

The National DNA Database on Trial Project



Organisers:

University of Glamorgan,
Wales Gene Park,
Techniquest and
Swansea University

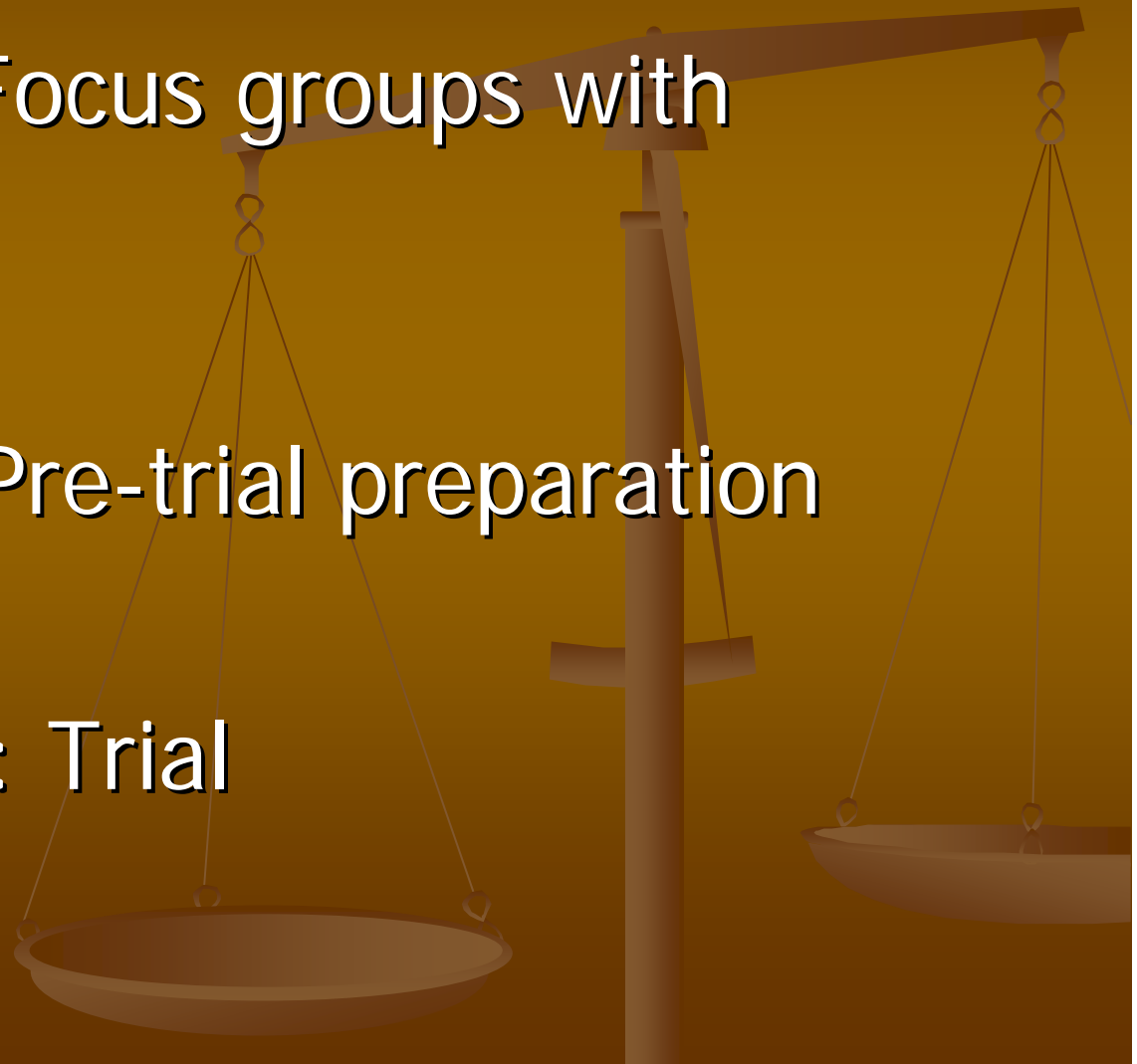
Background to the Project



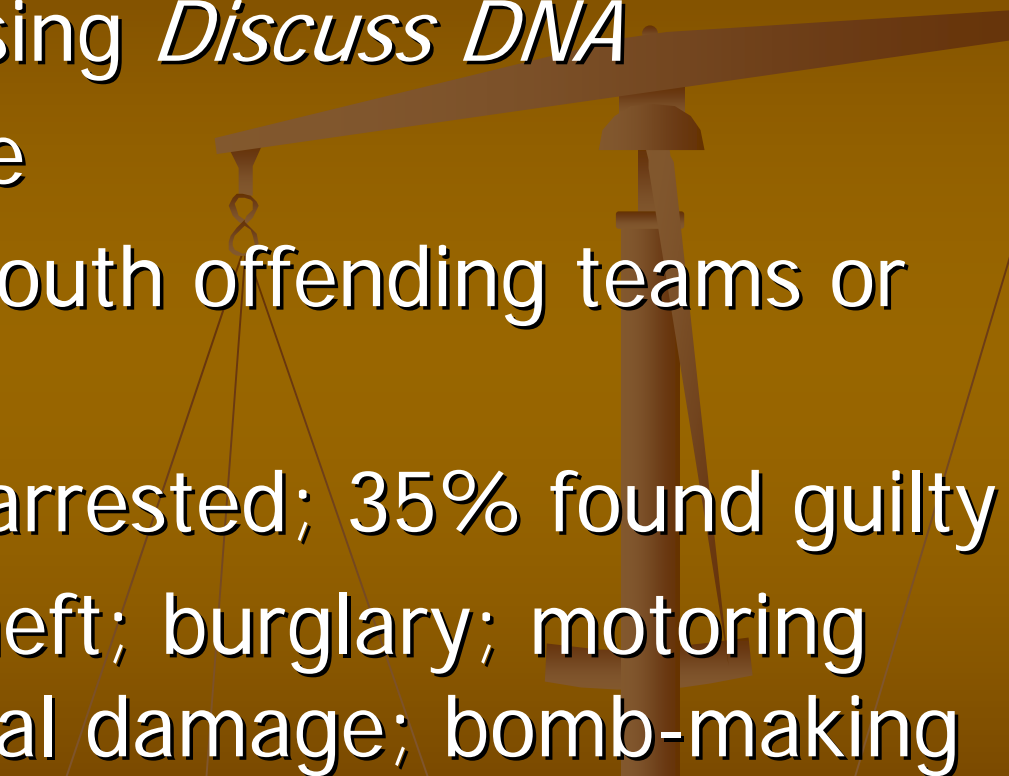
- History of collaboration
 - Citizens' Jury on Designer Babies (HGC and HFEA)
- HGC Consultation and Citizens' Inquiry
 - Little mention of young offenders and under 18s
- *Discuss DNA* in schools (WGP and TQ)
- *'Avoiding the Usual Suspects'*
- Wellcome Trust funding

