

State Records Act 1997

Operational Records Disposal Schedule

Attorney-General's Department – Forensic Science SA (FSSA) (and predecessor agencies)

RDS 2019/14 Version 1

Effective Date: 26 November 2019 to 26 November 2029

Approved Date: 26 November 2019



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Preamble

Purpose of the Schedule

This Operational Records Disposal Schedule (RDS) authorises arrangements for the retention or destruction of records in accordance with Section 23(2) of the *State Records Act 1997*.

Application of the Schedule

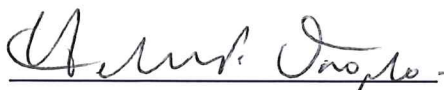
Attorney-General's Department – Forensic Science SA (FSSA) (and predecessor agencies)

Approved Date: 26 November 2019

Effective Date: 26 November 2019 to 26 November 2029

Authorisation by State Records

This authorisation applies only to the disposal of the records described in the Schedule.



Chair, State Records Council



Director, State Records

Disposal of Official Records

Legislation

Section 23(1) of the *State Records Act 1997* states that an agency must not dispose of official records except in accordance with a determination made by the Manager [Director] of State Records with the approval of the State Records Council.

Section 23(2) states:

'If an agency requests the Manager to make a determination as to the disposal of official records, the Manager must, as soon as practicable:

- (a) with the approval of the [State Records] Council, make a determination requiring or authorising disposal of the records in a specified manner; or
- (b) make a determination requiring delivery of the records into the custody of State Records or retention of the records and later delivery into the custody of State Records.'

The contents of an RDS, once the approval process is complete, constitute a determination within the meaning of the *State Records Act 1997*.

Functions of the Schedule

An RDS plans the life of these records from the time of their creation to their disposal. It describes the records created and/or controlled by FSSA, the disposal sentence specifying whether they are to be retained as archives or destroyed, and when this should occur.

This Operational Records Disposal Schedule has been prepared in conjunction with staff from FSSA to determine the records which need to be kept because of their long term value and to enable the disposal of records once they are no longer needed for administrative purposes. The assessment of the records takes into account their administrative, legal, evidential, financial, informational and historical values. The appraisal of the records is in accordance with the State Records' policy as documented in *Appraisal of Official Records – Policy and Objectives* - available from State Records' website (www.archives.sa.gov.au).

The Schedule complements the General Disposal Schedules (GDS) that are issued by State Records to cover housekeeping and other administrative records common to most State Government agencies.

Using the Schedule

The Schedule applies only to the records described within it.

Layout

The Schedule is laid out as follows:

Item Number: Numbering in the Schedule is multi level:

- Functions have single numbers (e.g. 1.)
- Activities and/or processes have two-level numbers (e.g. 1.1)
- Disposal classes have three-level numbers (e.g. 1.1.1)

Function: The general functions are shown in 11 point bold Arial upper case at the start of each section. (e.g. **FORENSIC SCIENCE MANAGEMENT**)

Activity/Process: The activities and processes relating to each function are shown in 11 point bold Arial sentence case (e.g. **Case Management**).

Description: Descriptions are in three levels ranging from broad functions to specific disposal classes:

- definitions of functions are shown at the start of each section in bold (e.g. **The function of applying scientific principles to recover, identify, analyse and report on a variety of physical materials and biological samples, and the management of the results, for legal, evidentiary and other purposes**)
- definitions of activities are located adjacent to the activity title in *italics* e.g. *The activities and processes associated with ensuring effective control over physical evidence, documenting the analysis of samples, and the filing of reports in a number of formats for a variety of legal evidential uses.* and
- descriptions of each disposal class are arranged in sequence under the activity definitions.

Disposal Action: Disposal actions relate to the disposal classes arranged under the activity descriptions. The status of the class is either PERMANENT or TEMPORARY with a disposal trigger and retention period given for all temporary records

Retention Period of the Record

The Schedule is used to sentence records. Sentencing involves applying the record retention periods within the RDS to the records of FSSA. Decisions are made using the

Schedule about whether records are to be retained and, if so, for how long, or when they are to be destroyed.

Retention periods set down in the Schedule are the minimum requirements and FSSA may extend the retention period of the record if it considers there is an administrative need to do so. Where FSSA wishes to retain records for substantially longer periods, it should request that the Schedule be amended to reflect this requirement.

Custody and Transfer of the Record

Permanent Records

Section 19 of the *State Records Act 1997* includes provisions for the transfer of custody of an official record:

- a) when the agency ceases to require access to the record for current administrative purposes; or
- b) during the year occurring 15 years after the record came into existence - whichever first occurs.

Official records that have been sentenced as permanent, in accordance with an approved disposal schedule, are required to be transferred to State Records.

Agencies with valid reasons to retain permanent records for longer than 15 years should apply in writing to Director [Manager], State Records requesting either a postponement or an exemption from section 19.

It should be noted that postponement or exemption are only granted in exceptional circumstances.

Temporary Records

The custody of official records that have been sentenced as temporary is the responsibility of agencies. A policy and standards framework for the management and storage of temporary value official records has been established by State Records as documented in *Records of Temporary Value: Management and Storage: Standard and Guidelines* (May 2002). FSSA needs to comply with these policy documents - available from State Records' website (www.archives.sa.gov.au).

The custody of official records on networks or hard drives is also the responsibility of agencies. FSSA needs to ensure that records in electronic format remain accessible to authorised users for the duration of the designated retention period. State Records is, however, currently examining options for the transfer of permanent value electronic records in digital form to its custody.

Destruction of Temporary Records

Temporary records can only be destroyed with the approval of the CE or delegate in accordance with the Destruction of Official Records Guideline issued by State Records of South Australia. Failure to comply with this direction falls under Section 17 of the State Records Act 1997 and may be considered by ICAC as misconduct or maladministration.

Prior to destruction, the following General Disposal Schedules (GDS) need to be consulted:

- GDS 16 Impact of Native Title Claims on Disposal of Records to ensure records which are relevant to native title claims in South Australia are identified and preserved;
- GDS 27 for Records Required for Legal Proceedings or Ex Gratia Applications Relating to Alleged Abuse of Former Children Whilst in State Care to ensure the preservation of official records that may relate to the rights and entitlements of the individuals who present a court claim or apply for an ex gratia payment and of the State Government in defending or processing those claims and applications;
- GDS 32 for Records of Relevance to the Royal Commission into Institutional Responses to Child Sexual Abuse to ensure that records of relevance to the Royal Commission are protected and available for the purposes of the Royal Commission and any subsequent actions involving the South Australian Government as well as for future reference and accountability purposes and to protect the rights and entitlements of stakeholders.
- GDS 36 for Records of Relevance in relation to Child Abuse or Alleged Child Abuse to ensure that records of relevance are protected and available for any subsequent actions involving the South Australian as well as for future reference and accountability purposes and to protect the rights and entitlements of stakeholders.
- GDS 37 for Records of Relevance to the Royal Commission into Aged Care Quality and Safety to ensure that records of relevance to the Royal Commission are protected and available for the purposes of the Royal Commission and any subsequent actions involving the South Australian Government as well as for future reference and accountability purposes and to protect the rights and entitlements of stakeholders. GDS 38 for Records of Relevance to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability to ensure that records of relevance to the Royal Commission are protected and available for the purposes of the Royal Commission and any subsequent actions involving the South Australian Government as well as for

future reference and accountability purposes and to protect the rights and entitlements of stakeholders.

- FSSA must ensure that all destruction is secure and confidential and that a certificate confirming destruction is provided by private contractors.

Standard methods for destruction of paper are shredding, pulping or other means that are environmentally friendly.

Records in electronic format must only be destroyed by reformatting or rewriting to ensure that the data and any “pointers” in the system are destroyed. “Delete” instructions do not offer adequate security as data may be restored or recovered.

