

exchange

ESRC Research Seminar

Newcastle, 14 July 2016

Geopolitics and ethical challenges of DNA data exchange in the EU

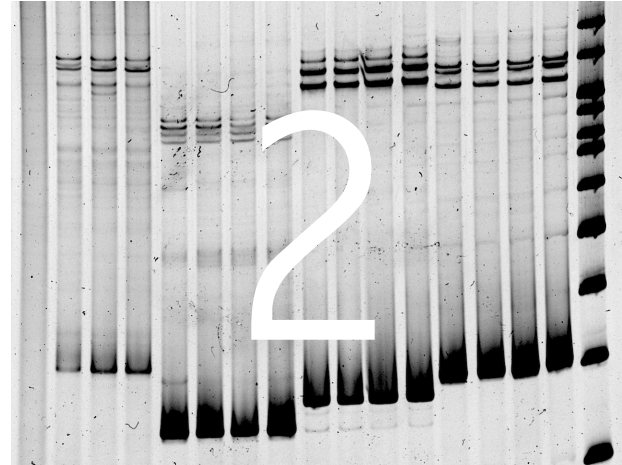
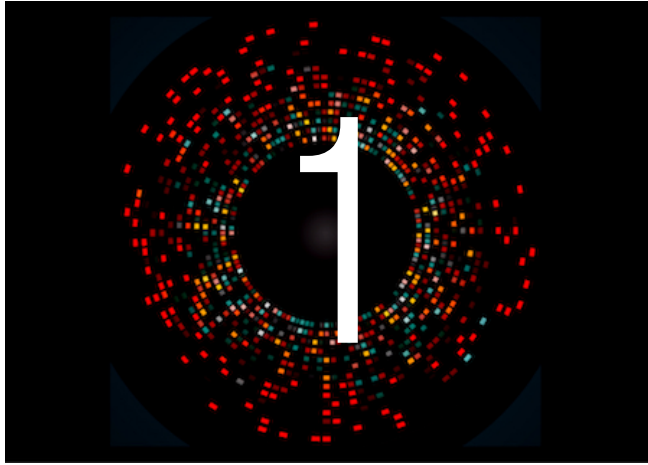
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EXCHANGE: Objectives

- Exploring societal, cultural, ethical, regulatory and political impacts of the implementation of Prüm Decisions in the EU
- Investigating new and old challenges posited by Prüm-DNA to social control, citizenship and democracy in contemporary societies
- Views and practices of forensic geneticists



Subprojects



1 | Talking science

- General overview of Prüm Decisions in all EU Member States
- Accounts of “benefits” and/or “risks” of Prüm
- Challenges (ethical, operational, legal, scientific...)
- Changes in practices of cooperation, impacts at national level, expectations regarding future developments

2 | Doing science

- Construction of credibility of DNA evidence
- Scientific and technological innovation
- Forensic geneticists' community: communication, flows of knowledge, power relations, “export” of innovation
- Private companies in the forensic genetics arena