Methods

- **Phase One:** Focus groups with young people
- **Phase Two:** Pre-trial preparation
- **Phase Three:** Trial



Phase One

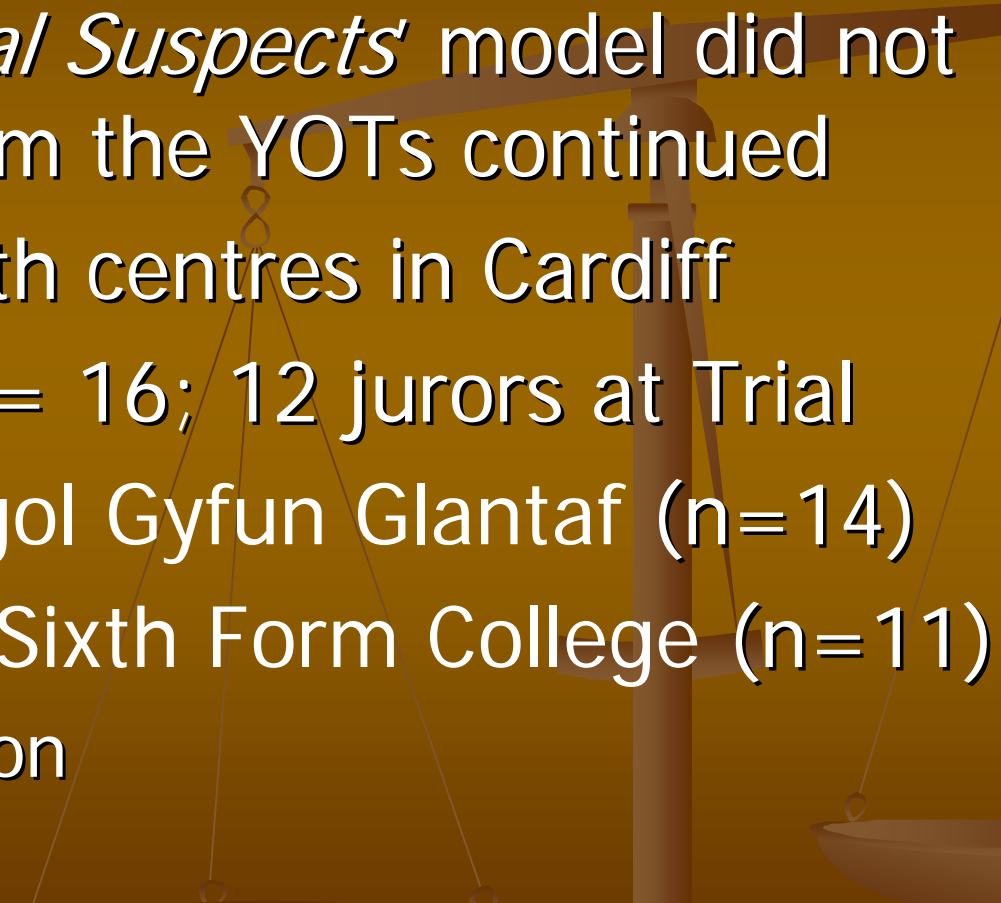
- Focus groups using *Discuss DNA*
 - 84 young people
 - Primarily from youth offending teams or youth centres
 - 43% had been arrested; 35% found guilty
 - Crimes: ABH; theft; burglary; motoring offences, criminal damage; bomb-making
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Phase 1: Results



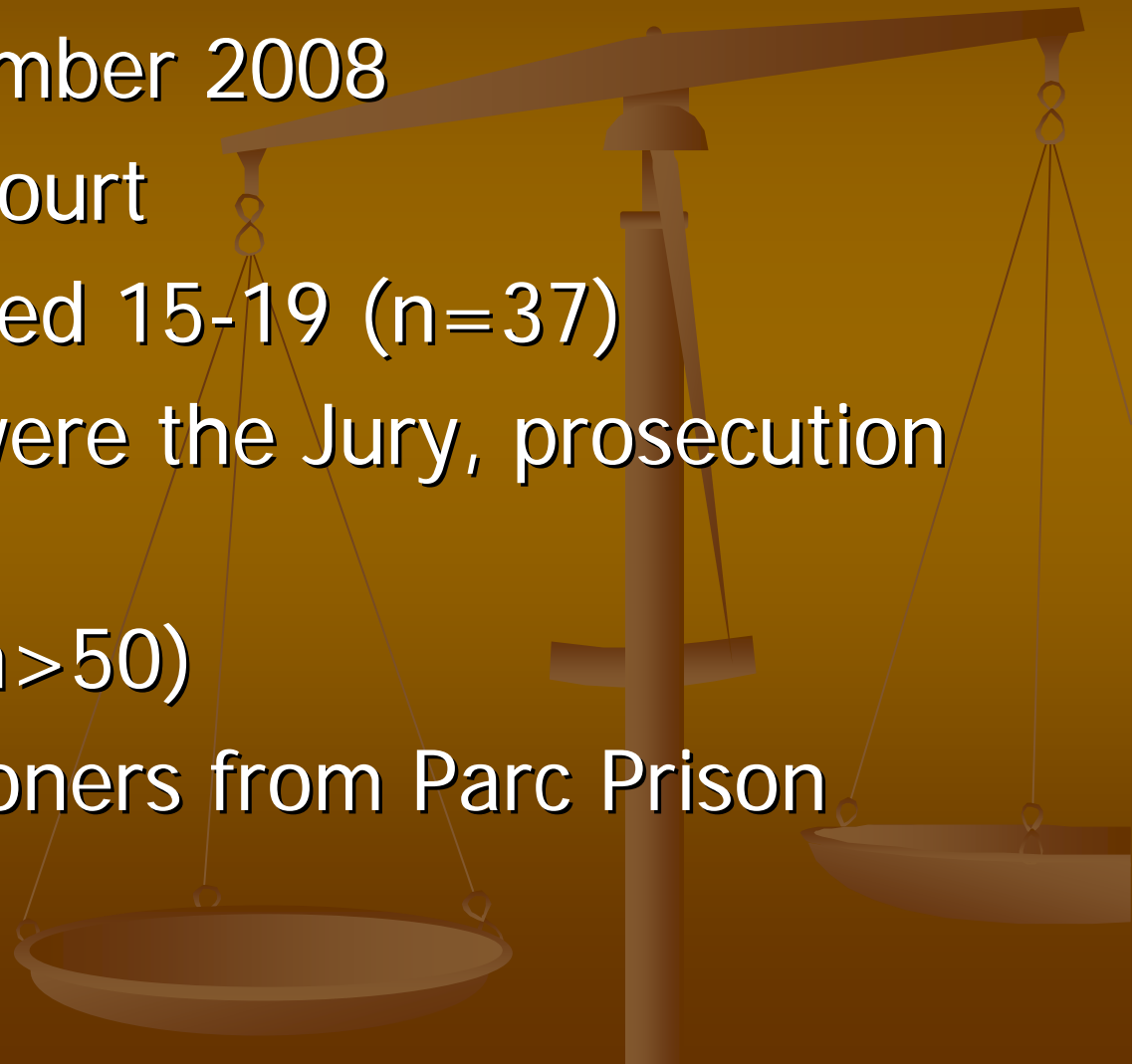
- Support for DNA being taken when charged
- Taking DNA should not depend on the seriousness of the crime
- DNA should not be removed from the NDNAD if a person is found not guilty
- Little concern about DNA being passed on to employers or insurance companies
- Considerable support for a **Universal DNA Database** with details added at birth