FSSA should keep their own record of all records destroyed, noting the relevant disposal authority. Proof of destruction may be required for legal purposes, or in response to FOI applications. When records are destroyed systems that control them should also be updated by inputting destruction dates and relevant disposal authorities.

Review

State Records' disposal schedules apply for a period of ten years. Either FSSA or State Records may propose a review of the Schedule at an earlier time, in the event of changes to functions or procedures that affect the value of the records covered by the disposal authority. Reviews are especially necessary if there is vast administrative change that affects the currency and use of the records and/or the records are dispersed to other agencies.

The State Records Council needs to approve all amendments to the Schedule. Officers using the Schedule should advise State Records of any necessary changes.

Context Statement

Context of the Agency Covered by the Schedule

Preamble

The Attorney-General's Department (AGD) provides high level legal services and advice to Ministers and agencies across whole of government, specialty policy advice, regulation and compliance, and direct service delivery to the public. This is achieved

by the AGD contributing to the state's legal infrastructure, drafting laws and providing marketplace regulation that protects business and consumers¹.

AGD comprises a number of entities, including business units, independent statutory officers and statutory bodies. Forensic Science SA (FSSA) became a business unit of the Attorney-General's Department from September 2006².

FSSA exists to provide cost-effective, efficient and independent, high quality expert scientific and medico-legal evidence, opinion and information to the justice system and community of South Australia. FSSA's major stakeholders include the South Australia Police (SAPOL), State Coroner, Office of the Director of Public Prosecutions (DPP) and defence and civil litigants.

FSSA undertakes some work for other South Australian and interstate government agencies including the CTP Regulator, the Northern Territory Coroner, SA Health, Australian Customs Service, Australian Federal Police, Australian Defence Force and a number of non-government and private clients.

FSSA is accredited through the National Association of Testing Authorities, Australia (NATA) in the fields of Forensic Science (AS ISO/IEC 17025-2005) and Medical Testing - Forensic Operations (ISO 15189). Accreditation delivers confidence in reports, certificates and conformity statements. The purpose of FSSA's quality system is to underpin the quality of results by ensuring their traceability, comparability, validity and commutability. Accreditation and a robust quality system ensure the confidence of stakeholders and the community in the reliability of forensic science work undertaken on their behalf, compliance with statutory and regulatory requirements and continuous improvement.

The Quality Assurance Register (QAR) is a database of the DNA profiles of individuals who, due to the nature of their employed activities, may inadvertently contaminate an exhibit, sample or the working environment. Comparison of profiles obtained through case sample analyses with those on the QAR can identify inadvertent contamination.

This prevents non-probative profiles being uploaded to the DNA Database and incorrect investigative evidence being passed to SAPOL. Contributors to the QAR are required to complete a form consenting to the use of their QAR DNA profile to compare against DNA profiles from forensic exhibits and DNA profiles generated from environmental monitoring samples. They may also consent to the storage of their DNA sample in order to apply new or alternate DNA systems to the sample.

¹ Source: AGD intranet site <http://intraagd.agd.sa.gov.au/aboutagd/agdbusinessunitdirectory.aspx> download 17/01/2013

² Government Gazette 28 Sept 2006, Schedule 4, p 3371

To enable FSSA to deliver high quality, efficient and contemporary forensic services, operational activities are underpinned by an energetic culture of professional development and an active, effective and innovative R&D program. Many of FSSA's R&D activities are conceptualized directly from casework and answer questions about evidence being examined, introduce procedural efficiencies or improve service delivery.

History and Background

1959 - 1975

Prior to 1975 the Institute of Medical and Veterinary Science (IMVS), Department of Chemistry, the Red Cross and SAPOL were variously undertaking aspects of forensic science analysis consistent with the prevailing norms of that period.

Prior to 1985-86 SAPOL's Technical Services Branch was responsible for the investigation of crime scenes and for the examination of evidence collected from the scenes. Where scientific analyses were required SAPOL would engage other organisations.

The IMVS undertook coronial post mortems using index cards and registers to control and manage the cases during that time. There are extant records relating to the period from 1959 onwards in the custody of FSSA. From circa 1964 IMVS commenced providing a forensic pathology service.

The Toxicology Section of the Department of Chemistry (then situated in Kintore Ave) undertook most of the SAPOL forensic chemistry work, namely drug, trace evidence and toxicology analyses. Some trace materials such as paint and glass were analysed by Australian Mineral Development Laboratories (AMDEL).

The Red Cross undertook the biological analyses on behalf of SAPOL until 1975.

1975 – 1982

The Forensic Biology Laboratory, under Dr H.W.J Harding, was established by the IMVS in 1975, but was still situated within the Red Cross building. Blood grouping in cases of disputed paternity commenced in 1976. By 1991, however, blood grouping, as a forensic tool in criminal and paternity cases, was superseded by the advent of DNA analysis and associated technological advances in equipment and systems.

In 1980 an Inquiry³ into the IMVS identified certain weaknesses in the management of forensic science, specifically the close association between forensic science analysis and reporting, and law enforcement. This was seen as a conflict of interest. The

³ Report of the Committee of Inquiry into the Institute of Medical and Veterinary Science, December 1980, pp68-71.

Inquiry further suggested that in the longer term the government could establish a 'semi-autonomous forensic science administration'

The Forensic Science Centre building, at 21 Divett Place, Adelaide, was officially opened in December 1978. Around that time the Forensic Pathology and Forensic Biology sections of the IMVS relocated to the new building, along with the Department of Chemistry laboratories from Kintore Ave.

1982 – ct

On 1 July 1982, the Forensic Science Division was established in the Department of Services and Supply (DSS) by the amalgamation of the Forensic Pathology and Forensic Biology Branches of the IMVS and the Forensic Chemistry Branch (formerly of the Chemistry Division, Department of Services and Supply⁴).

Following the recommendations of the Cramond Report (see below), by the end of the fiscal year 1985-86, pathology, biology (including botany), chemistry, toxicology, illicit drugs and questioned document services were being provided by the Forensic Science Division of the Department of Services and Supply.

In May 1989, the DSS changed name to the State Services Department. At this time the divisions of the department became known as business units, and some began operating on a cost-recovery basis. The Forensic Science Centre Division became State Forensic Science⁵, but did not operate on a cost-recovery basis.

After the establishment of the Department for Administrative and Information Services (DAIS) in the place of Department for State Government Services (Services SA) in 1997, State Forensic Science changed name to Forensic Science SA (FSSA).

On 28 September 2006 FSSA became part of AGD, as a result of the government restructure which, inter alia, abolished DAIS⁶.

⁴ "The Cramond Report": Implementation of Recommendations Contained in the Report of Dr A Curry on Forensic Science Services in South Australia. 1984, p1

⁵ Report of the Auditor-General for the year ending 30/06/1989. South Australian Parliamentary Paper No. 4 of 1989, p. 181

⁶ Government Gazette 28 Sept 2006, Schedule 4, p 3371

Splatt Royal Commission^{7 8}

In 1978 Edward Charles Splatt was found guilty of the murder of Mrs Rosa Simper in a case which was entirely based on circumstantial forensic evidence. At that time forensic investigations were controlled by police and the police forensic laboratory.

The case was based on trace materials found on the bed sheet of the victim and their source. The police investigation eventually focused on employees of an engineering business, situated diagonally opposite the home of Mrs Simper. Splatt, who worked in the factory, became the prime suspect, with police finding potential sources for the trace materials in Splatt's work and home environments.

The Splatt Royal Commission (c1983-84), headed by Judge Carl Shannon, sat for 196 days, produced 19,000 pages of transcript and was the most expensive hearing in South Australian legal history.

