



MEDIA RELEASE

Minister for Justice & Customs

Senator the Hon. Amanda Vanstone
Senator for South Australia

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Federal forensics bill - key step to national DNA database

Minister for Justice and Customs, Senator Amanda Vanstone, today introduced amendments in the Senate to give the police the tools to fight crime.

The proposed Crimes Act amendments would enable the collection of a wider range of DNA samples from convicted Federal offenders.

Senator Vanstone said this would allow for DNA samples to be added to the national DNA database, as part of CrimTrac.

CrimTrac is a major initiative of the Federal Government, backed by \$50 million, to help police across Australia solve more crime.

To prepare for the operation of the national DNA database system Federal, State and Territory Governments will amend laws to enable the collection of samples from convicted serious offenders and volunteers.

The collection of samples from those convicted of serious Federal offences will include drug traffickers and those who have stolen Commonwealth funds. The proposed new powers will enable the collection of samples from anyone convicted of a Federal offence with a maximum penalty of 5 years or more imprisonment and who is still under sentence (whether the offence was committed before or after the proposed legislation). Blood samples have been able to be obtained from those convicted of serious offences since the beginning of 1999 but not from those convicted before then.

The new provisions will enable the taking of other samples: saliva from the mouth and hair, both of which can now provide DNA information.

If the offender does not consent to the taking of a blood or saliva sample, the proposed legislation will provide that a magistrate must approve the taking of those samples. This will ensure that disputes about the legality or appropriateness of the taking of the sample can be resolved before any sample is taken from someone by force.

It is also necessary to put in place procedures to guard against improper use of DNA information. The legislation will include offences with a maximum penalty of 2 years imprisonment where anyone misuses the DNA information. There will be strict rules governing the matching of DNA information and the destruction of identifying records where an accused person is not proceeded against or found not guilty.

"The proposed amendments should be welcome news for Australia's law enforcement agencies and will facilitate a more effective fight against serious crime in this country," Senator Vanstone said.

"In the United Kingdom a national DNA database system has produced impressive results which have contributed to the detection and conviction of many serious offenders. It has played a particularly important role in securing murder, rape and burglary convictions."

"The amendments will reflect determined efforts by Commonwealth, State and Territory create an effective DNA database system. They are based on model procedures developed through the Standing Committee of Attorneys-General which were the subject of nationwide consultation over the past year."