3 | Travelling DNA

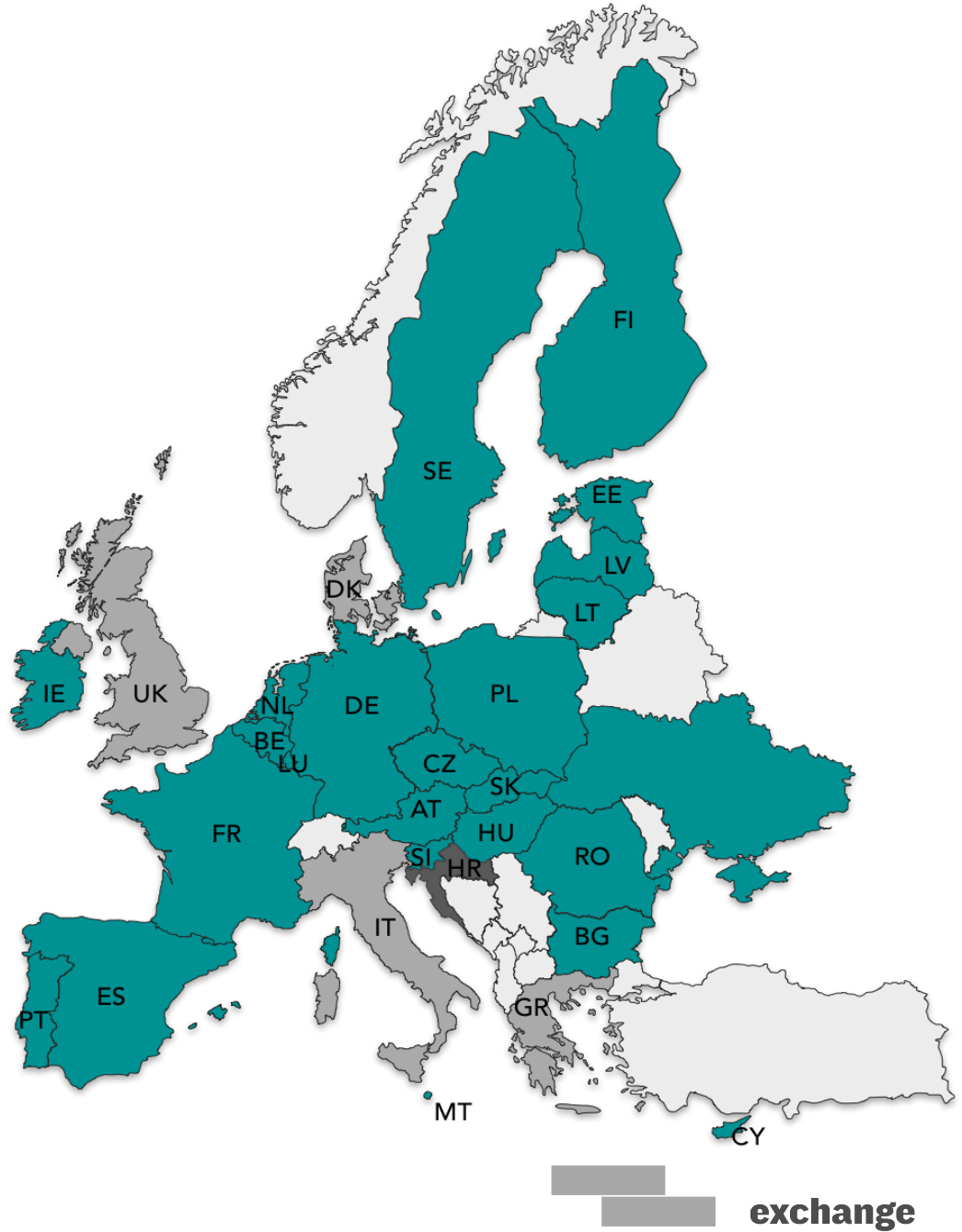
- Criminal investigation of cross-border criminal cases
- Different domains of practice – forensics, criminal justice system, the media.
- Assemblage of networks of relations travelling through and connecting different professional, social, cultural and national contexts

