

House of Representatives Standing Committee on Social Policy and Legal Affairs – Inquiry into the Arrangements Surrounding Crimes Committed at Sea

Submission of Carnival Australia

Executive summary

- The cruise industry in Australia has undergone a complete transformation so that it is now among the safest and most secure in the world.
- This transformation was necessary to rebuild the trust and confidence of Australian travellers following the tragic death of Mrs Dianne Brimble onboard a P&O Cruises ship in 2002.
- The transformation of the cruise industry, led by Carnival Australia, has involved a significant number of major changes. These include:
 - Strict policies and procedures to ensure responsible service (and consumption) of alcohol
 - Zero tolerance of excessive behaviour
 - Highly trained security teams onboard each of our ships
 - New reporting protocols agreed with police in Australia and the Pacific Islands
 - Hundreds of security cameras in operation in public areas of our ships
 - Improved complaint handling procedures
 - Training programs for crime scene preservation, response and investigation
 - Enhanced medical and security procedures to address serious allegations
 - Deployment of drug sniffer dogs
 - Ban placed on schoolies cruises, requiring an exemption from the Australian Human Rights Commission
 - New senior management team (including new CEO) installed at Carnival Australia
- The transformation means that the handling and reporting of crimes at sea by cruise operators is now highly effective.
- These changes have resulted in family-friendly cruises and strong growth of the industry to the point where it now contributes \$828 million to the Australian economy on an annual basis.
- Carnival Australia sees the benefit of the introduction of formal guidelines for the handling and reporting of crimes committed at sea for the entire Australian cruise industry.
- There is merit in the Australian Government entering into arrangements with the key flag states to clarify responsibilities where a crime occurs in Australia's adjacent area or where the victim or accused is Australian.
- In addition to the significant changes listed above, Carnival Australia has introduced two programs since 2007 that are dedicated to supporting passengers and crew in traumatic situations – the CARE program and the Cruise Care program.
- There is merit in considering whether a civil liability regime would result in a greater level of consumer transparency.

Introduction

Carnival Australia welcomes the opportunity to contribute to the House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into the Arrangements Surrounding Crimes at Sea.

As the largest cruise operator in the region, representing seven cruise brands operating in the local market, Carnival Australia has a keen interest in ensuring the hundreds of thousands of Australian passengers - indeed all passengers - that travel on our ships each year do so with confidence in the safety and security onboard our vessels.

Background

About Carnival Australia

Carnival Australia is Australia's largest cruise ship operator and operates or represents P&O Cruises Australia, P&O Cruises UK, Cunard (including the Queen Mary 2, Queen Victoria and Queen Elizabeth ships), Princess Cruises, Holland America Line, Carnival Cruise Lines and Seabourn in the Australian market. In 2011, Carnival brands represented the majority of the Australian cruise market.

The cruise industry has been the standout success of the Australian tourism sector for several years and analysis by Deloitte Access Economics in February 2012 showed the Australian cruise industry made a value added contribution of \$828.1 million to the national economy in 2010-2011 – 44 per cent more than its \$576.6 million contribution in 2007-2008.

Some of the major findings of the analysis include:

- Total cruise expenditure in 2010-2011 was \$943.7 million and this is forecast to grow to \$2.595 billion by 2019-2020.
- Between 2010-2011 and 2012-2013, average annual passenger growth in the cruise sector is expected to be 32 per cent (based on observed Australian port bookings data).
- Providing impediments such as access to port infrastructure are addressed, annual passenger growth is expected to be seven per cent from 2013-2014 to 2019-2020.
- The Australian cruise sector now represents over four per cent of the global cruise market in terms of passenger numbers compared to less than 2 per cent five years ago.
- The Australian cruise industry is enjoying an average annual growth rate of more than three times that of the global cruise industry.
- The Australian cruise sector's contribution to employment in 2010-2011 was 7,220 (FTE) and this is forecast to grow to 19,841 by 2019-2020.

Carnival Australia acknowledges the Inquiry is focused on matters of jurisdiction and investigation of “crimes against the person, which includes fatal, non-fatal and sexual offences committed on cruise and merchant ships”.¹

Carnival Australia also acknowledges the Inquiry was referred to the House Standing Committee on Social Policy and Legal Affairs as part of the Federal Government response to the recommendations of the New South Wales Coronial Inquest into the tragic death of Mrs Dianne Brimble onboard a P&O Cruises ship in 2002.

As the company operating P&O Cruises, Carnival Australia is acutely aware of the changes undertaken by the Australian cruise industry in the decade that has followed, to ensure that such a tragic event never occurs again.

Since 2002, the Australian cruise industry has been transformed and, by addressing the terms of reference for the Inquiry, as referred by the Attorney General on Thursday 13 September 2012, Carnival Australia welcomes the opportunity to document this change.

Carnival Australia has also identified several potential opportunities for improvements that could be made in relation to the reporting, investigation and prosecution of alleged crimes committed at sea.

Safety and security are at the heart of our cruise business, and we have spent many years working to earn the trust and confidence of the Australian community and we look forward to actively demonstrating this to the Committee.

A transformed industry – safe and secure

The tragic death of Mrs Dianne Brimble in September 2002 had a profound impact on the Australian cruise industry and led to the complete transformation of Carnival Australia’s business. Many lessons were learned from the tragic circumstances of 2002 and Carnival Australia and the broader cruise industry continues to draw on these to ensure such an incident does not happen again.

New safeguards have been introduced since 2002 to ensure the hundreds of thousands of Australian passengers who travel on cruise ships each year can enjoy their holidays in a safe and secure environment. The safeguards include:

- Strict policies and procedures for the responsible service of alcohol.
- Zero tolerance of excessive behaviour.
- Highly trained security teams onboard (at least 20 security personnel on each P&O Cruises cruise).
- Up to 600 CCTV security cameras in public areas on our ships.

Our strong focus on maintaining a safe environment has led to a significant demographic shift and today the vast majority of passengers on our ships travel as a family or as a couple.

¹http://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=spla/crimes%20at%20sea/index.htm

While crimes at sea remain a rare event, Carnival Australia has policies and procedures that are strictly followed in the event of a crime being reported on board one of our ships.

We report alleged crimes to police for investigation and all necessary steps are taken to preserve any crime scenes. Also in place are agreed protocols with the Australian Federal and State police and police in the Pacific Islands and New Zealand to deal with crimes at sea should they occur while the ship is at sea in that region.

At the conclusion of the Inquest into Mrs Brimble's death, the Coroner acknowledged the significant improvements to safety and security which have been implemented by P&O Cruises Australia.

A summary of the actions that Carnival Australia has taken since 2002 to ensure a safe and secure environment onboard our ships follows.

