Tikanga Māori & Forensic Services Project

2004 - 2006

Presented by Christine Allan

On behalf of the Tikanga Māori and Forensic Services Project Team

Specialist Science Solutions

Manaaki Tangata Taiao Hoki
protecting people and their environment through science
Acknowledgements

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- Kaunihera Kaumātua, Auckland District Health Board
- Hui participants & attendees

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ESR

underpinning the Public Health and Criminal Justice systems in New Zealand
delivering solutions in Environmental Health and Forensic Science

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Mt Albert Science Centre
- Forensic Science

Kenepuru Science Centre
- Communicable Disease Labs
- Population & Environmental Health
- Pharmaceutical Testing Services
- Forensic Science

National Centre for Biosecurity and Infectious Diseases
- Zoonoses research
- Aberrant event surveillance
- CBRE response

Christchurch Science Centre
- Food Safety Group
- Water Management Group
- Public Health Lab
- Forensic Science

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What does ESR do?

**Environmental Health**
- Food safety
- Water management
- Communicable Disease
- Population and Environmental Health
- Public Health Surveillance

**Forensic Science**
- DNA
- Physical Evidence
- Crime Scene Investigation
- Criminal and Coronial Toxicology
- Illicit Drug Analysis

**Pharmaceuticals Testing**

**Workplace Drug Testing**

**Human Biosecurity**

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Outline

1. What is Tikanga Māori?
2. Rationale for the project
3. Aims of the project
4. Operation & outcomes of the project
5. Feedback

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1. What is Tikanga Māori?
1. What is Tikanga Māori?

- Tikanga - customs or practices
- Māori customs or practices
2. Rationale for the project

• Concerns from ESR forensic services staff and managers about tikanga Māori issues
• Developing relationships with local iwi
• Obligations under the CRI Act, 1992
3. Aims of the project

- Identify areas where forensic services and Māori values may conflict

- Minimise or eliminate identified areas of conflict, where possible
4. Operation & outcomes of the project

- Project team: good coverage of forensic disciplines and roles
- Review literature on:
  - Māori beliefs and practices around death and injury
  - Managing interface between forensic science and cultural/religious beliefs
- Review relevant legislation and policies
4. Operation & outcomes of the project continued

- Use process analysis methods to:
  - describe critical ESR forensic service practices
  - analyse critical ESR forensic service practices against tikanga Māori
Process mapping: crime scenes

Issues:
- Civilian scene guards?
- Who has legal responsibility (Police)
- Who has leadership role at scene? often us = de facto

Police call ESR → Police briefing → Arrive at scene

Body/no body?

Yes → Documentation → notes, photos

No one injured → Victim/suspect brought to scene Media etc may be present

Seriously injured/injured victim → Sampling/viewing in hospital

Sampling from body – FDR, clothing, fluids, swabs – potential loss of evidence

Body moved – OB Body in charge - police undertaker, ESR staff, fingerprints, photographer, may be present

Body transported to morgue

Issue of time, distance – can whanau go with body? Body left alone ESR has no control over what happens

Post-mortem
- pathologist, OC Body, OC exhibit, ESR staff, fingerprints, photographer

Pathologist takes charge of body

Sampling
4. Operation & outcomes of the project *continued*

- Identify areas of actual and potential conflict and risk for ESR
## Risk analysis framework

<table>
<thead>
<tr>
<th>Process/event</th>
<th>Area of risk</th>
<th>Concern for Māori</th>
<th>Concern for ESR</th>
<th>Ways to manage risk</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Arrival at scene, management of scene</em></td>
<td>Problem if OC Scene does not have skills/confidence to identify/manage tikanga issues</td>
<td>Body may be left alone – very much against Māori beliefs and values Whānau may not be given needed information - distress</td>
<td>How to ensure that the scene is managed “safely” including appropriate consideration of cultural issues - minimise stress, conflict ESR not in charge of scene</td>
<td>Discuss with Police possible ways to manage eg providing resources Discuss with Victim Support appropriate information for whānau</td>
</tr>
<tr>
<td></td>
<td>Pressure on ESR to get body out - by police and media</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Presence of whānau - managing their situation, providing information</td>
<td></td>
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</tr>
<tr>
<td><em>Sampling from body</em></td>
<td>Taking items with blood, body fluids, personal items, clothing</td>
<td>What will happen? Tapu status of blood, body parts, may want items returned</td>
<td>Potential loss of evidence</td>
<td>Information for whānau on possibility of return if desired</td>
</tr>
<tr>
<td><em>Tapu-lifting or similar cleansing of scene</em></td>
<td>Contamination of scene possible if body still in situ or work continuing Work may be stopped</td>
<td>Tapu-lifting, cleansing the scene critical to releasing the spirit of the dead, cleansing injury Whānau may be distressed if not allowed to lift tapu</td>
<td>No consistency on when tapu-lifting done, often ESR not informed beforehand What is expected of us - are we tapu (having touched dead) - should we participate</td>
<td>Consult with tikanga Māori experts, develop options for staff in situations Discuss with Police, iwi liaison re timing, processes Training, resources for ESR staff</td>
</tr>
</tbody>
</table>

