

The imperative of a regulatory framework for the establishment of a National Crime DNA database in Nigeria.

Introduction

DNA analysis provides an opportunity for crime laboratories to develop distinct personal profiles which are important in identifying crime suspects. The use of DNA evidence in criminal justice has led to the arrest of previously unidentifiable perpetrators of crime as well as the exoneration of wrongfully convicted persons in different jurisdictions of the world.

Theoretical framework

Locard's principle of exchange states that perpetrators of crime usually leave traces of their presence at the crime scene while also taking traces from the crime scene along with them. Perpetrators can be tracked based on their DNA samples found at the crime scene.

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Legal issues concerning DNA sample collection

Collection of DNA samples is very contentious:

1. Bio-invasion of the suspect's right to privacy
2. Stigmatization of citizens without due process.
3. DNA analysis is susceptible to unscrupulous manipulations in forensic science laboratories.

The Nigerian situation.

Collection of DNA samples in Nigeria for crime solving purposes is still at a very elementary stage and a national DNA database does not exist yet.

Functionality

The functionality of DNA technology in the criminal justice system depends on the existence of a comprehensive DNA database to facilitate comparisons between existing and newly obtained DNA samples.

Conclusion

A national crime DNA database is vital to combat crime in any country. If DNA sampling and storage is to avoid legal pitfalls and succeed in Nigeria's criminal justice system, it is imperative to put in place a regulatory framework that will control the collection and storage of DNA samples as well as dictate the conduct of forensic laboratory scientists

Recommendations

1. A national crime DNA database must be established to effectively combat crime in Nigeria.
2. Administration of the database must be subject to a regulatory framework.