

Transcript

Event: Press conference

Speaker/s: Premier Anastacia Palaszczuk
Health Minister Yvette D'Ath

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E&OE

PREMIER:

Good morning, Queensland. And can I start by saying happy Queensland Day. And tonight we'll be acknowledging some of our Queensland Greats to be inducted, so we look forward very much to letting you know who they are tomorrow. But can I say that we've had a very long and extensive discussion today at Cabinet about a range of issues. The first issue, of course, is that next Tuesday, we're taking the Cabinet out to Stanthorpe. And I think that's wonderful. Stanthorpe celebrates 150 years and we look forward to seeing the region, talking to locals and experiencing the wonderful opportunities that Stanthorpe has to offer.

Now, today, of course, Cabinet looked very carefully at a very, very important issue. And... [break] Okay. Alright. So I want to talk to you about the Queensland Health Forensic and Scientific Services. So they analyse approximately 28,000 samples per year. It is externally audited and found to have the highest standards. In 2013 23-year-old Shandee Blackburn from Mackay was murdered in the most horrific of circumstances. A man was charged but acquitted. The coronial inquest found no conclusive DNA evidence was found at the scene. This raises questions about the conduct of the lab. These questions have been addressed in several ways, including the reopening of the inquest into Shandee's death, submissions to the Crime and Corruption Commission, and the announcement of an independent inquiry into the lab to be headed by external reviewers from outside of Queensland.

But submissions to justice Margaret McMurdo's Women's Safety and Justice Taskforce showed the concerns are wider and more serious. A submission from the Queensland Police Service has also raised concerns about the lab. And we also discussed this extensively in Cabinet today as well. It is clear to me that nothing short of a full, open and rigorous Commission of Inquiry can restore confidence in DNA testing in this state. Now, we need to have confidence in who does this comprehensive inquiry. We're acting and we're acting swiftly. I can advise you that Walter Sofronoff has agreed to be the Commissioner for this inquiry. Now many of you know that Walter has just finished his term as president of the Court of Appeal. He also did the Commission of Inquiry into Grantham and also into the parole board. He has the opportunity to hold public inquiries – this is entirely his discretion. The terms of reference will be finalised with Mr Sofronoff over the coming days and be released later this week.



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The Commission of Inquiry will examine all aspects and operations of the lab. The Commissioner will be able to use the independent experts already in line to conduct the initial review. What cases, how far back and the terms of reference will be up to the Commissioner – not to the government, not to the public, but the Commissioner will decide. And everyone knows how central DNA evidence is to our system of justice. The people of this state deserve to have the utmost confidence, and that is why I'm taking this action today. I said on Friday, nothing was off the table.

And today we made the decision as a Cabinet that we will go forward with this Commission of Inquiry. I want to pay tribute to Shandee's family, in particular her mother Vicki, who firmly believes Shandee had been denied justice and has fought until this day. As Hannah Clarke's parents said recently, our angels have voices. And I then that we must listen to them. This inquiry is needed, it is just and I look forward to seeing the results and the recommendations of that inquiry. I'll ask the Health Minister to say a few words. The Attorney-General is unfortunately ill so she is not joining us today, but she was online for our Cabinet deliberations as well. And I'll hand over to due to the Health Minister. Thanks, Yvette.

MINISTER D'ATH:

Thank you, Premier. So as the Premier has stated, we had already taken a couple of steps in relation to the concerns around the Shandee Blackburn case and more broadly around our forensics services. Firstly, very early on, I had written to the Attorney-General asking for the coroner to reconsider reopening the Shandee Blackburn case, and I'm very pleased that that is in train right now. But aside from that case, it was important to give the public confidence around our testing system. That is why we announced a review and we established forensic experts to oversee that independent review, separate from Queensland Health and the forensic services. Those terms of reference had already been released. We just finalised, in the last couple of days, those two experts, but we're still formally appointing those two individuals, so we'll intend to announce them after it goes to Executive Council. As the Premier has said though, what we saw on Friday was details of a submission put forward by the Queensland Police Services part of the taskforce headed up by Margaret McMurdo. In that there was further questioning of the rate in which samples that had come back as insufficient DNA, that there could be further DNA found if there was further testing done. Those figures were quite concerning, and I believe that the only way to give the public confidence, the Queensland Police Service, the justice system, and very importantly, any victims of crime, confidence in our DNA testing of our forensic services here in Queensland, is to broaden our view to become a Commission of Inquiry. And I do want to thank the Honourable Walter Sofronoff for agreeing to take on this role. Our two forensic experts will still be involved as giving that expert advice and assisting in this review and supporting Walter Sofronoff.

