

Prosecutors

brief-

Statements +
exhibits with
notes/annotation.

2/3



QUEENSLAND POLICE SERVICE

STATEMENT OF WITNESS

P/S 26, v8. 03/11

Occurrence No:	1201017263	
Forensic / Statement No.:	1087002	Date: 3/4/2013

Statement of

Name of Witness	Andrew James Rowan	Position	Senior Sergeant	Employee No.	8823
Station	Fire Examination Unit, Scientific Section	Contact Phone No	3364 6066		
Address	Queensland Police Headquarters	Region	Forensic Services Branch		

Andrew James Rowan states:

I am a Scientific Officer of the rank of Senior Sergeant stationed at the Brisbane Scientific Section. This facility is accredited by the National Association of Testing Authorities (NATA) as meeting the requirement specified by the Australian and International Standard for the competence of forensic laboratories (AS ISO/IEC 17025). NATA is recognised by the Commonwealth Government as the sole national accreditation body for establishing and maintaining competent laboratory practice. Accreditation requires adherence to an approved quality assurance system and participation in an external proficiency testing program.

QUALIFICATIONS

My duties include the examination of crime scenes, including fire cause determination and the subsequent collection and examination of physical evidence. I have over eighteen (18) years experience in performing these types of examinations. I am authorised by the Laboratory Director of the Forensic Services Branch, Queensland Police Service to perform such examinations.

I am the holder of a Bachelor of Applied Science degree from Queensland University of Technology, Diploma of Fire Investigation from Queensland Fire and Rescue Service and a Master of Science (Forensic Science) from Griffith University.

I have attended and provided presentations at seminars, workshops, conferences and international symposiums relating to fire and explosion scene examination and crime scene reconstruction.



NATA Accredited Laboratory Number: 15042

This document is issued in accordance with NATA's accreditation requirements

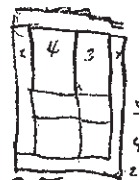
This is Page 1 of a Statement comprising 6 Page(s).

Witness

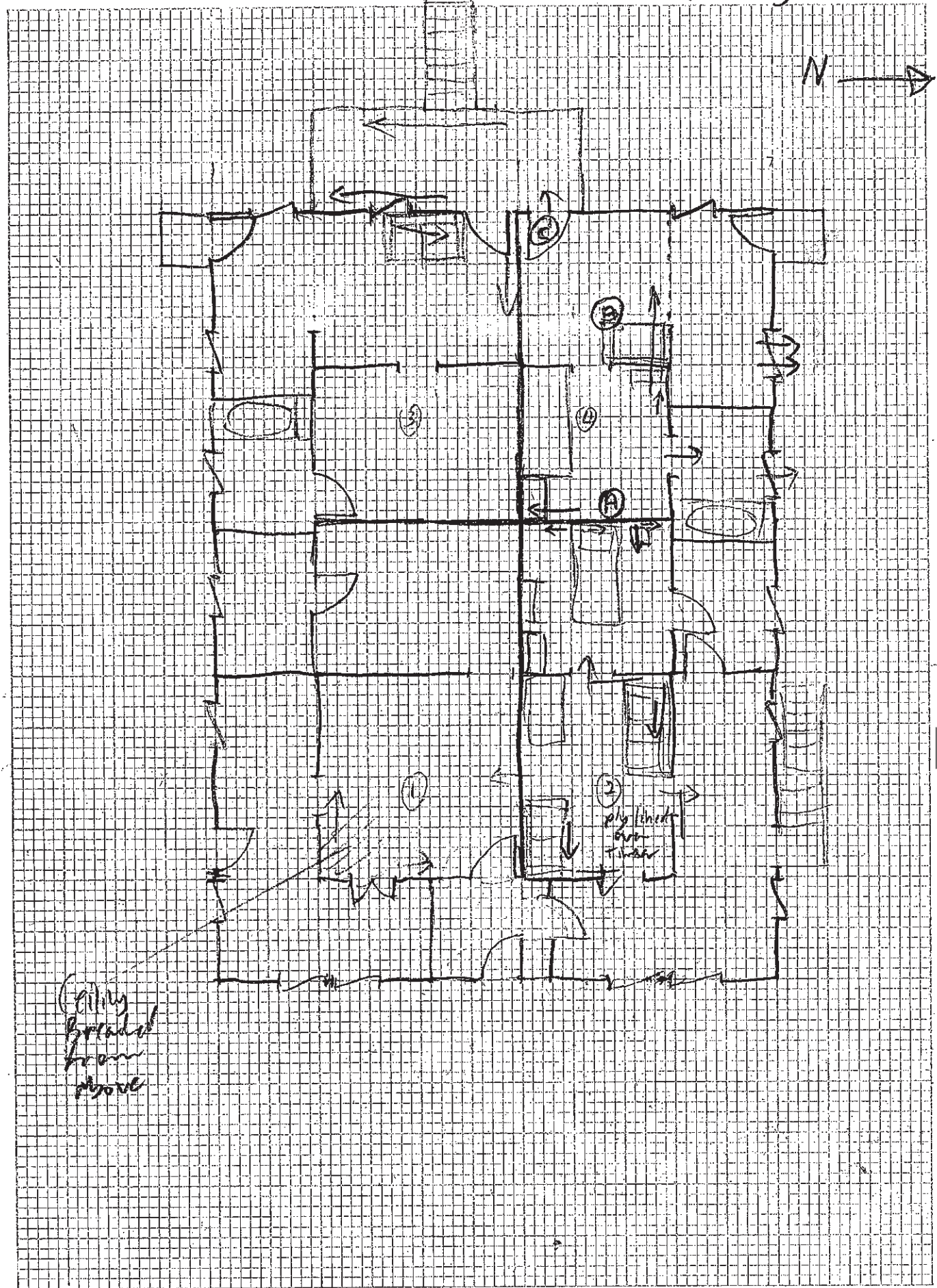
[Signature]

RTI, JAG Ref 151669, File 03, Page 98

Rowan



BG12255



Occupancy	
Item	Material
External Walls:	Timber
Roof:	Steel
Ceiling:	Timber
Floor:	Timber
Partitioning:	Timber
Doors:	Timber
Floor Coverings:	Carpet

Fire Safety					
Fire Suppression Systems:					
Community Safety Notified					
Name:					
Reason:					
Fire Safety Installations					
Fire Safety Installations	Present	Operational	Effective	Maintenance Records	Comments
Fire Extinguishers					
Type	Present			Operational	
Domestic					
Number of smoke alarms found:	3				
Type of alarm:	Ionisation				
Maintenance Receipt:					
Rental property:	Yes				
Fire blanket:					

Heat of Ignition

E1 Area of fire origin:	Sleeping room for under five persons
E2 Occupant of ignition area:	Occupant of Ignition Area undetermined or not reported
E3 Activity in ignition area:	Activity undetermined or not reported
E4 Form of heat ignition:	Form of material undetermined or not reported
E5 Ignition factor:	
E6 Type of material ignition: Ignitable liquid identified at point of origin.	Type of material undetermined or not reported
E7 Form of material ignition:	Form of material undetermined or not reported
E8 Equipment involved in ignition:	No equipment involved in ignition/Not applicable

Equipment Details

Make:

Model:

Serial No:

Voltage:

Year of manufacture:

ESO Notified:

K18 Factors affecting flame spread: High	Flammable liquid not properly handled or contained
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Injuries and Fatalities

Injury Count:	0
Fatality Count:	0

Transportation

No information available for this section

Marine

No information available for this section

Wildfire

No information available for this section

Hazmat

No information available for this section

Files		
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Samples
No information available for this section

Interviews

Synopsis



Why does he say
this

Security.

Due to the state of fire upon fire crews arrival it is undetermined if all unit doors were secure.]

QPS had not secured the scene prior to my arrival on the 12th of October.

The structure was secured with interlocking temporary fencing and secured with a chain and padlock.

External Observations.

An external inspection revealed the western side which was the entry doorway to units 4 and 3 via a small landing centrally located with a single set of stairs to ground level.

This wall displayed a wide V pattern of partial consumption and deep charring extending from floor level, each side of the landing to roof level each side of the structure indicating extensive and prolonged flame contact extending from internally.

The landing floor boards displayed partial consumption and deep charring and the landing roof iron displayed extensive buckling and collapse indicating extensive and prolonged flame contact.

Iron roofing and guttering displayed extensive buckling and oxidation with partial failure indicating prolonged

Synopsis

flame contact.

Window to unit 4 at the northern end displayed failure and a V pattern of charring and partial consumption of cladding above indicating prolonged flame extension from internally.

The southern side displayed minor smoke staining to the top section of wall directly under the eaves indicating smoke pressure build up internally.

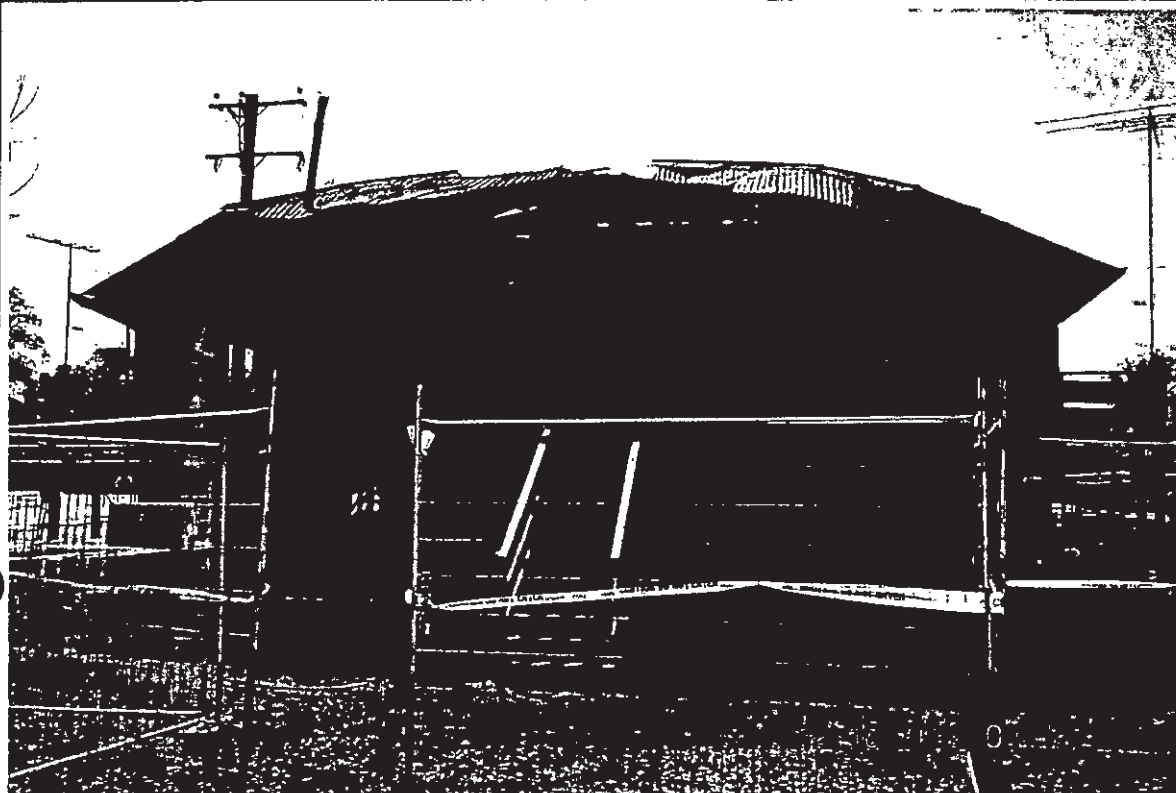
The eastern side displayed minor smoke staining to the top section of wall directly under the eaves indicating smoke pressure build up internally. Windows located at the northern end identified as unit 2 displayed lazy cracking and partial failure indicating exposure to heat.

The northern side displayed minor smoke staining to the top section of wall directly under the eaves to the eastern half indicating smoke pressure build up internally. Three sets of windows identified to be unit 2 displayed lazy cracking and partial failure indicating exposure to heat.

