

# RESEARCH ISSUE Brief

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## Need for the Establishment of a Forensic DNA Databank as a Potent Crime Control Measure

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### I. Background

The fingerprint left at the scene of a crime, or evidence related to a crime is the most reliable means of confirming the presence of a person at the scene, since no two individuals, even identical twins, have identical fingerprints<sup>1</sup>. However, it is not always possible to obtain clear fingerprints from a crime scene. In addition, it is possible to alter one's fingerprint by plastic surgery and other surgical techniques<sup>2</sup>.

The only characteristic of a human being that is more unique than the physical fingerprint is the DNA fingerprint<sup>3</sup>. DNA (Deoxyribonucleic Acid) is the blueprint that contains the information of an individual's unique genetic make-up. It cannot be altered by any known

technique, and no two persons, except identical twins, have identical DNA<sup>4</sup>. It is no longer fashionable to have an eyewitness account to establish the presence or absence of a person at the scene of a crime. Techno-scientific artifacts are increasingly perverted in increasing wave of crimes, not only in Nigeria but largely across the globe. It is only techno-science that can contain this problem by developing the matching techniques for crime detection, prevention and control.

### II. The Nigerian Situation

In Nigeria, crime rate is alarming, with the police and criminals in battle for the control of Nigerian streets<sup>5</sup>. National dailies are always fraught with

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<sup>1</sup> Busey & Parada (2010), The nature of expertise in fingerprint examiners. *Psychonomic Bulletin & Review* 2010, 17 (2), 155-160

<sup>2</sup> Rainn.org, (2014). Preserving and Collecting Forensic Evidence | RAINN | Rape, Abuse and Incest National Network. [online] Available at:

<https://www.rainn.org/get-information/aftermath-of-sexual-assault/preserving-and-collecting-forensic-evidence>

<sup>3</sup> Op cite

<sup>4</sup> Ibid

<sup>5</sup> <http://news.bbc.co.uk/2/hi/africa/1443902.stm>

screaming headlines portraying the rate at which crime is perpetrated in the country. Police statistics shows that from August 2009 - May 2010, criminals killed 273 civilians in Lagos, the country's commercial capital. Within the same period; they also killed 84 policemen and injured 133 others<sup>6</sup>.

Nigeria is at present trapped in a network of crime problem, as portrayed in the rising surge in both violent and non-violent crimes<sup>7</sup>. Rising incidents of armed robbery, assassinations and ransom-driven kidnappings, which are now ravaging the polity and threatening

the corporate existence of the nation, calls to question the ability of the Nigerian Police and other security institutions to safeguard lives and property<sup>8</sup>. The upsurge of crime has been ongoing as Nigeria has been on the global crime map since the 1980s<sup>9</sup>.

Ultimately, this rising wave of crime in the last two decades originates from inadequate crime control mechanisms of national security due in large part to lack of DNA database and sound forensic investigation model<sup>10</sup>. For clarity, table 1 provides some startling realities.

**Table 1: Crime Fatalities in Nigeria (June 2006-September, 2015)**

State	Armed Robbery	Cultism	Kidnapping	Rape	Domestic Violence	Assassination/Thuggery/Hooliganism
Abia	107	12	53	3	5	6
Adamawa	54	18	-	-	2	2
Akwa-Ibom	66	64	15	9	11	9
Anambra	225	64	36	4	19	9
Bauchi	37	2	7	1	13	42
Bayelsa	16	104	14	6	7	5
Borno	46	-	20	-	9	9
Cross River	28	40	5	1	14	5
Delta	946	202	55	7	52	32
Ebonyi	35	16	5	4	24	16
Edo	109	306	15	10	32	12

<sup>6</sup> Nwankwo, U. V. & Okolie-Osemene, J. (2016), Prevalence of Lethal and Non-lethal Crimes in Nigeria. *Journal of Advanced Research & Humanities. Social Sci.* 2016; 3(1).

<sup>7</sup> Nwankwo, U. V. & Okolie-Osemene, J. (2016), A Study of Crime Reporting in Nigeria. [www.nigeriawatch.org/media/html/Ukoji2016.pdf](http://www.nigeriawatch.org/media/html/Ukoji2016.pdf)

<sup>8</sup> Nigeria Watch (2014), Fourth Report on Violence in Nigeria (2006–2014).