The key thing with broadening this review is not just looking at the systems and whether the systems are meeting the standards and expectations and the outcomes required, but if there are any failures, what are they and why they have occurred. And importantly, in doing so, looking at any sample of cases, the number of cases and whatever period that the Commissioner and the experts believe is appropriate to satisfy themselves in finding answers to those questions. The timeframe for this is up to six months. We would welcome a report



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sooner than that, but we do understand that this is a complex matter that may take some time, especially when you're talking about doing additional testing of DNA and laboratory availability to do that.

I do want to say that in the meantime, while this review is ongoing, to give the public confidence in the DNA testing that we are doing here at forensics services in Queensland, is that we will immediately remove the threshold that has been in place since 2018 so that every sample will go to DNA profiling. And based on the outcome of that DNA profiling, then potentially go on for the further concentrated testing. I hope that that gives everyone the confidence that they need while we await the outcomes of this review. Now in relation to any past proceedings or proceedings on foot, anything that arises out of this case that may impact on any of those, of course the Commissioner will deal with appropriately. But what is important to understand is that Queensland Police Service on any DNA, whether it comes back as insufficient DNA or not, already have and continue to exercise the right to ask for further detailed testing on that DNA. And that process will continue as well. So we're very pleased that we can announce this Commission of Inquiry today to give that comfort and confidence to the public and also to recognise the family of Shandee Blackburn and what they've been going through over many years now. I do hope that the reopening of the coroner's investigation may lead to some closure for that family. But of course this is much broader than one family. This is giving confidence to our forensic services here in Queensland going forward.

REPORTER:

Premier, can I just ask, there has been... Obviously Hedley's podcast has been integral to thousands of [inaudible] now that are important. But this isn't the first time [inaudible] has been under investigation. It's been under review. Can I just ask why it is taking so long for the government to broaden its investigation into the lab, and I guess...

PREMIER:

Let me put it this way... No, let me put this way. A Commission of Inquiry is a very big step. We don't have a lot of them and they have to be just, so we have to have confidence as a Cabinet that we want to get to the bottom of it and we want to fix it.

REPORTER:

But how long has the government known there has been [inaudible] issues with [inaudible]? And how long have they known? The government surely has known for quite some time?

PREMIER:

Well, I think if you go back in history, there have been periodic episodes of questions being raised across multiple governments. I can't answer for that. But what I can say is that today is a fresh day, and it's a fresh day because we have, I believe, the most experienced person, right, in Walter Sofronoff – and I think you would all agree with that – the most experienced person has said that he will come onboard and do this Commission of Inquiry. It'll be six months, and the Minister said, he can submit reports along the way, and it will be comprehensive. I know Walter, he will not leave any stone unturned. He will do this to the best of his ability. He will, of course, understand that there are victims of sexual assault. It



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will be handled in a sensitive manner. He has an understanding across all the different levels of the court system across our state. I honestly believe this is the right time, and this is the right person, and this is the right job for him.

REPORTER:

What would you say to the victims in the interim? [inaudible]?

PREMIER:

I will say that their voices are being listened to.

REPORTER:

Premier, will you accept lock, stock and barrel [inaudible]?

PREMIER:

Of course, we will. Of course we will. You don't you don't go down this path on such a sensitive issue, sensitive topic, and not accept it. And that's, why can I say too, the Commission of Inquiry is being done through my department – through the Department of Premier and Cabinet. It will be funded through the Department of Premier and Cabinet and the report will come to myself as Premier.

REPORTER:

Are you personally disappointed Premier?

PREMIER:

What I'm saying is fresh evidence came to light in terms of a further submission from the Queensland Police Service that we saw last week. But also too, I want to pay tribute to the range of voices out there. I know Hedley has been very personally involved in this case as well, with Shandee. And you only have to listen to understand it's a very complex case in terms of the tragic way in which Shandee lost her life. I mean, anyone who listens to that will be moved. Okay?