The western half identified as unit 4 displayed heavy charring to the upper section of wall directly under the eaves, failure of 2 sets of windows and clean burn to sections of roof guttering directly outside of the windows and a doorway indicating prolonged direct flame exposure extending from internally.

Iron roof sheeting displayed deformity, oxidation and partial collapse centrally and towards the western end indicating direct flame contact from internally.

All external observations indicate initial fire development was internally of unit 4 located in the north west quadrant of the structure and began to spread into adjacent units 3, 2 and the majority of the ceiling void.



Internal Observations.

Unit 1 located in the south east quadrant displayed smoke staining to all walls diminishing from west to east. The western end of the unit displayed slight heat damage indicating fire development within the western end of the structure.

Partial ceiling collapse was observed within the western end of the unit with no direct flame damage within the room indicating late failure from suppression activities. The ceiling void above displayed extensive charring and partial consumption of trusses indicating prolonged flame contact.

Unit 3 located in the south west quadrant displayed fire damage within the western end of the unit indicating fire extension and flame contact through the front doorway and adjacent window. This area displayed partial consumption of soft furnishings, deep charring and partial consumption to the western wall decreasing to peeling and burnt paint on the eastern wall. The remainder of the unit displayed smoke staining and heat damage decreasing from west to east.

Partial collapse of the ceiling to the western end and deep charring displayed on the top surface of the ceiling boards indicate prolonged flame contact within the ceiling void.

Unit 2 located in the north east quadrant displayed extensive fire damage throughout decreasing from west to east. The western end displayed heavy charring and partial consumption of furnishings, ceiling and timber walls

Synopsis

indicating prolonged flame contact. The western wall displayed deep charring and extensive consumption down to floor level indicating the compartment progressed to flash over phase. Charring and consumption of the walls diminished towards the eastern end of the unit indicating a path of travel from west to east.

Unit 4 located in the north west quadrant displayed extensive fire damage indicating flash over and complete room involvement. The lounge room and kitchenette located at the eastern half of the unit displayed consumption of all combustible furnishings, deep charring and partial consumption of walls, consumption of ceiling and partial consumption of roof trusses. Remaining roofing iron displayed clean burn indicating prolonged direct flame contact.

The bedroom and bathroom located at the eastern half of the unit displayed a higher level of fire damage indicated by an extensive amount of wall, ceiling and roof truss consumption.

The bedroom identified as the room of origin displayed

- Western wall - almost complete consumption of vertical wall boards.
- Northern wall - wide V pattern of consumed wall boards extending from floor level eastern end to ceiling height western end.
- Eastern wall - narrow V pattern of consumed wall boards extending from a central floor level to ceiling height.
- Floor at base of eastern wall - section of consumed floor boards.
- Floor near entrance to bathroom - section of consumed floor boards.

All observations indicate initial fire developed at the base of the eastern bedroom wall and spread to involve the complete unit and ceiling void then breach into adjoining units.

The remains of a television set were identified at this area. (Occupant stated to QPS this item was not connected to a power source)



Path of Fire Travel/Fire Patterns/Observations.

Fire initiated at the base of the eastern bedroom wall and developed to involve the complete unit and contents within. Fire breached the eastern wall into unit 2.

Fire also extended out through the unit's western end doorway and involved the covered landing allowing fire to travel into unit 3 via the doorway and window.

The fire entered the ceiling void and spread laterally throughout towards the east.

Observations indicate unit 4 progressed to a complete flash over.

It was also observed that an excavation in and around the eastern bedroom wall was carried out by QPS prior to my arrival.

A strong odour of an unspecified fuel was present at the time of my examination in and around the area excavated.

Area of Origin.

Synopsis

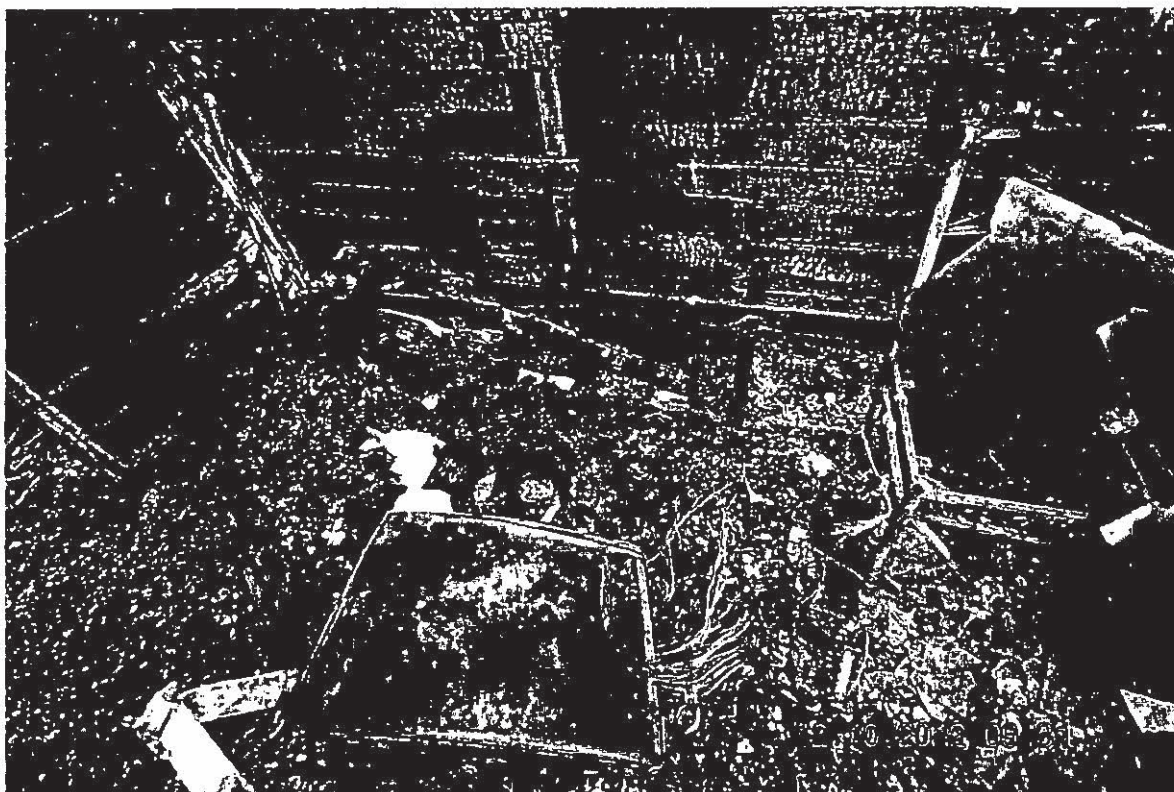
Bedroom located in the south east corner of unit 4.

Point/s of Lowest Burning.

Through the timber floor boards at the point of origin.

Point of Origin.

Centrally, at the base of the eastern wall of unit 4 bedroom.



Source of Ignition.

Human involvement of combustible items with the addition of an ignitable liquid.

Category of Fire.

Incendiary

Synopsis

Conclusions/Comments.

It is my opinion that direct human involvement is the cause of this fire.

This report is accurate with the information available at the time of writing.

This report is based on the information and evidence that was available at the time of the investigation.

Should further information or evidence be forthcoming this report will be revised and up-dated as required.

Station Officer

Lindsay Spencer GFireE, DipFI

Qld Fire & Rescue Service

Fire Investigation Officer

Note: Some areas of the report have been left blank intentionally due to not being applicable or no information available at time of writing this report.

Justices Act 1886

I acknowledge by virtue of section 110A (5) C (ii) of the Justices Act 1886 that this written statement by me dated 17/01/13 and contained in the pages numbered 1 to 15 is true to the best of my knowledge and belief; and

(2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

Signatures:.....

Signed at: HAMILTON this 17th day of JANUARY 2013

Risk Assessment Worksheet

Risk	Likelihood				Control Measures		
Likelihood of collapse?	LOW			✓			
	MEDIUM						
	HIGH						
Risk of falling debris?	LOW				PPE / Limit Access		
	MEDIUM						
	HIGH			✓			
Risk of falling through the floor?	LOW				Limit Access		
	MEDIUM			✓			
	HIGH						
Is atmosphere OK to enter?	OXYGEN	Y		N	BA	P3	P2
	CARBON MONOXIDE	Y		N			

RISK vs. GAIN: If risk too much, DO NOT PROCEED.

Check items below and action as required

Particulate matter	OIC	Y	✓	N	BA	P3	P2
	VISUAL CHECK	Y	✓	N			
Electricity / Gas / Solar disconnected / shut off?	OIC	Y	✓	N			
	VISUAL CHECK	Y	✓	N			
Any other hazards <small>Slipping Tripping Fuels Etc.</small>	OIC	Y	✓	N			
	ASK OWNER	Y	✓	N			
	VISUAL CHECK	Y	✓	N			

Other Agencies Briefed: Police ☐ QAS ☐ Gas Inspector ☐ Other Agency ☐

Minimum PPE includes: Safety Helmet, Safety Glasses, Overalls, Safety Boots, Gloves & P2

Continuous Atmospheric Monitoring

Monitor FATIGUE: Take regular breaks, drink adequate water.

Signature: _____ Date: 12/10/12 Page: 2

Scene Disturbance

Yes No Unknown

Work conducted to shore-up or excavate prior to scene examination:

☐ ☒ ☐

If yes, provide details of such work:

Evidence of ☐ Yes ☒ No

Forced entry: ☐ ☒ 1

If yes, nominate location/s:

Evidence of Ventilation/Salvage (Smoke removal):

Yes ☒ No ☐

Comment:

Removal of some roof sheeting

Signature: 

Date: 12/10/12 Page: 5

Informal Interview Note Taking Sheet

(T.E.D.S.) (Tell me your story; Explain to me; Demonstrate to me; Show me where...)

Interview One (1) Conducted with: _____

D.O.B. _____

Interviewee Contact Details: _____

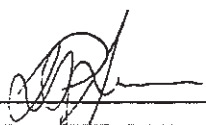
Occupant stated:

- + Home for lunch approx 1300 hrs
- + Cold lunch no cooking & prepared.
- + Back to work at 1400 hrs.

Approx 8 days ago came home to find heater (Ban heater) on with smouldering paper on top with an unidentified, clear liquid in elem container near it.

Stated to not have used heater.

Signature: _____



Date: _____

12/10/12

Page: 6

Informal Interview Note Taking Sheet

(T.E.D.S.) (Tell me your story; Explain to me; Demonstrate to me; Show me where...)

Interview Two (2) Conducted with: _____	D.O.B. _____
Interviewee Contact Details: _____	
[A large diagonal line is drawn across the main body of the form, from the bottom left to the top right.]	