<u>Quality of Cruise Product Enhanced</u>	
Improvements to Cruise Product	<ul style="list-style-type: none"> · Product features orientated to appeal to different cruise market demographic · Cruise passengers now mostly couples and families
<u>Responsible Service of Alcohol</u>	
Staff commissions for alcohol sales stopped	<ul style="list-style-type: none"> · Crew receive a fixed salary
Passengers prohibited from bringing alcohol on board our ships	<ul style="list-style-type: none"> · Alcohol is confiscated and not returned until the end of a cruise
Compulsory responsible service of alcohol (RSA) training for crew	<ul style="list-style-type: none"> · Crew undergo RSA training within 48 hours of joining or rejoining a ship · Training is refreshed every two months · Staff are trained to look for signs of passenger intoxication · Disciplinary action including dismissal for failure to prevent intoxicated passengers being served alcohol
Controls to ensure minors are not served alcohol	<ul style="list-style-type: none"> · Different colour cruise cards are issued to minors · Onboard point-of-sale systems don't allow alcohol purchases from a minor's cruise card · Roving RSA officers onboard · Youth Security staff onboard
<u>Safety and Security Arrangements</u>	
One senior officer responsible for all onboard security	<ul style="list-style-type: none"> · Clear chain of command if crime scene management is required · Ship's Security Officer takes control of any potential crime scene
Zero tolerance of excessive behaviour	<ul style="list-style-type: none"> · Passengers involved in inappropriate behaviour can be disembarked from the

	<ul style="list-style-type: none"> ship An onboard video which is screened in guest rooms reminds passengers of policies on excessive behaviour and responsible service of alcohol
Improved complaint handling procedures	<ul style="list-style-type: none"> Customer complaint handling has been streamlined with appropriate guidelines A toll free number is advertised in cruise literature to assist past passengers to contact Customer Relations A landside emergency number is available and answered 24 hours a day
Training programs for crime scene preservation, response and investigation	<ul style="list-style-type: none"> Security personnel have specialised training Allegations are treated as suspicious pending investigation by relevant authorities Allegations of crime are fully investigated Procedures are in place for the collection of evidence, the preservation of crime scenes and the obtaining of statements
Onboard security personnel	<ul style="list-style-type: none"> Trained security personnel onboard (at least 20 on each P&O Cruises ship) Additional security personnel may be onboard depending on cruise duration or time of year Youth Security staff monitor teenagers during cruises
Random drug search procedures	<ul style="list-style-type: none"> 100% baggage screening and personal X-ray at embarkation Sniffer dogs at start of cruises Random scanning for drugs at overseas ports
Closed circuit (CCTV) monitoring	<ul style="list-style-type: none"> Widespread CCTV in public areas of ships Up to 600 CCTV cameras operate on a rolling 24-hour basis
Enhanced medical and security procedures to address serious allegations	<ul style="list-style-type: none"> Training is systematic and reporting procedures are uniform
<u>CARE for Passengers</u>	
Customer CARE	<ul style="list-style-type: none"> Crew are trained in how to support passengers in the event of difficult or traumatic situations. Mr Mark Brimble kindly assisted us in the development of this training. Proactive efforts made to contact and stay in touch with passengers post cruise to offer support and counselling.

	<ul style="list-style-type: none">· Specially trained CARE teams deployed to assist passengers and families when needed
<u>Advertising and Marketing</u>	
Marketing emphasis changed	<ul style="list-style-type: none">· The marketing emphasis has shifted to promote cruising as a relaxed family holiday for all age groups· The former 'party ship' focus has been eliminated· Former practice of permitting quad cabins to be shared by unrelated passengers has been stopped.
'Schoolies' cruises	<ul style="list-style-type: none">· Banned along with strict policies on cabin occupancy. The ban on 'schoolies' cruises required an exemption from the Australian Human Rights Commission.

The effectiveness of current arrangements for the investigation and prosecution of alleged offences, cross jurisdictional issues and potential improvements

Crimes at sea a rare occurrence

The rate of alleged crime on cruise ships is significantly less than that of the general community. This point was echoed by Dr Kate Lewins who noted in her submission to this Inquiry that “industry statistics show that the rate of crime on cruise ships is very low indeed, even pegging the likelihood of being the victim of crime on a cruise ship as being the same as the risk of being hit by lightning”².

Current arrangements

Under the *Crimes at Sea Act 2000*, the Commonwealth and the States (including the Northern Territory) have agreed to a cooperative scheme to apply the criminal law of the States extraterritorially in the areas adjacent to the coast of Australia.

In summary:

- Under the *Crimes at Sea Act 2000*, the criminal law of each State is to apply for a distance of 12 nautical miles from the baseline of the State, by force of the law of the State,
- Between 12 nautical miles and 200 nautical miles from the baseline for the State or the outer limit of the continental shelf (whichever is greater), by force of the law of the Commonwealth,
- Beyond 200 nautical miles from the baseline of the State, the substantive criminal law of the Jervis Bay Territory applies at sea to a criminal act in certain prescribed circumstances where there is a requisite nexus with Australia.

Under the *Crimes at Sea Act 2000*, before prosecuting offences that occurred on a foreign flagged ship or outside the adjacent area (but where there is a relevant nexus with Australia, as listed above), the relevant State or Federal authorities must obtain the consent of the Attorney-General before a prosecution can proceed.³ In providing this consent, the Attorney-General must take into account the views of the flag state.⁴

We note that in the (Federal) *Government response to the recommendations of the NSW Coroner following the inquest into the death of Ms Dianne Brimble*, the Government stated that it “is of the view that the current arrangements are appropriate”. The Attorney-General has also stated that “Australia’s domestic legislation applies to the full extent possible under international law”.⁵

We also note the views of Dr Lewins⁶ that there may be room to expand the reach of the *Crimes At Sea Act 2000*, particularly as it applies to foreign flagged ships. While Carnival

² Dr Kate Lewins submission to Parliamentary Inquiry into the Arrangements Surrounding Crimes Committed at Sea, “Jurisdiction over prosecution of criminal acts on cruise ships and regulation of the cruise ship industry”.

³ Subsection 6(4) and Schedule 1, subsection 7(1), *Crimes at Sea Act 2000* (Cth).

⁴ Subsection 6(5) and Schedule 1, subsection 7(2), *Crimes at Sea Act 2000* (Cth).

⁵ Attorney-General’s media release issued 22 June 2012.

⁶ See footnote 2.

Australia agrees with the Government's view that the Act already provides an appropriate legal framework for the prosecution of crimes at sea, we are supportive of reform if it will deliver enhanced clarity and provide additional confidence for Australian travellers. It is important that legislative reform is consistent with Australia's obligations under international conventions, including the United Nations Convention on the Law of the Sea 1982 (UNCLOS). It is also important that any changes augment reforms already undertaken by P&O Cruises and Carnival Australia and take into account international maritime reforms⁷. Further discussion on these points follows.

There are some key points we would like to make on any proposed legislative reform:

- We see a possible tension between the aims of UNCLOS and an approach that seeks to extend the reach of domestic legislation into areas⁸ that might affect the right of innocent passage under UNCLOS.
- An issue to be considered in any potential legislative reform is that ships visit different ports around the world at different times. Any reform should not create a situation where ships are subject to different requirements in relation to the same matters. We note that the International Maritime Organisation (IMO) is currently considering a variety of reforms in the area of crimes at sea, and any recommendations for regulatory/legislative change that the Committee may choose to make should ideally take into account those reforms.
- Any regulatory/legislative reform should ensure that it becomes less, not more, difficult to identify the country that will lead an investigation and prosecution. A risk with a reform approach that seeks to expand the jurisdiction of domestic law based on all possible jurisdictional heads is that, due to a number of countries having concurrent jurisdiction, there may be confusion and even disagreement and delay as to how the investigations and prosecutions will proceed.

For example, an approach that expands Australian jurisdiction (and crime reporting obligations) to every cruise departing from an Australian port to a foreign port, would mean that Australia would have jurisdiction even where there is no other Australian connection (that is, no Australian victim, offender or effect in Australia). It would not be appropriate or necessary for a ship on a round world cruise, for example, to have reporting obligations to Australian authorities for events that happen well after the ship has departed Australia and which survive the entire length of the cruise and all countries visited.

