

Memorandum of Understanding
between
the Office of Industrial Relations
and
the Queensland Police Service
and
the Department of Transport and Main Roads

June 2019

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Part 1 – Introduction

Purpose

The purpose of this Memorandum of Understanding (MOU) is to:

- build and maintain a professional relationship based on effective administrative practices and open communication between the Queensland Police Service (QPS), the Department of Transport and Main Roads (DTMR) and the Office of Industrial Relations (OIR) which incorporates Workplace Health and Safety Queensland (WHSQ) and the Electrical Safety Office (ESO).
- clarify specific working arrangements between the agencies in relation to the attendance, investigation and reporting of traffic incidents and provide specific information on the respective roles, responsibilities and obligations of QPS officers, DTMR officers and OIR officers.
- ensure that a thorough investigation of the incident is conducted to establish the facts of the matter and if warranted, initiate appropriate responses, which may include commencing legal proceedings.
- ensure coroners are informed of the extent of each agency's investigation into a reportable death.

The MOU is not intended to be legally binding. An alleged or real breach of any provision of this agreement does not:

- give rise to a cause of action,
- entitle or require a person to disclose information that is the subject of legal professional privilege or affect the law or practice relating to legal professional privilege, or
- restrict the statutory duties, directions and powers available to any Queensland Government agency whether or not a party to this MOU.

Legislative scope

This MOU applies to the attendance and investigation of traffic incidents that have resulted in serious injury or illness or death covered by the application of:

Queensland Legislation:

- *Work Health and Safety Act 2011* (Qld) (the WHS Act)
- *Electrical Safety Act 2002* (Qld) (the ES Act)
- *Police Powers and Responsibilities Act 2000* (Qld)
- *Coroners Act 2003* (Qld)
- *Transport Operations (Road Use Management) Act 1995* (Qld)
- *Transport Operations (Passenger Transport) Act 1994* (Qld)
- *Transport Planning and Coordination Act 1994* (Qld)
- *Heavy Vehicle National Law 2012* (Qld) (the HVNL)
- *Criminal Code Act 1899 (incorporating The Criminal Code)* (Qld)

Commonwealth Legislation:

- *Work Health and Safety Act 2011 (Cth)*
- *Safety, Rehabilitation and Compensation Act 1988 (Cth)*

Definitions

Certain terms used in this MOU are defined in Schedule 1. However, if a term in Schedule 1 is defined by legislation, the definition in the relevant legislation, as amended from time to time, prevails over the definition in Schedule 1.

Part 2 – Responsible agencies for this MOU

At the commencement of this MOU, the agencies responsible for its administration are:

- QPS
- DTMR, including their capacity as the National Heavy Vehicle Regulator's (NHVR) delegate for the investigation and prosecution of all HVNL offences in Queensland.
- OIR, through WHSQ and the ESO.

For incidents whereby the jurisdiction of the *Safety, Rehabilitation and Compensation Act 1988* (Cth) and the *Work Health and Safety Act 2011* (Cth) is enlivened, WHSQ will contact Comcare to advise them of details of the incident.

It should be noted that while the NHVR and Comcare are agencies referred to in the MOU, they are not signatories to, nor responsible for the administration of the MOU. This MOU has been developed at agency level. Any change to the department responsible for an agency due to portfolio reassignment or redistribution, or a change to the name of a department or agency, should have a negligible effect on the operation of the MOU. That is, machinery of government changes or changes to the name of agencies will not void the MOU or automatically necessitate renegotiation.

The application of this MOU will not be limited by an amendment or replacement of legislation administered by the agencies, to the extent that the new legislation is inconsistent with the original. Any such machinery of government or legislative changes will be incorporated at the time of the scheduled review.

Queensland Police Service

QPS is the primary law enforcement agency in Queensland. QPS operates throughout the State upholding the law and providing assistance to the community when necessary and in times of emergency, disaster and crisis.

The functions of QPS include:

- the preservation of peace and good order in all areas of Queensland;
- the protection of all communities in Queensland and all members thereof;
- the prevention of crime;
- the detection of offenders and bringing of offenders to justice; and
- upholding the law generally and providing policing services in an emergency.

QPS is committed to serving the people of Queensland by protecting life and property, preserving the peace, maintaining personal and community safety, preventing crime and upholding the law with due regard to the public good and the rights of the individual.

