

**Re: Link to Blackburn brief - for your review prior to discussions with Jo Veth**  
**[confidential]**

Kirsty Wright [REDACTED]

Fri 11/11/2022 11:28 AM

To: Laura Reece [REDACTED]; Jess Wellard [REDACTED]

Good morning Laura,

Thank you for this extra information. I think the selection of swab and wetting agent is an interesting avenue to explore. It would be good to know if the same swab is used by QHFSS to generate their positive controls. If so, I doubt they would use a wetting agent to generate the positive control. If there is a difference between the QPS swab/wetting agent, and the way QHFSS generate their positive control samples, then the positive controls may not be a true reflection of how well procedures are working for profiling crime scene samples.

24/25 Nov is fine for me, but this depends how much preparation I need to do prior to that. This will be informed by the discussions with Jo and Bruce. Do you require me to write a final report after this discussion and/or a statement?

Lastly, I started looking through the link that was sent to me yesterday with the extra documents. My focus was exploring the dishwasher OQI and determining if the BLACKBURN samples may have been affected. I have found the following after a preliminary review:

1. Alan McNevin's 'Wonky pos ctl quants 2013' spreadsheet reveals four lots of Proteinase K that were generating low quant values.
2. A document I wrote and previously submitted to the Inquiry 'BLACKBURN evidence of concern' lists samples that didn't generate profiles, though may be expected to, and profiles with unexplained degradation, and unexplained weak profiles. In this document I traced each sample of concern to five lysis and extraction batches.
3. Two of these lysis batches use a Proteinase K lot listed in Alan's spreadsheet (SLBB9031V\_T). The quant value of a positive control is recorded in Alan's spreadsheet for one lysis batch (CWIQLYS20130301\_03) as 0.416ng/ul. This is extremely low and indicates a possible failure. The other lysis batch is not recorded in Alan's spreadsheet. Note, the electropherogram may not be a reliable indicator of a successful positive control. Essentially if the positive control gives a low quant, then more DNA is added to the amp (this amount is worked out automatically). So a positive control with a very low quant value (indicating a fail), will go through the workflow, have more DNA added than normal, and the epg will look like a strong pass.
4. These two lysis batches contain all 12 samples from PEROS' vehicle BROCK labeled as 'blood', and the three samples BROCK labeled as 'blood soaked fabric' from the white T-shirt. The batches also contain 4 trace samples collected from BLACKBURN's phone.
5. I looked up another batch of samples that was in my list of concerning evidence (CWIQLYS20130308\_03) and it was recorded in Alan's spreadsheet. The positive control was listed as being 0.677ng/ul. This is extremely low and indicates a possible failure. This batch

contained S14 (pool of blood Boddington St with 'no DNA detected') and S15 and S16, which were also on my list of concerning evidence because they provided unexplained weak profiles.

6. These batches are not recorded in the spreadsheet labelled '7b ProK affected samples'.

7. The samples are not recorded in the '9a Intel reports (x2)' document where Cathie advises the QPS of the samples affected.

I believe this needs further exploration, and if this has not already been found by the other experts, for them to review these findings also. If you agree, I'm happy to compile a brief report to provide them.

Can I request the concentration values for all positive controls used in lysis or extraction batches containing samples from the BLACKBURN case? This should be the concentration value for the first time the positive controls were quantitated. However, this alone isn't enough to establish whether the positive controls are behaving as expected.

It needs to be determined how the extraction and lysis positive controls behaved over time to understand what the acceptable concentration range was (eg 5ng/ul to 10ng/ul). To do this, I would need the concentration of extraction and lysis positive controls over a 6 to 12 month period. If the BLACKBURN positive controls then fell under the lower concentration range, then it demonstrates a fail.

If these critical samples failed because of the faulty dishwasher, it is a significant finding. If the samples failed, they should not have been given as evidence. The lack of Shandee's DNA in PEROS' car was key to defence, and the lack of DNA from these samples also knocked out BROCK's blood evidence. I believe this would have impacted the outcome of the trial. I hope this avenue can be thoroughly explored by the inquiry to give the BLACKBURN's the best chance of justice.