- The current legislation does provide a regime for dealing with crimes on foreign flagged ships. In the very few investigations that we are aware of as having been reported to the flag state of our ships⁹, the flag state has generally recognised that it makes sense for Australian authorities to take the lead in investigating an alleged crime occurring in this region. If Australian authorities then wish to proceed with a prosecution, the existing

⁷ For example, the conventions and other work undertaken by the International Maritime Organisation.

⁸ For example, manning and equipment requirements for ships.

⁹ P&O Cruises Australia's ships are UK flagged.

legislation provides for this to occur with the consent of the Attorney General who takes into account the views of the flag state. Any flag states without the will or resources to undertake a prosecution would not be expected to object to Australia wishing to proceed with a prosecution where it has jurisdiction.

To the extent the Government forms the view that Australia's domestic legislation cannot be expanded further given Australia's obligations under UNCLOS, we have suggested some alternatives for improvements in this submission.

Protocols give certainty on crime reporting procedures

Since the tragic events of 2002, Carnival Australia has proactively sought to facilitate the resolution of the complex issues of law enforcement responsibility for alleged criminal conduct at sea, to ensure that jurisdictional issues do not hinder the reporting and investigation of such conduct at the earliest possible opportunity. In 2008 Carnival Australia employed the former NSW Police Commissioner, Mr Ken Moroney, to oversee this task.

In collaboration with Australian State and Federal Police, together with law enforcement agencies from across the Pacific region, Carnival Australia has been instrumental in the development and promulgation of two reporting protocols:

- The National Protocols for Reporting Crimes at Sea, adopted in 2010 (**National Protocols**)¹⁰.
- The Pacific Island Chiefs of Police Crime Reporting Guidelines, adopted in 2009 (**PICP Protocols**)¹¹.

National Protocols for Reporting Crimes at Sea

Commonwealth and State and Territory Police Commissioners have already taken steps to formalise arrangements where jurisdiction over an incident at sea may be unclear, or overlap. On 29 April 2010, it was agreed by all Australian Police Commissioners, including the AFP Commissioner, to establish the National Protocols. The National Protocols aim to ensure that where a crime at sea has been reported, regardless of which agency has received the report, an appropriate response is initiated without delay. This includes:

- Protecting the rights of victims/suspects.
- Ensuring evidence is obtained and secured at the earliest opportunity.
- Ensuring prosecutions are commenced in accordance with existing laws/protocols.
- Ensuring a cooperative approach to investigations is undertaken where required.

The National Protocols require all suspected criminal conduct committed at sea to be appropriately investigated. Questions of jurisdiction do not stand in the way of an immediate police investigation. The National Protocols apply to all passengers irrespective of country of citizenship. Accordingly, the National Protocols may be applied consistently to passengers of any nationality.

¹⁰ The National Protocols are the property of NSW Police Marine Area Command. Carnival Australia is willing to seek the approval of the Police to provide a copy of these protocols to the Committee if they have not otherwise been made available to the Committee.

¹¹ See Appendix A.

Pacific Island Chiefs of Police Crime Reporting Guidelines, adopted in 2009 (PICP Protocols)

Carnival Australia also had Mr Moroney's assistance in driving the development of protocols in the Pacific Islands and New Zealand. Carnival Australia approached the Pacific Islands Chiefs of Police (PICP) Secretariat in 2008 outlining the need for enhanced reporting protocols for crimes committed at sea in the Pacific Islands region. The PICP Protocols are designed to address the following legal and practical issues:

- Lack of clarity around jurisdiction, particularly in relation to crimes committed outside territorial waters.
- Uncertainty around the interface between international maritime law and domestic jurisdictions.
- Limited time for interfacing with domestic jurisdictions due to short port calls or limited facilities at the nearest port of call.

A key aspect of the cooperative framework is that jurisdictions may call on other parties to the protocol for assistance in investigating crimes at sea. While the PICP Protocol does not seek to displace international law and the relevant bases of State jurisdiction, it provides a consistent and agreed approach between Pacific Islands law enforcement agencies to ensure appropriate and timely investigation of alleged crimes at sea.

Together, the effect of the National Protocols and the PICP Protocols is that:

- Each police authority has agreed that on receiving a report of a suspected crime from any ship, it will effectively take ownership of the investigation and commence an investigation as soon as is practicable.
- The most appropriate jurisdiction for further investigation and possible prosecution will be considered and determined after the investigation has commenced to ensure that precious time and potential evidence are not lost.
- All parties to the Protocols agree to assist each other in any investigation, if requested to do so, therefore maximising the speedy resolution of investigation of crimes at sea.

Accordingly, there is now a simple, consistent and clear system for investigating reports of crimes at sea at the earliest opportunity, without jurisdictional issues arising to prevent that occurring.

These protocols apply to all ships within the Carnival Corporation group which represent the majority of the Australian cruise industry. The protocols have also been shared with Cruise Lines International Association (CLIA) and other major operators in the Australian cruise industry.

Once an alleged crime is reported to police, Carnival Australia cooperates fully with the police investigation, including providing police with immediate access to the ship, CCTV footage and all other available evidence. Carnival Australia has regular dialogue with the police forces in Australia, New Zealand and the Pacific Islands and our experience is that on the rare occasion when a crime is alleged to have occurred onboard, police are willing to investigate it without delay and do not allow jurisdictional questions to take priority over the initial investigation.

Potential improvements

We suggest the following improvements could be made as an alternative to legislative change:

- We support the development of formal guidelines for the cruise ship industry in Australia. We understand that the International Cruise Council Australasia (ICCA) and CLIA intend to make a submission to the Committee outlining the collaborative efforts that have been made elsewhere in the world to develop appropriate guidelines. We understand the guidelines being developed by the IMO will cover at least the following key elements: preservation of evidence, medical and pastoral care for victims, effective and timely reporting to governments and cooperation between governments with regard to investigations. We envisage the Australian cruise industry would also adopt these guidelines.

While it might be difficult for legislation to cover ship-specific measures such as CCTV monitoring and crime scene management (both because of the restrictions under UNCLOS and the specialised industry knowledge needed to design appropriate measures), industry has the knowledge and the incentive to agree appropriate guidelines. The guidelines could also reinforce the reporting procedures under the National Protocols and the PICP Protocols.

- To shore up any doubt as to how a flag state will react to a report of a crime on a foreign flagged ship, we suggest that the Federal Government could seek to enter into bilateral treaties or protocols with key flag states, as described by Dr Lewins in her submission.¹² We see merit in the Government entering arrangements with the key flag states to clarify responsibilities where a crime occurs in Australia's adjacent area, or where the victim or accused is Australian.

¹² Pages 20-21 of Dr Lewins' submission

Support available to victims of crime committed at sea

In 2007, Carnival Australia introduced two programs dedicated to looking after its passengers and crew in times of need, the CARE program and the Cruise Care program. These programs are specifically designed to provide a critical safety net for traumatised passengers, their families (including family members on shore) and to avoid the repetition of difficulties that became apparent after Mrs Brimble's death in 2002.

Both programs operate across all ships within the Carnival Corporation group. Carnival Australia also understands that the other leading cruise group that operates out of Australia, Royal Caribbean Cruises, has a similar program in place.

