

This response was submitted to the consultation held by the Nuffield Council on Bioethics on the Forensic use of bioinformation: ethical issues between November 2006 to January 2007. The views expressed are solely those of the respondent(s) and not those of the Council.

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## List of questions

### 1. The interpretation of bioinformation

- a. In your view, is the SGM Plus<sup>®</sup> system, which uses ten STR markers, sufficiently reliable for use in ascertaining the identity of suspects in criminal investigations and/or criminal trials?

I have no Knowledge of the science subject so it would be unfair for me to comment but it is obvious the more markers that are used the less errors will be made in identifying individuals.

### 2. Sampling powers

- a. From whom should the police be able to take fingerprints and DNA samples? At what stages in criminal investigations and for what purposes? Should the police be able to request further information from DNA analysts, such as physical characteristics or ethnic inferences?

The Police should be able to take fingerprints and DNA samples from suspects and for elimination purposes. I am very uncomfortable about requests for DNA analysts to provide info about physical characteristics or ethnic inferences.

- b. Should police expenditure on bioinformation collection and analysis be given priority over other budgetary demands?

No... it should be given equal priority.

- c. Do you consider the current criteria for the collection of bioinformation to be proportionate to the aims of preventing, investigating, detecting and prosecuting criminal offences? In particular: is the retention of bioinformation from those who are not convicted of an offence proportionate to the needs of law enforcement?

I DO NOT consider the current criteria for the collection of bioinformation to be proportionate. In fact retaining the bioinformation for those who are not convicted of a crime is TOTALLY outrageous and utterly unacceptable.

- d. Is it acceptable for bioinformation to be taken from minors and for their DNA profiles to be put on the NDNAD?

Unless the Minor is convicted It is NOT acceptable to keep their DNA profiles on the NDNAD.

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### 3. The management of the NDNAD

- a. Is it proportionate for bioinformation from i) suspects and ii) volunteers to be kept on forensic databases indefinitely? Should criminal justice and elimination samples also be kept indefinitely? How should the discretion of Chief Constables to remove profiles and samples from the NDNAD be exercised and overseen?

The only bioinformation that should be kept is that obtained from those who have been convicted of a crime. BIOINFORMATION FROM OTHERS SHOULD NOT BE KEPT.

- b. Is the ethical oversight of the NDNAD adequate? What, if any, research on NDNAD profiles or samples should be permitted? Who should be involved in the oversight of such databases and granting permission to use forensic DNA profiles or samples for research?

DNA profiles from individuals should be obtained from individuals who give permission. NO profiles from the NDNAD should be used.

- c. Who should have access to information on the NDNAD and IDENT1 databases and how should bioinformation be protected from unauthorised uses and users? Should forensic databases ever be made available for non-criminal investigations, such as parental searches, or the identification of missing or deceased persons?

The lowest number of people possible should have access to information on the NDNAD and IDENT1 databases. The forensic database should only be made available for the identification of missing or deceased persons.

- d. What issues are raised by the transfer of bioinformation between agencies and countries? How should such transfers be facilitated and what safeguards should be in place for the storage and use of transferred data?

All I can say here is that safeguards should be at the highest possible level inspite of the cost.

### 4. Ethical issues

- a. Is the use of DNA profiles in 'familial searching' inquiries proportionate to the needs of criminal investigations? Do you consider the use of familial searching may be an unwarranted invasion of family privacy

I do realize that there has been cases of this being used to solve old cases but I am not very comfortable with it.

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- b. Certain groups, such as ethnic minorities and young males, are disproportionately represented on forensic databases. Is this potential for bias within these databases acceptable?

This bias is unavoidable. IMO only the DNA and fingerprints of those convicted should be kept.

- c. Is it acceptable that volunteers (such as victims, witnesses, mass screen volunteers) also have their profiles retained on the NDNAD? Should consent be irrevocable for individuals who agree initially to the retention of samples voluntarily given to the police? Are the provisions for obtaining consent appropriate? Should volunteers be able to withdraw their consent at a later stage?

I repeat myself The only people whose profiles should be retained are those who have been convicted no other persons profiles should be retained under ANY circumstances.

- d. Would the collection of DNA from everyone at birth be more equitable than collecting samples from only those who come into contact with the criminal justice system? Would the establishment of such a population-wide forensic database be proportionate to the needs of law enforcement? What are the arguments for and against an extension of the database?

NO, NO. If a national database is ever to become a reality in my lifetime I will refuse to comply and would even go to prison to avoid having my DNA on a national database. There is NO argument for having a national database. Completely unacceptable.

## 5. The evidential value of bioinformation

- a. What should be done to ensure that police, legal professionals, witnesses and jury members have sufficient understanding of any forensic bioinformation relevant to their participation in the criminal justice system?

All involved should be given basic easy to understand information about bioinformation.

- b. How much other evidence should be required before a defendant can be convicted in a case with a declared DNA match? Should a DNA match ever be taken to be sufficient to prove guilt in the absence of other evidence?

A DNA match should not be sufficient evidence to prove guilt in the absence of other evidence,

## 6. Other issues

- a. Are there any other issues, within our terms of reference, which we should consider?

I have filled in this response form because I am getting very concerned about the States overreaction to crime. The idea of a national database of all citizenx bioinformation is unacceptable.