I'm happy to discuss any of this with you at your convenience.

Best wishes

**Dr Kirsty Wright**

Visiting Fellow

Genomics Research Centre,

Institute of Health and Biomedical Innovation

---

**From:** Laura Reece [REDACTED]

**Sent:** Thursday, November 10, 2022 4:18 PM

**To:** Jess Wellard [REDACTED]; Kirsty Wright [REDACTED]

**Subject:** RE: Link to Blackburn brief - for your review prior to discussions with Jo Veth [confidential]

Dear Kirsty

Today we have added some documents to the electronic brief, both in response to a request from Jo and as a result of us becoming aware of a further potential issue relevant to the Blackburn case. I wanted to let you know what they are:

1. SOP 17117V15 – Procedure for Case Management, which was in place prior to the implementation of PowerPlex 21.
2. An email to the Commission from Heidi Baker, sent during her engagement as an expert reviewing the current operation of the lab. It raises a potentially interesting issue relating to the mode of sample collection being used by QPS at the time of the Blackburn investigation.
3. The 2 November statement of Dave Neville, which sets out some information about sampling techniques and in particular the wetting agent used by SOCOs since 2010
4. The full report of Kogios and Baker

I have provided documents two and three as on my reading of them they may be relevant to the consideration of the results obtained from the samples in the Blackburn case. I have provided the Kogios and Baker report for completeness, in case you needed it for context.

The email from Heidi Baker and the report were marked as exhibits during the public hearings and are therefore public documents but the statement of Officer Neville is yet to be tendered. This will occur in due course so there is no need to avoid reference to it should you be so minded.

At this stage we expect to get a draft report from Jo tomorrow and that she will contact you in order to arrange a discussion between you, her and Bruce Budowle at some point next week. I think Jess was going to confirm with you whether you were comfortable with Jo making this contact with you directly.

We are now anticipating that the Blackburn hearing will occur on 24/25 November. Are those dates suitable for you?

If there is anything I can do to assist you, please do not hesitate to let me know.

Cheers

Laura

---

**From:** Jess Wellard [REDACTED]  
**Sent:** Tuesday, 8 November 2022 12:38 PM  
**To:** Kirsty Wright [REDACTED]  
**Cc:** Laura Reece [REDACTED]  
**Subject:** Link to Blackburn brief - for your review prior to discussions with Jo Veth [confidential]

Hi Kirsty

Some updated information received: Jo Veth is updating her draft report and we expect to receive this further draft by the end of this week. We will then share with you so you can review, before discussing with Jo at a convenient time next week.

I've been asked to share the below link with you in the meantime – this is the link to the brief that Jo has been accessing to conduct her review. There may be documents in there that you have not yet seen, so Counsel thought it would be helpful to give you some time to review. Obviously, these documents are provided confidentially and can't be on-shared – but if you think there is information there that the Coroner should have access to, please let me know and I will share those with him. I expect he will be mostly interested in the final view that you and Jo come to.

[Brief to expert witness - ESR - Johanna Veth](#)

I'll be in touch again later this week (as soon as we receive Jo's further draft report) to share this with you and

arrange the discussions.

Kind regards,  
Jess.

Jess Wellard  
**Executive Director**  
Commission of Inquiry into Forensic DNA Testing in Queensland  
Phone: [REDACTED]  
Mob: [REDACTED]



This email is intended only for the addressee. Its use is limited to that intended by the author at the time and it is not to be distributed without the author's consent. Unless otherwise stated, the State of Queensland accepts no liability for the contents of this email except where subsequently confirmed in writing. The opinions expressed in this email are those of the author and do not necessarily represent the views of the State of Queensland. This email is confidential and may be subject to a claim of legal privilege. If you have received this email in error, please notify the author and delete this message immediately