

CONFIDENTIAL

**ANALYSIS AND EVALUATION
OF THE LEGAL AND
LEGISLATIVE REQUIREMENTS
OF THE COURT SYSTEM FOR
FORENSIC AND SCIENTIFIC
SERVICES PROVIDED BY
QUEENSLAND HEALTH**

May 2005

*Review Proposal No.3
Ministerial Taskforce,
Forensic & Scientific Services*

1.0 BACKGROUND

The Minister for Health announced in Parliament on 22 March 2005, that a Ministerial Taskforce on the Role & Function of Forensic & Scientific Services in the Queensland Government would be established as a matter of urgency. Establishment of the Taskforce is a Whole of Government response to address issues surrounding the demand for and provision of services from Forensic & Scientific Services in Queensland Health to the Criminal Justice System.

The Ministerial Taskforce will be undertaking four areas of review, with a view to developing strategies and an implementation plan for consideration of the Ministerial Oversight Committee. The four areas of review are as follows:

- Full Organisational Review of Forensic & Scientific Services in Queensland Health, particularly in relation to services provided to the Criminal Justice System.
- Analysis & evaluation of the nature, type & quantum of current and future demand for services & technologies from Forensic & Scientific Services in Queensland Health by the Queensland Police Service.
- Analysis & evaluation of the legal and legislative requirements of the Court system for services provided by Forensic and Scientific Services in Queensland Health.
- Analysis & evaluation of alternative models of service delivery for the provision of forensic and scientific services to the Criminal Justice System.

The following proposal, subsidiary to the main organisational review, outlines the third area for review – the legal and legislative requirements of the Court system.

2.0 OBJECTIVES

The objectives of this review are as follows:

- To identify the legal and legislative requirements of the criminal justice system for forensic and scientific services;
- To examine and evaluate the policies and procedures of, and interactions between, criminal justice agencies including the Queensland Police Service, Office of the Director of Public Prosecutions, Legal Aid Queensland, and the courts in the demand for reliable, accurate and timely forensic and scientific services;
- To examine the views of the Judiciary in regard to their requirements for forensic and scientific services;
- To review the overall level of satisfaction of criminal justice stakeholders with forensic and scientific services including identifying any improvements necessary;
- To examine the impacts of forensic testing delays on the efficiency and effectiveness of the criminal justice system;
- To identify any appropriate legislative changes to improve the legislative framework for matters involving forensic and scientific services;

- To identify and evaluate any appropriate changes to the policies, procedures and work practices of criminal justice stakeholders to create a more efficient forensic science delivery system including but not limited to making greater use of videoconferencing and tele-conferencing;
- To identify any information technology enhancements to appropriately integrate forensic and court data and to facilitate better communication between criminal justice agencies and forensic and scientific services;
- To examine the efficiency and effectiveness of the provision of forensic services to the Coronial system, including the identification of areas for improvement.

3.0 SCOPE

The scope of this review encompasses all policies, procedures, practices and legislative requirements applicable to the delivery of forensic and scientific services to the criminal justice system in Queensland.

4.0 METHODOLOGY

The Ministerial Taskforce will utilise the following approach in addressing the Objectives specified in 2.0 above:

I Review Phase:

Step 1 Initial Information Gathering and Planning

- initial discussions (building on earlier discussions with senior officers from the QPS) with senior officers from the ODPP, Legal Aid, and Strategic Policy within the Department of Justice and Attorney General, and with Legal Aid Queensland;
- initial data and information gathering;
- scoping and establishing boundaries of work;
- briefing of Ministerial Taskforce members.

Step 2 Detailed Information Gathering

- staff meetings and focus groups;
- consultation and call for submissions/information from staff, key stakeholders and client groups;
- data gathering from relevant areas;
- Information sharing across Ministerial Taskforce members.

Step 3 Analysis & Evaluation

- analysis & evaluation of information/data gathered;
- Information sharing across Ministerial Taskforce members.

Step 4 **Verification & Comparison**

- data & information verification for accuracy;
- Data & information comparison with internal and/or external performance measures/benchmarks.

Step 5 **Detailed Analysis & Evaluation**

- Detailed analysis & evaluation of information/data to determine preliminary strategies for improvement and enhancement of services.

Step 6 **Interim Report/Briefing Preparations**

- Preparation of the Interim Report/Briefing for the Review Phase.

II **Strategy Development Phase**

Step 7 **Strategy Development**

- develop & finalise all strategies for improvement and enhancement in the Interim Report/Briefing;
- Develop and finalise broader strategies and implications flowing from the Interim Report/Briefing.

III **Implementation Planning Phase**

Step 8 **Final Report Preparations**

- preparation of the Final Report to the Ministerial Oversight Committee;
- determine debriefing process and content for key stakeholders;
- Development of the Initial Communication Strategy.

