



Media release

From Rob Hudson MP, Chair

Wednesday 3rd March 2004

DNA SAMPLING REGIME SHOULD BE EXPANDED, SAYS PARLIAMENTARY INQUIRY

A wide-ranging report into DNA testing, by the Victorian Parliament Law Reform Committee has recommended an expansion of the current DNA sampling program.

Committee Chairman Rob Hudson MP today said reforms recommended by the Committee, all serious adult offenders sentenced to a prison term would be automatically sampled for their DNA without the need for a court order.

He said the Committee was also recommending the expansion of DNA collection from serious offenders by increasing the range of offences from which a sample can be taken.

“Theft will now be included in the list of serious offences which includes rape, murder, aggravated assault and burglary.”

Mr Hudson said the committee had recommended that collection take place after a finding of guilt had been made for any offence which attracts a term of imprisonment of five years or more.

He said under the recommendations, more suspects would also be ordered to provide a DNA sample to assist police with their investigations.

“We recommended that the list of offences for which police can obtain a court order to take a DNA sample from a suspect also be expanded to include theft.

“This change in the law would bring a large number of investigations within the compulsory DNA sampling regime.

“It is consistent with strong evidence which suggests serious offenders are likely to have committed other crimes.

“The Committee has worked hard to create a framework of laws which would give the police the scope to detect crimes, whilst making sure that fail-safe systems were in place to minimise risks of contamination and abuse,” Mr Hudson said.

Other Committee recommendations propose the Victoria Forensic Science Centre become an independent body, separate from the Police.

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“The criminal justice system needs an independent forensic service and there is no doubt that the laboratory would benefit from the freedom to determine its own priorities,” Mr Hudson said.

Mr Hudson said the Committee had recommended the further development of regulations for the collection of DNA samples and the development of best practice guidelines for the collection, handling and preservation of crime scene evidence containing DNA.

He said the Committee had also sought to ensure that the changes proposed will be workable and a cost-effective use of police and forensic laboratory resources.

“We have suggested a strategic expansion of DNA profiling, based on hard data as to its most effective uses so far.

“We believe there also needs to be an emphasis on further research and data collection on recidivism amongst offenders and the impact of DNA evidence on criminal prosecutions which will guide future law reform in this area,” Mr Hudson said.

He said the report also advocated strengthening the safeguards available to protect the interests of children, incapable people and other disadvantaged groups with special needs in the justice system.