Signature: _____



Date: _____

12/10/12

Page: 7

Field Report – Structure Fires

Property Description				
Complex type:	<u>Unit blocks (4) Dwelling</u>		No. of levels:	<u>2</u>
External walls:	<u>Timber</u>	Roof:	<u>Iron</u>	
Ceiling:	<u>Timber</u>	Floor:	<u>Timber</u>	
Internal walls:	<u>Timber / Fibro</u>	Internal doors:	<u>Timber</u>	External doors:
			<u>Timber</u>	
Floor covering:	<u>Carpet</u>		Area (Sq metres)	<u>11 x 14</u>
Property condition: (Circle) <u>Derelict</u> <u>Poor</u> Fair Good N/A				
Electricity connected: <u>Yes</u> / No Gas connected: Yes <u>No</u> / LPG / Natural Gas / Other				

Checklist for Outside of Structure			
Front yard:	<input checked="" type="checkbox"/>	Rear yard:	<input checked="" type="checkbox"/>
Sides of structure:	<input checked="" type="checkbox"/>	Adjoining yard:	<input checked="" type="checkbox"/>
Rubbish bins:	<input checked="" type="checkbox"/> <u>checked</u>	Roof damage:	<input checked="" type="checkbox"/>
External damage:	<input checked="" type="checkbox"/>	Switch board:	<input checked="" type="checkbox"/>
Fuses:	<input checked="" type="checkbox"/>	Gas cylinders:	<input checked="" type="checkbox"/>
Box Trailers:	<input checked="" type="checkbox"/>	Garden Sheds:	<input checked="" type="checkbox"/>

Contents											
Contents normal:	Yes	No	N/A	Photos:	Yes	No	N/A	Clothing:	Yes	No	N/A
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Furniture:	Yes	No	N/A	Stock:	Yes	No	N/A	Crockery:	Yes	No	N/A
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comment if applicable:											

Signature: [Signature] Date: 12/10/12 Page: 8

Description of Area of Origin

Walls: Timber Roof: Iron

Ceiling: Timber Floor: Timber

Floor covering: Carpet Doors: Timber

Partitioning: Timber Area of Origin Size (Sq metres): 3x3

Area/s of fire origin: Bedroom - Unit 4 - Eastern side

Form of heat of ignition: UNDERFURNISHED - USE OF FLAMMABLE LIQUID

Ignition factor: SUSPICIOUS HUMAN ACTIVITY

Type of material ignited first: UNDERFURNISHED

Form of material ignited first: UNDERFURNISHED

Ignition Source	Conclusive	Probable	Possible	Supporting evidence not found	Eliminated
Adjacent Active Fire:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lightning:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Spontaneous:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chemical Reaction:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mechanical:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fixed Electrical Wiring or Installation:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plug-in Electrical Equipment:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hot Work:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cooking:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Candle / Sparkler / Incense Stick:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smokers Material:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Incendiary:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signature: [Signature] Date: 12/10/12 Page: 9

Equipment Involved in Ignition

Type of equipment: _____

Make/Brand: _____

Model: _____

Serial #: _____

Voltage: _____

Electrical Safety Officer notified: _____

Yes ☐

No ☐

Point of origin: _____

Floor level, eastern wall of bedroom

Most likely cause: _____

Suspicious human involvement

Point of lowest burning: _____

Through floor boards to under side

Factors affecting flame spread: _____

Use of ignitable liquid

Construction & fuel load.

Category of fire: _____

Accidental ☐

Incendiary ☒

Undetermined ☐

Damaged confined to: _____

Unit 4 - Complete involvement - consumption of furnishings
& internal walls

Unit 3 - Fire extended into unit.

Fire damage to (N) side. Heavy smoke & heat
damage diminishing towards the (S).

Unit 1 - slight heat damage & extensive smoke
damage

Signature: _____



Date: _____

12/10/12

Page: 10

Path of Fire Travel and/or Observations

Unit 2 - Fire extended into unit thru. (42)
wall. Extensive fire damage to (42) left
Heat & smoke damage to remainder diminishing
towards (3).

Partial roof collapse to central & (42) section.

Signature: _____



Date: _____

12/10/12

Page: 11

Fire Safety Installations 1

Domestic or Prescribed

Smoke alarms installed: Yes ☒ No ☐ If yes, how many? *Unit 1. 1*
 Smoke alarms (or remains of) found at scene: Yes ☒ No ☐ If yes, how many? *2. Possible battery remains*
 Rental property? Yes ☒ No ☐ Was a smoke alarm maintenance receipt available? Yes ☐ No ☒ *3. Remains found*
 Type of smoke alarms: Hardwired ☐ Battery Operated ☒ Working: Yes ☐ No ☐ *4. No Remains*
 Ionisation ☒ Photo-electric ☐ Undetermined: ☒

Reason if not working

	Yes	No	Unknown	(circle) Used or Not Used	Type: (circle)
Fire Blanket	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Used	
Extinguishers Installed	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Used or Not Used	Water DCP Foam Other
Hose Reels	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Used or Not Used	
Fire Rated Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Comment on effectiveness	

(Examples of fire rated construction include: Fire Doors, Fire Collars, Fire Walls with specified FRL)

Fire Safety Installations 2

Special Fire Services

	Present		Operational		Effective	
	N/A	Yes	Yes	No	Yes	No
Automatic Fire Alarm/Occupant Warning:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stairwell Pressurisation:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air/Smoke Venting/Exhaust Systems:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Booster Pump/s:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydrant Booster Cabinet / Connections:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sprinkler System:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hydrants / Risers / Fire Mains:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Fixed Suppression System:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Give reasons why 'NO' was recorded:

Signature: *[Signature]*

Date: *12/10/12* Page: 12

Field Report – Logs and Sketches

Fatalities and/or Injuries	
Total number of fatalities: _____ <small>(If injured person subsequently dies, record as both)</small>	Total number of injuries: _____
Fatality: <input type="checkbox"/>	Injury: <input type="checkbox"/>
Surname: _____	Given names: _____
Age: _____	Gender: Male <input type="checkbox"/> Female <input type="checkbox"/>
Did this person reside on the premises?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Types of injuries sustained:	Minor <input type="checkbox"/> Moderate <input type="checkbox"/> Severe <input type="checkbox"/>
Fatality: <input type="checkbox"/>	Injury: <input type="checkbox"/>
Surname: _____	Given names: _____
Age: _____	Gender: Male <input type="checkbox"/> Female <input type="checkbox"/>
Did this person reside on the premises?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Types of injuries sustained:	Minor <input type="checkbox"/> Moderate <input type="checkbox"/> Severe <input type="checkbox"/>
Fatality: <input type="checkbox"/>	Injury: <input type="checkbox"/>
Surname: _____	Given names: _____
Age: _____	Gender: Male <input type="checkbox"/> Female <input type="checkbox"/>
Did this person reside on the premises?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Types of injuries sustained:	Minor <input type="checkbox"/> Moderate <input type="checkbox"/> Severe <input type="checkbox"/>
Fatality: <input type="checkbox"/>	Injury: <input type="checkbox"/>
Surname: _____	Given names: _____
Age: _____	Gender: Male <input type="checkbox"/> Female <input type="checkbox"/>
Did this person reside on the premises?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Types of injuries sustained:	Minor <input type="checkbox"/> Moderate <input type="checkbox"/> Severe <input type="checkbox"/>
Other Information:	

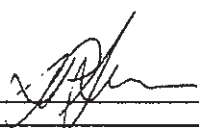
Signature: _____

Date: _____

Page: 13

Photograph #	Location taken	Photograph #	Location taken
1		36	
2		37	
3		38	
4		39	
5		40	
6		41	
7		42	
8		43	
9		44	
10		45	
11		46	
12		47	
13		48	
14		49	
15		50	
16		51	
17		52	
18		53	
19		54	
20		55	
21		56	
22		57	
23		58	
24		59	
25		60	
26		61	
27		62	
28		63	
29		64	
30		65	
31		66	
32		67	
33		68	
34		69	
35		70	
#	Video / Audio Log Detail	#	Video / Audio Log Detail
1		5	
2		6	
3		7	
4		8	

Signature: _____




Date: _____

12/10/12

Page: 14

[illegible]

Signature:  Date: 12/10/12 Page: 15

Authorised by: Executive Manager, Investigations and Compliance Command

Version: 8/05/2012

Notices of Seizure or other Things Taken

Incident address:

Date: _____

1 120

Region and fire call #:

[illegible]

Signature:

Date:

12/10/2

Page: 16



Incident Report

QF5S-12-098845

Incident Log:

Time	Action Code	Comment
18:40:51	K4	BA7 [IK4] Vehicle leaving scene, available.
18:41:00	K4	530A [IK4] Vehicle leaving scene, available.
18:48:18	CV	[ICV] Control Vehicle - Primary Unit set to 547A.
18:51:10	WB	547A [IWB] SIT REP - A/SO BUCHANANA IS IC 547A CV 511I IS STILL ON SITE CARRYING OUT TEST USING TIC
19:15:29	K4	511I [IK4] Vehicle leaving scene, available.
19:31:25	WB	547A [IWB] INCIDENT COMPLETE LEFT IN HANDS QPS K4
19:31:29	K4	547A [IK4] Vehicle leaving scene, available.

Time of Call [A8] 10/10/2012 14:48:46

Stop Time [A26] 10/10/2012 15:39:38

Callsign	Fleet Number	Dispatched [A48]	Responding [A50]	Staged	At Scene [A52]	Delayed Avail	Call Cleared [A54]
506A	11105	10/10/2012 14:49:16	10/10/2012 14:52:50		10/10/2012 15:04:27		10/10/2012 17:42:22
511I	943	10/10/2012 16:18:11	10/10/2012 16:22:25		10/10/2012 17:02:26		10/10/2012 19:15:29
515A	778	10/10/2012 14:54:27	10/10/2012 14:57:44		10/10/2012 15:20:48		10/10/2012 17:20:38
517A	1082	10/10/2012 15:54:52	10/10/2012 15:58:54		10/10/2012 16:39:29		10/10/2012 18:37:10
530A	1059	10/10/2012 14:49:16	10/10/2012 14:50:39		10/10/2012 15:04:02		10/10/2012 18:41:00
547A	970	10/10/2012 18:18:52	10/10/2012 18:19:02		10/10/2012 18:35:23		10/10/2012 19:31:26
500	821	10/10/2012 15:16:18	10/10/2012 15:16:24		10/10/2012 15:47:33		10/10/2012 17:29:58
BA7	354QGV	10/10/2012 15:21:04			10/10/2012 15:21:10		10/10/2012 18:40:51
QC46	QGDP83	10/10/2012 16:08:43	10/10/2012 16:07:05		10/10/2012 16:30:40		10/10/2012 18:37:00





Fire Call No.

Witness Statements

Personal information collected by an Authorised Fire Officer during investigations and reporting on an incident is required by the *Fire and Rescue Service Act 1990*. Personal information will be used for administrative purposes and disclosed for the purposes of fulfilling statutory obligations, or other public responsibilities. The details of the Privacy Policy can be viewed on the Department of Community Safety website. www.dcs.qld.gov.au

Witness

Full name:

STATION OFFICER DAMIAN STUART

Address:

CAPALABA FIRE STN

Home phone:

Mobile phone:

- Upon arrival smoke issuing from units 2 and 3
- Fire well involved in unit 4 and progressing through unit 3. Fire issuing from windows & rear doors of units 3 & 4.
- Flame 'dripping' through floor from unit 4.
- Initial action was case 1 CAFS external to unit 4 via rear stairs.
- 2nd line case 1 via stairs through unit 1.
- BA TEAM ① using external CAFS would knock the fire down / almost completely extinguished and would instantly reignite. This occurred continually.

