




Speech By
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MEMBER FOR CALOUNDRA

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FORENSIC SCIENCE QUEENSLAND BILL

 **Mr HUNT** (Caloundra—ALP) (11.08 am): I rise to make this brief contribution on the Forensic Science Queensland Bill 2023. As is my habit, I want to thank my fellow committee members: Mr Peter Russo, the member for Toohey, and Ms Jonty Bush, the member for Cooper. Thanks also to Steve Andrews, the member for Mirani; Mr Mark Boothman, the member for Theodore; and, lastly, Mr Jon Krause, the member for Scenic Rim. Our secretariat, as ever, was incredibly helpful and indispensable to the entire process. The committee made a single recommendation, and that is that the bill be passed. The hearings heard that the bill's policy objectives are to achieve a statutory framework for forensic services to support the administration of criminal justice in Queensland, ensuring high-quality, reliable, independent and impartial forensic services and related advice.

The bill will help ensure the systemic failures never occur again. Victim-survivors should not be confronted with the trauma of seeing their rapist or attacker walk free due to bureaucratic mismanagement and technical incompetence. It was nauseatingly predictable that this week members of the LNP would seek to use these bona fide improvements for political leverage with talk about 'dark shadows', but it does set an interesting standard by which we can pass judgement on the LNP. They were horrified by the term 'debacle' and spoke about failures. If the LNP contention is that the government is directly responsible for bureaucratic mismanagement and technical difficulties then does that not frame the LNP actions around the Barrett Adolescent Centre in a way that highlights both a lasting tragedy and the truly appalling decisions of the government of that time? That was a failing and that was a debacle, because people died.

Queensland Health notes that if the bill is passed Queensland will be the first jurisdiction in Australia that establishes, promotes and protects key elements of its forensic services delivery model through legislation. The bill implements recommendation 121 of the *Final report: Commission of inquiry into forensic DNA testing in Queensland*, led by Mr Walter Sofronoff KC, which recommended that the government should pass legislation to create a forensic science institute for Queensland. The legislation should provide for the creation of an institute as an independent office within the Department of Justice and Attorney-General similar to the Office of the Director of Public Prosecutions; a Director of Forensic Science to be appointed on terms set by the Governor in Council upon advice from the Attorney-General; provisions which protect and promote the independence of the institute and the director as a provider of expert forensic services to the criminal justice system; and the appointment of a chief operations officer who is responsible for the administrative duties associated with operating the institute. It is also worth noting that all of the submitters were generally supportive of the bill, with minimal changes suggested.

The bill establishes a statutory position of the director and also covers the appointment, function and powers of that director. Clause 7 of the bill requires the appointment of the director by the Governor in Council on the recommendation of the minister. The director role requires the incumbent to have a tertiary qualification in a scientific discipline relevant to forensic science and at least 10 years of practical experience in providing forensic services. The director has the power to direct the Office of Forensic

Science Queensland to provide scientific analysis in non-criminal matters in Queensland and support the administration of justice in other jurisdictions, including in coronial matters. Clause 18 of the bill allows the director to delegate their functions and powers to an appropriately qualified staff member of Forensic Science Queensland. Clause 19 of the bill provides that the director is not subject to direction by the minister.

The bill goes on to establish the Forensic Science Queensland Advisory Council. The advisory council's functions are to monitor and review the policies and procedures of Forensic Science Queensland that relate to the administration of criminal justice and to give advice or make recommendations about those policies and procedures to the minister and the director. This advice is a significant step forward and adds another layer of both quality improvements and accountability to the larger process. Queensland Health provides further information on the advisory council's functions, especially as they relate to the crucial role of the performance of the DNA lab. These broader functions reflect that forensic science covers multiple fields and disciplines beyond DNA analysis. They allow the advisory council to engage more broadly with any policy or procedure, written or unwritten, that may affect the administration of criminal justice. These functions are also broad enough to ensure that policies and procedures relevant to current issues relating to the administration of criminal justice can be considered, such as policies and procedures relating to resolving the testing backlog.

The longevity of the legislation was an important consideration during the development of the bill. Recommendation 121 was made to address some of the failings identified within the forensic services system. The overarching goal of establishing Forensic Science Queensland is to strengthen forensic service quality and integrity, thereby restoring the public's confidence in the role forensic services play in the criminal justice system. While strong forensic services and public confidence in those services will always be critical, other aspects of Forensic Science Queensland's operating context are expected to evolve in the years and decades ahead. For example, it is anticipated that Forensic Science Queensland will need to incorporate new disciplines and adapt some aspects of the organisational model to reflect advances in scientific knowledge and the elements of a modern forensic scientific framework. The Queensland government has accepted all of the commission of inquiry's recommendations. This is a direct, effective and rapid response to identified systemic difficulties and on that basis I commend the bill to the House.