The Commission found that the Splatt trial was conducted almost entirely on the basis of scientific principles rather than facts. Some of the jurors who convicted Splatt had publicly admitted that they did not understand that evidence.

The Commission found that the system that allowed a police officer not only to collect samples at the scene of the crime, but also, in his dual capacity as a forensic scientist, to take those samples back to a police laboratory and conduct tests on them was "wrong" and that it was "very wrong" that scientists should examine only samples selected by police while denied access to all the samples to allow an assessment of their significance.

The Commission also found that Police officers or forensic scientists, who collect material should not be involved in the:

- Microscopical and other examinations of the material
- Selection of material from that collected for later examination by forensic scientists.
- Forensic testing should be carefully carried out and documented, with respect to all items examined, even if they do not appear relevant at the time of examination.
- Forensic scientists should be involved in the examination of all trace material and not just those chosen for them by the police.

⁷ Royal Commission Report concerning the conviction of Edwin Charles Splatt, 1984.

⁸ Adopted from <http://en.wikipedia.org/wiki/User:WLRoss/Sandbox4Aftermath>

As a consequence of the Royal Commission, the Government of South Australia instituted reforms to forensic services. These included the creation of a new division of forensic science; the State Forensic Science Centre, which would be independent of the police force and whose services would be available to both the prosecution and defence.

The National Institute of Forensic Science was also established in Victoria to coordinate forensic science activities at a national level.

The reforms were initiated through a series of reviews and reports relating to forensic science matters during the period 1982 – 1998 and culminated in the development of the current role and function of FSSA.

These reviews and reports, included:

Report on Forensic Science Services, Dr A S Curry, November 1982

Cramond Report⁹, September 1984

Post Implementation Review of Cramond Recommendations, D M Lucas, October 1990

Review of Forensic Science Services in South Australia, December 1995

Draft Response to University of Adelaide Proposal for Divestment of Forensic Science, June 1996

Report re Concerns expressed by Magistrates about delays with DNA Reports, R Lokan, Assistant Director Operations (FSSA), December 1998.

The 1984 Cramond Report made, inter alia, recommendations relating to the separation of tasks and duties between SAPOL and the then Forensic Science Centre Division. The major recommendations included:

That the Division have principal responsibility for the provision of forensic science services in South Australia (other than those which are SAPOL-specific)

Resourcing, training and organisation structure matters

The allocation of functions and responsibilities in forensic science services

Procedures for the handling of potential scientific evidence

⁹ Implementation of recommendations contained in the Report of Dr. A. Curry on Forensic Science Services in South Australia, ("Cramond Report"), September 1984

Defining the operational relationship and associated liaison between SAPOL and the Division

Setting out the separate responsibilities of both SAPOL and the Division.

The report also established a Forensic Science Advisory Committee (FSAC) to advise the Minister on forensic science matters. The FSAC met regularly until November 2009, when it was put on hold by the former Director of FSSA, Professor Ross Vining, who was concerned that it was not adding sufficient value to the operation and co-ordination of forensic services in SA. He noted that the terms of reference had not been altered since 1990 and it was his intention to review the role of the FSAC. This review did not proceed and the FSAC is now defunct.

The 1995 Review and the subsequent 1996 Draft Submission to Cabinet¹⁰ concluded that Forensic Science was a core government service. The Review and Draft Submission focussed on the role and positioning of forensic services, within the machinery of government, using the 'funder / purchaser / provider' and associated efficiency and effectiveness model.

The South Australian Criminal Law (Forensic Procedures) Act 1998 (repealed) enabled the Commissioner of Police to establish and maintain a DNA database and these responsibilities were delegated to the Director of FSSA. The South Australian Criminal Reference and Evidence DNA Database (SACREDD) was established in September 1999. The National Criminal Investigation DNA Database (NCIDD system) was established in June 2001 but took eight years before all jurisdictions were contributing to it. NCIDD's role was to facilitate intra-jurisdictional matching of DNA profiles, and inter-jurisdictional matching of profiles between participating jurisdictions, for law enforcement purposes. NCIDD was managed by CrimTrac, an agency within the Commonwealth Attorney-General's Department pursuant to Part 1D of the Crimes Act 1914 (Cth) (Crimes Act) until 2016 when CrimTrac was amalgamated with the former Australian Crime Commission to form the Australian Criminal Intelligence Commission (ACIC).

Role and Function

The core function of FSSA, following the reforms of the 1980s and 1990s, is to provide independent and timely forensic science - i.e. scientific and medico-legal - evidence services to the justice system, primarily in relation to coronial and police investigations, for the benefit of the South Australian community¹¹. The South Australia Police (SAPOL), the State Coroner and the Department of Planning, Transport and

¹⁰ Covering minute and Draft Submission to Cabinet on the University of Adelaide Proposal for Divestment of Forensic Science, SGS(CS) 10/96.

¹¹ Source: <http://www.agd.sa.gov.au> downloaded 21/01/2013

Infrastructure (DPTI) are FSSA's primary clients. The Office of the Director of Public Prosecutions (ODPP) is also a key stakeholder, as is, to a lesser extent, the Compulsory Third Party Regulator (CTP Regulator).

FSSA also provides scientific analysis in both criminal and non-criminal matters for non-government (private) clients on a fee-for-service basis including defence lawyers, interstate forensic laboratories, industry and the public. When an offence occurs in South Australia that is federally legislated (i.e. Customs Act 1901), FSSA may conduct the scientific analysis on a fee-for service basis for the relevant federal agency.

Samples in criminal cases may be submitted for analysis by SAPOL in the form of drugs or blood samples collected on swabs at crime scenes under the Criminal Law (Forensic Procedures) Act 2007. Where items of clothing or weapons are evidence collected from crime scenes or persons of interest, biological and physical evidence is recovered for further analysis. This includes traces of blood, saliva and other body fluids for DNA profiling. Other forms of evidence may include drug residues or glass fragments.

The range of forensic science and pathology services offered by FSSA comprise:

- **Biology**

Examination of biological trace evidence, DNA analysis of body fluids and related materials, and uploads to the National Criminal DNA Database (NCIDD) administered by the Australian Criminal Intelligence Commission (ACIC).

Swabs are usually processed using robotics. DNA is removed from the cell, quantified and small amounts of DNA amplified using a method called polymerase chain reaction (PCR).

The DNA profiles uploaded to NCIDD are searched against other profiles. Many suspects are identified in this way, while matches between crime scenes can provide investigative leads for police.

- **Chemistry**

Examination and analysis of physical and chemical trace evidence, analysis of illicit drugs under the Controlled Substances Act 1984 and the examination of documents and handwriting.

Non-biological trace evidence from a crime scene, vehicle collision, suspect or victim is examined, compared or identified. Services include:

Glass analysis - compares the physical and optical properties including the Glass Refractive Index (GSR) and sometimes the elemental composition, of known and questioned glass

Paint - colour, texture, layer structure, organic composition, ultra-violet (UV) and inorganic composition are identified and compared

Gunshot residue (GSR) - a scanning electron microscope, X-ray detection and an automated search facility is used to identify the form and composition of GSR particles

Ignitable liquid residues - identifies volatile chemicals, often in fire debris, to determine if an accelerant was used to start a fire

Explosives - identify pre or post-blast residues or substances.

- **Fibres** - identify and compare fabrics, carpets and ropes

Miscellaneous chemicals - physical or chemical analysis of unknown materials to identify them or compare them - this can include personal defence sprays, vehicle light filament examinations and tyre examinations.

Handwriting and signatures are examined to determine the author. This includes determining if a document has been altered by examining the ink, any erasures, obliterated entries or page substitutions.

