




Speech By  
**Jennifer Howard**

**MEMBER FOR IPSWICH**

---

Record of Proceedings, 19 March 2024

## **FORENSIC SCIENCE QUEENSLAND BILL**

 **Ms HOWARD** (Ipswich—ALP) (11.54 am): I am pleased to speak in support of the bill before us today because it will restore public confidence in Queensland's forensic services and our criminal justice system. On 9 February 2013, in my home town of Mackay, 23-year-old Shandee Blackburn was viciously stabbed to death. She was stabbed more than 20 times. Her ex-partner, John Peros, was charged with murder. He stood trial but the jury acquitted him. In 2020 a coronial inquiry found ample evidence to show that Mr Peros killed Shandee. Throughout the investigation and trial, concerns were raised about procedures in Queensland's forensic testing laboratory. In early 2020 the coronial inquiry was reopened to further investigate issues around the handling and testing of forensic evidence in Shandee's murder case.

While writing this, I did reflect on the connection between this bill and the bill we passed during the last sitting week criminalising coercive control. The legislation on coercive control was partly guided by the important work that was done by the Women's Safety and Justice Taskforce, which was partly guided by some of these actions.

In May 2022 the Queensland Police Service delivered a written submission to the Women's Safety and Justice Taskforce asserting its lack of confidence in Queensland's DNA laboratory. This public denunciation of the laboratory by Queensland police was one of the key instigators in establishing the Commission of Inquiry into Forensic DNA Testing in Queensland. It was conducted by Walter Sofronoff KC, the former president of the Court of Appeal and retired judge. It commenced in June 2022 and concluded with the final report released in December 2023. The inquiry released 123 recommendations, all of which were accepted by the government. Over 80 per cent of the 123 recommendations from the 2022 inquiry either have been implemented or are partially implemented.

This particular bill implements recommendation 121 of the 2022 inquiry, which recommended a statutory framework for forensic services similar to that of the Office of the Director of Public Prosecutions. The bill will establish a Director of Forensic Science Queensland, who will lead the provision of forensic services to the Queensland Police Service, the Director of Public Prosecutions, coroners and other criminal justice entities. The bill also establishes Forensic Science Queensland, a government office supporting the director and made up of a DNA laboratory, scientists and staff supporting research, innovation and administrative activities. As recommended by the Sofronoff inquiry, this new office will operate under the Department of Justice and Attorney-General.

DNA testing is a critical part of our criminal justice system. We need to ensure victims and their families can rely on forensic testing that is high-quality, reliable, accurate, independent and impartial. During the investigation into Shandee Blackburn's death, the mishandling of forensic evidence and testing errors allowed her killer to walk free. For instance, blood samples taken at the crime scene did not return a positive result for anyone's DNA. It was extraordinary that blood taken as evidence at the crime scene did not show any signs of DNA. That this could then be used as a defence argument to help exonerate the accused murderer is a disgrace. Due to the ongoing advocacy of Shandee's mother,

Vicki Blackburn, and dogged investigations carried out by Hedley Thomas, a journalist at the *Australian*, and forensic biologist Dr Kirsty Wright, the unravelling of systemic failures plaguing Queensland's DNA laboratory have come to light.

Also to be acknowledged are the scientists employed by Queensland's DNA laboratory who indicated for quite a few years that there was a systemic and dangerous lack of scientific integrity at the laboratory. In his final commission of inquiry report, Mr Sofronoff notes that they took a great risk in coming forward to speak to the inquiry and that they were 'prepared to speak truth to authority'. The Sofronoff inquiry reported that methods, systems and processes used at the forensic DNA laboratory did not measure up to best practice in many ways. The failures found at the laboratory are serious because it ultimately serves the criminal justice system. The errors meant that offenders were wrongfully acquitted of violent crimes, including murders and sexual assaults. This failure obviously presents a serious threat to community safety, and we would be letting down victims and their families if we allowed these DNA testing failures to continue. That is why it is important that this bill is passed.

These systemic failures have damaged public confidence and trust in Queensland's DNA testing and, worse, this trust could prevent victims of violence from seeking justice for crimes committed against them. A world-class DNA laboratory is a fundamental part of our criminal justice system. With this bill, Queenslanders can rest assured that the Miles government is committed to improving the standards of Queensland's DNA laboratory, ensuring the laboratory fulfils its obligations and restores public confidence in its operations. I want to thank the minister, the Attorney-General, for this work. It has been a really important piece of work, and I commend it to the House.