Phase Two: Preparing for the Trial

- *'Avoiding the Usual Suspects'* model did not work – no-one from the YOTs continued
 - **Jury:** From 2 youth centres in Cardiff
 - Pre-trial review: n= 16; 12 jurors at Trial
 - **Prosecution:** Ysgol Gyfun Glantaf (n=14)
 - **Defence:** Cardiff Sixth Form College (n=11)
 - 6 weeks preparation
 - Parc Prison
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The National DNA Database on Trial

- Trial – 8th November 2008
- Cardiff Crown Court
- Participants: Aged 15-19 (n=37)
- Young people were the Jury, prosecution and defence
- Public gallery (n>50)
- Artwork by prisoners from Parc Prison



Prosecution Team



Defence Team



The Jury



DNA Database in the Dock





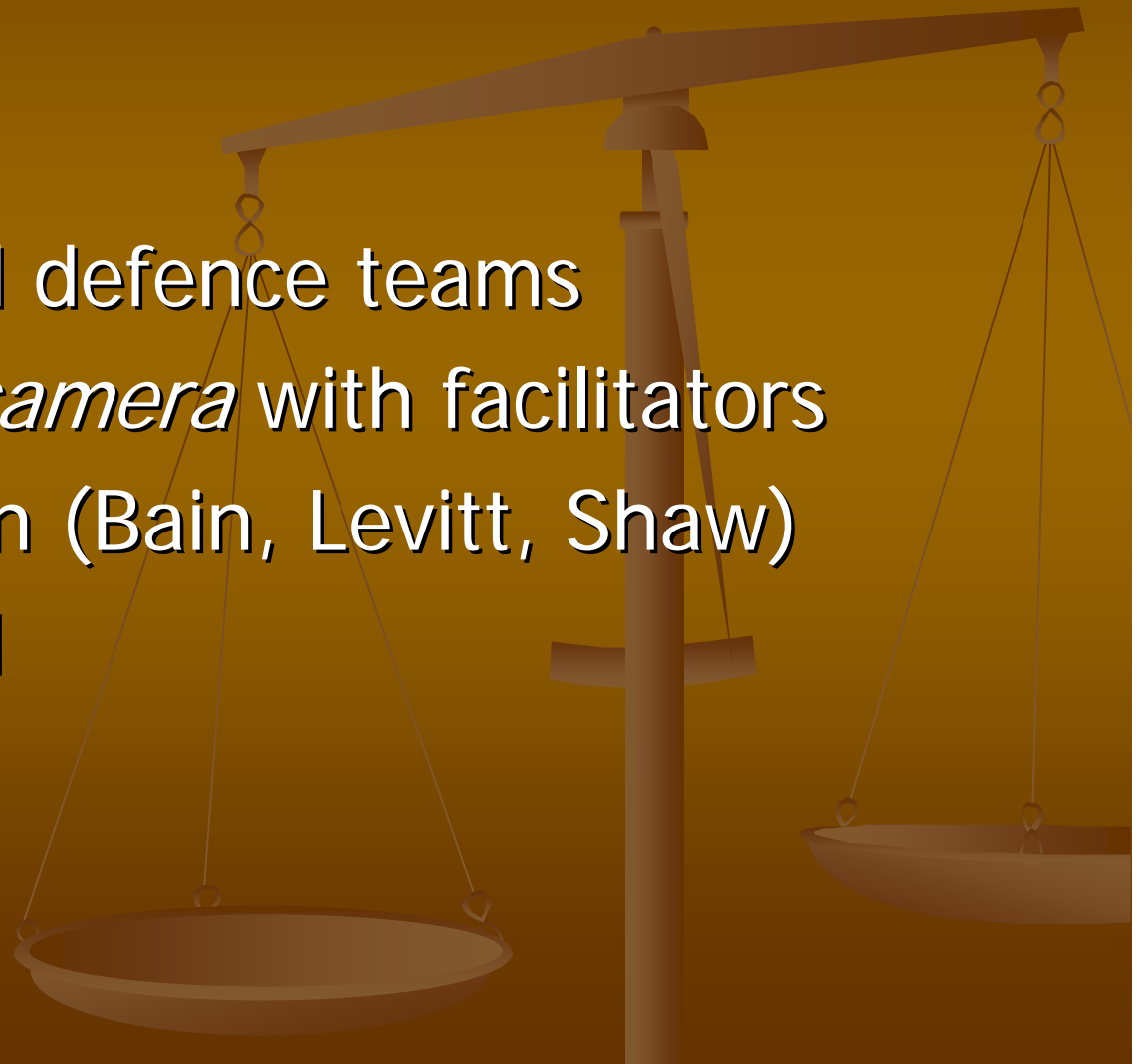
The Charge



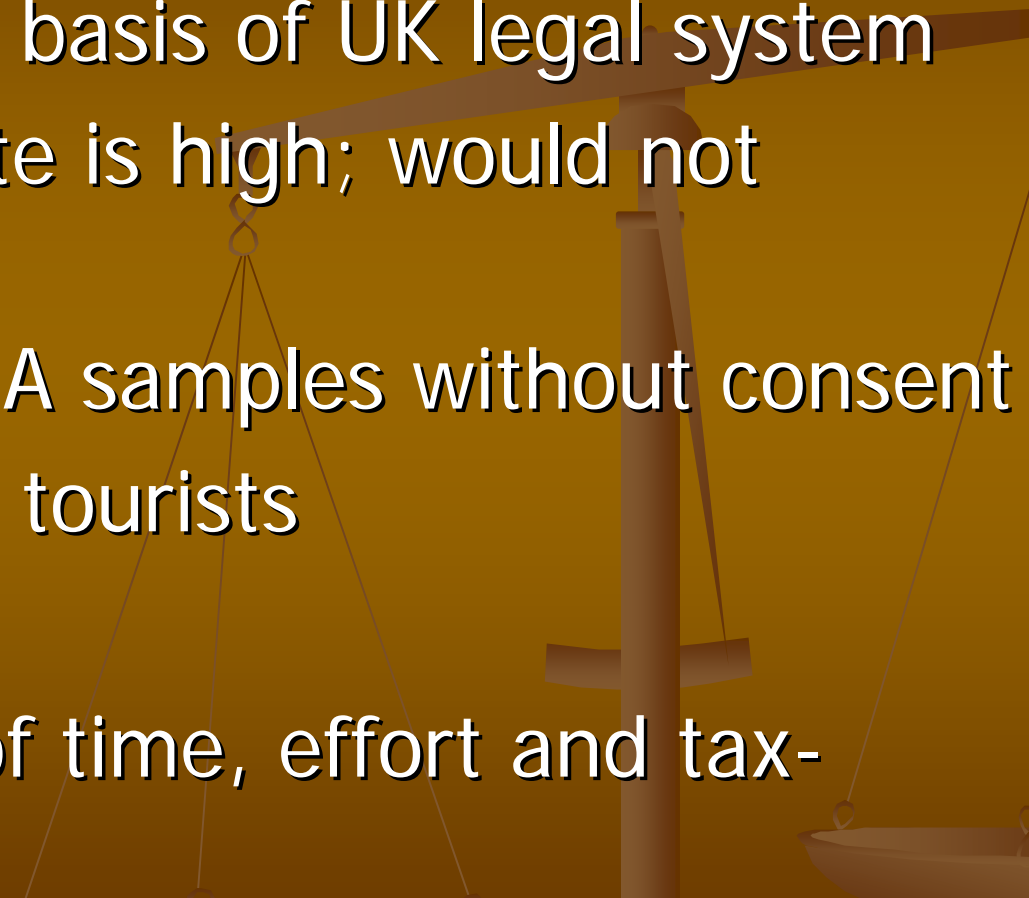
“That the government would be guilty of causing an unreasonable threat to the civil liberties of the citizens of the United Kingdom by the creation of a Universal DNA Database”

Format of the Trial

- Judge
- Initial voting
- Prosecution and defence teams
- Jury retired *in camera* with facilitators
- Public discussion (Bain, Levitt, Shaw)
- Voting repeated
- Jury Verdict



Prosecution Arguments

- Undermines the basis of UK legal system
 - Re-offending rate is high; would not reduce crime
 - Research on DNA samples without consent
 - Immigrants and tourists
 - False matches
 - Inefficient use of time, effort and taxpayers' money
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Defence Arguments



- Crimes solved more quickly
- Lots of personal information on other databases
- UDNAD would overcome existing ethnic bias
- Stigma about being on NDNAD removed
- Reasonable to sacrifice some civil liberties for a safer society
- Chances of false matches are 1 in a billion

The Verdict



- **Guilty** i.e. the government would be guilty of causing an unreasonable threat to the civil liberties of the citizens of the UK by the introduction of a Universal DNA Database
- Majority verdict: 9:3