4 | Globalising-Localising forensic genetics

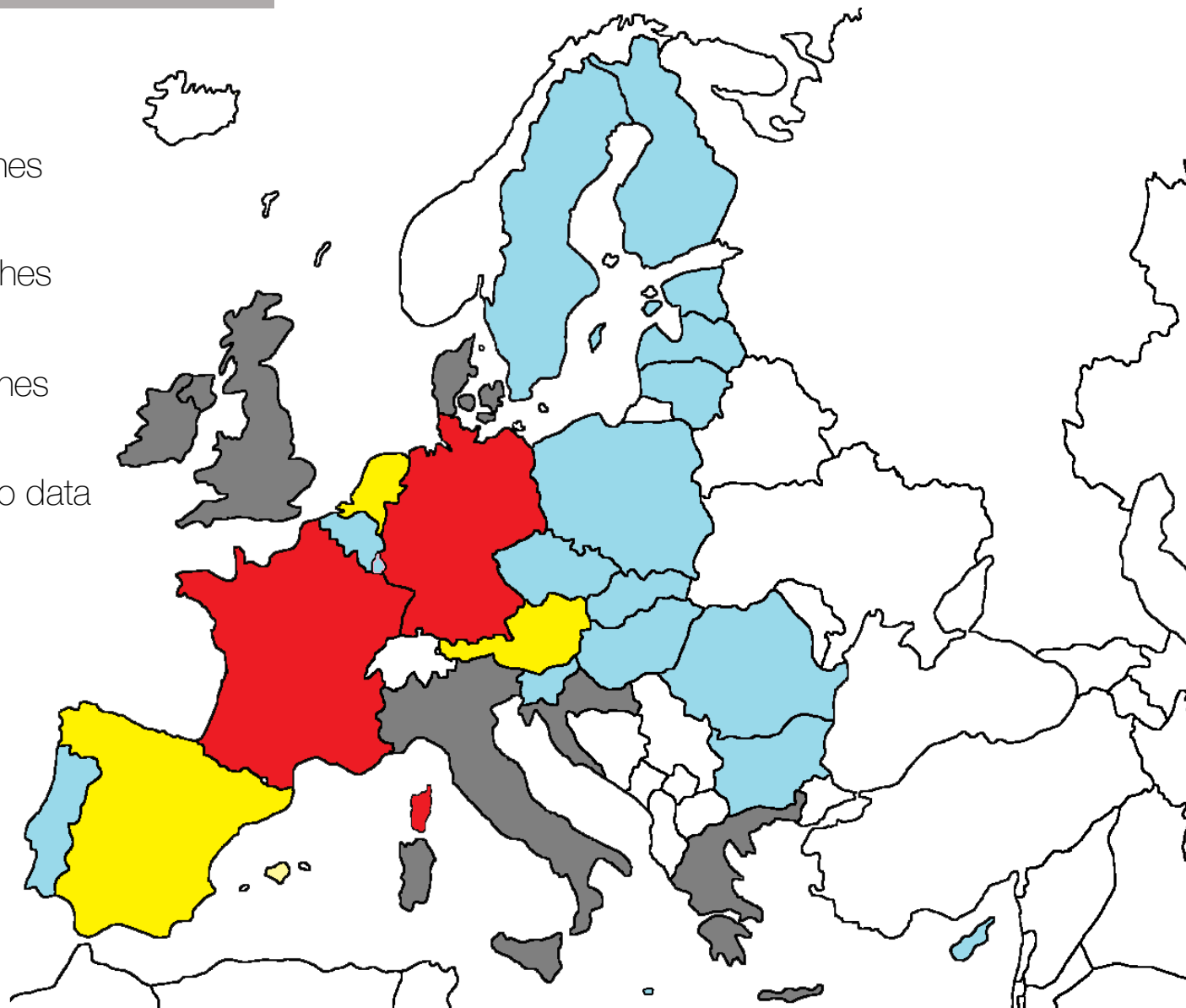
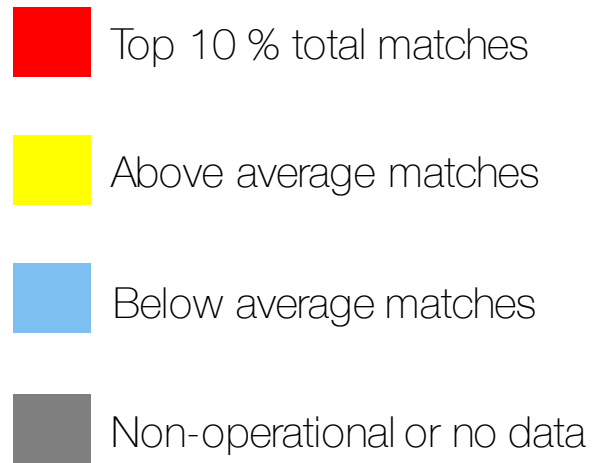
- Portugal, Poland, the Netherlands and the United Kingdom
- Positioning in relation to the transnational exchange of DNA data
- Laboratories, criminal justice system and national data protection authorities

Prüm exchange

-  Operational
-  Non-operational due to pending decision
-  Implementing DNA database