Justices Act 1886

I acknowledge by virtue of section 110A(5) C (ii) of the *Justices Act 1886* that this written statement by me dated ____ / ____ / 20____ and contained in the pages numbered to ____ is true to the best of my knowledge and belief; and (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

Signature:

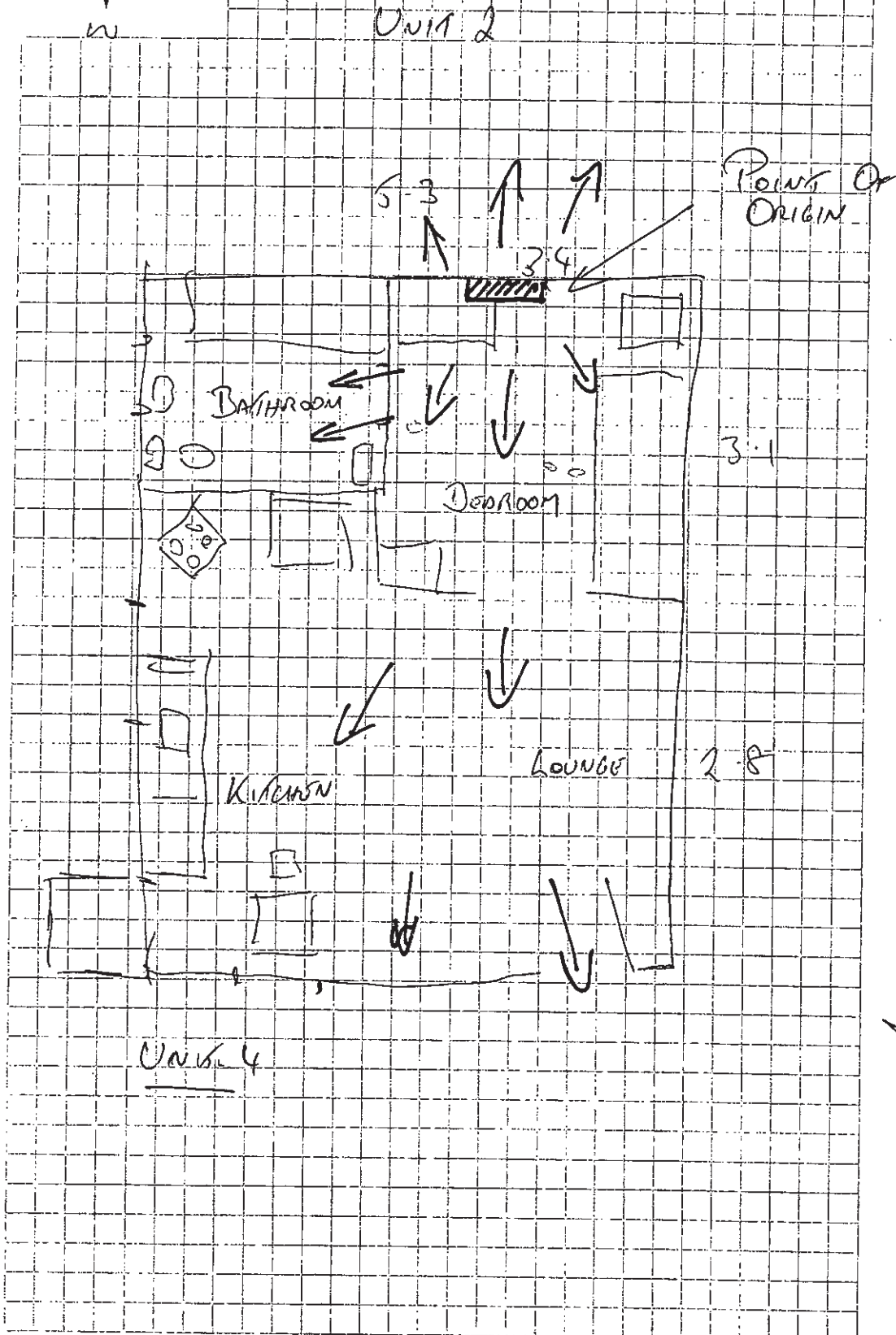
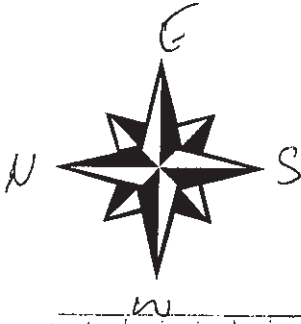
Date: / /

Signed at:

this

Day of

20



Signature: _____

Date: 12/10/12 Page: 18

Authorised by: Executive Manager, Investigations and Compliance Command

Version: 8/05/2012

OM 088

21. At about 2:19pm on that day, the defendant and his wife attended Cleveland Police Station where I returned his vehicle, vehicle key and roof racks. This conversation was recorded with the use of my digital recorder.

I am able to produce a copy of that recording

22. I obtained an indemnity receipt from the defendant for these belongings.

I am able to produce a copy of that receipt

23. During the investigation I completed notes in my Police official diary K11847 between pages 262-264.

I am able to produce a copy of those notes

24. On the 26th day of March 2013, I completed this statement.

(Witness's signature)

(Justice of the Peace (Qual.)/

(Signature of police officer
preparing statement)

25. I have no further dealings in this matter.


Ross DOBBIE

Justices Act Acknowledgement

Justices Act 1886

I acknowledge by virtue of section 110A(6C)(c) of the Justices Act 1886 that:

- (1) This written statement by me dated 26/03/2013 and contained in the pages numbered 1 to 5 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

.....Signature

Signed at Cleveland this 26th day of March 2013.


(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Signature of police officer
preparing statement)

11. On the 3rd day of March 2015, I completed this addendum statement.


Ross DOBBIE

Justices Act 1886

I acknowledge by virtue of section 110A(6C)(c) of the *Justices Act 1886* that:

- (1) This written statement by me dated 03/03/2015 and contained in the pages numbered 1 to 3 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

.....Signature

Signed at Wynnum this 3rd day of March 2015.


(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Signature of police officer
preparing statement)

Development Control Officer | Development Control
Community Standards | Redland City Council
Cnr Middle & Bloomfield Sts, Cleveland Qld 4163
PO Box 21, Cleveland Qld 4163
Phone 07 3829 8711 | Fax 07 3829 8765
www.redland.qld.gov.au

Could you please pass these to Cynthia for an assessment on their level of safety so that I can continue with the process and advise the owner accordingly.

Thanks

<< File: IMG_0943.jpg >> << File: IMG_0944.jpg >> << File: IMG_0945.jpg >> << File: IMG_0946.jpg >> << File: IMG_0947.jpg >> << File: IMG_0948.jpg >> << File: IMG_0949.jpg >> << File: IMG_0950.jpg >> << File: IMG_0951.jpg >> << File: IMG_0952.jpg >> << File: IMG_0953.jpg >> << File: IMG_0954.jpg >> << File: IMG_0955.jpg >> << File: IMG_0956.jpg >> << File: IMG_0957.jpg >>

Helen Arnold

Cnr Middle & Bloomfield Sts, Cleveland Qld 4163
PO Box 21, Cleveland Qld 4163
Phone 07 3829 8711 | Fax 07 3829 8765
www.redland.qld.gov.au

Redland City Council - Request

Initial Action P NFA 10/01/2013 2:52:33 P 14/01/2013 1:05:17 COM05 DanielOs

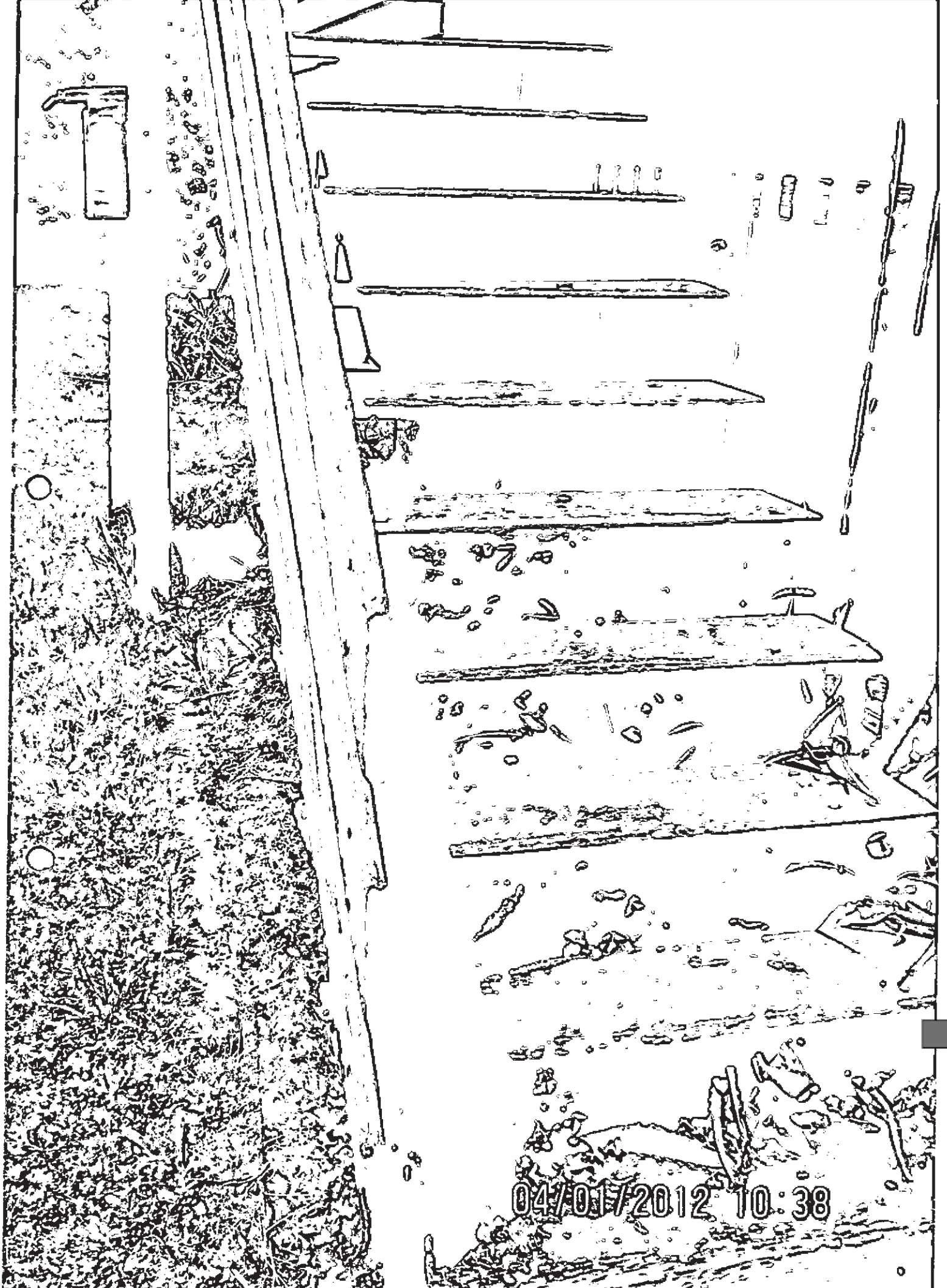
Officer Daniel Osborne contacted the current land owners on the 10/01/13 in regards to this complaint. He advised that any asbestos material had been managed with a PVA product tarpaulins boarded up windows and fencing around the property. Officer then made contact with the complainant on 10/01/13 and advised that the asbestos product within the house had been managed effectively and due to the proximity of their dwelling vegetation and asbestos fibres typically being large and heavy they would not travel to the complainant's property. The complainant still had concerns about the dust officer advised that as the house had been closed and was considered a worksite a complaint would need to be raised with workplace health and safety. This phone number was provided over the phone.

##CLOSE & Advise Complainant of Results# P NotReq 10/01/2013 3:04:40 P 17/01/2013 3:04:40 COM05 DanielOs