QPS delivers policing services under four strategic objectives:

- Stop Crime;
- Make the Community Safer;
- Strengthen Relationships with the Community; and
- Equip a Workforce for the Future.

Office of Industrial Relations

In OIR, WHSQ's goal is to foster safe and healthy work environments for all workers in Queensland. The key outcome is a reduction in work-related death, injury and disease in Queensland. WHSQ works with all stakeholders to improve workplace health and safety performance by:

- working cooperatively with other states and the Australian government to improve national consistency in work health and safety and workers' compensation arrangements
- delivering information and education activities to improve the ability of workplace participants to identify and manage risks pertaining to work health and safety
- implementing targeted compliance programs at state and local levels and participating in national compliance activities
- continued implementation of enforcement activities.

The ESO plays an important role in improving electrical safety in both workplaces and homes. The ESO, as Queensland's electrical safety regulatory body, undertakes a range of activities to support electrical safety, with the key outcome being to reduce electricity-related deaths and injuries in Queensland. The ESO's goal is "electrically safe workplaces, homes and other environments" and this is achieved by:

- providing advice to the Minister and statutory bodies, including the Electrical Safety Board and its committees
- developing legislation and standards
- managing the registration, licensing and approval regimes under the electrical safety legislation
- preparing and implementing education and awareness activities to better inform industry and the community
- undertaking state-wide compliance and enforcement activities.

Department of Transport and Main Roads

DTMR works closely with Queensland Rail, port authorities, other state and Australian government departments, local governments, industry and the community to ensure a coordinated, consultative and integrated approach to addressing and resolving transport and road challenges. As noted above, DTMR is the agency delegated with the administration of the HVNL in Queensland.

The department's strategic purpose is to plan, manage and oversee the delivery of a safe, efficient, reliable and integrated transport system that supports sustainable economic, social and environmental outcomes in Queensland. It aims to achieve this strategic purpose with the following priorities:

- an integrated transport system that supports the safe, efficient and reliable movement of people and goods;
- safe and cost-efficient transport infrastructure that meets the current and future needs of Queensland;
- customer, safety and regulatory services that improve community safety and satisfaction;
- integrated passenger transport services that are safe and accessible

National Heavy Vehicle Regulator (NHVR)

The HVNL contains offences relating to mass, dimension and loading, vehicle standards, fatigue, speeding and maintenance.

It contains numerous provisions designed to extend liability for on-road offences to other parties in the so called "chain of responsibility", including operators, employers, prime contractors, schedulers, packers, loaders and loading managers.

The National Transport Commission (NTC) is currently consulting with jurisdictions about proposed changes to the HVNL that will introduce a regulatory scheme broadly similar to model Workplace Health and Safety Laws.

Authorised Transport Inspectors have powers to investigate offences against this law, as do all Queensland Police Officers

Enforcement powers under the HVNL have some important differences from police powers under the *Police Powers and Responsibilities Act*. In particular, requests for information or documents under section 570 abrogate the protection against self-incrimination, however any evidence obtained would be inadmissible against the person who provided it (similar to the WHS Act).

The HVNL definitions provided in Schedule 1 are a simplified version of the definitions in the HVNL. For full and technical definitions, refer to the HVNL.

Part 3 – Co-operation between departments

The parties agree to observe and comply with this MOU. Each party will:

- ensure that agency officers affected by the MOU are provided with appropriate training and resources to enable them to give effect to the MOU, and
- develop mechanisms to enable each agency to give effect to and monitor the implementation of the MOU within the respective agencies.

The agencies acknowledge that general information sharing, where it is considered practical and appropriate, will minimise duplication of government resources. The agencies agree that information available to one agency, which is relevant to the responsibilities of the other agency will be shared in accordance with the terms of this MOU and in accordance with relevant legislative confidentiality and privacy provisions relating to the disclosure of information.

OIR's authority to disclose information

Section 271 of the WHS Act and section 193 of the ES Act provide that if a person obtains information in exercising any power or function under the respective Act, the person must not disclose the information to anyone else, unless an exception applies.

There are a range of exceptions, including section 271(3)(c)(iii) of the WHS Act and section 193(3)(c)(iii) of the ES Act which allow for disclosure of information if the regulator reasonably believes:

- the disclosure is necessary for the administration or enforcement of another Act or law, and
- if the disclosure is necessary to lessen or prevent a serious risk to public health or safety.

