



LESEDI NUCLEAR SERVICES



Delivery of Engineering, Procurement, Construction, Management (EPCM) and project management in the Power Industry

Leaders in the Power Industry

www.lesedins.co.za

Cremer Media's
ENGINEERING NEWS Online

Wednesday is crunch time for DNA database

By: Irma Venter

Published: 12 Jun 12



The Secretariat for Police is set to present a DNA policy, which is going to underpin the second draft of the DNA Bill, to the Portfolio Committee for Police on Wednesday. The Secretariat of Police provides strategic advice to the Minister of Police.

The DNA Bill will allow South Africa to expand its DNA database for use as a criminal intelligence tool.

One of the supporters of the bill is the nongovernmental organisation, the DNA Project, under the leadership of **Vanessa Lynch**. Lynch and her team have been passionate lobbyists for the South African Police Service (SAPS) to expand its DNA database.

South Africa does not have a large DNA database as current legislation has kept it in check at around 130 000 profiles.

Therefore, unlike the US and some 50 other countries, South Africa does not have a DNA database filled with a large pool of potential suspects that can provide the police with a clue as to who could have committed a crime.

"Currently the taking of DNA samples from suspects and the inclusion of DNA profiles onto the DNA database in South Africa is limited by the fact that we have inadequate legislation to allow for the proper development and use of a DNA database as a criminal intelligence tool," said Lynch on Tuesday.

"The way in which the database is currently being used is to match a known suspect (arrestee) with crime scene evidence on a case-by-case basis, as a prosecutorial tool.

"This is also not mandatory and so, more often than not, it is not done unless requested by a prosecutor."

In order for a DNA database to be used as a more effective criminal intelligence tool, South Africa must expand its database and make it compulsory for all suspects to have their DNA samples taken at the time of arrest. Convicted offenders will also have to contribute to the database, while all crime scene samples found at a crime scene must be analysed for DNA. All of these profiles have to then be entered into the database, notes Lynch.

"In this way we can link unrelated cases where there is no suspect, we can link a known suspect to other crimes, or we can establish if a serial offender is at play.

"The greater the size of the DNA database, in particular the reference index on the database – in other words, the index containing profiles of known persons, such as suspects and convicted offenders – the greater the chance of a match to a known person when an unknown DNA sample, collected from a crime scene, is entered onto the database."

Lynch said the DNA database will work in much the same way as the fingerprint database, which has recently been enlarged to include fingerprints from not only from the SAPS, but also the Department of Transport's (DoT's) license library, as well as the Department of Home Affairs' (DHA's) identity document library.

"The amalgamation of these three fingerprint databases means that when an unknown fingerprint is lifted from a crime scene, the chances of it matching a known source in the fingerprint database will be much greater. Instead of just being searched against the SAPS database, it is compared to fingerprints held in both the DHA's and the DoT's databases. In other words, the greater the size of the database, the greater the chance of a match."

Lynch, who was consulted in the drafting of the secretariat's DNA policy, said that if it is accepted by the portfolio committee this week, the State's legal advisers will start work on the second draft of the DNA Bill over the course of the next few months, with the bill then tabled in Parliament around September.

"The process of deliberating on the DNA Bill will then continue from September and, depending on how many issues are debated and what kind of reaction it receives from the public, it will hopefully be promulgated within a few months. We cannot tell, however, what will transpire during this time."

One of the concerns raised against an expanded DNA database has been around who should be included in this database, with some members of the legal profession arguing that there is no justification for taking a DNA sample from someone who is arrested for failure to pay their parking tickets.

At least 50 countries have DNA databases, with the first started in the UK in 1995. The US, most of the European Union, Australia, New Zealand, Canada, India and China all have expanded databases.

The UK has the largest database in the world (per capita), whereas the US has the largest number of profiles. According to statistics supplied by Interpol, in 2008, the US database had around 6.4-million offender profiles collected from convicts, arrestees or suspects, and 242 000 forensic profiles from DNA collected at crime scenes.

Copyright Creamer Media (Pty) Ltd. All rights reserved.

Tel: +27(0)11 622 3744 | Fax +27(0)11 622 9350 |
newsdesk@engineeringnews.co.za
<http://www.engineeringnews.co.za>