What happens to the evidence collected from me?

The forensic evidence will be analysed by the Police or Forensic Science SA or a similar agency. Your DNA, for example, could be checked against other DNA found at the crime scene.

Can I set limits on the use of my DNA profile?

You can choose what happens to your DNA profile.

Sometimes the police might ask to put your DNA profile on the South Australia DNA database, which is a collection of DNA profiles used to help solve crime and identification matters. You can tell the police that you do not want this to happen.

If you agree to put your DNA profile on the database you can set limits on how long police can store your profile.

You can also choose to limit how police use your DNA profile when it is on the DNA database. This can be done by telling police which of the South Australia DNA databases indices (categories) you permit them to match your profile with.

If you are concerned about the possible use of your DNA profile or want further information, you can consult a lawyer.

Can I ask to have my forensic sample destroyed?

Yes, see advice on the rear of this brochure.

Section 12 of the Criminal Law (Forensic Procedures) Act, 2007

Right to request the destruction of the forensic sample or material under section 39

- You can request police destroy your forensic material at any time; or, if you gave consent on behalf of someone else, you can request the destruction of his or her forensic material.
- Your request needs to be in writing, addressed to:
  Attention: Officer in Charge
  Forensic Services Branch
  Commissioner of Police
  GPO Box 1539
  ADELAIDE SA 5001

- Police must then either destroy the sample within 21 days or apply for an order to keep it.
- If the police wish to keep the sample, you will have a chance to be heard before a decision is made.

If you are under 16 and someone else has given consent to the procedure on your behalf, once you are 16 you can request the destruction of your forensic material. Alternatively, the person who gave the consent can request the destruction of your forensic material.
What is forensic science?
Crime scene investigation has developed over centuries. Today the careful examination of evidence is an important tool in solving crime. Forensic science deals with crime scene investigation.

A part of crime scene investigation is the collection of evidence through forensic procedures.

What is a forensic procedure?
Examples of common forensic procedures are:
- taking a sample of your DNA;
- taking your fingerprint(s);
- making a dental impression; or
- conducting a medical examination.

Why do police seek DNA samples or fingerprints?
All people at a crime scene always leave some material such as a hair, body fluid, fibre from clothing and or other signs of who was there.

Taking DNA or fingerprints from a victim or volunteer is done so the police can work out what material belongs to the suspect. To do this every other person who has been at the crime scene has to be identified, as well.

Without the help of victims and volunteers, the police can never be certain, for instance, where DNA found at a crime scene comes from.

For example, in the case of a burglary the suspect may have drunk a glass of water at the crime scene. This glass may have the burglar’s DNA or fingerprints. The police need to rule out the people living in the house as the source that DNA or fingerprints. For this purpose, these people could be asked to volunteer a forensic sample for testing.

How will the forensic procedure be done?
A sample has to be taken in a way that lessens any harm or embarrassment to you and avoids offending your cultural or religious beliefs. The number of people present when a sample is taken will be kept to a minimum.

If an examination of the genital or anal region, buttocks or (for women) breast is required, it will be done if reasonably practicable by a person of your own sex unless you ask for a person of the opposite sex.

Can I have a witness of my choice present for certain procedures?
You can have a doctor of your choice present if a blood sample (other than a finger-prick DNA sample) is to be taken or a sample is to be taken from inside your mouth (other than a buccal swab for DNA) or if the sample is to be collected from your genital or anal region, buttocks, or (for women) breasts.

The doctor can be your witness to the procedure, but is not allowed to take part in it or obstruct it. You will have to pay any fee charged by your doctor.

If you are a child (under 16 years) or are suffering from a physical or mental disability, a witness must be present during the procedure. This could be a friend, relative or an advocate.

Can I have an Interpreter present?
- An interpreter can be present and help you during a forensic procedure. You do not have to organise or pay for this service.