

Question on Notice

No. 255

Asked on 19 March 2024

MR T NICHOLLS ASKED MINISTER FOR HEALTH, MENTAL HEALTH AND AMBULANCE SERVICES AND MINISTER FOR WOMEN (HON S FENTIMAN)—

QUESTION

With reference to the delivery of recommendations from the Commission of Inquiry into Forensic DNA Testing in Queensland—

Will the Minister advise (a) the total number of cases now identified to be part of the historical case review, (b) the number of cases which have been subject to the legal-led review to date, and of those how many have been identified for re-testing, (c) the number of samples (as well as the case numbers they relate to) re-tested to date and (d) the number of samples re-tested which have found a profile where there was no profile previously found?

ANSWER

(a)

41,077 major crime cases were received within Forensic Science Queensland (FSQ) Forensic Biology (previously called FSS Forensic DNA Analysis) throughout the period 29 October 2007 to 30 April 2023.

Broadly, these cases fit into the following three categories:

1. cases that are active before the courts with DNA results that may be impugned by the Commissions of Inquiry (COI) recommendations;
2. cases that are no longer active before the courts but for which DNA results may have been impugned by the COI recommendations; and
3. cases that did not progress beyond the investigation stage (sometimes called cold cases), but for which DNA results may have been impugned by the COI recommendations.

All of these cases have the potential to be impacted by the 2022 and 2023 COI recommendations, and so will be reviewed to determine whether their DNA evidence is affected by the COI's recommendations.

(b)

As of Monday 25 March 2024, a total of 445 active cases have been subject to the legal-led case review process. DNA statements providing new or updated results have been issued in 102 of these cases. However, it should be noted that the legal parties to a matter will sometimes indicate that updated DNA evidence is not required in that matter, in which case the legal-led case review process concludes without a DNA statement being issued.

It should also be noted that these figures do not include legal led reviews of cases that are no longer active before the courts. These cases are currently being managed by the ODPP.

(c)

As of 27 March 2024, FSQ Forensic Biology has retested and/or reinterpreted approximately 4,795 samples from 440 cases as a result of the 2022 COI final report recommendations.

(d)

Approximately 1,084 DNA samples, representing 193 individual cases, retested and/or reinterpreted as a result of the 2022 COI have generated DNA profiles where no DNA profile had previously been obtained.