

No place to hide for criminals

DNA database will speed up solving of cases

BY GILL GIFFORD

Violent criminals – and particularly rapists and murderers – will have no place to hide when a proposed new national DNA database becomes operational.

The new DNA Bill, recently approved by the cabinet, will allow for either saliva swabs or blood from a finger prick to be taken by a police official, whereas, currently, it may be done only by a medical doctor. This will greatly increase the numbers of DNA samples available for comparison and cross-matching.

Law enforcement officials believe this will enable them to solve many outstanding violence or sexual assault cases, which, in this country, are frequently repeat offences.

Also, because experience abroad has shown that offenders plead guilty when confronted with DNA evidence, there are hopes that prosecutions could be speeded up.

DNA is seen as the most accurate way of matching a suspect to evidence found at a scene, with new research showing that it is five times more accurate than fingerprints.

Justice Ministry spokesperson Zolile Nqayi said the new law would expand the fingerprint-taking powers of the police by making it compulsory for convicts and suspects to be printed.

He said the police would be linked electronically with the HANIS system of the Department of Home Affairs, which has the fingerprints of 31-million citizens and 2,5-million foreigners on record, as well as the Department of

Transport's eNaTIS system, where a further 6-million thumbprints are located.

This, it was hoped, would lead to a significant increase in suspect-to-crime-scene matches. These matches could also help identify patterns of criminal behaviour that may help solve past and future crimes.

Nqayi said plea bargains and guilty pleas would increase as suspects were confronted with real evidence, such as fingerprints and DNA, linking them to a crime scene.

Importantly, too, DNA evidence would also lead to the early exoneration of innocent people.

The DNA Bill goes before parliament next year, and the database will become operational shortly after the bill becomes law.

Vanessa Lynch, of the DNA Project, has welcomed the development, as her organisation

has been committed to advancing justice through the expanded use of DNA evidence in recent years.

"I sat there alone and screamed out loud as this was but a distant vision four years ago," she said, describing her reaction to the call she had received from the Department of Justice advising her that the DNA Bill had been adopted by the cabinet.

Lynch, a commercial attorney, gave up her job in 2005 to undertake the DNA Project full-time after the murder of her father, John Lynch. She is joined by DNA Project director Rob Matthews, who joined after his daughter Leigh was kidnapped and murdered.

Lynch is passionate about the use of DNA in investigating crime. She maintains that a database of



EFFECTIVE: Margaret McEwan (left) and Vanessa Lynch, of the DNA Project, at the Western Cape forensic science laboratory with Senior Superintendent Mafiki Maluleke, who inspects the hi-tech equipment they donated to him.

PICTURE: CINDY WAXA

DNA profiles would allow the police to identify suspects, link and work out the modus operandi of syndicates, and eventually streamline the handling of criminal cases.

Her research and recent visit to the national DNA database in Britain – one of the biggest in the world – has convinced her

that the development can lead only to increased success.

"In the UK they have 4,5-million profiles of offenders on record and have a 30% match rate when they pick up a profile from a crime scene," she noted.

"And in the UK about 85% of offenders plead guilty when confronted with DNA evidence against

them, so the cases don't even go to trial and pass quickly through the courts."

Lynch pointed out that a DNA database would not infringe on anyone's privacy. DNA evidence kept on record was "non-coded" or "junk DNA", meaning that it was a simple sequence of numbers, like a barcode.

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