

## Networked Knowledge Media Reports

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This page set up by [Dr Robert N Moles](#)

[Link to article in Canberra Times](#)

On 5 June 2014 Julieanne Strachan of the Canberra Times reported “David Eastman inquiry result spurs call for royal commission into forensic procedures”



Police search the scene for clues on January 12, 1989, after Colin Winchester's murder.

A royal commission should be held into the forensic procedures that have been operating in Australia for the past 20 years in light of the inquiry findings into the murder conviction of David Harold Eastman, an influential justice advocacy group has said.

Courts in Australia had not been able to discern good forensic evidence from unreliable material in some cases, which needed the full attention of a Royal Commission, Networked Knowledge co-ordinator Dr Bob Moles told the *Sunday Canberra Times*.

Dr Moles has been credited by former Justice of the High Court of Australia Michael Kirby with prompting new appeal laws in South Australia due to his book *Forensic Investigations and Miscarriages of Justice*, co-written by Bibi Sangha and Kent Roach.



Police seek clues in the Winchester case among the rubbish at the Mugga lane tip following the 1989 murder of Colin Winchester

Dr Moles said errors in the Eastman case were very similar to errors in a number of cases in SA, some of which were still awaiting appeal. The Eastman inquiry's acting Justice Brian Martin was "fairly certain" of Eastman's guilt but had a nagging doubt.

The inquiry spent more than six months taking evidence from witnesses and revealed "deep flaws" with the forensic analysis that linked gunshot residue in the boot of Eastman's car with that found at the crime scene.

Dr Moles said there were some similarities between this case and the landmark [Ted Splatt case](#), which was mentioned several times in the Eastman inquiry report. The Splatt case set new standards for forensic evidence in Australia during the 1980s. Dr Moles said the Splatt case was littered with errors, which substantially contributed to his conviction in 1978. He was pardoned in 1984 following a Royal Commission.

"When you are looking at the issue of miscarriage of justice in Australia then Splatt was a seminal case and is usually spoken about alongside the Lindy Chamberlain case," Dr Moles said. "Forensic evidence experts told the Royal Commission that every piece of the evidence was flawed - all involved mistaken assumptions and miscalculations."

Mr Splatt was convicted for the death of Rosa Amelia Simper, a 77 year-old Adelaide woman who had been badly beaten, sexually assaulted and strangled in her bedroom. The forensic

evidence dealt with specks of paint, wood, birdseed and biscuit particles found in her room. However, no DNA was used.

"It was a rare case in that the only evidence leading to the identification of Mr Splatt was the scientific evidence," Dr Moles said. "No one had ever seen Mr Splatt with the deceased or in her house."

Mr Splatt was awarded \$300,000 in compensation after he was pardoned but his conviction was never overturned. Mr Splatt's wife, when approached by the *Sunday Canberra Times*, said Mr Splatt was in hospital and now suffered dementia.