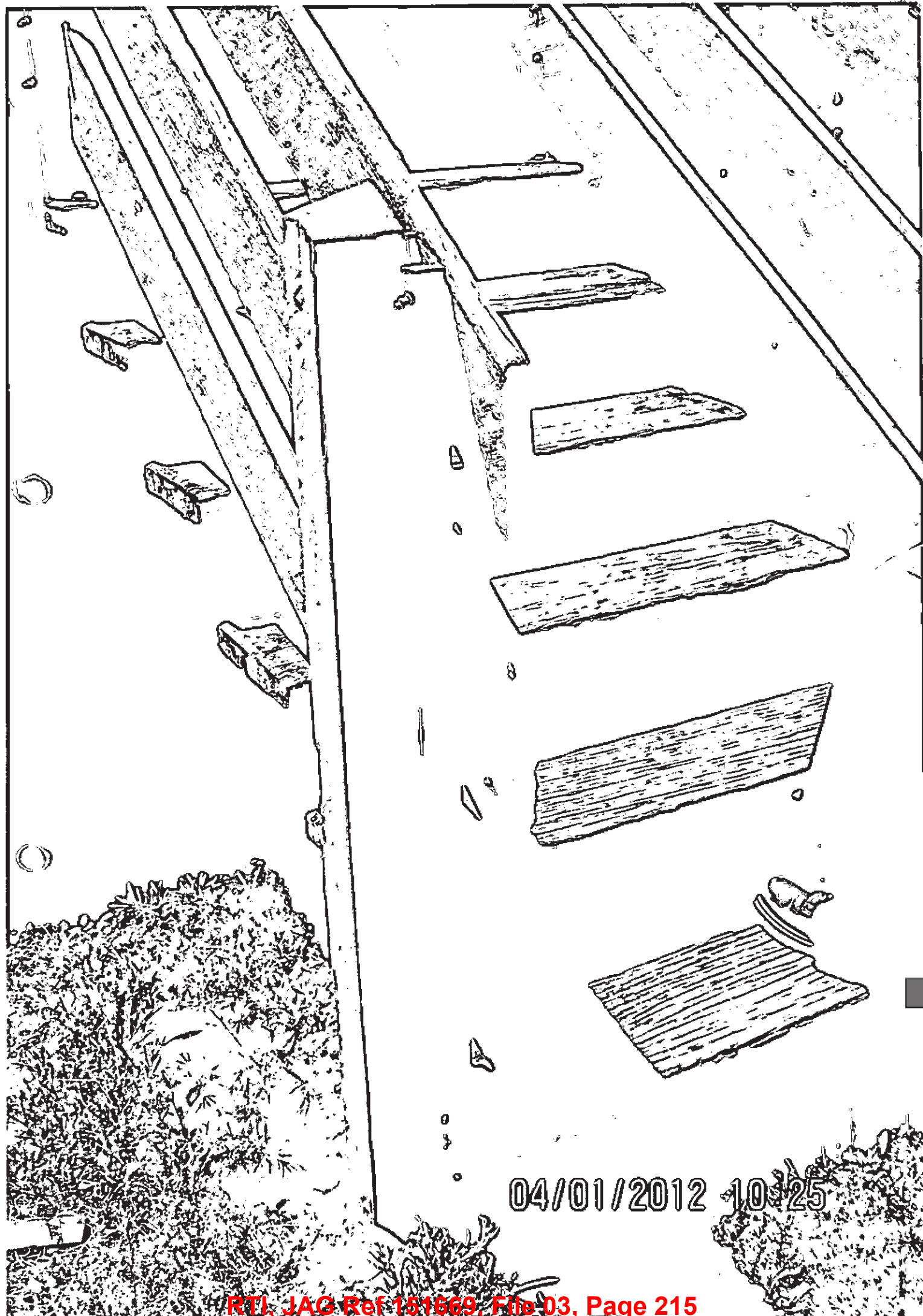
Information provided to complainant in previous event. DO 10/01/13