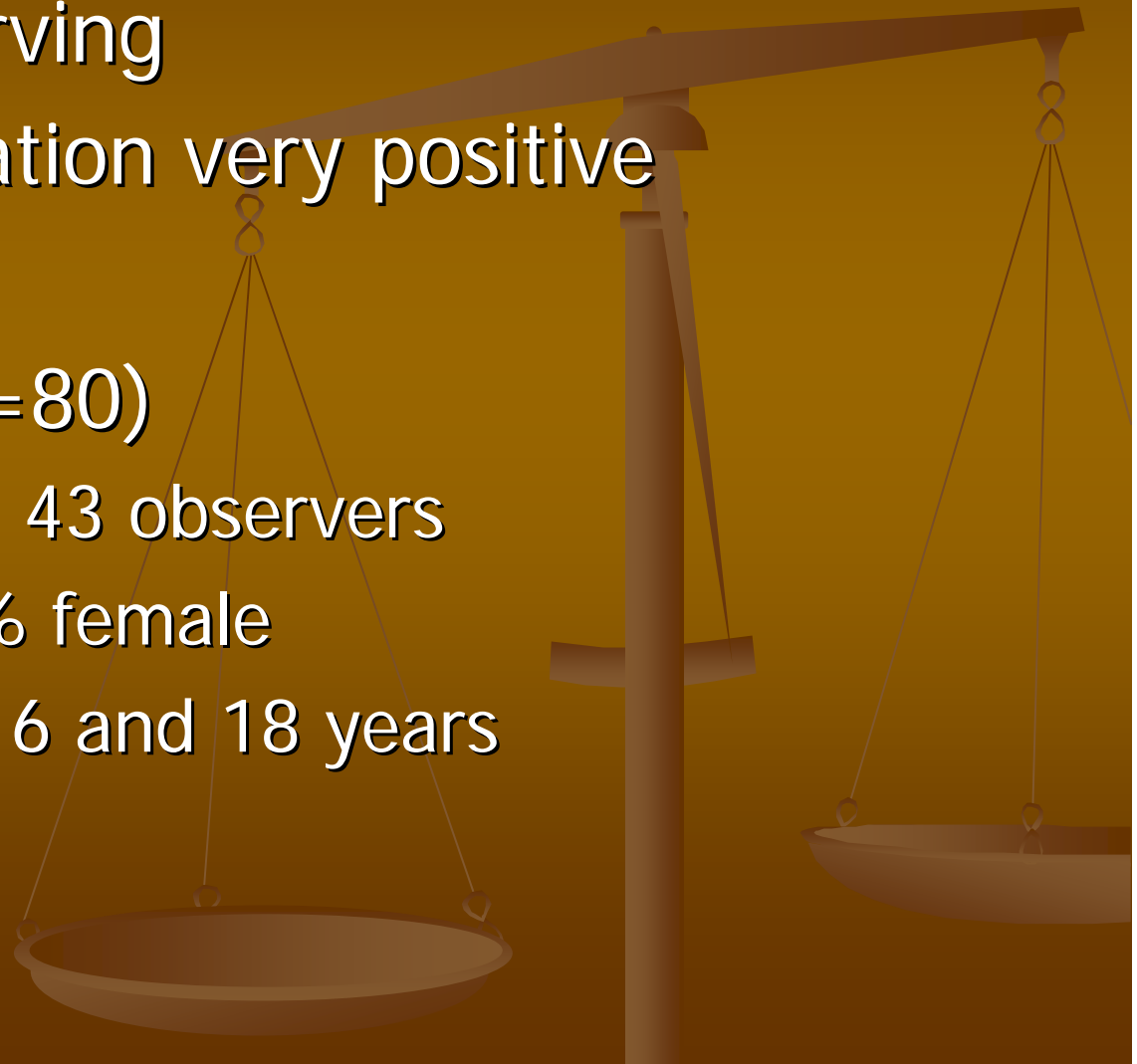
Reasons for Opposing UNDNAD

- Cost
- Undermines the basis of the legal system
- Can never be universal
- Threatens civil liberties



Audience

- 56 people observing
- Observer evaluation very positive
- Total Voting (n=80)
 - 37 participants; 43 observers
 - 36% male; 64% female
 - 53% between 16 and 18 years
 - 4% on NDNAD



What is the most negative aspect for you of a Universal DNA Database?

- 1 Information is not secure
- 2 Erosion of privacy
- 3 Turns all UK citizens into suspects
- 4 Increase in surveillance levels
- 5 Use of DNA for other purposes
- 6 Being wrongly accused of a crime
- 7 Don't know