[www.nigeriawatch.org/media/html/NGA-Watch-Report14.pdf](http://www.nigeriawatch.org/media/html/NGA-Watch-Report14.pdf)

<sup>9</sup> Nwankwo, U. V. & Okolie-Osemene, J. (2016), A Study of Crime Reporting in Nigeria. [www.nigeriawatch.org/media/html/Ukoji2016.pdf](http://www.nigeriawatch.org/media/html/Ukoji2016.pdf)

<sup>10</sup> Ibid

Ekiti	47	20	2	5	11	6
Enugu	72	58	6	5	13	10
FCT	78	5	3	3	13	4
Gombe	13	-	-	-	2	3
Imo	104	47	25	5	20	23
Jigawa	18	-	1	-	5	1
Kaduna	44	-	4	6	12	9
Kano	49	-	4	-	14	11
Katsina	24	1	3	-	7	5
Kebbi	18	-	-	-	-	10
Kogi	66	17	12	-	18	26
Kwara	63	57	3	-	14	19
Lagos	819	323	40	35	121	172
Nasarawa	71	35	2	2	8	-
Niger	22	7	1	1	14	2
Ogun	184	99	11	9	29	32
Ondo	98	20	11	6	20	10
Osun	50	7	9	4	13	17
Oyo	146	4	14	4	27	67
Plateau	21	2	-	3	9	5
Rivers	197	765	67	3	15	32
Sokoto	24	1	9	-	2	1
Taraba	30	-	2	-	4	23
Yobe	37	-	-	-	-	12
Zamfara	160	-	-	2	10	1
<b>Total</b>	<b>4268</b>	<b>2363</b>	<b>457</b>	<b>147</b>	<b>605</b>	<b>676</b>

Source: Nigeria Watch Database

### III. International Best Practices

In recognition of the role of DNA databank in aiding crime detection, many countries across the globe have

adopted it to successfully detect and punish crime. Table 2 presents the experiences of some countries.

Country	Experience/Objective of the Database
<b>Canada</b>	The Canadian Government on December 10 <sup>th</sup> 1998 promulgated the Canadian DNA Identification Act. The Act established a national DNA databank to help law enforcement agencies identify persons alleged to have committed designated offences, including those committed before the coming into force of the Act. The Act created the Canadian National DNA Databank and amended the Criminal Code to provide a mechanism for a judge to order a person convicted of any designated offences to provide blood, buccal or hair sample from which DNA profile will be derived. The DNA Databank since its establishment have aided the quick dispensation of justice while innocent people are eliminated from suspicion.
<b>United Kingdom</b>	The United Kingdom National DNA Database (NDNAD; officially the UK National Criminal Intelligence DNA Database) was established in 1995. As of the end of 2005, it carried the profiles of around 3.1 million people. The database, which grows by 30,000 samples each month, is populated with samples recovered from crime scenes and taken from police suspects and, in England and Wales, anyone arrested and detained at a police station. Only patterns of short tandem repeats are stored in the NDNAD - not a person's full genomic sequence.
<b>South Africa</b>	South Africa in 2009 amended the country's Criminal Procedure Act, 1977, to provide for the compulsory taking and retention of finger prints and body-prints from some categories of offenders for investigative purposes. The Act also amended the South African Police Service Act, 1995, so as to regulate the storing and use of finger-prints, palm-prints, foot-prints and photographs of certain categories of persons. It established National DNA Database of South Africa that has effectively employed DNA Database effectively in criminal intelligence to arrest and thereafter convict offenders for recordable offences through DNA profiles collected from crime scenes.
<b>Mauritius</b>	Mauritius enacted the DNA Identification Act (No. xxx of 2009) which empowered the police, in certain specific circumstances in connection with serious offences to take and make use of DNA samples for the purpose of determining the connection with or involvement of a person in an offence. It states that unless a person, who may be

connected or associated with offence consents, a DNA sample can only be taken from him by a Judge in Chamber.

Source: Authors' compilation

#### IV. Conclusion and Recommendation

- 1) This country needs a Forensic DNA Databank for the storage of DNA profiles, making forensic DNA analysis, use of DNA profiles and information targeted at addressing doubts in criminal and DNA related issues. This no doubt will help fight the rising wave of crime in Nigeria and decongest Nigerian prisons of innocent people awaiting trial over the years for offences they never committed.
- 2) It is expected not only to reduce crime wave but also to save the lives of some innocent youths who consist the hub of our national economy from being wrongly imprisoned or executed for crimes they did not commit, this way the proposed DNA Databank will boost the nation's economy.
- 3) The current overcrowded nature of Nigerian prisons and the rising wave of criminality within the country has been attributed to delay (the snail speed) in the judicial system of the country, a situation where a teenager arrested as suspect in a criminal case clocked 25 before the case was decided calls for quick action. To many it is as a result of want of evidence in order to either nail or acquit these Nigerians languishing in jail while awaiting trial.
- 4) Again the establishment of DNA Database in Nigeria would help in the development of a crime research & studies hub for West Africa and further rake in revenue from around the continent.
- 5) This will stop the manipulation of justice in favor of a few corrupt and criminally minded individuals whose stock-in-trade is criminal activities, by fast-tracking the delivery of justice and ensuring that innocent citizens do not suffer the sin of these few criminally active people.

*The views expressed in this Research Issue Brief are those of the author(s) and do not necessarily represent the views of the Institute and its Management.*

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