CARE program

Under the CARE program, passengers, their family members (including family members on shore) and crew receive emotional and practical face to face support during times of need.

When onboard, the majority of passenger-facing crew members are CARE-trained. They are supported by shore-side CARE team members who are on call for deployment when necessary. As of 1 November 2012 Carnival Australia has 120 CARE-trained staff working shore-side.

Dedicated CARE team members are assigned to passengers, their family members (including family members on shore) and crew in the event of an emergency or traumatising event (including events of a personal nature, such as a family emergency on shore). Each of Carnival's operating companies around the world has a CARE team which may be deployed to support any Australian passengers overseas.

All CARE team members receive specialised training, so they can assist people affected by trauma. We acknowledge the assistance of Mr Mark Brimble in the development of this training.

Certain CARE team members are also specifically trained to be able to assist sexual assault complainants if necessary.

Cruise Care program

Under the Cruise Care program, passengers are assisted if they are disembarked for any reason, or otherwise need any form of administrative and emotional assistance in the course of their relationship with a Carnival Australia cruise ship. This program is operated by three full-time members of staff who are dedicated to providing practical and emotional support for passengers. These staff are also on call 24 hours per day over the weekend to provide support as needed.

The CARE and Cruise Care programs, together with the dedicated resources and personnel who are trained to implement those programs, ensure that our passengers are treated with respect and dignity, and provided with compassionate and practical support.

The Athens Convention

The *Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (Athens Convention)* establishes a scheme to provide compensation in the case of death or injury to passengers on ships engaged in international voyages or where luggage has been lost or damaged. The Athens Convention was extensively amended by a Protocol adopted by the IMO in 2002. While the Athens Convention has entered into force internationally, Australia is not a party to it. The 2002 Protocol has not yet entered into force.

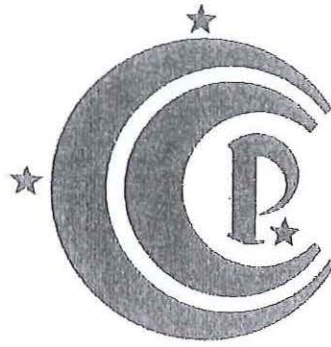
Carnival Australia notes that it does not refer to the Athens Convention in any of its Australian passage contracts or brochures. Similarly, Carnival Australia does not attempt to apply a monetary limit to its potential liability to passengers.

Given the terms of reference of the Committee, Carnival Australia has limited its response to “crimes against the person, which includes fatal, non-fatal and sexual offences committed on cruise and merchant ships”,¹³ and not specifically addressed any changes to Australia’s current civil liability regime. However, we agree with Dr Lewins’ comment that Australia’s consumer protection laws¹⁴ are a complicating factor when it comes to what might be covered in a cruise contract. We agree there is merit in considering whether a civil liability regime would give a clearer outcome.

¹³ See footnote 1.

¹⁴ Page 10 of Attachment A to Dr Lewins’ submission.

APPENDIX A: Pacific Islands Chiefs of Police Crime Reporting Guidelines, adopted in 2009



★
Pacific Islands
Chiefs of Police

Guidelines

For

The

Pacific Island Chiefs of Police

And

Carnival Australia

Concerning

Crimes that are alleged to have been committed onboard a cruise
ship at sea

Part 1 Scope and Understanding

1.1 Scope

1. These guidelines provide a high-level good practice guide for reporting and responding to allegations of crimes committed onboard cruise ships at sea to members of the Pacific Island Police Chiefs (PICP).

1.2 Understanding

2. The PICP member police agencies and Carnival Australia (the Participants) have reached the following understanding:
 - a) These guidelines do not bind States or agencies, alter law, bi or multi lateral arrangements or States' understanding of, or claims, to territory.
 - b) No PICP member police agency shall be obliged by these guidelines to investigate and/or prosecute an alleged crime committed at sea if to do so would be beyond its capacity and/or contrary to local practice.
 - c) Where a State has jurisdiction in relation to a crime allegedly committed on board a ship within its territorial sea, that State will continue to have jurisdiction. In these cases where territorial jurisdiction is claimed, crimes should be reported to the State of nationality of people involved as per local practice.
 - d) Incidents that should be reported to other agencies such as border agencies should be dealt with by existing mechanisms.

Part 2 Definitions and Jurisdiction

2.1 Definitions

Serious crime

3. For the purpose of these guidelines, serious crime means a crime that is punishable by imprisonment for two years or more. Another crime may be treated as a serious crime if the circumstances of the case warrant.

Cruise line

4. The cruise line is the company which operates the cruise ship.

State of nationality

5. State of nationality is the state to which an individual (victim, suspect or witness) has nationality or citizenship.

The receiving jurisdiction

6. The receiving jurisdiction is the jurisdiction of the State that will receive the ship at its next port of call after the report of the alleged crime.

Flag State

7. The flag State is the State in which the cruise ship is registered.

Relevant jurisdiction

8. A relevant jurisdiction is any of the above States/jurisdictions which may have a claim to enforce jurisdiction by investigating and/or prosecuting the alleged offence.

2.2 Types of Jurisdiction

9. Each of the following jurisdictions is a relevant jurisdiction for the purposes of these guidelines, and ideally should be informed of the alleged crime:

- a. *Jurisdiction of the flag State of the ship.* The flag State of a cruise ship has primacy of enforcement jurisdiction for crimes committed on that ship while at sea.

However, given that cruise ships are generally flagged in distant States, flag States' ability to play an active role in investigations and/or prosecutions in the Pacific is expected to be limited in most cases.

Nonetheless, consent of the flag state should be sought by Pacific jurisdictions that decide to investigate and/or prosecute an alleged crime committed on a cruise ship while at sea. Should the flag State consent not be immediately forthcoming, or should the flag State's authorities not be contactable, Pacific jurisdictions should act in good faith to investigate as they deem appropriate given the circumstances of the case.

- b. *The receiving jurisdiction at the next port of call.* This interest is reflected in the application of the principle of territorial jurisdiction. Depending on local law, States may exercise enforcement jurisdiction in relation to crimes committed at sea onboard ships travelling into their territory.

Given the practical limitations of jurisdictions to conduct investigations in another country, the receiving jurisdiction may have the strongest practical claim to jurisdiction over the case. In other cases, the jurisdiction that takes the lead in investigating and/or prosecuting the case may rely on preliminary protection of evidence, assessments or investigation by the receiving jurisdiction.

- c. *Jurisdiction of the suspect's State of nationality.* This interest derives from the application of the nationality/personality principle. Depending on the individual State's laws, any person who commits a crime at sea may be subject to the law of their State of nationality. States of nationality should be informed of alleged crimes so that they have an opportunity to investigate the activities of their national in accordance with their extra-territorial laws.

Where the flag State and receiving jurisdiction do not have the capacity to investigate and there is an obvious suspect, the suspect's State of nationality may also be best placed to investigate and/or prosecute.

- d. *Jurisdiction of the victim's State of nationality.* This interest derives from the application of the passive personality and protective principles. Where there is a distant flag State, a suspect is not identified and the case is serious but outside of the capacity or legal authority of the receiving jurisdiction, the victim's State of nationality may need to take the lead in the investigation.

Victims' home jurisdictions may also need to provide victim support.

