

14 February 2017

The Hon Yvette D'Ath MP
Attorney-General and Minister for Justice and Minister for Training and Skills
GPO Box 149
BRISBANE QLD 4001

Our ref Criminal Law Committee/BDS

By email: [REDACTED]

Dear Attorney

Delays in the provision of drug purity certificates

We write to raise the issue of the extensive delays in obtaining drug purity certificates which are used to detail the chemical composition of drug seizures. Our legal practitioner members have reported increasing and unsuitable delays in the provision of drug purity certificates. Anecdotal evidence suggests that the average wait time is six months. However, in some circumstances, practitioners have waited 12 months for the provision of these certificates.

Drug purity certificates are essential to committing a matter to trial and any delay might result in an accused being held on remand inappropriately or for a significant amount of time before his or her matter being committed to trial. This creates a frustrating situation for prosecutors, criminal defences lawyers and the courts. Furthermore, the backlog of the provision of drug purity certificates has the potential to draw out cases in both the Magistrates Court and higher courts, which are already struggling to deal with lengthy delays.

As you are aware there has been a significant increase in the presentation of persons being charged with drug offences. However, this increase has not been met with a commensurate increase the provision of forensic testing facilities. We urge the government to expand the number of facilities that are suitably accredited and authorised to prepare drug purity certificates, thereby expediting the process by which these certificates are produced.

We look forward to hearing from you in relation to this important access to justice issue.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Senior Policy Solicitor, Ms Binari De Saram on [REDACTED]. We note that we have sent a copy of this letter to your colleague, the Honourable Mark Ryan MP, Minister for Police, Fire and Emergency Services and Minister for Corrective Services for his consideration.

Should you wish to discuss these matters further, please do not hesitate to contact me. If you require clarification of any of the issues raised in our letter, please contact our Senior Policy Solicitor, Ms Binari De Saram on [REDACTED].

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Cc: *The Hon Mark Ryan MP*

Minister for Police, Fire and Emergency Services and Minister for Corrective Services

PO Box 15195

BRISBANE QLD 4001

By email: [REDACTED]