Illicit drugs from street seizures are analysed including suspected illicit drug items. Analysts examine and provide botanical identification of cannabis plants and crops. Chemists also attend clandestine drug laboratory crime scenes to provide evidence to police, and categorise and sample chemicals for laboratory analysis. FSSA also reports on illicit drug trends, and issues alerts through the Drug Early Warning System when illicit drugs that pose increased acute health risks are detected.

- **Pathology**

Post mortem examination and the determination of cause of death for the State Coroner under the *Coroner's Act 2003*, anthropology and allied services including histopathology.

A post-mortem examination, also known as an autopsy, is a step-by-step examination of the outside of the body and of the internal organs by a Forensic Pathologist. The examination is carried out at the direction of a Coroner and is sometimes required to establish the cause of death. Techniques similar to those in surgical operations are used.

Post-mortem examinations may also include tests for infections (microbiology), changes in body tissue and organs (anatomical histology), and chemicals, e.g. medication, drugs or poisons (toxicology and pharmacology).

The histopathology laboratory processes tissue samples taken at post mortem and imbeds them into wax blocks. Sections are sliced, stained to highlight specific conditions and placed onto glass slides for microscopic examination by the pathologist.

Forensic anthropology services involve the examination of bones and other material for information on sex, age, height and race if people cannot be identified through traditional means such as visual identification, fingerprints, dental records or DNA.

- **Toxicology**

Analysis of a range of biological samples for alcohol, drugs and poisons.

Samples collected at autopsy including blood, urine, liver tissue and stomach content are submitted to the toxicology laboratory for comprehensive drug screening. The cause of death may not have been determined at autopsy or it may be important to demonstrate the person's state of mind just prior to death.

Toxicology services also include the analysis of biological samples (blood, urine saliva and hair) taken from living people. Criminal toxicology may involve serious crimes of homicide, assault and sexual assault.

FSSA analyses blood taken under the *Road Traffic Act 1961* for alcohol and drugs for the police and the Minister for Transport and Infrastructure. A driver will be tested if they have been involved in a crash, commit a traffic offence or appear to be driving under the influence of alcohol. The analysis of hospital admission bloods taken from non-drivers injured in a car accident is funded by the CTP Regulator. This funding was previously provided by the Motor Accident Commission (MAC).

In addition, all drivers who test positive under the SAPOL roadside drug testing program have a saliva sample collected which is submitted to FSSA for confirmation of the positive result. Three drugs are prescribed under legislation, cannabis, amphetamine and ecstasy.

These tests for alcohol and drugs may also be conducted under the *Rail Safety National Law (South Australia) Act 2012* and the *Security and Investigative Agents Act 1995*.

Hair drug testing can indicate drug use within a particular time period if concentration is high enough to be detected. This service is occasionally provided in criminal cases, but is primarily provided on a fee-for-service basis for agencies employing professionals in high-risk employment and people applying to the Family Court.

Subject matter experts from within FSSA are called upon to provide expert testimony, in relation to the above-mentioned services, during the conduct of judicial proceedings.

FSSA also contributes to the evolving technology relating to forensic science by undertaking collaboration with educational institutions and other interstate and international forensic science laboratories.

Structure Description

The current organisational structure of FSSA is set out at Annexure A.

Predecessor Agencies

- GA 916, Institute of Medical and Veterinary Science [Forensic Science Branch] (Forensic Biology & Forensic Pathology), 1959-1982
- GA 225, Department of Services and Supply [Forensic Science Division], 1976-1982
- GA 223, Chemistry Division, Department of Services and Supply [Forensic Chemistry Branch], 1976-1982

For a timeline of predecessor agencies pre and post 1982 see Annexure B.

Successor Agencies

There are no successor agencies.

Legislation

FSSA does not directly administer any legislation. However, FSSA is required to comply with the following Acts:

Controlled Substances Act 1984

Coroner's Act 2003

Criminal Law (Forensic Procedures) Act 2007

Customs Act 1901

Harbors and Navigation Act 2009

Radiation Protection and Control Act 1982

Rail Safety National Law (South Australia) Act 2012

Road Traffic Act 1961

Security and Investigative Agents Act 1995

Transplantation and Anatomy Act 1983

Aboriginal Heritage Act 1988

Electronic Communications Act 2000

Freedom of Information Act 1991

Public Sector (Honesty and Accountability Act) 1995

Public Sector Act 2009

Public Sector (Data Sharing) Act 2016

State Records Act 1997

Public Interest Disclosure Act 2018

Work Health and Safety Act 2012

Additional specific to FSSA:

Police Regulations 2014 – section 35

Crimes Amendment (Forensic Procedures) Act 2001

Crimes Act Amendment (Forensic Procedures) Act (No. 1) 2006

Crimes Act 1914

The records emanating from the forensic science activities and processes, carried out by FSSA, are impacted by the provisions of the above legislation.

The summary of legislative compliance requirements is set out at Annexure C.

Context of the Records Covered by the Schedule

Coverage of RDS 2019/14 v1

This schedule covers ongoing and closed operational records in all formats of FSSA and predecessor agencies; Institute of Medical and Veterinary Science [Forensic Science Branch] (Forensic Biology & Forensic Pathology), Department of Services and Supply, [Forensic Science Division], and Chemistry Division, Department of Services and Supply [Forensic Chemistry Branch],

The schedule covers the following series held at State Records and also within FSSA:

- GRS 11735, Forensic examination case files (serious crime), annual single number series, 1982 – ct (consignments deaccessioned in 2015 at FSSA's request for resentencing)
- GRS 12857, Corporate files, annual single number series with '11-202' prefix– Forensic Science SA, 1999 – ct.

Records Excluded from Schedule

This RDS does not cover exhibits, samples or specimens that are the property of SAPOL or other parties but which may be in the temporary custody of FSSA for analysis.

RDS 2019/09 Version 1 does not cover records already in the custody of State Records as part of Government Record Group (GRG). These records have been deemed permanent in accordance with a disposal determination made for all GRGs by the Manager [Director] of State Records and approved by the State Records Council on 9 November 1999.

Related Series Affected by RDS 2019/14 v1

There are no related series affected by this RDS.

Complementary Schedules to RDS 2019/14 v1

There are no related series affected by this RDS.

Existing Disposal Schedules Superseded by RDS 2019/14 v1

RDS 2012/14 version 1 approved by State Records Council on 26 February 2013.

Records Structure within FSSA

There is a centralised record structure within FSSA.

RecFind is used to manage the general administrative files (GRS 12857 refers).

Prior to the introduction of CaseMan in 1982, physical registers and index cards were used to manage cases and related information, by recording laboratory job number and associated metadata. These registers and index cards of predecessor agencies are retained at FSSA for reference and retrieval purposes. The introduction of sophisticated LIMS line-of-business applications has superseded physical registers and index cards.

The operational records are managed using LIMS line-of-business applications, specifically proFSSA, CaseMan and RADDs.

proFSSA (the overarching application) is used to manage case files including recording the provenance / chain of custody of exhibits which is a vital component of the application of forensic science within the justice system (GRS11735 refers).

Phase 1 of proFSSA was implemented in September 2017 and encompassed the case management system for FSSA (replacing CaseMan) and requirements for the Biology Group, including DNA analysis and interface with the National Criminal DNA Investigative Database (replacing SACREDD). Only cases that could not be closed within a reasonable time were migrated from CaseMan to proFSSA. CaseMan data has been retained separately as an index and reference tool for cases prior to September 2017.

On 6th April 2018 an enhancement of the system mandated the classification of cases as “Indictable” or “Non-Indictable” upon receipt. This was in response to the Major Indictable Reform project and has been reflected in the retention specified for cases received from 6th April 2018.

Phase 2 includes the replacement of legacy applications in the disciplines of Pathology, Chemistry and Toxicology. The first module of Phase 2, which automates usage of controlled drug standards and reagents, is completed and in use. The second module, the replacement of legacy roadside drug testing software (RADDs), is expected to be operational in 2020.