Part 3 Reporting Process

3.1 Initial Reports for Serious Crimes

10. In the case of a serious crime, the ship or the ship's line should contact the nominated point of contact in the jurisdiction at the next port of call (the receiving jurisdiction) [refer to the points of contact attached at Appendix V] as soon as possible.
11. The ship/ship's line should ensure that all available information is reported to the receiving jurisdiction including:
- full details of the alleged criminal activity, including the exact location on the ship and the time it occurred,
 - the ship's current location and location at the time of the alleged crime, time of arrival and scheduled time of departure
 - whether medical help is required
 - what action the ship has taken
 - identity/description of the suspect (including nationality)
 - the suspect's demeanour
 - victim's details (including nationality)
 - travelling companions of the suspect/victim
 - details of witnesses
 - other jurisdictions that need to be notified (see *Part 2.2 Types of Jurisdiction* above)
 - any other relevant information
12. The point of contact in the receiving jurisdiction should then contact other relevant jurisdictions and make arrangements for an operational response in accordance with receiving jurisdictions' domestic laws, policies and procedures.
13. Jurisdictions will need to decide who has the lead for any investigation on a case by case basis (see *Part 4.2 Deciding Jurisdiction* below).
14. Where the receiving jurisdiction does not consider the alleged crime to be a crime, the ship's line should make a subsequent initial report to another relevant jurisdiction (such as the victim's State of nationality).

3.2 Reports for Non-Serious Crimes

15. In the case of a non-serious crime, reporting to the receiving jurisdiction is not required unless the ship's captain or security officer considers that the circumstances warrant a report. For those non-serious cases that are deemed suitable for reporting only the standard incident reporting form and any written statements (refer *Part 3.3 Written Reports* below) need to be provided to police at the receiving jurisdiction.
16. In these cases the receiving jurisdiction should make the decision as to whether the report warrants further action. In these cases the victim's wishes should be considered and the ship's captain or security officer consulted or informed.
17. In non-serious cases, jurisdictions may decide that whatever action has or can be taken by the ship's crew is sufficient in comparison to the seriousness of the crime.
18. In determining whether a non-serious case should be reported, the ship's captain or security officer will take into consideration whether the report is of intelligence value to the receiving jurisdiction; or the ship's line considers it desirable or appropriate.

3.3 Written Reports

19. Attached at Appendices II and III are the Standard Incident Reporting Form and the Written Statement Form. Together these two forms constitute the written report and should be filled out by the ship's security, victims and any witnesses for every alleged crime reported.
20. Where a serious crime is reported, the written report should be provided to receiving jurisdictions in addition to the initial report. The ship's line should make copies available to other interested jurisdictions at the same time.
21. For non-serious crimes, written reports may be provided to the receiving jurisdiction when the ship arrives in port if deemed appropriate by the ship's captain, security officer or ship's line. The ship's line should pass written reports for non-serious crimes on to other relevant jurisdictions for their information as soon as practical.
22. Statistics from the written reports should be provided to the Pacific Transnational Crime Coordination Centre by the lead jurisdiction including:
 - type of crime
 - location of ship at the time of the alleged crime (ie high seas, territorial waters, in port)
 - nationality, gender, age of victims, suspects and witnesses
 - resolution
23. No personal information should be included with these statistics.

Part 4 Response

4.1 Action by Ships' Crew and the Ship's Line

24. In all cases the ship's captain and/or security crew should follow the cruise line's own policies to ensure:
- crime scenes are preserved and kept preserved for as long as possible or until the lead jurisdiction is able to complete an examination
 - statement forms are filled out
 - evidence is protected and preserved (including sexual assault kits if available)
 - any available assistance or resources are offered to the lead jurisdiction and other relevant jurisdictions.
25. The ship's line should follow their own policy and procedures to:
- offer victim support
 - facilitate travel home or to another appropriate country for victims, witnesses or suspects (with regard to jurisdictions' requirements)
 - offer any counselling services available
 - assist jurisdictions' investigations
 - provide any other service available.
26. Depending on the circumstances and the urgency of the need for a statement, all relevant participants will endeavour to consult with, and consider the interests of other affected participants before making press releases and statements were practicable.
27. Ship lines' should make copies of their security and any other relevant policies and procedures available to jurisdictions upon request.

4.2 Deciding the Lead Jurisdiction

28. Relevant jurisdictions should make a joint decision of who will have the lead for the investigation of the case. The decisions as to who should have the lead, what role each participant will have, how to ensure proper evidence handling and mutual assistance needs should be made as quickly as possible so that timely action can be taken.
29. Although distant flag States may have limited ability to investigate or prosecute alleged crimes, primacy of jurisdiction remains with the flag State for alleged crimes at sea.
30. Upon receiving a report of an alleged crime, the receiving jurisdiction should respond to the report to the extent possible. Other relevant PICP jurisdictions should be informed immediately.
31. Once contact is established between relevant PICP jurisdictions, a joint decision between receiving and other relevant jurisdictions should be made on who will be the lead jurisdiction based on:
- the principles noted in *Part 2.2 Types of Jurisdiction* above
 - each jurisdiction's laws and policies

- the seriousness and nature of alleged crime
 - capacity of each jurisdiction to respond
 - timeframes
32. The flag State should be informed by the lead jurisdiction as soon as possible so that a request can be made for consent to investigate and/or prosecute. Until consent is obtained the lead jurisdiction should proceed in good faith with any appropriate assistance from the other relevant jurisdictions.
33. The lead in the investigation and/or prosecution may be handed over to the flag State if the flag State requests the lead or does not grant consent for the PICP jurisdiction to investigate and/or prosecute.
34. In each case decisions will need to be made with reference to relevant jurisdictions' domestic law and applicable international law.
35. Timeframes and other factors impacting on jurisdiction's ability to investigate should be considered by jurisdictions.
36. If possible jurisdictions should consider seeking legal opinion on their powers to investigate and/or prosecute.

4.3 Actions by the Receiving Jurisdiction (if not Lead)

37. Where the receiving jurisdiction is not the lead jurisdiction, they should:
- take whatever action is appropriate to ensure that the crime scene is preserved as soon as possible after the ship arrives in port
 - ensure that there is communication with the lead jurisdiction
 - ensure that border procedures are complied with and consider assistance that may be available from border agencies as per local practice
 - offer any assistance that is available in accordance with domestic mutual assistance in criminal matters provisions and other international arrangements or relevant treaties.
38. Where appropriate, further assistance may be offered to support the lead jurisdiction's investigation, such as:
- preservation of evidence taken by the ship's security team
 - gathering further evidence
 - ensuring that perishable evidence is not lost
 - ensuring that exhibits are properly collected and stored and that an exhibit schedule is created
 - ensuring that the crime scene is recorded (using notebooks, sketches and photographs as appropriate)
 - considering the prevention of suspects return to the ship - unless other relevant jurisdictions and cruise line agree to the suspect remaining on board and it is appropriate in all the circumstances (consideration must be given to the victim, witnesses and other passengers)

- seeking voluntary restriction of movement or arrest if requested by the lead jurisdiction
- protection of victims and witnesses and provision of any available services (such as support, medical or consular). This could include considering the availability of support from the State of nationality
- making staff available to give evidence in any prosecution.