REPORTER:

Given the police saying during the prosecution [inaudible] consider the absence of crucial [inaudible] evidence and vital pieces of the puzzle. To what extent, according to [inaudible] Commission, could police be proactive ahead of the...

PREMIER:

I would rather leave that to... The Commissioner is going to be finalizing those terms of reference. Those terms of reference will be out later on this week. So if you can just be patient until the Commissioner works through those. I don't want to pre-empt that. Let him those terms of reference and then we'll put them in.

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Premier, the Health Minister said a few minutes ago the threshold that has been applied since 2018 in the lab for DNA testing. [inaudible]. Is that a pre-emptive acknowledgment that it was too high for the last four years and thereby affected many hundreds of cases in that period.

PREMIER:

I don't want to say anything that that would pre-empt what Walter has to say. Of course, that is of concern. And as she's as you heard, the Health Minister has removed that threshold today.

REPORTER:

Premier, you also commissioned that the Inquiry is going to be federally administered, although run by Walter Sofronoff [inaudible].

PREMIER:

I mean, in terms of... What that means Hedley is that I will fund it. He will be able to source his own staff. That's always the course of action we can take. And that report comes back into me and it will be publicly released.

REPORTER:

I know Shandee's mother Vicki and Shandee's sister Shannah are hoping that this inquiry will be Shandee's legacy [inaudible]?

PREMIER:

I think will definitely will be a legacy for them. Yes.

REPORTER:

At the moment in Queensland, a person who has been acquitted of murder can be retried if there's fresh and compelling evidence. Will the government consider now legislative reform to extend that to sexual assault cases when that fresh and compelling evidence [inaudible].

PREMIER:

Okay, I'm not going to get into any legal-specific questions here today. Please wait until the terms of reference are released.

REPORTER:

How much money does [inaudible]?

PREMIER:

Six million dollars. Okay?

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[inaudible]? Just on just hotel quarantine bills, why is it taking so long for the government to lend the money and for people to pay it off? What seems to be the issue here?

MINISTER D'ATH:

Well, as the public would know, we chose not to make these debts a SPER debt. And what we do is respect that people have processes. So, it is important that people get invoiced. Everyone's aware when they came into the state, either internationally or through the domestic borders that they there was a requirement to quarantine. And by making that decision to come in, then they would have to pay, other than those individuals where we gave a period of potentially 24 hours where we said, if you're on a plane right now and you land, we won't be charging you. So there's some exceptions to that rule. Despite charging or providing an invoice to people, we've also put in place processes where people can seek for exemptions for payment plans. So there's been a number of those to work through. Sometimes it's been difficult with the contact details people have given us, as far as the accuracy of their contact details and pursuing them.

REPORTER:

Is this taking quite a process for people to have [inaudible]?

MINISTER D'ATH:

Yeah look, there's there's a fair bit of there. You know, there's thousands of people that we've managed in hotel quarantine since the start of 2020. It was a massive exercise to not just run the hotel quarantine to work over multiple agencies to keep people safe, but then managing all those logistics around invoices as well. That's not normally our core business to do that. I think we've done it very well. But we do appreciate that there's a lag in getting those invoices out and also getting people to either put in a request for an exemption or payment plan or to be paying their bills.

REPORTER:

So the payment plan is an option for those [inaudible]?

MINISTER D'ATH:

Absolutely, absolutely. Always has been. Yeah, absolutely. We understand that people have difficult financial situations and especially with whole families and the cost involved in it.

REPORTER:

What is the number of [inaudible]?

MINISTER D'ATH:

I'd have to get that figure for you.



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REPORTER:

Premier, the review of [inaudible] handed down last Friday. Will you now legislate to make the Office of the Integrity Commission more independent?

PREMIER:

Were going to wait until we see the Peter Coaldrake report, which is due at the end of this month, and Cabinet will consider that as well, as well as the report from the Parliamentary Committee that was tabled.

REPORTER:

And will that be across the board [inaudible]?

PREMIER:

Well, I understand Peter Coaldrake will probably be addressing those issues as well. Yeah. Okay, thank you. Thanks.

[ENDS]