RADDs manages the laboratory processes associated with sample management of blood alcohols and oral fluids.

Whilst the case file is the prime method of recording and presenting forensic evidence, many records are now being created and maintained in digital format (i.e. born digital) as a result of technological advances. Legal acceptance of born digital records within the justice system will be an issue in the future.

Broad Description and Purpose of the Records

FSSA records (both hardcopy and electronic) document the activities and processes associated with managing forensic science analysis including case management, laboratory processes, evidence (exhibits) and the production of reports.

The records produced are used to address the needs of the primary stakeholders, namely SAPOL, State Coroner, DPTI, ODPP, and the CTP Regulator.

Activities Documented by the Records

Based on discussions with stakeholders and an analysis of the business of FSSA, the function of 'Forensic Science Management' has been used in this RDS. The following activities support that function: Case Management, Control (Database Content), Quality Control, Requests, Sample Management, Substance Control, Technology Assisted Analysis and Research.

Arrangement of the Records

- Both case files and corporate files are arranged by a separate annual single number order, viz: Corporate files 11-202/YY/NNNN (within RecFind). The prefix is a carry-over from the time when FSSA was a business unit within DAIS, and this prefix was assigned as part of the implementation of RecFind across DAIS forensic examination case files – YY/NNNNN (within CaseMan and proFSSA).

Agency Creating the Records

FSSA administers the records covered by this RDS. The records were created by FSSA or its predecessors.

Agency Owning or Controlling the Records

FSSA administers the records covered by this RDS also controls or owns them.

Date Range of the Records

Records Date Range: c1959 to ongoing

Volume of the Records

The volume of records relating to this RDS only is estimated as follows:

- Stored onsite at FSSA: c2080 linear metres including FTA Cards and Histology Blocks and Slides. Excluding short retention items such as Histology Pots and Evidence/Samples.
- Stored offsite at TIMG: c1730 linear metres
- Stored at State Records: c1 linear metre.

Approximately 330 Linear metres of records are generated per annum.

Special Custody Requirements

There are no special custody requirements.

Special Storage Requirements

Management of forensic samples requires refrigeration including freezers, to ensure the integrity of the material.

Appropriate fire-fighting arrangements are in place (following consultation with State Records) for the protection of permanent case files stored onsite at FSSA.

Issues Not Mentioned Previously

There are no further issues that need to be mentioned.

Comments Regarding Disposal Recommendations

Permanent Records Rationale

These records meet the criteria for ongoing value as set out in the Appraisal of Official Records: Policy and Objectives Guideline.

The following records meet Objective 2 – To identify and preserve official records providing evidence of the deliberations, decisions and actions of the South Australian Government and public sector bodies relating to key functions and programs and significant issues faced in governing the state of South Australia:

- Case Management (Item 1.1.1), Control (Items 1.2.1, 1.2.2, 1.2.3).

The following records meet Objective 4 – To identify and preserve official records substantially contributing to the knowledge and understanding of the society and communities of South Australia:

- Case Management (Item 1.1.3).

Case Management (Item 1.1.2) meets the criteria for permanent retention under GDS 16 Impact of Native Title Claims on Disposal of Official Records.

Temporary Records Rationale

Some records generated by FSSA, largely the original version of court reports, are embedded in the permanent judicial records of other agencies, such as Courts Administration Authority and South Australian Police. The records used to generate these reports are given temporary value in RDS 2019/14 v1 and document routine processes and/or transactions that support the activities of FSSA. Retention periods have been determined by the legal, administrative/ operational, evidential and financial accountability requirements.

Temporary records are those that are considered not to have continuing value to FSSA or the State. They include long term (i.e. 50 years) and short term value records.

The following records have long term temporary value:

Case Management (Items 1.1.4, 1.1.5, 1.1.6, 1.1.7, 1.1.8), Control (Item 1.2.4) Quality Control (Items 1.3.1, 1.3.2, 1.3.3, 1.3.4), Sample Management (Item 1.5.1) and Technology Assisted analysis (Item 1.7.1).

The determinations within 2019/14 v1 exceed those recommended within the National Pathology Accreditation Advisory Council (NPAAC) Guidelines for similar records and samples.

It should be noted that the retention period for cases of low judicial importance, private and non-criminal casework is limited to 7 years.

Other Disposal Considerations

The *Criminal Law (Forensic Procedures) Act 2007* includes certain provisions pursuant to which forensic material must be destroyed, and associated recorded information removed from the DNA database¹².

Samples are not official records for the purposes of the *State Records Act 1997*, but for business purposes are included in this RDS (Sample Management, Items 1.5.1 – 1.5.10).

The retention periods set out in this RDS take into consideration the retention periods contained in the Standard issued by NPAAC, relating to post mortem tissue samples¹³.

Requests for sample preservation beyond normal period may be made by other bodies e.g. The CTP Regulator, legal representatives, etc., pending the outcome of judicial proceedings.

¹² *CLFPA 1998*, sections 44A, B, C, D, and section 46C.

¹³ *Requirements for the retention of laboratory records and diagnostic material*, 5th edition, 2009.

Disposal Recommendation Effect on Related Records

There are no related records affected by the disposal recommendations in this RDS.

Alternative Record Formats

In addition to records that are paper-based and/or in digital format, there are significant quantities of material samples, histopathology slides, etc., that complement the records profile of FSSA. These records in alternative formats are covered by the provisions of this RDS.

Impact on Native Title Claims

There is discernible relevance to Native Title Claims in relation to records (item 1.1.2) held by FSSA.

The presence of aboriginal bones may indicate an indigenous burial ground which in turn could influence a Native Title Claim.

Where 'bones' cases involve Aboriginal bones and anatomical features and other evidence suggest the individual lived in or around pre-European contact times (nominally over 250 years ago), the bones and a copy of the report is provided to the DPC - Aboriginal Affairs and Reconciliation unit. The original version of the report is provided to SAPOL, and FSSA documentation, including a copy of the report, is maintained in the relevant FSSA case file(s).

Indigenous Considerations

The determinations within RDS 2019/14 v1 are consistent with Recommendation 21 of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families.

The principles outlined in GDS 16, relating to Native Title claims, have also been considered in the development of this Schedule.

RDS 2019/14 v1 meets all cultural, historical, legal and administrative requirements.

All documents considered relevant to native title in South Australia must be checked for actual relevance with the Native Title Section of the Crown Solicitor's Office before being disposed of.

Scope Note

Records Covered by this Schedule

RDS 2019/14 v1 applies to the ongoing and closed operational records of FSSA, in all formats, and includes case files, corporate files, registers and index cards, bound reports, laboratory documentation, samples, specimens and slides.

For further details of coverage refer to page 16 of this RDS.

This RDS 2019/14 v1 applies to the current and historical records of FSSA.

Records in digital formats must be managed and maintained by migrating and reformatting as required to ensure ongoing accessibility for evidentiary, historical and administrative purposes in accordance with their permanent or temporary disposal status.

How to Apply this Schedule

Use in conjunction with GDS

This Schedule should be used in conjunction with GDS 30, as amended, or its successor. Cross-references to the GDS 30 are included in this Schedule where appropriate.

To identify records that may be potentially relevant to native title claims, please refer to guideline Identifying documents which may be relevant to Native Title attached to GDS 16. Where records sentenced for temporary retention are identified as having potential relevance to a native title claim, they need to be retained until 31 December 2024.

To identify records that may be potentially relevant to Legal Proceedings or Ex Gratia Applications Relating to Alleged Abuse of Former Children Whilst in State Care, please refer to GDS 27. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2023.

To identify records that may be potentially relevant to the Royal Commission into Institutional Responses to Child Sexual Abuse, please refer to GDS 32. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2023.

