

INQUIRY INTO THE USE OF VICTIMS' DNA

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AFP Submission

DNA profiles from known or reasonably suspected victims

The Australian Federal Police (AFP) wishes to make a submission to the Standing Committee on Law and Justice's inquiry into the use of victim DNA.

This submission intends simply to provide some clarity in relation to the AFP's treatment of victim DNA in order to assist any decision of the Committee.

The Biological Criminalistics team at the Australian Federal Police is the caretaker of the Commonwealth and Australian Capital Territory DNA databases held within the National Criminal Investigations DNA Database (NCIDD).

The policy of the Biological Criminalistics team in relation to the recording of profiles from a victim is as follows; DNA profiles from known victims or persons reasonably suspected of being victims are not loaded onto the NCIDD.

In this context, Known victim profiles include a crime scene DNA profile that has been matched against a reference DNA profile taken from a victim of a particular crime, for the purposes of identifying which crime scene DNA profile(s) relate to that victim.

A DNA profile reasonably suspected to have come from a victim includes a crime scene DNA profile taken from a location or with intrinsic characteristics which suggest that if it were compared to a profile taken from a victim of that crime, the crime scene DNA profile would likely be found to match the profile taken from the victim. For example, a female profile from a vaginal swab taken from the victim.

Precautions are taken to prevent DNA profiles from victims being entered onto the NCIDD. The AFP laboratory routinely requests police to obtain reference samples from victims and other individuals that may be involved for elimination purposes.

Ultimately, the NCIDD is an investigative/intelligence tool utilised by the Australian Federal Police to provide leads for solving crimes where no suspects were previously available. Unknown DNA profiles from crime scenes are uploaded in NCIDD for comparison. This comparison enables links to be made between different crime scenes as well as between crime scenes and individuals.

AFP's submission was authorised by Dr James Robertson, AFP's National Manager, Forensics and Data Centres.