

## DFVDRAB implementation updates as at 31 December 2023

Annual Report 2017-18		
RECOMMENDATION	GOVERNMENT RESPONSE	IMPLEMENTATION UPDATE <i>'as at 31 December 2023'</i>
<b>Recommendations 1 to 4, 6, 7 and 9 to 13 have been implemented with the responses being published in earlier implementation updates.</b>		
<p><b>Recommendation 5 -</b> Queensland Health and the Queensland Police Service examine the role of clinical forensic evidence in securing convictions for non-lethal strangulation within a domestic and family violence context, with a view to identifying opportunities for improvement and standardisation in processes.</p>	<p><b>Accept</b> Queensland Health to lead establishment and coordination of a working group with membership comprising Department of Justice and Attorney General, Queensland Health and the Queensland Police Service.</p> <p>The working group will:</p> <ul style="list-style-type: none"> <li>monitor developing local and international evidence on the role and usefulness of forensic material in securing convictions for non-lethal strangulation in domestic and family violence;</li> <li>consider the current state in Queensland regarding the use of forensic evidence to secure convictions through a scan of sample cases and through consultation with key stakeholders involved in prosecuting under the QLD legislation; and</li> <li>consider existing methods for gathering forensic evidence and consult with stakeholders to identify where improvements may be made.</li> </ul> <p><b>Lead agency:</b> Queensland Health</p> <p><b>Supporting agency:</b> Queensland Police Service</p>	<p><b>The Queensland Government's response to the recommendation is implemented.</b></p> <p><b>As at 31 December 2023 the Minister for Health, Mental Health and Ambulance Services and Minister for Women and the Queensland Police Service responded:</b> Queensland Health and Queensland Police Service are continuing to examine the role of clinical forensic evidence in securing convictions within a domestic and family violence context through ongoing collaboration and cross-agency consultation. In 2020, an inter-agency working group was convened by Queensland Health and the Queensland Police Service, this included a representative from the Office of the Director of Public Prosecutions and Department of Justice and Attorney-General. The working group focussed on:</p> <ul style="list-style-type: none"> <li>monitoring and developing local and international evidence on the role and usefulness of forensic material in securing convictions for non-lethal strangulation in domestic and family violence settings;</li> <li>considering the use of forensic evidence to secure convictions through a scan of sample cases and through consultation with key stakeholders involved in prosecuting under the Queensland legislation; and</li> <li>considering existing methods for gathering forensic evidence and consulted with key stakeholders to identify possible improvements.</li> </ul> <p>Queensland Health consulted with the University of Queensland to discuss research the university was undertaking on the effectiveness of Queensland's legislation involving non-lethal strangulation in domestic and family violence. A project plan was developed by Queensland Health resulting in a process for the consideration of evidence for the utility of forensic evidence in non-lethal strangulation cases in Queensland. Queensland Health consulted with the Queensland Police Service and the Office of The Director of Public Prosecutions to gain an understanding of the current state in relation to issues impacting on non-lethal strangulation charges being lodged in the Magistrates Court, and on indictment cases to the higher courts.</p> <p>In 2021, Queensland Health procured research services from the University of Melbourne in collaboration with the University of Queensland, to inform consideration of the use of clinical forensic evidence in cases of non-fatal strangulation before the courts in Queensland. Queensland Health shared the research into the use of clinical forensic evidence in cases of non-fatal strangulation before the Queensland Courts with the Queensland Police Service, Office of the Director of Public Prosecutions and Department of Justice and Attorney-General. Analysis of considerations for the health system was completed with a high-level way forward to be developed, including consultation with Office of the Director of Public Prosecutions, Queensland Police Service and internal stakeholders across the health system.</p> <p>Implementation of this recommendation is directly linked to<sub>1</sub> and continues to be actioned and reported on under<sub>1</sub> recommendation 24 of Hear Her Voice Report 1, Women's Safety and Justice Taskforce. Under this recommendation, Queensland Health is engaging a private consultant to undertake a review of the Queensland Health domestic and family violence toolkit of resources and develop new content. Throughout this process, the</p>



		consultant will determine what resources are required, which could include a clinical forensic evidence form. Future implementation updates will be published in the Women's Safety and Justice Taskforce Annual Reports, published on the Department of Justice and Attorney-General's website.
<b>Recommendation 8 -</b> Queensland Health explore data-linking opportunities with other relevant departments to improve the evidence	<b>Accept</b> Queensland Health and the Queensland Police Service (QPS) will continue to work together to facilitate linking QPS records to emergency department, hospital admission and death registration data.  <b>Lead agency:</b> Queensland Health  <b>Supporting agency:</b> Queensland Police Service	<b>The Queensland Government's response to the recommendation is implemented.</b>  <b>As at 31 December 2023 the Minister for Health, Mental Health and Ambulance Services and Minister for Women and the Queensland Police Service responded:</b> Queensland Health (QH) and Queensland Police Service (QPS) have explored data-linking opportunities to improve the evidence regarding the ongoing health impacts of non-lethal strangulation through ongoing collaboration and cross-agency consultation. Although a memorandum of understanding was progressed by both agencies in August 2022 to support the sharing of agreed non-lethal strangulation data items from QPS to QH, further review revealed the existing legislative framework does not support this type of information exchange. Both agencies may consider resource requirements to facilitate research under provisions to improve the evidence base for the ongoing health impacts of non-lethal strangulation. However, a legislative and governance pathway to enable data sharing and linkage to inform service policy, planning and evaluation would be required to support longer term access to data linkage.