

# Sexual Offence Expert Evidence Panel

## Application form

### Background

The Department of Justice (DoJ), in response to recommendations of the Women's Safety and Justice Taskforce (WSJT), has established a pilot sexual offence expert evidence panel (the panel) that will operate in Brisbane and Townsville. The panel will consist of a list of experts appointed under the *Evidence Act 1977* who are deemed as suitable persons to give relevant evidence in a criminal proceeding for sexual offences.

The purpose of the panel is to enable a party to a relevant proceeding to engage a suitably qualified and experienced expert to give relevant evidence:

- about the defendant in the proceeding - specifically, as to the defendant's cognitive and/or mental health impairment at the time of the act and whether it was a substantial cause of the defendant not saying or doing anything to ascertain whether the other person consented to the act (**Stream 1**); and
- to assist juries to understand victim-survivor behaviour that may seem counterintuitive - for example, a complainant maintaining a relationship with the accused after an alleged sexual offence, a delay in making a complaint, and complainants' responses to non-consensual sexual activity (**Stream 2**).

To be assessed as suitable to give relevant evidence about a defendant in a proceeding for **Stream 1**, the person must demonstrate specialised knowledge, gained by training, study and experience in:

- a) psychiatry; or
- b) neuro-cognitive psychology; or
- c) a field of knowledge relevant to assessing
  - i. the cognitive or mental health impairment of a person within the meaning of the Criminal Code; and
  - ii. the effect of any cognitive or mental health impairment on the defendant's ability to communicate, including whether the impairment was a substantial cause of the person not saying or doing anything to affirm consent for the act.

To be assessed as suitable to give relevant counterintuitive evidence for **Stream 2**, a person must demonstrate specialised knowledge, gained by training, study or experience, in a field of knowledge relevant to assessing the nature of sexual offences and the social, psychological and cultural factors that may affect the behaviour of a person who has been the victim, or who alleges that they have been the victim of a sexual offence.

**Note:** it is possible for a person to be appointed to the Panel as an expert to both Stream 1 and Stream 2, however in order for this to occur they must be assessed against, and satisfy, the criteria for each of the Streams.

## Applicant Details

<b>Name:</b>			
<b>Business name:</b>			
<b>Address:</b>			
<b>Phone:</b>			
<b>Email:</b>			
<b>Service Availability</b>			
Preferred Location:	<input type="checkbox"/> Brisbane	<input type="checkbox"/> Townsville	
Available to travel if required:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Application relates to:	<input type="checkbox"/> <b>Stream 1</b>	<input type="checkbox"/> <b>Stream 2</b>	

## Mandatory Evaluation Criteria (Criteria 1)

Do you have a criminal history?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you consent for a national criminal history check through the Queensland Police Service and the Australian Police Services as allowed by s.21AZX <i>Evidence Act 1977</i>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you have a current blue card or recognised exemption?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you completed the Ethical Supplier Threshold Document (at <b>Attachment 1</b> )?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you read and understood the <i>Sexual Offence Expert Evidence Panel Procedure Manual</i> ?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you read and understood the <i>Scheme Rules and Code of Conduct</i> , and do you agree to abide by this if appointed? <b>Note:</b> you will be required to sign and return the <i>Scheme Rules</i> if you are appointed to the panel	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you agree to participate in any training identified by the Evaluation Panel or the Program Team?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you agree that no payment will be made to you to undertake this training?	Yes <input type="checkbox"/>	No <input type="checkbox"/>



Have you provided certified copies of any relevant qualifications applicable to your profession?	Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>
Are your professional accreditations and memberships to relevant professional bodies current? <i>Note: Applicants are to provide evidence of their current accreditation and/or membership.</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>
Have you been the subject of professional discipline?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Have you ever been denied, or removed from professional registration?	Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>
If your qualifications were obtained in New Zealand, have you notified the local registration authority and paid any applicable fees? <i>Further information: <a href="#">Australian Government mutual recognition</a></i>	Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>
Do you currently hold professional indemnity insurance if relevant to your profession? <i>Note: Applicants are to provide evidence of their professional indemnity insurance coverage.</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> n/a <input type="checkbox"/>
Do you undertake to maintain this insurance whilst appointed to the Panel?	Yes <input type="checkbox"/> No <input type="checkbox"/>

### Other

Do you have an ABN?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If no, do you agree to apply for an ABN should you be appointed to the Panel?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please provide your ABN:	

### Responses to qualitative selection criteria

Please provide your responses to the evaluation criteria on the following pages. Your responses should be no longer than **four pages in total**.