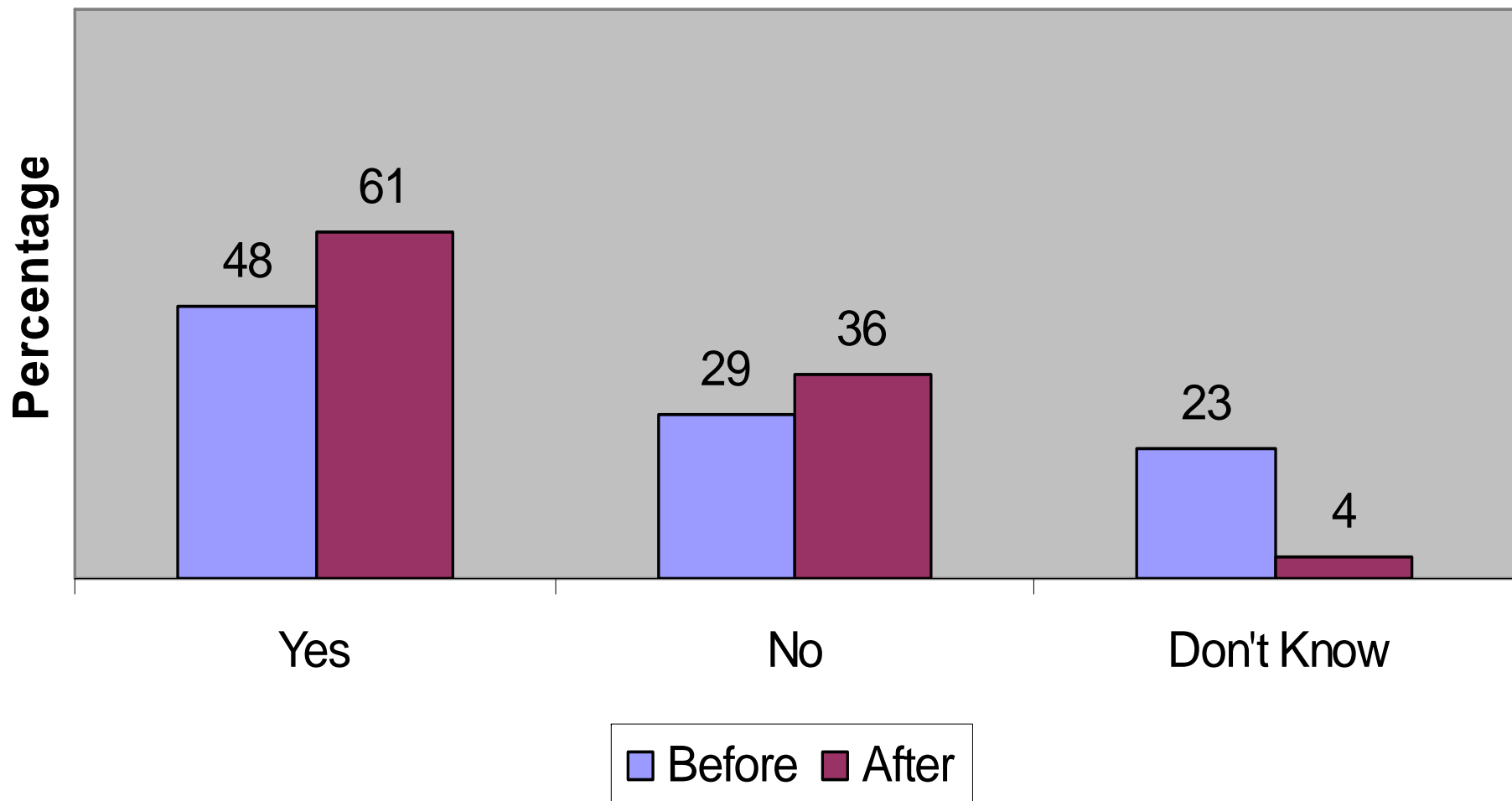
wellcome trust

TECHNIQUEST

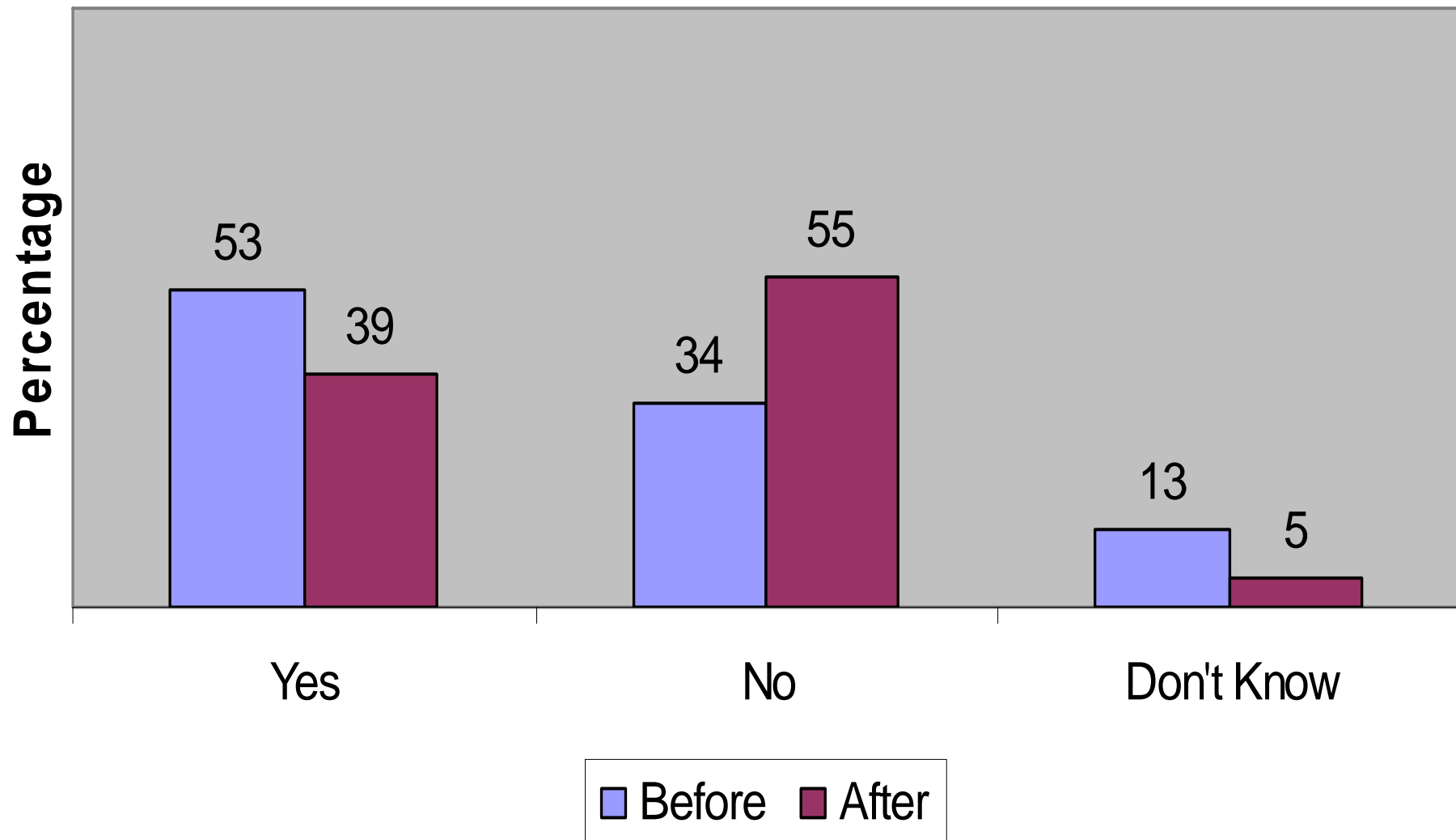
GENE
PARK
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CYTRU



