

## Police Statements PHC Remote Guideline

Target Audience	All Employees
Jurisdiction	Primary Health Care Remote CAHS; Primary Health Care Remote TEHS
Jurisdiction Exclusions	N/A
Document Owner	Kerrie Simpson Atlas Development Officer Primary Health Care Remote CAHS
Approval Authority	Chair Primary Health Care Remote Executive
Author	PHC Quality and Safety Team; Legal Services Branch

The attributes in the above table will be auto-filled from the PGC System. Do not update in this document.

### Purpose

To provide Primary Health Care remote staff with a guideline on managing requests and providing a police statement.

### Guideline

## 1. General Information

From time to time the Police or the Coroner may request information from Primary Health Care (PHC) Branch - Remote staff. The request for the police statement may be verbal or written.

The request may be for a statement that will form part of a police brief of evidence, such as where a person has sought treatment from the Health Practitioner for injuries sustained in an assault or where staff may have witnessed an event such as an accident or an assault. The request may also be made where the performance of the Health Practitioner may be subject to criticism, such as where the Health Practitioner had a role in the assessment and treatment of a subsequently deceased person.

A Police statement may be used in court, and may be part of evidence presented by either the defence or the prosecution. The Information Sheet: [General Guidelines for Making a Police Statement](#) can be used to provide guidance for staff. It is important for staff to only provide information which is within their area of expertise / scope of practice.

Staff should notify their Line Manager or Manager On-Call of the request for a police statement, and provide further communication relating to the statement and the related matter, if relevant. This also enables the manager to support staff through this process.

While in general Legal Services Branch do not need to be notified when staff are asked to provide a police statement, there may be instances when this is advisable. Therefore advice from Legal Services is by exception and should only be initiated by the Line Manager in consultation with the staff member.

## 2. Definitions

**Health Practitioner:** a person registered with the relevant [National Health Board](#) under the Australian Health Practitioner Regulation Authority.

**Police Statement:** a formal declaration (oral or written) setting forth particulars or facts about a matter under investigation by the police or the coroner

### 3. Responsibilities

#### 3.1 Primary Health Care Remote Staff

- Notify Line Manager / Manager On-Call that a police statement has been requested and continue to communicate relevant developments related to the matter

#### 3.2 Primary Health Care Manager / District Manager / Line Manager

- Notify senior management according to the severity of the case and the implications for the department
- Provide other support that may be required by the Health Practitioner
- Consult with DoH Legal Services as appropriate and required

#### 3.3 Legal Services Branch

- Provide legal advice as appropriate and required

### 4. Procedure

#### 4.1 Responding to a Request for a Police Statement

While staff should cooperate with police requesting a statement, they are advised not to respond to the request before consulting with their Line Manager.

Staff may also choose to seek independent legal advice from a private law firm. Those who belong to a relevant professional association or medical defence organisation may wish to seek assistance from these.

*Note: Health centre staff are advised to exercise caution when in situations where police and health staff are part of the same social circle as happens in remote communities. Making a statement is a formal event and not a meeting of friends. Informal or unguarded discussions with the local police in these circumstances may have serious consequences.*

#### 4.2 Making a Statement

Depending on circumstances, a written (preferably typed) statement may be required, or, the statement may be recorded during police interview, transcribed and then presented to the Health Practitioner / staff member for checking, correction and signature.

For more comprehensive information on making a police statement refer to [General Guidelines for Making a Police Statement](#) provided by Legal Services Branch.

#### 4.3 Signing the Statement

Whether statements are written or recorded and transcribed, the person submitting the statement must check for inaccuracies, additions or omissions and ensure these are corrected prior to signing the Statement.

Signing the statement means that the Health Practitioner / staff member acknowledges that the statement is accurate and fair and reflects their knowledge of what is being investigated.

#### 4.4 Medical Information / Records

If medical information is required as part of the statement, follow the processes documented in [Request for Access to Health Information & Records](#), [Requests for Health Records Flowchart](#) and [Privacy of Health Information – Overview](#).

#### 4.5 Contacting Legal Services Branch

To contact Legal Services Branch send an e-mail to [DOHLegal@nt.gov.au](mailto:DOHLegal@nt.gov.au) or refer to the [Legal Services](#) intranet webpage (*scroll down to contacts*) for contact details.

### Document Quality Assurance

	Method	Responsibility
<b>Implementation</b>	Document will be accessible via the Policy Guidelines Centre and Remote Health Atlas	Health Policy Guidelines Program Atlas Development Officer, Primary Health Care CAHS
<b>Review</b>	Document is to be reviewed within three years, or as changes in practice occur	Atlas Development Officer, Primary Health Care CAHS
<b>Evaluation</b>	Evaluation will be ongoing and informal, based on feedback.	Atlas Development Officer, Primary Health Care CAHS

### Key Associated Documents

<b>Forms</b>	NII
<b>Key Legislation, By-Laws, Standards, Delegations, Aligned &amp; Supporting Documents</b>	<a href="#">Management On-Call PHC Remote CAHS Guideline</a> <a href="#">Privacy of Information – Overview</a> <a href="#">Request for Access to Medical Information &amp; Records</a> <a href="#">Information Sheet - General Guidelines for Making a Police Statement</a> <a href="#">Requests for Medical Records Flowchart</a> <a href="#">Legal Services Branch</a> (staff intranet) <a href="#">Australian Health Practitioner Regulation Agency</a>
<b>References</b>	As Above

### Evidence Table

Reference	Method	Evidence level (I-V)	Summary of recommendation from this reference
N/A	N/A	N/A	N/A