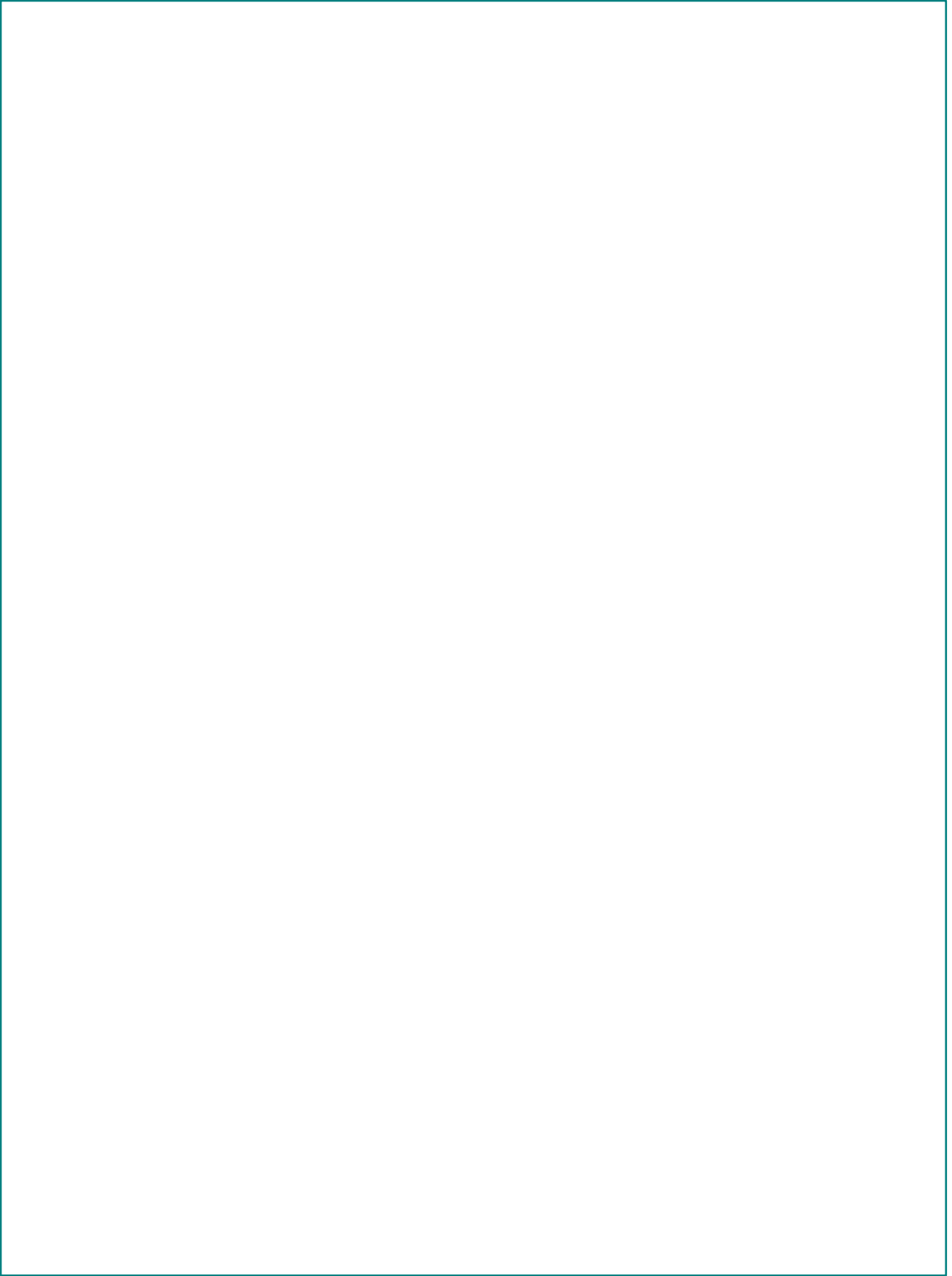
## Evaluation Criteria 2:

### *Qualifications and Experience*

Briefly outline any professional experience that:

- ***For Stream 1 applicants*** – demonstrates your ability to apply specialist knowledge, gained by training, study or experience in psychiatry, neuro-cognitive psychology, or a field of knowledge relevant to assessing cognitive or mental health impairments and the effect such an impairment can have on a person's ability to communicate;
- ***For Stream 2 applicants*** - demonstrates specialised knowledge, gained by training, study or experience in a field relevant to assessing the nature of sexual offences and the social, psychological and cultural factors that may affect the behaviour of a person who has been the victim, or who alleges that they have been the victim of a sexual offence.






**Evaluation Criteria 3:**

***Experience of the criminal justice system and report writing***


Detail the degree of experience you have within the criminal justice system, with a specific focus on providing expert evidence by way of comprehensive reports and/or witness testimony.



**Evaluation Criteria 4:**

***Trauma-informed practice***

Demonstrate your ability and experience in the application of trauma informed practice with a specific focus on the impacts of domestic, family, and sexual violence on individuals and the community generally.



## Evaluation Criteria 5:

### *Cultural competency*

Demonstrate your ability to respect the perspectives of others' cultures, your competence in interacting and communicating effectively with people of different cultures and backgrounds, and your understanding of the ways in which intergenerational trauma and overrepresentation will impact the work of an expert when working with members of the Aboriginal and Torres Strait Islander community.



**Declaration:**

I state that the information in this application is to the best of my knowledge true and correct and I acknowledge that the Department of Justice may undertake enquiries in relation to any material supplied in the application.

**Signature of applicant:****Date:****Printed name:****Document checklist**

- Response to Evaluation Criteria
- Resume
- Certified copies of proof of ID
- Certified copies of qualifications
- Evidence of Professional Accreditations and memberships
- Evidence of professional indemnity insurance
- Certified copy of a current blue card or recognised exemption
- Ethical Supplier Threshold document completed (Attachment 1)

**Application submission:**

Please send your completed application form and all the required documentation to:

[SDLCS.EEP@justice.qld.gov.au](mailto:SDLCS.EEP@justice.qld.gov.au)



## Attachment 1: Ethical Supplier Threshold

<p>All suppliers engaged by a Queensland government agency must meet the Ethical Supplier Threshold, that is, that they have not engaged in any of the listed conduct below after the 1 August 2019. It is the Qld Governments policy to only deal with suppliers who answer no to all the questions below. Additionally, it is a condition that the supplier must continue to comply with the Ethical Supplier Threshold for the duration of any appointment or engagement.</p> <p>For further information visit the Queensland Government Procurement <a href="#">website</a>.</p>	
<p><b>After 1 August 2019, have you:</b></p>	
<p>contravened a civil remedy provision of Chapter 2 or Chapter 3 of the <i>Fair Work Act 2009</i> (Cth), or committed an offence against the Fair Work Act?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>contravened a civil remedy provision of Chapter 2, 3, 4, 5, or 7 of the <i>Industrial Relations Act 2016</i>, or committed an offence against the Industrial Relations Act, or failed to pay employment related levies, or other payments, established under Queensland legislation?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>failed to make superannuation contributions on behalf of employees in accordance with law?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>purported to treat employees as independent contractors, where they are not?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>required persons who would otherwise be employees to provide an Australian Business Number so that they could be treated as independent contractors?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>engaged persons on unpaid work trials or as unpaid interns, where they should be treated as employees?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>entered into an arrangement for the provision of labour hire services with a person who is not licensed under the <i>Labour Hire Licensing Act 2017</i>, or a supplier who is an unlicensed provider under the Act?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>paid employees wages below those provided for in an applicable modern award?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

