

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 and January 2007. The views expressed are solely those of the respondent(s) and not those of the Council.

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QUESTIONS ANSWERED:

Question 1: The interpretation of bioinformation

ANSWER:

I am not a DNA expert so have to take the information given at face value but I am suspicious of the probabilities given even with the acknowledged limits. Even more am I worried that prosecution authorities and courts including juries may blindly accept DNA evidence even when contrary to other evidence and without, possibly, full verification of the DNA testing accuracy in each sample.

Question 2: Sampling powers

ANSWER:

a Police should be able to REQUEST fingerprints and DNA samples from anyone and TAKE WITHOUT CONSENT from suspects who have been charged. These should only be used for the investigation at hand. YES b For police and their authorities to determine. c No All records from suspects should be deleted if accused is found innocent or not charged. All records from victims and witnesses should be deleted when case concluded or they are excluded from the suspects – whichever should come first. This is UNLESS they expressly permit retention of their samples d Same as for adults except that the express permission of their parents /guardians etc would be required for retention and minor must be contacted to check this on them reaching adulthood.

Question 3: The management of the NDNAD

ANSWER:

NO. Should be removed immediately investigation complete or person removed from enquiry. By their authorities.

Question 4: Ethical Issues

ANSWER:

a b YES c Absolutely not. Yearly consent required to continue to hold. Do not know about provisions. YES d More equitable but worse. NO

Question 5: The evidential value of bioinformation

ANSWER:

a Training in statistics and how they are liable to misuse. Understanding of the technology Understanding of the dangers of a Big Brother state. b That is up to jury to decide. NO.

Question 6: Other issues

ANSWER:

Q 3 on online consultation is not the same as that in Word doc version. Would have been better to have had each subquestion separately completed.