The regulator may also disclose information if the regulator reasonably believes the disclosure is necessary for the administration or enforcement of another Act prescribed under a regulation¹. The Transport and Police acts are prescribed acts for the purposes of disclosing information under s271(3)(c)(ii) of the WHS Act and s193(3)(c)(ii) of the ES Act – see Schedule 18A of the *Work Health and Safety Regulation 2011* and Schedule 8A of the *Electrical Safety Regulation 2013*.

QPS's authority to disclose information

Disclosure of information to the OIR and DTMR by QPS will be in accordance with section 10.1 'improper disclosure of information' and section 10.2 'authorisation of disclosure' of the *Police Service Administration Act 1990*, the operational procedures manual and in the case of investigation involving a death where there is no likelihood of criminal sanctions, the authority of the investigating Coroner.

¹ See section 271(3)(c)(ii) WHS Act and section 193(3)(c)(ii) ES Act.

Incident notification

QPS is the lead party for the investigation of all traffic incidents occurring on gazetted roads and workplaces and will draw on expert resources from DTMR and other agencies and community resources where required.

Unless it is evident that a relevant agency is aware of the incident, the QPS will contact, via telephone, the appropriate coordinating officers identified in Schedule 2 of the MOU within 24 hours. It is acknowledged that the individual circumstances of incidents may not warrant the involvement of each agency listed. The QPS officer will provide relevant information including, but not limited to:

- incident location;
- injuries sustained/fatality details;
- name/s of injured person/deceased;
- attending officer name and contact details; and
- type of work being undertaken.

In most instances, notification of serious (fatality or serious bodily injury) road incidents (that may be work related) will be received first by the Queensland Ambulance Service (QAS) communication centre. QAS has agreed to notify OIR's Advisory and Assessment Centre immediately. If QAS has not advised OIR, the first response officer (QPS) to an incident involving a fatality or serious bodily injury will cause OIR's Advisory and Assessment Centre to be notified as soon as is reasonably practicable. For incidents where more than one agency attends, the officer attending first or senior officer is initially responsible for ensuring co-ordination between agencies.

In circumstances where a WHSQ officer may not be able to attend the incident immediately, QPS agrees that its officers will share preliminary investigative information where this will not impact on a criminal investigation. The preliminary investigative functions may include the collection of photographs, witness statements and notations on observations of the scene and securing the scene for a reasonable time, resources permitting, until an inspector can attend, where required.

If the incident is a serious incident involving a heavy vehicle under the *National Heavy Vehicle Law 2012*, QPS will notify the NHVR of the incident.

DTMR should be contacted regarding incidents that relate to heavy vehicles and passenger transport vehicles; or in the event of a fatality where QPS requires specific specialist support about matters relating to the *National Heavy Vehicle Law 2012*, *Transport Operations (Road Use Management) Act 1995* or the *Transport Operations (Passenger Transport) Act 1994*.

Contact with DTMR should be made during normal business hours to ascertain if assistance would be beneficial.

Where a work related incident involves a person conducting a business or undertaking that falls within Comcare's scheme under the *Safety, Rehabilitation and Compensation Act 1988* (Cth) (SRC Act) and the *Work Health and Safety Act 2011* (Cth), OIR will notify the Comcare coordinating officer listed in Schedule 2. A current

list of licensees under the SRC Act is available at www.srcc.gov.au/self_insurance/current_licensees.

Part 4 – Investigation management

Investigations are undertaken in order to determine:

- appropriate jurisdiction
- causes;
- compliance with the legislation;
- reporting to Coroner;
- whether action has been taken or needs to be taken to prevent a recurrence; and
- lessons to be learnt and to influence legislation and policy.

Scope of traffic incident investigations

The agencies agree that in an instance of jurisdictional overlap, each agency will advise the other agencies of what action it proposes undertaking and if necessary conduct a case management meeting. The agencies agree to appoint a lead agency, where relevant, and liaise with each other regarding these incidents. Although separate investigations are likely to occur, the coordinating officers (refer to Schedule 2) will work together to ensure that each agency is managing resultant actions in accordance with its role and responsibilities and that recommendations of the Ombudsman and any express coronial requirements are considered. A breakdown of possible scenarios and the responsible agency is included at Schedule 3.