To identify records **in relation to Child Abuse or Alleged Child Abuse, please refer to GDS 36**. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2023.

To identify records that may be potentially relevant **to the *Royal Commission into Aged Care Quality and Safety*, please refer to GDS 37** Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2025.

To identify records that may be potentially relevant to the **Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, please refer to GDS 38**. Where records sentenced for temporary retention are identified as having potential relevance, they need to be retained until 31 December 2025.

Use in conjunction with, or complementary to, other RDS

This Records Disposal Schedule does not complement any existing schedules.

Other RDS superseded by RDS 2019/14 v1

RDS 2012/14 version 1 approved by State Records Council 26 February 2013.

Re-sentencing of records where schedules are superseded or particular entries within a schedule are superseded

In this instance, the re-sentencing of records will be required.

Records excluded from RDS 2019/14 v1

Certain records have been excluded from cover by this RDS. The following list contains descriptions of these excluded records:

- Certain records, samples, slides and specimens that are the property of SAPOL and other parties, but in the temporary custody of FSSA for analysis
- Records of the former Forensic Biology Laboratory, the Forensic Services Branch of IMVS or the Forensic Chemistry Branch of the Department of Services and Supply, except for item 1.5.1 which relates to registers and index cards emanating from IMVS, covering the period 1959 – 1998.

Application to records in all formats

RDS 2019/14 v1 applies to records in all formats, including databases and other electronic records. FSSA is required to ensure that records remain accessible for the duration of designated retention periods. RDS 2012/14 v1 applies to records in all formats, including databases and other electronic records, forensic samples, slides and specimens. FSSA is required to ensure that records remain accessible for the duration of designated retention periods.

The previously held view¹⁴ that proFSSA, CaseMan and other computer databases (line-of-business applications) are not the archive medium for continuity and administrative records must now be questioned. Technological advances have now rendered this position unsustainable. Therefore, this RDS allows for the retention and management of archival information (both metadata and content) of enduring value within an approved LIMS database. FSSA is currently assessing the requirements for proFSSA LIMS to be acknowledged as a business system capable of storing electronic records, to comply with requirements of State Records.

It is current FSSA policy that the case file is the prime method of recording and presenting forensic evidence. Accordingly, the case file continues to be the primary record and is separate from, but supported by, the metadata and content of various electronic systems.

The computer/digital systems, however, may in the future replace the case file as the primary record.

The new case management system (proFSSA) provides

- Indexing of record series
- Replacement of the three primary FSSA management systems – CaseMan and SACREDD and RADDs
- A visual representation of work flows
- The capacity, over time, for storage and retrieval of all documents historically kept in hard copy in the case file.

Interpretation of the Schedule

Minimum retention periods

Retention periods for temporary records shown in RDS 2019/14 v1 are minimum retention periods for which records need to be retained. It is at the discretion of FSSA as to whether records are kept for longer than the minimum period.

Acronyms

- ACIC Australian Criminal Intelligence Commission
- AGD Attorney-General's Department
- CLFPA *Criminal Law (Forensic Procedures) Act 2007*
- CTP Compulsory Third Party Regulator (CTP Regulator)

¹⁴ RDS 2004/03 version 2, approved 17 August 2004, p8

- DNA DeoxyriboNucleic Acid
- DPC Department of the Premier and Cabinet
- DPTI Department of Planning, Transport and Infrastructure
- DSS Department of Services and Supply
- FTA Fast Technology Analysis
- FSAC Forensic Science Advisory Committee
- GRIM Glass Refractive Index Measurement
- LIMS Laboratory Information Management System
- MRI Magnetic Resonance Imaging
- NCIDD National Criminal Investigation DNA Database
- NPAAC National Pathology Accreditation Advisory Council
- ODPP Office of the Director of Public Prosecutions
- PCR Polymerase Chain Reaction
- QRI Quality Requests and Improvements
- RADDs Roadside Alcohol Drugs in Drivers System
- RTA *Road Traffic Act 1961*
- SA South Australia
- SACREDD South Australian Criminal Reference and Evidence DNA Database
- SAPOL South Australia Police
- SEM Scanning Electron Microscope

Definitions of terms specific to RDS 2019/14 v1

- **ACIC** Australian Criminal Intelligence Commission - National law enforcement information system for Australian police services
- **Buccal Swab** is a method of DNA collection from inside a person's mouth in a relatively non-invasive way
- **Chain of Custody (CoC)** refers to the chronological documentation, showing the seizure, custody, control, transfer, analysis, and disposition of evidence, physical or electronic
- The **CTP Regulator** is an independent Statutory Authority established under the *Compulsory Third Party Insurance Regulation Act 2016*. The Regulator has been responsible for regulating and monitoring the South Australian CTP Scheme (the Scheme) since 1 July 2016. The Motor Accident Commission closed down its operations from 30 June 2019.
- **Forensic Science** is the examination and analysis of evidence discovered at a 'crime scene' and the results of which are tendered in a court of law

- **FTA Cards** are used to preserve DNA samples
- **Judicial orders** are orders given by the court.
- **LIMS**: Laboratory Information Management System, line-of-business databases:
 - **CaseMan** provides forensic Case Management functionality to FSSA. It is used, inter alia, to ensure the chain of access to evidence is correctly recorded for criminal proceedings
 - **proFSSA** new LIMS replacement of CaseMan, RADDs and SACREDD
 - **RADDs**: database for Blood Alcohol and Oral Fluids
 - **SACREDD**: the State DNA sample database (now decommissioned)
- **Logged in** relates to a record or creating a case file or related transaction within a LIMS database
- **Match Groups** consist of identical DNA profiles from person reference samples and/or crime scene samples, indicating they are from the same source
- **Scene** samples are samples collected at a crime scene
- **Serious forensic complaints** are complaints that may impact the outcome of an analysis and associated risk issues
- **Trace Material (Evidence)**: is evidence that occurs when different objects contact one another.

Legal Deposit

Legal deposit refers to statutory provisions that oblige publishers to deposit copies of their publications in libraries in the country in which they are published. Under the *Commonwealth Copyright Act 1968* and various Australian state Acts, a copy of any work published in Australia must be deposited with (a) the National Library of Australia and (b) the appropriate State Library. Legal deposit extends not only to commercial publishers but also to private individuals, clubs, churches, societies and organisations.

In South Australia, one copy of publications produced for external use should be deposited with the *State Library and the Parliamentary Library (section 35, Libraries Act 1982)*. Publications include books, newspapers, magazines, journals, pamphlets, maps, plans, charts, printed music, records, cassettes, films, video or audio tapes, computer software CD-ROMS, compact discs and other items made available to the public.

Records and Litigation

Where FSSA is aware that records may be required for use in litigation, for use in a government enquiry or the consideration of the Ombudsman, the records must not be destroyed. In such circumstances the records must be retained until two years after all cases and enquiries are complete (including appeals) and then have the original retention period applied to the records.

Pre-1901 Records

All pre-1901 records are required to be retained permanently in accordance with a motion approved by the State Records Council on 19 February 2008.

In this instance, this RDS does NOT apply to pre-1901 records.

List of Functions and Activities

1. FORENSIC SCIENCE MANAGEMENT

- 1.1 Case Management
- 1.2 Control (Database Content)
- 1.3 Quality Control
- 1.4 Requests
- 1.5 Sample Management
- 1.6 Substance Control
- 1.7 Technology Assisted Analysis
- 1.8 Research

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1	FORENSIC SCIENCE MANAGEMENT		
1	FORENSIC SCIENCE MANAGEMENT	The function of applying scientific principles to recover, identify, analyse and report on a variety of physical materials and biological samples, and the management of the results, for legal, evidentiary and other purposes.	
1.1	Case Management	The activities and processes associated with ensuring effective control over physical evidence, documenting the analysis of samples, and the filing of reports in a number of formats for a variety of legal evidential uses. See also 1.2 Control (Database Content) for case management database records.	

