

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[®] system, which uses ten STR markers, sufficiently reliable for use in ascertaining the identity of suspects in criminal investigations and/or criminal trials?

I think so, I would like to think this will be successful.

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?

I think this information should be obtainable at the beginning of any criminal investigation; in this case investigations should be completed within a shorter timescale.

I think any form of DNA data should be made available.

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

I think this should be included within the budget but maybe not prioritise.

If this process is in place I think the overall performance of the police and criminal industry would be greater and more efficient, therefore the current issues, which the budget allows for, may not be necessary.

- 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?

Yes I do, I also think the information should be made available on a nationwide database for the whole of the United Kingdom, Scotland & Wales population.

I also believe the information should be provided to the appropriate field as a normal way of life, e.g. national insurance no, therefore information is there ready, should there be any criminal activity where a suspect has not been found, any DNA that would have been obtained from the crime scene would be checked against the national Data Base.

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- d. Is it acceptable for bioinformation to be taken from minors and for their DNA profiles to be put on the NDNAD? **Yes, infact as this will be a lengthy process until all completed I think I good way to start would be collecting blood samples from newborns.**

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? **I think the information should be kept indefinitely and under no terms should the information be removed. Which is why the information should be supplied voluntarily as a way of life in the UK.**
- 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? **I am not sure who would have access to the information but there should be procedures in place as to who can access the data.**
- 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?

I do not see why the information should not be used for other purposes, currently when donating a sperm sample, having a child through IVF or putting a child up for adoption has all types of clauses these days where the biological parent has to be noted for the Childs future benefit therefore this information would make any search efficient.

I also think in generations to come the information could prove somewhat valuable when we have a better understanding of current medical investigations where medical researchers can look back at our ancestors genes.

- 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? **This is something I would really not know how to answer but again there should be restrictions on access, the information should be passed and dealt with by senior persons.**

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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 not think this is an invasion of family privacy.
- 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? **YES**
- 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?

The information should be provided voluntarily but the requested on a must have bases where the information HAS to be provided by every member of this country and the information under no terms can be removed from the database.

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?

I have already noted as a suggestion above that the information should be obtained at birth now to save time, as there will be a vast majority to currently collect the data from.

I think the information will be priceless to the demands on the law enforcement. I can not see any arguments against this, arguments for this would be that this should be put in to place as soon as possible in the very near future.

I do not see why everyone should not be happy with supplying the information as I think we will probably see a reduced figure in crime numbers.

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?

They should be made aware as to what information is available and to how accurate the information is.

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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?

I think a DNA match in a criminal investigation is sufficient enough to prove a guilty verdict, as no two DNA samples are the same therefore there would be no wrongful conviction under any circumstances.

6. Other issues

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

Not that I can consider.