OIR will undertake preliminary enquiries to determine whether the incident is one for which the *Work Health and Safety Act 2011* or the *Electrical Safety Act 2002* has application, including whether vehicles involved meet the definition of a workplace (see definition of 'vehicular workplace' under Schedule 1), whether work is/was being carried out and/or whether the person/s involved in the traffic incident is/are workers. The OIR will advise other agencies in writing whether the OIR has decided the *Work Health and Safety Act 2011* or the *Electrical Safety Act 2002* has application and therefore jurisdiction.

The Forensic Crash Unit within QPS will generally conduct an investigation into the cause/s of an incident that results in a fatality or the incident is a life-threatening event.² Where OIR has decided that the *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* has application to a serious road incident, the WHSQ investigator will liaise with the Forensic Crash investigator from the QPS to gain investigative information.

There are also special requirements for fatigue-regulated heavy vehicle. This includes:

- a vehicle with a gross vehicle mass (GVM) of over 12 tonnes

² Forensic Crash Units (FCUs) exist throughout Queensland at various locations. The role of a FCU is to:
(i) investigate fatal and serious injury road incidents, road incidents where there is evidence of criminal negligence and other major road incidents where the input and expertise of an FCU is required; and
(ii) investigate industrial or aircraft incidents where there is a fatality or the likelihood of a fatality.

- a vehicle combination (see schedule definition) when the total of the GVM is over 12 tonnes
- buses over 4.5 tonnes with a seating capacity of more than 12 adults (including the driver).

Both QPS and DTMR have enforcement powers for matters involving fatigue management related to these types of vehicles.

OIR may conduct enquiries into fatigue related matters where persons are commuting to/from their usual workplace, where it is indicated there has been a potential failure by the workplace to ensure the safety of the worker(s).

WHSQ will investigate the following traffic incidents:

- matters that involve traffic management/traffic controller activities;
- construction work on a road; and
- matters where a person is fatally injured whilst operating a road vehicle and where QPS notifies WHSQ of the potential for work-related causes (i.e. fatigue, maintenance, training etc) being a contributing factor (e.g. a worker driving a motor car dies in a traffic incident and QPS advises that the incident may be as a result of inadequate fatigue management systems).

Case management

Within 28 days from the date of the incident, the case managers are to meet via telephone or face-to-face to consider and determine each agencies role and direction of the investigation.

Within six months after the date of the incident, each of the case managers are to meet via telephone or face-to-face to consider any relevant factors associated with the case including proposed enforcement action to be applied by each agency.

Seizure of evidence

QPS, DTMR and WHSQ officers have seizure powers under respective legislation. Circumstances may arise at a workplace incident where QPS officers, DTMR officers and WHSQ officers find it necessary to seize property as part of the investigation. Cooperation between the agencies is essential to ensure that evidence is not damaged, altered or compromised. Where evidence has been seized by one agency and access to this evidence is necessary for investigation by another agency, all reasonable effort to facilitate access should be made, to the extent permitted by law, including by consent of the Coroner. In accordance with schedule 3 QPS will be the lead agency for this purpose.

Appropriate arrangements should be made between investigating officers from QPS and WHSQ to gain access to evidence, particularly if further examination (x-ray, ultrasonic) is required. Where testing is required to be conducted by an external source, the requesting party will have the responsibility of meeting such costs. Should QPS and WHSQ both require the tests to be conducted, the cost is to be equally shared between QPS and the WHSQ.

Each agency agrees to assist with the storage of evidence if required. For significantly large items of evidence, for example heavy plant and equipment, QPS designated property points shall be used. If such property points are not available,

local government/councils should be approached. Appropriate evidence handling and continuity principles are to be complied with.

Where a crime scene has been established under s168 'restricting access to a crime scene' and s169 'preserving evidence at a crime scene' of the *Police Powers and Responsibilities Act 2000*, QPS officers are empowered to prevent persons from removing evidence or otherwise interfering with the crime scene or anything in it and for that purpose, may detain and search the person.

Maintaining scene security

Once the QPS officer in charge of the incident scene decides that police no longer require the site, that officer or their delegate is to maintain security of the scene for a reasonable time period until control of the scene is handed over to the OIR officer managing the investigation. It is important that the integrity of the scene and plant and equipment is preserved.