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.1.1	Case Management	Collections of documentation relating to incidents where the agency gave evidence to a major external review (such as a Royal Commission) relating to, but not part of, a specific case file, e.g. the Splatt Royal Commission papers. Includes annotated transcripts of proceedings and related documentation.	PERMANENT
1.1.2	Case Management	Case files documenting indigenous burial grounds and analysis of ancient Aboriginal bones.	PERMANENT
1.1.3	Case Management	Bound copies of post mortem reports, 1969 – 2006, created and retained outside case files. Note: Original versions of post mortem reports were sent to the Coroner's Office.	PERMANENT
1.1.4	Case Management	Case files documenting homicide, missing persons and coronial cases of un-identified human remains and cases identified by the Director of FSSA as being in the public interest.	TEMPORARY Destroy 50 years after case 'logged in'/registered
1.1.5	Case Management	Pathology consult reports 1969 – 1999. See 1.1 various for reports after 1999 held in case files. See 1.2.1. for index cards regarding pathology consults.	TEMPORARY Destroy 50 years after request received
1.1.6	Case Management	Other case files logged in prior to 6th April 2018 documenting matters not covered by 1.1.1, 1.1.2, 1.1.3, 1.1.4 or 1.1.5 and excluding 1.1.8, 1.1.9 and 1.1.10.	TEMPORARY Destroy 50 years after case 'logged in'/registered
1.1.7	Case Management	Major Indictable case files logged in from 6th April 2018 documenting matters not covered in 1.1.1, 1.1.2, and 1.1.4	TEMPORARY Destroy 50 years after case 'logged in'/registered

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.1.8	Case Management	Coronial case files (no date specification) that have not been classified as homicide or unidentified human remains. See also 1.1.2 for cases involving ancient Aboriginal bones.	TEMPORARY Destroy 20 years after case 'logged in'/registered
1.1.9	Case Management	Minor Indictable case files logged in from 6th April 2018.	TEMPORARY Destroy 15 years after case 'logged in'/registered
1.1.10	Case Management	Case files documenting matters of low judicial importance including non-criminal work and work for interstate forensic laboratories except where the work is conducted in relation to homicides, missing persons or unidentified human remains (See 1.1.1, 1.1.2, and 1.1.4).	TEMPORARY Destroy 7 years after case 'logged in'/registered
1.2	Control (Database Content)	The activities associated with the management of the metadata and content of line-of-business application databases, to ensure effective control over physical evidence, documenting the analysis of samples, and the filing of reports in a number of formats for a variety of legal evidential uses. Includes physical registers and index cards created prior to introduction of LIMS database control and associated systems. See also 1.6.2 for registers relating to controlled substances 1.6.2.	
1.2.1	Control (Database Content)	Legacy control records relating to forensic cases. Includes: <ul style="list-style-type: none"> registers and index cards to case files logging receipt of physical evidence (1959 - 1984) index cards regarding pathology consult, by name and subject (1974 – 1998). See also item 1.1.5 for pathology consult reports.	PERMANENT

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.2.2	Control (Database Content)	Laboratory Information Management System (LIMS) case management database(s). proFSSA is the current LIMS in use. Includes CaseMan until it is retired. Includes final 'snapshots/renditions' of indexing (metadata) from retired databases not migrated to new LIMS software/hardware platforms, i.e. saved to spread sheets / hard copy, PDF/TIFF, etc. Note: Expunge / edit records pursuant to the provisions of Judicial Orders as required.	PERMANENT Actively manage and migrate to ensure ongoing accessibility for evidentiary and/or historical purposes
1.2.3	Control (Database Content)	Quality Assurance Register including active and inactive DNA Profiles.	TEMPORARY 50 years after de-commissioning
1.2.4	Control (Database Content)	Other databases associated with particular hardware or computer-controlled processes, including RADDs and the Glass Refractive Index (GRIM) database. See also 1.7.4 for certificates and 1.5.3 for GRIM slides.	TEMPORARY Destroy 7 years after database decommissioned
1.2.5	Control (Database Content)	Data files created and used (via upload) to update national forensic databases, e.g. NCIDD.	TEMPORARY Destroy when no longer required
1.3	Quality Control	The activities and processes associated with establishing and monitoring standards of excellence to meet legislative requirements, accreditation standards and public expectations	
1.3.1	Quality Control	Master version of procedures manuals.	PERMANENT
1.3.2	Quality Control	Records documenting staff declarations of conflict of interest and approved risk management actions taken.	TEMPORARY Destroy 50 years after action completed
1.3.3	Quality Control	Quality Control records documenting corrective action resolution (QRI input) - includes serious forensic-related complaints.	TEMPORARY Destroy 50 years after action completed

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.3.4	Quality Control	Records documenting the management of the Quality Assurance Register used to detect contamination by staff before upload into LIMS databases. Includes consent forms. See also 1.2.3 for the Quality Assurance Register, 1.3.3 for corrective actions and 1.5.9 for samples.	TEMPORARY Destroy 50 years after Register de-commissioned
1.3.5	Quality Control	Records documenting achievement of training benchmarks and competencies by staff.	TEMPORARY Destroy 15 years after employment ceases
1.3.6	Quality Control	Records documenting individual staff or organisation participation in proficiency tests and assessment findings.	TEMPORARY Destroy 15 years after action completed
1.3.7	Quality Control	Records relating to environmental monitoring for contamination. Does not include raw and processed data generated from this work. See 1.5.8. for samples.	TEMPORARY Destroy 5 years after action completed
1.3.8	Quality Control	Records documenting general quality audits and results. See also 1.3.3 for QRI	TEMPORARY Destroy 5 years after audit completed
1.3.9	Quality Control	Records documenting reliability testing of reagents and equipment assurance programs.	TEMPORARY Destroy 2 years after action completed
1.4	Requests	The activities and processes associated with the handling of requests (i.e. including data enquiries) for forensic-related information by the general public or another organisation.	
1.4.1	Requests	Requests by interstate and overseas Police jurisdictions for DNA profile comparisons outside of NCIDD. Includes analysis results and reports.	TEMPORARY Destroy 10 years after action completed

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.4.2	Requests	Requests under the <i>CLFPA 1998</i> by SAPOL to expunge DNA profiles from LIMS databases or convert a DNA profile from Suspect to Convicted Offender.	TEMPORARY Destroy 7 years after action completed
1.4.3	Requests	Requests for sample preservation beyond normal period by other bodies e.g. CTP Regulator, legal representatives, etc., pending the outcome of judicial proceedings.	TEMPORARY Destroy 5 years after date of request
1.4.4	Requests	Requests for replacement copies of certificates documenting results of <i>RTA 1961</i> analysis and associated consent forms. Includes undelivered certificates (i.e. return to sender'). See also item 1.7.4 for certificates.	TEMPORARY Destroy 2 years after action completed
1.5	Sample Management	The activities and processes associated with the management of both biological and non-biological forensic samples. NOTE: The policy of FSSA is to return both evidence items and samples generated therefrom to the client at the conclusion of the casework. This section is only relevant for samples NOT returned to SAPOL or the client. Retention period can also be varied at the direction of SAPOL, the Coroner's Office (for cases under their jurisdiction), the relevant client (i.e. member of the public/ lawyers) or by Judicial Order.	
1.5.1	Sample Management	DNA samples and extracts including those taken under <i>CLFPA 1998</i> e.g. FTA cards but excluding Buccal Swabs (Buccal swabs are destroyed as per NAP).	TEMPORARY Destroy 50 years after receipt
1.5.2	Sample Management	FTA cards, tissue blocks and histopathology slides of samples taken during post mortem examination.	TEMPORARY Destroy 20 years after case 'logged in'/registered
1.5.3	Sample Management	Case samples including GRIM slides, SEM stubs, drug and DNA swabs, extracts and subsamples.	TEMPORARY Destroy 5 years after case 'logged in'/registered

