

## WEBINAR ON DNA TECHNOLOGY REGULATION BILL

# 'DNA database can keep repeat offenders off streets'

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EMPHASISING ON the need for a nationwide deoxyribonucleic acid (DNA) database of criminal offenders in India, experts from the fields of forensic sciences and police in a web seminar on Wednesday stated that a centralized DNA database would be monumental in thwarting violent sexual crimes and ensuring that repeat offenders stay off the streets.

Attended by JM Vyas, Vice Chancellor of National Forensic Sciences University in Gandhinagar, Dr K Thangaraj, director, Centre for DNA Fingerprinting and Diagnostics (CDFD), Dr DK Goswami, Inspector General of Police, Uttar Pradesh, Vanessa Lynch, senior consultant for the Gordon Thomas Honeywell –

Governmental Affairs (GTHGA) among others, the webinar focused on the DNA Technology Regulation Bill that has been pending before the Lok Sabha since 2019.

The Bill revolves around the need for a centralized database of offenders, suspects, unknown deceased persons and crime scene profiling.

"The DNA Bill pending before Parliament for approval provides procedure and monitoring of DNA data bank of accused, unknown deceased, suspect persons as well as crime scene profiles. This will help to establish the identity of perpetrators of heinous crimes like rape, murder, disputed paternity, among others. At the same time, this Bill will also help exonerate innocents from prosecution," said Dr Vyas.

Vanessa Lynch, senior consultant for the Gordon Thomas

Honeywell – Governmental Affairs (GTHGA) gave the example of South Africa which recently witnessed the passing of the DNA Act.

"Since then, we have particularly seen violent sexual offenders linked to as many as 30 crimes from hits on the DNA Database. The retention and storage of forensic DNA profiles and in some instances, DNA samples, whilst raising some privacy concerns, is still considered to be important in the fight against crime, particularly against gender-based violence and femicide where there is little to no argument against the value of forensic DNA profiling to identify offenders," said Vanessa.

Dr K Thangaraj of the CDFD also stated that establishing a DNA database would require cooperation between law enforcement agencies, policy makers

and forensic laboratories.

"DNA databases help in establishing the link between previous cases and present unsolved cases. They are effective in solving investigations because the majority of crimes are committed by repeat offenders and criminals. It would be very useful in tracing multiple/repeated offenders, wherever they are," said Dr Thangaraj.

"Accreditation of laboratories and procedures, cognitive biases of actors at various levels, competence of experts are several intertwined areas which need attention to maximise advantage of DNA strength in evidencing," said Dr Goswami.

# Retention & Storage of Forensic DNA Profiles Critical to Combat Sexual Crime in India

## GANDHINAGAR,

Led by Dr JM Vyas, Vice Chancellor, National Forensic Sciences University (NFSU) and Dr K Thangaraj, Director, Centre for DNA Fingerprinting & Diagnostics (CDFD), experts from the fields of forensics, biotechnology, law enforcement, criminal justice & policy came together to emphasise the importance of instituting a national DNA offender database in cracking down on violent sexual crime in India by taking repeat offender off the streets.

While agreeing on the effectiveness of DNA technology in reducing crime rate, the panel discussed contrasting themes of "value" versus "privacy" and how decision makers need to delicately balance these two competing imperatives to ensure that the balance maintained between the rights of the individual and the broader interests of society in tackling crime.

Dr JM Vyas, Vice Chancellor, NFSU & Director General, FSL Gujarat stated, "The DNA Bill pending before Parliament for approval provides procedure and monitoring of DNA data bank of accused, unknown de-

ceased, suspect persons as well as crime scene profiles. This will help to establish the identity of perpetrators of heinous crimes like rape, murder, disputed paternity, among others. At the same time, this bill will also help exonerate innocents from prosecution."

Dr K Thangaraj, Director, Centre for DNA Fingerprinting & Diagnostics CDFD added, "DNA databases help in establishing the link between previous cases and present unsolved cases. They are effective in solving investigations because majority of crimes are committed by repeat offenders and criminals. It would be very useful in tracing multiple/repeated offenders, wherever they are. Establishment of an effective DNA database requires time and full cooperation between forensic laboratories, law enforcement agencies, and policymakers. Although several countries have established their DNA database, it is still at its infant stage in India. Public has mixed opinions on the subject and as responsible citizens we need to clarify their doubts and address all concerns."

Dr GK Goswami, Inspector General of Police, Uttar

Pradesh & Former Joint Director CB observed, "DNA made a grand entry in a spectacular fashion into the courtroom in 1986 and globally proved its evidentiary worth as 'gold evidence'.

On a cautionary note, Dr Goswami added that forensic manipulations reported worldwide do cast doubts on the credibility of scientific inputs, and indeed necessitate attention particularly towards developing robust mechanism to maintain the chain of custody of DNA samples." Drawing from her extensive experience in leading nationwide policy initiatives in Africa, Vanessa Lynch, Senior Government Affairs Consultant, GTH-GA pointed out that just like in India right now, in the lead up to the passing of the DNA Act in South Africa, lawmakers recognized that the uniquely private information which was revealed in a forensic DNA profile needed to be protected and provision for the protection of this information was entrenched in the legislation. "Since then, we have particularly seen violent sexual offenders linked to as many as 30 crimes from hits on the DNA Database.