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4. Operation & outcomes of the project continued

- Develop a project plan
  - ✓ Crime scenes, sample handling processes and sample disposal
  - ✓ Consultation with NZ Police and Māori
  - X Genetic data
  - X Biohazard issues
Forensic Services and Tikanga Māori
2004-5 Risk reduction/prevention plan

July/August 2004
Sept 2004
Oct 2004
Nov 2004
Dec 2004/Jan 2005
Feb 2005
March 2005
April 2005
May 2005
June 2005

Liaison with Police, end-users
Discussion with police/Iwi liaison re resource contents
Other end-users eg Victim Support, Coroner
Discussion with police/Iwi liaison on related issues

Scene resource/reference
First draft/outline of scene resource
Discussions with kaumātua/Māori experts re scene
Drafting and review by staff, others
Layout pre-testing for usefulness etc
Printing and launch

Consult Māori with tikanga expertise
Locate kaumātua/Māori with tikanga expertise
Discussions with Māori experts on related issues eg sample handling and disposal

Training for staff
"Intro to tikanga/death"
Tikanga training for new staff
Refreshers 2005 on

Resource guidelines for sample handling/storage
Provide input to review of disposal procedures

Disposal, return, destruction procedures

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The main Māori Tikanga issue encountered at crime scenes

• Relate to practices and beliefs concerning death
  - Police and forensic personnel have a job to do
  - Māori want to follow tikanga relating to death

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4. Operation & outcomes of the project continued

• Consultation with NZ Police and Māori

• Training package on tikanga Māori for ESR scene-attending staff
  - Module incorporated into Training manuals

• Pamphlet resource on tikanga Māori issues encountered at crime scenes
Training Package

Aims:

• To educate scene-attending staff about Māori practices and beliefs about death

• To promote understanding of certain practices and behaviours observed at scenes where Māori sudden death has occurred

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Training Package

Includes:

• Training module for scene-attending staff

• Resources for trainers
  - Powerpoint presentation on Māori practices and beliefs around death
  - Real-life examples of tikanga Māori issues that have been encountered at crime scenes

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A guide to Māori tikanga, practices and beliefs concerning death
Aims:

• To provide practical advice about what to do when dealing with Māori tikanga issues concerning death at crime scenes

• To support the training package
1. Arrival at scene / Management of the scene
2. Handling and sampling from the body
3. Tapu-Lifting or similar cleansing of the scene
4. Body moved, post mortem
5. Handling and transport of samples to the lab
4. Operation & outcomes of the project continued

• Māori Cultural Audit
  - Initial thoughts
  - Findings of audit

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Project Summary 2004-2006

Consultation
- Police
- Ngati Whatua ki Orakei
  - Kaunihera
  - Kaumatua
- Community Hui 1
- Kaunihera Hui 1
- Kaunihera Hui 2

Pamphlet
- Development
- Layout/Printing
- Release

Training Package
- "Intro to tikanga /death" for all staff
- Development
- Release
  - Incorporated into ESR training manuals for SC, PE, Toxicology, Clan labs
- Training survey results

Cultural Audit
- Develop framework
- Audit

Internal Report
- 1st Draft
- 2nd Draft
- Submitted to ESR

Article
- 1st Draft
- 2nd Draft

Conference
- ESR conference
  - Poster presented on project background
- NZFSS meeting–Auckland
- ANZFSS conference–Fremantle 2006
  - Poster presented on project background; Talk presented on training package and pamphlet.

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4. Operation & outcomes of the project continued

• Conference:
  - ESR conference, 2004 - poster
  - NZFSS Auckland branch meeting, 2006 - poster and oral presentation
  - ANZFSS Conference, Perth, 2006 - poster and oral presentation
4. Operation & outcomes of the project continued

• Article:
5. Feedback

• External:
• ANZFSS conference, April 2006
  - Queensland Police have encountered tikanga Māori issues at crime scenes where Māori sudden death occurred
  - Interest in ESR forensic staff’s views of usefulness of Tikanga Māori training
• Australian Parliament Delegation, July 2006
  - M.P. aware of similar issues his area
5. Feedback

• Internal: ESR forensic staff
  - Oct/Nov 2005: Tikanga Māori training
  - June, 2006: Survey indicated information given in Tikanga Māori training very useful
Questions?