

# Vanessa Lynch

Vanessa Lynch is a different kind of crime-fighting heroine: she responded to the murder of her father in such a revolutionary way that it was enough to move government.

signed into law, changing the framework within which DNA evidence can be taken. 'The DNA Project became my journey,' she says. 'Everyone responds to death differently; it's a journey that has to run its course.'

'I had this idea for a DNA database. Other countries used DNA in conjunction with a database of known profiles.' This means that DNA is taken in every investigation and checked against a database of known profiles. 'A database is a form of criminal intelligence which allows you to link seemingly unrelated cases and pick up serial offenders.'

South Africa has some of the highest repeat offender rates in the world, and with many crimes involving physical contact, a DNA database seems long overdue.

'It's been a lack of political will, a lack of resources and a lack of awareness,' explains Vanessa, who gave up her work as a commercial lawyer to work on the DNA Project full time in 2005. But now that the Bill has been signed into law, police officers will be trained to take DNA samples from all suspects, arrestees, parolees and convicts in order to



Vanessa. 'But when I looked for it, there was none. The killers were drinking in the garden, and that bottle was thrown away. They should have taken forensic samples from my father's nails because there were signs of a fight, but they didn't, and paramedics threw away the clothes.' The reason for this is twofold: firstly, there was little awareness of how to treat a crime scene – friends and family were merely trying to help; and secondly, the investigators didn't believe they had the technology to obtain DNA evidence and there wasn't a suspect. Typically, in SA, DNA samples were used only when investigators had a suspect to match it to.

Fast-forward to 2014. After 10 years of lobbying, Vanessa's NGO, The DNA Project, has helped get the Criminal Law (Forensic Procedures) Amendment Bill (aka the DNA Bill)

**J**ust weeks after the brutal murder of Vanessa's father in 2004, the police told her the case was closed. It felt as if only a day had passed since she'd stood at the crime scene where various first responders – police, investigators, family and friends – had cleaned up blood, thrown away clothes and discarded evidence. And that's when it dawned on Vanessa: they'd cleaned away any chance of finding her father's killer. 'There should have been kilograms of evidence, a German forensic pathologist told me,' says

build up a reference database of known profiles so that when DNA is taken at a crime scene it can be run through the database.

DNA sampling could be seen as a potential abuse of human rights in terms of the right to privacy. But not a single human rights group objected, as the forensic DNA profile is derived from the non-coded region of the DNA and doesn't contain any personal information about the person except for their sex. Plus, 'the invasion of our privacy by people coming into our homes and killing us holds more weight than an invasion of privacy by virtue of our forensic DNA profile being taken,' says Vanessa.

Also, if a suspect is found not guilty, their DNA profile is removed from the database within three years.

Over time, the database will reflect the criminal contingent of

the country's population. 'In terms of the rest of the world, we have a long way to go,' says Vanessa. 'The UK have been doing this since 1995. Now, when they put an unknown profile into their reference database, there's a 65-70% chance of an immediate match. Some countries are reopening cases that are 40 years old because of new technology.'

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Sadly, this is not a possibility in Vanessa's father's case - his crime scene was not preserved. This is why the next step for the DNA Project was to educate the public about their first response at a crime scene. 'Everyone at a crime scene needs to understand the importance of preserving potential DNA evidence there,' says Vanessa.

'For this Act to work, education is crucial, so we run countrywide

free workshops open to anyone,' she says. 'Prosecutors, defence lawyers, and magistrates - they all need to understand the new Act because it's crucial to their work. We are also developing skills. With Free State University, we developed an honours degree in forensics. For the first year, we paid their lecturer's salary, got all the equipment donated and kick-started the whole thing.' Making learning about crime scenes part of school curricula has also been an objective - 'Rape education forms a huge part of what we do with kids,' says Vanessa. 'We found that children who are raped have no idea what to do and so much evidence is potentially lost. We are developing material like board games and quizzes, so kids know what to do and when.'

From magistrate to pre-schooler, crime scene education is happening, thanks to The DNA Project. 'You have only one chance to collect DNA,' says Vanessa, 'but that DNA can be held on the database forever.' ❖

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