



Queensland
Government

Director of Public Prosecutions – Carl Heaton KC
Deputy Directors of Public Prosecutions – Todd Fuller KC, Philip McCarthy KC

Office of the
Director of Public Prosecutions

Department of
Justice and Attorney-General

Name: Carl Heaton KC
[REDACTED]

7 October 2022

Mr Walter Sofronoff KC
Commissioner
Commission of Inquiry into Forensic DNA Testing in Queensland
[REDACTED]

Dear Commissioner

I write in response to your letter of 23 September 2022 seeking an understanding of the effect of the statements "*DNA insufficient for further processing*" and "*No DNA detected*" in witness statements. At your suggestion, I surveyed the 210 legal staff (89 Crown Prosecutors and 121 Legal Officers) of the Office of the Director of Public Prosecutions and received a total of 195 responses.

The responses were as follows:

1. During the period from 2018 to 2022, where results were reported as "**insufficient DNA for further processing**", whether officers of the Director of Public Prosecutions understood;

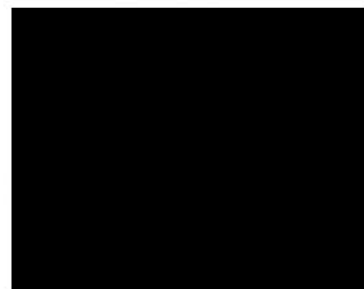
that samples with a result reported as "DNA insufficient for further processing" or words to that effect could, within the capabilities of the FSS laboratory, be tested further?

Responses: Yes: 4
No: 191

2. During the period from 2018 to 2022, where results were reported as "**insufficient DNA for further processing**", whether officers of the Director of Public Prosecutions understood;

that if such samples were tested further, partial or full DNA profiles could be obtained in some cases?

Responses: Yes: 19
No: 176



3. During the period from 2018 to 2022, where results were reported as "**No DNA detected**", whether officers of the Director of Public Prosecutions understood;

that samples with a result reported as "No DNA detected" or words to the effect could, within the capabilities of the FSS laboratory, be tested further?

Responses; Yes: 5
 No: 190

4. During the period from 2018 to 2022, where results were reported as "**No DNA detected**", whether officers of the Director of Public Prosecutions understood;

that if such samples were tested further, partial or full DNA profiles could be obtained in a small percentage of cases?

Responses: Yes: 3
 No: 192

Of the 195 responses received, 83 were from Crown Prosecutors and 112 were from Legal Officers.

I trust that this information will be of assistance in the ongoing work of the Commission of Inquiry.

Yours sincerely



Carl Heaton ^{KC}
Director of Public Prosecutions