1. The Griffith University Innocence Project has suggested law reform in Queensland to assist convicted persons in establishing their innocence through testing of DNA post-appeal.
2. A convicted offender must be required to meet certain criteria to requestpost-conviction DNA testing. For example, the application must relate to a conviction for an offence carrying a maximum or mandatory penalty of life imprisonment and for which the applicant continues to be subject to the sentence imposed on conviction (whether the person is in custody or has been released on parole). The convicted offender’s appeal avenues must have been exhausted in relation to the conviction.
3. Applications for DNA testing will only be allowed in rare and exceptional cases, after appeal avenues are exhausted. They provide a convicted person who claims to be innocent with the opportunity to request testing on the basis of two requirements being met.
4. Firstly, that DNA testing is likely to produce reliable evidence that is relevant to the analysis of their case. Secondly, that it is likely that such evidence is capable of establishing their innocence, having regard to the rest of the prosecution case against them.
5. Cabinet approved the *Guidelines for applications to the Attorney-General to request post-conviction DNA testing.*
6. Attachment
* [*Guidelines for applications to the Attorney-General to request post-conviction DNA testing*](Attachments/Guidelines%20for%20post-conviction%20DNA%20testing.pdf)