39. Ensure that the lead jurisdiction is given regular updates until they are able to provide investigators.

4.4 Expectation of Lead Jurisdiction

40. Where police in the receiving jurisdiction will lead the investigation they should:

- take over the crime scene on the ship and assume responsibility for the victim and/or suspect
- conduct the investigation in accordance with domestic laws, policies and procedures, cooperating with other relevant jurisdictions as required
- ensure that other relevant jurisdictions are informed and copies of the written reports are provided

41. In all cases, the lead jurisdiction should:

- ensure coordination between relevant jurisdictions, the ship and the ship's line
- ensure it receives written reports, statements and any other relevant information from ships' security
- communicate needs to other jurisdictions, the ship's crew and the ship's line
- consider time and resource needs
- ensure that other participants agree to any media releases

42. The lead jurisdiction should ensure decisions about investigations and prosecutions are made on a case by case taking account of:

- views and expectations of the flag state
- legal provisions and jurisdictional issues
- victim's needs and preferences
- seriousness of the crime
- resources
- strength of the case
- other relevant matters

43. Relevant jurisdictions should seek legal opinion on their powers to investigate and/or prosecute alleged crimes covered by these guidelines as necessary.

4.5 Responsibility of Relevant Non-Lead Jurisdictions

44. Relevant jurisdictions that are not the lead or receiving jurisdiction should:
- carry out response to the report of the alleged crime at sea in accordance with domestic law, policies and procedures as determined by the lead jurisdiction
 - ensure timely communication with the lead jurisdiction and/or the receiving jurisdiction
 - consider the provision and coordination of ongoing victim support, where relevant
 - brief relevant consular staff
 - gather information for their own purposes
 - ensure that other participants agree to any media releases.

Part 5 Promotion of these Guidelines

45. Each participant should promote these guidelines within their own agency or company.

Part 6 Commencement

46. These guidelines should be followed from the date of signing.

Part 7 Termination

47. As these guidelines do not bind participants, participants may discontinue their use at any time. Participants should inform other participants in written prior to discontinuing use of these guidelines.

Part 8 Review of Arrangement

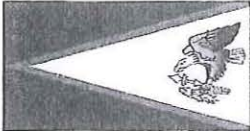
48. These guidelines may be reviewed or cancelled at any time by mutual consent, and will be reviewed at the 39th PICP Conference in 2010.

Part 9 Appendices

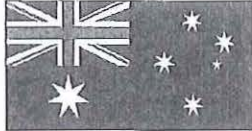
Appendix I	High Level Guideline Procedures for Receiving a Report
Appendix II	Standard Incident Report Form
Appendix III	Incident Statement Report
Appendix IV	Recommended Considerations for Protecting the Chain of Evidence
Appendix V	Nominated Points of Contact

We the undersigned have approved the adoption of the PICP and Carnival Australia Guidelines Concerning Crimes that are Alleged to have been Committed Onboard a Cruise Ship at Sea; and

Agree to work together to assist and support each other to implement them.