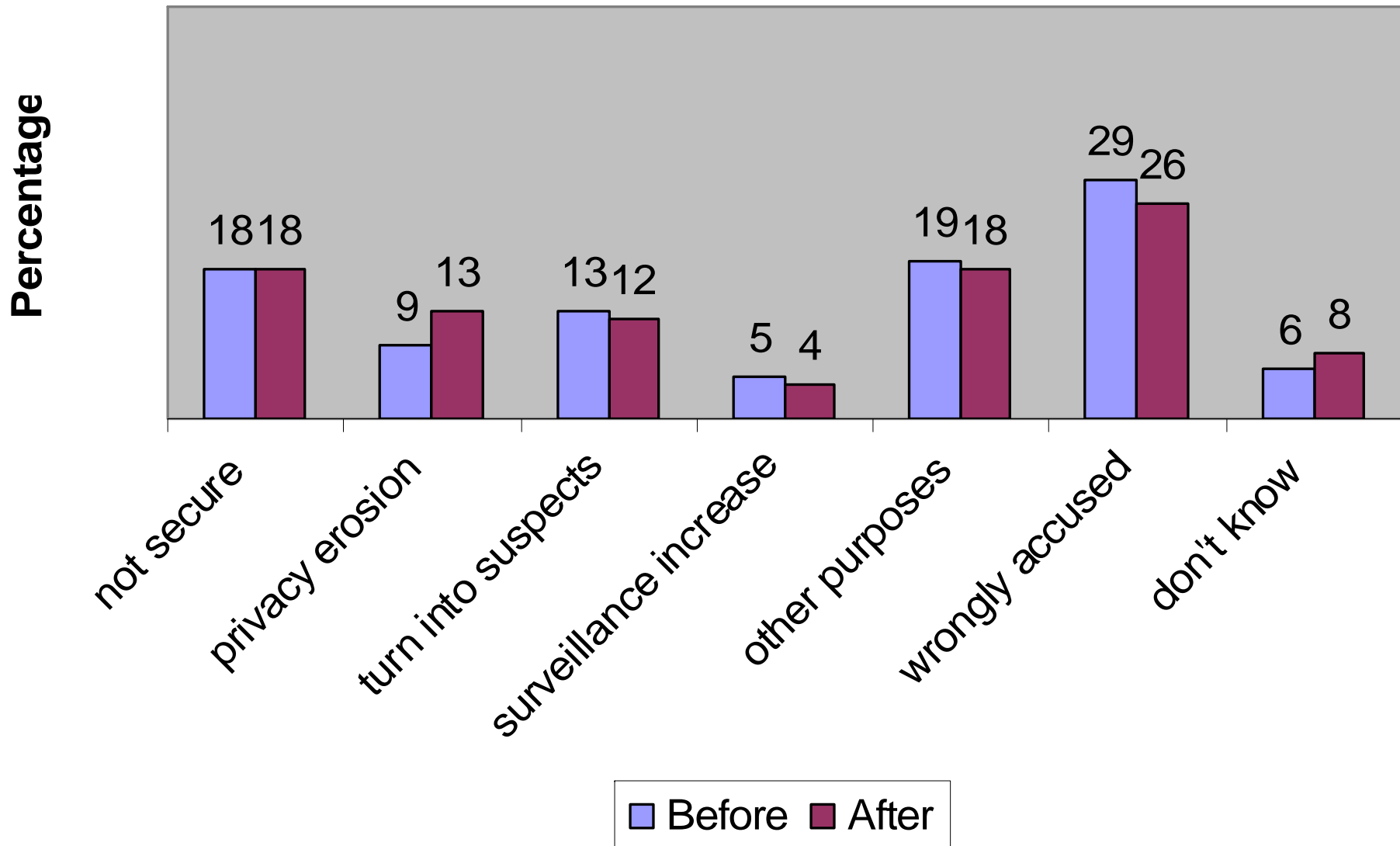
Would a Universal DNA Database be an unreasonable threat to the civil liberties of the citizens of the UK?