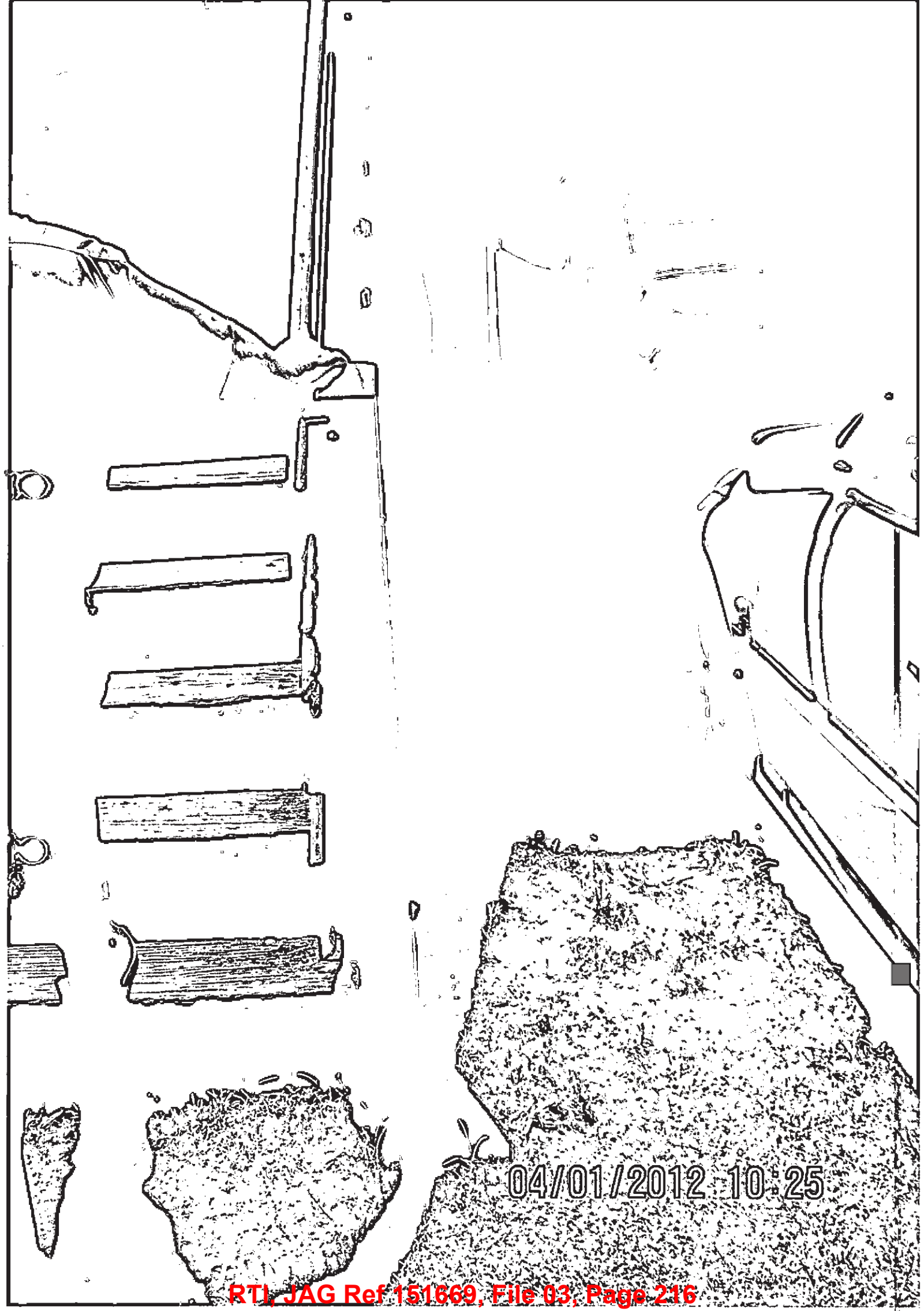
04/01/2012 10:37



04/01/2012 10:38



04/01/2012 10:25



04/01/2012 10:25

04/01/2012 10:28



04/01/2012 10:37

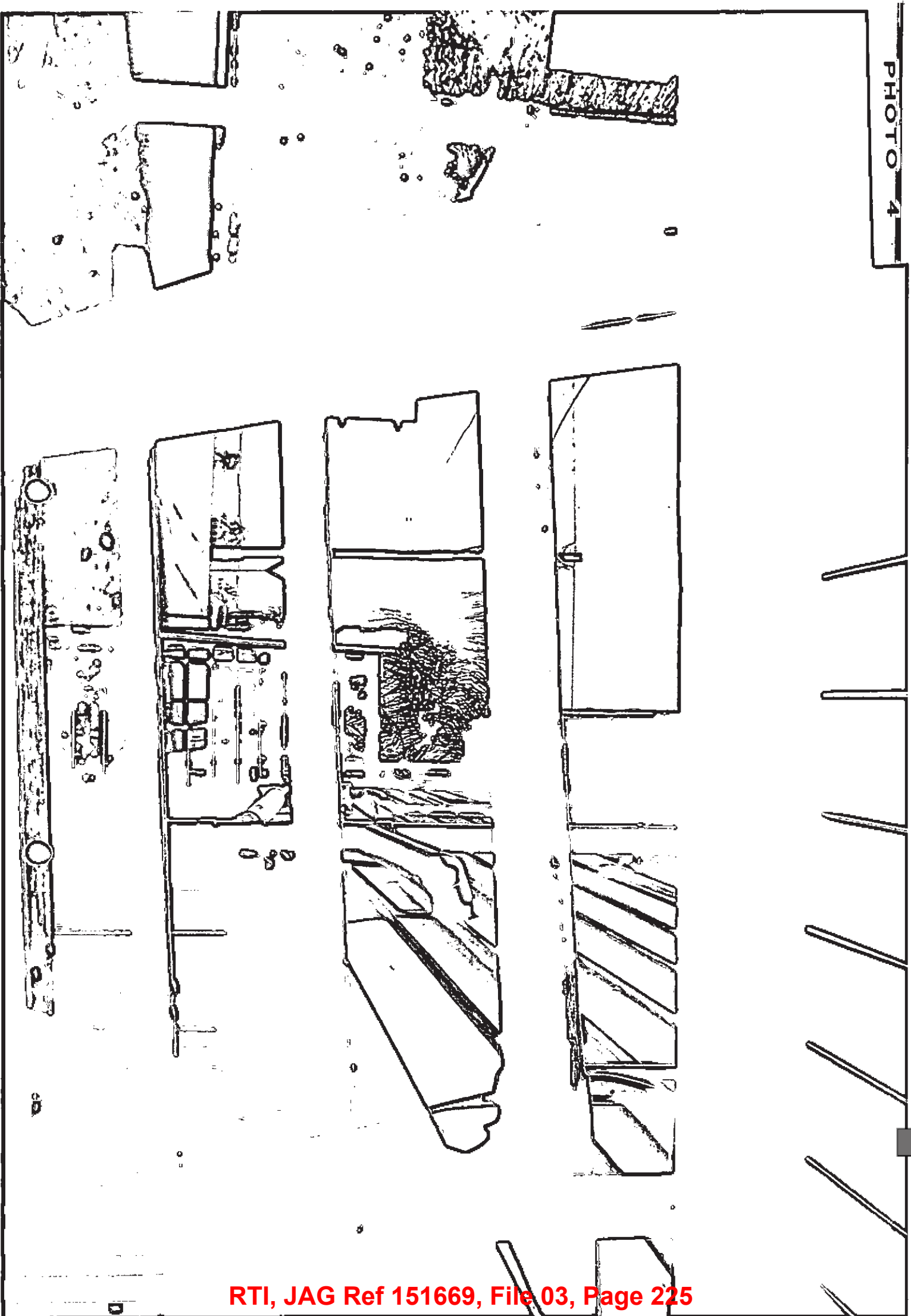
04/01/2012 10:37

04/01/2012 10:30









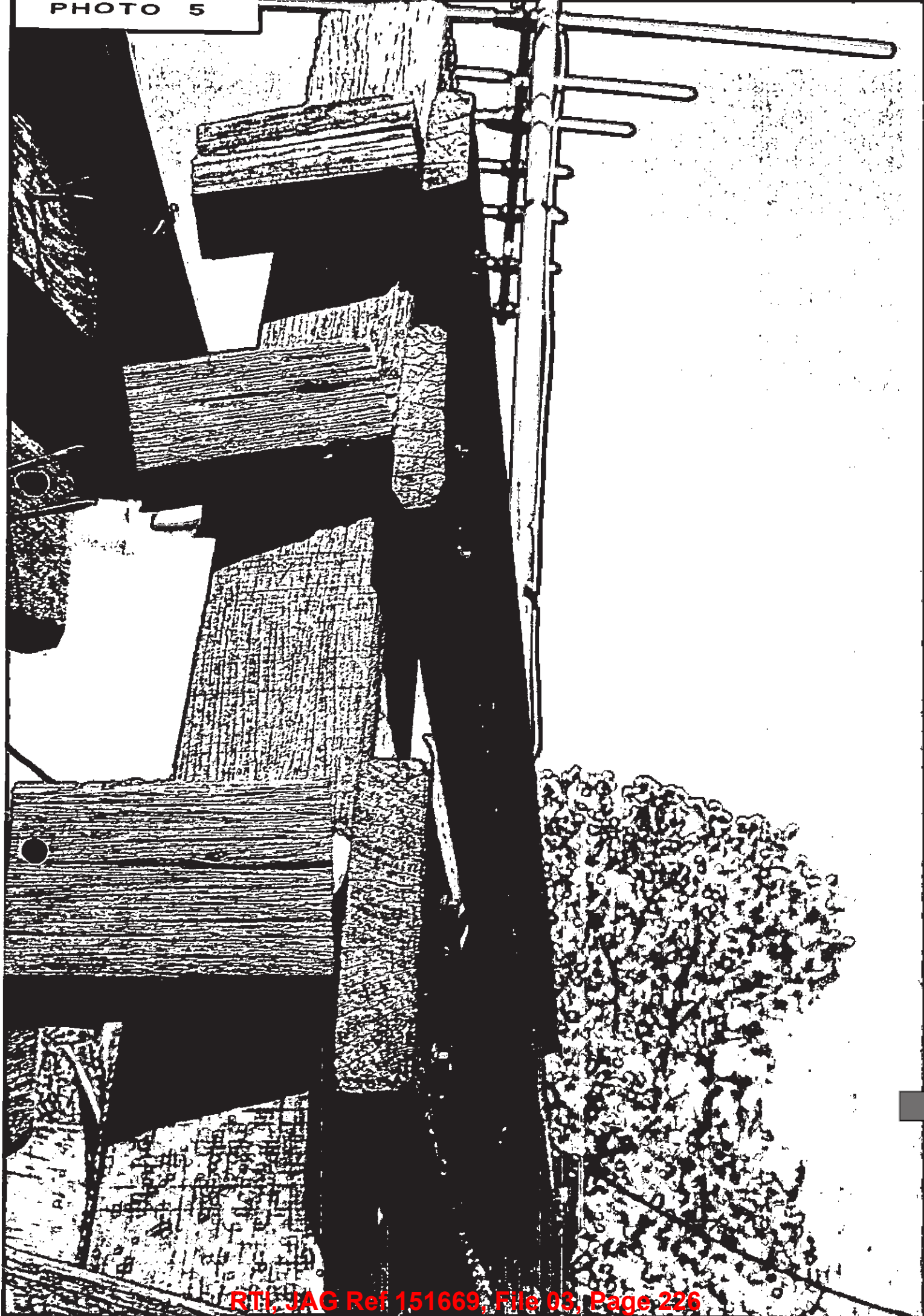
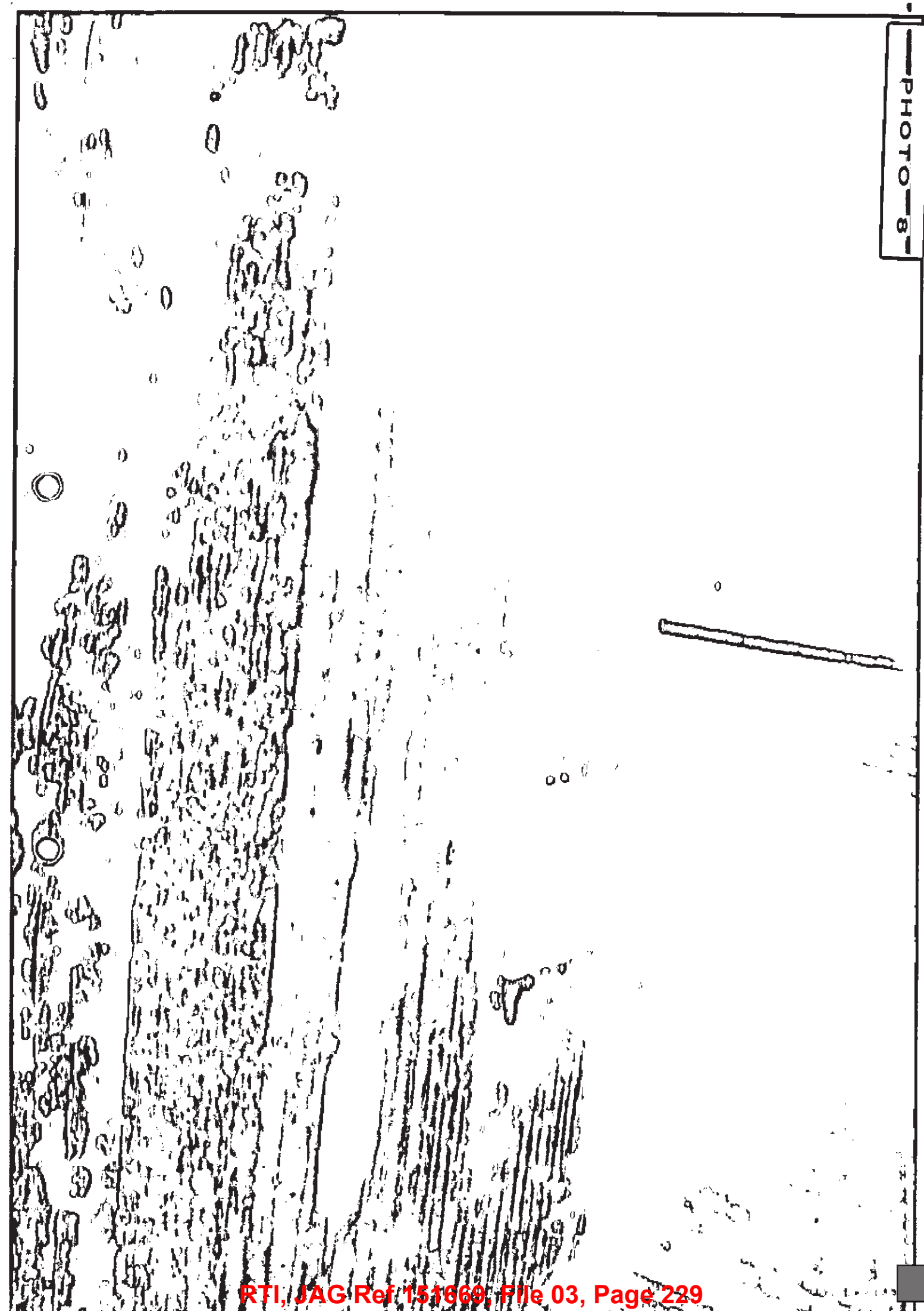
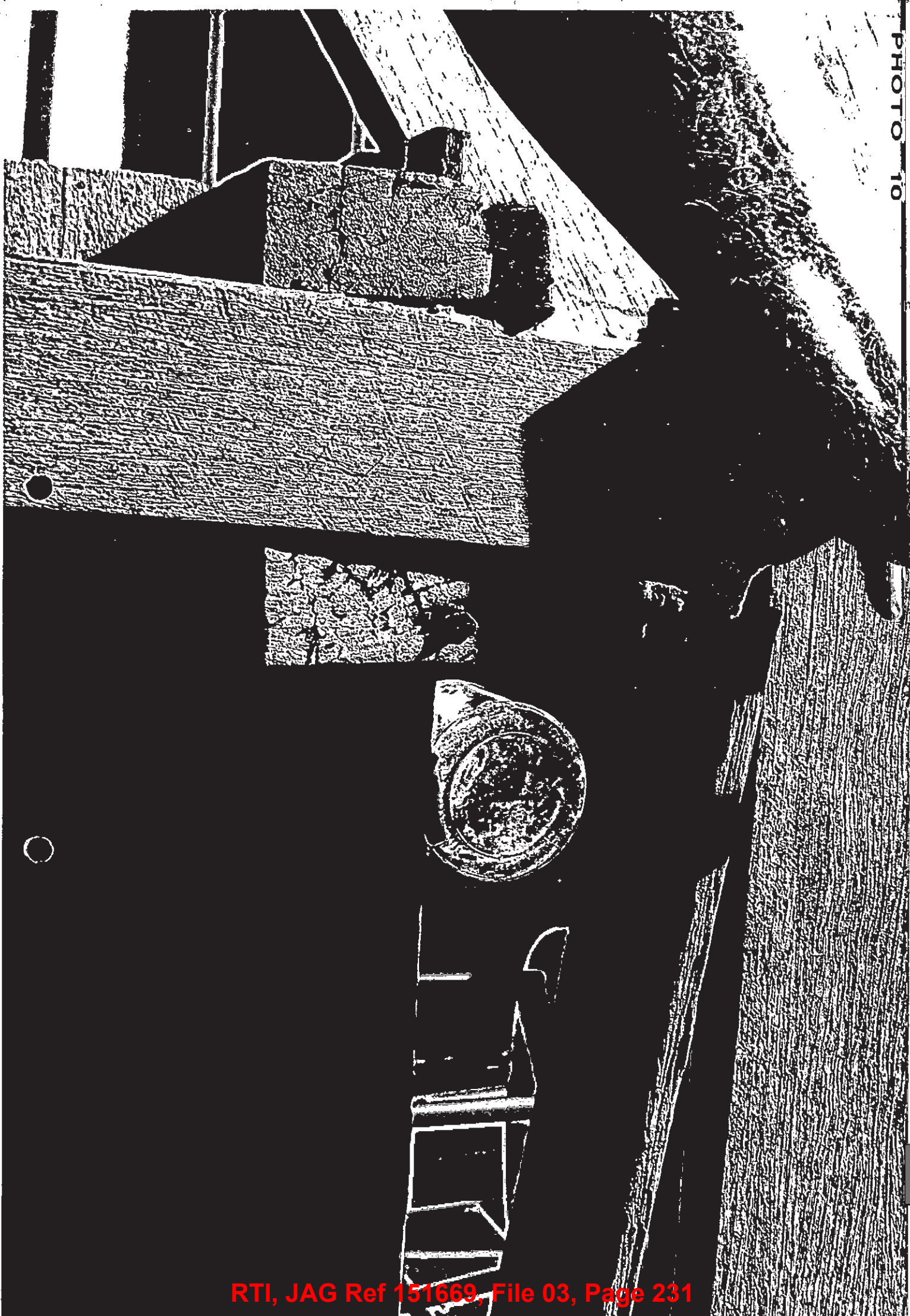




PHOTO 7





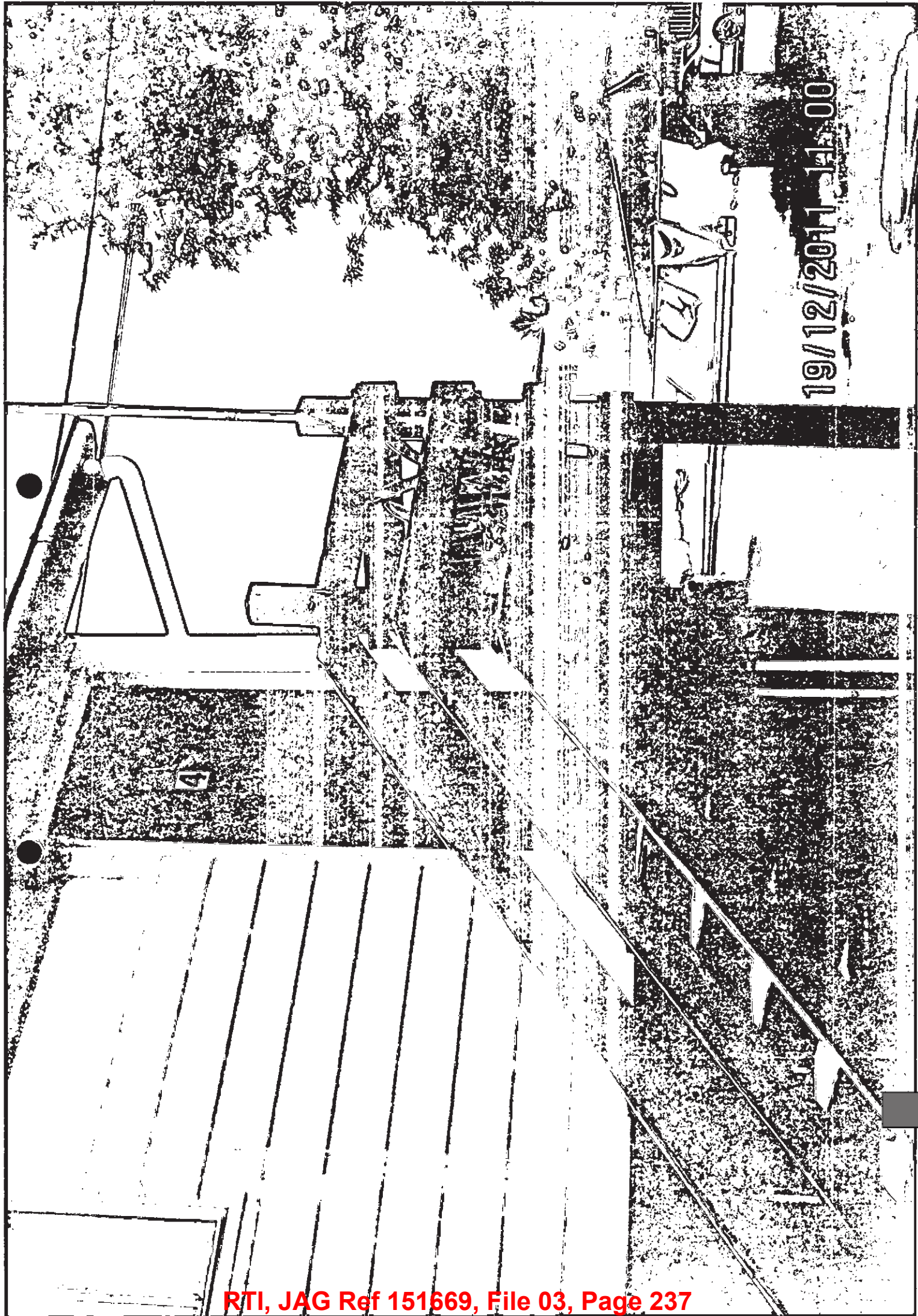














4

19/12/2011 11:00

I have downloaded photos and sent and email to TL to pass to Cynthia Lawes for an assessment to be made of the stairways prior to taking further action and advising the owner accordingly.