Statements and interviews

It is acknowledged that there is no property in witnesses and QPS, DTMR and WHSQ have equal rights to access witnesses. Consultation is the priority with Criminal Charges having precedent over lesser charges. To maintain the integrity of investigations agencies should consult with the lead QPS investigation prior to approaching witnesses.

If appropriate, statements may be taken from witnesses in the presence of officers from WHSQ and QPS. Consideration should be given to having statements taken jointly if considered appropriate, and permitted by law. This will facilitate timely reporting and will help reduce any additional anxiety and grief to the family, friends, witnesses and work colleagues by them not having to repeatedly relive the incident.

Legal Proceedings

It is acknowledged that QPS, DTMR and WHSQ have powers to initiate legal proceedings arising from a workplace incident. WHSQ may also commence proceedings for electrical incident(s), in their capacity as provider of investigative services for the ESO. In some instances, these proceedings may be commenced by the QPS under the *Criminal Code Act 1899*. On advice of the commencement of proceedings under the *Criminal Code Act 1899*, officers of WHSQ will liaise with QPS concerning the temporary suspension of the work health and safety or electrical safety investigation until those proceedings have concluded.

DTMR has a 12 month statutory limitation period. DTMR has jurisdictional carriage of the *National Heavy Vehicle Law 2012*, *Transport Operations (Road Use Management) Act 1995* and the *Transport Operations (Passenger Transport) Act 1994*. For simple matters there are also statutory limitations for QPS.

WHSQ and the ESO are constrained by statutes of limitations for commencing legal proceedings (24 months).

Proceedings commenced by one agency can impact on another agencies' investigation. QPS, DTMR and WHSQ agree to inform each other of the status of the investigations and any proceedings that ensue taking a considered approach to ensure that the best possible outcome/s is achieved.

Part 5 - Governance

The MOU will commence and be effective from the date of execution by the agencies and will continue in force until terminated by any agency.

If there is an issue regarding the application of the MOU, the agencies will use their best endeavours and act in good faith to resolve the issue in a timely manner.

This MOU may be varied or withdrawn at any time by an agreement in writing executed by the agencies. The agencies agree to maintain the currency of this MOU as required.

Minor information updates which do not affect the operation or validity of the MOU may be undertaken at any time with the updated information forwarded to the other agencies and appended to this MOU (e.g. updating the contact details listed in Schedule 2).

The agencies agree to review the MOU within three years of its commencement. Following the review, the agencies agree to amend the MOU if required. The agencies agree to publish the signed MOU on their respective websites.

Signatories

**Signed for and on behalf of the Queensland Police Service by
Stephen Gollschewski APM
Deputy Commissioner (Crime, Counter Terrorism and Specialist Operations)**

Dated this _____ day of _____ 20 ____

**Signed for and on behalf of the Department of Transport and Main Roads by
Mike Stapleton,
Deputy Director-General (Customer Services, Safety & Regulation)**

Dated this _____ day of _____ 20 ____

**Signed for and on behalf of
Craig Allen
Regulator and Deputy Director-General, Office of Industrial Relations**

Dated this _____ day of _____ 20 ____

SCHEDULE 1 DEFINITIONS

For the purposes of this Memorandum of Understanding the following terms apply. However, if a term in this Schedule is defined by legislation, the definition in the relevant legislation, as amended from time to time, prevails over the definition in this Schedule.

Bus, under the *Transport Operations (Road Use Management) Act 1995* is a motor vehicle built or fitted to carry more than 12 adults, including the driver.

Combination as defined in the *Transport Operations (Road Use Management) Act 1995* means a motor vehicle connected to 1 or more trailers.

Gazetted roads are any areas dedicated to public use as a road. A road for the purposes of this procedure is taken to include any area that is open to, or used by, the public and is developed for, or has as one of its uses, the driving or riding of motor vehicles, whether on payment of a fee or otherwise. Examples of an area that is a road include a bridge, cattle grid, culvert, ferry, ford, railway crossing, shopping centre car park, tunnel or viaduct.

'Memorandum of Understanding' means this Memorandum of Understanding document, including the protocols and schedules incorporated in this document.

Serious road incident for the purpose of this Memorandum of Understanding, includes an incident involving a fatality, serious injury, or a complex or major road incident where the input and expertise of a Forensic Crash Unit is required

Vehicle as defined in the *Transport Operations (Road Use Management) Act 1995* includes any type of transport that moves on wheels (and hovercraft), but does not include a train or tram. A vehicle includes any item attached to the vehicle.