Step 9 **Implementation Plan Preparations**

- develop Implementation Plan & negotiate timeframes, resource implications and areas of responsibility/accountability with key stakeholders;
- seek endorsement of Final Report and Implementation Plan by Ministerial Oversight Committee;
- Development of the Final Communication Strategy.

5.0 RESOURCE REQUIREMENTS

As a result of recent correspondence from the Minister for Health to the Premier & Minister for Trade, the Attorney-General & Minister for Justice, and the Minister for Police & Corrective Services, the following officers have been nominated to establish the Ministerial Taskforce:

- Mr Tony Hayes, Senior Executive Director, Resource Management, Queensland Health (Executive Director, Ministerial Taskforce).
- Ms Kathy Rynders, Assistant Commissioner of Police (Metro South).
- Mr Jim McGowan, Deputy Director-General, Department of Justice & Attorney General.
- Ms Kate Callaghan, Executive Director, Business Services, Department of Premier & Cabinet.
- Mr Paul Sheehy, Director, Legislative Projects Unit, Queensland Health.
- Mr Neville Schulz, Manager, (Operational/Efficiency Audit), Audit & Operational Review Unit, Queensland Health.

All members of the Taskforce are fulltime with the exception of Mr McGowan who is part-time and consequently will be assisted by Ms Glenda Newick, A/Principal Legal Officer, Department of Justice & Attorney-General. Superintendent Paul Stewart, Head of Forensic Services, Queensland Police Service will continue to provide assistance to the Taskforce as requested by Assistant Commissioner Rynders.

Ms Newick and Superintendent Stewart, and the other fulltime members of the Taskforce will make up the core team who will undertake the activities in and across each of the agencies with the assistance and support of the most senior officer in each agency.

Salaries for each member of the Taskforce will be funded by their respective agencies. Accommodation, travel & all other non labour costs will be provided by Queensland Health.

The Taskforce will also be supported by a number of independent technical & scientific experts from the Institute of Environmental Science & Research Ltd. in Auckland, New Zealand, with additional support provided by the National Institute of Forensic Sciences in Melbourne, Victoria. Funding for this assistance will be provided by Queensland Health.

6.0 TIMEFRAMES

The final report of the Ministerial Taskforce including strategies for improvement and the provision of an Implementation Plan will be provided to the Ministerial Oversight Committee by the end of July 2005. A number of interim reports & briefings will be provided at key milestones during the period leading up to this time.

It is anticipated that the Ministerial Oversight Committee will meet up to four times to consider key deliverables & milestones as listed in Appendix "A".

7.0 REPORTING RELATIONSHIPS/GOVERNANCE

The Ministerial Taskforce will report to the Ministerial Oversight Committee which will be chaired by the Minister for Health. The Attorney-General & Minister for Justice and the Minister for Police & Corrective Services will be members of the Ministerial Oversight Committee. It is anticipated that the Ministerial Oversight Committee will meet monthly in the first week of each month commencing May 2005.

At various other times, the Taskforce will report to the Directors-General Committee made up of the same departments as the Ministerial Oversight Committee, plus the Department of Premier & Cabinet.

All members of the Taskforce will report to Mr Tony Hayes, Executive Director, Ministerial Taskforce, and Forensic & Scientific Services. Appendix "B" provides further information on the reporting relationships mentioned above.

8.0 COMMUNICATION

Communication strategies managed by the Ministerial Taskforce will be supported by the Public Affairs Branch in Queensland Health, who in turn will liaise with the Office of the Minister for Health, and as necessary, other Ministers' Offices represented on the Ministerial Oversight Committee.

The Taskforce will also utilise various communication strategies as it progresses through the various phases of work. Staff meetings, forums, question & answer sheets & email will be the common mediums utilised as well as regular union briefings.

As the Taskforce progresses with its work, the Public Affairs Branch will liaise with other Agencies to ensure external stakeholders are kept informed and to establish open channels of communication and information sharing.

9.0 RISK MANAGEMENT

The following have been identified as the key risks for the work of the Ministerial Taskforce:

Risk	Rating	Strategy
1. External stakeholders not participating or given the opportunity to have input into the review process.	MEDIUM	Taskforce to contact key stakeholders for input into the review process. All correspondence received is responded to by the Taskforce.
2. No scientific & technical expert on the Ministerial Taskforce.	LOW	Expert scientific advisors & support established in NZ & Victoria to assist the Taskforce.

10.0 REVIEW APPRAISAL

It is proposed that the Ministerial Taskforce will be successful if each of the objectives established in 2.0 above are achieved, and the recommendations to the Ministerial Oversight Committee are endorsed for implementation.

PROPOSAL ENDORSED



Ms Rachel Hunter
Director-General
Department of Justice
and Attorney-General
12/5/2005

PROPOSAL APPROVED



ROD WELFORD MP
Attorney-General and Minister for Justice
Member for Everton
12/5/2005



GORDON NUTTALL MP
Minister for Health
Member for Sandgate
(Chair of Ministerial Oversight
Committee for Forensic & Scientific
Services)
12/5/2005