



Title: Fraud and Illegality in Forensic Science

Presenting Author Name: Dr. Ian Freckelton AO KC

Affiliation Details of Presenting Author: Professor of Law and Professorial Fellow in Psychiatry, University of Melbourne, Honorary Professor of Forensic Medicine, Monash University

Abstract:

When fraud infects forensic science, there is the potential for miscarriages of justice, both civil and criminal. Such conduct is extremely serious and deservedly has the potential itself to result in criminal prosecution. In addition, when illegality or unlawful conduct takes place in the investigative process, there is the potential for the fruits of such conduct, in the form of expert evidence by forensic scientists, to be contaminated. This raises difficult questions of policy and principle about when courts should be permitted to utilise evidence obtained contrary to processes permitted by law. This paper scrutinises these matters, engaging with the issues of principle and reviewing statutory provisions governing the use that can be made of illegally and improperly obtained evidence.

Biography:

Professor Ian Freckelton AO KC is a distinguished legal scholar, barrister, and academic with expertise in law, psychiatry, and forensic medicine. He has served as a judge of the Supreme Court in Nauru and is currently a Professor of Law and Professorial Fellow in Psychiatry at the University of Melbourne and an Honorary Professor of Forensic Medicine at Monash University.

A fellow of learned academies, he has been a board member, investigator of misconduct, journal editor, and international speaker. A prolific author, editor, and book reviewer, his work has shaped legal and forensic scholarship globally.