

**Written Evidence to the Committee for Justice on the Criminal  
Justice Bill**

**August 2012**

## **Introduction**

- 1.1. The Women's Support Network (WSN) welcomes the opportunity to make this written submission.
- 1.2. The Women's Support Network (WSN), established in 1989, is an infrastructural umbrella organisation, which provides support services to, and represents, 62 community based Women's Centres, women's groups and projects, and women's infrastructure groups and 22 associated members across Northern Ireland (see Appendix 1).
- 1.3. Our members provide a wide range of women-centred front line services across Northern Ireland, including:
  - Specialist Advice
  - Childcare and Family Support
  - Counselling, Support and Advocacy
  - Complementary Therapies
  - Training & Education
  - Health & Wellbeing Programmes
  - Personal Development & Employment Support
  - Volunteering, Leadership & Empowerment
- 1.4. WSN aims to achieve social, political and economic justice through the promotion of the autonomous organisation of women. The Network aims to strengthen the collective voice of women's groups and to promote and develop networking opportunities, to enable collective action and to impact upon policy and decision making processes. WSN provides an accessible, feminist, relevant and high quality support service and resource for its member groups. The Network is also an important information resource on issues relevant to community based women's organisations and for other infrastructure groups, nationally and internationally.
- 1.5. Over the past 30+ years, the community based women's sector has developed a range of childcare, support, advice, and education & training services in response to the needs they identified at a grass roots level. Women's groups continue to meet the particular needs of women and their children living in areas considered to be some of

most affected by the conflict, and recognised as some of the most disadvantaged areas across Northern Ireland today.

- 1.6. Network members are actively engaged with their local communities, cross-community initiatives and regional structures throughout Northern Ireland.

## 2.0 Comments

### **Our comments relate only to DNA profiles and fingerprinting taken from children and young people.**

WSN does have concerns about the taking of fingerprints and DNA profiles from samples taken from children and young people and the retention of this material. We believe this process is in breach of children's rights standards.

Through a FOI request by the Pat Finucane Centre, it established that widespread retention of DNA of children by the PSNI in cases where no conviction or cautioning has followed. *'In total, DNA is held on at least 3,065 under 18's, of whom 1,119 have no convictions or cautions.'*<sup>1</sup>The Centre described this as:

*"...a serious infringement of the rights of these children. We do not question the need to retain the DNA of serious violent and/or sex offenders but to maintain records on children who have not been convicted of any offence is bizarre."*<sup>2</sup>

An article published in The Belfast Telegraph in 2011 indicated that profiles from 91,327 people were on the DNA database in late 2010. Of these, 34,130 belonged to a person who was not charged or reported and had been

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<sup>1</sup> The PSNI has indicated that this figure may be higher: "there are a further 620 DNA records on a separate system which would have to be manually checked against the records held on the main system to ensure there is no duplication" Statewatch, 2006.

<sup>2</sup> Statewatch 2006

released unconditionally. They included samples from 228 children aged between 16 and 18, and 92 samples from children aged between 10 and 15.<sup>3</sup>

Concerns over this practice has also been expressed by the Northern Ireland Commissioner for Children and Young People has, calling on both the PSNI and Policing Board to reconsider the retention of DNA of under 18's and pointing out that it potentially breaches Articles 16 and 40 of the UNCRC.<sup>4</sup>

We would remind the Committee of Article 40 of the UNCRC which places an obligation on state parties to recognise the right of all children, even those who have infringed the penal law, to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, and in a way which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society. The Committee on the Rights of the Child, comments:

*“The Committee reminds States parties that, pursuant to article 40 (1) of CRC, reintegration requires that no action may be taken that can hamper the child’s full participation in his/her community, such as stigmatization, social isolation, or negative publicity of the child. For a child in conflict with the law to be dealt with in a way that promotes reintegration requires that all actions should support the child becoming a full, constructive member of his/her society.”<sup>5</sup>*

WSN welcomes the opportunity to submit this written evidence and we are happy to further discuss these issues if required.

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<sup>3</sup> Belfast Telegraph ‘Police face DNA data wipeout: European ruling may force PSNI to delete a third of profiles it holds’ by Adrian Rutherford, Wednesday, 16<sup>th</sup> March 2011.

<sup>4</sup> NICCY, 2006

<sup>5</sup> Paragraph 58 (a), CRC/15/Add.188, 4 October 2002 and Para 27 and 77 and 29 CRC/C/GBR/CO/4, 3 October 2008.

## MEMBERSHIP 2010

	<u>Member Group</u>
1	All Ireland Mother's Union
2	An Munia Tober (Travellers)
3	Antrim & Ballymena Women's Aid
4	Ardmonagh Women's Group
5	Ardoyne Women's Group
6	ATLAS Women's Centre
7	Al Nisa Women's Group
8	Ballybeen Women's Centre
9	Ballymurphy Women's Group
10	Belfast & Lisburn Women's Aid
11	Belvoir Women's Improvement Group
12	Carrickfergus Women's Forum
13	Carew II
14	Causeway Women's Aid
15	Chrysalis Women's Centre
16	Clan Mor Women's Group (Sure Start)
17	Derry Well Woman
18	Derry Women's Centre
19	Falls Women's Centre
20	First Steps Women's Group
21	Footprints Women's Centre
22	Foyle Women's Aid
23	Foyle Women's Information Network
24	Granaghant District Women's Group
25	Greenway Women's Centre
26	Kilcooley Women's Centre
27	Lesbian Advocacy Services Initiative
28	Lesbian Line
29	Lenadoon Women's Group
30	Ligoneil Family Centre
31	Link Women's Group
32	Manor Women's Group
33	Markets Women's Group
34	NI Women's Aid Federation
35	NI Women's European Platform
36	Fermanagh Women's Network
37	Newry & Mourne Women
38	Newtownabbey Women's Group
39	Older Women's Network NI
40	Omagh Women's Aid
41	Rape Crisis Centre
42	Rasharkin Women's Group
43	Shankill Women's Centre
44	Strabane & Lifford Women's Centre
45	Strathfoyle Women's Centre
46	The Learning Lodge
47	Voices Women's Group

48	Waterside Women's Centre
49	Windsor Women's Centre
50	Women Connect Project
51	Women into Politics
52	Women's Information Group
53	Women's News
54	Women's TEC
55	Women 2 Gather
56	Women's Resource & Development Agency
57	WISPA (Women in Sport & Physical Activity)
58	Ardcarn Women's Group
59	OIYIN Women's Group
60	Mossley Women's Institute
61	Mount Vernon Women's Group
62	Coole New Opportunities
	<b><u>Associate Members</u></b>
1.	Ballymena Community Forum
2.	CiNI
3.	Community Relations Forum
4.	East Belfast Community Partnership
5.	Employers for Childcare
6.	HIV Centre (Women's Support Group)
7.	Mencap
8.	National Women's Council of Ireland
9.	Playboard
10.	RNIB (Women's Group)
11.	Good Morning Newtownabbey
12.	Monkstown Community Association
13.	WAVE Trauma Centre
14.	WEA
15.	Parents Advice Centre
16.	Templemore Community Action Group
17.	Gingerbread
18.	Larne Community Development Project
19.	Community First Coaching
20.	Changing Faces
21.	Sands NI
22.	Women's Project Ashton Centre