

a DNA database; and the taking of samples from a pool of volunteers in a screening of a particular geographical area. He discusses how the taking of such samples is regulated by forensic procedures legislation, and the public policy reasons that support the taking of such material where it is necessary for the purpose of investigating and prosecuting crime.

The advancement of DNA databases and their use within the criminal justice system is explored in Chapter 3 – and particularly the Australian DNA database, which is known as the National Criminal Investigation DNA Database (NCIDD). The NCIDD holds 837 000 DNA profiles, including those collected from crime scenes, missing persons, unknown deceased persons, serious offenders, volunteers and suspects. Smith also looks here at the legislative framework regarding the use of such data, including the permitted matching of profiles under section 23YDAF of the *Crimes Act 1914* (Cth).

Chapters 4 and 5 focus on the presentation of DNA evidence at trial and also its use in appeals. The admissibility of DNA

evidence under Uniform Evidence Laws is discussed, along with issues that have arisen in trials primarily due to the statistical basis of DNA evidence – that is, the calculation and presentation of match probabilities. Key cases raising such issues are analysed in detail, including *R v Tran*,<sup>1</sup> *R v Lucas*,<sup>2</sup> *R v Milat*,<sup>3</sup> and *Aytugrul & The Queen*.<sup>4</sup> The text also explores the use of DNA evidence in correcting wrongful acquittals; discussing the introduction and impact of the use of DNA evidence by innocence projects and review panels around the world.

Not only would this text be an interesting read for fans of the Netflix series *Making a Murderer*, I certainly recommend the book as a useful addition to the library of any practising criminal lawyer. And, if the reader takes away nothing else, they will certainly be able to impress their friends at the next trivia night with the answer to: “What does DNA stand for”.

1 (1990) 50 A Crim R 233

2 (1992) 55 A Crim R 361

3 (1996) 87 A Crim R 446

4 [2012] HCA 15

# Admissions Ceremony



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