American Samoa



Australia



Commonwealth of Northern Mariana Islands



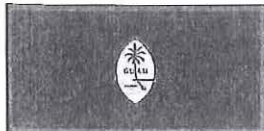
Cook Islands



Federated States of Micronesia



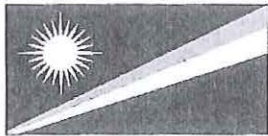
French Polynesia



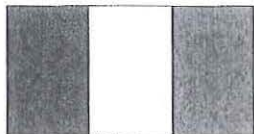
Guam



Kiribati



Marshall Islands



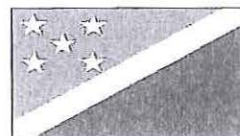
New Caledonia



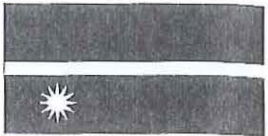
Niue



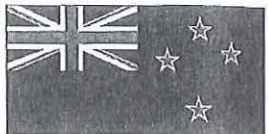
Papua New Guinea



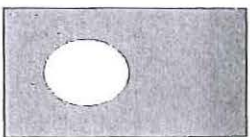
Solomon Islands



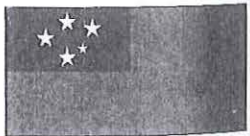
Nauru



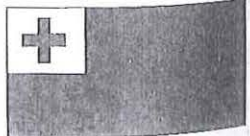
New Zealand



Palau

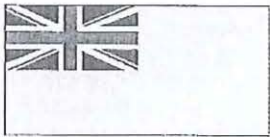


Samoa

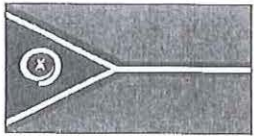


Tonga





Tuvalu



Vanuatu



PICP Chairperson

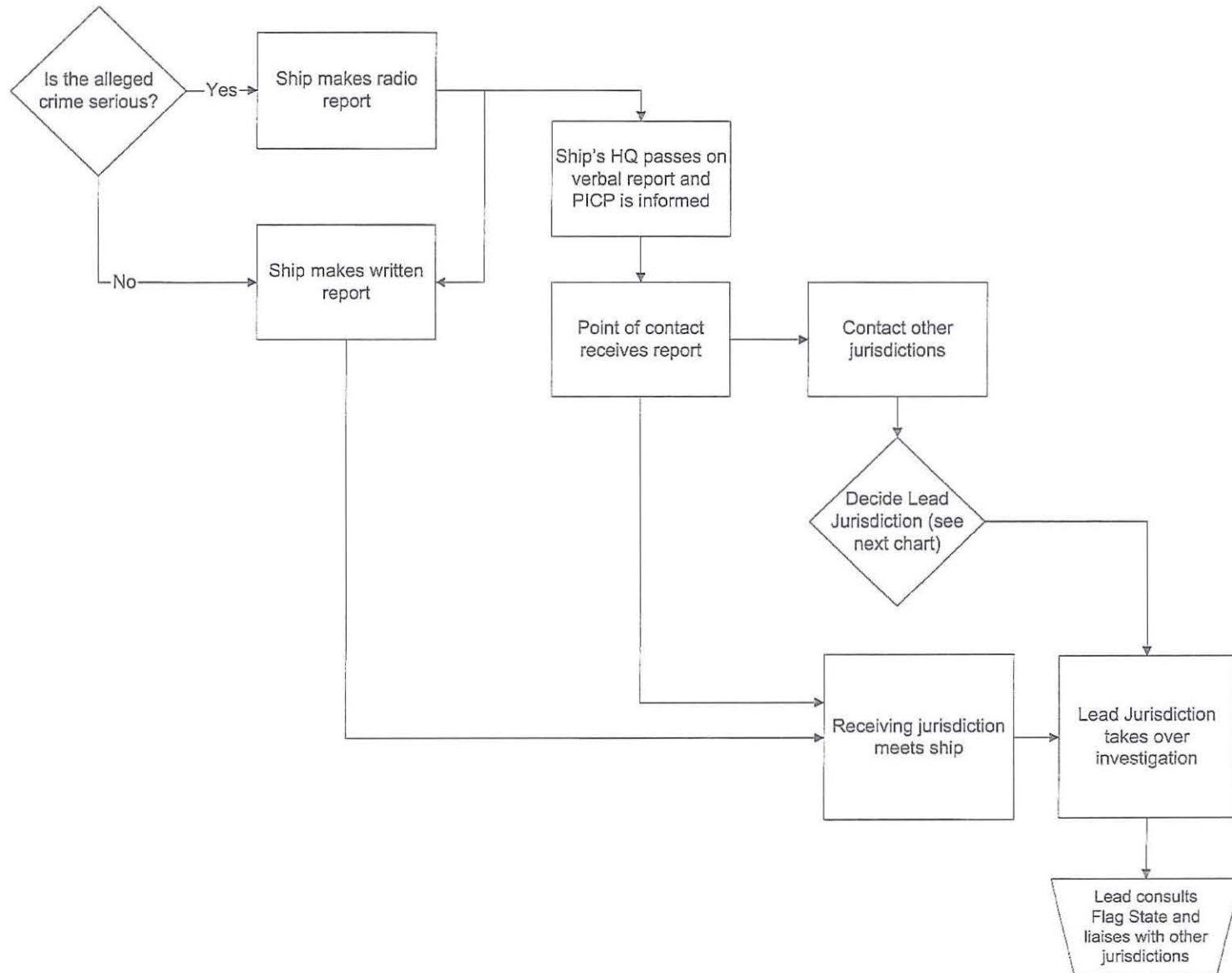


Appendix I

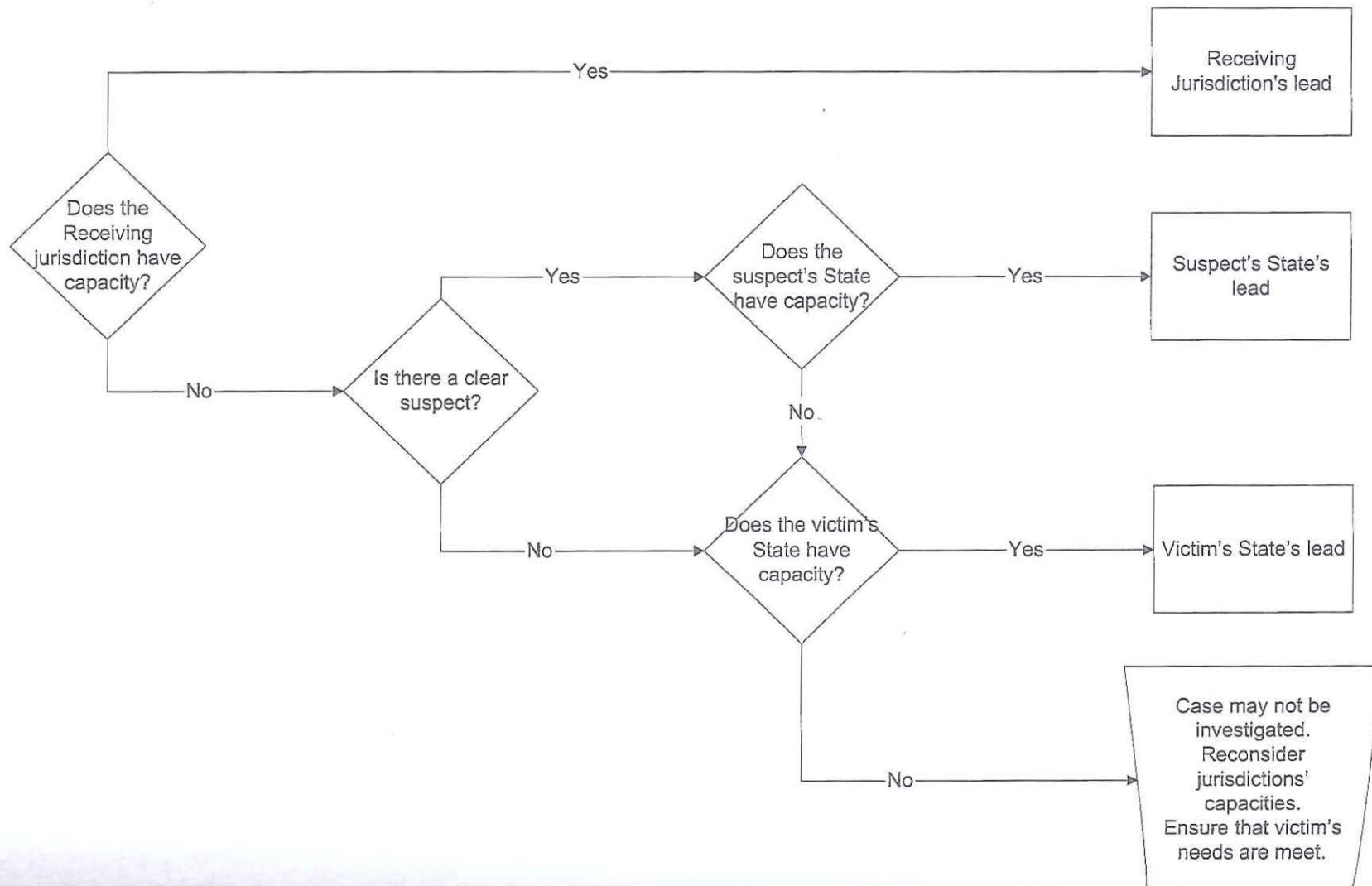
High Level Guideline Procedures for Receiving a Report of an Alleged Crime on a Cruise Ship at Sea

1. When the point of contact receives a report they should inform the points of contact at the other relevant jurisdictions and inform local police.
2. Local police in the receiving jurisdiction should meet ship when it arrives. The receiving jurisdiction should:
 - act in good faith that the flag will grant consent to investigate/prosecute
 - proceed with preliminary investigation as per local practice
 - determine the level of capacity to investigate.
3. If the local police do not have the capacity to investigate, they should ensure that the scene is frozen and offer whatever assistance they are able to the ship's crew and people affected by the alleged offence.
4. Local police should ensure that border procedures are followed.
5. The receiving jurisdiction should keep relevant jurisdictions informed via relevant points of contact as provided. Ensure that a joint decision is reached between relevant jurisdictions as to who should have primacy of the investigation. Jurisdictions should consider seeking legal assistance on making this decision if appropriate.
6. If the receiving jurisdiction is not to have the lead, the scene should remain frozen until either:
 - the ship reaches port in the lead jurisdiction
 - investigators can meet the ship
 - or some other alternate has been arranged
7. Every service available should be offered to victims and other people affected by the alleged offence by jurisdictions, the crew and the ship's line.

Reporting Process



Jurisdiction Decision Tree



CRUISE SHIPS' STANDARD INCIDENT REPORT FORM FOR PACIFIC ISLAND CHIEFS OF POLICE MEMBER AGENCIES

This form is to be filled out and provided to interested jurisdictions¹:

1. following an initial telephone/radio report of an allegation of a serious offence²;
or
2. to report an allegation of a non-serious offence.

Any relevant Incident Statement forms should be attached to this form.

Law Enforcement Agency Addressee (this Report)

Agency Point of Contact Date	Telephone: Address: Fax # or Email:
------------------------------------	---

Initial Report for Serious Offence Made Yes No

Agency: Contact: Date of Contact: Time of Contact:	Telephone: Address: Fax # or Email: Method of Contact used:
---	--

Ship and Route

Name of the Ship: Flag State: Ship's Operator: Company Contact: Satellite Phone #: Cruise Itinerary Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No	Location and Time of Incident: <input type="checkbox"/> Territorial Waters of: <input type="checkbox"/> High Seas <input type="checkbox"/> Unknown Latitude and Longitude: Nearest Port/Point of Land: Distance to Nearest Port/Point of Land:
--	--

Type of Incident Alleged (serious indictable offences should also be reported via telephone or radio immediately)

<input type="checkbox"/> Homicide <input type="checkbox"/> Suspicious Death <input type="checkbox"/> Missing Person <input type="checkbox"/> Rape <input type="checkbox"/> Other Sexual Assault	<input type="checkbox"/> Kidnapping <input type="checkbox"/> Assault with Serious Bodily Injury <input type="checkbox"/> Tampering with the Ship <input type="checkbox"/> Theft <input type="checkbox"/> Other:
---	---

¹ "Interested jurisdictions" means the receiving jurisdiction in the next port of call and home states of victims and suspects. Cruise companies should also ensure that any reporting requirements of the ship's flag state are fulfilled.

