

STATUTORY DECLARATION

QUEENSLAND)
TO WIT)

I, Susan Jane Hedge of Byth Chambers, [REDACTED] Brisbane, Barrister, do solemnly and sincerely declare that:

- 1 I request leave to refer to the statement I provided to the Commission dated 27 October 2023.
- 2 I have noticed a typographical error in the statement. The last sentence in paragraph 18 should read “I do not now remember the date, but expect this would have been not long after the phone call in paragraph 17.”
- 3 On 30 October 2023, the Commission disclosed to me a statement of Adjunct Professor Wilson-Wilde dated 27 October 2023. That statement annexed a number of items of email correspondence between myself, legal officers from the DNA Inquiry and Adjunct Professor Wilson-Wilde. I had not had access to those emails, or any emails or other contemporaneous documents (other than exhibits from the DNA Inquiry) about the topics of my statement when I provided my statement.
- 4 I said in paragraph 8 of my statement that my recollection would be greatly assisted by reviewing my emails and contemporaneous notes made of conferences. That remains the case. As I did in my first statement, I reserve the right to revisit and amend or add to any of the matters I declare below should more contemporaneous documents become available to me.
- 5 Having the opportunity to read the emails exhibited to Adjunct Professor Wilson-Wilde’s statement indicates to me that my memory stated in two parts of my statement is not accurate. I provided that information to the Commission to the best of my recollection and believed those parts to be accurate when I declared them. I now wish to correct the record.
- 6 First, in paragraphs 17, 18 and 19, I stated my recollection of the process of engaging with Adjunct Professor Wilson-Wilde about her capacity to produce a report on the DNA IQ Contamination topic. It appears that some of that engagement was done by email rather than phone (see annexures LWW-3, LWW-4 and LWW-5).
- 7 Second, in paragraphs 23 and 24, I stated things that I remembered Adjunct Professor Wilson-Wilde stating in our conference after she delivered a draft report. I believe this is the conference on 18

Declarant: [REDACTED]

Witness: ... [REDACTED] ...

October 2022 at 4:00pm to which Adjunct Professor Wilson-Wilde refers at paragraph 62 of her statement.

8 The cleaning procedures and records issue I identified in paragraph 23 was dealt with in the draft report provided to me on 17 October 2022, although I did ask for further conclusions on those topics in my track change comments (see LWW-8).

9 I understand from paragraph 64 and LWW-10 of Adjunct Professor Wilson-Wilde's statement that she received the Project 13 Report (Exhibit 129.95) via email on 18 October 2022 at 6:27pm. It now appears unlikely that any part of Project 13 was discussed with Adjunct Professor Wilson-Wilde at the conference on 18 October 2022.

10 When I opened the Project 13 Report in September 2023 due to media interest, I recognised the zebra stripe and checkerboard diagrams to which I refer in paragraph 24 of my statement. I assumed my familiarity with those diagrams was because Adjunct Professor Wilson-Wilde had shown them to me. It may be that I viewed those parts of the Project 13 report myself to check or understand Adjunct Professor Wilson-Wilde's report, or to prepare the DNA IQ Contamination opening or to write the DNA Inquiry report, or recognised the diagrams from a different document.

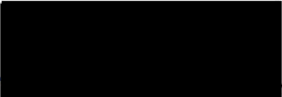
11 In the event it assists the Commission, I respond to the following matters raised by Adjunct Professor Wilson-Wilde in her statement dated 27 October 2023:

(a) I have no independent recollection of the discussion referred to at paragraph 70 of the statement of Adjunct Professor Wilson-Wilde. If such a discussion was held, I expect it would have been before I received the DNA IQ Contamination Report dated 20 October 2022 from Adjunct Professor Wilson-Wilde at or about 10:30pm on 20 October 2022 because:

(i) I don't have any recollection of any discussion with Adjunct Professor Wilson-Wilde about the contents of that report once it was finalised.

(ii) Generally, I did not confer with an expert witness about their final report unless they were giving evidence and by lunchtime on 21 October 2022 I knew that Adjunct Professor Wilson-Wilde was not being called to give evidence (see transcript on 21 October 2022, page 2006).


(b) As to the matter to which Adjunct Professor Wilson-Wilde refers at paragraph 70(a) of her statement, to the best of my recollection I was aware that she held this view in October 2022

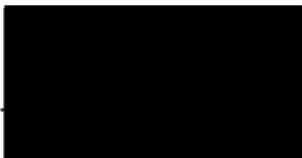
Declarant: 

Witness: 

but I do not have any independent recollection of whether my knowledge comes from my earlier discussions with Adjunct Professor Wilson-Wilde or from the DNA IQ Contamination Report.

- (c) As to the matters to which Adjunct Professor Wilson-Wilde refers at paragraphs 70(b) and (c) of her statement, I have no independent recollection of either Adjunct Professor Wilson-Wilde informing me of these matters or my knowing that she held these views in October 2022. I cannot definitively state that Adjunct Professor Wilson-Wilde did not tell me these matters but my best recollection is that she did not. If I had understood Professor Wilson-Wilde was telling me about a significant or systemic issue which might have called into question the reliability of results, I would have taken steps to investigate it.
- (d) Adjunct Professor Wilson-Wilde deals with the scope of the instructions for her DNA IQ Contamination report in paragraphs 46 and 79. I considered after reading the report (and still consider) that Adjunct Professor Wilson-Wilde's report appropriately addressed the Commission's instructions in relation to the topic of DNA IQ contamination. I did not expect her to identify every problem with every document with which she was briefed. If she had identified a separate issue that was worthy of investigation, I would have been keen to hear about it, and taken steps to investigate it.

Declarant: 

Witness: 

AND I MAKE this statutory declaration conscientiously believing the same to be true and by virtue of the Oath Act 1867

I declare that the contents of this statutory declaration are true and correct. Where the contents of this declaration are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and grounds for the belief.

I understand that it is a criminal offence to provide a false matter in a declaration, for example, the offence of perjury under section 123 of the Criminal Code.

DECLARED by

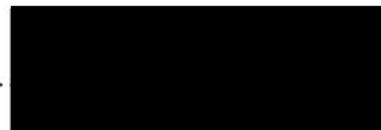
Susan Jane Hedge

at Brisbane


1 November 2023

In the presence of:

Katherine Jem Buckley
Barrister
Byth Chambers, Brisbane


1 November 2023