Will await feedback from building on safety or otherwise of stairs.



img-302083417-0001
.pdf

Checklist



img-921123500-0001
.pdf

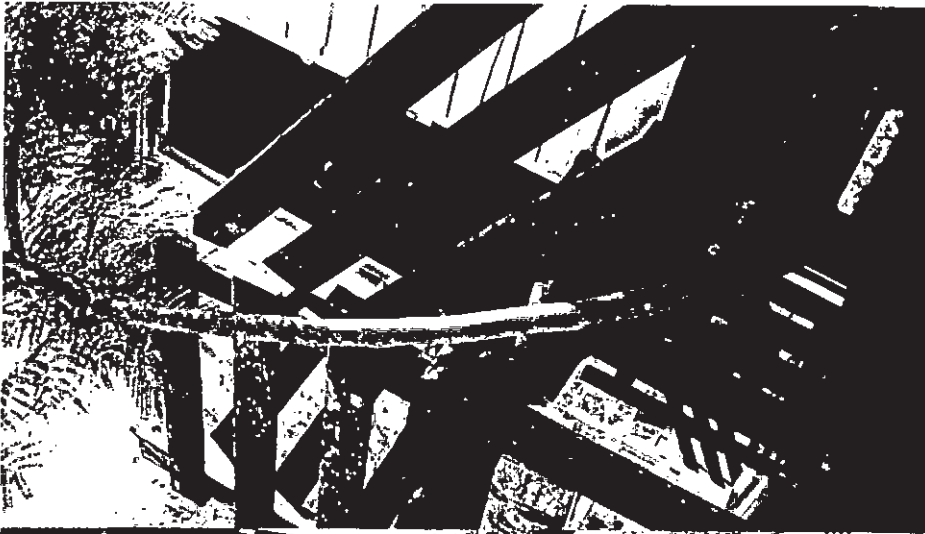
Agreement to enter

10 November 2011 – Helen Arnold – COM005 – DCO

Receipt of advice

Received advice from building (Cynthia Lawes) that it is considered dangerous structure.

Will draft enforcement notice for issue to owners.













5 January 2012 – Helen Arnold – COM005 – DCO
Customer service visit

Part D – Decision Phase

<p>17. Given the evidence obtained to date, confirm the definition of the alleged unlawful building work and its association.</p> <p>Note. In the case that planning approval is required for the other development (not a use or associated with a MCU), ensure these requirements are included in any show cause/enforcement correspondence in the facts and circumstances - for carrying out assessable development without a permit, which is the same offence as for the SBR requirement.</p> <p>Further note that in the case that planning approval is required for MCU then ensure these requirements are included in any show cause/enforcement correspondence as a SEPARATE OFFENCE – unlawful use. This can be added to the same notice if desired or be separate.</p>	Associated with MCU	Definition	Requirements Be aware that planning approval may also be required for MCU
	Other Development		Be aware that planning approval may also be required for other development
	SBR only		Only building approval possibly required
18. Does the structure meet the criteria for self-assessable or exempt development under the Standard Building Regulation? Refer SBR Schedule 5	Y/N	<p>If yes, confirm building/structure complies with any relevant codes. No Building approval is required, Continue and check if Planning Approval is required</p> <p>Otherwise, Building approval will be required. Continue and check if Planning Approval is also required</p>	
19. Does the structure meet the criteria for self assessable or exempt development in accordance with the Redlands Planning Scheme, given its definition? Refer to Level of Assessment Checklist to help determine assessment requirements.	Y/N	<p>If yes, confirm building/structure complies with Self Assessable requirements (for self assess only). No approval is required. Continue</p> <p>Otherwise, Planning approval will be required. Continue</p>	
20. Does the structure require either Building or Planning Approval determined by questions 17 and 18?	Y/N	<p>If yes, Continue</p> <p>Otherwise, ensure structure is considered safe and go to Part F - Finalise</p>	

Part E – Compliance Phase**For all Structures that require approval (Safe or Unsafe)**

21. Issue show cause notice and covering letter for the relevant offence/s. Note, show cause notice for unlawful structure to be for 'carrying out assessable dev without permit'. Any show cause for unlawful use to be for 'unlawful use'.	Work carried out / approval obtained?	Yes / No	If yes, No further action required regarding lawfulness, go to Part F - Finalise Otherwise, Continue
22. Issue enforcement notice and covering letter for the relevant offence/s. Note, enforcement notice for unlawful structure to be for 'carrying out assessable dev without permit'. Any enforcement notice for unlawful use to be for 'unlawful use'.	Work carried out / approval obtained?	Yes / No	If yes, No further action required regarding lawfulness, go to Part F - Finalise Otherwise, Continue
23. Discuss the possibility with your Team Leader of prosecution and prepare briefing note if required.	Complete	Yes / No	Once matter is finalised, go to Part F – Finalise
Unsafe structures only			
24. Issue enforcement notice and covering letter for the unsafe structure, ensuring you are very specific in what is required to make the structure safe and the time frame available for this. Note, In some instances you may require that an engineer's certificate covering the safety aspect is obtained in the interim of other work being carried out.	Requirements of notice met? ENF 655 f u/u/u	Yes / No	If yes, No further action required regarding safety aspect. Ensure all approvals are in place and go to Part F – Finalise Otherwise, discuss with team leader as to the next course of action, which may include prosecution.

Part F – Finalise Phase

25. If BD/MCU or other application is required and lodged, ensure memo placed on proclaim to alert DA/Domestic Certification Team that the application is to be expedited due to compliance action	Application number/s	
	Date Application/s lodged	
26. Record details of how issue was resolved and update/close AR.	Details	

Development Control Officer | Development Control
Community Standards | Redland City Council
Cnr Middle & Bloomfield Sts, Cleveland Qld 4163
PO Box 21, Cleveland Qld 4163
Phone 07 3829 8711 | Fax 07 3829 8765
www.redland.qld.gov.au

AND TAKE FURTHER NOTICE that you are hereby required, pursuant to section 249(1) of the *Building Act 1975* and/or section 592 of the *Sustainable Planning Act 2009* to ensure the Premises is safe by either:

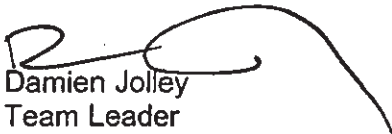
- a) **IMMEDIATELY** repair, rectify or reconstruct the stairs and landings; and
- b) Ensure that repairs and rectification required complies with the *Building Act 1975*, *Sustainable Planning Act 2009* and the Building Code of Australia.

Further Advice

1. You are advised that it is an offence to fail to comply with an Enforcement Notice. The maximum penalty for that offence is currently 1,665 penalty units (\$166,500.00). You are also advised that non-compliance with this Enforcement Notice may also result in a Penalty infringement Notice (PIN) being issued for \$2000 for individuals and \$10,000 for corporations.
2. Your compliance with this Enforcement Notice may not preclude Council considering a prosecution or the issuing of a PIN for the original development offence committed. This will be determined on the basis of the nature and scale of the offence and other relevant circumstances.
3. Pursuant to section 473 of the *Sustainable Planning Act 2009* you may appeal to the Planning and Environmental Court against this Notice. Any appeal must be started within 20 business days after this Enforcement Notice is given to you. A copy of section 473 is attached for your reference.

Should you require any further information please contact Helen Arnold on 3829 8711.

DATED this eleventh day of November 2011.


Damien Jolley
Team Leader
Development Control Team

ADVISORY NOTES TO ENFORCEMENT NOTICE

This Enforcement Notice is part of a standard system administered by Council to rectify what it believes are breaches of State legislation in relation to a situation Council believes is unlawful and dangerous.

Its purpose is very specific in that it requires that the matters identified are resolved in a certain way, and within certain time-frames. Please feel free to contact the Officer named in the Notice with regards to any clarification you require as to the most suitable solution to the issues raised in this Notice. However, please note that if an Enforcement Notice is disregarded or not complied with fully, Council's next available course of action is prosecution.

Appeals against enforcement notices, *Sustainable Planning Act 2009*

Section 473.

- (1) Any person who is given an enforcement notice may appeal to the court against the giving of the notice.
- (2) The appeal must be started within 20 business days after the day notice is given to the person.

Stay of operation of enforcement notice, *Sustainable Planning Act 2009*

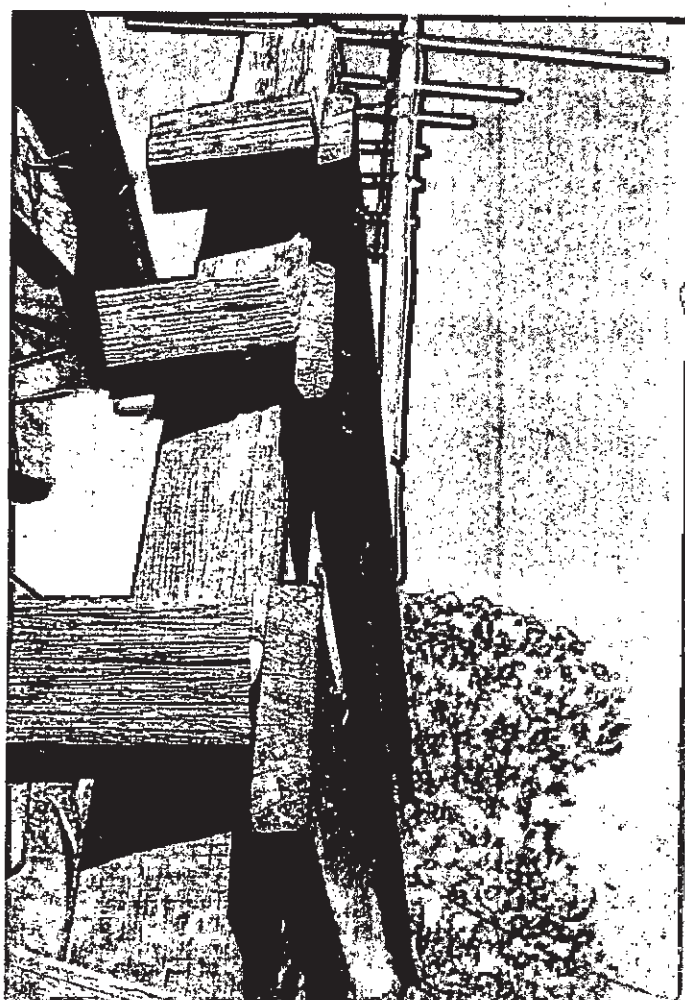
Section 474.

