

**In the matter of the *Commissions of Inquiry Act 1950*
Commissions of Inquiry Order (No. 1) 2023
Commission of Inquiry into DNA Project 13**

STATEMENT OF DAVID HAROLD NEVILLE

I, **David Harold Neville**, [REDACTED] Brisbane, Queensland state as follows:

1. I am currently the acting Superintendent, Forensic Services Group. My substantive role is the Inspector, Biometrics which involves the management of the Fingerprint Bureau and DNA Management Section. I hold the degrees of Bachelor of Applied Science (Biology) and Master of Science (Forensic Science).
2. I have previously provided statements, which included full details of my professional and academic history and qualifications, during the Commission of Inquiry into Forensic DNA Testing in Queensland conducted pursuant to Commissions of Inquiry Order (No. 3) 2022.
3. On 31 October 2023, I was requested by the Commission of Inquiry into DNA Project 13 to give information in a written statement regarding my knowledge of matters discussed below.
4. Between 2005 and 2010 I was a member of the Quality Management Section, Forensic Services Group. As part of that section, I was in frequent contact with members of Queensland Health Forensic and Scientific Services (QHFSS) which included discussing quality related issues pertaining to DNA testing.
5. I recall in 2005 the Queensland Police Service participated in a Ministerial Taskforce that was established to explore issues with backlogs at QHFSS including a large backlog of DNA crime scene samples. I recall Assistant Commissioner Kathy Rynders, supported by Superintendent Paul Stewart, represented the QPS on the Taskforce. The report by the Taskforce recommended the implementation of robotic platforms within the DNA laboratory. The recommendation did not include what platforms were to be introduced or how they were to be implemented.

[REDACTED]
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David Harold Neville

[REDACTED]
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OFFICIAL Witness

6. The QPS was aware that QHFSS was subsequently funded by Government to implement robotics and was undertaking that process. The QPS had no have input or oversight in relation to what was implemented or how it was implemented.
7. I am not aware of the exact time at which QPS became aware of the automated system's introduction, or of any discussion between QPS and QHFSS in relation to the ability of the automated system to extract DNA successfully. I have checked the correspondence register which revealed no correspondence between QHFSS and QPS on this issue.
8. The QPS was aware that the robotics had been withdrawn from use in 2008. This came to my attention because it coincided with a spike in blood samples not yielding profiles. In the first half of 2009 I had received complaints from numerous forensic officers that samples presumed to be blood had failed to yield a profile. I requested some statistics in relation to this matter and found the following trend:

Year	Percentage of presumed blood samples that did not yield a profile
2005/06	6%
2006/07	7%
2007/08	11%
2008/09	32%

9. A meeting was held between QPS and QHFSS on 27 May 2009 to discuss the issue. It was revealed that the spike in samples failing to profile coincided with a breakdown in their robotics. My recollection is that the issue with the robotics was one of contamination. I do not recall being advised at any time that there were problems or concerns with the efficacy of extraction using the robotics. Ms Cathie Allen advised that QHFSS would be re-implementing the automated system for casework samples within two months. She advised that they had been using Chelex whilst the robotics were out of order. At that meeting Cathie also advised that the reintroduction of the automated IQ system will improve results as it was better at cleaning up inhibitors.
10. A copy of the minutes of that meeting prepared by Cathie Allen is attached and marked **'Exhibit 1'**.

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 David Harold Neville

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 OFFICIAL Witness

11. I requested statistics be provided to me in relation to the percentage of presumed blood samples tested during first half of 2010 that failed to produce a profile. This revealed the percentage that had failed to produce a profile had dropped to 12%.


12. As far as I am aware, the QPS was not provided a copy of the Project 13 report. I have checked the correspondence record to confirm this. I am not aware of any discussions involving the QPS about the project.

TAKEN AND DECLARED before me at Brisbane in the State of Queensland this

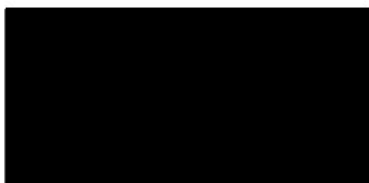
31st day of October 2023



David Harold Neville



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JONATHAN PARATZ
WITNESS AUSTRALIAN LAWYER



David Harold Neville



.....
OFFICIAL Witness

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INDEX TO EXHIBITS

Exhibit no.	Description
1.	Minutes of meeting between QPS and QHFSS on 27 May 2009.

MEETING WITH QHFSS**27 May 2009****Photographic Section, Police Headquarters****MINUTES OF MEETING**

ATTENDEES: Supt Michael Keller, S/Sgt Lindon Smallwood, Insp David Keatinge, Insp Tony Carstensen, S/Sgt Troy O'Malley, Lyza McMenz, Cathy Allen, Paula Taylor

APOLOGIES: Nil

Meeting open – 9.00am

Agenda/Minutes
<p>1 Established that there is actually a problem with not obtaining DNA profile from blood exhibits:</p> <ul style="list-style-type: none"> • Showed examples of obvious human bloodstains not returning profile (e.g. FR610707) • Spike in “no profile” results from blood swabs this year: <ul style="list-style-type: none"> ➤ 32% 2008/09 ➤ 11% 2007/08 ➤ 7% 2006/07 ➤ 6% 2005/06 (LS) <p>2 <u>Issues identified</u></p> <p>2.1 Spike in “no profile” results corresponds approximately with change in swab type (CA):</p> <ul style="list-style-type: none"> ➤ Currently in process of reverting to spun rayon swabs (LS). ➤ Vials will have larger hole in case moisture/mould is an issue (LS). ➤ MK would like to see current swabs recalled asap. (Action LM) <p>2.2 Spike in “no profile” results also corresponds approximately with breakdown in robotics (LS):</p> <ul style="list-style-type: none"> ➤ Advice that QHFSS currently in process of re-implementing automated system - casework samples within 2 months (CA) ➤ Chemistry will change back to I.Q. (from chelex) with automated process - I.Q. is much better at cleaning up inhibitors and ‘dirty’ swabs (CA) ➤ Cited cases where QH had success in reworking samples manually using I.Q. while robotics down (CA) <p>2.3 Biologists no longer selecting appropriate swabs for analysis (CA):</p> <ul style="list-style-type: none"> ➤ I.Q. will help alleviate this problem when robotics are back on line (CA) ➤ Overloading swab can cause inhibition from Haem group. Photographs to be produced of swabs with various amounts of blood, along with an indication of the amount of DNA extracted from each (Action CA). Publish on webpage (LS) ➤ Further training of forensic officers – awareness of sample quality as well as probative value (e.g. Adv SOC Courses) (LS) ➤ Photograph of visible stain to be added to FR exhibit page (Action TO). Procedure to be modified (consult DN) <p>2.4 Enquired whether QH should be automatically re-working samples under certain conditions, e.g. jobs that have not returned any profiles? (LS)</p> <ul style="list-style-type: none"> ➤ Advised that this is already happening via the case manager (CA)

Closed – 11.00am