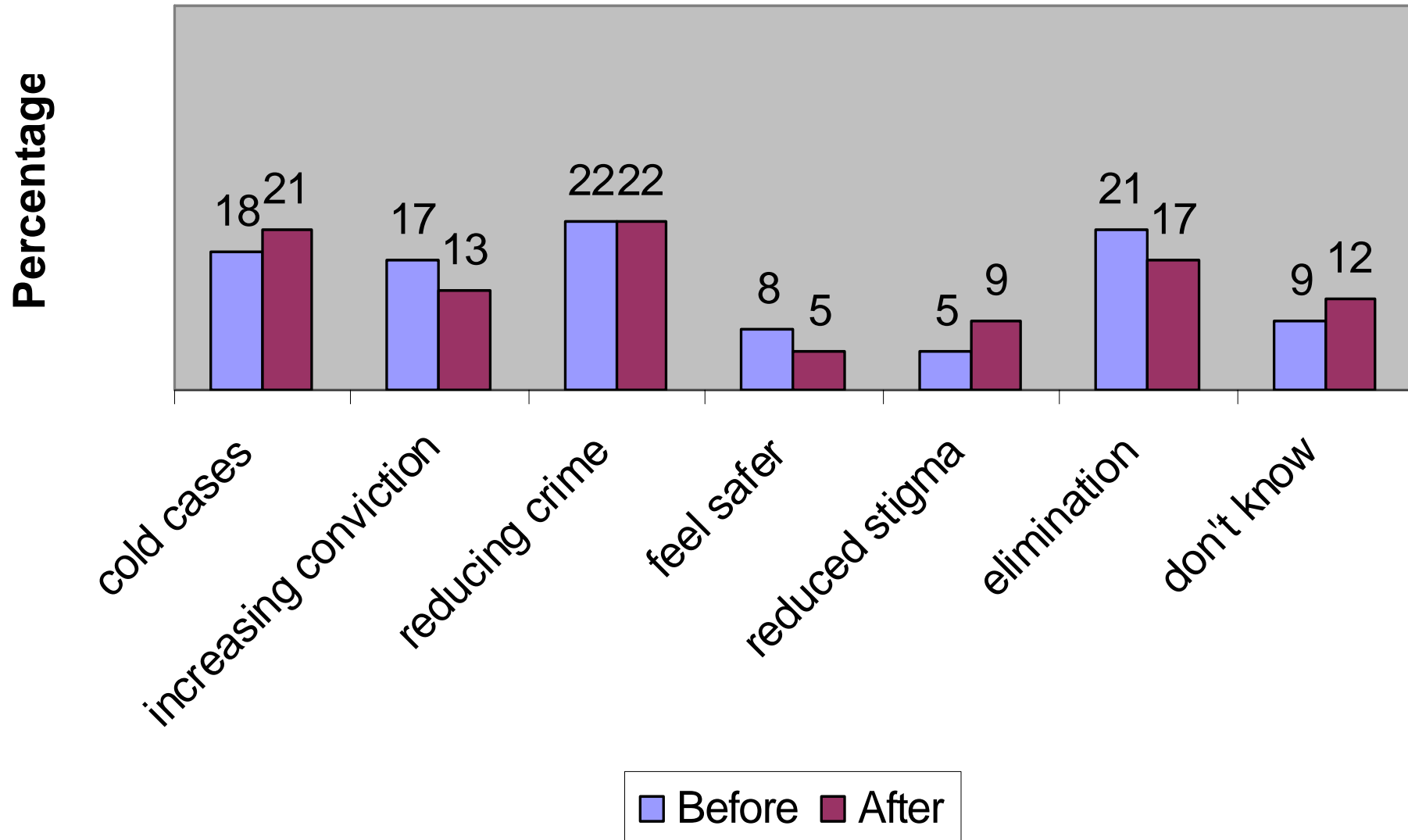
Do you think having a Universal DNA Database would reduce crime?