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.5.4	Sample Management	Biological samples (excluding FTA cards) taken during post mortem examination and retained for possible further re-examination (histopathology tissue pots).	TEMPORARY Destroy 18 months after case 'logged in'/registered
1.5.5	Sample Management	<i>Road Traffic Act 1961</i> samples associated with 1.7.15.	TEMPORARY Destroy 2 years after receipt
1.5.6	Sample Management	Samples received in relation to private and interstate/overseas casework. See also 1.1.10 for cases of low judicial importance.	TEMPORARY Destroy 2 years after receipt or earlier according to client instructions
1.5.7	Sample Management	Substrates used to generate DNA extracts, and post analysis polymerase chain reaction (PCR) tubes containing DNA remnants generated in casework.	TEMPORARY Destroy when no longer required
1.5.8	Sample Management	Original and analytical samples generated from proficiency tests, collaborative trials, environmental monitoring, research, verification or validation work.	TEMPORARY Destroy when no longer required
1.5.9	Sample Management	Quality Assurance Register samples (original sample and subsequent DNA extract when generated). See also 1.3.4 Quality Assurance Register documentation and 1.2.4 for the Quality Assurance Register.	TEMPORARY Destroy when no longer required or as directed on consent form
1.5.10	Sample Management	Reference samples from civil paternity matters. Samples relate to period ending 2008 when the process ceased. See also 1.1 Case Management	TEMPORARY Destroy immediately
1.6	Substance Control	The activities and processes associated with managing access to and use of dangerous substances in accordance with criteria set down by the relevant State or Commonwealth authority.	

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.6.1	Substance Control	Applications to certify Analysts, under the <i>Controlled Substances Act 1984</i> (Regulation 49). For Gazetted Certification see 1.3.5	TEMPORARY Destroy 20 years after action completed
1.6.2	Substance Control	Records managing access to and use of dangerous substances in accordance with criteria set down by the relevant State or Commonwealth authority.	TEMPORARY Destroy 2 years after substance exhausted
1.7	Technology Assisted Analysis	The activities and processes associated with utilising computers and other automated scientific analytical tools and equipment for analysing samples and documentation of results. Includes biological analysis of <i>RTA 1961</i> samples.	
1.7.1	Technology Assisted Analysis	DNA Extraction worksheets created by analytical instruments from the 1st January 1999 to 1st September 2017 to enable the information to be referenced for further DNA analysis. See reference 1.7.2 for worksheets prior to 1 January 1999 and after 1 September 2017.	TEMPORARY Destroy 50 years after case 'logged in'/registered
1.7.2	Technology Assisted Analysis	DNA Extraction worksheets created by analytical instruments prior to the 1st January 1999 and after 1st September 2017 (filed in case files or printable from the LIMS). See also 1.1 Case Management for case files and 1.2.2 for the LIMS.	TEMPORARY Destroy 2 years after case 'logged in'/registered
1.7.3	Technology Assisted Analysis	Batched DNA laboratory paper-based work sheets and sample tracking records (used in "proving" batch run standard and control tests for analytical systems and for cross reference purposes). Includes DNA Quantitation, PCR, run Data etc.	TEMPORARY Destroy 2 years after case 'logged in'/registered

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.7.4	Technology Assisted Analysis	DNA Match Group records in electronic format. See also 1.7.5 for hard copy reports produced prior to 2000.	TEMPORARY Maintain and reformat as required for administrative or legislative purposes
1.7.5	Technology Assisted Analysis	DNA Match Group records produced in hard copy prior to 2000. See also 1.7.4 records in electronic format.	TEMPORARY Destroy 10 years after action completed
1.7.6	Technology Assisted Analysis	Raw genetic analysis data held in instrument files produced by Genetic Analyser Instruments in casework operations, including results interpreted by software such as Genotyper, GeneScan and Gene Mapper etc. Excludes 1.7.1, 1.7.2, 1.7.3, 1.7.4 and 1.7.5.	TEMPORARY Maintain and reformat as required for administrative or legislative purposes as long as technology allows
1.7.7	Technology Assisted Analysis	Police 'shipping' manifests and associated SAPOL forms relating to the receipt of DNA database reference samples.	TEMPORARY Destroy 2 years after date received
1.7.8	Technology Assisted Analysis	Hard-copy of DNA profiles used to compile population databases and as a basis for statistical calculation in DNA reports.	TEMPORARY Destroy when superseded
1.7.9	Technology Assisted Analysis	MRI and CT images associated with Coronial cases involving Homicide or Unidentified Human Remains. See also 1.1.4 for case files and 1.7.10 for excluded Coronial cases.	TEMPORARY Destroy 20 years from date of creation
1.7.10	Technology Assisted Analysis	MRI and CT images associated with Coronial cases excluding Homicide or Unidentified Human Remains. See also 1.1.8 for case files and 1.7.9 for Coronial cases involving Homicide or Unidentified Human Remains.	TEMPORARY Destroy 5 years from date of creation

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.7.11	Technology Assisted Analysis	Data associated with digital dictation for post mortem reports. See also 1.1.4 and 1.1.8 for case files.	TEMPORARY Destroy 2 years from date of creation
1.7.12	Technology Assisted Analysis	Batched paper-based and electronic output of results or worksheets created by instruments analysing raw data in Toxicology casework where the master copy is not included in a case file. Excludes analysis of biological samples taken under the <i>RTA 1961</i> . See also excluded 1.7.13, 1.7.14, 1.7.15 and 1.7.16.	TEMPORARY Destroy 15 years after case 'logged in'/registered
1.7.13	Technology Assisted Analysis	Raw data generated by analytical instruments in Toxicology casework. Excludes analysis of biological samples taken under the <i>RTA 1961</i> . See also excluded 1.7.13, 1.7.14, 1.7.15 and 1.7.16.	TEMPORARY Destroy 10 years after case 'logged in'/registered
1.7.14	Technology Assisted Analysis	Report (produced by RADDs) for drugs and alcohol of biological samples taken under the <i>Road Traffic Act 1961</i> . Includes reports or certificates and submission forms in hard copy format. See 1.4.4 for requests for copies of certificates and results.	TEMPORARY Destroy 5 years after certificate or report issued
1.7.15	Technology Assisted Analysis	Batched paper-based and electronic output of results or worksheets created by instruments analysing raw data in Toxicology analysis of biological samples taken under the <i>RTA 1961</i> .	TEMPORARY Destroy 5 years after case 'logged in'/registered
1.7.16	Technology Assisted Analysis	Raw data generated by analytical instruments in Toxicology analysis of biological samples taken under the <i>RTA 1961</i> .	TEMPORARY Destroy 5 years after case 'logged in'/registered

Item No.	FUNCTION Activity / Process	Description / Disposal Class	Disposal Action
1 FORENSIC SCIENCE MANAGEMENT			
1.7.17	Technology Assisted Analysis	Batched paper-based and electronic output of results or worksheets created by instruments in Chemistry casework including raw data.	TEMPORARY Destroy 15 years after case 'logged in'/registered
1.8	Research	The activities involved in investigating or enquiring into a subject or area of interest in order to discover facts, principles, etc. Used to support the development of projects, standards, guidelines, etc. and the business activities of the agency in general.	
1.8.1	Research	Report of findings relating to research or verification/validation of methods, instrumentation and software.	TEMPORARY Destroy 50 years after action completed
1.8.2	Research	Raw and processed data generated from research work, hard copy and electronic records.	TEMPORARY Destroy 7 years after action completed