Vehicular workplace includes, but is not limited to semi-trailers, buses, taxis, courier vehicles, courtesy buses, wedding hire vehicles, motor cycles used for joy-rides, hire vehicles, plant, machinery including harvesters, and mobile cranes while being driven on gazetted roads.

Relevant definitions (HVNL)

Fatigue-regulated heavy vehicle means any of the following-

- a) a vehicle, other than a motorhome, agricultural machinery, or road construction machinery, that has a GVM of more than 12t; or
- b) a combination with a GVM of more than 12t; or
- c) a heavy vehicle built or fitted to carry more than 12 adults (including the driver).

Heavy Vehicle means a vehicle that has a GVM or ATM of more than 4.5 t, or a combination that includes a vehicle with a GVM or ATM of more than 4.5t.

ATM (aggregate trailer mass), of a heavy trailer, means the total maximum mass of the trailer, as stated by the manufacturer, together with its load and the mass imposed on

the towing vehicle by the trailer when the towing vehicle and trailer are on a horizontal surface.

GVM (gross vehicle mass), of a vehicle, means the maximum loaded mass of the vehicle—

- (a) if the Regulator has specified the vehicle's maximum loaded mass under section 57—specified by the Regulator under that section; or
- (b) otherwise—stated by the vehicle's manufacturer.

SCHEDULE 2 CONTACT DETAILS

Queensland Police Service www.police.qld.gov.au	Contact Officer Officer in Charge Forensic Crash Unit Queensland Police Service Ph 3364 3311, Fax 3364 3305	Coronial Liaison Officer Service Operational Procedures 4 th Floor Police Headquarters 200 Roma St Brisbane 3364 6898	Incident notification Nil
Department of Transport and Main Roads www.tmr.qld.gov.au	John Chardon Manager Compliance Department of Transport and Main Roads (07) 46390824 or 0419762242	Corporate Counsel Governance Branch Corporate Division TMR 3066 7567	Nil
Workplace Health and Safety Qld www.worksafe.qld.gov.au	Director, Investigative Services Workplace Health and Safety Qld Office of Industrial Relations Phone 1300 362 128 david.mckenzie@oir.qld.gov.au	Director, Coronial and Enforceable Undertakings Office of Industrial Relations Phone (07) 30206399 ohs.coronialliaison@oir.qld.gov.au	1300 362 128
National Heavy Vehicle Regulator http://www.tmr.qld.gov.au/nhvr	Director, Regional Operations Queensland Comcare Phone (07) 3303 0008	Raymond Hassall Executive Director, Regulatory and Legal Services, Phone 07 3309 8540 Raymond.Hassall@nhvr.gov.au	NHVR Intelligence phone number 1300 284 224 Incident.information@nhvr.gov.au
Comcare www.comcare.gov.au	Not applicable.	Not applicable.	Via phone: 1300 366 979 (after hours an automated system will connect caller with regional on-call inspector) Via email: notify@comcare.gov.au

SCHEDULE 3

LEAD AGENCIES		
SCENARIO	LEAD AGENCY	OTHER AGENCY
All incidents occurring on gazetted roads.	QPS	
Traffic incident involving electrocution of a person.	QPS	
Traffic incident involving damage to electrical installation or power pole.	QPS	
Traffic incident involving vehicles that are work places e.g. Trucks, buses, taxis, delivery vans etc (only where the incident involves a critical event resulting in a death or injury).	QPS	<p>WHSQ (OIR)</p> <p>NHVR (only relating to incidents with heavy vehicles)</p> <p>DTMR (only relating to heavy vehicles and passenger transport vehicles)</p>

<p>Traffic incidents involving vehicles that are workplaces and an incident relates to driving, e.g. No. of driving hours, substance abuse, load issues, road worthiness and only where an incident involves a critical event resulting in a death or injury.</p>	<p>QPS</p>	<p>WHSQ (OIR) DTMR (only relating to heavy vehicles and passenger transport vehicles)</p>
<p>Traffic incidents involving controller activities, construction work on a road only where the incident is a critical event that results in a death or injury.</p>	<p>QPS</p>	<p>WHSQ (OIR)</p>