

GENERAL INTEGRATED SCIENCE– UNIT 2

TASK 9 – Forensics Ethics Extended Response



NAME: _____

WEIGHTING: 7.5%

DUE DATE: _____

MARK: _____ /60 =

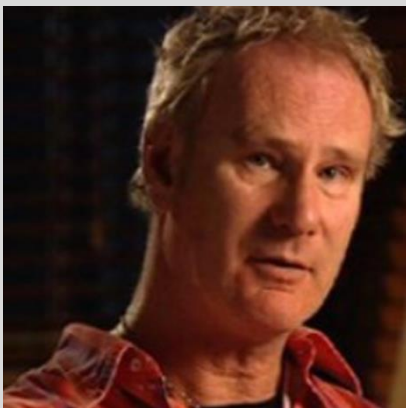
Ethical standards are necessary in all professions, especially when people's lives are at stake. Ethical standards in forensic science ensures that only people who actually commit crimes are convicted. This task looks at how scientific knowledge can enable investigators to offer valid explanations for situations, and how the use of scientific knowledge can have positive, harmful and unintended consequences.

Andrew Mallard, wrongfully jailed for 12 years over WA murder, killed in hit-and-run crash in US

By [Herlyn Kaur](#) and staff

Updated 20 Apr 2019, 8:54am

Andrew Mallard



In 1994 mother-of-two, Pamela Lawrence, was murdered in her upmarket jewellery shop. The police were under intense pressure to find her killer and they zeroed in on a daydreaming drifter with a history of mental illness, Andrew Mallard. Andrew Mallard would make one of the most unorthodox "confessions" in the annals of criminal justice and virtually every single part of the justice system fell down. He would spend 12 years in prison until a palm print and a pig's head — and exhaustive efforts by family and supporters — would exonerate him.

The above text comes from Wrongful: Stories of Justice Denied and Redeemed (ABC Radio National, 2017)

Above is an example of when ethical standards were not followed in forensic science. Your task is to:

Part 1: Take-home research notes

(60%)

Part 2: In-class essay

(40%)

- Provides a detailed description of what happened during the case.
- Identifies and explains how ethical standards were not followed during this case.
- Explains what could have happened to protect the person who was wrongly accused.

Integrated Science Forensic Ethics Research Task

Question	Research Notes	Marks
Define the term ethics.		/1
Describe the following standards of ethics required in forensic science.	<u>Objectivity</u>	/8
	<u>Competence</u>	
	<u>Security of evidence</u>	
	<u>Accurate analysis and reporting of evidence</u>	

Outline the steps that crime scene investigators follow when they arrive at a crime scene.		/3
Describe what is meant by the 'chain of custody', and explain why it is important in criminal investigations.		/3
Explain how investigators go about collecting and storing evidence to ensure that it is not contaminated.		/3
Describe what the following types of evidence are, and explain how reliable they are at linking somebody to a crime.	<u>DNA Analysis</u>	/3
	<u>Fingerprint Analysis</u>	/3
	<u>Fibre Analysis</u>	/3

	<u>Blood Type Analysis</u>	/3
	<u>Blood Splatter Analysis</u>	/3
	<u>Handwriting Analysis</u>	/3
	<u>Forensic Toxicology</u>	/3
	<u>Tread Analysis</u>	/3
	<u>Eye Witness Testimony</u>	/3
Bibliography		

NAME: _____

MARK: _____ /20

After learning about the Andrew Mallard case in class, your task is to write a plan for a persuasive essay that convinces others that Andrew Mallard should **not** have been convicted of murdering Pamela Lawrence because of **the lack of high quality evidence**.

Essay Title:

Summary of the case:

Key Point 1: _____

Explanation of what happened

Link back to overarching argument

Key Point 2: _____

Explanation of what happened

Link back to overarching argument

Key Point 3: _____

Explanation of what happened

Link back to overarching argument

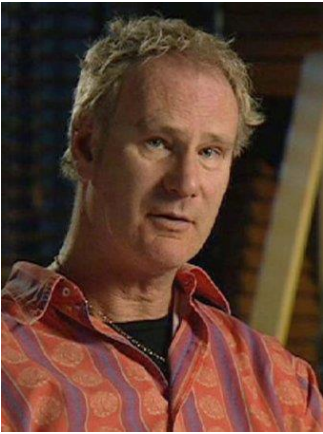
Conclusion

Marking Rubric

	5	4	3	2	1
Case Summary	Explains case, including all relevant details.	Explains case, some detail missing.	Describes some parts of case, some key points missing.	Lists some facts about the case.	Extremely limited case summary. Missing nearly all details.
Building argument	Presents clear and logical argument that is supported by evidence.	Presents argument or statements that are not well-supported by evidence.	Presents statements of ideas with some development of an argument	Presents statements of ideas with limited development of an argument.	Does not present an argument.
Referring to evidence	Explains why evidence used in case was not reliable by evaluating the forensic analysis methods used.	Describes why evidence used in case was not reliable by comparing the forensic analysis methods used.	Describes some issues with evidence used in case and refers to some of the forensic analysis methods used.	Inappropriately states why evidence used was unreliable.	Does not comment on poor evidence used in the case.
Ways to improve investigation	Suggests appropriate ways to improve the investigation using more reliable forensic analysis methods.	Makes general suggestions to improve the investigation using forensic analysis methods.	Suggests general improvements to investigation.	Suggests some general improvements to the investigation that are irrelevant or incorrect.	Does not identify ways to improve investigation

Teacher Comments

The Andrew Mallard Case



Overview

Andrew Mark Mallard was an Australian who was wrongfully convicted of murder in 1995 and sentenced to life imprisonment. Almost 12 years later, after an appeal to the High Court of Australia, his conviction was quashed and a retrial ordered. The charges against him were dropped and Mallard was released. At the time, the Director of Public Prosecutions stated that Mallard remained the prime suspect and that if further evidence became available he could still be prosecuted. He was released from prison in 2006 after his conviction was quashed by the High Court, and paid compensation by the state government. In 2006 police conducted a review of the investigation and they uncovered sufficiently compelling evidence to charge convicted murderer Simon Rochford with the murder.

Mallard's Background

Leaving school at 16, by 18 he was unemployed and often spent his time smoking marijuana and at nightclubs, and unsuccessfully attempted to join the army, before briefly trying to re-emigrate to the UK. His experiences affected him psychologically, and therapy helped him gain enough confidence to move out of home, but by May 1994 he was homeless and living temporarily at his "girlfriend's" flat in Mosman Park.

The Case

Pamela Lawrence, a business woman in Mosman Park, was attacked at her jewellery shop on the afternoon of 23 May 1994. A staff member had finished work at 3:00 pm, leaving Lawrence alone in the shop, and at 5:02 pm, the staff member's school-age daughter was passing by the shop and saw a stranger standing behind the counter, describing him as Caucasian, tall, with a bandanna and a ginger beard. At 6:15 pm Lawrence's husband, Peter, became worried when she had not returned home and tried unsuccessfully to call the shop, then drove to the premises and found her barely alive. Lawrence died of severe head wounds around 7:00 pm in the ambulance on the way to hospital.

Mallard quickly became a suspect in the murder. He had been arrested the same day as the murder for a break-in and theft (of his girlfriend's ex-boyfriend's apartment), had been released around 4:00 pm, before arriving via taxi in Mosman Park around 5:00 pm. Despite his personal issues and being unable to clearly account for his movements, Mallard had no history of violence, and no murder weapon connecting him was found. Furthermore, no blood was found on Mallard, despite the severity of the attack, nor was his DNA or trace evidence found. The evidence used in Mallard's trial was therefore scanty and obscure, and it was later revealed that police manipulated or withheld vital information (including an undercover operation) from his defence team.

He was convicted chiefly on two pieces of evidence. The first was a set of police notes of interviews with Mallard during which, the police claimed, he had confessed. These notes had not been signed by Mallard. The second was a video recording of the last twenty minutes of Mallard's eleven hours of interviews. The video shows Mallard speculating as to how the murderer might have killed Lawrence; police claimed that, although it was given in third-person, it was a confession. He was convicted on the confessions purportedly given during unrecorded interviews and the partial video-recording of an interview.

Despite the issues in his conviction, Mallard's appeal to the Supreme Court of Western Australia in 1996 was dismissed. In 1998, Mallard's family enlisted the help of investigative journalists and government officials. All were appalled at the manner in which Mallard's trial had been conducted and eventually came to be convinced that he was innocent. Based on fresh evidence uncovered by this team, including a raft of police reports that, against standard practice, had never been passed to the defence team, the case was returned to the Court of Criminal Appeal in June 2003. Despite the fresh evidence and an uncontested claim that the DPP had deliberately concealed evidence from the defence, the Court of Criminal Appeal again dismissed the appeal.