² A "serious offence" is an indictable offence which would carry a sentence of two years imprisonment in an interested jurisdiction.

Details of Missing Property

Description of Missing Property:
Place of Purchase:
Approximate Value:

Person(s) Involved

Complainant Victim Suspect Witness

Name (FAMILY, given)	DOB:
<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other	Passport #:
<input type="checkbox"/> Passenger - Cabin #:	Visa #:
<input type="checkbox"/> Crew - Position:	Address:
Nationality:	Statement Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
Language:	

Complainant Victim Suspect Witness

Name (FAMILY, given)	DOB:
<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other	Passport #:
<input type="checkbox"/> Passenger - Cabin #:	Visa #:
<input type="checkbox"/> Crew - Position:	Address:
Nationality:	Statement Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
Language:	

Complainant Victim Suspect Witness

Name (FAMILY, given)	DOB:
<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other	Passport #:
<input type="checkbox"/> Passenger - Cabin #:	Visa #:
<input type="checkbox"/> Crew - Position:	Address:
Nationality:	Statement Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
Language:	

Person(s) Involved (continued)

Complainant Victim Suspect Witness

Name (FAMILY, given) <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other <input type="checkbox"/> Passenger - Cabin #: <input type="checkbox"/> Crew - Position: Nationality: Language:	DOB: Passport #: Visa #: Address: Statement Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Complainant Victim Suspect Witness

Name (FAMILY, given) <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other <input type="checkbox"/> Passenger - Cabin #: <input type="checkbox"/> Crew - Position: Nationality: Language:	DOB: Passport #: Visa #: Address: Statement Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Complainant Victim Suspect Witness

Name (FAMILY, given) <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other <input type="checkbox"/> Passenger - Cabin #: <input type="checkbox"/> Crew - Position: Nationality: Language:	DOB: Passport #: Visa #: Address: Statement Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Complainant Victim Suspect Witness

Name (FAMILY, given) <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other <input type="checkbox"/> Passenger - Cabin #: <input type="checkbox"/> Crew - Position: Nationality: Language:	DOB: Passport #: Visa #: Address: Statement Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Complainant Victim Suspect Witness

Name (FAMILY, given) <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other <input type="checkbox"/> Passenger - Cabin #: <input type="checkbox"/> Crew - Position: Nationality: Language:	DOB: Passport #: Visa #: Address: Statement Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

4. Were you injured in this incident? If so, please provide details:

5. When did the incident begin and when did it end?

6. What was the location(s) of the incident?

7. Why did this incident happen?

8. How did this incident happen?

9. What part(s) of this incident did you actually see or hear? Where were you when you saw/heard key parts of this incident?

10. Is there anyone else who might have important information about this incident? Provide their names.

11. Is there any thing else that would be important to know about this incident?

12. This statement form may be provided to law enforcement official to assist them in determining whether to conduct an investigation and pursue prosecution. If you **DO NOT** want this incident prosecuted, please initial here: _____

13. Are you attaching any other pages to this statement: Yes No

14. If yes, how many pages are attached? _____

Affirmation: I confirm by my signature that the information I have provided on this "Security Incident Statement" form is true and correct tot he best of my knowledge. I also understand that the ship will make a copy of this statement available to government officials in all interested jurisdictions and that it may be the basis for their initiation of an investigation.

(Signature) (Print Name) (Date) (Time)

Officer receiving statement:

(Signature) (Print Name) (Voyage Number, Date and Time)

Officer witnessing statement:

(Signature) (Print Name) (Voyage Number, Date and Time)

Appendix IV Recommended Considerations for Protecting the Chain of Evidence

A robust approach to exhibits must occur to ensure that the chain of evidence is preserved. This appendix provides some basic recommended considerations to relevant jurisdictions and ship's security that may augment local procedures to protect the chain of evidence.

Packaging

These steps should be followed to package exhibits as they are taken.

Step	Action
1	Package, seal and label exhibits as soon as they are taken. Note: Where possible take the packaging to the item and not the item to the packaging. Do not reuse packaging and other containers.
2	Securely seal all packaging and containers with adhesive tape on all edges and sign across the tape. (Staples should not be used). Ensure the packaging is appropriate for the item. For example, items for fingerprinting should be packaged so that the item surface does not rub against the inside of the package. Do not reopen after sealing until examination stage.
3	The finder of the exhibit attaches an exhibit label to the outside of the item's packaging including these details: <ul style="list-style-type: none"> • exhibit number • description of item collected • location of the item • time and date found / collected • name of person from whom exhibit was seized (if applicable) • by whom collected.
4	Store and transport control samples and items from each suspect / victim / scene in separate outer containers (e.g. large paper sacks).

Exhibit schedules

Prepare a schedule of exhibits in cases with many exhibits (example below). The schedule must be passed onto the lead jurisdiction.

Exhibit schedule example

Exhibit ref no	Description	Location	Seized by	Time & date	Exhibit movements	Time and date
AB1	1 X pair blue jeans	MS Pacific Sun: Cabin 1234	Constable Any Body, NZPOL (Auckland)	25/07/07 1025hrs	O/C Exhibits NZPOL O/C Exhibits AFP	25/11/09 1045 hrs 27/11/09 0930 hrs.

Chain of evidence

The 'chain of evidence':

- includes the receipt, control, security, continuity and co-ordination of all exhibits and their subsequent movements and examinations. The chain must be accurately recorded for each exhibit
- demonstrates all individuals who have had custody of the exhibit and the integrity and storage of that exhibit

All exhibits must be collected, packaged, stored, submitted for further examination (if applicable) and presented in line with good practice. This protects the integrity and admissibility of the evidence from the crime scene to the court room.

Police need to get personnel and equipment into a scene and exhibits out with the minimum of post incident contamination. As personnel and equipment attend many scenes, sometimes on the same day, the risk of cross contamination is always a threat to forensic evidence. All serious scene equipment and individuals must be decontaminated between scenes and records kept to show this.

Minimising contamination risks

To minimise contamination risks the basic steps below should be considered:

Step	Action
1	Preserve and control the scene.
2	Use protective clothing, including face masks and double gloves, removing the outermost gloves between the handling of each exhibit.
3	Use new, clean packaging materials (sterile containers are required for some evidence types).
4	Keep accurate scene activity and exhibit seizure records.
5	Keep records of personnel attending and examining scenes.
6	Avoid examining associated serious crime scenes (including the victim) and the suspect. Use different staff to deal with suspects and victims. The person dealing with the suspect should not have been to the scene or dealt with the victim.
7	Ensure exhibit integrity, continuity and anti-contamination procedures with correct recording, packaging, sealing and labelling.
8	Obtain elimination fingerprints, footwear impressions and DNA swabs when necessary from individuals who could have inadvertently contaminated the scene.