- (1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until –
 - (a) the court, on the application of the entity issuing the notice, decides otherwise; or
 - (b) the appeal is withdrawn; or
 - (c) the appeal is dismissed.
- (2) However, subsection (1) does not apply if the enforcement notice is about –
 - (a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or
 - (b) carrying out development that is the demolition of a work.

Entry to Land, Section 132 *Local Government Act 2009*

Authorised Council Officers may, under this Enforcement Notice, inspect the subject site at any reasonable time (other than at night) to check compliance with conditions of this Notice.

A-D





AND TAKE FURTHER NOTICE that you are hereby required, pursuant to section 249(1) of the *Building Act 1975* and/or section 592 of the *Sustainable Planning Act 2009* to ensure the Premises is safe by either:

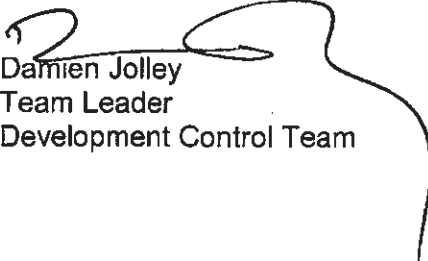
- a) **IMMEDIATELY** repair, rectify or reconstruct the stairs and landings; and
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2. Your compliance with this Enforcement Notice may not preclude Council considering a prosecution or the issuing of a PIN for the original development offence committed. This will be determined on the basis of the nature and scale of the offence and other relevant circumstances.
3. Pursuant to section 473 of the *Sustainable Planning Act 2009* you may appeal to the Planning and Environmental Court against this Notice. Any appeal must be started within 20 business days after this Enforcement Notice is given to you. A copy of section 473 is attached for your reference.

Should you require any further information please contact Helen Arnold on 3829 8711.

DATED this twenty-ninth day of November 2011.


Damien Jolley
Team Leader
Development Control Team



ADVISORY NOTES TO ENFORCEMENT NOTICE

This Enforcement Notice is part of a standard system administered by Council to rectify what it believes are breaches of State legislation in relation to a situation Council believes is unlawful and dangerous.

Its purpose is very specific in that it requires that the matters identified are resolved in a certain way, and within certain time-frames. Please feel free to contact the Officer named in the Notice with regards to any clarification you require as to the most suitable solution to the issues raised in this Notice. However, please note that if an Enforcement Notice is disregarded or not complied with fully, Council's next available course of action is prosecution.

Appeals against enforcement notices, *Sustainable Planning Act 2009*

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Authorised Council Officers may, under this Enforcement Notice, inspect the subject site at any reasonable time (other than at night) to check compliance with conditions of this Notice.



Redland City Council - Customer Request Details and Results

Request /
Subcategory

Category /

Event History

Follow Up Investigation/Action Please refer to d/works document 5974555. Final notice	P FurtInvest	19/12/2011	09/01/2012	COM02	helena	Drive by indicates that no works have been undertaken and no response from owners.
Follow Up Investigation/Action Please refer to d/works document 5979645.	P FurtInvest	20/12/2011 4:24:39	10/01/2012	COM02	helena	Owner called and requested reissue of photos with legend and note explaining Council requirements.
Follow Up Investigation/Action Please refer to d/works document 5990776.	P FurtInvest	03/01/2012	11/01/2012	COM02	helena	Owner attended customer service and provided photos of repairs/mtce undertaken. Will have building certifier visit property to confirm.
Follow Up Investigation/Action Please refer to d/works document 5995407.	P FurtInvest	05/01/2012 8:15:10	17/01/2012	COM02	helena	Site visit identified further works to be undertaken. Still unsafe. Letter to be sent outlining options and timeframes.
Follow Up Investigation/Action Please refer to d/works document 6016123.	P FurtInvest	16/01/2012 1:16:52	19/01/2012	COM02	helena	Letter issued under SM signature. Works to be completed by 30/1/12. Check on progress after this time.
Follow Up Investigation/Action Please refer to d/works document 6040073.	P FurtInvest	30/01/2012	01/02/2012	COM02	helena	Phone call from owner requesting extension due to inclement weather. Extension granted to cob 17/2/12.
Follow Up Investigation/Action Please refer to d/works document 6066304.	P FurtInvest	09/02/2012 3:25:19	21/02/2012	COM02	helena	Owner has completed works. Awaiting report from expert on compliance with standards.
Follow Up Investigation/Action Please refer to d/works document 6076926.	P FurtInvest	15/02/2012	17/02/2012	COM02	helena	Owner requested extension which was granted. Works completed by 24/2/12.
Follow Up Investigation/Action Please refer to d/works document 6099993.	P FurtInvest	24/02/2012 2:46:10	29/02/2012	COM02	helena	Form 15 provided awaiting completed Form 16
Follow Up Investigation/Action Please refer to d/works document 6112521.	P NFA	01/03/2012 1:15:57	01/03/2012	COM02	helena	Form 16 received from owner. NFA required close AR.
##CLOSE & Advise Complainant of Results##	P NotReq	01/03/2012 1:16:33		COM02	helena	

1 Records Printed

Monday, 4 February 2013

Page 2 of 2

CONTINUED STATEMENT OF: TRUMAN, BRADLEY ROBERT

I am able to produce a CD copy of the search warrant to the Court as

evidence marked exhibit number.....

73. We left the address and I lodged the property in the Cleveland Property Office.

74. On the 19th of October 2012 I removed the Rino Roof Racks seized from the defendant from the Cleveland Property Office and fitted them to the defendant's white Holden Barina. I used the marks in the rubber door seal to position the racks as this was how the defendant stated he fitted the roof racks to the vehicle after they had been removed.


75. I arranged for Scenes of Crime Officer Senior Constable David FRY to take photographs of the vehicle and the 6 print outs of the stills I showed to the defendant during the interview.

I am able to produce these photos number 1 – 30 as evidence to the court

marked exhibit number.....

76. I made arrangements for Detective Senior Constable Ross DOBBIE and Sergeant Brett SCHNITZERLING of the photographic section to conduct a re-enactment with the defendant's vehicle driving past the CCTV cameras located at [redacted] sch.4/3/3 to compare with the footage captured on the 10th of October 2012.

77. I later received the findings from Sgt SCHNITZERLING who provided a side show presentation which found a match for the defendant's vehicle on the 10th of October 2012.




(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Signature of police officer preparing
statement)

CONTINUED STATEMENT OF: **OWERS, Craig Anthony**

6. I have then returned to the Cleveland Police Station where this video has been transferred to CD.
7. I have had no further dealings in relation to this matter.

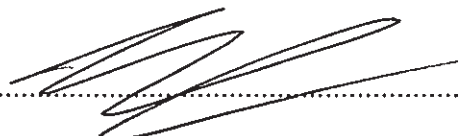

Craig Anthony OWERS

Justices Act Acknowledgement

Justices Act 1886

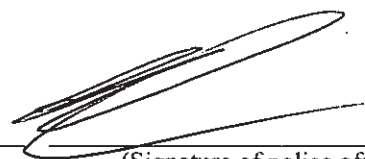
I acknowledge by virtue of section 110A(6C)(c) of the *Justices Act 1886* that:

- (1) This written statement by me dated 21/04/2015 and contained in the pages numbered 1 to 2 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.

.....Signature
Signed atCleveland.....this.....21st.....day of.....April.....2015....

(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

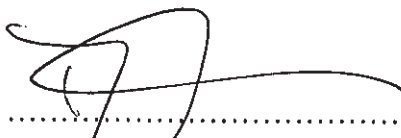

(Signature of police officer
preparing statement)

CC .TINUED STATEMENT OF: ,

10. At the conclusion of my conversation I completed a traffic infringement notice in relation a speeding offence.

11. I am able to produce a copy of this completed traffic infringement notice.

12. I had no further involvement in this matter to date.

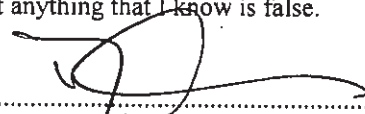

.....
Darren Cowles

Justices Act Acknowledgement

Justices Act 1886

I acknowledge by virtue of section 110A(6C)(c) of the Justices Act 1886 that:

- (1) This written statement by me dated 20th day of October 2012 and contained in the pages numbered 1 to 2 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.


.....Signature

Signed at Cleveland Police Station this 15th day of October 2012

(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Signature of police officer
preparing statement)

11. On the 3rd day of March 2015, I completed this addendum statement.


Ross DOBBIE

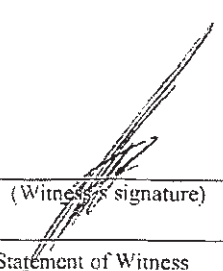
Justices Act 1886

I acknowledge by virtue of section 110A(6C)(c) of the *Justices Act 1886* that:

- (1) This written statement by me dated **03/03/2015** and contained in the pages numbered 1 to 3 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.


.....Signature

Signed at Wynnum this 3rd day of March 2015.


(Witness's signature)

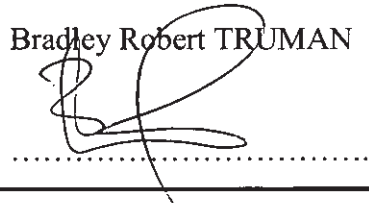
(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Signature of police officer
preparing statement)

CONTINUED STATEMENT OF: TRUMAN, BRADLEY ROBERT

I am able to produce this CD copy to the Court as evidence.

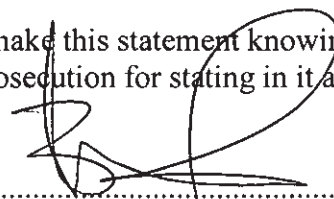
Bradley Robert TRUMAN



Justices Act 1886

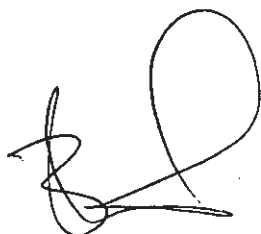
I acknowledge by virtue of section 110A(6C)(c) of the *Justices Act 1886* that:

- (1) This written statement by me dated 22/04/2015 and contained in the pages numbered 1 to 3 is true to the best of my knowledge and belief; and
- (2) I make this statement knowing that, if it were admitted as evidence, I may be liable to prosecution for stating in it anything that I know is false.



.....Signature

Signed at .Cleveland this 22nd day of April 2015



(Witness's signature)

(Justice of the Peace (Qual.)/
Commissioner for Declarations's signature)

(Signature of police officer preparing
statement)

For relevant proceedings only

6. Affected child witnesses

[s. 590AH(2)(i) Criminal Code]

The following conditions must be met before a witness can be considered an affected child pursuant to Division 4A of the *Evidence Act 1977* 'Evidence of affected children'.

1. The proceeding must be a relevant proceeding for a relevant offence, pursuant to section 21AC of the *Evidence Act 1977*.
2. The proceeding must concern:
 - a. an offence of a sexual nature as defined in s. 21AC of the *Evidence Act 1977*; or
 - b. an offence involving violence as defined in s. 21AC of the *Evidence Act 1977*; and the child and the defendant have or had a prescribed relationship pursuant to section 21AC of the *Evidence Act 1977*.
3. The child witness is under 16, or a child aged 16 or 17 who also satisfies the definition of a special witness under section 21AC of the *Evidence Act 1977*.
4. The child is a witness and NOT the defendant in this proceeding.

No.	Name of 'affected child'	Reasons witness is considered an 'affected child'

7. Notice of *Evidence Act* Section 93A Device Statement in a Relevant Proceeding (QP 0547)

Where the prosecution considers a witness statement to be an *Evidence Act* section 93A device statement a written notice (QP 0547) is to be attached: s. 590AOA(2).

8. Statements of persons who are dead or incapable of testifying

[s. 590AH(2)(f) and 590C(2) (b) to (d)]

Receipt Acknowledgement

_____, acknowledge receipt of the above-mentioned items or copies.

Signatures:

_____ (Person receiving items)	_____ (Date)
_____ (Prosecutions)	_____ (Date)