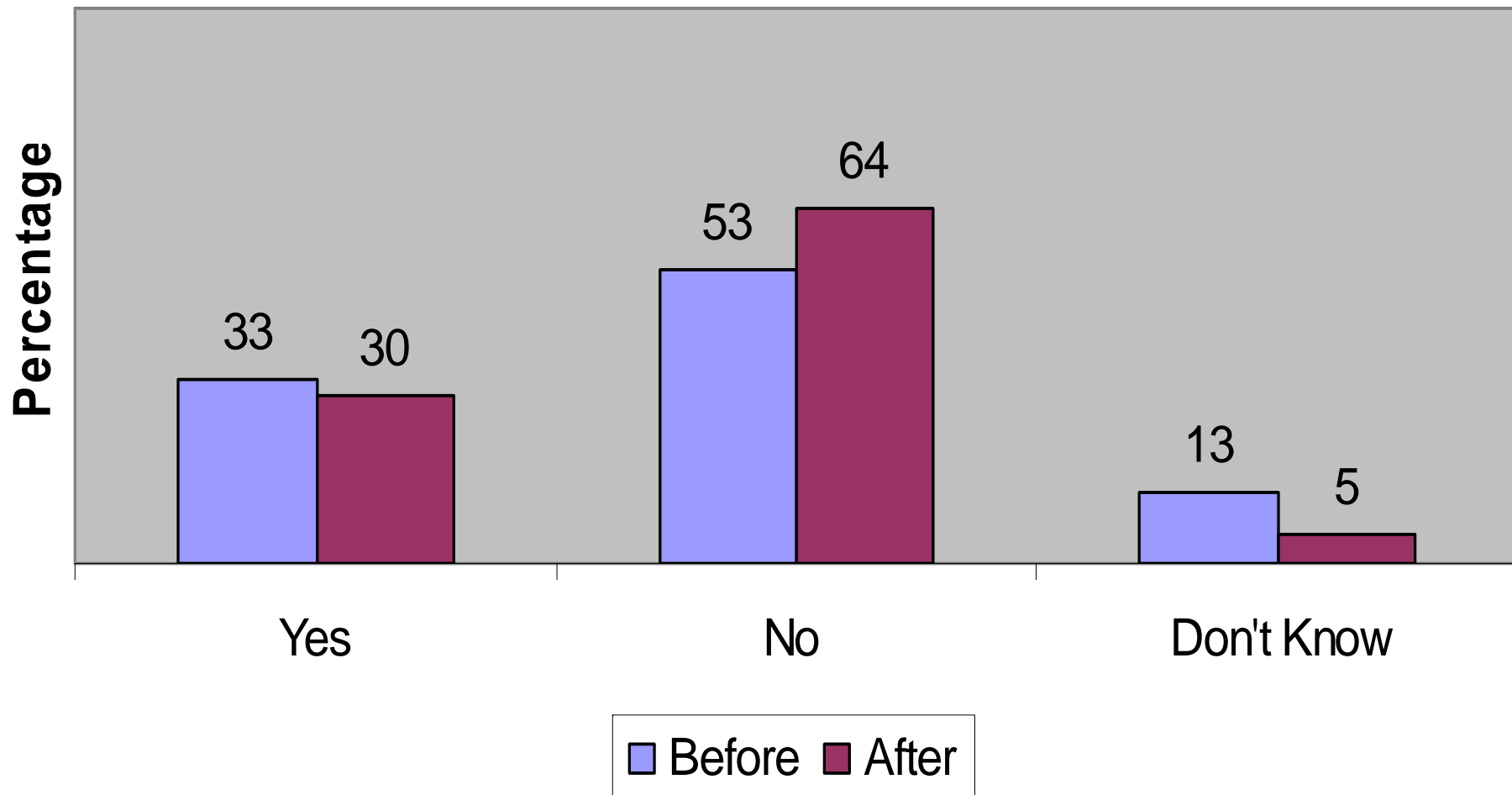
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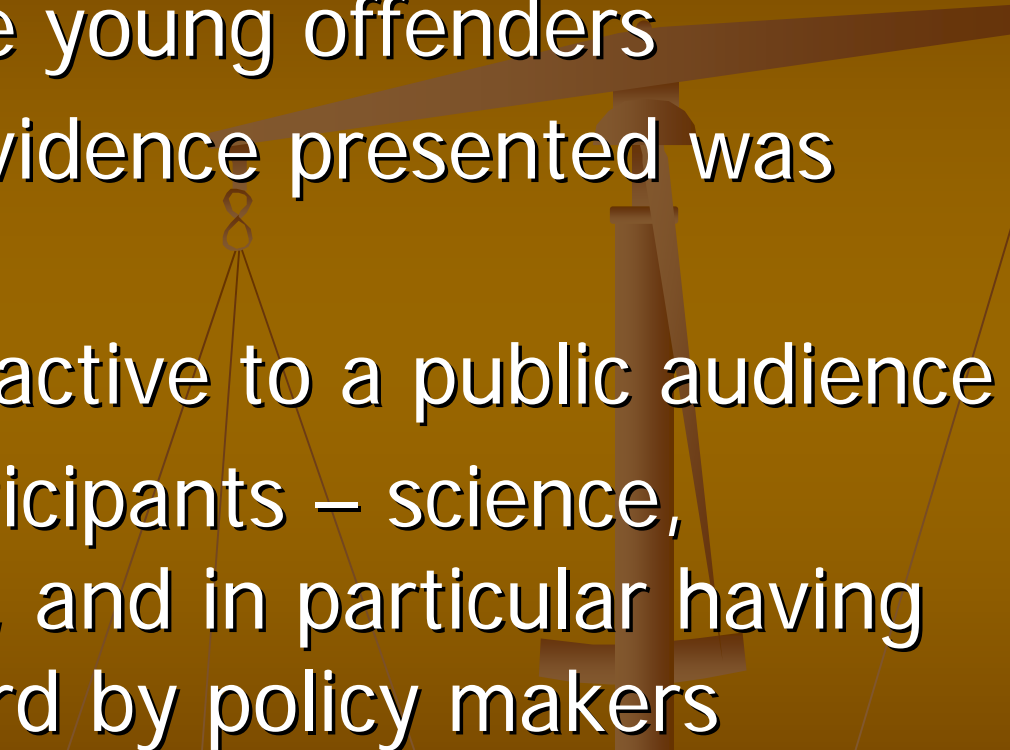
What is the most positive aspect of a Universal DNA Database?



If a Universal DNA Database existed, do you believe it would be a good use of tax-payers' money?



Tentative Conclusions

- Failed to engage young offenders
 - Quality of the evidence presented was superb
 - Trial format attractive to a public audience
 - Benefits for participants – science, technology, law, and in particular having their voices heard by policy makers
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Contact Details

- Anita Shaw, Techniquest
 - Tel: 029-2047 5460
 - Email: anita@techniquest.org

 - Rachel Iredale, University of Glamorgan
Tel: 01443-483075
 - Email: riredale@glam.ac.uk

 - www.dnadatabaseontrial.org
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