communication skills to demonstrate an understanding of theoretical concepts
- communication skills to transfer complex knowledge and ideas to a variety of audiences

Graduates of the Graduate Certificate in Crime Scene Investigation Graduate Certificate will have:

- cognitive skills to critically evaluate material under investigation, synthesise the theoretical knowledge and form conclusions to meet the challenges of the forensic crime scene investigations.
- the ability to use cognitive and creative skills to exercise critical thinking and judgement in the analysis of crime scene casework problems in forensic science.
- communication skills to permit clear and unambiguous presentation and discussion of complex scientific concepts and ideas to and with a non-technical audience.
- communication skills to permit clear and unambiguous written presentation of complex scientific concepts and outcomes of tests and experiments in forensic evidential reports and courts of law.

**APPLICATION OF
KNOWLEDGE &
SKILLS**

Graduates of a Graduate Certificate will demonstrate the application of knowledge and skills:

- to make high level, independent judgements in a range of technical or management functions in varied specialised contexts
- to initiate, plan, implement and evaluate broad functions within varied specialised technical and/or creative contexts
- with responsibility and accountability for personal outputs and all aspects of the work or function of others within broad parameters

Graduates of the Graduate Certificate in Crime Scene Investigation Graduate Certificate will demonstrate the application of knowledge and skills:

- to undertake a critical and unbiased analysis of forensic crime scene investigations involved in police casework.
- to make independent analysis and interpretations in forensic crime scene investigations.
- to communicate results to non-scientific audience and report on your findings in a court of law.
- to reflect on performance feedback to identify and action learning and self-improvement opportunities.

Notice: 2022/00259

1. Advise if terms all have the same meaning, or if not, provide a clear explanation of the differences:

- a. 'Scenes of Crime Development Program (SOCDP)' (referred to, e.g., in statement of [REDACTED] at para 40);
- b. 'Scenes of crime officer training course' (referred to under 'Role Specific Criteria' in SOCO Constable/Senior Cons
- c. table position description – QPS.0051.0089.0001);
- d. 'Field training program' (referred to under 'Role Specific Criteria' in SOCO Constable/Senior Constable position description – QPS.0051.0089.0001).

Response: The above terms have the same meaning. All relate to the Scenes of Crime Development Program.

2. Advise if the 'Field Scene Assessments (internal)' referred to in some NATA audit reports are the same as the scene assessments conducted using the PFS 51 Scene Assessment Form.

Response: Field Scene Assessments (internal) referred to in some NATA audit reports are the same as the scene assessments conducted using the PFS51 Scene Assessment Form.

3. Advise if the Competency Acquisition Programs (CAPs) disclosed in response to item 5 of Notice 2022/00020 are for general duties officers, and, if so, in what circumstances general duties officers are required to complete them? Are they a prerequisite to apply to be a Scenes of Crime Officer, or are they part of the Scenes of Crime Officer course?

Response: The Competency Acquisition Programs (CAPs) are online learning products made available to all ranks and officers within the QPS, which officers may complete for their own personal development. CAPs are delivered and maintained by the QPS Education and Training Services, a Unit that is separate to QMS and sits in another Command (PCAP). Whilst FSG members are consulted in their production, the maintenance and 'upkeep' of such programs is not managed by FSG but rather by PCAP.

While it is recommended that they be completed by SOC trainees and officers interested in becoming SOC officers, they are not compulsory, they are not part of the SOC training program, and they are not a prerequisite to apply to be a SOC Officer.

- 4. Advise if there are any policies/written procedures about how DNA results received from QHFSS are then managed and communicated within QPS, and/or how investigating officers are meant to be made aware of results and triage and deal with those results. If yes, attach those policies.**

Response: Standard Operating Procedure 'DRMU0002 - ALLOCATING RESULTS' details how each of those result lines are reviewed and allocated to DNA Results Management Unit staff to action/create.

The individual result reports are created on the Forensic Register in accordance with the relevant SOP for the particular result type:

- DRMU0003 - REPORTING COLD LINK RESULTS;
- DRMU0005 - REPORTING ELIMINATION DNA RESULTS;
- DRMU0006 - REPORTING EVIDENCE DNA RESULTS;
- DRMU0008 - INCORRECT AND SUPERSEDED RESULTS;
- DRMU0009 - INTERSTATE REQUESTS v2;
- DRMU0012 - POST MORTEM RESULTS; and
- DRMU0015 - Reporting of QHFSS Intelligence Reports.

Reports are created on QPRIME to detail the relevant result information and a notification task is sent to the Area's Crime Manager to advise, as per DRMU0010 - COLDLINK AND EVIDENCE Q-PRIME UPDATES. The Crime Manager will then reassign that task to the appropriate Investigation team/unit with any relevant advice/request.

Response to query re: how investigating officers are meant to be made aware of results and triage and deal with those results:

- Evidence DNA results: Investigating Officers are made aware of new DNA evidence results by way of a task sent to the Crime Manager, which is then forwarded to the

Investigator. The newly created reports detailing any results are attached to that task for ready access.

- Intelligence DNA results (cold links): Investigating Officers are made aware of intelligence results/cold links in the same way as for evidence results. In addition to the QPRIME task, an email is sent to the relevant Forensic Coordinator, and Forensic Officer who collected/recorded the crime scene exhibit, providing cold link information, who would then liaise with the investigator regarding triaging and relevance of result.

5. Is any training given to Scenes of Crime Officers or Scientific Officers (including as part of their initial) about how to choose where to sample DNA from an item when conducting sub-sampling in a laboratory? If yes, attach any such document outlining that training.

Response: Yes, Scenes of Crime Officers and Scientific Officers are trained in the collection of DNA samples. There are several DNA presentations and assessments delivered to the students in relation to these practices. This is not specific to DNA lab sampling and incorporates both field and lab sampling. Written examinations are also required. Further, videos are provided to students to visualise this process. The DNA package has been previously supplied in response to Notice 2022/00078:

- 2022/00078 – 02.56
- 2022/00078 – 02.30
- 2022/00078 – 02.16

QPS has identified another Powerpoint that was not previously provided entitled, 'Other Bodily Fluids' which forms part of the training delivered to Scenes of Crime Officers and Scientific Officers. A copy of that Powerpoint is produced under cover of this Notice.

6. The training provided by the DNA Management Section to Scientific Officers during their initial training on how DNA results are reported generally (referred to in statement of David Neville dated 26 Aug 2022 at para 279).

Response: The training material used by the DNA Management Section was provided in response to Notice 2022/00078. Specifically, document 2022/00078 – 03.63.

7. The 'new, reduced and simplified volume of result lines' referred to in the statement of statement of Olivia McIntyre at paragraph 17(c).

Response: This document appears as 'Exhibit 188' to the Statement of [REDACTED] signed 14 September 2022 (prepared in response to Notice 2022/000136).