In October 2004, Mallard's legal team was granted special leave to appeal to the High Court of Australia and on 6–7 September 2005, Mallard's appeal was heard in the High Court and the justices subsequently judged unanimously that his conviction be quashed and a retrial be ordered.

During the hearing, Justice Michael Kirby was reported to have said that on one of the pieces of evidence alone—a forensic report, not disclosed to the defence, showing that Mallard's theory about the weapon used in the murder could not have been true—a retrial should have been ordered. The Department of Public Prosecutions (DPP) did not immediately drop charges against Mallard but did so six months later immediately before a directions hearing was due. After almost 12 years in prison, Mallard was released on 20 February 2006. However, in announcing that the trial would not proceed the DPP stated:

"Finally, I note for the record and for the future that this decision is made on evidence presently available to the prosecution. The discharge of Mr Andrew Mallard on this charge does not alter the fact that he remains the prime suspect for this murder. Should any credible evidence present in the future which again gives the state reasonable prospects of obtaining a conviction again, the state would again prosecute him."

Following the discontinuation of the prosecution by the DPP, the Commissioner of Police instituted a review of the investigation to establish whether there were sufficient grounds for a "cold case" review. The review quickly located a record of a palm print which matched that of Simon Rochford, who had confessed to murdering his girlfriend, Brigitta Dickens, on 15 July 1994, seven weeks after Mrs Lawrence was killed. The print had been found on the top of a display case in Lawrence's shop, which was significant, as it had been the practice of the shop staff to wipe the top of that case after each customer left. Rochford's appearance, in particular his beard, was more consistent with the original accounts of eyewitnesses than was Mallard's.

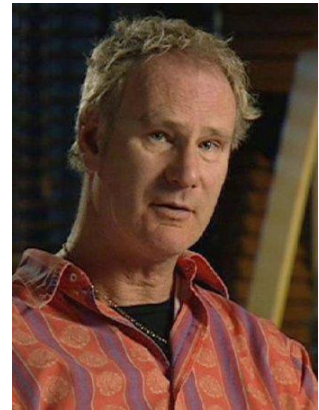
On this basis the review became a cold case review. The weapon used by Rochford to kill Dickens was a steel collar of the type used by weight lifters to secure weights to a bar. Rochford had attached the collar to a broom handle and used it to club Dickens to death. The actual collar could not be located in 2006 but its dimensions were known and a photograph was available. The shape and dimensions of the collar were consistent with the form of the wounds in Lawrence's skull. The photograph of the collar indicated that it was painted blue and a rucksack belonging to Rochford was found to contain blue paint flakes which were identical in chemical composition to those removed from Lawrence's wounds.

On 12 May 2006, five police officers were stood down by the West Australian Police Commissioner in relation to the original investigation into the murder. On 11 October 2006, the commissioner announced that the cold case review was complete, that Mallard was no longer a person of interest in relation to the case.

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Overview

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- Pamela Lawrence was attacked at her Perth jewellery shop on the afternoon of 23 May 1994.
- A staff member had finished work at **3:00 pm**, leaving Pamela alone in the shop, and at **5:02 pm**, the staff member's school-age daughter was passing by the shop and saw a stranger standing behind the counter, describing him as Caucasian, tall, with a bandanna and a ginger beard.
- At **6:15 pm** Pamela's husband, Peter, became worried when she had not returned home and tried to call the shop, then drove to the shop and found her barely alive. Pamela died of severe head wounds.

Mallard quickly became a suspect in the murder. He had been arrested the same day for a break-in, had been released around 4:00 pm, before arriving via taxi near the shop around **5:00 pm**.

Despite his personal issues and being unable to clearly account for his movements, Mallard had **no history of violence**, and **no murder weapon** connecting him was found. Furthermore, **no blood** was found on Mallard, despite the severity of the attack, nor was his DNA or trace evidence found.

The evidence used in Mallard's trial was therefore weak, and it was later revealed that police manipulated and withheld important information from his defence team.

He was convicted on two pieces of evidence:

1. The first was a set of police notes of interviews with Mallard during which, the police claimed, he had confessed. These notes had not been signed by Mallard.
2. The second was a video recording of the last twenty minutes of Mallard's eleven hours of interviews. The video shows Mallard speculating as to how the murderer might have killed Lawrence; police claimed that, although it was given in third-person, it was a confession. He was convicted on the confessions purportedly given during unrecorded interviews and the partial video-recording of an interview.

In 1998, Mallard's family enlisted the help of investigative journalists and government officials. All were disgusted by the trial and became convinced that Mallard was innocent. After almost 12 years in prison, Mallard was released on 20 February 2006.