Geopolitics of the Prüm system

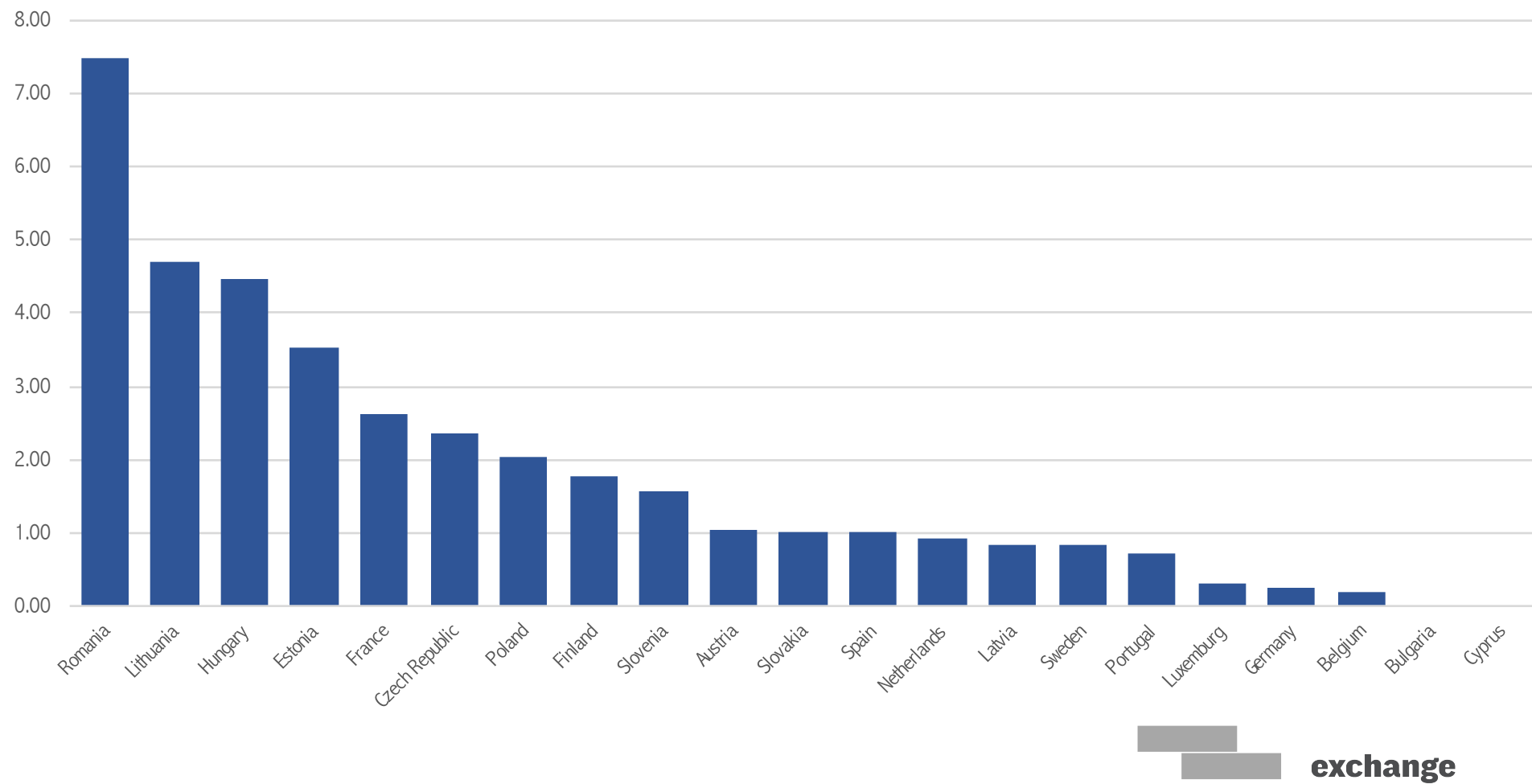


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Ratio

Own Person-External Stain/Own Stain-External Person

(Source: DAPIX 2015)



Ethical challenges

- Boundary work between the lab, the crime scene and the court
- Very diversified “ethical awareness”
- Problem of false positives
- Differentiated levels of trust – “geopolitics of trust”

Inside and outside the lab

What do you mean by 'ethical'? We do our job.

[Interview B1]

The ethical oversight mostly occurs before the samples come to our lab. Our job is to do the analysis and to give results, as opposed to worrying about the ethical things.

[Interview E1]

I don't see any problems with the fact that we share DNA. It is only the way you use information coming from [Prüm] in the judicial case. And maybe before, when you take the sample: where did you take it? That is, in the middle: nothing.

[Interview H2]


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Out of our (their) hands

“

As soon as we report a match, it is out of our hands. We do not have control over the police or the public prosecutor's office (...) If I know the mentality of the police, they are much less careful than scientists and public prosecutors.

[Interview A1]

False positives

“

I think a risk is that if you have six or seven loci matches (...) they can be false positives.

In my country, there is no risk of a false positive match being used for legal actions.

But I am not sure whether this is also the case in other countries.

[Interview A1]

Criteria for following-up on a match

Q: What kind of crimes do you think is justified to follow up?

A: All crimes. The theory is that there are no little crimes. All are important.

[Interview H1]

Criteria for following-up on a match

“

We want meaningful matches that are worth following up. To focus on the most serious crimes. So, rather than just taking a sample of the database covering all crime types, we want to focus on serious violence, sexually motivated crime, homicide, terrorism...

[Interview D1]

Transparency

I publish the DNA database activities on the website and I think that many people – journalist, people like you – read this, so I am happy.

[Interview I1]

I am not so enthusiastic, honestly, to inform people on what kind of investigation methods we have, because, you know, we are also informing criminals on what we have and it is not our business to inform them on what kind of techniques, how strong we are... How to say... I am not enthusiastic to give them very detailed information on how we are working. It should be a little bit secret.

[Interview G6]

Ethics of the Prüm system

- Ethics is much more than Data protection and entangles with geopolitics
- Disparities in national legislation and in interpretation of international treaties
- Responsibility and custody of the DNA database: police or the judiciary
- Lack of oversight
- Trust, transparency and accountability

Thank you!

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EXCHANGE

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